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CITY OF SHELDON
PERSONNEL POLICY

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FOREWARD

Welcome to the City of Sheldon, Iowa! It is our desire that you enjoy your work and perform it to the best of your abilities. We strive to provide a pleasant working relationship and service to the citizens of Sheldon and the greater area.

Every effort has been made to convey accurate and clear information throughout this policy, but no written summary can completely and without exception cover every situation that may develop. You are responsible for all information contained within. If you have any questions, please feel free to discuss them with your Department Director.

CHAPTER 1 AUTHORITY AND APPLICABILITY

Management Rights

The City Council hereby retains and reserves unto itself, all powers, rights, authority, duties, and responsibilities conferred upon and vested in it by the laws and Constitutions of the State of Iowa and the United States.

City Manager Authority

The City Manager is authorized and directed to administer these personnel policies rules and regulations including the right to establish whatever detailed rules and regulation necessary to further explain and clarify the provisions thereof.

Applicability

This Personnel Policy applies to all positions and employees who are employed by the City of Sheldon, except for elected officials, appointed officials serving without compensation, and volunteers of the emergency departments. Certain sections relating to benefits are not relevant for casual part-time employees. In the event of any conflict between this Personnel Policy and rights provided to an employee or position pursuant to a separate contract or collective bargaining agreement (“CBA”), the applicable contract or CBA term will control for those employees and positions to whom it applies. Unless expressly stated otherwise, all employees and positions are at-will and may be terminated at any time, regardless of cause.

Standard operating procedures of the City of Sheldon may vary somewhat between departments. This is necessary because of various duties and hours required of some departments, and various state and federal regulations that must be followed. Each Department Director may establish separate policies (such as SOP’s) for the purpose of handling matters applicable to their specific department, and employees are expected to comply with department-specific policies as applicable. Such policies shall not conflict with the policies established by the City and must be approved in advance by the City Manager.

The Public Library is under the control of the Library Board of Trustees. The Board may agree to abide by the City’s personnel policy. The Library Board of Trustees retains the right to have final say over any and all policies of employees both current and future.

CHAPTER 2 EQUAL EMPLOYMENT, ANTI-HARASSMENT, AND ACCOMMODATIONS

Equal Employment Opportunity

Equal Employment Opportunity (“EEO”) has been, and will continue to be, a fundamental principle within the City of Sheldon. The City of Sheldon is committed to complying with all applicable federal, state, and local laws prohibiting discrimination in employment based on race, creed, color,

religion, sex, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status, or any other protected characteristic under applicable law.

EEO applies to all employment-related practices and procedures at the City of Sheldon, including recruitment and hiring, promotion, compensation, benefits, training, education, leaves of absence, layoffs and recalls, and termination. Employment-related decisions will be based solely on permissible considerations, such as City needs, merit, qualifications, and abilities.

Anti-Harassment

The City of Sheldon is dedicated to providing a professional work environment that maintains employee dignity and respect and that is free from unlawful harassment. In keeping with this commitment, the City of Sheldon prohibits harassment against its employees on the basis of race, creed, color, religion, sex, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status, or any other protected characteristic under applicable laws. This prohibition on harassment applies to all harassment, whether written, verbal, or in any other form, and it protects employee from harassment by supervisors, co-workers, or third-parties employees come into contact with during the course of their employment.

Harassment consists of conduct that is offensive and unreasonably interferes with an individual's job performance or creates an intimidating, hostile, or offensive work environment on the basis of or relating to an employee's race, creed, color, religion, sex, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status, or any other characteristic protected by applicable federal, state, or local law.

Sexual harassment is a type of harassment defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when: (a) submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual, or (c) the conduct has the purpose or effect of unreasonably interfering with the individual's performance or creating an intimidating, hostile, or offensive working environment.

The City of Sheldon's prohibition on harassment applies not only in the workplace during normal business hours, but also to any work-related setting outside of the workplace, including business trips, meetings, and business-related social events.

Reporting

If any employee believes that he or she has been subjected to harassment described herein, he or she should immediately report the situation to his or her supervisor, to the City Manager, or alternatively, to the City Attorney. Complaints of harassment should not be made by an employee to his or her supervisor or manager if that person is the individual being reported for harassing conduct.

Complaints of harassment will be promptly investigated. Actions will be taken internally to investigate and resolve complaints and will be conducted confidentially to the extent practicable and appropriate to protect the privacy of the persons involved, but complete confidentiality cannot be guaranteed.

Appropriate disciplinary action (paid or unpaid), up to and including termination, may be taken against any employee who willfully violates this policy or procedure. The City of Sheldon does not tolerate any form of retaliation or discrimination against an employee who files a harassment-related complaint in good faith, even if the investigation produces insufficient evidence to support it. If an employee believes that he or she has been retaliated against, the employee should make a complaint using the procedures set forth above.

Reasonable Accommodations

It is the policy of the City of Sheldon to provide reasonable accommodations to qualified individuals with disabilities unless such accommodations would impose an undue hardship on the City of Sheldon or would cause a direct threat to workplace safety. For purposes of this policy, the term “reasonable accommodation” generally means any modification or adjustment made (1) to a job application process to enable a qualified applicant with a disability to be considered for the applicable position; or (2) to a work environment to allow a qualified employee with a disability to perform the essential functions of the job or to enjoy equal benefits and privileges of employment. Ultimately, the determination as to whether to provide an accommodation or whether a particular accommodation is reasonable will be made by the City of Sheldon on a case-by-case basis.

Any qualified individual with a disability who believes that he or she needs a reasonable accommodation should contact the City Manager to request an accommodation. The City of Sheldon encourages individuals with disabilities to come forward and request reasonable accommodations. When a qualified individual with a disability has requested an accommodation, the City of Sheldon will involve the individual in the process of determining potential reasonable accommodations. The City of Sheldon may request documentation from the individual's medical provider to support the request for reasonable accommodation.

CHAPTER 3 EMPLOYEE CLASSIFICATION, HIRING, AND RELATED POLICIES

Employee Classification

All employees are designated as either nonexempt or exempt under federal, state, or local wage and hour laws. The following is intended to help employees understand employment classifications, employment status, and benefit eligibility.

Nonexempt employees are those who are not exempt from the Federal Fair Labor Standards Act (“FLSA”) requirements concerning minimum wage and overtime. Generally, nonexempt positions will be paid overtime (time and a half) for all hours worked in excess of 40 during a workweek. All employees in positions that are classified as nonexempt will be required to track their hours worked and will be eligible for overtime pay in accordance with applicable law.

Exempt employees are those who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established by the U.S. Department of Labor. Generally, exempt employees are paid on a salary basis.

The City of Sheldon has established the following categories for both nonexempt and exempt employees:

- **Full-Time:** Full-time employees are those employees employed by the City of Sheldon who are generally scheduled to work at least 40 hours per week during established work hours, year-round. Compensatory time is not to be accumulated, accrued, or paid out upon termination of employment except as expressly allowed by the collective bargaining agreement(s) to which the City is a party. This manual does not prevent management from authorizing routine (and documented) scheduling adjustments within a pay period, such as in the aftermath of a storm, community emergency, short-staffing, etc.
- **Regular Part-Time:** Regular part-time employees are those employees who work at least 20 hours per week year-round, but less than 40 hours per week year-round.
- **Casual Part-Time:** Casual part-time employees are those employees who are hired for a temporary or seasonal basis and/or 19 hours per week or less. This category includes, but is not limited to, reserve police officers.

An employee's eligibility for the benefits outlined in this Personnel Policy will depend on the employee's classification and will be subject to the terms, conditions, and limitations of each policy, plan, or program. Subject to eligibility requirements and unless otherwise authorized, benefits for regular part-time employees will be limited to IPERS or as required by law. Casual part-time employees are not eligible for any benefits. For all at-will employees, the foregoing classification does not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and the City of Sheldon. The City of Sheldon reserves the right to reclassify or re-designate any employee's job classification or status, or change or alter any employee's job grade level or job description at any time in accordance with applicable law.

Recruitment and Selection

Application Forms

Application shall be made on forms or via methods provided for such purpose by the City. Such forms shall require information concerning the applicants' background of training and experience, residence, physical fitness, and other information, including reference, deemed pertinent by the City.

Selection Methods

In selecting from among candidates to fill position in the municipal service, the appointing authority may use written, oral or performance tests, an evaluation of training and experience, or any combinations of these. Investigations of the character, personality, education, experience, and physical fitness may also be made as deemed appropriate.

Licenses and Certifications

Applicants for a position requiring a license, permit or certification, including drivers licenses, must make arrangements to obtain the same before starting employment, or upon approval of the hiring authority, within a time limit set by the hiring authority. The time limit established for obtaining the necessary license, permit, or certification shall not exceed the probationary period of the position, unless approved by the City Manager. Failure to obtain the necessary license, permit, or

certification within the established limit shall be deemed unsatisfactory completion of the probation and is ground for discharge. Driver's licenses appropriate for the equipment of the departments, as set forth by the State of Iowa by statute and the rules of the Iowa Department of Transportation are required of the employees of the police and public works departments. The City Manager shall keep a record of the positions requiring licenses, permits, and certifications.

Any employee who shall become ineligible to hold a required license, permit, or certificate, or who shall have a required license, permit, or certification suspended or revoked shall immediately be considered ineligible to hold the position for which it is required and shall be subject to dismissal from City employment.

Job Posting and Filing Vacancies

Job Posting Procedures

When a vacancy occurs in a job classification in a City department that is not an appointed position, the following procedures will follow:

1. The City will evaluate the position to determine the need to re-fill.
2. The City may reassign or transfer current employees to fill the position.
3. The City may post the position internally and allow current city employees the opportunity to apply. The internal and external posting may occur simultaneously.

