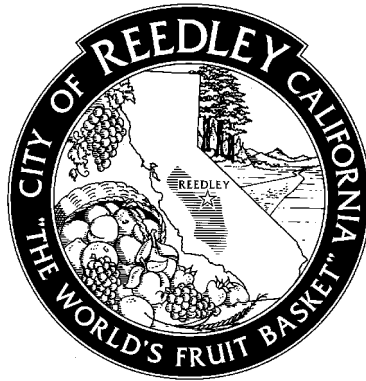


City of Reedley



Personnel Policies and Procedures

APRIL, 2000

City of Reedley Personnel Policies and Procedures

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INTRODUCTION

Each employee of this City is important and plays an essential role in our effort to provide the community with a high level of service. This manual is provided as a guide to each employee. When properly used it will provide reference to important City personnel policies and procedures.

New laws may require change in a policy or procedure. When the need arises, the City will meet to discuss appropriate changes in this manual.

The initial manual will be provided at the time of hire. When changes are made, new issues will be given to each employee.

These rules supersede and replace all previous personnel policies, practices and guidelines and shall control all personnel practices of the City except where a Memorandum of Understanding with an employee bargaining group expressly creates a particular and specific written exception or alternative.

These rules may be supplemented, interpreted, and implemented by administrative policies issued by the City Manager.

These rules and regulations shall cover all employees in the classified and unclassified service as defined.

These rules shall be administered by the City Manager subject to ordinances and/or resolutions which are in effect. These rules may be modified, interpreted or clarified by the City Manager in writing, reviewed by the City Attorney, and/or adopted by the City Council. Any such changes, where appropriate, will be subject to meet and confer.

Each department has the responsibility to adopt such rules and regulations for its department as are necessary for the efficient operation of the department. Such rules and regulations must be submitted to the City Manager for approval and are equally as binding on the employee as the rules, regulations and policies contained in these procedures, and where appropriate, are subject to meet and confer.

DEFINITIONS

Allocation	The assignment of a position to its appropriate class in relation to duties performed, and the authority and responsibilities exercised.
Anniversary Date	The date on which an individual is placed on the City payroll as a full-time employee. The anniversary date shall not change unless an employee is removed from the City's payroll.
Appeal	An application for review of an alleged grievance submitted or instituted by an employee to higher authority.
Applicant	An individual who has completed and submitted an application for employment with the City.
Appointing Authority	The City Manager (or designee) shall be the appointing authority for all officers and employees of the City except elective officers, the City Attorney, and persons appointed by the Mayor or City Council to the commissions, committees, or other boards.
Appointment	The hiring of a person to a position.
Benefit Date	The date which determines eligibility for salary or benefit increases. Such increases in salary or benefits shall be effective the benefit date.
Assembled Examination	An examination for which applicants are required to appear at a specific place for the purpose of taking a test.
Certification	Endorsement as meeting required minimum standards for a vacant position.
Class	A group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, class specification, and pay range.
Class Series	A number of classes of positions which are substantially similar as to the types of work involved and differ only in rank as determined by the importance of the duties and degree of responsibility involved and the amount of training and experience required. Such classes constitute a series.
Classification	The act of grouping positions in classes with regard to: <ul style="list-style-type: none">• duties and responsibilities• requirements as to education, knowledge, experience, and ability

- tests of fitness; and
- ranges of pay.

Class Specification	A written description of a class consisting of a class title, a general statement of the level of work and of the distinguishing features of work, examples of duties, and the desirable qualifications for the class.
Classification Plan	The official or approved system of grouping positions into appropriate classes consisting of: <ul style="list-style-type: none"> • an index to the class specifications; • the class specifications; and • rules for administering the classification plan.
Classified Service	All positions in all departments of the city as set forth in the salary schedule and position allocation list, except those positions designated as being in the unclassified service.
Compensation Plan	The official schedule of compensation approved by the City Council assigning one or more rates of pay to each class title.
Compensation	The standard rates of pay which have been established for the respective classes of work, as set forth in the compensation plan.
Compensatory Leave	Time off from work in lieu of monetary payment for overtime worked.
Day	“Day” is any calendar day unless otherwise specified.
Demotion/Downgrade	Assignment of any employee from one class to another which has a lower maximum rate of pay.
Department	The primary organizational unit which is under the immediate charge of a department head who reports directly to the City Manager.
Designees	Use of the term, City Manager, includes therein his/her designees, who shall have the same authority as the principal for that matter so delegated.
Dismissal	Separation from City employment.
Division Head	“Division Head” is the Administrative Supervisor to whom the Immediate Supervisor reports.
Eligible	A person who has successfully met required qualifications for a particular class.

Employee	An individual who is employed by the City and is compensated through the City payroll for his/her services. Individuals or groups compensated on a fee basis or who are not in an assigned pay range, part-time and temporary employees are not included. Synonymous with “Incumbent.”
Examination	The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees.
Full-Time Employee	An employee working 2,080 hours per year and receiving benefits.
Grievance	“Grievance” shall mean any claimed violation, misinterpretation or an inequitable application of the existing memorandum of understanding or of the written rules, procedures and regulations of the City which adversely affects an individual grievant or a specified group of grievants; provided, however, that such terms shall not include an action regarding disciplinary proceedings or any other matters which are otherwise reviewable pursuant to law or pursuant to any rule or regulation having the force and effect of law.
Immediate Family	A member of the employee’s immediate family is defined as a spouse, son, daughter, brother, sister, father, mother, mother-in-law, father-in-law, or grandparent. At the sole discretion of the City Manager, this definition may be extended on an individual basis to include any other relative living in the employee’s home.
Immediate Supervisor	“Immediate Supervisor” is the first level administrator having immediate jurisdiction over the grievant who has been designated to administer grievances.
Leave	An approved type of absence from work as provided for by these rules.
Merit Pay Increases	An increase in compensation established in the compensation plan which may be granted to an employee for meritorious service and completion of minimum prescribed period of employment in the class.
Overtime	Authorized time worked by an employee in excess of his/her total normal hours per week worked.
Overtime Pay	Compensation paid to an employee for overtime work performed in accordance with these rules.

Pay Range	One or more, but commonly five (5) specific pay rates, assigned to a class of positions as the compensation for that class which may be paid to employee based upon merit.
Pay Rate	A specific dollar amount, expressed as either an annual rate, a monthly rate, a biweekly rate, or an hourly rate, as shown in the pay plan of the City.
Personnel Officer	The City Manager or his designee.
Position	Any office or employment, whether occupied or vacant, full-time or part-time, consisting of duties and responsibilities assigned to one individual.
Probationary Period	The working test or trial period of employment beginning with the date of an employee's first day of work during which the employee may be separated or demoted from employment without cause or reinstated back to their previous position, if available and acceptable to that department head.
Promotion	Assignment of an employee from one class to another which has a higher maximum rate of pay and for which a further probationary period will be served.
Regular Appointment	An appointment without time limitation, or special restrictions as to continued employment, other than completion of the probationary period to a position authorized to be filled and made as a result of a certification as prescribed by these rules.
Regular Employee	A full-time employee in the classified service who has successfully completed the probationary period and has been retained as provided for in these rules.
Separation	Separation of an employee from employment with the City for failure to complete probation or for failure to meet requirements of City employment as provided in Section 4.50.
Suspension	An enforced leave of absence with or without pay: <ul style="list-style-type: none"> • for disciplinary purposes, or • pending investigation of charges made against an employee.
Transfer	Assignment of an employee from one position to another position. Transfers can take place within a department, between departments, between positions of the same pay range, between positions of the same class or between positions of different classes.

Unclassified Service

Offices and positions held by elected City Officials, the City Manager, department heads and the City Attorney. Unclassified service shall mean positions excepted from the classified service, unless otherwise provided, including all elected officials, department heads; appointment to non full-time employment, or other limited-term positions and contract positions compensated on an hourly flat-rate or fee-for-service basis unless designated classified by the City Council. Unless otherwise provided, the unclassified service shall generally include positions responsible for the formulation or effective recommendation of policy, positions in a direct reporting relationship to elected officials and non-regular employees. Except as expressly provided to the contrary in writing or in a written contract or agreement, all persons in unclassified service shall serve at the will of, and be subject to separation from employment without cause by, their appointing authority, provided, however, that department heads without contracts shall retain such rights as may be conferred upon them by law.

Work Day

Scheduled number of hours an employee is required to work per day.

Y-Rating

The process whereby an employee does not receive less pay when promoted, downgraded or demoted, notwithstanding the pay rate assigned to others in the classification.



Section 1.00

Classification

SECTION 1.00 - CLASSIFICATION

- 1.10 Purpose.** The classification plan provides a complete inventory of all positions in the City service and an accurate description and specifications for each class of employment. The plan standardizes titles, each of which is indicative of a definite range of duties and responsibilities and has the same meaning throughout the classified service. The classification plan may contain classes to which there are no current allocation of positions in order to provide for future organizational growth or changes in organizational structure.
- 1.20 Composition of the Classification Plan.** The classification plan shall consist of:
- e. a grouping in classes of positions which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions
 - f. class titles, descriptive of the work of the class, which identify the class; and
 - g. written specifications for each class of positions; and
- 1.30 Administration of the Classification Plan.** The City Manager is charged with maintenance of the classification plan so that it will reflect the duties performed by each employee in the classified service and the class to which each position is allocated. It is his/her duty to examine the nature of the positions as they are created and to allocate them to the existing class or to create new classes, if there are no appropriate existing classes. The City Manager is also responsible for periodically reviewing the entire classification plan and initiating appropriate changes in allocations of the plan.
- 1.40 Classification Changes.** Whenever a new position is established, or duties of an old position changed, department heads shall submit in writing a comprehensive job description describing in detail the duties of such a position. The City Manager shall thereupon investigate the actual or suggested duties and approve or change such recommendations.
- 1.50 Reclassification.** Reclassification requests shall be submitted by the Department Head to the City Manager during the designated window period, March 1 through April 30. Whenever a material change in duties or responsibilities of any existing position in the City classified service occurs, the City Manager, on his/her initiative or upon a request of the Department Head, may investigate the duties of the affected positions. The reclassification of a position that entails substantive changes in conditions and/or terms of employment as defined by Government Code Section 3500 - 3510 shall be subject to meet and confer.



