

# City of Ketchum, Idaho Employee Personnel Policy Handbook

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## ***WELCOME TO THE CITY OF KETCHUM***

This manual represents a collection of the City of Ketchum's employment policies. As Idaho is an "at-will" state, this is not an employment contract and does not guarantee any fixed terms and conditions of employment. This manual is intended for information and guidance.

One of our main objectives is to provide a work environment that supports personal and professional growth. The City of Ketchum is proud of its history and employees. At whatever time you joined us, you were selected because of your skill, experience and commitment to team work elements that are essential to our responsiveness and our ability to provide City of Ketchum residents with high quality service.

This manual is designed to acquaint you with the City and provide you with information about working conditions, employee benefits and some of the policies affecting your employment. You should read, understand and comply with all provisions of the manual. It describes many of your responsibilities as a City employee and outlines the programs developed by the City to benefit employees.

The practices, policies, plans and benefits in this manual apply to all employees. However, no Personnel Policy Manual can anticipate every circumstance or question about policy. As the City continues to evolve, the need may arise at any time to amend or terminate the practices, policies, plans and benefits described in this document. Any subsequent changes approved by the City Council will supersede the contents of this document.

Employees have a duty to familiarize themselves with the contents of the Personnel Policy Manual as soon as possible, for it will answer many questions about employment with the City of Ketchum. It is also suggested that you keep a copy of this manual handy for future reference. Your supervisor will also be available to address any questions not answered in this manual.

Thank you for your service and commitment to the city of Ketchum.



# **THE CITY OF KETCHUM PERSONNEL POLICY**

This Personnel Policy is not a contract. No contract of employment with the city of Ketchum will be valid unless it is signed in accordance with proper procedures by the Mayor and specifically authorized by City Council and unless it is signed by and contains the name of the employee who would be benefited by the contract. All employees of the City are "AT WILL" and can be terminated with or without cause and absent prior notice by the City.

Changes to the policies and benefit offerings outlined in this Handbook are subject to change at any time, without notice. Changes may be made in the sole discretion of the City Council.

## **1. GENERAL POLICIES**

### **A. INTRODUCTION TO PUBLIC EMPLOYMENT**

**The Organization in which you work.** The City of Ketchum is a political subdivision of the State of Idaho, though it is not a part of state government. The City Council serves as the governing body for the City of Ketchum. The City Council has primary authority to establish terms and conditions of employment with the City of Ketchum. The City Council also appoints personnel to help carry out its administrative responsibilities.

The responsibility and authority for the enforcement and administration of the policies and procedures set forth herein are vested in the Mayor, City Administrator, City Clerk, and Department Supervisors.

As with all elected public officials, the City Council is ultimately responsible to the voters of the City of Ketchum. The terms set forth in this booklet reflect public entity policy at the time of its printing, but they are subject to change at any time, without prior notice, and at the sole discretion of the City Council.

Only the City Council has authority to establish general policy for the City of Ketchum employees. Each employee should recognize that although he/she may serve as an employee in the office of an elected or appointed official, he/she remains an employee of the City of Ketchum, not of the official who supervises his/her work. The terms and conditions set forth in this policy, and in the resolutions and policy statements which support it, cannot be superseded by any other official's commitment, without the express written agreement of the City Council. That is particularly true for terms or conditions which would establish a financial obligation for the City of Ketchum, now or in the future. It is important that all employees understand the relationship between policy adopted by the City Council and department policy implemented by other elected officials.

**B. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT**

All selection of City of Ketchum employees and all employment decisions, including classification, transfer, discipline, and discharge, will be made without regard to race, religion, gender, sexual orientation, age, national origin, or non-job-related disability. No job or class of jobs will be closed to any individual except where a mental or physical attribute, gender, or age is a bona fide occupational qualification. It is the policy of the City of Ketchum to comply in all respects with the Americans with Disabilities Act. All objections to application of the City of Ketchum' policy in this regard shall be brought to the attention of the office of the City Administrator, or in the case of objection to actions undertaken by the City Administrator, to the City Attorney.

**C. NEPOTISM PROHIBITION**

No person shall be employed by the City of Ketchum which would result in a violation of the anti-nepotism provisions found in Idaho Code § 59-701, § 18-1359 or its successors. Any such appointment may be voided by the Mayor if not done voluntarily by the appointing official.

