



City of Lewiston Personnel Policy



Table of Contents

| | |
|---|----|
| CHAPTER 1 - GENERAL INFORMATION..... | 1 |
| SECTION 101 SCOPE OF APPLICATION | 1 |
| SECTION 102 OPEN COMMUNICATION | 1 |
| SECTION 103 TENURE OF EMPLOYEES | 2 |
| SECTION 104 DEPARTMENT RULES AND REGULATIONS..... | 2 |
| SECTION 105 COMPLIANCE WITH THE PERSONNEL POLICY | 2 |
| SECTION 106 POWERS OF CITY MANAGER..... | 3 |
| SECTION 107 CHAIN OF COMMAND PROTOCOL..... | 3 |
| CHAPTER 2 - POSITIONS | 4 |
| SECTION 201 EMPLOYEE CLASSIFICATIONS..... | 4 |
| SECTION 202 DESIGNATION OF POSITIONS..... | 4 |
| SECTION 203 PREPARATION AND MAINTENANCE | 4 |
| SECTION 204 REQUEST FOR RE-DESIGNATION..... | 5 |
| SECTION 205 PROCEDURE AND EFFECT | 6 |
| SECTION 206 NEW POSITION - PROCEDURES AND EFFECT | 7 |
| SECTION 207 REQUEST FOR A NEW POSITION | 7 |
| SECTION 208 TEMPORARY POSITIONS | 7 |
| SECTION 209 DESIGNATION OF AN EMERGENCY EMPLOYEE | 7 |
| SECTION 210 VOLUNTEERS AND INTERNS | 8 |
| CHAPTER 3 - EMPLOYMENT..... | 9 |
| SECTION 301 CITIZENSHIP..... | 9 |
| SECTION 302 APPLICATION..... | 9 |
| SECTION 303 SELECTION PROCESS | 9 |
| SECTION 304 INELIGIBILITY OR DISQUALIFICATION | 9 |
| SECTION 305 EXAMINATIONS..... | 10 |
| SECTION 306 VETERAN’S PREFERENCE | 10 |
| SECTION 307 ESTABLISHMENT OF ELIGIBILITY LIST..... | 10 |
| SECTION 308 TYPES OF ELIGIBILITY LISTS | 10 |
| SECTION 309 METHOD OF FILLING VACANCIES | 11 |
| SECTION 310 TEMPORARY APPOINTMENTS..... | 11 |
| SECTION 311 LIMITED DURATION APPOINTMENTS | 11 |

City of Lewiston Personnel Policy

| | | |
|-------------|--|----|
| SECTION 312 | EMPLOYMENT OF RELATIVES..... | 11 |
| SECTION 313 | CONTINUED EMPLOYMENT | 12 |
| SECTION 314 | REAPPOINTMENT | 12 |
| SECTION 315 | TRANSFER | 13 |
| SECTION 316 | PROMOTION..... | 13 |
| SECTION 317 | DEMOTION..... | 13 |
| SECTION 318 | RESIDENCY REQUIREMENT | 14 |
| CHAPTER 4 | - INTRODUCTORY STATUS | 15 |
| SECTION 401 | INTRODUCTORY PERIOD..... | 15 |
| SECTION 402 | INTRODUCTORY PROBATIONARY PERIOD FOLLOWING PROMOTION | 15 |
| SECTION 403 | REGULAR APPOINTMENT | 15 |
| SECTION 404 | EMPLOYEE PERFORMANCE REPORTS | 15 |
| SECTION 405 | RELEASE | 16 |
| CHAPTER 5 | - COMPENSATION PLAN AND HOURS | 17 |
| SECTION 501 | COMPENSATION PLAN PREPARATION | 17 |
| SECTION 502 | ADOPTION OF COMPENSATION PLAN | 17 |
| SECTION 503 | ADMINISTRATION OF COMPENSATION PLAN | 17 |
| SECTION 504 | ADVANCEMENT WITHIN SALARY RANGE | 17 |
| SECTION 505 | SALARY FOLLOWING PROMOTION | 18 |
| SECTION 506 | SALARY FOLLOWING DEMOTION..... | 18 |
| SECTION 507 | SALARY FOLLOWING TRANSFER/ACTING APPOINTMENTS..... | 18 |
| SECTION 508 | REVISION OF RANGES | 18 |
| SECTION 509 | SALARY ON POSITIONS “AT MAXIMUM RATING” | 18 |
| SECTION 510 | ESTABLISHED WORKHOURS/WORKWEEK | 19 |
| SECTION 511 | ATTENDANCE | 19 |
| SECTION 512 | PAY PERIODS..... | 19 |
| SECTION 513 | PAYROLL DEDUCTIONS | 20 |
| SECTION 514 | DIRECTED TIME OFF | 20 |
| SECTION 515 | OVERTIME POLICY | 20 |
| SECTION 516 | COMPENSATORY TIME | 21 |
| SECTION 517 | STANDBY STATUS AND STANDBY PAY..... | 21 |
| CHAPTER 6 | - SICK LEAVE..... | 22 |
| SECTION 601 | STATEMENT OF POLICY..... | 22 |

City of Lewiston Personnel Policy

| | | |
|--|---|----|
| SECTION 602 | ELIGIBILITY..... | 22 |
| SECTION 603 | EARNED SICK LEAVE..... | 22 |
| SECTION 604 | ACCUMULATION AND SICK LEAVE BENEFITS UPON SEPARATION | 22 |
| SECTION 605 | USE OF SICK LEAVE..... | 22 |
| SECTION 606 | FAMILY MEDICAL LEAVE | 23 |
| SECTION 607 | OTHER LEAVE CHARGEABLE TO SICK LEAVE | 23 |
| SECTION 608 | WORKER'S COMPENSATION DISABILITY PAYMENTS..... | 23 |
| SECTION 609 | TEMPORARY MODIFIED DUTY | 24 |
| SECTION 610 | SHORT-TERM DISABILITY | 24 |
| SECTION 611 | RETURN TO WORK FOLLOWING INJURY/ILLNESS | 25 |
| CHAPTER 7 - VACATION LEAVE | | 26 |
| SECTION 701 | ELIGIBILITY..... | 26 |
| SECTION 702 | EARNED VACATION SCHEDULE..... | 26 |
| SECTION 703 | USE OF VACATION..... | 26 |
| SECTION 704 | VACATION PAY AT TERMINATION | 27 |
| SECTION 705 | EFFECT OF EXTENDED MILITARY OR OTHER LEAVE OF ABSENCE | 27 |
| CHAPTER 8 - OTHER LEAVE..... | | 28 |
| SECTION 801 | AUTHORIZED LEAVE OF ABSENCE WITHOUT PAY..... | 28 |
| SECTION 802 | BEREAVEMENT LEAVE..... | 28 |
| SECTION 803 | MILITARY LEAVE OF ABSENCE..... | 28 |
| SECTION 804 | MATERNITY LEAVE OF ABSENCE | 28 |
| SECTION 805 | PATERNITY LEAVE OF ABSENCE | 29 |
| SECTION 806 | SPECIAL LEAVE..... | 29 |
| SECTION 807 | ADMINISTRATIVE LEAVE | 29 |
| SECTION 808 | COURT APPEARANCES | 30 |
| SECTION 809 | JURY DUTY..... | 30 |
| SECTION 810 | UNAUTHORIZED LEAVE OF ABSENCE..... | 30 |
| CHAPTER 9 - BENEFITS..... | | 31 |
| SECTION 901 | BENEFITS | 31 |
| SECTION 902 | PAID HOLIDAYS | 32 |
| SECTION 903 | EMPLOYEES REQUIRED TO WORK ON HOLIDAYS..... | 33 |
| CHAPTER 10 - SEPARATION FROM CITY EMPLOYMENT | | 34 |
| SECTION 1001 | RESIGNATION | 34 |

City of Lewiston Personnel Policy

| | | |
|--------------|---|----|
| SECTION 1002 | REDUCTIONS IN FORCE | 34 |
| SECTION 1003 | DISCIPLINARY ACTION | 34 |
| SECTION 1004 | RETIREMENT | 35 |
| SECTION 1005 | FAILURE TO MEET REQUIREMENTS | 35 |
| CHAPTER 11 | - GRIEVANCE PROCEDURE NON-DISCIPLINARY MATTERS | 36 |
| SECTION 1101 | STATEMENT OF POLICY | 36 |
| SECTION 1102 | GRIEVANCE PROCEDURE..... | 36 |
| CHAPTER 12 | - DISCIPLINARY ACTION..... | 38 |
| SECTION 1201 | RECORD OF DISCUSSION..... | 38 |
| SECTION 1202 | OFFICIAL REPRIMAND | 38 |
| SECTION 1203 | DISCIPLINARY PROBATION | 38 |
| SECTION 1204 | SUSPENSION..... | 38 |
| SECTION 1205 | DISCIPLINARY DEMOTION..... | 38 |
| SECTION 1206 | DISCHARGE..... | 39 |
| CHAPTER 13 | - DISCIPLINARY PROCEEDINGS | 40 |
| SECTION 1301 | STATEMENT OF CITY POLICY | 40 |
| SECTION 1302 | CAUSES FOR DISCIPLINARY ACTION INCLUDING DISCHARGE..... | 40 |
| SECTION 1303 | DISCIPLINARY ACTIONS | 41 |
| SECTION 1304 | PERSONS WHO MAY TAKE DISCIPLINARY ACTION | 41 |
| SECTION 1305 | NOTICE OF DISCIPLINARY ACTION - SERVICE AND CONTENT | 42 |
| SECTION 1306 | DISCIPLINARY DEMOTION AND DISCHARGE..... | 42 |
| SECTION 1307 | RIGHT OF APPEAL | 43 |
| SECTION 1308 | WITHDRAWAL OF APPEAL | 43 |
| CHAPTER 14 | - PERSONNEL RECORDS, REPORTS AND NOTICES..... | 44 |
| SECTION 1401 | MAINTAINING ADEQUATE PERSONNEL REPORTS AND RECORDS | 44 |
| SECTION 1402 | PERSONNEL ACTION FORMS..... | 44 |
| SECTION 1403 | PERSONNEL FILES | 44 |
| SECTION 1404 | ACCESS TO DEPARTMENT RECORDS..... | 45 |
| SECTION 1405 | PUBLIC RECORDS REQUESTS & CONFIDENTIALITY | 45 |
| SECTION 1406 | RECORD KEEPING..... | 45 |
| SECTION 1407 | EMPLOYEE REFERENCES | 46 |
| CHAPTER 15 | - EMPLOYEE TRAINING AND EDUCATION PROGRAMS | 47 |
| SECTION 1501 | STATEMENT OF POLICY..... | 47 |

City of Lewiston Personnel Policy

SECTION 1502 ON-THE-JOB TRAINING 47

SECTION 1503 IN-HOUSE EDUCATION PROGRAMS 47

SECTION 1504 TUITION REIMBURSEMENT PROGRAM 47

APPLICATION PROCEDURE 48

CHAPTER 16 - MISCELLANEOUS 49

SECTION 1601 INCOMPATIBLE ACTIVITY OF CITY EMPLOYEES 49

SECTION 1602 USE OF COMPANY PROPERTY AND MATERIALS 49

SECTION 1603 ADMINISTRATIVE REGULATIONS 50

SECTION 1604 POLITICAL ACTIVITIES OF PUBLIC EMPLOYEES 50

SECTION 1605 OUTSIDE EMPLOYMENT 50

SECTION 1606 LIFE-THREATENING, CONTAGIOUS, AND/OR DEBILITATING ILLNESS 50

SECTION 1607 SELLING/SOLICITATIONS AT WORK 52

SECTION 1608 EXPECTATION OF PRIVACY IN THE WORKPLACE 52

SECTION 1609 RECYCLING AT CITY FACILITIES 53

SECTION 1610 PRESS RELEASES 53

SECTION 1611 SAFETY AWARENESS & EDUCATION 53

SECTION 1612 COMMERCIAL DRIVER’S LICENSE..... 53

SECTION 1613 LICENSED EQUIPMENT OPERATORS 54

SECTION 1614 USE OF CITY VEHICLES & EQUIPMENT 54

SECTION 1615 ACCIDENT REPORTING 55

CHAPTER 17 - AMENDMENTS AND REVISIONS 56

SECTION 1701 AMENDMENTS AND REVISIONS 56

SECTION 1702 SAVING CLAUSE..... 56

APPENDICES 57

DEFINITIONS 58

**CITY OF LEWISTON
PERSONNEL POLICY MANUAL**

INTRODUCTION

This manual reflects the policies and procedures of the City of Lewiston. The purposes of this manual are:

1. To provide management with the information necessary to fulfill its responsibilities to its employees; and
2. To provide for fairness and equity in the treatment of its employees.

It is expected that managers will become familiar with the contents of this manual so that they will be able to answer employee questions as they arise and apply the appropriate policies and procedures as the occasion requires. Managers also are responsible for ensuring that the employees who work for them are informed of these policies and procedures, understand them, and abide by them.

Questions about application, interpretation, or clarification regarding any specific policies or procedures are to be directed to the Human Resources Department.

It will be the responsibility of each department to maintain its manual with up-to-date changes. The City of Lewiston website will have the current policy manual and any changes posted at www.cityoflewiston.org.

Employees should use this manual as a reference. Any suggestions from employees for improving the methods of communicating benefits, rules and policies are welcome. Should you have any questions, please contact Human Resources.

As such policies and procedures are subject to change with or without prior notice, the information provided in this Policy and Procedure Manual is not intended to create a contract of employment nor should it be construed as the terms and conditions of a contract of employment with the organization.

CHAPTER 1 - GENERAL INFORMATION

SECTION 101 SCOPE OF APPLICATION

It is in the best interests of the City of Lewiston, its citizens and its employees, that there be adopted by the City Council, rules and regulations which promotes full communication between the City, as the employer, and its employees.