The City, at all times retains the right to hire from outside the organization(s). The City of Sheldon is an Equal Opportunity Employer.

Veteran's Preference

Any honorably discharged veteran, as defined by Iowa law, shall be entitled to preference in appointment and employment over other applicants of no greater qualifications as required by Chapter 35C of the Code of Iowa. Said qualifications may include leadership, communication, and interpersonal skills important in City government.

Probationary Period

Unless otherwise established per an employment agreement or resolution of the City Council, all new employees shall be considered to be on probation for a period of twelve (12) months calculated from the date of employment, except for law enforcement personnel. Upon satisfactory completion of the probationary period the employee will be entitled to the rights and privileges granted to non-probationary employees unless otherwise provided in this paragraph. Former employees who are rehired shall be considered new hires and shall have no accumulated benefits. Accrued vacation and sick time may be used during the probationary period in accordance with applicable policies. However, any unused accrued vacation or sick time will not be paid out upon any termination during the probationary period. The probationary employee may be eligible for paid bereavement leave upon approval of the employee's supervisor.

Formal Evaluation

Evaluation of personnel on their skills, abilities and competence shall be an ongoing process supervised by and conducted by assigned evaluators of the City Administration. The goal of the formal evaluation shall be to improve the programs of the City of Sheldon, to maintain personnel who meet or exceed standards of performance established by management, to clarify all employees' roles, to ascertain areas in need of improvement, to clarify the immediate priorities of the City, and to develop a working relationship between the employees, and the administration of the City.

The formal evaluation provides an opportunity for the evaluator and the employee to discuss the past year's performance and the future areas of growth. The formal evaluation shall be completed by the assigned evaluator, signed by the employee, and filed in the employee's personnel file.

It shall be the responsibility of the administration of the City to ensure that all personnel are evaluated at least annually. Probationary personnel may be evaluated twice a year.

An employee not classified as senior management, whose evaluation is not satisfactory, may be placed on probation for a stated period of time or recommended for discharge. If the employee is a senior management person, whose evaluation is not satisfactory, the employee may be placed on probation for a stated period of time or recommended for discharge.

This provision shall not be construed as precluding other means of evaluation of employees by senior management while performing duties for or on behalf of the City of Sheldon or placing any limitations on the City's ability to discipline employees.

Employment of Relatives

The City prohibits regular full-time employment of two (2) or more members of the same immediate family in the same department, unless specifically authorized by the City Council. Persons working with a relative and in continuous employment since the time this policy was first adopted will be excluded from this policy. For the purposes of this paragraph, Immediate Family shall be defined as parents, brothers and sisters, parents-in-law, spouse, child, grandparents, grandchildren. Relatives may be hired if he/she would fall under the direct supervision of a non-relative in a different department. The City Manager, or City Manager's designee may grant an exception to this policy for part-time or seasonal employees.

Residency Requirements

All full-time public works employees (water, wastewater, streets and cemetery) who by the nature of their employment are required to respond to "call backs" and report to work in a timely manner on short notice are required to reside within a 10 mile (ten mile) radius of Sheldon Community Services Center (416 9th St). The Public Works Director, Chief of Police & full-time Police Command staff, full-time ambulance and fire personnel shall also reside within a 3 ½ mile (three and one-half mile) radius of Sheldon Community Services Center. Police officers shall reside within a 25-mile (twenty-five mile) radius of the Sheldon Community Service Center.

The purpose of this requirement is to ensure that said employees will be available for work in the event of an emergency affecting matters, which are the responsibility of their respective

departments. Accordingly, said employees shall meet these residency requirements within 6 months of their first day of work unless otherwise approved by the City Council. Employees who fail to comply with this residency requirement are subject to discharge. Regardless of where employees live, they are expected to be to work on time. For example, in the event of inclement weather employees must be to work on time and are responsible for making their own arrangements, at their own expense.

CHAPTER 4 EMPLOYEE CONDUCT AND OTHER GENERAL EMPLOYMENT POLICIES

General Code of Conduct and Ethics

The successful operation of the City of Sheldon is dependent upon the professional and ethical conduct of the City of Sheldon's employees. The City of Sheldon has adopted various policies that govern specific conduct of its employees. However, in general, employee conduct should be guided by principles of respect, professionalism, safety, and responsibility.

All employees are expected to treat the public, their co-workers, supervisors, and associates, and elected officials courteously. Moreover, personal behavior and work habits of employees should enhance the employees' image to the general public. All employees and departments are expected to cooperate with one another in completing the workload for any given department.

The City of Sheldon strives to comply with all applicable laws and regulations, and it expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. In general, employees should find that using good judgment, based on high ethical principles, will guide them to act appropriately. Employees who have questions regarding appropriate conduct or behavior should contact their supervisors or the City Manager. Violations of the City of Sheldon's conduct policies may result in disciplinary action, up to and including termination of employment.

Attendance

Punctual and regular attendance is an essential responsibility of each employee at the City of Sheldon to accomplish our mission. Tardiness, unexcused, or unscheduled absences may diminish efficient business operations at the City of Sheldon. Patterns of tardiness or absenteeism may result in disciplinary action, including termination, even if the employee has not exhausted available paid vacation.

Absences due to illness or injury that qualify under the Americans with Disabilities Act ("ADA") or that are protected under another applicable law will not be counted negatively against an employee's attendance record. Employees may be requested to provide the City of Sheldon with medical documentation within the guidelines of the ADA or other applicable law in these instances.

Reporting and Unscheduled Absence

Employees generally are expected to provide the City of Sheldon with as much advance notice as is possible when their need for being late or absent from work is known in advance. In the

event of an unforeseeable absence or need to arrive late to work, employees must contact their immediate supervisors to report the absence at least one hour before a scheduled shift or as soon as reasonably practicable if the employee is unable to provide notice prior to employee's scheduled shift due to an emergency or circumstances beyond the employee's control. The notice should include information regarding the expected date and time of the employee's return to work and details regarding any work to be performed in the employee's absence. Each employee is responsible for providing timely notification to his or her supervisor or, if necessary, to the City Manager, of any changes in the expected date and time of the employee's return and providing any information necessary for other employees to perform the time-sensitive work during the period of absence. Repeated tardiness, excessive absenteeism, or a failure to provide proper notice of an absence are all violations that may result in disciplinary action, up to and including termination.

Leaving Work

Permission to leave work during working hours must be received from an employee's immediate supervisor. Employees must clock-out when leaving.

Drug and Alcohol Free Workplace

Introduction

The City is committed to providing a healthy, safe, and productive work environment for its employees and others in the workplace. Drug and alcohol use and abuse in violation of this policy may pose a significant threat to the health and safety of City employees, visitors, and others as well as to the security of the City's equipment and facilities. The City is committed to the elimination of such drug and alcohol use within the workplace and has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy is intended to comprehensively regulate all issues concerning the use or abuse of alcohol, drugs, and controlled substances in the workplace or that affect the workplace.

The City maintains this policy to (a) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (b) create a workplace environment free from the adverse effects of drug abuse; (c) prohibit the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace; (d) prohibit the use and abuse of alcohol in the workplace; (e) improve productivity and reduce absenteeism and tardiness; and (f) if appropriate based on the City's discretion and consistent with its practices, encourage rehabilitation for an employee who seeks such help.

Definitions

"Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl or isopropyl alcohol. The term "alcohol" includes, but is not limited to, beer, wine, liquor, or other alcoholic beverages and medicines containing alcohol (unless the packaging seal is unbroken).

"Drug" means any substance, other than alcohol, capable of altering an individual's mood, perception, pain level, or judgment, including over the counter or prescribed medications and other substances or products that can have altering effects when used improperly, such as

inhalants. A “prescribed drug” or “prescription medication” is any substance prescribed for individual consumption by a licensed medical practitioner.

“Controlled substance” generally means a drug or chemical whose manufacture, possession, or use is regulated by the government, such as illegal drugs, prescription medications that are designated as a controlled substance, or prescription medications that are used in a manner other than that for which they were prescribed and/or combined with other substances to create an illegal drug.

“Illegal drug” means any non-prescribed drug or controlled substance of which, the sale, possession, or consumption is illegal.

“Under the influence of alcohol” means a confirmed test result for an alcohol concentration equal to or greater than the legal limit.

“Under the influence of drugs” means a confirmed positive test result for a drug, controlled substance, or illegal drug. It also means the improper or misuse of drugs when there is not a valid prescription for the lawful use of such drug in the course of medical treatment.

“City premises” means any place in or on which City operations or activities are performed, including but not limited to, City-owned or City-leased property, City vehicles, City-provided facilities, including rented rooms used for meetings or conducting business-related activities, and City-sponsored events or activities.

General Provisions

1. All employees are prohibited from being under the influence of drugs or under the influence of alcohol while on the job, on the City premises, conducting City business, or representing the City.
2. The use, sale, offering for sale, possession, or transfer of alcohol while on the job, on the City premises, while conducting City business, or representing the City is strictly prohibited and is cause for discipline, including termination. This manual does not, however, prohibit moderate alcohol consumption at City-sanctioned social events, provided the City Manager or Mayor has pre-approved such consumption.
3. The use, sale, offering for sale, or possession of illegal drugs, controlled substances, imitation controlled substances, or counterfeit controlled substances, while on the job, on the City premises, when conducting City business, or representing the City is strictly prohibited and is cause for discipline, including termination.
4. Any employee who commits an unlawful act involving alcohol, illegal drugs, or a controlled substance, on or off the City premises, may be subject to discipline, up to and including termination.
5. Illegal activity by an employee while on the job, on the City premises, when conducting City business, or representing the City may be reported to appropriate law enforcement officials.
6. The legal use of controlled substances prescribed by a licensed practitioner (or authorized pursuant to law) and used in accordance with applicable law is not prohibited.