Section 2.00

Employee

SECTION 2.00 - EMPLOYEE SELECTION

2.10 Recruitment. A department may limit a recruitment or promotional opportunity to current City employees. Generally recruitments for promotional opportunities involving positions other than Executive Management shall be posted for a period of seven (7) calendar days prior to initiating an open (outside) recruitment to encourage current employees to apply for positions. The decision to recruit on a promotional or open basis will depend upon the availability of in-house applicants as determined by the City Manager. Individuals shall be recruited from a geographic area as wide as necessary to assure obtaining well qualified candidates for the various types of positions. Employment, therefore, shall not be limited to residents of Reedley. The City Manager will determine the most appropriate method for recruitment.

2.20 Notification. The Department Head shall prepare recruiting notices to publicize vacancies and to provide candidates for vacant positions when appropriate. Such various media of publicity shall be used as might be expected to bring notice of vacancies to qualified persons.

When position vacancies occur, the requirements for the position must be established prior to the beginning of the recruitment process. Applicants must be clearly informed of both the required and the “desirable” employment qualifications.

Vacancies should be published in a position vacancy announcement, which may include, but not be limited to, the following information:

- Class Title
- Salary Range
- Description of Duties
- Qualification Standards (with “mandatory and “preferred” designated)
- Office to be contacted regarding the position
- That the City of Reedley is an Equal Opportunity Employer
- Probable closing date for screening application
- Examination plan

2.30 Acceptance of Applicants. Each candidate for municipal employment may make application in the manner prescribed by the City Manager. Such information may be required as is deemed necessary in order to judge the applicant’s fitness.

2.40 References. As part of the pre-employment procedure, former supervisors, employers, and references provided by the candidates shall be checked. Reference checks made by personal or telephone contact shall be completed prior to an offer of employment, and the information shall be made part of the application file. All such information is to be handled as privileged information and coordinated with the Department Head. In order to enhance response to reference check inquiries, the Department Head shall provide a standard written disclosure authorization and release statement for appropriate candidates’ approval.

2.50 Disqualification. Any applicant may be removed from further consideration at any time the application or an applicant:

- a. does not possess the minimum qualifications;
- b. has established an unsatisfactory employment or personnel record as evidenced by reference check of such a nature as to demonstrate unsuitability for employment;
- c. has made false statement of any material fact or practiced deception in his/her application;
- d. does not meet the physical requirements and/or does not submit or pass the mandatory physical examination and/or psychological examination.
- e. does not reply to a mail inquiry within ten calendar days or does not return a telephone inquiry within two days; unless due to extraordinary circumstances,
- f. fails to accept appointment within five working days or to report for duty within the time prescribed in the offer unless due to extraordinary circumstances;
- g. fails to pass drug/alcohol screen, if applicable, or
- h. fails to pass other department specific requirements for the position.

All applicants disqualified shall be notified in a timely manner.

2.60 Equal Opportunity Policy Statement. The City of Reedley is committed to the policy of equal employment opportunity. In its commitment to this policy the City seeks to establish and maintain employment environment and an employment system free from discrimination. All employment decisions and actions are to be free from discrimination due to race, color, religion, sex, national origin, age, pregnancy, medical condition, or handicap except where such factors are determined to be bona fide occupation qualification. Where possible the City will make reasonable accommodations for the handicapped and comply with state and federal laws.

2.70 Fair Employment Practices. Any technique or procedure used in recruitment and selection of employees shall be designed to measure only the job related qualifications of applicants. No recruitment or selection technique shall be used which, in the opinion of the City Manager, is not justifiably linked to successful job performance.

ENTRANCE EXAMINATIONS

2.80 Competitive Examination. All applicants for the positions in the classified service may be subject to competitive examinations. All such tests shall be either assembled or unassembled as provided for in these rules. Assessment Centers fall into this classification.

2.90 Types of Examinations. The test held to establish a list of eligible candidates for any class shall consist of one or more of the following parts as determined by the Department Head in consultation with the City Manager.

- a. *Written Test.* This part, when required, shall include a written demonstration designed to show the familiarity of competitors with the knowledge involved in the class of positions to which they seek appointment, their ability to follow written and oral instructions, the range of their general information, or other general education attainments
- b. *Oral Test.* An oral test consisting of an interview, oral examination, and evaluation may be used solely when a written test is unnecessary or impractical, or in conjunction with other tests.
- c. *Performance Tests.* This part, when required, shall include such tests of performance or trade as would determine the ability and manual skills of competitors to perform the work involved.
- d. *Physical and/or Psychological Test.* This part, when, required shall consist of tests of bodily condition, muscular strength, agility, physical fitness and mental fitness of competitors, when necessary for actual job performance. This may be given a weight in the examination or may be used in excluding from further examination applicants who can not meet the minimum required standards.
- e. *Training and Experience.* This part, when required, shall be in view of education, experience and special requirements contained in the public notice of the examination or supplementary data as may be designated. Results of the reference checks, as provided for in Section 2.00, shall be a part of the evaluation of training and experience.

2.100 Rating Examinations. The Department Head shall determine rating criteria for applicable testing elements. Candidates may be required to obtain at least a minimum qualifying rating on each test.

2.110 Notification of Examination Results. Each person who takes an examination component shall be notified of the results and as to whether or not the person will be considered further. Those who progress to the eligibility list will also be advised, including the anticipated active life of such list. Each person who participates in the process shall be entitled to inspect their examination papers within ten days of notification of the results, but examination papers shall not be opened to the general public. Such inspection shall be permitted, by appointment with the applicable department, during regular business hours.

2.120 Eligibility List. The eligibility list shall contain the names of candidates who successfully complete the designated entrance examinations, as provided for in Section 2.90 (a-d) above. Names shall be listed alphabetically without reference to actual scores. The list shall normally be active for a one year period. However, considering the quantity and quality of the

remaining candidates, the City Manager may extend or deactivate it based upon the recommendation of the user department head(s). A candidate may waive acceptance of a job offer and still remain on the list during its designated life, if the City Manager determines that extenuating circumstances justify such action.

2.130 Department Certification. The Department Head shall certify candidates, along with appropriate records, for further consideration, evaluation and possible selection. All candidates on an eligibility list need not be certified. Rather, the number of certified candidates will be based upon the number of qualified candidates and the number of vacancies in the department. The Department Head will certify alphabetically a group of qualified candidates which, in his/her judgment, is appropriate for the particular position to be filled and assuming sufficient qualified candidates, will attempt to include an average of three qualified candidates for each vacancy.

APPOINTMENTS

2.140 Types of Employee Appointments. The following types of appointments may be made to the City Service in conformity with the rules established: regular, probationary, non full-time, and conditional.

- a. *Regular Employees.* A regular employee works full-time and on a continuing basis
- b. *Probationary Employees.* Those employees who have not completed their established probationary period.
- c. *Non Full-Time Employees.* Non full-time employees are individuals who work on an at-will basis and for a specified period of time. Such employees are distinguished from regular employees who work full-time and who receive benefits. Compensation for non full-time employees is based on either the hourly rate for the classification of work performed or on an hourly rate set by compensation schedules established by the City Manager. The policy governing non full-time employment are
 - 1) any non full-time appointment may be made from an eligibility list. Any person on an eligibility list who accepts employment in a non full-time capacity shall retain his/her place on such list;
 - 2) a non full-time employee shall receive no credit for any purpose for time employed in a non full-time capacity;
 - 3) any non full-time employee serves at-will and may be removed by the Department Head at any time, with or without cause, and without the right of appeal or hearing.
- d. *Conditional Employee Appointments.* Those persons to whom an offer of employment has been made conditional on the person successfully completing or

passing a test, criteria or investigation. Such conditional employee appointments might include requirements to pass a physical or psychological examination, pass a drug and/or alcohol test, secure and produce proper certification or credentials, or have a satisfactory background or reference check completed. Such employees may have a job offer withdrawn anytime prior to appointment as a probationary, regular or non full-time employee.

2.150 Lateral Entry Program.

- a. *Policy.* It is the policy of the City of Reedley to accept qualified personnel for employment through lateral entry.
- b. *Definition.* For purposes of this policy, Lateral Entry is defined as the employment of personnel at a level of pay and benefits commensurate with the experience gained in an organization other than the City of Reedley
- c. *Probation Period.* All accepted candidates shall serve a one year probationary period and must satisfy such probationary requirements as normally required
- d. *Compensation.* Authorization to commence employment above the first salary step may be made by the City Manager if, after proper documentation by the appointing authority as determined that such action is in the best interest of the City. Due consideration will be given to compensation received by incumbents.
- e. *Benefits.* A person will not be credited with previous benefits from other agencies other than time in service for retirement if they are with PERS.

PROMOTIONS

2.160 Promotion Policy. The decision to recruit on a promotional or open basis will depend upon the availability of qualified in-house applicants. A department may limit a promotional opportunity to current City employees. In most instances recruitment for the most suitable candidate will begin (advertising out and inside) as soon as resignations are filed. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of effecting an increase in compensation. The procedure for selection e.g. assessment center, interview, other tests, etc., is determined by Section 2.90.