The city shall not hire individuals as part time or full time employees that meet the following:

- An individual who is related within the second degree or married to a department director, department manager or supervisor in any department of the city.
- An individual who is married to an existing city employee in the same department. If two employees become married, one employee shall resign within 30 days of the marriage.

Individuals related within the second degree may be hired, subject to approval of the City Administrator, provided neither one is in a supervisory or management position. Should one become a supervisor, manager or director, the other shall resign within 30 days of the new position appointment.

~~The City will not hire a full-time permanent employee that is related within the second degree to a current full-time permanent city employee. If two full-time permanent city employees become married, one employee shall resign within 30 days of the marriage.~~

**D. WAIVER.**

The City Administrator or designee, reserves the right to waive any regulation in specific instances when, in his or her opinion, such waivers are legal, warranted and justified in the interests of a more effective and responsive system of personnel administration.

## **E. SAVING CLAUSE**

If any chapter, section or portion of this policy manual is found to be invalid by duly constituted authority, it shall not affect the validity of the balance of these policies and procedures. If any portion of these policies and procedures are in conflict, the most recent amendments shall apply.

## **F. EMPLOYMENT START-UP**

### **a. EMPLOYMENT FORMS TO BE COMPLETED**

The following pre-employment forms must be completed before the employee may begin work for the City of Ketchum:

1. Employment application form.
2. Insurance forms.
3. Immigration form (I-9).
4. Insurance information about dependents.
5. Any other benefit forms necessary for employee information.
6. Background check waiver form.
7. **Completion of W-4 Form.**
8. **Acknowledgement and Receipt of Employee Handbook.**

### **b. PAYROLL REPORTING SYSTEMS**

Reports of hours worked and time on and off the job must be completed in a timely manner in accordance with procedures established by the payroll officer. Each report of employee time must be signed by both the supervisor and by the employee and shall contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered.

### **c. DISTRIBUTION OF POLICY**

At time of employment each employee shall receive a copy of this personnel policy. It is the responsibility of the employee to familiarize themselves with the contents of the personnel policy and to acknowledge its receipt.

## **2. RULES OF EMPLOYEE CONDUCT**

### **A. PERSONAL PERFORMANCE AND BEHAVIOR**

Each employee of the City of Ketchum is expected to conduct him or herself in a manner which does not reflect adversely upon the City. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of the City of Ketchum as a public institution, each employee is

expected to scrupulously avoid personal behaviors which would bring unfavorable public impressions of the City of Ketchum and its officials. In order to accomplish this, each employee:

1. Shall be prompt and regular in attendance at work or other required functions. If an employee will be unable to report to work, or will be late, he or she must let their immediate Supervisor know as soon as possible, and always before your scheduled starting time. If your Supervisor is unavailable, a message may be left with the City Clerk. The message shall include the reason for being late or absent and a telephone number where you may be reached. If an employee's absence or tardiness is due to an emergency, please call in, or have someone call in on the employee's behalf, as soon as possible.
2. Shall comply with the dress standards established in a department for which the employee works. The City Administrator or other department head may set dress standards. In the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public.
3. Shall dedicate primary efforts to City of Ketchum employment with secondary employment subject to approval by the Department Head or City Administrator. The request for secondary employment shall be made in writing. This policy excludes paid on call firefighters.
4. Shall not accept gifts, gratuities or loans from organizations, business concerns, or individuals with whom the employee has official relationships while on business of the City in violation of §18-1359. No gift may be accepted which would create the impression that the giver was seeking special favor from the employee.
5. Shall not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of said official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.
6. Shall not release personnel information or any other public record absent adherence to state law and without the express authority of the public official responsible for custody of the record or without an order from a court of competent jurisdiction.
7. Shall not use substances, unlawful or otherwise, which will impair the employee's ability to function as a valued and competent part of the City of Ketchum's work force. Smoking and use of tobacco products is prohibited in all City-owned buildings and vehicles. Smoking by employees is permitted only during rest or meal periods and only outside of City-owned buildings. As the abuse of alcohol or any other drug is a serious threat to both personal health and job performance, employees are strictly prohibited from possessing, selling, consuming, or being under the influence of alcohol or drugs, except as authorized by a physician, while on the job.