However, any improper use of legal or physician-prescribed drugs, including use of such drugs in violation of state law, is prohibited. Prescribed drug-use which impairs the ability of an employee to perform his or her job, or which subjects the employee to serious adverse effects or safety risks, must be reported to the affected employee's immediate supervisor or to the City Manager. For example, employees who operate City vehicles or machinery or who perform other safety-sensitive duties must report prescriptions that may make the employee drowsy or impair cognitive thinking. In such situations, the City may request the employee to provide a certification form from his or her physician addressing the employee's ability to safely perform his or her job. Safety precautions deemed appropriate by the employee's supervisor may also be required. If necessary, the affected employee may be transferred to another position or relieved from duty while taking the prescription drug.

Drug and Alcohol Testing

Employees may be subject to drug and/or alcohol testing at the expense of the City under the following circumstances:

1. When the City makes a conditional offer of employment to an individual;
2. Where there is reasonable suspicion of the use of alcohol, drugs, or controlled substances, or impairment, including but not limited to:
 - a. When observable phenomena occurs while at work such as direct observation of alcohol and/or drug use or abuse, possession of alcohol, illegal drugs, or paraphernalia, or physical symptoms, bodily odors, or manifestations of being impaired due to alcohol or other drug use exist;
 - b. When abnormal conduct or erratic behavior takes place while at work or on duty, or there is a significant deterioration in work performance that appears to be attributable to substance abuse;
 - c. If the City has other reasonable cause for testing the employee.

Determinations of reasonable suspicion or cause for drug and/or alcohol testing will be made by an employee's supervisor, another management-level employee, or the City Manager. Employees who observe or become aware of conduct or behavior by another employee that may be indicative of drug or alcohol use or violation of this policy should report such conduct to their supervisors. Under no circumstances will an employee be permitted to drive himself or herself to the testing facility to undergo testing in situations involving testing based on reasonable suspicion.

Pre-Employment Testing

Job applicants who are extended a conditional job offer of employment may be required to undergo drug testing at the expense of the City, in addition to other pre-conditions of employment determined to be applicable by the City. If the test results are verified positive for the presence of an illegal drug, the conditional offer of employment may be withdrawn. An applicant who refuses a required test, as addressed below, will be treated as having failed the test, and such refusal will result in revocation of the conditional offer of employment.

Consequences

An employee who is under the influence of drugs and/or alcohol on the job may be subject to immediate termination at the sole discretion of the City. The City may elect to take less restrictive measures, but the availability of less restrictive measures does not prevent the City from electing to proceed with immediate termination. In its discretion, the City may assist or refer employees who seek help for drug and/or alcohol abuse, which may include referral to a Substance Abuse Professional (SAP). Determination as to the type of assistance or disciplinary action to be imposed, including termination, may be based on a variety of objective factors, which include but are not limited to the following: whether the employee refused a test; the type of drugs and/or alcohol involved; whether the employee has previously had positive test results or violated this policy; the employee's years of service; whether the employee's duties include safety-sensitive duties; whether the employee has had prior safety violations; and the employee's performance history.

An employee who tests positive for an alcohol concentration of greater than the legal limit (i.e. the DOT CDL regulation at the time of adoption of this manual is 0.04), or for the presence of an illegal drug or controlled substance, may be suspended without pay, effective upon the receipt of the positive test result by the City. In addition, an employee whose initial test results require further review may be suspended, with or without pay, pending confirmation of the test result. If an employee tests above the allowable limit, the employee may be removed from duty for twenty-four (24) hours. This absence from work may be considered an unexcused absence and subject to the employer's disciplinary procedures. In the event an employee receives a positive test result, the employee may remain suspended until he or she is either terminated or cleared to return to work following any required fitness-for-duty evaluation. In the event an employee who tests positive is cleared to return to work, the reinstated employee may be subject to unannounced follow-up drug and/or alcohol tests as well as any other conditions of return required by the City. The testing schedule will be at the sole discretion of the City. Failure of an employee to comply with conditions of return, including any SAP recommended treatment plan, may be cause for termination of employment.

An employee or applicant who refuses a required drug and/or alcohol test may be treated as having failed the test and may be subject to discipline, up to and including termination, or withdrawal of a conditional job offer. For purposes of this policy, an employee or applicant may be considered to have "refused" a test if the employee or applicant fails to appear for a drug and/or alcohol test within the time frame specified by the City, fails to cooperate with any part of the testing process or complete the testing process, attempts to interfere or actually interferes with the test, or otherwise acts in a manner that prevents the submission of a valid sample for testing. Any employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution may be required to undergo an observed sample collection.

CMV Drivers

Employees who operate commercial motor vehicles and are required to have commercial drivers' licenses are subject to and must comply with additional obligations regarding drug and/or alcohol testing.

Reporting of Convictions

Any employee who is convicted of any crime involving the manufacture, distribution, dispensing, possession, or use of alcohol or any illegal drug or controlled substance, including driving offenses, based on conduct that occurred either on or off City premises, must notify the City Manager of such conviction, in writing, no less than five days after such conviction. For purposes of this reporting requirement, the term "conviction" includes a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both.

Use of Vehicles

This policy establishes the City's standards for employees who drive City vehicles or employees who drive personal vehicles for City business. For purposes of this policy, an employee will be considered to be driving a personal vehicle for "City business" if the employee is driving at the direction or, or for the benefit of the City; normal commuting to and from work does not constitute "City business." Vehicle accidents are costly to the City, but more importantly, they may result in injury to employees, property, or others. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. As such, the City endorses all applicable state motor vehicle regulations relating to driver responsibility and safety. The City expects each driver to drive in a safe and courteous manner and reserves the right to suspend or revoke business driving privileges and impose other disciplinary action, including termination of employment, for violations of this policy. Any fines or forfeitures incurred by an employee while operating a City vehicle due to traffic or parking violations shall be the responsibility of the employee and the employee shall pay all fines, forfeitures, or monies.

Driving Criteria and Administration

1. City vehicles are to be driven by authorized employees only. All vehicles owned by the City of Sheldon shall be kept on City property at the end of the workday unless prior approval is granted by the City Manager.
2. Generally, only use of City vehicles is authorized, and employees are not authorized to use their own, personal vehicles for City business unless they receive advance approval from the City Manager. Any reimbursement for mileage related to use of a personal vehicle for City business will be at the City adopted mileage rate.
3. Only the authorized employee, co-workers, and business associates are allowed to ride in a City vehicle or a personal vehicle while on City business. No family members or the general public should be transported in a City vehicle or personal vehicle while on City business unless authorized by the City Manager.
4. Employees must have a valid driver's license and current auto liability insurance to operate a vehicle belonging to the City or a personal vehicle while on City business.
5. Employees are expected to drive in a safe and responsible manner and to maintain a clean driving record.
6. Motor vehicle records will be obtained on all drivers prior to employment or transferring into a driving position, an annually thereafter. A driving record that fails to meet the City's criteria, or is considered to be a violation of the intent of this policy, will result in the loss of the privilege of driving a City vehicle or a personal vehicle on City business or the revocation of a conditional job offer.

Procedures for Use of Personal Vehicle

1. Provision of a City vehicle is not guaranteed. Therefore, if an employee is authorized to use a personal vehicle for City business purposes, it is the responsibility of the employee to carry adequate insurance coverage for protection of any passengers. It is the responsibility of the employee to verify their auto policy specifically allows them to use their vehicle for business use.
2. The employee will present his or her supervisor with an annual updated proof of insurance card.
3. The City is not responsible for any damage, parking tickets, equipment violation citations or moving violations that occur while the employee is operating a personal vehicle on company-related business.

Driver Reporting Requirements

1. Any employee who has a driver's license revoked or suspended shall immediately notify his or her supervisor the next business day and **immediately discontinue operation of the City vehicle or his or her personal vehicle for City business.**
2. All accidents in City vehicles or while driving a personal vehicle on City business, regardless of severity, must be reported by the employee to the City Manager. Accidents are to be reported immediately (from the scene, during the same day, or as soon as otherwise possible). Employees must report ticket violations received during the operation of a vehicle belonging to the City or while on City business to their supervisor within 72 hours.

Driver Safety Rules

1. The use of a City vehicle or a personal vehicle for City business while under the influence of alcohol, intoxicants, or other drugs (which could impair driving ability) is forbidden and is sufficient cause for discipline, up to and including termination of employment.
2. Text messaging or emailing via smart phone is never allowed while operating a motor vehicle for business purposes.
3. No driver shall operate a vehicle belonging to the City or a personal vehicle on City business when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
4. All drivers and passengers operating or riding in a vehicle belonging to the City or a personal vehicle on City business must wear seat belts at all times, even if air bags are available.
5. No unauthorized personnel are allowed to drive or ride in a vehicle belonging to the City or a personal vehicle while on City business.

6. Drivers are responsible for the security of the City's vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.
7. All state and local laws must be obeyed.

General Rules and Regulations for the Use of Assigned City Vehicles

1. City vehicles are to be used only for business of the City. Personal use of City vehicles is prohibited. When City vehicles are not in use, they are to be left in the City's designated parking area. City vehicles are not to be taken home at night unless authorization is received, as outlined above.
2. Smoking or tobacco use, including the use of e-cigarettes, in City vehicles is prohibited.
3. Upon termination of employment, the City vehicle must be returned to the City in good condition.
4. An updated copy of the employee's driver's license must be kept on file with the City.
5. City vehicles are to be kept clean. Trash should not be left in the vehicle.
6. Transporting of goods except City equipment is not allowed in City vehicles.
7. It is the responsibility of the assigned driver to inform the City of any vehicle maintenance needs or safety concerns.