The manual is intended to provide policies promoting fairness and consistency in the treatment of employees and to articulate rules and standards intended to guide and measure performance. These policy statements are not intended to be an exclusive source of rules and regulations concerning employment. The City Manager and Department Heads are entitled to establish work standards and procedures necessary to implement these policies or to efficiently carry out the functions of their departments and general City operations, provided such standards do not diminish the benefits or protections granted to employees by City policy.

The Personnel Policy shall apply to all offices, positions and employees in the service of the City except:

1. Elective offices.
2. Positions on appointive boards, commissions and committees.
3. Persons under contract to supply expert, professional, or technical services.

SECTION 102 OPEN COMMUNICATION

At the City of Lewiston, we believe that communication is at the heart of good employee relations. Employees should share their concerns, seek information, provide input, and resolve work-related issues by discussing them with their supervisor until they are fully resolved. It may not be possible to achieve the result an employee wants, but the supervisor needs to attempt to explain in each case why a certain course of action is preferred. If an issue cannot be resolved at this level, the employee is welcome to discuss the issue with the manager of his/her department. The supervisor should set up a time for both of them to meet with the manager.

If the employee's concern cannot be resolved with the manager, the employee may discuss it with the Human Resources Manager or the City Manager. The manager should schedule that meeting for the employee.

Regardless of the situation, the employee should be able to openly discuss any work-related problems and concerns without fear of retaliation. Managers and

City of Lewiston Personnel Policy

supervisors are expected to listen to employee concerns, to encourage their input, and to seek resolution to the issues and concerns. Often this will require setting a meeting in the near future. Managers and/or supervisors are to set these meetings as quickly as possible and employees are expected to understand that issues and concerns may not always be addressed at the moment they arise. Discussing these issues and concerns with management will help to find a mutually acceptable solution for nearly every situation.

If an employee has a concern about discrimination and/or harassment, the City has set up special procedures to report and address these issues. Those reporting procedures are set forth in the City's Discrimination/Harassment Policy. The City is committed to the following:

1. Recruit, hire, train and promote persons in all job titles, without regard to race, color, religion, disability, national origin, age, gender, sexual orientation or veteran's status, except where such status is a bona fide occupational qualification.
2. Make employment decisions in a manner which will further the principles of equal employment opportunity.
3. As opportunities for transfer, advancement or promotion occur, including promotions into and within management, periodic performance reviews and analysis of personnel records will be made by the appropriate Department Manager to ensure that all employees continue to receive equal considerations and that only valid requirements are imposed for these opportunities.
4. Any employee or applicant who believes that he/she has not been afforded treatment conforming to the policy of equal employment may contact Human Resources for information.

SECTION 103 TENURE OF EMPLOYEES

The tenure of employees covered by this policy shall be subject to good conduct, satisfactory work performance and availability of funds.

SECTION 104 DEPARTMENT RULES AND REGULATIONS

Department Managers may create rules and regulations that are more specific to their department's operation.

SECTION 105 COMPLIANCE WITH THE PERSONNEL POLICY

In accepting employment with the City of Lewiston, each employee agrees to be governed by and to comply with the City Personnel Policy, and/or appropriate Collective Labor Agreement, administrative rules and procedures established by the City Manager pursuant thereto, and rules, regulations and directives of the

department in which they are employed. While performing their duties in the City Service volunteers will be expected to adhere to the same rules of conduct as City employees as outlined in the Personnel Policy.

SECTION 106 POWERS OF CITY MANAGER

The City Manager, as appointing authority, has general control and supervision over the affairs of the City; the authority to establish, when not in conflict with this Policy, such other policies, procedures, rules and regulations as he/she deems necessary for the control and supervision of the affairs of the City. The City Manager has the power to appoint all officers and employees of all City departments, and to remove the same, subject to this Policy and any power reserved to the City Council by City ordinance. Department Managers shall be appointed or dismissed by the City Manager, subject to the approval of the City Council. The City Manager may delegate to the Department Managers the authority to appoint persons to municipal service.

The City Manager shall have the power to vary or modify the strict application of the provisions of this Policy in any case in which the strict application of said provisions would result in practical difficulties.

SECTION 107 CHAIN OF COMMAND PROTOCOL

From time to time, the City Manager may be absent due to vacation, illness, or other related absence. If the absence is anticipated, the City Manager typically advises staff and appoints an Acting City Manager. However, there are times when an absence of the City Manager may be unanticipated or short-term in nature, making the appointment of an Acting City Manager unnecessary or impractical. As such, please be advised of the following chain-of command which will be effective during all absences of the City Manager:

- City Manager
- Administrative Services Director
- Police Chief
- City Attorney
- Community Development Director
- Public Works Director

The City Clerk, Administrative support staff and appropriate Department Managers shall receive notice of the transition of authority as needed to provide for business continuity of the City.

CHAPTER 2 - POSITIONS

SECTION 201 EMPLOYEE CLASSIFICATIONS

The Fair Labor Standards Act requires all employees to be classified according to the overtime provisions of the law. For the purpose of paying any compensation, all employees are either “Exempt” or “Nonexempt” from overtime compensation. All determinations of wage classification status are made through the job evaluation process.

The Human Resources Department is responsible for classifying all employees into one of three categories for eligibility to receive certain benefits offered by the City. These categories are defined as:

1. FULL-TIME - An employee who is normally scheduled to work 30+ hours per week for 52 weeks per year.
2. PART-TIME - An employee who is expected to establish a continuity of service, but is scheduled for less than 30 hours per week and/or less than 52 weeks per year. A part-time employee is expected to work more than 26 weeks per year.
3. TEMPORARY or SEASONAL - An employee who is hired for a specific period of time and is not expected to establish a continuity of service. It is expected that an employee should not remain in temporary job status longer than five months minus one day. Seasonal or casual positions are permitted for up to eight months provided the position is affected by weather.

SECTION 202 DESIGNATION OF POSITIONS

All positions in the City service shall be assigned to a position. Each position shall have an appropriate title and job description. Each position will be assigned a Grade and each employee in that Grade will be assigned to a specific Step.

SECTION 203 PREPARATION AND MAINTENANCE

Position specifications and job descriptions for each City employee will be prepared and maintained in such a manner that they will accurately describe the duties and responsibilities inherent in the position. Job descriptions will be reviewed during the annual performance evaluation to maintain current duties and responsibilities. When appropriate, a revised job description will be submitted to the Department Head and Human Resources for update and approval.

Position titles will be approved by the City Manager. The Human Resources Manager will have authority and responsibility to research, study and propose necessary changes to the City Manager.

SECTION 204 REQUEST FOR RE-DESIGNATION

From time to time, changes occur in the responsibilities of a position that require review in order to determine whether such changes dictate a change in designation for the position. Such changes can result from gradual additions and responsibilities or department reorganization.

Due to the implications of a position re-designation, there are a number of basic guidelines that must be followed.

A request for review should only be initiated when the Department Manager can clearly identify those changes in responsibilities that have occurred as a result of reorganization, enhanced job duties, change in work complexity, or in the event a position has been newly created or previously benchmarked with another grade and should be reviewed. The justification must focus on the way in which the content of the job has changed.

When an employee believes that his/her position is not properly graded, he/she may request, through his/her Department Manager, a study be performed on his/her position.

Increase in work volume, outstanding performance, or admirable behavioral traits of the incumbent, although important, are not criteria that are relevant in a review.

Position designations have budgetary impacts. Requests for reviews may be made throughout the fiscal year, but should be initiated prior to the commencement of the annual budget process. Generally, Department Managers should plan their efforts so that the review can be completed no later than April 1st of each year for consideration in the budget request for the subsequent fiscal year.

The re-designation of a position can only be accomplished upon the completion of an administrative review process, per the outline shown below:

STEP 1 - REQUEST

Requests for re-designation must first be approved by the Department Manager, who has jurisdiction over the position, and then forwarded with the appropriate documents to the Human Resources Manager. To expedite the review of this request, the following information shall be included in the submittal:

- a. Copy of the most recent approved job description for the affected position.
- b. Detailed listing (red-lined job description) of specific additions, deletions or modifications that have been made to the position

- responsibilities since the effective date of the most recently approved job description.
- c. Any additional background material that the Department Manager feels appropriate to document the change in the position.
 - d. Completion of the Position Designation Questionnaire (see Appendix).
 - e. Suggested annual salary range, proposed by the Department Manager.
 - f. Re-designation requests must be received in Human Resources by March 1st of the budget year, to avoid an unanticipated impact on the budget process, or to be denied or delayed based on lack of available funds. Re-designation requests received after this date may be approved but delayed to a later date for budgetary reasons.

STEP 2 - PERSONNEL REVIEW

Upon receipt of the information from the Department Manager, the Human Resources Manager, or such other person or agency selected for that purpose, will conduct a designation audit, which shall involve the following steps:

- a. Development or modification of the revised job description for the position, outlining general responsibilities, examples of work, required knowledge and skills, and desirable training and experience.
- b. If appropriate, the Human Resources Manager or designee will conduct a salary survey for the position utilizing North West Data Exchange (NWDE) or some other source determined by the City Manager.
- c. Upon completion of the above steps, the Human Resources Manager will forward this information along with a written recommendation to the City Manager.

This should be accomplished in a timely fashion. Each step in the approval process should take no more than (15) calendar days with allowable extensions for periods of absence by the appropriate decision makers. The City Manager will determine appropriate action with respect to the recommendations of the Human Resources Manager and will communicate the decision to the interested parties.

SECTION 205 PROCEDURE AND EFFECT

Upon the approval of a re-designation by the City Manager, the designation will be allocated in the proper grade and step.

Employees/Positions moved to a grade that results in their current pay level being above the range maximum will have their salary frozen for as long as it takes for the salary range to catch up to the current pay level.

The re-designated employee shall have his/her salary adjusted to a step in the higher range which is closest to, but not less than, the employee's current salary and

the employee shall be assigned a new salary date. The City Manager may approve a higher step when justified. Re-designation shall not be used for the purpose of avoiding restrictions concerning demotions and promotions.

SECTION 206 NEW POSITION - PROCEDURES AND EFFECT

Requests for new position titles, position specifications, and/or position descriptions shall be submitted through the Department Manager to the Human Resources Manager for consideration. Upon the approval of the City Manager and inclusion in the budget, the City Manager shall provide for such a position title and job description within the City service and cause it to be assigned to an appropriate grade level. An incumbent may be retained in the new position title.

SECTION 207 REQUEST FOR A NEW POSITION

When requesting a new position be created, the Department Manager shall provide to the Human Resources Manager the following information:

- a. A full position description of the duties, functions, and responsibilities of the position(s) along with an organizational chart showing its relationship with existing grades.
- b. Suggested salary, qualifications, and position title.
- c. A statement regarding the budget impact and proposed method of absorbing or requesting the cost of the new position.
- d. A statement explaining the impact of the new position upon existing grades.
- e. Other relevant information which would justify the need for the new position.

SECTION 208 TEMPORARY POSITIONS

In the absence of an appropriate working title, a Department Manager may request a temporary title, as needed for the efficient operation of their department. Such request shall be made to the City Manager and shall include appropriate justification for the request, position specification, job description, and recommended grade.

SECTION 209 DESIGNATION OF AN EMERGENCY EMPLOYEE

Under emergency conditions, such as a natural or man-made disaster, when immediate circumstances may require the deployment of additional personnel not otherwise budgeted, a Department Manager, or his/her designee, may employ the services of an emergency employee with the approval of the City Manager, or his/her designee. An emergency employee shall be placed in an appropriate grade and be

provided with appropriate benefits as approved by the City Manager or his/her designee.

SECTION 210 VOLUNTEERS AND INTERNS

Periodically, the City has the need to accomplish a project of an identified workload requiring individuals who possess professional skills. Likewise, there are undergraduate or graduate students who possess such skills and are seeking opportunities to gain work experience. Interns may be approved for specific periods by the City Manager and may receive pay for their service. Interns are not subject to the requirements for temporary or seasonal employees.

Volunteers may work for the City in various offices and must complete a volunteer or employment application, submit to a background check or any other requirement of the specific department and be approved by Human Resources and the City Manager.

No department will enter into any contract or agreement for the placement of any volunteer or intern until approved by the City Manager.

CHAPTER 3 - EMPLOYMENT

SECTION 301 CITIZENSHIP

Natural born or legalized citizens of the United States are afforded equal employment opportunity with the City of Lewiston. Non-citizens must meet Federal and State employment eligibility requirements prior to being accepted as an employee of the City.

SECTION 302 APPLICATION

All candidates for employment shall file an application form provided by the Human Resources Office of the City. The form and content of such form shall be as prescribed by the City Manager.

SECTION 303 SELECTION PROCESS

The selection process may consist of an evaluation of the candidate through personal interviews, performance, work samples, physical agility tests, written tests, references, medical examinations, or any combination thereof and in no way shall be affected or influenced by race, color, religion, disability, national origin, age, gender, sexual orientation, or veteran's status.

Selection techniques shall be impartial and shall relate to those areas which, in the opinion of the City Manager, will adequately and fairly indicate the ability and quality of candidates under consideration to execute the duties and responsibilities of the position to which they seek to be appointed.

Upon completion of the selection process, the City Manager may make appointments from candidates based on the results of the testing and other relevant considerations. Such appointments will usually be upon the recommendation of the Department Manager of the department in which the new appointee will be assigned and the Human Resources Manager. All such appointments will only become effective after all necessary documents have been signed by the appropriate City officials and the new employee. Some positions may also require criminal background checks.

SECTION 304 INELIGIBILITY OR DISQUALIFICATION

The City Manager may withdraw a candidate from consideration whose appointment is deemed to be contrary to the best interests of the City. Reasons for disqualification may include, but shall not be limited to the following:

City of Lewiston Personnel Policy

1. Failure to meet any of the requirements established for the examination or position for which he/she applies including failure to meet deadlines of the application process.
2. Addiction to the use of drugs, alcohol or controlled substance.
3. Conviction of a felony or conviction of a misdemeanor involving behavior that is dishonest or immoral, deception, fraud, violence, or threats of violence.
4. Dismissal from any position for any cause which would be cause for dismissal by the City.
5. Resignation from any position to avoid dismissal.
6. Deception or fraud in content of the application.
7. Request by the applicant to be withdrawn from consideration,
8. Disqualification or unsuitability for employment as specified in any City or applicable department rule or regulation.