8. Shall not engage in conduct in the operation of a motor vehicle that impairs the ability of the employee to perform job functions even though the driving conduct does not occur during hours of employment.
9. Shall not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the City Council or the official or department for whom he or she works.
10. Shall not engage in criminal conduct of any kind while on or off duty. City employees are expected to behave in a lawful manner and failure to do so is a violation of the trust placed in such employees by the public and the appointing official.
11. Shall not engage in conduct away from work that, although not criminal, may reflect adversely upon the City or its officials or otherwise impair the employee's ability to perform.
12. Shall avoid conflicts of interests in appointments and working relationships with other employees, contractors and potential contractors in the City and related agencies.

#### **B. WORKPLACE CONDUCT**

Each employee will be expected to conduct him or herself in the workplace in accordance with the following rules. These rules are not all-inclusive of conduct expected of City employees. Each employee of the City of Ketchum shall:

1. Work cooperatively and constructively with fellow workers and members of the public to provide public service of the highest quality and quantity.
2. Give his/her best efforts to accomplish the work of the City for public benefit in accordance with policies and procedures adopted by the City Council and elected officials. Each employee shall be subject to the administrative authority of the Mayor, City Administrator and the department head who supervises the department where the employee works.
3. Adhere to any code of ethics in his/her profession and not engage in conflicts of interest or use his/her public position for personal gain.
4. Follow all rules for care and use of public property to assure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
5. Abide by all departmental rules whether they be written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor that violates laws of any local jurisdiction, the state, or the United States.

6. Abide by all pertinent statutes, and City of Ketchum ordinances concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records or information that is not open to public scrutiny in accordance with the direction of the responsible official.
7. Adhere to the defined work schedule and procedures for an exception to normal work schedules. Each employee shall follow all rules regarding the reporting of work hours and the approval which must be given for pay record submittal. Failure to follow such rules may be grounds for delayed payment of wages, salaries, or reimbursements, or for imposition of appropriate disciplinary penalties.
8. Follow all rules regarding work hours, breaks and lunch periods, including provisions granting supervisors authority to adjust them. Timing of work hour, including breaks and lunch periods, may be changed to accommodate the completion of necessary work.
9. Follow all rules for reporting accidents on the job. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated and that proper consideration can be accorded to injured workers and the public.
10. Report any accidents observed to have occurred on City property or involving City property. Each employee shall provide as much information as he or she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's immediate supervisor as soon as physically possible and reasonable efforts should be made to assist those persons in need.
11. Follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.
12. Keep their general work area clean and orderly. While the City employs custodial services to maintain larger areas, individual employees are responsible for the neatness of their own work areas. Computers used in conjunction with employee workstations shall be used for office-related functions only. Passwords assigned to employees shall be kept confidential and changed on a periodic basis. Employees must not write their login password and information down or share it with others.
13. Maintain security of records and property of the City of Ketchum. Employees shall immediately report any suspicious circumstances or missing items to their supervisor. All employees shall secure their individual workstations using designated log off prompts or other password-related security checks when away from their station.

14. City Employees should not disclose any confidential information, or disclose information from internal discussions, related to property, permitting, government, or affairs of the city of Ketchum without prior approval of the City Attorney or City Administrator. Under no circumstances should an employee use such information to advance the financial or private interests of yourself or others.
15. If an employee utilizes one of the City's vehicles or one of their own vehicles in the performance of their employment for the City of Ketchum he/she must maintain a current driver's license.
  - a. Each employee must have and carry a valid Idaho driver's license and evidence of satisfaction of insurance, if insurance is to be provided through employee. The City may ask to keep a copy of these in the personnel file.
  - b. No City owned vehicle or equipment may be loaned out to another without prior approval from their supervisor.
  - c. Each employee shall drive in a safe and lawful manner.
  - d. Each employee must report any state-imposed driving restrictions to his/her immediate supervisor. Each employee is also obligated to notify his/her supervisor in the event that his/her driving abilities are impaired by anything other than state restrictions.
  - e. City owned vehicles shall be maintained in good running order.
  - f. Only authorized signs shall be placed on any City owned vehicle.
  - g. No employee shall operate a motor vehicle or any equipment while under the influence of drugs, alcohol, or any controlled substance.
  - h. Each employee shall immediately notify their supervisor of any citations, even if off-duty, for moving violations, or accidents.
16. Perform such obligations and duties as are necessary to carry out the work of the City in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.
17. Use City issued credit cards in a lawful and fiscally responsible manner. Such credit cards may only be used for valid authorized city expenses. Credit cards shall be issued by the City Administrator and may be revoked for any reason.