Use of City Equipment and Systems

The City of Sheldon makes equipment, electronic media, software, and other technological services and resources (collectively "Systems") available to its employees to conduct official City business. The City of Sheldon has established this policy to maintain the integrity of its business information and Systems, to provide guidelines for employee use of these Systems, and to prevent misuse inconsistent with business purposes or by third parties. This policy applies to the use of all Systems, including any City of Sheldon-issued devices, and to all electronic communications and content accessed, created, stored, sent, or received (a) on or from the City of Sheldon's premises; (b) using the City of Sheldon's Systems, including all telephones, fax machines, mobile devices, or other apparatus or technology; or (c) from any equipment used in a manner that identifies the individual with the City of Sheldon.

Use of Systems

The City of Sheldon requires employees to use its Systems in a responsible manner. Employees are prohibited from using the City of Sheldon's Systems for illegal purposes. Employee use of the City of Sheldon's Systems generally should be limited to performing City business unless the employee receives authorization from his or her Supervisor. In no circumstances may personal use of the City's Systems interfere with an employee's job duties. Misuse of the City of Sheldon's Systems may lead to disciplinary action, up to and including termination of employment.

Information, documentation, and all other content created by utilizing the City of Sheldon's

Systems are the property of the City of Sheldon, regardless of whether such records are stored on the City's devices, personal devices, or elsewhere. Upon termination of employment, all content will be retained by the City of Sheldon. Employees may not copy, transfer, or otherwise retain such information in any form. Employees have no reasonable expectation of privacy with regard to their use of the City of Sheldon's Systems or in any documentation, information, or other content that is accessed, created, stored, sent, or received through such Systems. It is expected that electronic communications and content of all types and formats accessed, created, stored, sent, or received through the City of Sheldon's Systems will be professional in nature.

Nonexempt employees who have a business need to access the City of Sheldon's Systems outside of their normal work hours/shift must obtain advance authorization from their supervisor. Nonexempt employees must keep track of any time spent engaged in such activities and include it on their time reporting record. Nonexempt employees who use the City of Sheldon's Systems to perform City business outside of their normal work hours without advance approval will be subject to discipline.

Security

Employees should not save or back-up any files that contain information, communications, or content of any kind relating to the employee's duties or the business of the City of Sheldon to non-City equipment or to unauthorized cloud-based services. Employees should not email such content to their home computers, personal accounts, or cloud-based services. Employees who receive or learn about any suspicious content on the City of Sheldon's Systems should report it to their supervisors immediately.

To protect confidential business information of any kind, including but not limited to business information subject to a confidentiality or non-disclosure agreements, or information that is proprietary, privileged, legally restricted, sensitive, or otherwise protected, employees must immediately report any City of Sheldon equipment that is lost or stolen or any System that is suspected or known to have been accessed by unauthorized individuals or for which the security of the device is suspected or known to have been comprised in any other manner. Employees must promptly provide the City of Sheldon with access to any Systems and associated accounts used in connection with the City's business upon request, which may include, but is not limited to, situations involving potential security incidents, investigations, or actual or anticipated litigation.

Monitoring

The use of any City of Sheldon Systems constitutes consent for the City of Sheldon to monitor, access, record, copy, disclose, inspect, review, retrieve, and print ("Monitor") and to erase, disable, wipe, or destroy, whether physically or remotely ("Erase"), content, without notice. The City of Sheldon will not be responsible for loss, damage, or liability arising out of Erasing any device, including any loss of content. Electronic content created, sent, received, accessed, communicated, or stored by an employee on the City of Sheldon's Systems may be Monitored by the City of Sheldon to ensure compliance with the law, these procedures, and City policies. The City of Sheldon may also store copies of content for a period of time after it is created and may delete such copies from time to time without notice. In addition, the City of Sheldon may obtain and disclose copies of such content or of the entire device (including personal content) for litigation or investigations.

Prohibitions

Employees are strictly prohibited from using the City of Sheldon's Systems in connection with any of the following activities:

- Engaging in illegal, fraudulent, or malicious conduct;
- Working on behalf of another organization(s) where such work would constitute a conflict of interest or potential conflict of interest, or where such organization is another employer;
- Creating, sending, soliciting, or storing obscene, or defamatory material;
- Bullying or harassing other individuals;
- Hacking, breaching, or obtaining unauthorized access to any computer, network system, or accounts;
- Using another employee's individual account, identity, login credentials, or password, attempting to impersonate another individual, or sharing account credentials with others; and
- Engaging in any conduct that violates any other City of Sheldon policies.
- City employees must avoid participating financially, directly, or indirectly, in any business enterprise that might influence or appear to influence their official decisions or actions as City employees.

Social Media

The City of Sheldon recognizes that the Internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, blogs, and similar outlets. However, employee use of social media can potentially pose risks to confidential information and the City's reputation, expose employees to discrimination and harassment claims, and jeopardize compliance with applicable laws.

To minimize these risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that the resources and communications systems of the City of Sheldon are used appropriately, the City of Sheldon expects its employees to adhere to the following procedures, guidelines, and rules regarding use of social media.

Compliance with Related Policies and Agreements

The same principles and guidelines found in the City of Sheldon's policies, procedures, practices, and plans apply to employee activities online. Ultimately, employees are responsible for what they post online. Before creating online content, employees should consider some of the potential risks and rewards. Any employee conduct that adversely affects that employee's job performance, the performance of fellow employees, or otherwise adversely affects clients, people who work on behalf of the City of Sheldon, or legitimate business interests of the City of Sheldon, may result in disciplinary action (paid or unpaid), up to and including termination. Employees are prohibited from using social media to violate any City policies, procedures, practices, and plans, including

but not limited to those regarding:

- The City of Sheldon's Code of Conduct and Code of Ethics;
- Unlawful harassment;
- Unlawful discrimination against current employees or applicants for employment; or
- The City of Sheldon's Use of Electronic Equipment and Systems Policy.

Personal Use of Social Media

Employees generally should refrain from using social media during work hours or on equipment provided by the City of Sheldon unless such use is work-related or authorized by the employee's supervisor and consistent with the City of Sheldon's Use of Electronic Equipment and Services Policy. Under no circumstances may personal use of social media interfere with job duties or performance.

To the extent an employee, as part of his or her job, has been authorized to create social media content on behalf of the City of Sheldon or to maintain any social media accounts on the City's behalf, such content and accounts are the property of the City, and the employee must transfer such accounts and any access to the City (and remove himself or herself from the account) upon the City's request.

Media and News Releases

At various times, members of the media may present themselves at a City worksite to ask questions regarding City of Sheldon business or affairs. To promote effective communication with the media about the City of Sheldon's activities and to avoid disruption to employees, the City will respond to media inquiries only through its designated spokesperson. To the extent any employee is approached by a representative of the media and asked to make a statement on behalf of the City, the employee should respond that he or she is not authorized to comment or speak on behalf of the City and should direct the media representative to contact the City Manager. Any news releases that are in reference to or may reflect City business shall not be released to any of the news media without prior approval of the City Manager.

Telephone Use and Courtesy

Because of the large volume of City business that must be transacted by telephone, the use of City telephones for personal matters is discouraged. If it is necessary to utilize the phone for personal matters, please keep your conversation to a minimum. Excessive use of the phone for personal matters is not acceptable. Incoming personal calls will be accepted only in cases of emergency. No long distance phone calls shall be made on a City telephone unless a personal credit card is used.

Conflict of Interest

It is the policy of the City of Sheldon to avoid even the appearance of any conflict of interest. For purposes of this policy, a "Conflicting Interest" means any transaction, arrangement, or decision wherein the employee has another interest, defined broadly, independent of the employee's

position at the City of Sheldon, such that the interest would reasonably be expected to exert an influence on the employee's judgment in any manner related to the business of the City of Sheldon. For purposes of this policy, Conflicting Interests include any interests an employee may have in any contracts, jobs of work, materials, or profits therefrom related to work, services, or materials to be furnished or performed for the City of Sheldon, unless expressly permitted by applicable law.

Employees must disclose the existence of any real or potential Conflicting Interest to their supervisors or to the City Manager. It is the duty of the employee to evaluate whether a real or potential Conflicting Interest may exist and to disclose this interest. Once a real or potential Conflicting Interest is disclosed, the City will review the matter and determine whether a Conflicting Interest exists. If the City determines that a Conflicting Interest exists or the circumstances create the appearance of a conflict, the employee will be informed of the preferred remedial measures and provided with time to address the situation. Violation of the disclosure requirement or failure to comply with the determination and undertake remedial measures may result in disciplinary action. Employees should contact their supervisors or the City Manager if they have any questions regarding this policy.

Employee Dating

As part of its commitment to providing employees with professional work environments that are free from unlawful discrimination and harassment, the City of Sheldon discourages supervisory personnel from dating or engaging in consensual romantic or sexual relationships with employees directly or indirectly under their supervision. Any romantic relationship between a supervisory employee and an employee directly or indirectly under the supervisory employee's supervision must be disclosed to the City Manager. Steps will be taken to resolve any actual or potential conflict of interest or impropriety created by the relationship, including the transfer, if possible, of one of the employees. If transfer is not possible, the City of Sheldon will determine the likelihood of a conflict and the dating couple may be required to determine which partner will resign.