SECTION 305 EXAMINATIONS

The City Manager's office shall be responsible for the conduct of examinations for City positions. The City Manager typically appoints the Human Resources Manager and/or the Department Manager to conduct and score the examination.

SECTION 306 VETERAN'S PREFERENCE

It is the intent of the City of Lewiston to honor veterans of the armed forces by providing preference in initial appointments to public sector jobs in Idaho in accordance with provisions of Idaho Code Sections 65-503A and 65-504 or their successors. An individual who qualifies for a veteran's employment preference is entitled to a preference with a public employer over other applicants for the same position who are not more qualified.

SECTION 307 ESTABLISHMENT OF ELIGIBILITY LIST

After completion of an examination, the Human Resources office may prepare and keep available an eligibility list consisting of the names of candidates who have been determined to be qualified for the position.

SECTION 308 TYPES OF ELIGIBILITY LISTS

There types of eligibility lists shall be as follows:

1. **LAYOFF-REINSTATEMENT LIST:** consists of employees who have been laid off. Such employees shall be considered for reinstatement on the basis of length of service and prior job performance.

2. **PROMOTIONAL LIST:** consists of employees who have qualified through the selection process and from which promotions or advancements to classes with higher salary ranges will be made.
3. **OPEN EMPLOYMENT LIST:** consists of candidates who have qualified through the examination process and from which appointments will be made.

If less than three (3) eligible applicants remain on the promotional or open employment list, it may be cancelled at the request of the Department Manager. Eligibility lists shall expire after one year unless otherwise specified.

SECTION 309 METHOD OF FILLING VACANCIES

All vacancies in City service shall be filled by transfer, demotion, promotion, and/or appointment from established eligibility lists by the City Manager.

SECTION 310 TEMPORARY APPOINTMENTS

During an emergency or during any period of unusual workloads, the City Manager or the Manager of any department may temporarily assign City personnel within any department or from one department to another department within the City. Requests for personnel shall be approved by both the Department Manager for the department from which the person had been assigned and by the department to which the person is assigned. Authorization for the assignment shall eliminate the need for approval of any Department Manager. Interdepartmental charges shall not be made for employees so assigned. Employees who have been temporarily assigned hereunder shall receive their normal hourly rate of pay and benefits. Department Managers shall administer and coordinate a program for training City employees to ensure maximum utilization of employees during periods of temporary assignment.

SECTION 311 LIMITED DURATION APPOINTMENTS

Whenever a department requires assistance because of a special project, sick leave, vacation relief, temporary increase in workload or a regular employee on leave of absence without pay, appointments of a limited duration may be made for the duration of such work.

SECTION 312 EMPLOYMENT OF RELATIVES

For the purposes of this section, "relatives" shall mean those relatives to the second degree of consanguinity, which shall include spouses, children, brothers, sisters, half-brother and sisters, step-brothers and sisters, parents, step-parents,

aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren, and spouses of those persons.

1. Relatives of elected City officials and the City Manager shall not be appointed to employment with the City.
2. Relatives of employees shall not be appointed, transferred, promoted, or demoted or work in any position where a relative would be in a supervisory chain of the current employee.
3. If two employees marry and are in the same chain of command, the City may select either employee at its discretion and require the selected employee to transfer or leave the organization. The City reserves the right to determine in all cases if a close enough familial relationship exists to prohibit a supervisory relationship. While the organization has no prohibition against hiring relatives of employees, close family members such as parents, children, spouses, siblings, or in-laws will not be hired into or transferred to positions where they directly or indirectly supervise or are supervised by another close family member.
4. The provisions of the foregoing sections apply to seasonal employees.
5. Employees or relatives of employees are prohibited from contracting with the City for the provision of goods and services unless there are no other vendors available for the specific goods or services within a one hundred and fifty mile radius or the contract is approved by the City Manager.

SECTION 313 CONTINUED EMPLOYMENT

Continued employment with the City of Lewiston shall be subject to satisfactory work performance, necessity for the position and the availability of funds. Each regular employee shall have his/her performance evaluated annually by his/her supervisor and reviewed by the Department Manager, or at a more frequent interval as deemed necessary by the Department.

SECTION 314 REAPPOINTMENT

Any regular employee who has resigned from the City's service in good standing may, upon his/her written request, be considered for reappointment to a position in the same or similar position in the City service within one (1) year of such resignation. Such reappointment may be made without benefit of additional examination and may take precedence over eligibility lists; but in no event shall it be mandatory for any appointing authority to reappoint a former employee should he/she desire not to do so.

Any employee who is reappointed shall be considered a new appointee and shall have no vested interest in or be entitled to any benefits accrued during any previous employment with the City except retirement system benefits. The

reappointed employee shall be subject to the requirements of the appropriate retirement system of which the employee was a previous active member.

SECTION 315 TRANSFER

No regular employee shall be transferred to a vacant position for which he/she does not possess the minimum qualifications. Upon approval by the City Manager, the appointing authority may transfer an employee at any time from one position to another in a comparable grade/range. For the purpose of this section, a comparable grade/range is one with a comparable salary range, involving the performance of similar duties, and requiring substantially the same basic qualifications. The transfer of a regular employee from one department to another may only be made with the consent of the employee and the approval of the Department Managers concerned, unless the City Manager orders the transfer for purposes of economy and efficiency.

If within six (6) months of the effective date of a transfer, the transferred employee is found not suitable in the new position, or if that position is eliminated and the employee's performance in the original position had been satisfactory, the employee shall be transferred back to his/her original or a similar position, provided that position is still vacant.

Transfers shall not be used to effect a promotion, demotion, advancement or reduction, each of which may be accomplished only as provided in this Policy.

SECTION 316 PROMOTION

It is the policy of the City of Lewiston to encourage the advancement of personnel within City service. Promotional selection for vacancies shall be conducted as the needs of the City require and in accordance with Section 305, Examinations. Regular employees who meet the requirements of the class for which an examination is to be held shall be considered eligible to compete in such examination.

SECTION 317 DEMOTION

The City Manager may demote an employee for any of the following reasons:

1. An employee's ability to perform his/her required duties falls below acceptable standards,
2. Disciplinary reasons set forth in Section 1102 of this policy,
3. When his/her position is eliminated,
4. When an employee requests such demotion; and/or
5. For any other reasonable grounds approved by the City Manager.

No employee shall be demoted to a classification for which he/she does not possess the minimum qualifications. Written notice shall be given to an employee with the appropriate facts at least fourteen (14) days before the effective date of the demotion.

SECTION 318 RESIDENCY REQUIREMENT

All employees are encouraged to live within the City limits. Any employee who chooses to live outside the City must be responsive to specific Departmental policies and the needs of the City for emergency callback.

CHAPTER 4 - INTRODUCTORY STATUS

SECTION 401 INTRODUCTORY PERIOD

The introductory probationary period shall be regarded as part of the testing process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new or promoted employee to his/her position and for rejecting any introductory employee whose performance does not meet the acceptable standards of work.

SECTION 402 INTRODUCTORY PROBATIONARY PERIOD FOLLOWING PROMOTION

All original and promotional appointments shall be conditional and subject to an introductory probationary period. The introductory probationary period shall be for a minimum of six (6) consecutive months of actual service from the date of appointment. Upon written request of a Department Manager, the City Manager may grant an extension of the introductory probationary period up to a maximum of six (6) months beyond the end of the original introductory probationary period. If an employee has served in an "Acting" capacity for at least six months, that period shall apply as the introductory probationary period.

SECTION 403 REGULAR APPOINTMENT

If the service of the introductory employee has been satisfactory, the Department Manager shall submit an evaluation in writing to such effect. All actions changing an employee's status from introductory to regular must be approved by the City Manager.

SECTION 404 EMPLOYEE PERFORMANCE REPORTS

Each introductory probationary employee shall have his/her performance evaluated at the end of six (6) months of service or at more frequent intervals as deemed necessary by the Department Manager. Evaluations shall be prepared in writing or electronically in a form approved by the City Manager. The evaluation shall be maintained in the official personnel file and a copy of each evaluation will be provided to the employee, if requested. All evaluations will be reviewed by the Department Manager. All Department Manager evaluations will be prepared by the City Manager.

SECTION 405 RELEASE

During the introductory probationary period, an employee may be released at any time without cause by the City Manager. Written notification of such a release shall be served on the introductory probationary employee and a copy filed with Human Resources.

An employee that fails to satisfactorily complete the introductory probationary period of a promotion may be returned to his/her previous position, provided a position is available. If the former position has been filled, other vacancies for which the employee is qualified may be considered by the Department Manager with approval of the City Manager. If no positions are available for which the employee is qualified, he/she will be released from City service.

CHAPTER 5 - COMPENSATION PLAN AND HOURS

SECTION 501 COMPENSATION PLAN PREPARATION

The City Manager, or such other person or agency selected for that purpose, shall prepare a Compensation Plan showing for each grade minimum and maximum salary steps and such intermediate steps as deemed desirable. In arriving at ranges for positions, there shall be taken into consideration:

1. Prevailing rate of pay for comparable work in other public agencies,
2. Difficulty and responsibility of work,
3. The City's financial condition, and
4. Other applicable conditions.

The Compensation Plan shall comply with the provisions of the Equal Pay Act.

SECTION 502 ADOPTION OF COMPENSATION PLAN

After consideration and adoption by the City Council the Compensation Plan shall be applied to all applicable positions, in the timeframe designated, with such modifications as the Council deems necessary.

SECTION 503 ADMINISTRATION OF COMPENSATION PLAN

The City Manager shall administer the Compensation Plan for all employees.

1. All initial employment shall be at the first step of the range. However, the City Manager may make an appointment to a position at a higher step and a beginning salary in excess of the first step when, in his/her opinion a) it is difficult to obtain qualified personnel at the starting rate or, b) when it appears that the qualifications of a proposed candidate are substantially superior to the entry level step.
2. Salary dates shall be established as follows: Employees appointed, promoted or who are granted a step increase, shall have a new salary date for the purpose of eligibility for consideration of future salary step increases.
3. The City Manager may adjust salary practices consistent with the Compensation Plan.

SECTION 504 ADVANCEMENT WITHIN SALARY RANGE

In order to properly compensate an employee, advancements in pay shall be based on the employee's satisfactory work performance, time in service, and

completion and attainment of other specific advancement requirements outlined for the position.

SECTION 505 SALARY FOLLOWING PROMOTION

When an employee is promoted to a position in a higher pay range, that employee shall be assigned to the next step in the higher pay range. The City Manager may approve assignment to any other step in the higher pay range dependent upon internal equity and/or external market conditions. A new salary date shall be established for the purpose of eligibility for consideration of future step increases.

SECTION 506 SALARY FOLLOWING DEMOTION

In the case of a demotion of any employee to a class with a lower maximum pay rate, such employee shall be assigned to the appropriate pay step in the new class as recommended by the Department Manager and approved by the City Manager. The employee shall retain his/her previous salary date.

SECTION 507 SALARY FOLLOWING TRANSFER/ACTING APPOINTMENTS

1. In the case of the transfer of any employee from one position to another, the employee shall receive pay in the grade and step appropriate to their qualifications. In some cases the transfer may result in a loss of pay, when the transfer is to a lower classification. A new salary date will be established following a transfer.
2. When an extended illness, leave of absence or a resignation creates a need to fill a position, the City Manager may appoint a qualified employee to that vacancy on an "Acting" basis. During the term of employment, the employee shall receive such rate of pay commensurate with his/her qualifications and consistent with his/her responsibilities. The "Acting" appointment shall not exceed five (5) months without reappointment by the City Manager.

SECTION 508 REVISION OF RANGES

When a range for a given grade is revised upward or downward, the employees in the grade affected shall have their salary adjusted to the appropriate step in the new range.

SECTION 509 SALARY ON POSITIONS "AT MAXIMUM RATING"

1. If a position is reallocated to a range that has a higher maximum pay rate, the employee shall have her/his salary adjusted to a step in the higher range which

is closest to, but not less than, the employee's current salary and the employee shall be assigned a new salary date.

2. If an employee is reallocated to a position in a lower range, the salary of the incumbent shall be considered at the maximum step for the new range (AT MAX) and the salary date of the incumbent shall not change. Such AT MAX salary shall remain in effect until the salary increases accordingly by a market adjustment, compensation review, or some other method approved by the City Manager.

SECTION 510 ESTABLISHED WORKHOURS/WORKWEEK

The established workday for employees shall be eight (8), nine (9) or ten (10) hours. The established workweek for employees working either the eight, nine or ten hour daily schedule shall be forty (40) hours within a seven consecutive day period.

At least two rest periods not to exceed 15 minutes shall be afforded each employee during a standard eight (8), nine (9) or ten (10)-hour shift. Flexibility of break time shall be prearranged between employee and supervisor.

A Department Manager may modify employee work hours consistent with the needs of the City.

SECTION 511 ATTENDANCE

Employees are expected to report for their work assignments at the time and place designated by their supervisors. Each department shall prepare time and attendance records for all employees. Regular time and attendance reports will be provided by each department to the Finance Department in the manner designated by the City Manager.

SECTION 512 PAY PERIODS

1. Disbursement of paychecks shall be on a biweekly payroll system (26 pay periods) every other Thursday. Should the payday fall on a holiday, the previous workday shall be the payday.
2. The method of disbursing payroll checks shall be established by the City Manager.

SECTION 513 PAYROLL DEDUCTIONS

The following payroll deductions are allowed:

1. Deductions required by law and contracts: for example, Federal and State withholding tax, Social Security Tax, City and or State Retirement Systems and Group medical premiums.
2. Deductions made on the written authorization from each employee; for example, supplemental insurance recognized employee organizations and such other deductions as approved by the City Manager.