2.170 Promotional Probationary Status. Upon promotion to a higher classification the employee so promoted shall be considered as a probationary employee in the new classification but shall retain all benefits normally assigned to a regular employee. (See Section 2.00, Section 2.230)

PROBATION

- 2.180 Object** The probationary or working test period is an integral part of the examination process. It shall be utilized to observe closely the employee's work, to secure the most effective adjustment of a new or promoted employee to the position, and to reject any employee whose performance does not meet required work standards.
- 2.190 Duration.** The probationary period for all employees is 12 months. If a department head requests in writing, an extension of an established probationary period prior to expiration, the City Manager may extend the probationary period of a particular employee for a single interval of three months beyond the end of the normal probationary period.
- 2.200 Evaluation of Performance.** Throughout the full probationary period, the employee's supervisor should inform the employee when he/she is not performing satisfactorily and is not meeting probationary test period requirements. A written evaluation will be administered to all probationary employees during the probationary period. Failure of the department to provide a written evaluation shall not mean that the employee has satisfactorily completed probation.
- 2.210 Dismissal.** During the probationary period, the Department Head may terminate from employment any employee in the sole discretion of the Department Head. The Department Head shall immediately notify the City Manager and the employee of the termination for failure to satisfactorily complete probation. Probationary employees are subject to termination without cause, and without any right to appeal or hearing, except as may otherwise be required by statute.
- 2.220 Probationary Period Reports.** Prior to the expiration of an employee's probationary period, the Department Head shall notify the City Manager whether the service of the employee has been satisfactory and whether the employee will continue in his/her position.
- 2.230 Failure to Complete Probation.** An employee who does not successfully complete his/her probationary period may be reinstated to a position in the class occupied by the employee immediately prior to his/her promotion only if there is a vacancy in the department. If a vacancy exists in another department in the City, such employee may be considered along with other applicants.



Section 3.00

Compensation/Benefits

SECTION 3.00 - COMPENSATION/BENEFITS

- 3.10 Compensation.** The compensation plan includes the basic salary schedule as adopted by the City Council in the budget and subsequent amendments thereto, and the schedule of salary ranges as adopted by the City Council. Such schedule consists of minimum and maximum rates of pay and intermediate steps, as applicable, for all classes of positions included in the classification plan.
- 3.20 Use of Salary Ranges.** Salary ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class, in providing employee incentive, and in rewarding employees for meritorious service. The following general provisions shall govern the granting of within-the-range increases:
- f. The minimum rate established for the class is the normal hiring rate, except in those cases where unusual circumstances appear to warrant appointment of an employee at a higher rate. Appointment above the minimum step rate may be made when the City Manager determines that it is necessary in the best interest of the City. Approval will be based on qualifications of the applicant being in excess of the requirements for the class, that there is a shortage of qualified applicants available at the minimum step, and that qualified applicants decline employment at the minimum step
 - g. *Non-Management.* Thirty (30) days prior to completion of one year, employees will be considered for salary increase. A merit evaluation form must be provided for each salary increase. The evaluation shall be accompanied by a written recommendation for either advancement to the next salary step or retention at the current step. Incumbents appointed at the first step of the salary range will be eligible for consideration for placement at the next step of the range at the end of the probationary period. If advancement is approved by the City Manager, the employee's new step shall be effective on the first day of the pay period next following the benefit date. The City Manager monitors evaluation prior to step increase. The City Manager approves all step increases.
 - h. The remaining steps are reserved to reward employees for satisfactory performance and service. At least thirty (30) days prior to each succeeding anniversary, department heads will forward to the City Manager a performance evaluation. The evaluation shall be accompanied by a written recommendation for either advancement to the next salary step or retention at the current step. All such advancements and retention must be approved by the City Manager.
- 3.30 Management Employees.** On appointment, the City Manager may grant a new management employee a beginning salary not to exceed the maximum of the range for the affected class. Such salary should reflect a judgment as to the ability of the employee to achieve expected performance standards within anticipated time frames.

- 3.40 Total Remuneration.** The salary rate and benefit schedule established for a position shall represent the total remuneration for the employee, not including reimbursement for out of pocket cost and official travel. Except as otherwise authorized by the City Manager, no employee shall receive pay from the City in addition to the salary authorized under the schedules provided in the pay plan for services rendered by him either in the discharge of his ordinary duties or any additional duties which may be imposed upon him or which he may undertake or volunteer to perform. No reward, gift, or other form of remuneration in addition to regular compensation shall be received from any source by employees for performance of their duties unless in accordance with written, administrative guidelines issued by the City Manager.
- 3.50 Compensation on Promotion.** Any employee who is promoted to a position in a class with a higher salary range shall receive a pay raise of not less than five percent (5%), but in no event shall the pay raise be greater than the top step of the new salary range.. An employee thus promoted is therefore assigned to a new benefit anniversary date effective on the date of promotion.
- 3.60 Compensation on Demotion.** Any employee who is demoted to a position in a class with a lower salary range shall have his/her salary reduced to the salary step in the range for the lower class which is closest to the employee's current salary. He/she shall retain his/her current anniversary date.
- 3.70 Compensation on Transfer.** Any employee who is transferred from one position to another position in the same class, or to another position in a class having the same salary range, shall be compensated at the same step in the salary range as he/she previously received and his/her salary anniversary date shall not change.
- 3.80 Compensation on Change in Range Assignment.** Whenever a class is reassigned to either a higher or lower salary range, the salary of each incumbent in such class on the date the reassignment is effective shall be adjusted to the step in the new range that corresponds nearest the amount to the step he/she was receiving in the former range, and not necessarily an increase, and he/she shall retain the same salary anniversary date. When a salary range reassignment becomes effective on the same date as an employee's salary anniversary date, he/she shall first receive any increase within the range to which he/she is entitled and then receive the corresponding step adjustment.
- 3.90 Compensation on Position Reclassification.** The salary of an employee in a position that is reclassified shall be determined as follows:
- a. If the position is reclassified to a class with the same salary range as the previous class and if the incumbent is appointed to the reclassified position, the salary range and the salary anniversary date of the employee shall not change. This provision shall also apply to change of class title.

- b. If the position is reclassified to a class with a higher salary range than the previous class, and if the incumbent is appointed to the reclassified position, then the salary of such employee shall be governed by Rule 3.50.
- c. If the position is reclassified to a class with a lower salary range than the previous class and if the incumbent is appointed to the reclassified position, his/her salary shall not change. If his/her salary is greater than the maximum step of the lower salary range, his/her salary shall be “Y” rated until such time as the general cost-of-living increase, inequity adjustment, or other salary increase result in a monthly salary appropriate for the class. The employee’s salary anniversary date shall not change and he/she shall not be required to serve a new probationary period.

3.100 Out-of-Rate. Employees whose classifications are represented by a Bargaining Unit shall receive out-of-rate pay in accordance with the applicable Memorandum of Understanding. Non-represented employees shall receive a minimum of a 5% increase after working one complete continuous month at the higher classification level each time he/she is assigned.

3.110 Overtime Relative to Compensatory Time Off. Upon direction or approval of the Department Head, compensatory time off in lieu of overtime payment will be permitted in accordance with applicable Memorandum of Understanding and the provisions of the Fair Labor Standards Act.

3.120 Errors. The City and its employees are mutually responsible for overpayments and under payments. If an employee notices either on his/her check it is his/her responsibility to notify his/her immediate supervisor so the correct adjustment may be made. Adjustments relative to recoupment of overpayments will be made to minimize hardships, but any remaining balance for an overpayment shall be deducted from any final check. Under payments shall be adjusted in full, within 30 days.

LEAVES

3.130 General Policy. The following types of leaves, and not other, are officially established: holidays, vacation, sick leave, military leave, civil leave, maternity leave, compensatory leave, and leave without pay. Court subpoena, jury duty and all leaves may be granted by the Department Head in conformance with rules established for each type of leave and shall receive the approval of the City Manager as specified. All departments are required to prepare permanent records of any absence for duty of their employees.

3.140 Sick Leave. All regular and probationary employees who have completed one pay period of continuous service are eligible for sick leave. Sick leave with pay is granted by, and can only be used for, the following reasons: personal illness, injury or physical incapacity resulting from causes beyond the employee’s control; enforced quarantine of the employee in accordance with community health regulations; to keep a doctor’s or dentist’s appointment; or the death or serious illness of a member of the employee’s immediate family. Non full-time employees shall not accrue sick leave. All sick leave requests must be approved by the employee’s

supervisor and all employees or the employee's family member shall notify his/her supervisor that he/she is ill before the start of each work day. Probationary employees shall accrue sick leave but are not eligible to use it until completion of six months continuous service.

If an employee, while on accrued vacation, becomes sick for a period in excess of three days and furnishes a doctor's certificate, the employee's sick leave would be charged rather than accrued vacation.

Sick leave is specifically limited to those matters set forth herein and is not to be used as annual leave. Substantiation of any illness may be requested for an absence at the discretion of the supervisor. Further, a Department Head may require that an employee submit a medical certificate signed by a physician stating the kind and nature of his/her sickness or injury, that the employee has been incapacitated for work for the period of absence and that he/she is again physically able to perform his/her duties.

- a. *Amount of Sick Leave.* Probationary and regular employees earn sick leave credits at the rate of eight (8) hours per month or as specified in the Memorandum of Understanding. Sick leave may be accumulated without limit. For the initial computation of sick leave due, an employee shall be considered as having worked a full pay period when the employee works at least half of the pay period. If a probationary employee is given a regular appointment, time served as a probationary employee shall be credited for sick leave purposes.
- b. *Layoffs.* An employee who is laid off from his/her position, if reappointed within 12 months, has available for his/her necessary use any unused sick leave existing at the time of layoff. When an employee is transferred to another position, any unused sick leave which may have accumulated to his/her credit shall be transferred.
- c. *Coordination with Injury Leave and Workers Compensation.* An employee receiving sick leave with pay and simultaneously receiving compensation under Workers' Compensation laws shall receive only that portion of his regular salary which will, together with Workers' Compensation, equal his/her regular salary. Accrued sick leave shall be charged accordingly. Charges shall be made against sick leave accruals for any waiting period not covered by the Workers' Compensation Act. After sick leave accruals are exhausted, vacation time is automatically charged.
- d. *Computing Sick Leave.* Absence for a fraction or part of the day that is chargeable to sick leave in accordance with these provisions shall be charged proportionally
- e. *Doctor's Certificate.* Sick leave with pay in excess of three consecutive working days, for reasons of personal illness or injury, may be granted only after presentation of a written statement by a licensed physician to the Department Head certifying that the employee's condition prevented him/her from performing the duties of his/her position and that they are able to return to work and fully perform the duties of the position. Return to duty on a limited duty status may be granted if requested by the employee and consented to by a treating physician and after the employee's

Department Head determines that the employee can perform key job functions and such limited duty will not be detrimental to the operation or efficiency of the City.