Outside Activities and Employment

The City of Sheldon requires that employees' activities and conduct away from their jobs must not compete or conflict with or compromise the interests of the City of Sheldon, or adversely affect an employee's job performance and ability to fulfill all responsibilities to the City of Sheldon. Nevertheless, employees of the City of Sheldon may hold outside jobs and participate in outside activities as long as they meet the performance standards of their jobs with the City of Sheldon and such outside employment or activities do not compete or conflict with or compromise the interests of the City of Sheldon. Employees shall not be employed in more than one position with the City of Sheldon if the position will result in the employee being scheduled to work more than forty (40) hours a week.

All Employees will be judged by the same performance standards and will be subject to the scheduling demands of the City of Sheldon regardless of the requirements of any outside employment or activities. Outside employment or activities will not be considered to be an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If an employee's outside work or activities interfere with the employee's performance or ability to meet the requirements of the City of Sheldon as they are modified from time to time or otherwise cause job-related problems, the employee may be asked to discontinue the outside employment or activities if the employee desires to remain employed

by the City of Sheldon. If necessary, normal disciplinary procedures will be followed to deal with any job-related problems attributable to an employee's outside employment or activities, up to and including termination of employment.

School District Mentoring Program

The City supports local mentoring programs (i.e., schools). To further this goal, all full-time employees are encouraged, but not required, to participate. The City provide one hour of paid time each week, plus appropriate travel time, for this endeavor. Employees need to coordinate this leave time with their supervisor. Use of personal vehicles is required, unless otherwise authorized by the City Manager. This leave time will not accrue or roll over from week to week.

Political Activity

City employees shall not engage in any of the following activities:

1. Solicit any contribution of any type for any party or candidate while performing City duties, during work hours, while using City equipment, or while on City property.
2. Use his/her position with the City to campaign for a candidate for City office. No employee organizations may make contributions to a candidate or party involved in a City of Sheldon election.
3. Take part in any other political activities reducing work efficiency or causing tardiness for work. No employee may leave work to solicit support in a campaign for an elected office unless paid leave is approved and taken.
4. Take part in any other activities prohibited in the Iowa Code 2C.7, 400.29, 721.3-721.7, and 53.7. All those political activities not prohibited will be unaffected by this personnel manual.

Candidates for Office

An employee may be a candidate for a non-City office that is not related to his/her employment. In this case, the employee will not be required to take a leave of absence without pay, as long as he/she does not campaign while he/she is on duty as an employee or let his/her duties interfere with his/her City job responsibilities.

Gifts and Gratuities

Gifts are defined as an offer of a material item, cash, travel, lodging, meals, special or unusual discounts on the purchases of material items, or other similar examples. Modest gifts during the holidays or during times of funerals such as food, boxes of chocolates or candies are not considered a violation of City policy.

An employee of the City of Sheldon shall not, directly, or indirectly, solicit, accept, or receive any gift as defined above per Iowa Code Chapter 68B.22. Any questions an employee may have regarding their ability to accept a loan, gift, money or goods, services or other items of value should be directed to the City Manager.

Solicitations

Solicitations of employees on City property for any purpose other than an officially approved City program is prohibited unless the City Manager has given prior written approval. No one is allowed to ask employees to give money, or to distribute literature of any kind on City premises.

Change in Employee Information

Changes in employee information could impact payroll deductions, benefits, or other human resources records and issues. Accordingly, all City of Sheldon employees are responsible for promptly notifying their supervisors in writing of changes in any of the following:

- Name
- Mailing address;
- Email address;
- Phone number;
- Marital status;
- Emergency contacts;
- Change related to dependents;
- Training or educational achievements;
- United States employment eligibility or authorization; or
- Any other change in personal information that the employee believes may be relevant to his or her employment with the City of Sheldon.

Personal Appearance

Since City employees are frequently in the public eye, it shall be required that their personal appearance and hygiene shall meet acceptable standards. Personal appearance should reflect a neat and business-like image of all City departments consistent with each employee's particular position with the City. An employee may be sent home to change if the department head feels that an employee is not meeting acceptable standards.

Smoke-Free Workplace

Smoking is prohibited in all City buildings, in all City vehicles, and on all City property, except where specifically designated.

CHAPTER 5 EMPLOYEE DISCIPLINE AND SEPARATION

Voluntary Separation

Resignation

The employee, in writing to the City Manager, terminates his or her employment with the City. Absence from work for three (3) working days without notification shall be treated, by the City, as the employee's resignation effective immediately.

Discipline and Involuntary Separation

Layoff

A layoff will occur when in the sole and exclusive judgment of the City of reduction in the work force is necessary. When a layoff becomes necessary, the City Manager shall notify the employee within five (5) working days of the effective day of the layoff, if possible. The City Manager shall determine the work classification in which the layoff is to occur within each department. Employees laid off shall have priority in filling any City vacancy in their own classification or in any like classification, the duties of which they are capable of performing. The City can make the recall to the position at any time within one (1) year of the layoff.

Discipline and Involuntary Dismissal

All employees are expected to be fully productive, meet high performance and professional conduct standards (including safety standards), and comply with all City of Sheldon policies. Employees who engage in misconduct or fail to meet the City of Sheldon's performance standards will be subject to discipline. Disciplinary action may include, but is not limited to the following: coaching, guidance, and/or retraining, verbal warnings, written warnings, a written performance improvement plan, suspension (paid or unpaid), other disciplinary action, or immediate termination. The City of Sheldon need not resort to issuance of disciplinary action in any particular sequence, but may take whatever disciplinary action it deems necessary to address the issue at hand. This may mean that more or less severe discipline is imposed in a given situation depending on the circumstances involved. For example, factors such as the severity or frequency of the employee's misconduct or performance problems may impact the level of disciplinary action taken by the City of Sheldon.

While disciplinary action will ultimately depend on the circumstances involved, certain misconduct or performance issues may result in immediate termination of employment. The following are some examples of grounds for immediate termination of an employee and are not to be considered as an all-inclusive list:

- Unsatisfactory evaluation
- Breach of confidentiality
- Insubordination
- Failure to perform assigned duties
- Dishonesty
- Negligence
- Failure to observe health and safety regulations
- Theft of City property or willful destruction of property
- Fighting on City property
- Gross neglect of duty
- Repeated tardiness or absenteeism
- Abuse of sick time
- Clocking in or out on another employee's timecard
- Falsifying job application
- Sleeping on duty
- Leaving work (walking off job) without department approval
- Pleading guilty, no contest to, or otherwise being convicted of a felony

- Unauthorized use of City property and vehicles
- Violation of the City of Sheldon’s EEO or Harassment policies or procedures or any other policies or procedures established by the City.

CHAPTER 6 GRIEVANCE PROCEDURE

Occasionally an employee may have a problem concerning working conditions, supervision, or these policies. As a means of preventing employee morale from being adversely affected, the following grievance procedure is available:

Step 1 – Discuss your particular concern with your immediate supervisor. You may wish to submit your concern in writing. Your supervisor will investigate and respond to your concern within a reasonable period of time (if possible, within 10 days; more time may be necessary).

Step 2 – If your supervisor is unable to solve the problem to your satisfaction, you may request the appropriate senior management person to further investigate the problem. The appropriate senior management person will review and further investigate the issues. He or she will respond to the grievance within a reasonable period of time, which, if possible, will not exceed 10 days.

Step 3 – A problem unresolved at the department head level may be grieved to the City Manager level. The City Manager will also be asked to review the grievance and respond to the problem within a reasonable period of time (if possible, within 10 days; more time may be necessary). The decision of the City Manager shall be final.

Final Step in the Grievance Procedure – In all steps, a written summary of the complaint, the information accumulated, and the actions taken should be sent to the next level in the grievance procedure.

Notwithstanding this grievance procedure and depending on the employee’s status and nature of the grievance, employees may also have the right to address unresolved concerns through Iowa’s Office of Ombudsman, which may be contacted at the toll free number 1-888-426-6283, online at www.legis.iowa.gov/ombudsman, or via email to ombudsman@legis.iowa.gov for more information.

CHAPTER 7 WORKING HOURS, COMPENSATION, AND PAY POLICIES

Working Hours

Employee work schedules and hours will depend upon job location, position, and employee classification, and employee schedules will be designated by the employee’s supervisor. All employees shall report timely to the places assigned by their supervisors at the times they are assigned, including work hours and days that are not their regularly scheduled hours and days. An employee’s work schedule may be changed from time to time in the City of Sheldon’s discretion to meet the varying needs of the City of Sheldon. All employees who are sworn officers

of the City shall at all times, except when on vacation, leave phone numbers where they can be reached, within twenty-four (24) hours, during off duty and non-work hours and days.

The normal workweek for full-time employees, except salaried employees, shall consist of five, eight (8) hour days exclusive of lunch periods followed by two consecutive days off. Salaried employees may not be able to adhere to this normal workweek in order to get tasks complete and exempt employees are expected to work the number of hours and schedule that are required in order to successfully perform their job duties. Employees required to work on another schedule shall be so informed and have their schedule posted. Employees shall be allowed sixty (60) minutes for lunch and fifteen (15) minute break in the A.M. and a fifteen (15) minute break in the P.M. or the first half or second half of their regular shifts, whichever may apply.

- A. To insure the satisfactory and timely completion of departmental responsibilities, senior management has the right, responsibility and the authority to require employees to work at times other than their regularly assigned hours, including overtime hours in addition to hours worked by the employee during the normal workday or work week.

Timekeeping

Accurately recording time worked is the responsibility of all nonexempt City of Sheldon employees. Federal and state laws require the City of Sheldon to keep an accurate record of time worked by nonexempt employees in order to calculate pay and benefits. For purposes of this policy, time worked means all of the time actually spent on the job performing assigned duties, including all work-related activities.