SECTION 514 DIRECTED TIME OFF

Except as otherwise provided in a collective bargaining agreement when an employee is required by their supervisor to work beyond their regular work hours during a forty (40) hour workweek, the supervisor may direct the employee to take time off during that same workweek equal to the time worked. If the supervisor is unable to direct the time off during the same workweek, the hours worked beyond forty (40) hours within the workweek shall be compensated at the rate of 1½ times the employee's regular hourly rate of pay, or compensatory time may be elected by the employee at 1½ times for those hours worked beyond the forty (40) hours. The foregoing section does not apply to FLSA exempt employees.

SECTION 515 OVERTIME POLICY

It is the policy of the City to avoid the necessity for overtime work. It shall be authorized when overtime is necessary and consistent with protection of the lives and/or property of the citizens of Lewiston, and/or the efficient operation of the various departments, but shall be kept at the minimum necessary to accomplish the project, event, or particular need.

In order to earn compensation for overtime, an employee must have his/her supervisor's and/or Department/Division Manager's prior approval. Overtime work required to meet an emergency situation does not require advance approval, but must be approved by the immediate supervisor for payroll purposes. Approval for overtime will be documented and retained by each department, subject to audit.

It shall be the responsibility of the Department/Division Manager to see that overtime hours are reported and submitted on the employee's time card for payment of all overtime and compensatory time earned during the appropriate work week.

In accordance with the FLSA as amended, the City shall compensate covered employees for authorized overtime as follows: Overtime work for all covered employees shall be defined as any time worked beyond (40) hours within a workweek. Except as provided in Section 514, Directed Time Off, overtime shall be compensated

for at the rate of 1½ times the employee's regular hourly rate. When necessary to call out employees for emergency overtime work, minimum payment for each call out shall be two (2) hours pay at 1½ times their regular hourly rate of pay.

Authorized overtime for work performed on recognized holidays shall be compensated for at the rate of twice the employee's regular hourly rate for the standard work day, except for those employees who are regularly scheduled to work on holidays. The foregoing section does not apply to FLSA exempt employees or certain part-time employees per federal or state law and regulations.

SECTION 516 COMPENSATORY TIME

Except as provided in Section 514, Directed Time Off upon approval of the Department Manager or designee an employee may elect to receive compensatory time at the rate of 1½ for hours worked in excess of forty (40) hours in a workweek. Accrual of compensatory time shall not exceed one hundred twenty (120) hours. The City shall have the right to schedule employees for and to require the use of compensatory time. The employer and employee shall try to mutually agree on the scheduling of compensatory time. The accumulation and use of compensatory time will be documented and approved by a supervisor. Such records will be retained by each department, subject to audit. Regular reports of the accumulation and use of compensatory time will be submitted to the Finance Department as part of the regular payroll reporting activity. The foregoing section does not apply to FLSA exempt employees.

SECTION 517 STANDBY STATUS AND STANDBY PAY

When it is necessary to require an employee to be available for emergency call out or other services such employee shall be on a standby status. The City Manager shall establish policies and procedures setting forth the conditions and obligations of standby status.

Compensation for standby duty will be granted at the rate of one (1) hour of payment at the employee's normal rate of pay for each six (6) hours on standby duty. When called to work during standby periods, the employee will receive a minimum credit of two (2) hours for each call out and will be paid at 1½ times his/her regular hourly rate of pay for each hour worked. The foregoing section does not apply to FLSA exempt employees.

CHAPTER 6 - SICK LEAVE

SECTION 601 STATEMENT OF POLICY

Sick leave shall be requested only in cases of actual personal sickness or disability, medical or dental treatment, or as authorized in Section 607, Other Leave Chargeable to Sick Leave. The employee requesting sick leave shall notify his/her supervisor or Department Manager at least one hour prior to time set for reporting to work. Sick leave with pay shall not be allowed unless the employee has accrued sick leave and his/her Department Manager has approved such payment.

SECTION 602 ELIGIBILITY

Regular and introductory employees shall be eligible to accrue sick leave. Regular part-time employees (52 weeks per year) shall be eligible to accrue sick leave in the same proportion as their regularly scheduled work hours per week, are to a forty (40) hour work week. Temporary employees shall not earn sick leave.

SECTION 603 EARNED SICK LEAVE

Sick leave earned for full-time and part-time regular employees shall be earned at the rate of eight (8) hours per 1.0 FTE for each calendar month that an employee has worked regularly scheduled hours and/or has been on an authorized leave that provides for full pay for at least ten (10) working days in that month.

SECTION 604 ACCUMULATION AND SICK LEAVE BENEFITS UPON SEPARATION

Sick leave may be accumulated up to nine hundred sixty (960) hours. Employees who separate from the City after five (5) years of service will be eligible for payment of twenty-five percent (25%) of their earned sick leave to a tax-free medical expense reimbursement account (VEBA). An employee who meets the PERSI retirement requirements and retires from the City after five (5) complete years of service is eligible for payment of thirty-five percent (35%) of his/her earned sick leave into a tax-free medical expense reimbursement account.

SECTION 605 USE OF SICK LEAVE

Sick leave may be requested and used as approved by the Department Manager or the City Manager. Pay for approved sick leave shall be authorized until the employee's accumulated total of sick leave hours has been exhausted and at such time, the employee shall receive no further pay for sick leave. FLSA exempt

employees may not use sick leave in increments less than the length of his/her regular workday.

SECTION 606 FAMILY AND MEDICAL LEAVE

Refer to the Appendices for information on Family and Medical Leave.

SECTION 607 OTHER LEAVE CHARGEABLE TO SICK LEAVE

An employee may be granted sick-time off with pay for the following:

1. Absence due to the serious illness or injury of a member of the employee's immediate family (parent, child, grandparent, and grandchild) as indicated in the definition of immediate family in this Policy, whether living in the same household or not.
2. Absence beyond three (3) days due to the death of a member of the employee's immediate family.
3. In cases of illness, disability or injury when an employee has exhausted his/her sick leave, he/she may request earned vacation and/or compensatory hours be used.

Such granting of time off with pay shall be at the discretion of the Department Manager. When time off with pay is authorized, said time off shall be considered as sick leave, and shall be charged against the earned sick leave of the employee. If the employee has used all leaves available, they must request Leave Without Pay per Section 801, in writing, to the City Manager.

SECTION 608 WORKER'S COMPENSATION DISABILITY PAYMENTS

In the event of a disability incurred on the job and covered by Worker's Compensation, the following procedures will apply for employees who are eligible to earn sick leave each month. If the employee is unable to return to work as the result of an on-duty injury, such absence from work not to exceed a six month period, one thousand forty (1040) hours, shall not be charged to the employee's earned sick leave. To accomplish the above, there is an initial waiting period of five (5) days before Worker's Compensation becomes applicable; these days will be charged against the employee's earned sick leave and upon the employee's return to work, will be entered back on their sick leave record. From then on, the employee will be paid approximately forty (40%) percent of his/her regular pay by the City through the Short-Term Disability benefit, and approximately sixty (60%) percent from Worker's Compensation. The combined total of Worker's Compensation and Short-Term Disability benefits shall not exceed one hundred percent (100%) of the pay to which the employee would otherwise be entitled. If, at the end of the six months the employee is still unable to return to work, the approximately forty percent (40%) of

regular salary or wage paid by the Short-Term Disability carrier will then be charged against the employee's sick leave or vacation earned until exhausted.

SECTION 609 TEMPORARY MODIFIED DUTY

The City is committed to providing work, when possible, for employees who have been restricted by a physician or a health care provider due to a work-related injury or illness. Such work will be provided subject to availability. Work will be assigned according to the nature of the injury or illness and the limitations set forth by the treating physician or health care provider. Every effort will be made to place employees in positions within their own departments. If necessary, an employee will be placed wherever an appropriate position is available.

Employees on temporary modified duty must furnish a written update of their medical condition to their Division or Department Manager from the treating physician or health care provider after each visit in order to remain in the reassigned job. Temporary modified-duty assignments are limited to a period of 90 days, subject to review. Being placed on a temporary modified-duty assignment does not excuse an employee from following all City rules and regulations.

SECTION 610 SHORT-TERM DISABILITY

In the event of a non-work related illness or injury disability, the following procedures will apply for employees who are eligible to earn sick leave. Short-Term Disability coverage will begin after the first day of an injury or will begin on the eighth day after illness or for absence as the result of a scheduled procedure. Benefit is for up to 25 weeks as follows:

- 1) Non-occupational injury/illness shall be paid by our vendor at sixty percent (60%) of regular bi-weekly base wages and will be paid directly to the employee.
- 2) The employee may supplement this income with up to forty percent (40%) from the employee's earned sick leave or vacation which will be processed through the City payroll to allow for regular deductions including PERSI and health or life insurance.

An employee who anticipates a surgery or other medical situation which may require extended leave, may apply for Short-Term Disability, up to 30 days in advance or as soon as reasonably practical. In the event of an unanticipated injury or illness, the immediate supervisor may complete the appropriate documentation, located on the City website, to initiate the process.

SECTION 611 RETURN TO WORK FOLLOWING INJURY/ILLNESS

It is the policy of the City of Lewiston to allow employees who have been seriously injured or ill to return to their full responsibilities as soon as they are able to perform the essential functions of their job. The determination shall be made by the employee's Department Manager or his/her designee, in consultation with (1) the City Clerk in cases of work related injury or (2) the Human Resources Manager in all other cases of serious illness or non-work related injury.

When an employee has had a serious injury or illness, whether work related or not, the employee shall not return to work until a treating physician releases the employee for return to work. The release shall specifically address the physical capabilities of the employee and shall state any restrictions. If any restrictions are listed, they must be stated in sufficient detail for the City to make an informed decision regarding the suitability to return to work.

The Return to Work Recommendation Form must be faxed to the number on the form as soon as possible - but prior to returning to work. Employees returning to work with no restrictions are expected to perform all the required function and duties of their job. In cases where an employee cannot return to full duty because of restrictions, the City *may* allow a return to modified duty for a period of time not to exceed six months, in cases where (1) there is a legitimate modified duty available (in any department) without displacing another employee, (2) the employee is qualified to perform the modified duty, and (3) the employee's physician releases the employee to perform the modified duty.

The City shall make reasonable accommodations for the performance of essential functions of the position by employees who have suffered a qualifying disability pursuant to the City's ADA policy and federal law.

If no modified duty is available and/or the employee cannot return to work and all personal leave and/or Short-Term Disability has been exhausted, the employee will be separated from service with the City.

CHAPTER 7 - VACATION LEAVE

SECTION 701 ELIGIBILITY

Regular and part-time employees shall be eligible to take vacation based on hours accrued and subject to the Department Manager's approval. Paid vacation shall not exceed the amount of vacation time the employee has actually accrued. Temporary employees shall not earn vacation. Regular part-time employees shall be eligible to earn vacation in the same proportion as their scheduled and worked hours per week related to a standard workweek. An employee is not eligible to earn vacation while on unpaid leave status.

SECTION 702 EARNED VACATION SCHEDULE

The earned vacation schedules are as follows:

REGULAR EMPLOYEES

| Years of Service | Annual Hours Earned | Hours Earned per Pay-Period |
|------------------|---------------------|-----------------------------|
| 1 - 4 | 96 hours | 3.692 |
| 5 - 9 | 120 hours | 4.615 |
| 10 - 14 | 160 hours | 6.154 |
| 15 - 19 | 176 hours | 6.769 |
| 20 + | 200 hours | 7.692 |

SECTION 703 USE OF VACATION

1. **WHEN TO BE TAKEN:** The time that an employee may use earned vacation leave and the amount to be taken at any one time require prior approval by the Department Manager and/or Division Manager with due regard for the wishes of the employee and particular regard for the needs of the City.
2. **LIMITATION ON USE:** Paid vacation shall not exceed the amount of vacation time the employee has earned.
3. **MAXIMUM ACCUMULATION:** Employees shall be allowed to accumulate up to twice their annual earned vacation. It is the employee's responsibility to request vacation leave. Hours over the maximum allowable accumulation will automatically be removed on the second pay-period of January each year. The City Manager may extend earned limits when circumstances justify the extension.
4. **DOUBLE COMPENSATION PROHIBITED:** Employees are prohibited from working for the City while taking vacation leave.
5. **FLSA exempt employees** shall only be allowed to use vacation leave in increments equal to the length of his/her regular workday.

SECTION 704 VACATION PAY AT TERMINATION

Employees appointed to a regular position whose employment with the City terminates shall be paid for earned vacation within the limits of this policy and any applicable collective bargaining agreement.

In the event of the death of an employee, pay for earned vacation shall be paid to the beneficiary the employee has designated. Such designation shall be in writing, signed by the employee and filed with Human Resources. In the event that an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

SECTION 705 EFFECT OF EXTENDED MILITARY OR OTHER LEAVE OF ABSENCE

An employee who is granted a military or other leave of absence exceeding 180 calendar days may request payment for that part of the vacation earned that remains unused on his/her record.

CHAPTER 8 - OTHER LEAVE

SECTION 801 AUTHORIZED LEAVE OF ABSENCE WITHOUT PAY

Leave of absence may be granted by the City Manager without pay in cases of emergency or where such absence would not be contrary to the best interest of the City. Such leave is not a right but a privilege. No such leave shall be granted except upon written request of the employee, setting forth the reason for the leave. Approval must be made in writing.

Leave of absence without pay not to exceed one (1) week duration may be granted by the Department Manager with the approval of the City Manager.

Sick leave and vacation benefits are not earned during any period of unpaid leave and the employee is responsible for arranging payment for his/her portion of any elected benefits.

SECTION 802 BEREAVEMENT LEAVE

Regular and introductory employees may be granted up to three (3) working days leave with pay by the Department Manager in the event of a death in the immediate family. Such leave shall be at full pay and shall not be charged against the employee's earned vacation or sick leave. Additional time off in excess of three (3) days may be taken by an employee with prior approval of his/her Department Manager and the City Manager. Such additional time off shall be charged to:

1. Earned sick leave
2. Earned vacation time
3. Compensatory time
4. Leave of absence without pay

SECTION 803 MILITARY LEAVE OF ABSENCE

Military leave will be granted in accordance with the provisions of Federal and State law. All employees entitled to military leave shall give the City Manager an opportunity within the limits of military regulations to determine when such leave shall be taken. Whenever possible, the employee involved shall notify his/her department of such leave request ten (10) working days in advance of the leave.