**C. PROHIBITED WORKPLACE CONDUCT**

The City functions in an environment which emphasizes the importance of quality, reliability, and service. As such the City expects each employee to contribute to the

quality, reliability, and excellence of the City's services within the scope of his/her job responsibilities. Failure to meet this standard of performance may be the basis for adjustment in compensation or disciplinary action, up to and including discharge. The following list of prohibited workplace conduct is representative, but not exhaustive, prohibited conduct within the workplace. Employees of the City of Ketchum **shall not**:

1. Be present in the workplace under the influence of drugs, alcohol, illegal substances, or other substances which would impair the ability of the employee to perform his/her work competently or which would threaten the safety or well-being of other workers or the public. No worker should be absent from work on account of such conduct, even though such conduct does not occur during regular work hours.
2. Engage in abusive, unprofessional, or inappropriate conduct to fellow employees or to the public, or use abusive or inappropriate language in the presence of fellow employees or the public. Abusive language shall include, but is not limited to: profanity and loud or harassing speech.
3. Engage in malicious gossip and/ or spreading rumors; engaging in behavior designed to create discord and lack of harmony; willfully interfering with another employee's work output or encouraging others to do the same.
4. Use work time for personal business including but not limited to the following actions: selling of goods and services, voicing religious, political, or social views to members of the public during the workday. Employees should minimize the amount of work time spent on similar activities engaged in with fellow employees.
5. Engage in political activities while on duty in public service. This rule shall not apply to elected officials. Employees shall enjoy full political rights when not carrying out their work obligations.
6. Provide false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.
7. Discriminate in the treatment of co-workers or members of the public on the basis of race, religion, gender, age, disability, sexual orientation or national origin.
8. Violate state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of any public records required by law to be kept by the entity or other public officials.
9. Abuse employee benefit offerings by taking unjustified sick leave, annual vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with City policy.



10. Violate rules concerning absence from the workplace without proper authorization. Employees must obtain prior permission as required by the City of Ketchum policy for use of annual leave, sick, bereavement, or other types of leave granted by this personnel policy. Failure to comply with this policy may result in disciplinary action, including dismissal.
11. Engage in prolonged visits with children, friends, or family members, salespersons or others not related to City business, whether in person, over the telephone or in an electronic manner, including email and instant messenger, or engage in any personal endeavor which interfere with the course of work in the office or department in which the employee serves.
12. Use telephones, computers or other City property in the office or workplace in a manner that disrupts the work or work flow nor shall workplace equipment be used for any purpose relating to the employee's business or other personal interests.
13. Engage in criminal conduct of any kind, while on duty or off, including any theft, fraud, violence, or similarly related crimes. City of Ketchum employees are expected to behave in a lawful and socially acceptable manner. For any employee who drives City vehicles or personal vehicles while on City business, conviction of any felony or misdemeanor moving violation may result in discipline, demotion or termination.
14. Disregard any rule established by the Mayor, City Administrator, or department head to maintain order and productivity in the workplace.
15. The City strictly prohibits a supervisor from dating or engaging in a romantic or sexual relationship with an employee that he or she supervises. Romantic or sexual relationships between other employees shall not create conflicts of interest or discord or distractions that interfere with other employees' productivity.
16. Harass a fellow worker or member of the public at any time while in active service of the City of Ketchum, as outlined in the following policy:

**PROHIBITED DISCRIMINATORY HARASSMENT POLICY.**

The City of Ketchum is committed to providing all of its employees with a work place free of discriminatory harassment. The City of Ketchum maintains a strict policy prohibiting sexual harassment and harassment on the basis of race, color, national origin, religion, sex, sexual orientation, physical or mental disability, age, veteran status or any other characteristic protected by applicable law. This prohibition applies to all employees, vendors, or customers of the City of Ketchum. No employee of the City is expected to tolerate any conduct prohibited by this policy from anyone while at work or engaged in City business. This policy is not intended to protect anyone who makes a false allegation of discriminatory harassment. The City of Ketchum reserves the right to take appropriate disciplinary action against any employee who makes a false allegation of harassment.