All nonexempt employees are required to complete their time cards using the City of Sheldon's approved timekeeping program. Nonexempt employees are required to sign off on their time every week at the end of their last shift and must ensure that their actual hours worked are accurately recorded. By signing off on his or her timecard, an employee certifies the accuracy of time recorded. All hours worked, including any overtime, must be signed off on by the employee's supervisor. Employees should refer to the City of Sheldon's Overtime Policy for requirements pertaining to authorization of overtime. If an employee fails to present his or her time records in a timely manner, the employee may not be paid for hours worked until the next pay period.

Any falsification of time records is a breach of the City of Sheldon's policy. Any alteration or falsification of or tampering with time records in any manner may result in disciplinary action, up to and including termination of employment. Any errors made on a timecard should be discussed with the employee's supervisor, and the supervisor must sign off on any changes.

Authority to Establish Salaries

The City Council shall determine salaries and hourly rates of pay by resolution and may revise the plan from time to time.

Compensation

Every employee of the City shall receive a salary or stated compensation determined in accordance with the pay plan. The rates of pay set forth in the pay plan are for full-time employment and represent the total salary compensation except as otherwise provided.

Allowances

Compensation shall not be considered to include allowances for travel or other expenses that shall be paid by the City, when authorized. A budgeted amount may be approved by the City Council each year for the Office staff to spend on clothing to be worn in the office.

Pay Days

The City shall pay for employees' services twice each month on the 15th and last day of the month. If the payday falls on a Saturday, Sunday, or a holiday, payment shall be on the preceding regular workday.

Deductions

Any employee may authorize deductions from his or her pay for the following purposes:

1. Hospital-Medical/Surgical Group Insurance.
2. Deferred compensation and retirement plans approved by the City Council.
3. Other deductions as may be approved by the City Council.

Pay Plan Administration

Beginning Salary Rate

All new employees shall be on probationary pay status at the lowest rate of the range to which they are assigned. However, the City Council, may make appointments at a higher step in such pay range when the appointee has qualifications exceeding those specified for appointment to such class or when conditions make it in the best interest of the City to do so.

Salary Advancements

All additional pay increases shall be recommended for employees by the City Manager to the City Council for final approval/disapproval.

Longevity Policy

Subject to the exception below, full-time employees who have performed satisfactory continuous service for the required number of years shall be eligible for longevity pay.

1. Amount of Payment. Eligible employees shall receive an additional five Dollars (\$5.00) per month for each five (5) years of continuous satisfactory service in a permanent status. Longevity increments shall be paid in addition to regular compensation and shall be incorporated with the regular pay warrants.
2. Limitations. The maximum amount any one employee shall be eligible to receive shall be thirty dollars (\$30.00) per month.

Longevity pay is calculated based on actual, uninterrupted service, starting with the date of hire for full-time service with the City of Sheldon. Longevity pay does not apply to “credited service,” intermittent service, or experience elsewhere.

Overtime Policy

The City of Sheldon generally attempts to schedule nonexempt employees so that their workweeks do not exceed 40 hours. However, employees may be required work beyond their regularly scheduled hours from time to time, and employees are expected to work overtime as assigned and authorized by their supervisors. Nonexempt employees who are required to work in excess of 40 hours in a week will be paid at the overtime rate of one and a half times their regular rate of pay in accordance with the provisions of applicable wage and hour laws. All overtime must be accurately recorded, including any time spent accessing City accounts or systems outside of normal work hours or an assigned shift. Certain hours, such as vacation or holiday hours, may not be included for purposes of overtime calculations. Exempt employees are not eligible to receive overtime pay.

Nonexempt employees should not work overtime unless they have received advance authorization by their supervisor. Nonexempt employees are responsible for ensuring they work their assigned number of hours and do not exceed the maximum number of hours they have been assigned in a workweek. If it is impossible or impractical for a nonexempt employee to receive advance authorization for overtime work, the employee must notify his or her supervisor of the overtime work as soon as possible or practical after performance. Nonexempt employees who work unauthorized overtime may be subject to discipline.

CHAPTER 8 WORKPLACE SAFETY

Workplace Violence

The City of Sheldon strives to provide a work environment that is safe and free from violence and/or threats of violence. Threats or acts of violence against the City of Sheldon, its employees and officials, City property, or the property of any employee or official will be taken seriously and will be not tolerated.

Any employee who believes he or she has been the subject of violence or threats of violence, or has witnessed such conduct, should immediately report details of the incident to his or her supervisor, the City Manager, or other management personnel.

Safety and Accident or Injury Reporting

The City strives to provide and maintain a safe place of employment. All employees shall be alert to unsafe practices, equipment, or conditions, and shall promptly report any such unsafe practices, equipment, or conditions to their supervisor. All employees are required to comply with any safety standards adopted by the City that apply to their particular position.

Employees are responsible for reporting all workplace accidents or injuries to their supervisors or the City Manager as soon as possible. Failure to do so may jeopardize workers compensation benefits to which the employee may otherwise be entitled.

CHAPTER 9 TIME OFF AND LEAVES OF ABSENCE

Vacations

The purpose of a vacation is not a reward for service, but an important factor in promoting the health of the employee. Vacations will require employees to absent themselves from the workplace during the entire vacation period.

Employees scheduled 2,080 hours annually are eligible for vacation as follows:

3. An employee in the continuous active service of the City for one (1) year as of his/her anniversary date shall receive forty (40) hours vacation with pay at his/her regular hourly rate. (.0192 hrs. per hr.)
4. An employee in the continuous active service of the City for two (2) years as of his/her anniversary date shall receive eighty (80) hours vacation with pay at his/her regular hourly rate. (.0385 hrs. per hr.)
5. An employee in the continuous active service of the City for seven (7) years as of his/her anniversary date shall receive one hundred twenty (120) hours vacation with pay at his/her regular hourly rate. (.0577 hrs. per hr.)
6. An employee in the continuous active service of the City for fifteen (15) years or more as of his/her anniversary date shall receive one hundred sixty (160) hours vacation with pay at his/her regular hourly rate. (.0769 hrs. per hr.)
7. An employee in the continuous active service of the City for twenty (20) years or more as of his/her anniversary date shall receive two hundred (200) hours vacation with pay at his/her regular hourly rate. (.0962 hrs. per hr.)

Employees scheduled 2,184 hours annually are eligible for vacation as follows:

8. An employee in the continuous active service of the City for one (1) year as of his/her anniversary date shall receive forty-two (42) hours vacation with pay at his/her regular hourly rate. (.0192 hrs. per hr.)
9. An employee in the continuous active service of the City for two (2) years as of his/her anniversary date shall receive eighty-four (84) hours vacation with pay at his/her regular hourly rate. (.0385 hrs. per hr.)
10. An employee in the continuous active service of the City for seven (7) years as of his/her anniversary date shall receive one hundred twenty-six (126) hours vacation with pay at his/her regular hourly rate. (.0577 hrs. per hr.)
11. An employee in the continuous active service of the City for fifteen (15) years or more as of his/her anniversary date shall receive one hundred sixty-eight (168) hours vacation with pay at his/her regular hourly rate. (.0769 hrs. per hr.)
12. An employee in the continuous active service of the City for twenty (20) years or more

as of his/her anniversary date shall receive two hundred ten (210) hours vacation with pay at his/her regular hourly rate. (.0962 hrs. per hr.)

Vacations shall commence accruing at the employee's date of hire with the City, but may not be taken until the employee has worked at least six (6) continuous months. Employees hired after July 1, 2011, shall accrue vacation as stated above according to his/her annual hours scheduled and shall receive vacation as it is accrued. Employees hired before July 1, 2011, shall accrue vacation as stated above according to his/her annual hours scheduled and shall receive vacation on his/her anniversary date. Vacations shall continue to accrue to an employee's credit during approved absences. An employee on leave of absence without pay shall not accrue vacation.

Vacation Carry-Over

Effective July 1, 2021, no employee shall have more than one (1) years vacation credit accumulated as of the employee's anniversary date each year (the "Vacation Carry Over") Effective July 1, 2023, the maximum vacation Carry Over shall be reduced to 168 hours for employees scheduled 2,184 hours annually and 160 hours for employees scheduled 2080 hours annually. Effective July 1, 2025, the maximum vacation Carry Over shall be reduced to 126 hours for employees scheduled 2,184 hours annually and 120 hours for employees scheduled 2080 hours annually. Additional amounts above one years' credit will be forfeited unless an extension is granted by the City Manager.

Scheduling

All vacation requests shall be granted on the first come, first served, basis. Primary consideration will be given to the requirements and needs of the department. All vacations or other leave must have prior approval from the City Manager or his/her designee.

Vacation Payout Upon Separation of Employment

An employee shall be paid for any accrued and/or unused vacation credits upon separation of employment unless the employee is in his or her 12-month probationary period. Vacation pay shall be paid at the employee's current rate of pay at the time of separation.

Credit for Prior Years of Services

The City may, based on job related experience, allow a newly hired employee employment years of service. Under no circumstances shall a newly hired employee be allowed more than fourteen (14) years of experience. All other qualifications under (1)(2)(3)(4) and (5) shall apply after the date of hire.

Sick Leave

A leave of absence for an employee's personal illness or injury with full pay for consecutive years of employment shall be allowed as provided herein.

13. For employees scheduled 2,184 hours annually ("2,184 Employees"): The amount of accumulative sick leave shall not exceed one thousand eight (1,008) hours. Sick leave shall accrue at the rate of twelve (12) hours per each full month of employment up to a maximum of one thousand eight (1,008) hours.

14. For employees scheduled 2,080 hours annually ("2,080 Employees"): The amount of accumulative sick leave shall not exceed nine hundred sixty (960) hours. Sick leave shall accrue at the rate of eight (8) hours per each full month of employment up to a maximum of nine hundred sixty (960) hours.