SECTION 804 MATERNITY LEAVE OF ABSENCE

Maternity leave will be taken as Short-Term Disability and/or FMLA with any supplemental leave coverage charged to the following:

City of Lewiston Personnel Policy

1. Earned sick leave
2. Earned vacation time
3. Compensatory time

Maternity leave of absence may be granted and approved by the City Manager for a period up to twelve (12) weeks. Upon the request of the employee and the recommendation of the Department Manager, the City Manager may approve an extension of a maternity leave of absence. Any extension so granted, when added to the original leave, shall not total more than six (6) consecutive calendar months.

SECTION 805 PATERNITY LEAVE OF ABSENCE

Paid leave up to five (5) working days shall be granted as paternity leave and shall be charged to any of the following:

1. Earned sick leave
2. Earned vacation time
3. Compensatory time
4. Leave of absence per FMLA regulations

SECTION 806 SPECIAL LEAVE

The City Manager may grant special leave when it is in the best interest of the City that such leave occurs. Special leave of an employee from his/her position is leave without loss of pay, benefits, and/or accrual of same due to unusual work related circumstances.

SECTION 807 ADMINISTRATIVE LEAVE

Exempt employees may be authorized administrative leave (time off with pay) in the event of unusual demands requiring excessive hours of work beyond the normal work schedule. Exempt employees will not be paid overtime nor given compensatory time off. Further, under FLSA, leave taken in less than eight (8), nine (9), or ten (10) hour segments of their regular workday is not chargeable. Requests for a full workday of Administrative Leave must be in writing, citing the nature and extent of overtime served, and requires approval from the Department and City Manager. Normally, Administrative Leave will not exceed one day at a time and should not exceed three (3) days per year.

SECTION 808 COURT APPEARANCES

Employees who are subpoenaed to appear in court as witnesses in a matter arising out of their employment with the City, shall be granted leave with pay, when the employee is appearing during his/her work hours. If the employee is appearing on his/her off duty time, he/she shall receive overtime pay or compensatory time. Compensation received by the employee for witness/subpoena fees, or mileage when traveling in a City-owned vehicle must be remitted to the City. Compensation for mileage when traveling in a private vehicle or subsistence allowance shall be retained by the employee. Prior to being granted leave, overtime, or compensatory time, the employee must provide to his/her immediate supervisor a copy of the subpoena or court notice.

SECTION 809 JURY DUTY

Any employee required to report for jury duty during his/her work hours for the City shall be granted leave with pay. Said employee shall receive full pay from the City for the time served on the jury, provided the employee remits to the City all fees as soon as received by the employee for such duties. Compensation for mileage (when employee uses his/her own vehicle) or subsistence allowance shall not be considered as a fee and shall be retained by the employee.

When the employee is traveling in a City-owned vehicle, he/she must remit all mileage fees to the City. If the employee is serving on his/her off duty time, all fees, mileage and subsistence allowances shall be retained by the employee. Prior to being granted leave for jury duty, the employee must provide his/her immediate supervisor with a copy of the jury summons.

SECTION 810 UNAUTHORIZED LEAVE OF ABSENCE

Unauthorized leave of absence shall be considered as days, or portions of days, not worked which are normal working days and will cause the deduction from an employee's pay of an amount equivalent to the time absent. Unauthorized leave of absence for more than three (3) consecutive days shall be cause for automatic termination of employment.

CHAPTER 9 - BENEFITS

SECTION 901 BENEFITS

1. STATE/CITY RETIREMENT SYSTEM - PERSI

Regular employees working more than twenty (20) hours per week for more than one-half of the pay periods in any consecutive five (5) months will be covered according to the appropriate State Retirement System (PERSI) with the exception of some weather related positions which allow for work up to eight (8) consecutive months.

2. WORKERS' COMPENSATION

The City pays the premium for all employees. Work related injury benefits are provided in accordance with the Workers' Compensation Act of Idaho. Coverage begins immediately upon employment.

3. SOCIAL SECURITY

The City and all employees contribute premiums in accordance with the current premium schedule unless exempt by Idaho Code.

4. GROUP LIFE INSURANCE

The City provides a group life insurance policy in the amount of twenty thousand dollars (\$20,000) for all full-time regular employees. Supplemental coverage for the employee, spouse, and dependents is available at employee expense.

5. GROUP MEDICAL, DENTAL AND VISION INSURANCE

Regular employees, working thirty (30) hours or more each week, and their dependents are covered by the City's medical, dental and vision insurance. Premium payments for employees and their dependents shall be subject to review and shall be paid according to policy set by the City Manager.

6. DEFERRED COMPENSATION RETIREMENT PROGRAM

Deferred compensation plans are available to regular employees through the ICMA Retirement Corporation or Nationwide Retirement Corporation.

7. FLEXIBLE SPENDING ACCOUNT

A flexible spending account is available to regular full-time employees. According to the IRS Section 125 this benefit plan establishes a cafeteria or flexible

spending account, where certain nontaxable expenses (i.e. qualified health expenses, dependent care expenses and payroll deducted group premium expenses) may be deducted on a pretax basis each plan year. The IRS requires the appropriate form be completed by all employees each year.

8. SHORT-TERM DISABILITY

Short-term disability is provided to all regular full-time employees. The purpose of this benefit is to provide forty percent (40%) of the bi-weekly income to those employees on Worker's Compensation and also sixty percent (60%) of the base wage bi-weekly salary for non-work related injured or ill employees per Section 608 & 610.

SECTION 902 PAID HOLIDAYS

1. REGULAR HOLIDAYS FOR PAY PURPOSES

Regular, introductory and exempt employees shall have the following holidays off with pay: New Year's Day, President's Day (third Monday in February), Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve Day, Christmas Day, one day of the employee's choice and any other holiday declared as a paid holiday by the Governor of the State of Idaho.

When any day recognized as a holiday by the City falls on a Sunday, the following Monday shall be considered the holiday. When any day recognized as a holiday by the City falls on a Saturday, the preceding Friday shall be considered the holiday. In the event Christmas Eve and Christmas occur on Friday and Saturday or Sunday and Monday, the City Manager may designate appropriate days for the official City holidays.

Some divisions may require modification of City-wide holidays based on operation and the needs of the City. Advance notification will be provided to employees affected as soon as reasonably practical.

2. RELIGIOUS HOLIDAYS

Any employee who wishes to be excused from work in observance of a religious holiday shall request approval for such absence from his/her Department Manager. If approved, such time off shall be charged against available leave, vacation or compensatory time or may be substituted for another holiday.

3. EMPLOYEE FLOATING HOLIDAY

To be eligible for a holiday of his/her choice (floating holiday), the employee must have successfully completed six (6) months of continuous employment and received advance approval from his/her supervisor to have the day off with pay. The employee's choice of a floating holiday must be used by December 31 of the calendar year.

An employee eligible for holidays shall not receive holiday pay if the employee is on an unpaid leave of absence.

SECTION 903 EMPLOYEES REQUIRED TO WORK ON HOLIDAYS

Any employee normally eligible for holiday benefits, who is required to work on a day designated as a holiday under Section 902 of this policy shall be paid at twice the employee's hourly rate of pay for the hours worked. The employee may voluntarily take an additional day off in lieu of the double time at the discretion of the Department Manager during the same work pay period unless addressed by other contracts or agreements.

When a day designated as a holiday under the provisions of Section 902 this policy falls on a normally assigned day off of an employee who is eligible for holiday benefits, said employee shall receive either additional pay equal to and in lieu of time off for said holiday, or an additional day off to be taken at a later date.

CHAPTER 10 - SEPARATION FROM CITY EMPLOYMENT

SECTION 1001 RESIGNATION

In order to be considered as having resigned in good standing, any regular employee shall be required to submit a written notice of his/her resignation to his/her Department Manager at least fourteen (14) calendar days prior to the effective date of said resignation. The Department Manager and the City Manager may authorize the resignation in good standing when in their opinion there are sufficient reasons to waive the requirements of this section.

The separation date will be the last day the employee reports to his/her work site. No vacation or sick leave shall be accrued from that date forward.

SECTION 1002 REDUCTIONS IN FORCE

On occasion, the City may be forced to reduce staff. Some business reasons for this may be economic need, restructuring of operations, combining of departments or functions, and streamlining or elimination of departments, functions, or positions. If a reduction in staff is deemed necessary, the Manager of the department to be affected will work with the City Manager to document the reason and process for the restructuring. This may include an analysis of needs to determine the appropriate criteria to use, development of a communication plan, job re-evaluations, salary administration, and/or any other applicable criteria.

In selecting the employees who will remain with the City, only job-related criteria will be used. The criteria used will be determined based on the reason for the reduction in force and the determination of the City's needs. Job-related criteria may include the employee's current performance, as noted by the most current performance review, competencies, skills, responsibilities, experience, leadership, education and training, personal commitment, and seniority.

In some cases, the City may be able to transfer an employee whose position is being eliminated into another area. Employees offered positions elsewhere in the organization will not be eligible for any severance payments that may be offered to affected employees.

SECTION 1003 DISCIPLINARY ACTION

An employee may be terminated at any time as a form of disciplinary action as provided in Chapter 11 of this policy.

SECTION 1004 RETIREMENT

All regular employees in the City service who retire under the provisions of any City retirement policy and plan shall be deemed to have been separated from the City service in good standing.

SECTION 1005 FAILURE TO MEET REQUIREMENTS

Upon the recommendation of the Department Manager to the City Manager, employees who become unable to meet the licensing or certification requirements of their regular job assignment may be terminated from the City employment within thirty (30) days of the date they are unable to meet those requirements.

CHAPTER 11 - GRIEVANCE PROCEDURE NON-DISCIPLINARY MATTERS

SECTION 1101 STATEMENT OF POLICY

It is the policy of the City that current employees should have an opportunity to present their work-related complaints and to appeal employment related management decisions through a grievance procedure. The City will attempt to resolve promptly all grievances that are appropriate for processing under this Policy.

Use of this procedure shall not reflect unfavorably on the employee, the supervisors, the Department Manager, or the general management of the City. Retaliatory or discriminatory action against an employee for using this procedure or discrimination in the application of this policy shall be a violation of City policy.

SECTION 1102 GRIEVANCE PROCEDURE

The grievance procedure is not available to an employee in the introductory period, an employee recommended for termination or discipline or to an employee selected for layoff.

This procedure is available to active regular employees who express dissatisfaction in writing concerning any interpretation or application of an adopted policy by the City Manager, a supervisor, or other employee. Examples of matters which may be considered appropriate to grieve under this policy include:

1. A belief that adopted City policies, practices, rules, regulations, or procedures have been improperly applied in a manner detrimental to an individual or employee;
2. Treatment considered unfair by an employee, such as coercion, reprisal, harassment or intimidation;
3. Alleged discrimination because of race, color, gender, age religion, national origin, marital status, disability, or sexual orientation; and
4. Improper or unfair administration of employee benefits or conditions of employment such as, vacations, promotions, holidays, or salary.

The grievance procedure has a maximum of three steps, but grievances may be resolved at any step in the process. Grievances should be fully processed until the employee is satisfied with the result, or the employee fails to file a timely appeal, or the employee exhausts the right of appeal. A decision becomes binding on all parties when an employee fails to file a timely appeal or when a decision is made in step three.

An employee who feels he/she has an appropriate grievance should proceed as follows:

City of Lewiston Personnel Policy

1. Step One - Promptly bring the grievance to the attention of the immediate supervisor. If the grievance involves the supervisor, then it is permissible to proceed directly to Step Two. The supervisor is to investigate the grievance, attempt to resolve it, and notify the employee of a decision within seven (7) calendar days. The supervisor shall prepare a written and dated summary of the grievance and proposed resolution for record-keeping purposes.
2. Step Two - Appeal the decision to the Department Manager, if dissatisfied with the supervisor's decision, or initiate the procedure with the Department Manager if Step One has been bypassed. Such an appeal or initial complaint must be made within seven (7) working days using a standard form (sample available in HR). The Department Manager will, within ten (10) calendar days from the date the complaint is received, confer with the employee, the supervisor, and any other persons considered appropriate; investigate the issues; and communicate a decision in writing to all parties involved.
3. Step Three - Appeal an unsatisfactory Department Manager decision to the City Manager. The procedures to be followed in Step Three are the same as those in Step Two. The City Manager will take the necessary steps to review and investigate the grievance and will then issue a written, final, and binding decision within ten(10) working days.

Employees are encouraged to consult with the Human Resources Manager and/or their supervisors on an informal basis regarding employee complaints or disputes.

A final decision on grievances will not be precedent setting or binding on future grievances unless they are officially adopted in writing as City policy.

Information concerning an employee grievance is to be held in confidence to the greatest extent possible while allowing an investigator to conduct a thorough investigation of the circumstances involving the grievance. Supervisors and Department Managers who investigate a grievance are to discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.

Time spent by employees in grievance discussions during their normal working hours will be considered hours worked for pay purposes.

Employees are not to be penalized for proper use of the grievance procedure. However, it is not considered proper use if an employee raises grievances in bad faith or solely for the purposes of delay or harassment or non-disciplinary implementation of the grievance procedure. At its discretion, the City may refuse to proceed with any complaint it determines is not appropriate under this policy.

CHAPTER 12 - DISCIPLINARY ACTION

SECTION 1201 RECORD OF DISCUSSION

A minor infraction of City policy may be dealt with by an employee's supervisor through the use of a record of discussion. The documentation shall be considered confidential and shall be kept for a period of one year, by the Department, in a secure satellite personnel file. The employee shall be given a copy of the record of discussion. The incident may be referred to in the employee annual evaluation but the record of discussion will be destroyed after one year from the date of the record of discussion.