- f. *Sick Leave at Retirement.* Employees retiring on normal service retirement shall be eligible for a sick leave conversion to service credit as specified in the City's PERS contract.
- g. *Family Illness Leave.* When an employee is compelled to be absent from duty due to the serious illness or injury of a member of his/her immediate family, the employee may utilize six (6) days of his/her sick leave for this purpose during a calendar year, except as otherwise provided for in an applicable MOU or the Family Leave Act. The employee may be required to show evidence by a physician's certification for the absence from work. Usage of sick leave is approved for guardians to take care of seriously ill dependents and additionally to make arrangements for care for children with regular childhood diseases.
- h. *Bereavement Leave.* A full-time employee may use a maximum of three days (24 hours) paid bereavement leave time to attend funeral of a member of the employee's immediate family. If additional time is required, accumulated vacation time may be used when approved by the City Manager.

3.150 Military Leave of Absence. The provision of the Military and Veterans Code of the State of California shall govern military leave of City employees.

3.160 Civil Leave. Any full-time, regular employee shall be given necessary time off without loss of pay when performing jury duty, or performing emergency civilian duty in connection with national defense. In the case of an employee performing jury duty, all fees received (other than meal or travel allowances) shall be returned to the City.

3.170 Leave for Court Appearances. An employee may be granted leave to perform jury duty or to appear as a witness under subpoena.

Jury duty includes preliminary jury selection procedures, appearance in court as a member of a jury panel, and appearance at a coroner's inquest.

Employees shall not waive jury duty fees.

A probationary or regular employee who is absent for jury duty is paid his or her regular salary only if the employee remits the amount received for such duty to the City. If the employee elects to retain the jury duty fees, the employee's time off for jury duty is not compensable. The employee may elect to use vacation to cover the time off.

Payment for travel expenses and/or subsistence received by the employee on jury duty need not be remitted to the City.

There is not a blanket exemption under which employees may be excused from jury duty. However, courts can make individual exemptions, at their discretion, if jury service would entail undue hardship on the person or the public served by the person.

When appropriate, supervisors may request exemption of individual employees from jury duty when such service would entail undue hardship on the City.

3.180 Absence as Court-Subpoenaed Witness or Expert Witness in the Interest of the City.

In any absence as a court-subpoenaed witnesses in issues involving the City, an employee shall demand the payment of statutory witness fees. Whenever possible, employees are to confer with the attorney requesting their appearance, to determine whether certified copies of appropriate documents would be suitable and would eliminate the need for a court appearance.

An employee who is absent as a court-subpoenaed witness will be paid the normal salary in accordance with the applicable Memorandum of Understanding for the corresponding period of absence. No portion of the employee's salary will be forfeited as the result of such an appearance; however, all witness fees (except personal travel and/or subsistence payments) must be remitted to the City.

3.190 Absence as Party to Suit or As Expert Witness Not Serving the City. Employees who are parties to suits or who are expert witnesses not serving in the interest of the City must appear on their own time. They will be charged vacation time, or their pay will be docked for the period of absence.

3.200 Leave Without Pay. The City Manager or designee may grant a regular employee a leave of absence without pay not to exceed three months. No leave shall be granted except upon written request of the employee submitted to the City Manager. If such leave of absence is for medical reasons, the employee must use all accumulated sick, vacation, and compensatory leave prior to commencing a leave of absence without pay. Such leaves may be granted when it is in the interest of the City to do so. Failure on the part of an employee on leave to report at its expiration shall result in dismissal of the employee. Vacation and sick leave shall not accrue to an employee on leave of absence. The decision of the City Manager on granting or refusing to grant a leave of absence or extension thereof shall be final and conclusive and shall not be subject to the grievance procedure. At the expiration of the leave without pay, the employee shall be reinstated only to the same department and to the position vacated if the position still exists or to any other position in the same classification within the department and if the leave was for medical reason, the employee is evaluated as fit to return to full duties by a physician approved by the City. Anniversary date for the purposes of all step raises shall be adjusted according to the length of the leave.

3.210 Maternity Leave. Pregnant employees shall be granted leave without pay to begin at such time as is mutually agreeable to the employee and the department, and in accordance with applicable state and federal laws. Upon written approval of the employee's Department Head and City Manager, accrued vacation pay and sick pay benefits may be used during maternity leave.

- 3.220 Compensatory Leave.** Compensatory time off may be granted in lieu of overtime pay at the employees request and with the approval of the supervisor and in accordance with the appropriate Memorandum of Understanding, and state and federal laws.
- 3.230 Unauthorized Leave.** An unauthorized absence of an employee for three consecutive work days shall constitute an automatic resignation from City service. (See Section 4.50a)
- 3.240 Vacation.** Vacation accrual rates are listed in the Memorandum of Understanding of each bargaining unit or salary resolutions for other units. Computation of vacation accrual shall be prorated based on the hours worked versus the number of hours in the pay period. If a provisional employee is given a regular appointment, time served as a non-full time employee shall be accrued for vacation purposes. Vacation time must be accrued prior to taking time off.
- a. *Probationary Period.* Employees serving a probationary period on an original appointment shall accrue vacation leave in accordance with the provisions of this section.
 - b. *Scheduling and Accrual.* Vacations are to be taken at the convenience of the department. The maximum accrual of vacation time shall not exceed forty (40) working days unless prior written approval by the City Manager is obtained and shall be subject to the appropriate Memorandum of Understanding.
 - c. *Separation and Reinstatements.* An employee who separates from City service will receive pay for any vacation accrued as of the date of resignation unless prior written approval by the City Manager is obtained. All accrued vacation, compensatory time, the employee's final paycheck, life insurance, and where applicable, sick leave, holiday and uniform allowance of an employee who dies in the service shall be paid to the employee's designated beneficiary. For vacation purposes, reinstated employees are considered new employees.
- 3.250 Holidays with Pay.** Those certain days as the City Council may fix are holidays for all probationary and regular employees. All employees, probationary and regular, working Monday through Friday shall observe the following Monday as a holiday when a holiday falls on a Sunday; holidays falling on Saturday shall be observed on the previous Friday. For probationary or regular employees on a work week other than Monday through Friday, their holidays shall be compensated by whatever agreements are entered into via their Memorandum of Understanding. In order to receive pay for an observed holiday an employee must have been in a pay status with the City on the work day before and after the holiday.
- 3.260 Meal Period.** Meal periods are set by department heads. The Department Head will try to schedule meal periods at a time that will suit the needs of both the employee and the department. In order to insure continuous service to the public, certain offices and functions must be staffed at all times. For this reason all employees may not be permitted to go to lunch at the same time.

- 3.270 Rest Periods.** Rest periods (generally termed coffee breaks) are intended to permit a “break” from the normal work activities. Two breaks, as determined by department, shall be set aside as rest periods. In general, employees working in fixed locations (fire building, police building, city hall, corporation yard and treatment plants) have a place set aside to prepare coffee and other refreshments. Employees who work in temporary locations (police, fire, community services, and public works personnel) should take their “breaks” near the job site or as specified in departmental policy.
- 3.280 Unemployment Insurance.** City employees should not be discouraged from applying for unemployment insurance benefits. The City provides the California Employment Development Department (EDD), which is the administrator of the unemployment Insurance Code, with factual information that may have a bearing on an employee’s eligibility for benefits and with any other information related to the employee’s application for benefits that may be requested by EDD.
- 3.290 Workers Compensation.** In compliance with California Worker Compensation state laws, Workers Compensation benefits are available to all employees injured on-the-job. All on-the-job injuries must be reported to the City Manager within 24 hours of the accident. If employees have an accident in a City vehicle, the police must be notified, names of witnesses obtained and the supervisor notified immediately.



Section 4.00

Changes in Employment Status

SECTION 4.00 - CHANGES IN EMPLOYMENT STATUS

- 4.10 Transfers.** A transfer is assignment of an employee from one position to another position. Transfers may take place within a department prior to the department utilizing an existing eligibility list or the recruitment process and shall be at the discretion of the Department Head. A transfer may take place between departments, between positions of the same pay range, between positions of the same class or between positions of different classes, either at the conclusion of an in-house or outside recruitment process, or, if the employee requesting transfer is on an eligibility list for the vacant position, or if in compliance with a rehabilitation decision. A transfer does not superseded utilization of an existing list or the recruitment process as defined in Section 2.00.
- 4.20 Nondisciplinary/Downgrades.** An employee may be downgraded to a lower position for which he/she is qualified for any of the following reasons:
- d. when an employee would otherwise be laid off because the position is being abolished; a position is being reclassified to a higher grade, (duties have evolved into or overlaps another classification); lack of work; lack of funds; or because of the return to work from authorized leave of another employee to such a position in accordance with the rules on leaves; or where departmental needs have changed
 - e. when an employee does not possess the necessary qualifications or does not possess the ability to render satisfactory service in the position held, or when removed during probation in accordance with Section 2.230; subject to the procedures of Section 5.70
 - f. when an employee voluntarily requests such downgrade.