1. **Sexual Harassment.** Sexual harassment shall be defined as unwelcome advances, requests for sexual favors, and other offensive physical and/ or verbal conduct of a sexual nature. It involves making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of employment, or making submission to or rejection of such conduct the basis of employment decisions, or creating an intimidating, offensive, or hostile working environment by such conduct.

The following is a partial list of conduct, which would be considered sexual harassment:

- a. Unwanted sexual advances.
- b. Offering employment benefits in exchange for sexual favors.
- c. Making or threatening retaliation after a negative response to sexual advances.
- d. Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars or posters.
- e. Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, comments about an employee's body or dress.
- f. Written communications of a sexual nature distributed in hard copy or via a computer network.
- g. Verbal sexual advances or propositions.
- h. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- i. Physical conduct such as touching, assault, impeding or blocking movements.
- j. Retaliation for making harassment reports or threatening to report harassment.

The list is not all-inclusive. Any conduct which might be deemed offensive must be avoided. Sexual harassment can occur between employees of the same sex. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

2. **Other types of Unlawful Harassment.** The City of Ketchum also prohibits harassment on the basis of race, color, national origin, sexual orientation, religion, gender, physical or mental disability, age, veteran status or any other characteristic protected by applicable law. Such prohibited harassment includes but is not limited to the following examples of offensive conduct:

- a. Verbal conduct such as threats, epithets, derogatory comments or slurs;
- b. Visual conduct such as derogatory posters, photographs, cartoons, drawings or gestures;
- c. Written communications containing statements, which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures;

- d. Physical conduct such as assault, unwanted touching or blocking normal movement;
  - e. Retaliation for making or threatening to make harassment reports to the City of Ketchum, or for participating in an investigation into harassment allegations.
3. **Complaint Procedures.** Any employee who believes he or she has been subjected to unlawful harassment prohibited by this policy should immediately tell the harasser to stop his/her unwanted behavior and immediately report that behavior, preferably in writing, to the City Administrator or Department Head. The City of Ketchum encourages each employee to use the procedures set forth in this policy to address any sexual harassment problems as quickly as possible.

Whenever the City of Ketchum is made aware of a situation which may violate this policy, the City of Ketchum will conduct an immediate, thorough and objective investigation of any harassment claims. If the City of Ketchum determines that prohibited harassment has occurred, it will take appropriate action against a person found to have engaged in prohibited harassment to ensure that the conduct will not reoccur. Employees violating the policy are subject to discipline up to and including termination.

The City of Ketchum strictly prohibits retaliation against any person by another employee or by the City of Ketchum for using this complaint procedure, reporting harassment, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the City of Ketchum or a governmental enforcement agency.

4. **Penalties.** Potential penalties for violation of any such rules may include but shall not be limited to:
- a. Leave without pay.
  - b. Suspension for a variable or fixed period.
  - c. Demotion to position with lower compensation and/ or authority.
  - d. Dismissal.
  - e. Reprimand.

These penalties are listed in no particular order nor is there any requirement that a lesser penalty is required prior to termination or other such disciplinary action.

## **E. EMPLOYEE USE OF CITY VEHICLES**

If an employee uses one of the City's vehicles or uses their own vehicle while performing their work duties, please be aware of and follow these requirements.

1. To use a City owned vehicle, the employee must have and carry with them a valid Idaho driver's license and provide a copy for their personal file. If an employee uses

their own vehicle for City business, evidence of satisfaction of insurance and a copy of their current driver's license must be kept in employee's file.

2. Employee may not loan out City-owned vehicles or equipment to others without permission from the City Administrator, Department Head, or City Clerk.
3. Employee must operate vehicle in a safe, courteous and lawful manner.
4. Employee may not use City-owned vehicles for personal use, including but not limited to errands and travel to and from employees home, unless otherwise authorized by the City Administrator or Department Head.
5. If an employee has a City-owned vehicle for use on an on-going basis, employee must maintain said vehicle in proper working order.
6. Employee must not operate a City vehicle while under the influence of drugs, alcohol, or any controlled substance.
7. Employee must promptly notify their supervisor and the City Administrator of any citations for moving violations or accidents, and provide a copy of employee's driving record upon request. Any citation will require the Employee to submit to a drug or alcohol test, unless waived by the City Administrator. Vehicle damage may require the Employee to submit to a drug or alcohol test.