SECTION 1202 OFFICIAL REPRIMAND

An official reprimand shall be recorded and placed in the employee's permanent personnel file maintained in Human Resources.

SECTION 1203 DISCIPLINARY PROBATION

An employee placed on disciplinary probation shall earn vacation and sick leave. The employee shall not earn time for the purpose of step increases or promotion while on such probation nor shall he/she be allowed to compete in promotional examinations while on disciplinary probation. Disciplinary probation shall not be less than three (3) months nor for more than six (6) months. Persons placed on disciplinary probation may be terminated for failure to meet job requirements. A new salary review date will be established upon successful completion of the probation period by adjusting the former salary date by the same number of days the employee was on disciplinary probation.

SECTION 1204 SUSPENSION

An employee suspended from the City service shall forfeit all rights, privileges and salary, except that the employee shall not forfeit his/her health plan, pension plan, or life insurance while on suspension. No employee shall be suspended without pay for more than sixty (60) calendar days.

SECTION 1205 DISCIPLINARY DEMOTION

Disciplinary demotion is the change in status of an employee resulting from a disciplinary action to a lower pay step in the same range or to a position in a different

range with lesser duties and responsibilities and a lower rate of pay. A new salary date will be established.

SECTION 1206 DISCHARGE

A discharge is the involuntary separation of an employee from City employment.

An employee may only be discharged by the City Manager. The City Manager will consider the recommendation of the Department Manager and such other information as he/she deems appropriate.

An employee may be discharged for failure to meet standards of job performance, attendance and behavior; for misconduct; and/or for failure to follow employment-related policies and procedures.

Regular, non-introductory employees who are the subject of a dismissal shall receive written notice stating reasons for the action and shall be given an opportunity to appeal the action to the City Manager.

CHAPTER 13 - DISCIPLINARY PROCEEDINGS

SECTION 1301 STATEMENT OF CITY POLICY

Retaliatory or discriminatory action against an employee for using this procedure or discrimination in the application of this policy shall be a violation of City policy.

SECTION 1302 CAUSES FOR DISCIPLINARY ACTION INCLUDING DISCHARGE

While not all inclusive, the following list provides examples of impermissible conduct or performance that may lead to disciplinary action up to, and including, immediate dismissal.

1. Obtaining employment based on false information or by making material omissions;
2. Theft or misuse of City resources or equipment or the unauthorized removal or possession of another person's property from City premises;
3. Bringing or possessing firearms, weapons, explosives or similar items into the workplace on City property without authorization;
4. Being under the influence of, using or possessing illegal drugs, unauthorized controlled substances or alcohol on the job, while performing City business, or on City time or on premises;
5. A plea of or finding of guilt, or conviction for official misconduct in office, or conviction of a crime that has a negative impact on an employee's ability to perform the job or which has a negative impact on the City as an employer;
6. Insubordination, including improper conduct toward a supervisor or refusal to do work as assigned without proper justification;
7. Intimidation, fighting, provoking a fight, or threatening physical violence toward another employee or member of the public;
8. Misusing, abusing, destroying or damaging City property or equipment including electronic devices and/or communication;
9. Violations of safety standards which result in carelessness or negligence in performance of work which compromises or jeopardizes the safety of the employee or others, including repeated injuries from failing to follow safety in the workplace practices;
10. Failure to report a job injury or accident; making false claims or inaccurate statements in the reporting of job injury or accident;
11. Habitual tardiness, absenteeism, job abandonment, unexcused or unauthorized absence or leave from work;
12. General dishonesty or the falsification or destruction of records;
13. Unauthorized disclosure of confidential City information;

14. Failure to obtain and maintain licensure requirements lawfully required as a condition of employment in the position;
15. Use of public office or position to obtain personal or financial gain, accepting gifts in exchange for influence or favors given as a City employee;
16. Unlawful job discrimination or harassment towards other employees;
17. Failure to satisfactorily complete any probationary period of employment (introductory or disciplinary);
18. Unsatisfactory or poor performance.
19. Failure to comply with or disregard of City and/or Department employment-related rules, policies and prohibitions.

SECTION 1303 DISCIPLINARY ACTIONS

A disciplinary proceeding shall result in one or more of the following actions:

1. Withdrawal of the disciplinary action against the employee.
2. Record of discussion, as further described in Section 1201 of this policy.
3. Official reprimand as further described in Section 1202 of this policy.
4. Disciplinary probation as further described in Section 1203 of this policy.
5. Suspension as further described in Section 1204 of this policy.
6. Disciplinary demotion as further described in Section 1205 of this policy.
7. Discharge as further described in Section 1206 of this policy.

SECTION 1304 PERSONS WHO MAY TAKE DISCIPLINARY ACTION

The City Manager or any Department Manager may take disciplinary action against an employee under his/her control for one or more of the causes for discipline specified in Section 1302. The City Manager may suspend an employee for cause from the employee's position at any time, pending the result of disciplinary action.

A Department Manager may delegate to supervisory employee(s) the authority to relieve an employee of his/her duties in an emergency situation pending further action by the Department Manager. A Department Manager may suspend an employee under their supervision for not more than three (3) working days at any one time without the approval of the City Manager. Written notice of suspension shall be given to an employee at the time of the action is taken or as soon as practical.

Disciplinary demotion and termination are actions that can only be taken by the City Manager.

SECTION 1305 NOTICE OF DISCIPLINARY ACTION - SERVICE AND CONTENT

Prior to disciplinary action being taken, the Department Manager shall advise the employee in writing of the nature of the allegations and that disciplinary action is contemplated. The employee shall meet with the Department Manager and may provide any information that he/she may consider appropriate.

Disciplinary action is valid only if a written notice is served on the employee and filed with the City Manager as soon as reasonably possible. This notice shall be served on the employee either personally or by certified mail and shall include:

1. A written report, in common and concise language, of the acts or conduct upon which the disciplinary action is based. This report will also cite the policy and/or procedures(s) violated.
2. A report detailing the nature of the proposed disciplinary action, which may include conditions or future actions to be taken. This report will include the effective date of the disciplinary action.
3. A copy of Section 1307, Right of Appeal, of this policy.

SECTION 1306 DISCIPLINARY DEMOTION AND DISCHARGE

A Department Manager may recommend in writing disciplinary demotion or discharge of an employee, by submitting a written request to the City Manager. The recommendation shall include the specific allegation and the basis of the recommendation and a copy shall be provided to the employee. The City Manager shall advise the employee in writing of a pre-discharge or pre-demotion hearing. The employee shall be notified in writing of the basis of the recommendation for discharge or demotion, and shall be advised when the employee will meet with the City Manager to discuss the proposed action. The hearing will be held no sooner than three calendar (3) days after the written notification of the proposed action has been given to the employee.

The employee may present any information appropriate to respond to the charges. The hearing shall be informal.

The City Manager shall conduct the hearing without swearing of witnesses, without allowing cross-examination or observance of the formal rules of evidence. The basis for the recommendation to terminate or demote shall not be made public unless made so by the employee. After reviewing the information provided by the Department Manager and the employee the City Manager shall make a decision whether to discharge or demote the employee or consider other disciplinary action. Should the employee be terminated or demoted, the employee shall be given written notice of the termination or demotion and the basis for the termination or demotion. The decision of the City Manager is final and binding.

SECTION 1307 RIGHT OF APPEAL

All regular employees shall have the right of appeal to the City Manager from any disciplinary action taken by his/her Department Manager under this chapter. Such appeal must be filed with the City Manager with a copy to the Department Manager within ten (10) calendar days after receipt of written notice of disciplinary action. The appeal must state specifically the facts upon which it is based.

The City Manager shall render a final decision on the matter within ten (10) work days after receipt of the appeal.

SECTION 1308 WITHDRAWAL OF APPEAL

At any time after an appeal has been filed, an employee shall have the right to withdraw his/her appeal by written notification to the City Manager. Failure of the appellant to file an appeal within the period specified constitutes a waiver of a right to appeal.

CHAPTER 14 - PERSONNEL RECORDS, REPORTS AND NOTICES

SECTION 1401 MAINTAINING ADEQUATE PERSONNEL REPORTS AND RECORDS

Objectives of maintaining adequate personnel records and reports shall be:

1. The documentation necessary to show that the legal, regulatory, and procedural requirements have been met in all personnel actions.
2. A basis for preparing annual evaluations and making decisions involved in personnel actions and for planning operations.
3. A basis for reports on personnel activities.
4. Training and development.

SECTION 1402 PERSONNEL ACTION FORMS

Every appointment, transfer, promotion, demotion, change of salary, resignation, retirement, discharge, suspension, and any other temporary or permanent personnel action, shall be reported to the City Manager and the Finance Department and a record including effective date of the same shall be kept by the Human Resources Office.

SECTION 1403 PERSONNEL FILES

The Human Resources office is responsible for overseeing record keeping for all personnel information and shall maintain the official personnel files on employees, showing each employee's name, address, emergency information, position title, salary, assigned department, changes in salary, employment status and such other information as may be considered pertinent. The Finance Department shall maintain employee's W-4 and I-9, payroll deductions, record of personnel actions, and leave totals. The form and manner in which such information shall be maintained shall be determined by the City Manager. Employees have a responsibility to keep their personnel records up-to-date and are to notify the Human Resources or Payroll office in writing of any changes in the following:

1. Name
2. Address
3. Telephone number
4. Marital status (for benefits and tax withholding purposes only)
5. Beneficiary designations for any of the City's insurance, disability, pension, and deferred compensation plans
6. Person to be notified in case of an emergency

Personnel records are confidential. An employee's personnel record may be examined by the employee, immediate supervisor, Department Manager, City Manager, and Human Resources. Upon separation, the physical records from the Department will be archived per state statute.

SECTION 1404 ACCESS TO DEPARTMENT RECORDS

Each department may keep and maintain such personnel records as may be deemed necessary for the purpose of carrying out the provisions of this Policy and the functions of the department. A supervisor's file on an employee shall contain information necessary to complete the annual performance evaluation. Once the evaluation is completed for that period, supplemental notes, records of discussion or dated material used to prepare the evaluation, may be purged or archived in an appropriate and secure manner. The City Manager shall have access to all department reports, records and documents dealing with personnel matters, the examination of which will aid him/her in the discharge of his/her duties.

SECTION 1405 PUBLIC RECORDS REQUESTS & CONFIDENTIALITY

The records and information prepared and maintained by the Human Resources office shall be governed by the rules, policies and procedures established by the City and Idaho Code 9-340(c) in respect to their release as public information. The City Manager shall have the authority to designate certain records or types of records as confidential and not open for public inspection as long as the records are exempt from the disclosure requirements and any other applicable provisions of state and federal law.

Neither the Human Resources office nor anyone in the City service shall be allowed to make known the gender, race, marital status, birth date, home address, phone number, Social Security number, application forms, testing and scoring materials, grievances, correspondence and performance evaluations, as contained in the personnel records, of any employee, officer or appointed official without the prior approval of that employee, officer or appointed official.

SECTION 1406 RECORD KEEPING

The personnel files and payroll records shall be archived pursuant to the laws of the State of Idaho. The City Clerk is responsible for updating and maintaining the requirements for Archiving and Destruction of Records.

SECTION 1407 EMPLOYEE REFERENCES

Unless otherwise required by a court order or subpoena, or authorized in writing by an applicant or employee, the Human Resources office will furnish job title, pay grade and step, hire date, hourly salary, job title, and termination date, in response to a request for references on current and former employees.

CHAPTER 15 - EMPLOYEE TRAINING AND EDUCATION PROGRAMS

SECTION 1501 STATEMENT OF POLICY

The City shall encourage the training, self-improvement and personal development programs for all employees, which includes two general phases: on-the-job training and education programs.

SECTION 1502 ON-THE-JOB TRAINING

Responsibility for developing training programs for employees shall be assumed jointly by the Department Manager, City Manager, and supervisor. Such training may include demonstrations, assignments of reading matter, lecture courses or other such devices that may be available for the purpose of improving the effectiveness and broadening the knowledge of employees in the performance of their respective duties.

SECTION 1503 IN-HOUSE EDUCATION PROGRAMS

Personal and professional development of employees is vital to the success of each individual and to the City. Employees will be given advanced notice when courses are offered such as Safety and Wellness, Risk Insurance, Leadership and Managerial instruction or specific life-saving training such as CPR or AED.

SECTION 1504 TUITION REIMBURSEMENT PROGRAM

Advanced education programs are available throughout the Region and the City offers financial support (subject to available funds) to full-time regular employees for approved courses. Tuition reimbursement should not be construed as a commitment from the City to fund an employee's secondary education.

Employees must keep in mind that due to budgeting and department restraints, the City is under no obligation to approve employee requests. Funds allocated shall be divided among those employees making the request in a fair and equitable manner. A course completion grade of "C" or better is required for reimbursement. Courses taken at any accredited college, university, high school, business or technical school, or courses given by a recognized correspondence school may be approved when they are:

1. Related to the employee's present position with the City of Lewiston, and/or
2. Required to obtain a high school diploma
3. Required to obtain any license or certification applicable to the employee's present position.

4. Course work leading to a degree that prepares the employee for higher positions with the department.

An employee may qualify for a maximum of six hundred (\$600) dollars of tuition reimbursement per fiscal year plus up to one hundred (\$100) dollars in text books. In the event an employee receives assistance under Federal or State government legislation or other student aid programs for education, only the difference between actual charges and the amount of other assistance will be eligible for reimbursement under this program.

APPLICATION PROCEDURE

1. A Tuition Reimbursement Request form with any supporting documentation (see # 2 below) must be approved and signed by the Department Manager and the City Manager. A separate form is required each fiscal year and should only list courses to be taken during the fiscal year. Forward the completed form, with your Department Managers recommended approval, to Human Resources thirty (30) days before the start of classes. Human Resources will verify expected availability of funds and forward to the City Manager for final approval of the Tuition Reimbursement request. All requests are subject to available funds.
2. Courses will be taken on an employee's own time. Any courses taken during the day will have a memo, from the employee, attached stating how they will make up any time missed. The Department Manager may recommend approval or deny the request at the first level, should any absence result in a negative impact on departmental operation.
3. Following course completion, the employee will submit a copy of the employee's course grades, a copy of the entire semester tuition charges from the institution, and any book receipts to the Human Resources office. Funds available for reimbursement will be apportioned in a fair and equitable manner until those funds are exhausted for the year.