The City Manager retains the discretion, if a position changes due to no fault of the employee, to Y-rate that employee's salary. The City Manager may change the classification of any established position downward to meet the City's needs. In the event such action has an impact on a bargaining unit, the City will offer to meet and confer regarding such impact with the affected unit.

- 4.30 Reinstatements.** An employee who has resigned with a good record may be rehired, if a vacancy exists, to the same or similar position by the same department from which he/she resigned within one year of the date of the resignation without qualifying in competitive examination. This is known as a reinstatement. Such action must be submitted to the City Manager by letter form giving name, title, salary, date of separation, date of proposed reinstatement, and cause of vacancy which the reinstatement will fill.

An employee may be reinstated at the same step in the pay range which he had received or he may revert to a lower step within the range at the discretion of the Department Head and with the approval of the City Manager. He/she cannot be reinstated at a higher step or the reinstatement cannot be made if the City has a layoff list for the position. Reinstated employees are considered new employees for purposes of vacation, sick leave, salary steps

and retirement. No entitlements or previously accrued benefits, such as sick leave, will be restored. Employees on a layoff list will not be considered new employees (for the sake of benefits) until after two years of being laid off.

Employees restored to duty after military service are not reinstated in the sense of this rule, but are instated subject to reinstatement under the provisions of the Military and Veterans Code of the State of California.

- 4.40 Y-Rating.** Y-Rating is the process whereby an employee does not receive less pay when promoted, down graded or demoted, notwithstanding, the pay rate assigned others in the classification, and to make the transition easier, the employee receives the same pay until salary adjustments are made for the entire class. At that time, he/she will be paid at the same rate as all others within the particular classification. This usually occurs when a position has been downgraded or a person demoted due to no fault of the employee. Y-rating is at the discretion of the City Manager.

SEPARATION

- 4.50 Types of Separation.** Following regular employment after the satisfactory completion of probation, separations of employees from positions in the classified service shall be designated as one of the following categories and shall be accomplished in the manner indicated: resignation, layoff, disability, death, retirement, layoff and dismissal.

- a. *Resignation.* An employee resigns from employment by notifying their supervisor either orally or in writing or by incurring three (3) consecutive working days of unauthorized leave as a result of the failure to report to work as required unless the employee has been hospitalized or incapacitated. Oral or written notice of resignation should be given as far in advance as possible, but a minimum of two weeks notice is desired. If orally or automatically as a result of three (3) consecutive days, the supervisor shall notify the Department Head and the City Manager of the resignation and the resigning employee shall be sent a copy of that notification. Failure to give adequate advance notice of resignation may be cause for denying future employment with the City.
- b. *Disability.* An employee shall be separated from employment as a result of a physical or mental disability when the employee cannot substantially perform the required duties and functions of their position. An action to separate an employee from employment may be initiated by the employee, the employee's legal representative, or the City, and must be supported in each case by evidence acceptable to the City Manager. The City may require the employee to submit such examinations by experts of City's choice and at City's expense as City determines reasonably necessary to evaluate a claim of disability.

- c. *Death.* Separation from employment with the City shall be effective as of the date of death of the employee. All compensation due in accordance with Section 3.250c of this document, except for such sums as may, by law, be paid to the surviving spouse
- d. *Retirement.* Whenever an employee meets the conditions set forth in the contract between the City and the Public Employees Retirement System, or any successor retirement plan, the employee may elect to retire and receive those benefits earned under the retirement plan.
- e. *Dismissal.* An employee may be dismissed from regular employment through the processes set forth in Section 5.00. Only regular employees of the City are entitled, except as otherwise required by State statute or applicable MOU, to the procedural provisions, including rights of appeal of a disciplinary decision, of Section 5.00 for termination or discipline for cause. All other employees of the City including, but not limited to those employees defined as unclassified, probationary employees, non-full time employees, contract employees or otherwise, are “at-will” employees, who may be terminated and separated from employment without cause and without the hearing and appeal processes set forth herein, unless specifically required by state or federal law.
- f. *Layoff.* Layoff is the separation of employees from service due to a reduction in workforce or elimination of one or more positions
 - 1. *Order of Layoff.* Whenever a determination has been made to reduce the workforce, the reduction in the workforce shall be as prescribed in an applicable MOU or as otherwise determined by the City Manager.
 - 2. *Re-employment Rights.* Re-employment Rights shall be as contained in an applicable MOU or as determined by the City Manager.



Section 5.00

Employee Conduct and Discipline

SECTION 5.00 - EMPLOYEE CONDUCT & DISCIPLINE

5.10 Specific Rules of Conduct - *Causes for Disciplinary Action* against any employee may include, but shall not be limited to, the following:

- g. Neglect of duty.
- h. Violation of safety rules.
- i. Unacceptable attendance record including tardiness, absenteeism, overstaying lunch or break periods.
- j. Possession, distribution, or under the influence of alcoholic beverages, non-prescription or unauthorized narcotics or dangerous drugs during working hours.
- k. Inability, (including appropriate licenses, certifications, etc.) unwillingness, refusal or failure to perform work as assigned, required or directed.
- l. Unauthorized soliciting on City property or time.
- m. Conviction of a felony or conviction of a misdemeanor involving moral turpitude.
- n. Unacceptable behavior toward the general public or fellow employees or officers of the City.
- o. Falsifying employment application materials, time reports, records, or payroll documents or other City records.
- p. Disobedience to proper authority.
- q. Misuse of City property.
- r. Violation of any of the provisions of these working rules and regulations or departmental rules and regulations.
- s. Disorderly conduct, participation in fights, horseplay or brawls.
- t. Dishonesty or theft.
- u. Establishment of a pattern of violations of any City policy or rules and regulations over an extended period of time in which a specific incident in and of itself would not warrant disciplinary action, however, the cumulative effect would warrant such action.
- v. Continued substandard performance of duties.

- w. Failure to maintain required licenses and certificates.
 - x. Insubordination
 - y. Other acts inimical or detrimental to the public service.
- 5.20 Outside Employment.** No employee of the City may engage in additional employment outside the official hours of duty if such outside employment will cause or can cause a conflict of interest, or impair job performance. Employees must receive prior written permission from their department head prior to engaging in outside employment.
- 5.30 Political Activity.** Political activities of employees shall be subject to the Government Code of the State of California.
- 5.40 Safety.** It is important that safety rules are followed and that all safety equipment issued or approved is used.
- 5.50 Attendance.** An employee shall be in attendance at regular work in accordance with these rules and general departmental regulations. All employees are expected to report to work on time, everyday, unless excused by the provisions of these policies and procedures.
- 5.60 Discipline.** Whenever an employee performance violates the rules, regulations or rules of conduct of the City or when their attitude, work habits, performance or personal conduct falls below an acceptable level and does not support the efficient and effective function of the City, department or workplace, an employee’s supervisor shall inform the employee promptly and specifically of the failure and counsel or discipline the employee as necessary. If appropriate and justified, a reasonable period of time for improvement may be allowed before imposing disciplinary action. It is the policy of the City to follow the philosophy of “progressive discipline”, however, in some instances a single specific incident or the initial discovery or evaluation of a course of conduct may justify severe disciplinary action including dismissal. However, the action to be taken depends on the seriousness of the incident and the pattern of the employee’s past performance and conduct.

The forms of discipline are:

- g. *Counseling/Oral Reprimand* are considered corrective measures and not formal disciplinary actions. Counseling and oral reprimands may be documented and used for evaluations and/or subsequent disciplinary actions.
- h. *Written Reprimand.* In situations where advice, counseling and/or an oral reprimand has not resulted in the expected improvement, or where a more severe initial action is warranted, a written reprimand may be sent to the employee, and a copy shall be placed in the employee’s personnel folder. There is no right of appeal from a written reprimand. A written reprimand may be removed from an employee’s file by direction of the Department Head.

- i. *Suspension.* An employee may be suspended with or without pay for up to 25 working days by direction of the Department Head.
- j. *Demotion.* An employee may be demoted to a lower merit step within a classification or a lower classification.
- k. *Dismissal.* A Department Head, or the City Manager for employees directly appointed by the City Manager, may dismiss any employee in their department in accordance with the procedures set forth in Section 5.70.

5.70 Disciplinary Procedures

- a. *Appeals of Disciplinary Procedures.* Forms of discipline enumerated in Section 5.60, except written reprimands, may be appealed from the action of a department head to the City Manager. The City Manager shall promulgate procedures as he/she determines necessary for the handling of employee discipline matters. The failure of a Department Head to follow a procedure shall not render the action void nor constitute a defense by an employee to a disciplinary action.

The procedures described in this Section 5.70 apply to those employees not covered by an MOU. For all employees except a Department Head, the disciplinary process is initiated by the Department Head. In the case of a Department Head or other management employee, the disciplinary process is initiated and finalized by the City Manager without rights of appeal.

- b. *“Skelly” Hearing.* In the case of dismissals, demotions or suspensions without pay, the employee shall be offered a “Skelly” hearing pursuant to which the employee shall be furnished written notice containing the nature of the proposed action, the reasons and supporting documents, and the right to address the charges, orally or in writing. This notice shall be furnished at least five calendar days prior to the proposed effective date of the action. In the event of dismissal, after receiving notice, but prior to the proposed effective date of dismissal, the employee may be retained in duty status, or suspended with pay at the discretion of the Department Head. If the employee fails to respond to the advance notice of the proposed action, then the action of the Department Head shall be effective on the date specified for final action. Should the employee respond orally or in writing, the Department Head shall consider any comments of the employee before making a final decision and within 10 calendar days, transmit to the employee a letter containing the decision. The only exception to giving prior notice for dismissal or suspension is in an emergency where it is deemed necessary to remove the employee from his/her employment immediately for the safety of the public, the employee, or other City employees, provided a Skelly hearing is afforded at the earliest reasonable opportunity available and the disciplinary action is still appealable.
- c. *Time Limits for Appeals of Discipline.* A disciplined employee shall have ten calendar days counted from the day following either personal service or by appeal deposit in

the U.S. mail, first class, postage prepaid of the notice of final action to appeal a suspension without pay, demotion, or dismissal, to the City Manager. If the employee appeals within 10 calendar days, the employee can remain on their normal work schedule until the appeal to the City Manager has been completed. The employee may be placed on leave with pay upon approval of the City Manager.