Sick leave shall not accrue during any absence without pay that exceeds thirty (30) calendar days.

The employer may request medical proof from an employee absent for more than three (3) consecutive days due to personal illness or injury prior to the employee receiving pay for sick leave. In addition, the employer may, in any case, request medical proof if, in the employer's discretion, the employer deems absences excessive or if the employer has a question as to the validity of the request for sick leave. A physician chosen by the employer may review the employee's medical proof, and the cost, if any, for said medical proof shall be paid by the employer. Sick leave may be used for maternity leave, upon approval by management.

When a holiday falls while an employee is on paid sick leave, the employee's sick leave account will not be charged for the holiday.

Employees shall be allowed to use, in the case of 2,184 Employees, thirty-six (36) hours, or in the case of 2,080 Employees, twenty-four (24) hours of sick leave annually for doctor's appointments that are unable to be scheduled during non-working hours. Leave under this paragraph must be utilized in one (1) hour increments.

Employees or their beneficiaries shall be paid fifty percent (50%) of their unused sick leave, not to exceed, (i) for 2,184 Employees, an amount equal to five hundred four (504) hours' pay, or (ii) for 2,080 Employees, an amount equal to four hundred eighty (480) hours' pay, upon death or upon retirement after at least five (5) years of continuous service. The earliest the employee shall be allowed to retire and receive this benefit is at the age of fifty-five (55) or after twenty (20) years of service. In lieu of direct payout, applicable employees may be offered the option to have the City contribute all or a portion of their funds to a designated Health Savings Account, , or to a similar fund or tax deferred retirement account such as the International City Management Association, if authorized by the City.

Employees shall obtain prior approval for use of sick leave. When an employee is unable to obtain prior approval, employees shall notify their Supervisor or the City Manager or his/her designee as early as practical on the first day of leave.

The employer shall approve, and may require, sick leave when any employee is incapacitated for work by sickness, injury, or confinement for medical, dental or optical reasons or treatment, or when the presence of the employee at work would jeopardize the health or safety of others.

An employee will be allowed to utilize, in the case of 2,184 Employees, sixty (60) hours, or in the case of 2,080 Employees, forty (40) hours of sick leave per year from sick days accrued during the previous twelve (12) months for an immediate family member's illness, and, in any given fiscal year may use no more than one-half (½) of the total number of days accrued from all previous time for such illness. For purposes of this policy, immediate family member will mean an employee's spouse, son, daughter, or parent, or other dependent person residing in employee's home.

An employee will be allowed to utilize, in the case of 2,184 Employees, one-hundred twenty (120) hours, or in the case of 2,080 Employees, eighty (80) hours of sick leave per year from sick days accrued during the previous twelve (12) months for purposes of legal proceedings, travel, or similar circumstances related to the placement with the employee of a child for adoption or foster

care. However, in any given fiscal year, the employee may use no more than one-half (½) of the total number of his or her sick days accrued from all previous time for such purposes.

Holidays

The following days shall be considered as holidays as far as the administration of City business is concerned. When the term "Holiday" is used it shall be construed to be the following days:

- New Year's Day (January 1st)
- Memorial Day (last Monday in May)
- Independence Day (July 4th)
- Labor Day (1st Monday in September)
- Thanksgiving Day (4th Thursday in November)
- Day after Thanksgiving Day (Friday following Thanksgiving Day)
- Christmas Day (December 25)
- Christmas Eve (December 24)
- A non-union employee's birthday (to be used within the City Fiscal Year; not to be paid upon separation.)
- Three (3) personal days (to be used within the City Fiscal Year; not to be paid upon separation)

In order to be eligible for receiving holiday pay, an employee must report for work or be on an approved paid leave of absence on the last scheduled workday before the holiday and on the first scheduled workday after the holiday. No employee who has been laid off, or discharged, or who is under suspension or on unpaid leave will be eligible for holiday pay.

Leaves for Funeral

Employees shall be granted up to, in the case of 2,184-hour Employees, sixty (60) hours, or, in the case of 2,080-hour Employees, forty (40) hours, per occurrence, of leave at full pay for the death of each of the following: spouse, parent or child. Employees shall be granted up to, in the case of 2,184 Employees, thirty-six (36) hours, or in the case of 2,080 Employees, twenty-four (24) hours, per occurrence, of leave at full pay for the death of any of the following: grandparent, grandchild, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law or a dependent person in the employee's home. Additional days, charged against sick leave, may be granted at the discretion of the City Manager whose decision in this matter is not appealable.

Employees may be granted leave of absence for the death of other friends or relatives, not to exceed in the case of 2,184 Employees, thirty-six (36) hours, or in the case of 2,080 Employees, twenty-four (24) hours, without pay for the absence.

Requests concerning such circumstances shall be made on prescribed city form and routed through the Department Head to the office of the City Manager. With approval, leave pursuant to this section may be taken for circumstances related to the death other than the funeral, such as for purposes related to the decedent's estate or other legal matters, provided that, however, any leave for such purposes may not be taken more than one year from the decedent's death and will not be paid out upon termination if unused. Scheduling of such leave must be approved in advance by the City Manager.

In the event of the death of an employee or former employee of the City of Sheldon, the City Manager may grant, to an appropriate number of employees, sufficient time to attend the funeral.

Jury and Witness Duty

An employee required to serve as a Juror may receive his/her regular wages up to a maximum of four weeks jury service per year. To the extent an employee receives his or her regular wages for such service, the employee shall endorse their remuneration for Jury service to the City of Sheldon. Jury Duty and Court Leave shall not include travel and meal expenses incurred by the employee. Employee must furnish satisfactory evidence that Jury duty was performed on the days for which he/she claims payment. When an employee is excused from Jury service, either temporarily or permanently, on any scheduled workday, the employee shall promptly report to his/her immediate supervisor and shall complete any remaining hours of his/her scheduled workday if required.

Jury Duty/Court Leave shall typically not be extended to include subpoenaed witnesses. Such leave shall be granted as unpaid leave or an employee may use accrued vacation hours. An exception may be granted, such as if the employee should be subpoenaed on behalf of the City of Sheldon in a pending litigation.

Military Leave of Absence

This policy applies to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act ("USERRA") or Iowa Code 29A.28, as applicable, and outlines the terms of the military service leaves of absence. The City of Sheldon is proud to support members of the armed forces and therefore gladly complies with all the terms and provisions of USERRA and Iowa law.

Employees must give advance notice of military service, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. If advance notice is not possible, notice must be given as soon as practicable. Leave for military service of 30 days or less will be paid to the extent required pursuant to Iowa Code 29A.28. In all other circumstances, leave for military service will be unpaid. However, employees may use any available paid time off for the absence. Employees will continue to receive all benefits available to other employees who are on leave of absences. Continuation of health insurance benefits is available in a manner comparable with COBRA coverage and/or as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Benefit accruals will continue for up to thirty (30) days of leave, but will be suspended for leave longer than thirty (30) days. Accruals will resume upon the employee's return to active employment.

Generally, employees on military service leave have rights to be fully restored to their jobs under USERRA provided that they comply with all requirements of USERRA. Employees on military service leave for up to 30 days are required to return to work on the next scheduled workday after completion of the military service, allowing a reasonable time for travel in returning from the location of the military service and eight hours rest after the end of service. Employees on longer military service leave must apply for reinstatement in accordance with USERRA. The time frame for applying for reemployment is 14 days after completion of the military service if the service was between 31 and 180 days in length, and if the service was longer than 180 days, the Employee must reapply within 90 days of completion of service. Conditions of eligibility for reemployment

also include that the employee be released from active military service under honorable conditions.

Exceptions to the foregoing deadlines may be possible when circumstances beyond an employee's control prevent returning to work or applying for reinstatement within the specified period. Extensions are permitted when an employee requires convalescent time after military service. In all other cases, an employee who fails to report to work or apply for reinstatement within the specified period is subject to the provisions of the City of Sheldon's attendance procedures.

Employees returning from military service leave will be placed in the position they would have attained had they remained continuously employed, or a comparable position, depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining pay, benefits, and rights.

Leave Due to Inclement Weather

Employees are to use their best judgment when it comes to traveling to and from work during inclement weather events. If, in the employee's judgment, the employee cannot attend work due to inclement weather but the City department for which the employee works is open, the employee must use personal time or vacation time for any missed work. If no travel is advised by the National Weather Service and the employee's department is still open, the employee will be allowed to use sick time if the employee does not have any available personal time and does not want to use vacation time the employee may have available. If a City department is closed due to an inclement weather event, then full-time employees of that department will be paid and part-time employees will not be. This policy will not apply to employees (including, but not limited to, police officers and public works employees) who are required to respond to, or work during, inclement weather events, except by express approval of the City Manager or their Department Director.

Family and Medical Leave Act Leave

The purpose of this policy is to provide employees with a general description of their rights under the Family and Medical Leave Act ("FMLA"). In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. Employees who have any questions regarding this policy should contact their supervisor or the City Manager.

General Provisions

Under this policy, the City will grant eligible employees up to 12 weeks of job-protected leave during a rolling 12-month period or such other 12-month period as selected by the City for certain family and medical reasons (or up to 26 weeks of military caregiver leave to care for a covered servicemember with a serious injury or illness during a single 12-month period). The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Definitions

For purposes of this policy, the following definitions generally apply. Additional definitions under the FMLA, which are not included herein, also apply.

“Covered servicemember” is a current member of the Armed Forces or covered veteran who is undergoing medical treatment for a serious injury or illness as further defined under the FMLA.

“Healthcare provider” means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices, or any other person determined by the United States Secretary of Labor to be capable of providing healthcare services as outlined in the FMLA.