The Tuition Reimbursement Request form is provided on the City website or may be obtained from the Human Resources Department.

CHAPTER 16 - MISCELLANEOUS

SECTION 1601 INCOMPATIBLE ACTIVITY OF CITY EMPLOYEES

An employee shall not engage in any employment, activity or enterprise that is inconsistent, incompatible or in conflict with his/her duties as a City officer or employee. Each Department Manager shall determine which activities, engaged in by employees under his/her jurisdiction, will be considered inconsistent, incompatible or in conflict with their duties as City employees. In making this determination, the City Manager prohibits any employment, activity or enterprise that:

1. Involves the use for private gain or advantage of City time, facilities, equipment and supplies, or the badge, uniform, prestige or influence of one's City office or employment.
2. Involves the soliciting or the acceptance by the employee of any money, gift, gratuity, or other consideration from anyone other than the City for the performance of an act which the employee, if not performing such an act, would be required or expected to render in the regular course or hours of his/her City employment, or as part of his/her duties as a city officer or employee.
3. Involves the performance of an act other than his/her capacity as a City employee, which act may later be subject to direct or indirect control, inspection, review, audit or enforcement by such employee or the agency by which he/she is employed. (See outside employment)

During his/her hours of duty as a City employee and subject to this Policy as pertain thereto, each City employee shall, devote his/her full time, attention and efforts to his/her City office or employment.

SECTION 1602 USE OF COMPANY PROPERTY AND MATERIALS

The use of City stationery and/or the postage meter for personal correspondence is strictly forbidden. The personal use of its facsimile or copying machines also is forbidden without first receiving management approval and reimbursing the City at the currently prevailing rates.

Receiving personal mail at the City's address is strongly discouraged because it adds to mail volume.

SECTION 1603 ADMINISTRATIVE REGULATIONS

The City Manager is authorized to issue such additional administrative policies as may be necessary to carry into effect this policy.

SECTION 1604 POLITICAL ACTIVITIES OF PUBLIC EMPLOYEES

The use of public facilities by City employees for political activity shall be prohibited. Any employee can, on personal off-duty time, campaign for or against selected City officials or ballot measures, provided he/she does not disturb any on-duty employee. No person who holds an office or employment with the City of Lewiston or who is seeking office or employment with the City of Lewiston may use that office to influence another person or persons for political purposes.

SECTION 1605 OUTSIDE EMPLOYMENT

It is the policy of the City of Lewiston to allow its employees to hold second jobs, subject to certain restrictions as outlined below. Outside employment for full-time employees is not encouraged. However, the prior approval of the Department Manager and the City Manager must be obtained before any outside employment or work activity is undertaken. The City Manager or Department Manager may add restrictions to this policy.

1. The City requires that employee activities away from the job must not compromise the City's interest or adversely affect the employee's job performance and ability to fulfill all responsibilities to the City.
2. Requests for permission to accept outside employment, including self-employment, shall be submitted in writing to the employee's Department Manager. The request shall state the name and address of the outside employer, the nature of the job, and the hours of employment. The Department Manager will forward his/her recommendation to the City Manager.
3. The Department Manager will forward the request to accept outside employment in writing to the City Manager. The City Manager will approve or reject the request.
4. Employees who have accepted outside employment are not eligible for paid sick leave when the absence is the result of an injury sustained on the second job.

SECTION 1606 LIFE-THREATENING, CONTAGIOUS, AND/OR DEBILITATING ILLNESS

The City recognizes that employees with life-threatening, contagious, and/or debilitating illnesses such as cancer, heart disease, hepatitis, acquired immune

deficiency syndrome (AIDS), and other medical conditions may wish to continue working. The City respects and supports this wish, provided the employee can maintain required performance and attendance standards and the condition does not pose a health or safety threat to the employee, his/her fellow employees, or the general public.

The City recognizes that an employee's health condition generally is a private and personal matter and consequently will protect the confidentiality of the situation and any information or documentation relating to it. The City will instruct its employees to do the same to the extent consistent with the organization's obligation to the employee, the general public, and the organization itself. The City recognizes and retains the right to request medical examinations and/or consultations at organization expense regarding the employee's medical condition.

When management becomes aware of potentially life-threatening, contagious, and/or debilitating conditions, Human Resources should be consulted as soon as possible. The evaluation of the potential challenges that accompany these conditions will be handled on a case-by-case basis and will consider existing medical and scientific evidence. Human Resources will consult with legal counsel regarding the applicable employee and safety-related laws and regulations. Human Resources will provide the following for all employees:

1. Employee education and information on life-threatening, contagious, and/or debilitating illnesses;
2. Referral to agencies and organizations that offer supportive services for life-threatening, contagious, and/or debilitating illnesses; and
3. Benefit consultation to assist employees in effectively managing health care, disability, and other benefits.

When dealing with situations involving life-threatening, contagious, and/or debilitating illnesses, managers should:

4. Contact Human Resources if there is a concern that the nature of an employee's illness may endanger the employee, fellow employees, vendors, or the general public;
5. Contact Human Resources to determine if a statement should be obtained from the employee's attending physician that continued presence at work will pose no danger to the employee, fellow employees, vendors, or the general public;
6. Make reasonable accommodations for employees with these illnesses consistent with business needs;
7. Consider transfer of an employee with a life-threatening, contagious, and/or debilitating illness who requests such a transfer. Unless there is objective evidence of an illness and/or disability posing a threat to fellow employees, the organization will not transfer other employees out of the work area except by normal practice and procedure;

8. Be sensitive and responsive to fellow employees' concerns and utilize the employee education available through Human Resources;
9. Arrange for any leave time the employee may need, including FMLA; and
10. Be sensitive to the fact that continued employment for an employee with a life-threatening, contagious, and/or debilitating illness may sometimes be therapeutically important in the remission or recovery process or may help to prolong that employee's life.

SECTION 1607 SELLING/SOLICITATIONS AT WORK

No peddling, soliciting, or sale for charitable or other purposes shall be allowed among or by employees during working hours without advance written approval from the City Manager.

SECTION 1608 EXPECTATION OF PRIVACY IN THE WORKPLACE

As a public entity, the City of Lewiston is required to comply with various laws regulating access to public records and open meetings. Notwithstanding a variety of areas of City business and documents are of a confidential nature, are proprietary to certain individual employees, or are not subject to public release. Additionally, employees are expected to make use of City of Lewiston facilities and equipment specific for purposes of City business. As such, employees are to expect that supervisors or the appropriate managers **may monitor the use of City facilities and equipment during the course of employment** including the performance of duties. This includes **all activity** conducted on personal computers, laptops, cell phones, and tablets over the City server or through the cell phone carrier.

Additionally, employees are expected to respect the workplace privacy and environment of coworkers and supervisors given the fact that certain employees engage in business which may be of a confidential or sensitive nature not otherwise subject to public records or open meeting laws. As such the following workplace behavior is deemed unacceptable:

1. Eavesdropping.
2. Reading or copying papers left on desks, in garbage cans, in mailboxes, or in shredding baskets.
3. Accessing other individual s computer or office without prior approval of the employee or their supervisor.
4. Disclosing confidential information to unauthorized persons without the appropriate consent or permission.
5. Other similar breaches of trust or confidentiality related to workplace privacy or confidential City business including enforcement or personnel matters.

Given the serious nature of potential violations of this policy, the employee will be subject to appropriate discipline up to and including termination.

SECTION 1609 RECYCLING AT CITY FACILITIES

It is the policy of the City of Lewiston to promote recycling at City facilities to include City Hall, Bell Building, Police Department, Fire Stations, Community Center, and the Library. Employees will place recyclable materials in appropriate containers provided by the respective department or the Sanitation Division.

SECTION 1610 PRESS RELEASES

Press releases to the media will be released by the City Clerk with the exception of those relating to specific law enforcement or fire scene and hazardous materials incidents of the Police and Fire Departments. Specific programs of the Library, Parks & Recreation, Community Development, Public Works, and Administrative Services may be released by the appropriate department.

SECTION 1611 SAFETY AWARENESS & EDUCATION

The City of Lewiston is committed to worker safety and strives to provide a safe and healthy work environment for all employees. A Safety and Wellness Committee was created with the goal to constantly evaluate working conditions, develop safety training and education for the prevention of occupational injury and property damage.

Department heads, managers, supervisors, foremen and work leaders are responsible and accountable for a safe working environment and safe work practices. In addition, it is the responsibility of all employees to consider safe practices in all aspects of planning, design, supply, construction, operation and administrative work. All departments must have specific policies related to their function dealing with personal protective equipment, work practice controls, blood-borne pathogens, decontamination, occupational exposure and accident reporting or testing, and preventive measures.

Refer to your specific department rules and procedures for specifics.

SECTION 1612 COMMERCIAL DRIVER'S LICENSE

All job applicants for positions requiring a commercial driver's license (CDL) will be responsible for all fees associated with obtaining such license and/or endorsements to be eligible for employment. The City will reimburse all current employees the difference between a regular (Class D) driver's license and any fees associated with renewal of the CDL and endorsements, provided the license and endorsements are a requirement by the position description. Should an employee's

position description be modified to add the requirement of a CDL, the City will reimburse the employee for the initial CDL, endorsements and renewal.

A copy of all CDL licenses will be maintained in the Human Resources office and regular checks with the Idaho Supreme Court Repository and/or the Idaho Department of Transportation may be made to verify status of said license.

SECTION 1613 LICENSED EQUIPMENT OPERATORS

In order to provide a safe working environment, equipment operators should be properly trained and licensed. All equipment operators must be at least 18 years of age and have a valid driver's license. On a regular basis, each operator must successfully complete the City's instructional course and a drug screening for certification to operate equipment.

Any unsafe actions by a licensed operator will lead to corrective action up to and including termination. Any employees choosing to operate equipment without proper training, license, and the consent of their supervisor will be subject to corrective action up to and including termination.

SECTION 1614 USE OF CITY VEHICLES & EQUIPMENT

All persons driving or transporting others in City vehicles shall utilize seat belts. At no time will any employee allow or cause any person to be transported in any City vehicle, other than in the seats or positions specifically designed for that purpose and shall securely fasten their seat belt. No person will be transported in the bed, box, or cargo area of a pickup or truck.

It is the responsibility of the employee to report all missing or defective safety devices or restraints so that equipment can be removed from service and repaired as needed.

The equipment, tools and supplies of the City of Lewiston are acquired and maintained to support the delivery of public services to the citizens of our community. City employees are entrusted with these items with the expectation that they will be used wisely and properly to serve their intended purpose over a normal life span. City employees shall NOT allow members of the public to borrow or be loaned City tools or equipment on or off City property at any time nor shall City employees borrow or utilize City-owned tools, supplies, or equipment for personal purposes.

SECTION 1615 ACCIDENT REPORTING

All accidents, regardless of severity, must be reported to the immediate supervisor and law enforcement if there is personal or property damage. Unless stated otherwise, all references to "operator" refers to any City employee operating a City owned vehicle that is involved in an accident. If a City employee is issued a traffic citation as the result of an accident the payment of the citation shall be the responsibility of that employee unless the cause of the accident is attributed to equipment failure. Employees involved in an accident while using City vehicles or equipment may, at the direction of law enforcement, a Department Manager or the City Manager, be required to submit to testing for the presence of drugs or alcohol.

An employee operating a City owned vehicle involved in an accident shall not make any statement of liability to anyone other than City representatives. Employees shall cooperate fully with all law enforcement officials investigating the accident. Vehicle accident report forms will be carried in each City vehicle. The employee will complete the appropriate forms (accident and/or injury) the same day forwarding to the Department Head within three (3) days. In the event of employee injury, Worker's Compensation procedures apply.

CHAPTER 17 - AMENDMENTS AND REVISIONS

SECTION 1701 AMENDMENTS AND REVISIONS

The City Manager may, as he/she deems necessary, present to the Council for its consideration amendments, changes and revisions to this Policy. Any employee who suggests any amendment, change or revision shall submit such suggestions in writing to the City Manager. Upon the authorization of the City Manager, a Personnel Committee may meet to review and recommend revisions of assigned sections of the established personnel policy. All amendments, changes and revisions shall be made available to all employees of the City in the manner and form approved by the City Manager.

SECTION 1702 SAVING CLAUSE

If any section, subsection, paragraph, sentence or phrase is found by a court to be invalid or unconstitutional, such findings shall not affect the remainder of this policy.

APPENDICES

Definitions 58

Active Administrative Policies

- 2006-01 Purchasing Policy & Procedures (Supersedes 00-07 and 90-03)
- 2011-01 Drug & Alcohol Substance Abuse & Testing (Supersedes 03-01 etal)
- 2011-02 Industrial injury/Worker’s Comp Procedure (Supersedes 01-02)
- 2012-01 Right of Way
- 2012-02 Family Medical Leave Act (Supersedes 94-01)

City of Lewiston Personnel Policy

DEFINITIONS

The following terms, whenever used in the Personnel Policy, shall be defined as follows:

ACCUMULATED or ACCRUED VACATION LEAVE

The hours or shifts that an employee has in earned.

ADMINISTRATIVE LEAVE

Leave approved for employees of FLSA exempt positions in the event of unusual demands requiring overtime and not for compensating time spent in customary assignments.

ADVANCEMENT

A salary increase within the limits of a pay range established for a class.

AFFIRMATIVE ACTION

The policy of the City which seeks equality in employment and opportunities for all applicants and employees regardless of race, color, religion, sex, age, marital status, sexual orientation, or national origin.

ALLOCATION

The official assignment of an individual position to an appropriate class in accordance with the duties performed and the authority and responsibilities exercised.