If the employee wishes to appeal to the City Manager a suspension without pay, or a dismissal, he/she shall transmit, in writing, the appeal to the City Manager within five (5) calendar days following the notice of the discipline, which notice shall either be mailed by personal service to the employee or by depositing the notice in the U. S. Mail, first-class, postage prepaid. The decision of the City Manager is final.

EQUAL EMPLOYMENT OPPORTUNITY POLICIES

5.80 ADA Compliance Program for Applicants and Employees with Disabilities

- d. Statement of Intent:** It is the policy of the City of Reedley to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (“ADA”) and all other applicable federal and state laws relating to discrimination in employment on the basis of physical or mental disability. The City of Reedley will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions or employment because of a person’s physical or mental disability. The City of Reedley also will make reasonable accommodation whenever required by law for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense.

The City of Reedley’s policy of nondiscrimination applies to all personnel and employment practices, including:

- Hiring;
- Upgrading;
- Transfer;
- Recruitment or recruitment advertising;
- Layoff or termination;
- Compensation of any kind;
- Selection for training;
- Educational programs;
- City-sponsored recreational social activities.

- e. Employment Policies:** The City of Reedley will review all personnel procedures to ensure that job applicants and employees with disabilities receive nondiscriminatory consideration when their job qualifications are assessed. All employment and advancement decisions will be based solely upon the objective determination of each

candidate's job qualifications. Actions to be taken to ensure the nondiscriminatory nature of personnel practices may include:

1. Evaluating job descriptions to determine those tasks that are essential. Vague requirements will be eliminated.
2. Reviewing job qualifications to ensure that mental and physical requirements are job-related and consistent with business necessity.
3. Assessing the business necessity of those job requirements that in the past may have tended to screen out qualified individuals with disabilities.
4. Arranging alternative sites for interviews if the Personnel Office presents barriers to the mobility-impaired.
5. Documenting the process of reasonable accommodation, including when and how a request for accommodation was made, the possible accommodations considered, an analysis of the costs and benefits with each accommodation, and the reason an accommodation was chosen and others rejected or why no accommodation was implemented.
6. Evaluating the total selection process (including training and promotion) to ensure that the stereotyping of disabled persons does not occur.
7. Informing all personnel involved in recruitment, screening, selection, promotion, discipline, and other related employment practices about their obligations under the ADA to ensure that discrimination does not occur against individuals with disabilities.
8. Holding formal briefing sessions with all entities that perform recruitment functions for the City. These briefing sessions will emphasize the City of Reedley's commitment to nondiscrimination on the basis of disability and reasonable accommodation of applicants and employees with disabilities.
9. Evaluating employment tests and criteria to determine whether they may screen out persons with disabilities and designating a City official to consider the possibility of using alternative tests and criteria.
10. Making available, where possible, alternative tests for applicants or employees with impaired sensory and speaking skills, and using these tests where employee testing is affected by a person's impaired skills and the test is not designed to measure those impaired skills.
11. Developing a medical examination policy consistent with the ADA requirements.
12. Eliminating pre-employment questions regarding the existence or nature of any disability.

13. Not requiring pre-offer medical examinations.
 14. Preparing a company policy as to when applicants within a particular job category will take a medical examination between the period when a conditional offer is extended and the start of employment.
 15. Identifying the steps the City of Reedley will take to ensure nondiscrimination in recruiting, advertising, or processing applications for employment. (For example, assisting disabled job applicants in submitting application forms and having applications forms in Braille.)
 16. Establishing a procedure to make reasonable accommodations for qualified applicants or employees with disabilities, except when significant difficulty or expense would arise.
 17. Keeping confidential the need to make a particular accommodation for an employee with a disability and not disclosing this information except in accordance with law.
 18. Not discriminating on the basis of disability in contractual agreements with unions, employment or referral agencies, providers or fringe benefits, providers of training or apprenticeship programs, and similar organizations.
 19. Providing recreational and social opportunities for employees with disability equal to the opportunities provided to non-disabled employees.
 20. Providing persons with disabilities an equal opportunity to use parking facilities provided to other employees.
 21. Not discriminating on the basis of disability in determining vacations, sick leave, and leaves of absence.
 22. Not discriminating on the basis of disability in City-sponsored programs such as advanced education, management training, and business conferences.
 23. Counseling applicants and employees with disabilities in full range of career opportunities, not restricted by disability.
- f. **Administration and Implementation:** The Personnel Officer is responsible for the ADA compliance program at the City of Reedley. The functions for which the Personnel Officer will be responsible include the following:
1. Development of policy statements, guidelines, and internal and external communications about the requirements of the ADA and the City's compliance program.

2. Meeting with managers, supervisors, and employees to discuss any problems or concerns that may arise in accommodating individuals with disabilities to ensure that the program is being followed.
 3. Determining the need for remedial action and designing policies to correct deficiencies in the program.
 4. Serving as liaison between the City of Reedley and enforcement agencies, persons with disabilities, and organizations representing individuals with disabilities.
 5. Keeping management informed of the latest developments in hiring and employing persons with disabilities.
- g. **Dissemination of Policy:** The City of Reedley will make every effort to ensure that all interested parties are informed about and assist in the implementation of the ADA compliance program. All recruitment and job referral agencies will be notified of the City's nondiscrimination policy. The City also will notify other entities and organizations with which the City deals about the City's obligation and commitment to comply with the nondiscrimination requirements of the ADA. These entities include, among others, the following:

Subcontractors;
Labor unions;
Training organizations.

The following actions may be taken to ensure proper dissemination of information about the City of Reedley's compliance program:

1. Executives, managers, supervisors, and other employees will be notified about the program.
2. Internal procedures to ensure dissemination will be developed.
3. Nondiscrimination clauses will be included in all contracts and subcontracts, including modifications, renewals, and extensions to these contracts.
4. Nondiscrimination clauses may be included in all union agreements.
5. This program or parts of it may be printed in the City of Reedley's policy and personnel Rules as well as other city publications such as newsletters, magazines, and annual reports.
6. This program may be reviewed and discussed in employee orientation sessions and in management training programs.

7. This program will be available for inspection by employees and applicants in the Personnel Office during regular working hours.
- h. **Confidentiality:** Applicants and employees are assured that all information regarding a disability shall be kept completely confidential except that:
 1. Appropriate supervisors and managers may be informed regarding restrictions on the work or duties of disabled employees and any accommodations that have been made;
 2. If the condition may require emergency treatment, first aid, and safety, personnel may be informed; and
 3. Government officials investigating compliance with federal laws may be informed. All employees with responsibilities which may require knowledge of disabilities are advised that they are to treat the knowledge with confidentiality.
- i. **Internal Review Procedures:** Any employee or job applicant who believes that he or she has been discriminated against on the basis of disability should immediately bring the problem to the attention of the Personnel Officer or the employee's supervisor. The City of Reedley will establish an internal review procedure to investigate and resolve discrimination complaints expeditiously.

No applicant or employee will be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in an investigation of any alleged violation of laws prohibiting discrimination on the basis of disability.

5.90 City of Reedley Family and Medical Leave Policy: The City of Reedley has established a family and medical leave policy that conforms with the requirements of state and federal law. Eligible employees can request a leave of up to 12 weeks under this policy. In no event can an employee take a leave in excess of 12 weeks in a rolling 12-month period that is measured backward from the date the employee uses any leave.

Employees should consult with their Department Head or Personnel Officer if they have any questions regarding their eligibility for a leave under the policy. Employees who are eligible for a leave based on their length of service must provide sufficient advance notice of their desire for a leave whenever the need for a leave is foreseeable. Requests should be submitted in writing at least 30 days prior to the date the employee would like the leave to begin. Exceptions to the advance notification rule apply in some cases, such as when a medical emergency arises and it is not feasible to provide 30 days advance notice. In such case, the employee must provide as much advance notice as is practicable.

All accrued vacation, compensatory, or administrative leave benefits may be used during a family/medical leave requested by an employee. In addition, all accrued sick pay benefits may be used during a leave necessitated by a serious health condition of the employee, and may be used, upon written approval of the employee's Department Head and City Manager, for leaves necessitated by other eligible causes.

In the event of a prolonged and serious health condition of the employee, the employee may use all or a portion of any remaining accrued sick, vacation, compensatory and/or administrative leave which may still exist after the end of the 12-weeks leave provided for under the Reedley Family Medical and Leave Policy.

Employees who are granted family and medical leaves will be informed in writing of the terms and conditions under which health and other insurance benefits will be continued during such leaves, as well as their obligations to pay their share of the premiums for such coverage. Any leave of absence granted under this policy or any other policy for a purpose authorized by the state or federal family and medical leave law shall be credited against the 12-week limit contained in this policy if and to the extent permitted by law. Employees who are granted family and medical leaves are guaranteed reinstatement to their former position or an equivalent position, subject to any exceptions that are allowed by law.

5.100 Discrimination: The City of Reedley believes in equal employment opportunity for all individuals without regard to race, color, religion, sex, age, ancestry, national origin, marital status, sexual orientation, disability, status as a Vietnam Era veteran, political opinions or affiliations. This policy extends to all terms, conditions and privileges of employment as well as the use of all City facilities and participation in all City-sponsored activities, including, but not limited to, the following:

- a. Recruitment, advertising, and job application procedures;
- b. Hiring, upgrading, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
- c. Rates of pay or any other form of compensation and changes in compensation;
- d. Job assignments, job classifications, organizational structures, job descriptions, lines of progression, and seniority lists;
- e. Leaves of absence, sick leave, or any other leave;
- f. Fringe benefits available by virtue of employment, whether or not administered by the City of Reedley;
- g. Selection for training;
- h. Educational programs;
- i. City-sponsored social recreational activities.