“Incapable of self-care” means an individual requires active assistance or supervision to provide daily self-care in several of the activities of daily living or instrumental activities of daily living. Whether an adult child is incapable of self-care because of a disability is determined at the time the leave is commenced.

“Intermittent leave” means leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks.

“In loco parentis” is a person who has assumed the day-to-day responsibilities to care for and financially support a child regardless of biological or legal relationships.

“Military leave” is defined as both leave to care for covered servicemembers and leave related to a qualifying exigency.

“Next of kin” is defined as the next nearest blood relative as defined by state law other than the covered servicemember’s spouse, parent, son, or daughter, unless the covered servicemember designates, in writing, another blood relative as “next of kin” for purposes of military caregiver leave.

“Parent” means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter as defined under the FMLA. This term does not include parents “in law.”

“Physical or mental disability” means a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

“Qualifying exigency” includes any of the following reasons related to deployment: issues arising from short-notice deployment for a period of 7 days from the date of notification; military events and related activities; childcare and related activities arising from the military member’s covered active duty, such as arranging alternative childcare; making or updating financial and legal arrangements; counseling; taking up to 15 calendar days of leave to spend time with a military member who is on short-term rest and recuperation leave during deployment; post-deployment activities; and any other event that the employee and the City agree is a qualifying exigency.

“Serious health condition” is defined as an illness, injury, impairment, or physical or mental condition that involves (1) inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care, or (2) continuing treatment by a licensed health care provider as defined under the FMLA.

“Son” or “daughter” is defined two ways within this policy:

- a. For military leave, son or daughter means an Employee's biological, adopted, foster child, stepchild, legal ward, or a child for whom the Employee stands in loco parentis, and who is of any age.
- b. For all remaining leave pursuant to the FMLA, son or daughter means a biological, adopted, foster child, stepchild, legal ward, or a child of a person standing in loco parentis, who is either under 18 years of age or 18 years of age or older and is "incapable of self-care" because of a mental or physical disability.

Eligibility

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for the City for at least 12 months or 52 weeks.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence.
- The employee must work in a work site where 50 or more employees are employed by the City within 75 miles of that office or work site.

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a son or daughter and in order to care for that newborn child.
- The placement with the employee of a son or daughter for adoption or foster care and to care for a newly placed child.
- To care for the employee's spouse, son, daughter, or parent with a serious health condition.
- Because of a serious health condition that makes the employee unable to perform the functions of the employee's job.
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty status).
- To care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the covered servicemember.

Amount of Leave

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above under this policy during a 12-month period as defined by the City. Leave because of birth of a son or

daughter or placement of a son or daughter as outlined above must be completed within the 12-month period beginning on the date of birth or placement.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available, provided that leave for other circumstances may not exceed 12 of the total 26 weeks of leave.

If a husband and wife both work for the City, are both eligible for FMLA leave, and each wishes to take leave for the birth of a child, for the placement of a child with the two for adoption or foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the City and each wishes to take leave to care for a covered service member with a serious injury or illness, the husband and wife may only take a combined total of 26 weeks of leave.

Health Benefits During Leave

While an employee is on leave, the City will continue health benefits for eligible employees during the leave period at the same level and under the same conditions as if the employee had continued to work. Employees will still be responsible for their contribution and will be presented with options to ensure timely payments.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty ("FFD") clearance from their health care provider before returning to work.

Job Reinstatement

Upon return from FMLA leave, an employee is entitled to be returned to the same position the employee held when the FMLA leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA period.

Use of Paid and Unpaid Leave

FMLA leave is unpaid leave. Pay that will end during FMLA leave includes all forms of compensation paid, including but not limited to wages, bonuses, holiday pay, bereavement, fringe benefits, allowances, etc. Employees may be required to use all forms of available paid leave concurrently during the applicable FMLA leave, including vacation or sick leave. Vacation and sick leave accrual will cease during FMLA leave unless an employee is using accrued leave concurrently with FMLA leave. Using available leave benefits will not extend leave time beyond the maximum FMLA leave allowed per 12-month period.

Intermittent Leave or a Reduced Work Schedule

An employee does not have to use leave in one block in all circumstances. Instead, when it is medically necessary or otherwise permitted, an employee may use the leave intermittently (take

leave periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

Certification Requirements

The City will require certification supporting the employee's need for leave when leave is being taken for the employee's own serious health condition; a spouse, child, or parent's serious health condition; a qualifying exigency for military leave; and the serious injury or illness of a covered servicemember. An employee generally must respond to a certification request within 15 days of the request. If a certification is incomplete or insufficient, the City will notify the employee of any additional information required and will provide the employee with a period of time, generally 7 days, to cure any deficiencies. Failure to provide certification may result in a denial of FMLA protection for the leave.

Recertification

The City may request recertification for the serious health condition of the employee or the employee's spouse, child, or parent when circumstances have changed significantly, or if the City receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the City may request recertification every six months in connection with an FMLA absence or as otherwise permitted under the FMLA.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide the City Manager with verbal or written notice of the need for the leave. The employee does not have to provide his or her medical diagnosis, but must provide enough information so that the City can determine if the leave qualifies for FMLA protection. Sufficient information could include informing the City that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must also inform the City if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Once the City becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the City will notify the employee if he or she is eligible for FMLA leave and, if eligible, will also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible for FMLA leave, the City will identify a reason for such ineligibility.

When the need for the leave is foreseeable, the employee must provide the City with at least 30 days' advance notice. When the need for FMLA leave is not foreseeable or it is not possible to give 30 days' notice, the employee must provide notice of the need for leave as soon as practicable and generally must comply with the City's usual and customary notice and procedural requirements for requesting leave, including ordinary call-in and absentee policies, absent unusual circumstances; otherwise the employee may be considered absent without excuse.

Designation of FMLA Leave

After the employee has submitted the appropriate certification form if required, the City will provide the employee with a written response to the employee's request for FMLA leave. The City will

identify whether the leave will be designated as FMLA leave and if so, the amount of leave that will be designated as FMLA leave if possible to do so.

Intent to Return to Work from FMLA Leave

The City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Complaint Procedures

The City will not interfere with an employee's FMLA rights or retaliate against an employee for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

If an employee believes that his or her FMLA rights have been violated, the employee may raise the concern/issue pursuant to the City's grievance procedure to attempt to resolve the situation prior to making a formal complaint. If the employee does not believe his or her concerns have been resolved, the employee may raise his or her concerns with the City Manager. Employees may also file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may pursue a private lawsuit. The FMLA does not affect any federal or state law prohibiting discrimination or superseding any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Leave Without Pay

Employees have no automatic right to a leave without pay. Employees seeking a leave without pay should request as far in advance as possible. In the event a leave without pay is granted, no vacation, sick leave, holiday pay, or other benefits shall accrue to an employee during the period of time he or she is on leave without pay and all time spent on leave without pay shall not count as time in the service of the City. Any continuation of group insurance benefits will be dependent upon the length of the leave and plan terms and may include a condition that the employee, at his or her own expense, pay the full cost of applicable premiums.

CHAPTER 10 BENEFITS AND PROGRAMS

The City of Sheldon makes a range of benefits available to eligible employees who qualify and choose to participate. All benefits provided or made available by the City, including any identified in this handbook, are subject to the eligibility requirements, rules, terms, and conditions of each benefit plan or policy. In the event of a conflict with the provisions of this handbook and the provisions of any plan or policy, the terms of the plan or policy shall prevail. The City of Sheldon reserves the right to add, amend, modify, change and terminate any employee benefit at any time.

Benefits that may be available to eligible employees include the following:

- Group Benefits:
 - Life, Health, Disability
 - Iowa Public Employee Retirement System (IPERS)
 - Employee Assistance Program (EAP)

- Voluntary Benefits (paid by employee):
 - AFLAC
 - Flex Spending
 - International City/County Management Association (ICMA) 401/457 Plans
 - Life insurance

Details regarding each benefit plan, including information regarding eligibility and costs of coverage, are contained in the plan documents. Employees should contact the City Clerk or City's insurance agent of record for further information.

CHAPTER 11 POLICY AMENDMENTS

Notifications of Policy Changes

The City of Sheldon reserves the right to modify its employment plans, policies, and procedures without issuing separate notice to employees. Generally, employees will be notified of changes in Personnel Policies and Procedures in the following manner:

- A. The new or revised policy will be routed to each department for inclusion in their Personnel Policy manual;
- B. Periodically this Personnel Policy will be revised to include all policy changes.

CITY OF SHELDON
STATEMENT OF UNDERSTANDING
OF RECEIPT OF PERSONNEL POLICY

THE UNDERSIGNED acknowledges that he/she has been provided with a copy of the Personnel Policy for the City of Sheldon and further that he/she has read and understands its contents.

The contents of this manual are presented as a general guide and for informational purposes only. The plans, policies, and procedures described are not conditions of employment. The City of Sheldon reserves the right to modify, revoke, suspend, terminate or change any or all plans, policies, or procedures, in whole or in part, at any time with or without notice. Further, the City of Sheldon retains exclusive authority and discretion regarding the interpretation and application of its plans, policies, and procedures. The language that appears in this manual is not intended to create nor is it to be construed to constitute a contract between the City of Sheldon and any one or all of its employees. It does not change the at-will nature of employment or guarantee employment for any specific period of time, and it does not guarantee any fixed terms and conditions of employment. This Personnel Policy and the plans, policies, and procedures herein supersede any and all prior plans, policies, and procedures or any oral or written representations or statements regarding the terms and conditions of employment.

DATED this _____ day of _____, 20__.

Employee Signature

Employee Name (Printed)