APPEAL PROCEDURE

The established procedure to follow when an employee files an appeal because of disciplinary action taken against him/her.

APPEAL RIGHTS

The right of an employee to appeal for a hearing with the City Manager as a result of disciplinary action taken against him/her.

APPOINTING AUTHORITY

The City Manager or his/her designee who has the authority to make appointments to the position to be filled.

APPOINTMENT

The offer to and acceptance by a person of a position in accordance with the provisions of the policy.

City of Lewiston Personnel Policy

ARMED FORCES

The Air Force, Army, Navy, Marine Corps, Coast Guard and their auxiliaries.

BASE WAGES

The bi-weekly (hourly) compensation an employee receives per the City of Lewiston pay matrix for each bargaining group or non-represented employees not inclusive of any specialty pays.

BUDGETED POSITION

A position that is funded in the City's Annual Budget.

CANDIDATE

An applicant who is participating in an examination for a position within the City.

CITY COUNCIL

The City Council of the City of Lewiston.

CITY DEPARTMENT

A major functional subdivision of City Government reporting and accountable to the City Manager.

CITY SERVICE

The performance of official duties and responsibilities on behalf of the City organization and the community.

CLASS

The category of employment referred to as Full-time, Part-time, and temporary or seasonal.

CLOSED EXAMINATION

An announcement open only to qualified City employees

COMPENSATION

The salary, wage, and all other forms of valuable consideration earned by or paid to any employee in remuneration for services in any position.

COMPETITIVE EXAMINATION

An examination in which one or more candidates are in competition either with each other or against a minimum acceptable standard established by the City Manager which candidates must possess in order to competently perform the duties of the position.

City of Lewiston Personnel Policy

DEMOTION

A change in status of an employee from a position in one class to a position in a different class having less responsible duties, lower qualifications, and a lower maximum pay rate.

DEPARTMENT MANAGER

The employed professional who administers the operations of a specific City Department and is directly responsible to the City Manager.

DEPARTMENT RULES AND REGULATIONS

Rules and regulations established by the Department Manager and approved by the City Manager, designed to the specific types of activities and department operations.

DISABLED WAR VETERANS

Disabled persons who have served in the active service of the Armed Forces of the United States during any recognized war period and have been discharged or released under other than dishonorable conditions.

DISCHARGE

Disciplinary termination.

DISCIPLINARY ACTION

An action taken against an employee for cause and shall include discharge, demotion, reduction in salary, official reprimand, suspension or disciplinary probation either individually or in combination.

DISCIPLINARY PROBATION

A form of disciplinary action not to exceed a period of six (6) months.

DIVISION

A major unit of a department within the municipal organization.

DIVISION MANAGER

An employee who administers a major unit within a Department who is directly responsible to a Department Manager.

ELIGIBILITY LIST

A record of the names of persons who have been found qualified through suitable examination for employment in a specific class or position in the classified service.

City of Lewiston Personnel Policy

EMPLOYEE OR INCUMBENT

A person legally occupying a position in the City service, and includes, but is not limited to any of the following:

- a. Regular Full-time Employee: A person employed working at least 30 hours per week, in a budgeted position, and has successfully completed his/her introductory period, and has been retained according to the provisions of the personnel policy.
- b. Introductory/Probationary Employee: An employee working in a six (6) month test period in which he/she is required to demonstrate his/her fitness to perform the duties of the position to which he/she is appointed before becoming a regular employee.
- c. Part-time Regular Employee: A person employed in a regularly budgeted class of position and whose normal work schedule is less than 30 hours per week without breaks in service. Part-time employees shall be paid at the rate of the hourly equivalent of the range and step at which they are appointed.
- d. Temporary Employee: Any person appointed to a temporary position or temporarily appointed to a regular position. Temporary position means an authorized position budgeted or established for a designated period of time or on an hourly, daily, weekly, seasonal, or call-in basis, not to exceed five (5) consecutive months minus one day of continuous hours worked. Some positions related to the weather may work up to eight (8) months. In the case of a limited duration appointment, the period of time worked shall be for a finite amount of time to complete a special project.
5. Exempt Employee: A person in a position or classification that is exempt from the provisions of the Fair Labor Standards Act, as an executive, administrative, or professional as determined by the City Manager.
6. Covered Employee: A person in a position or classification that is covered by the provisions of the Fair Labor Standards Act as determined by the City Manager.

EMPLOYEE PERFORMANCE EVALUATION

An evaluation of the quality and quantity of work performed, and other characteristics which shall be considered in rating and reporting the ability, performance and efficiency of the respective employee and the value of the employee to the City Service. Ratings shall be made annually or at more frequent intervals. A competent, meets standards and satisfactory rating or above are required for advancement within the steps of any grade.

FLSA

Fair Labor Standards Act affecting minimum wages, classification, overtime wage requirements, compensable activities, and child labor.

City of Lewiston Personnel Policy

FMLA

Family and Medical Leave Act entitling eligible employees to 12 weeks of leave for the birth or adoption of a child, for the serious health condition of a spouse, child or parent, and/or the employee's own serious health condition.

FROZEN RATING - WAGES

The status of "freezing" the salary of an employee when such salary exceeds the maximum rate authorized in the Position Classification and Compensation Plan for the classification of said employee.

GRIEVANCE

A written statement of objection regarding the administration of the personnel policy of the City of Lewiston.

HIRE DATE

The initial date of employment in a budgeted position, and the date from which vacation and sick leave will be computed.

IMMEDIATE FAMILY

The spouse, children, spouses of children, children of either spouse, parents of either spouse, grandparents, grandchildren of either spouse and spouses thereof, brothers, sisters (including step brothers and sisters and half brothers and sisters), legal guardians and legal wards, whether living in the same household of the employee or not.

INTRODUCTORY OR PROBATIONARY PERIOD

A working test period of at least six (6) months during which an employee is required to demonstrate his/her fitness for the duties of the position to which he/she is appointed by actual performance of those duties. Such introductory period shall be for a six (6) month period, unless otherwise designated by labor contracts.

JOB DESCRIPTION

A complete and detailed statement pertaining to the duties and responsibilities of a specific class of employees. Such details will include a description of specific duties and responsibilities, and other relevant factors inherent in the class such as decision making responsibilities, level of supervision received and exercised, working conditions, and equipment operated.

LAYOFF/REDUCTION IN FORCE

The separation of a regular employee from the City Service without fault or delinquencies on his/her part, by reason of lack of work or funds; or by reorganization, resulting in the placement of his/her name on a layoff list.

City of Lewiston Personnel Policy

LAYOFF (REINSTATEMENT) LIST

An eligibility list of names of persons arranged in the order as provided by the Personnel Policy, who have had regular employment, who have been separated from the City Service, and who are entitled to have their names certified to an appointing authority under the provisions of this policy.

MILITARY DUTY

Training and service performed by an inductee, enlistee, reservist or any entrant into a component of the armed forces of the United States.

NON-REPRESENTED GROUP

All employees appointed to budgeted positions not covered by a Collective Bargaining Agreement.

OFFICIAL REPRIMAND

An oral or written notice to an employee informing him/her of an action or course of conduct on his/her part which is cause for disciplinary action.

OPEN EXAMINATION

An examination open to all qualified persons including City employees.

ORAL BOARD

An interviewing board composed of persons experienced in the field of work being examined for or in the technique of evaluating and rating candidates.

PERSONNEL

All persons employed within the operation of the City.

POLICY

A settled course established by the City Council or an appropriate authority.

POSITION

The official rank or status held by a particular employee with a descriptive title, within a given classification.

POSITION COMPENSATION PLAN

The plan that establishes the grades and steps that are approved by the City Council.

PROMOTION

A change in employment status to a position in a higher grade and one with more responsible duties.

City of Lewiston Personnel Policy

PROMOTIONAL LIST

A list of names of employees who have been found qualified for promotion to a higher position or positions.

RANGE

The distance between the minimum and maximum pay within a given budgeted position.

RECORD OF DISCUSSION

Documentation of a minor infraction of City policy.

RE-DESIGNATION

The process of evaluating a position to determine if the specific job has increased responsibilities and requirements which justify a change in compensation.

REJECTION/FAILURE TO SUCCESSFULLY PASS PROBATION

The separation of an employee from employment during his/her introductory period.

RELATIVE

Persons related to the second degree of consanguinity which shall include spouses, children, brothers, sisters, half-brothers, and sisters, step brothers and sisters, parents, step parents, aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren and spouses thereof.

RETIREMENT

When an employee meets the Public Employee Retirement System of Idaho (PERSI) requirement and is officially retired from an authorized position.

SALARY DATE

The date on which an employee's salary becomes effective and on which advancements within a pay plan are based.

SEPARATION DATE

The last physical date of an employee's work. No vacation or sick leave shall be accrued from that date forward.

SPECIAL LEAVE

The temporary separation of an employee from his/her position without loss of pay, benefits, and/or accrual of same.

City of Lewiston Personnel Policy

SPOUSE

A husband and wife, either member of a married couple. For the purposes of this policy a married couple shall be defined as a male and a female person married in a formal ceremony recognized by the State of Idaho.

STANDBY STATUS

Employees required to be available by a telephone number known to their supervisor and/or the Police Department and be prepared to report for duty within thirty (30) minutes shall be considered on standby duty until relieved by their supervisor.

SUPERVISOR

An employee designated by his/her superior to oversee the work of other employees within the same department.

SUSPENSION

The temporary separation of an employee from his/her position with or without loss of pay for reasons of pending disciplinary action, for disciplinary reasons, or for other just cause and for a definite period specified in writing.

TERMINATION

The separation of an employee from the City Service. Termination may be by discharge, layoff, resignation, retirement, work completion and or lack of work or funds. The separation date will be the last physical day of an employee's work. No vacation or sick leave shall be accrued from that date forward.

TRAINING/EDUCATION DEVELOPMENT

The training and educational programs as established or budgeted by the Department Managers or City Manager for personnel in the City service which gives opportunities for employees to acquire knowledge, skills and attitudes in order to perform safe, effective and sustained service for the City.

TRANSFER

The change of an employee from one position to another position within the same department or with another department and where the move is acceptable to all parties.

UNAUTHORIZED LEAVE OF ABSENCE

Failure to notify the supervisor in advance of failure to report for work at the beginning of his/her next regularly scheduled working period or for all of any portions of a day which notice has not been provided.

City of Lewiston Personnel Policy

WAR VETERANS

Any person who has served in the active service of the armed forces of the United States for a period of more than one hundred eighty (180) days during any conflict or any war period officially recognized by and participated in by the United States Armed Forces, and who has been discharged under other than dishonorable conditions.

WORK DAY

An employee's scheduled daily hours of employment.

WORK PERIOD

An employee's scheduled hours of work within a designated period.

City of Lewiston Personnel Policy

Former Administrative Policies

| | |
|---------|--|
| 89-01 | Standard for Legislative Review (CM Ofc/Legal to update) |
| 90-04 | City Fleet Management & Funding (Admin Services Fleet Dept SOP) |
| 91-01 | Recycling Program (Moved to Chapt 16)) |
| 91-02 | P& R Refund Policy (P&R Dept SOP) |
| 92-01 | Beer & Wine Permits (P& R Dept SOP) |
| 92-02 | Approval of Status Changes (Moved to PP) |
| 92-05 | ADA Plan (Jamie update synopsis for Policy) |
| 92-07 | Right of Way Landscape Improvements (P&R or PW SOP) |
| 92-08 | Non-smoking Policy - LFD (Fire Dept SOP) |
| 93-02 | Accident Reporting (Moved to PP) |
| 93-03 | Press Releases (Moved to PP) |
| 93-04 | Special Employment Programs(See Section 209 Volunteers & Interns) |
| 94-01 | FMLA - (Included in PP) Updated 2013 |
| 94-03 | Bloodborne Pathogens- (Included in PP) Also SOP by Dept |
| 95-07 | Commercial Driver's License (Included in PP) |
| 98-01 | Return to Work following Injury (Included in PP) |
| 98-02 | Use of City Vehicle - Transporting People (Included in PP) |
| 99-01 | Correctional Work Crew Program (Jim & Judy) |
| 99-02 | Winter Storm Event Response (Streets - SOP) (See Section 1602 for Emergency Management Plan |
| 99-03 | Safety Policy (See Section 1512) |
| 00-04 | Use of City Vehicles & Equipment (See Section 1514) |
| 00-08 | Personnel Records/Employee Privacy/Employee References (In PP) |
| 01-01 | Wellness Program - Annual Program announced by flyer each year |
| 01-04 | SICK LEAVE INCENTIVE PROGRAM - Replaced by Std |
| 01-07 | Credit Cards (Combine with Travel Policy?) |
| 02-01 | Smoking - City Facilities (State Law) |
| 02-39 | (Records Retention Policy) Kari needs to update spreadsheet) |
| 03-02 | Capitalization of Fixed Assets and Inventory Maint - Out - Finance SOP |
| 05-02 | (Anti-Harassment - Jamie - Reb updating - adding discrimination) |
| 05-03 | Sick Leave Sharing (Replaced by Std) |
| 05-04 | Copy & Fax Machine Usage (Per Idaho Law) |
| 05-07 | Internet, Email, Acceptable Use (include technology Jamie, Dom, Reb) |
| 05-08 | Military Leave (Added to PP) |
| 06-01 | Purchasing Policy & Procedures (Supersedes 00-07 and 90-03) |
| 07-01 | Cell Phone Usage - Jamie, Reb, Dom combine w/Internet/Email Policy |
| 08-01 | Travel Policy - Needs updating |
| 10-01 | I.D.E.A. EMPLOYEE PROGRAM (Supersedes 93-06,97-01, 00-07) (CM) |
| 12-02 | Chain-of-Command Included in PP |
| 2011-01 | DRUG & ALCOHOL SUBS ABUSE & TESTING (Supersedes 03-01 etal) |
| 2011-02 | INDUST INJ/WORKER'S COMP PROCEDURE (Supersedes 01-02) |
| 2012-01 | Right of Way |