Discrimination in the form of harassment, retaliation, coercion, interference, or intimidation of any applicant or employee due to that applicant's or employee's race, religion, color, national origin, sex, age, ancestry, marital status, disability, status as a Vietnam Era veteran, political opinion or affiliation is strictly forbidden, and any employee or applicant who

experiences such activity should report it immediately to his or her supervisor or to the Personnel Officer.

5.110 Harassment Policy: The City of Reedley is committed to providing a work environment free of unlawful harassment. City policy prohibits harassment because of sex (which includes sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical conditions) and harassment because of race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful. The City's anti-harassment policy applies to all City employees and prohibits unlawful harassment by any employee of the City, including council members, supervisors and co-workers.

If an employee believes that he or she is the victim of any type of harassment, including sexual harassment, that employee should immediately report the incident to his or her immediate supervisor or the Personnel Officer or City Manager. The complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. Supervisors will refer all harassment complaints to the Personnel Officer. The City Personnel Officer will immediately undertake a thorough and objective investigation of the harassment allegations with as much discretion and confidentiality as possible.

Examples of Sexual Harassment: Conduct relative to prohibited unlawful harassment of whatever type, as identified above, includes, but is not limited to, the following behavior:

- Written- suggestive or obscene letters, notes and invitations;
- Verbal- derogatory comments, slurs or jokes;
- Physical- assault, touching, impeding or blocking movements;
- Visual- leering, sexually oriented gestures, or display of sexually suggestive or derogatory objects, pictures, cartoons, or posters.

Employee Responsibility: City employees are to report any sort of sexual harassment to their immediate supervisor, department head, or the Personnel Officer. The complaint should include details of the incident or incidents, name(s) of the individual(s) involved, and names of any witnesses.

Management and Supervisor Responsibility: Management and supervisory personnel are responsible for ensuring that the work environment is free of sexual harassment by:

- a. Informing all employees under their direction of the City policy, and the complaint procedure;
- b. Reporting any instances of sexual harassment to their department head, and to the Personnel Officer for investigation;
- c. Based on the findings of the investigation, taking appropriate disciplinary action.

Personnel Officer Responsibility: The Personnel Officer is responsible for administering the complaint procedure, conducting an investigation and in consultation with the department head, recommending disciplinary action as may be appropriate.

If the City determines that unlawful harassment has occurred, immediate remedial action will be taken in accordance with the circumstances involved. Any employee determined by the City to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. Whatever action is taken against the harasser will be made known to the employee lodging the complaint and the City will take appropriate action to remedy any loss to the employee resulting from the harassment. The City will not retaliate against an employee for filing a complaint and will not tolerate or permit retaliation against an employee for filing a complaint and will not tolerate or permit retaliation by management, other employees or co-workers. **The City clearly does not tolerate harassment. Any individuals engaging in such conduct contrary to City policy will be personally liable in any legal action brought against them, because harassment is outside the course and scope of employment of all employees.**

The City encourages all employees to report any incidents of harassment forbidden by this policy **immediately** to the Personnel Officer so that complaints can be quickly and fairly resolved with as much discretion and confidentiality as possible. Employees should also be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If an employee thinks he/she has been harassed or that he/she has been retaliated against for resisting or complaining, the employee may file a complaint with the appropriate agency.

Please refer to *Exhibit "B"* for the procedure to be followed in the event of perceived harassment.

This policy shall be reviewed and updated periodically by the City and because of the importance of the policy to the welfare of its employees, a copy of the policy shall be distributed to the employees each year and each employee shall read and confirm receipt of the policy. Copies of the receipts shall be retained in the individual employee personnel files.

5.120 Substance Abuse Policy: The City and its employees recognize that behavior resulting from the use of alcohol and/or other drugs may detrimentally affect work performance, safety, public confidence in the City's work force and may present a risk to the City employees and the health and welfare of the citizens of the City of Reedley.

In recognition of the City's responsibility to maintain a safe, healthful and productive work environment and each employee's responsibility to perform work for the public safety, effectively and efficiently, the City will act to eliminate any substance abuse which increases the risk of accidents, absenteeism, substandard performance, poor employee morale or damage to the City's reputation. Substance abuse includes the purchase, use, sale, manufacture, or possession of legal or illegal drugs, alcohol or controlled substances which

could or does impair an employee's ability to perform his or her job safely, effectively and efficiently.

The City of Reedley believes that its employees are its most important assets. Thus, a primary objective of the policy is to ensure that public safety and the welfare of our employees are not endangered as a result of substance abuse. Additionally the City is committed to provide an employee with an opportunity for recovery and rehabilitation enabling the affected employee to return to a satisfactory performance level.

a. **Policy:** It is the City's policy that no employees shall:

1. Report to work under the influence of alcohol or drugs;
2. Be under the influence of alcohol or drugs while on standby;
3. Possess alcohol or drugs while on the job site or City property except as authorized in the course and scope of duty;
4. Use alcohol and/or drugs while on the job site or City property or while on standby except as authorized in the course and scope of duty;
5. Sell, distribute or provide alcohol or drugs to any employee or to any person while such employees are on duty or subject to being called;
6. Have their ability to work impaired as a result of the use of alcohol or drugs;
7. Operate City vehicles or other equipment while under the influence of alcohol and/or drugs.

Violations of this policy may be grounds for disciplinary action, up to and including discharge.

While use of medically prescribed medication and drugs is not per se a violation of this policy, failure by the employee to notify his/her supervisor before beginning work when taking such medication or drugs which may interfere with the safe and effective performance of their duties or operations of City equipment will be considered a violation of this policy. In the event there is a question regarding the employee's ability to safely and effectively perform the assigned duties while using such medication or drugs, clearance from a qualified physician will be required. Supervisors will be required to fill out a Substance Abuse Report (*Exhibit "C"*).

Employees reasonably believed to be under the influence of alcohol or drugs shall be prevented from engaging in further work and shall be detained for a reasonable time until an authorized City representative or law enforcement representative can transport the employee from the work site.

An employee may be required to submit to a drug and/or alcohol test consisting of the compulsory production and submission of breath, urine, or blood for chemical analysis to detect prohibited drug or alcohol usage when his/her department head or supervisor, with the agreement of the Personnel Officer, has reasonable suspicion that the employee has a prohibited presence of drugs or alcohol in his/her system while on duty or subject to duty. Please note that some employees of the City may be subject to more stringent drug testing policies as required by State or Federal law or department policy.

Reasonable suspicion is defined as a belief based upon objective facts sufficient to lead a reasonable prudent supervisor or department head to suspect that an employee has a prohibited presence of drugs, controlled substances, or alcohol in his/her system so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced. For example, any of the following, alone or in conjunction, may constitute reasonable suspicion:

- slurred speech;
- alcohol odor on breath;
- unsteady walking and movements;
- accident involving City property;
- physical altercation;
- unusual behavior;
- possession of alcohol or drugs;
- information obtained from a reliable person with personal knowledge;
- disorientation or job impairment;
- inability to perform employee's job in a routine manner;
- glassy eyes;
- drowsiness;
- euphoria;
- mood swings;
- inattentiveness;
- excitement or confusion;
- irritability;
- aggressiveness;
- intoxicated behavior without odor of drugs/alcohol;

This is not an exhaustive list.

Any department head or supervisor requesting an employee to submit to a drug and/or alcohol test shall document in writing the facts constituting reasonable suspicion that the employee in question has a prohibited presence of drugs, controlled substances or alcohol in his/her system.

Prior to the administration of any drug or alcohol testing, the department head or supervisor shall first obtain from the employee to be tested a completed signed consent form (*See Exhibit "D"*). Said consent shall provide for the employee's consent in writing to an alcohol or drug test and the release of the test results to the City. Refusal to sign

the consent may be considered an insubordinate act resulting in disciplinary proceedings up to and including termination.

Disciplinary action up to and including dismissal, may be taken against an employee for positive results from any drug and/or alcohol test or other conduct in violation of this policy.

The City is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as handicapped under federal law. An employee may be considered handicapped if that employee's current use of alcohol or drugs does not prevent the individual from effectively performing the duties of the job in question.

- b. **Application:** This policy applies to all employees of the City. This policy applies to alcohol and to all substances, drugs or medications, legal or illegal, which could impair an employee's ability to effectively and safely perform the functions of the job.

- c. **Employee Assistance:** The following agencies are available to assist employees who seek help for substance abuse problems:
 - 1. Employee Assistance Program
Managed Health Network, Inc.
1600 Los Gamos Drive #300
San Rafael, CA 94903
1-800-227-1060

 - 2. Your City Health Insurance Carrier (all programs under PERS Health coverage provide for substance abuse treatment)

 - 3. Kings View AOD Prevention
1243 "G" Street
Reedley, CA 93654
559-638-0046

 - 4. Alcoholic Anonymous
559-638-1100
559-221-6907 (Fresno Hotline)



Section 6.00

Grievances

SECTION 6.00 - GRIEVANCES

- 6.10 Purpose.** The purpose of this grievance procedure is to provide all regular employees the opportunity to settle problems arising in the course of their employment in a fair and orderly fashion if such problems cannot be settled informally.
- 6.20 Application.** This procedure shall apply to regular employees of the City. Grievance may be on behalf of an individual or all members affected.
- 6.30 Time Limits.** All time periods specified herein may be extended by written agreement of the grievant and the City Manager.
- 6.40 Scope.** This procedure may be used whenever an employee believes he/she has been personally adversely affected by any action taken by his/her supervisor in the following matters:
- d. violation of City policies/employee group Memorandum of Understanding,
 - e. discrimination prohibited by law.
- 6.50 Informal Resolution of Complaints.** Before filing a grievance, an employee who has a complaint should attempt to resolve the matter through informal discussion with the appropriate supervisor without undue delay. It is the policy of the City to attempt to resolve complaints at the first stage of complaint. Informal resolution shall not constitute the establishment of a “practice”, “past-practice” or a modification or interpretation of a Memoranda of Understanding unless it is in writing approved by the City Manager and the City Attorney.
- 6.60 Grievance Review Process.** A grievance does not exist until reduced to writing and filed at both the First Level of review and with the City Manager. If at any time in the proceedings it is determined that (a) grievant is not entitled to use the procedures or (b) the matter grieved is outside the scope of this procedure, the grievance shall be returned to the grievant with a written explanation and the proceedings shall be terminated.
- a. *First Level of Review.*
 1. Within seven (7) calendar days after the occurrence of the act or omission giving rise to the grievance, the grievant must present his/her grievance in writing to his/her immediate supervisor. This statement shall be a clear, concise statement of the grievance, the circumstances involved, the decision rendered at the informal conference, and the specific remedy sought.
 2. Following the supervisor’s review of the grievance, discussion with the employee and consultation with the Department Head, if necessary, the supervisor shall communicate his/her decision to the employee in writing within seven (7) calendar days after receiving

the grievance. If the supervisor does not respond within the time limits, the grievant may appeal to the next level.

Within the above time limits, either party may request a personal conference. This meeting is a most effective way to discuss and resolve grievances.

b. *Second Level of Review.*

1. In the event the grievant is not satisfied with the decision at Level 1, he/she may appeal the decision in written form to the next highest or intermediate supervisor within seven (7) calendar days from the receipt of the response from Level 1. This statement should include a copy of the original grievance, the decision rendered, and a clear, concise statement of the reasons for the appeal.
2. The Division Head shall communicate his/her decision within seven (7) calendar days after receiving the appeal. Either the grievant or the Division Head may request a personal conference within the above limits. If the Division Head does not respond within the time limits, the grievant may appeal to the next level.

c. *Third Level of Review.*

1. In the event the grievant is not satisfied with the decision at the Second Level of review, he/she may appeal the decision in a manner similar to the Second Level of review to the Department Head.
2. The Department Head shall communicate his/her decision within seven (7) days after receiving the appeal. If the Department Head does not respond within the time limits, the grievant may appeal to the next level.

d. *Fourth Level of Review.*

1. If the grievant is not satisfied with the decision at the Third Level, he/she may within seven (7) days appeal the decision in written form to the City Manager or his/her designee. This statement shall include a copy of the original grievance and appeal, the decision rendered, and a clear concise statement of the reasons for the appeal.
2. The City Manager or his designee shall communicate his/her decision to the grievant within seven (7) days. If the City Manager or his designee does not respond within the time limits provided, the grievant may appeal to the next level.

- a. *Fifth Level of Review.* If the grievant is not satisfied with the decision at the Fourth Level, he/she may within seven (7) days submit the request in writing to the City Manager for review by the City Council. The City Council will make final determination of all grievances brought before it.

- b. *Representation.* The employee may request the assistance of another person of his/her own choosing in preparing and presenting his/her appeal at any level of review.
- c. *Access to Information.* At each level of review, the grievant shall have access to all the materials comprising the record of the grievance.
- d. *No Reprisals.* No employee will be discriminated against in his/her employment because of the employee's utilization of this procedure. Complaints regarding allegations of reprisals should be submitted to City Manager .
- e. *Reconsideration of a Grievance.* Once a grievance has been reviewed under this procedure, it shall not be reopened except by mutual consent of the grievant and the City Manager.



Section 7.00

General Employment Provisions

SECTION 7.00 - GENERAL EMPLOYMENT PROVISIONS

- 7.10 Yearly Performance Evaluation Process.** All regular employees will receive a yearly evaluation from their supervisor. Evaluations may be conducted more than once a year if the supervisor feels it is necessary, or as specified in Section 2.20.

The Performance Evaluation process is a time for open communication between supervisors and employees and will be used for both commendations and disciplinary actions. If an employee disagrees with his/her performance evaluation he/she may attach a letter or make written comments telling why on the evaluation. The employee must still sign the form to verify they have seen what was written. The signature does not represent agreement with what the supervisor has written but acknowledges that they have seen the form. Supervisors may keep notes all year long to remind them of specific incidents to be recorded on an employee's evaluation, and which they have verbally shared with the employee the status of their performance on an on-going basis.

- 7.20 Residency.** All personnel employed by the Police Department should establish their residence geographically to be able to respond to the department upon notification within thirty minutes.

All Fire Department personnel shall reside within twenty minutes driving time, under normal driving conditions, to the Fire Station.

- 7.30 Personnel Records.** Personnel files are protected by the California Constitutional right to privacy. The City Manager or his/her designee shall retain records necessary to the proper administration of the personnel system and shall be the custodian of personnel records for the City. Employers cannot waive the privacy rights of their employees. An employee, however, can waive his or her right to privacy in a personnel file or consent release or disclosure of information. An employee may also request that information be provided to a third party, such as prospective employer or educational institution. The City Manager's Office must obtain a written release or authorization in which the employee agrees to hold the agency harmless for any disclosure made to the third party.

- 7.40 Administrative Policies.** The City Manager or a designated Department Head may issue administrative policies regarding employee conduct and procedures not in conflict with these Personnel Policies and Procedures. The purpose of these policies is to supplement and/or clarify the policies and procedures contained in the Personnel Policies and Procedures. Violations of Administrative Policies may be grounds for disciplinary action.



Section 8.00

Exhibits

EXHIBIT A

FAMILY CARE LEAVE OF ABSENCE

PHYSICIAN CERTIFICATION

Employee Name: _____

Date of Request for Family Care Leave: _____

Physician to Complete

Name of Patient: _____

Relationship to Employee: (Child, parent, spouse, employee)

Appropriate Medical Facts Regarding the Condition: _____

If the patient is the child, spouse, or parent of employee, is employee needed for care of patient?

Yes _____ No _____

What is the estimated time the employee will be needed for the care of this patient? _____

If employee is needed to provide care to the patient resulting in intermittent or a reduced schedule leave of absence, based on planned medical treatment, list the dates that medical treatment is expected to be given and/or describe the schedule of care to be given: _____

Name of health Care Provider: _____

Address of Health Care Provider: _____

Phone Number of Health Care Provider: _____

Signature of Health Care Provider: _____

EXHIBIT B

HARASSMENT COMPLAINT PROCEDURE

To: All Employees

Subject: Harassment Complaint Procedure

As your employer, the City of Reedley has adopted a firm policy against harassment of any kind, including because of sex, which includes sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical condition. Every reasonable step will be taken to prevent harassment from occurring. However if you believe that you have been unlawfully harassed, we urge you to report the incident immediately and according to the following procedure so that your complaint can be resolved quickly and fairly.

- When possible, confront the harasser, state that the conduct is unacceptable, and ask him/her to stop.
- If the harasser does not stop, provide a written complaint to your own supervisor, department head, or the Personnel Officer as soon as possible after the incident. Include details on the incident(s), names of individuals involved and the names of any witnesses.
- Supervisors will refer all harassment complaints to the Personnel Officer. The Personnel Officer will immediately undertake a thorough and objective investigations of the harassment allegations.
- If the City determines that unlawful harassment has occurred, it will take immediate remedial action in accordance with the circumstances. Any employee the City determines to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination.
- Whatever action the City takes against the harasser will be made known to the employee lodging the complaint. If the employee complaining of harassment has sustained any change in employment status as a result of the harassment, the City will investigate and take appropriate remedial action.
- The City will not retaliate against an employee for filing a complaint and will not tolerate or permit retaliation by management, other employees or co-workers.

If you have any questions about the City's policy against harassment or the procedure for filing complaints, please contact your supervisor or department head.

EXHIBIT C

CITY OF REEDLEY

SUBSTANCE ABUSE REPORT

DATE: _____

Name & Position Title of Suspected Offender: _____

Date of Incident(s) _____

Time of Incident(s) _____

OBSERVATIONS:

OTHER PERTINENT FACTS:

WITNESSES:

PRESCRIPTION INFORMATION:

Date of Rx _____

Name of Rx _____

Patient Name: _____

Dosage Prescribed: _____

Dr.'s Name: _____

Dosage Remaining: _____

Supervisor Signature

Date

Department Head Signature

Date

EXHIBIT D

CITY OF REEDLEY

CONSENT FOR TOXICOLOGICAL TESTS

_____	_____	_____
(Name)	(Position)	(Department)
_____	_____	_____
(Social Security Number)	(Age)	(Home Address)

(Home Telephone Number)		

I hereby consent and agree to give a specimen of my urine to the City of Reedley or any medical facility, laboratory, or medical person designated by the City of Reedley. This specimen shall be used to detect the presence of drugs, alcohol, or medications in my body. I further consent and agree that upon request of the City of Reedley, the laboratory results of any tests performed on such specimen shall be furnished to the City of Reedley by the facility chosen by the City of Reedley. I understand that I will be notified in writing of the test results within five days of the test confirmation. After receiving written notification of a confirmed positive drug test, I understand that I will be allowed 24 hours to provide an explanation of the presence of intoxicating substances found in my system. I understand that a confirmed positive test could result in disciplinary action up to and including termination. I acknowledge that I may appeal a confirmed positive test and any subsequent disciplinary action imposed on me per the established grievance procedure. My signature below acknowledges that I have read and understand the foregoing statement and have answered all questions truthfully and voluntarily.

_____	_____
Employee Signature	Date
_____	_____
Home Telephone Number	Office Telephone Number
_____	_____
Witness Signature	Date