#### F. USE OF PORTABLE ELECTRONIC DEVICES WHILE DRIVING OR BICYCLING

1. The use of portable electronic devices shall be prohibited while an employee is operating a motor vehicle or bicycle on city business. Use of a hands-free system such as Bluetooth or headphones, or an affixed GPS system, or a vehicle mounted mobile data computer is permitted.
2. Portable electronic device means a hand-held, mobile telephone, personal digital assistant, MP3 or other hand-held music player, electronic reading device, laptop computer, pager, broadband personal communication device, GPS or navigation system, electronic gaming device or portable computing device.
3. Hand held cell phone use is permitted in the event of an emergency such calling 9-1-1 to report a crime or an accident. Even in an emergency situation, it is best to pull over and come to a complete stop before using or operating any mobile or hand held device.

#### G. EMPLOYEE TRAVEL

1. **Same Day Out of Town Travel.** Travel time to and from out of town training or meetings during regular business hours will be considered time worked. Employees

must submit all receipts along with a travel expense voucher in order to receive reimbursement.

2. **Out of Town Overnight Travel.** For overnight travel, travel time during regular business hours is compensable. Therefore if an employee will be away from home overnight, the travel should be planned and scheduled (whenever possible) to occur during the employee's normal work hours.

Employees shall use the most practical mode of travel from the standpoint of time and expense. Supporting documentation shall be attached to the travel expense voucher.

Reimbursement for travel by common carrier shall be limited to the lowest cost means of travel unless it is impractical or not available. When for personal reasons a traveler is authorized by the Department Director to use a private conveyance in lieu of common carrier, reimbursement will be limited to an amount for travel, meals, lodging and miscellaneous expenses equal to the amount which would have been incurred had the travel been by common carrier. Authorized travel time shall be limited to that which would have been allowed had the employee traveled by common carrier. Unless the Department Director specially authorized a leave of absence, excess travel time incurred by the authorized use of a private conveyance for personal reasons during working hours shall be charged to the travelers accrued leave.

3. A Travel Request Form shall be submitted and approved prior to any travel taking place. For reimbursement of travel expenses, a Travel Expense Report shall be filed by the employees for reimbursement of expenses.

## H. TELECOMMUNICATIONS SYSTEMS POLICIES

Personal use of telephones, faxes, electronic mail and Internet access is strongly discouraged and must not interfere with the employee's work. The City communications and electronic equipment are provided for business purposes. Misuse of such systems may result in discipline or termination.

1. **TELEPHONES:** The City recognizes that employees may be required to use the telephone for personal calls. Employees may be required to reimburse the City for any charges resulting from their personal use of the telephone and other communications systems owned and operated by the City. Personal calls should be kept to a minimum and should not interfere with an employee's work duties.
2. **MAIL:** The use of City paid postage for personal correspondence is not permitted. Employees should not use the City address for regular receipt of personal mail.

3. **FACSIMILE:** Transmission using City facsimile machines are to be made for business purposes. De minimis personal use is permitted, provided reimbursement is paid to the City. All City policies apply to material transmitted.
4. **CELLULAR PHONES:** The City may issue cellular telephones to employees when necessary for the efficient conduct of business. Use of the cellular telephones is restricted to City business, with the exception of de minimis personal use. Employees should provide cellular telephone numbers only to persons with whom the City is conducting business. Charges for personal cell phone calls will be deducted from the employee's paycheck. Excessive personal use of the City-owned cell phone may result in discipline and/or termination.
  - a. Certain employees of the City of Ketchum are required to use their personal cell phones to conduct City business. **Other employees may choose to use their personal phone as their primary phone for City business. Subject to approval of the City Administrator, the City will pay a \$30.00 monthly phone stipend as reimbursement for using a personal phone for City business.** ~~pre-determined portion of their monthly phone bill.~~ Messages generated and received on these phones, including audio, text and visual may be considered City property. As such, they may be subject to records request laws of the State of Idaho.

## I. ELECTRONIC MAIL AND INTERNET POLICY

1. Although employees may have a personal, private password, the administrator of the information system has access to all electronic mail messages in order to ensure compliance with City of Ketchum policies.
2. The City does not permit the posting of items for solicitation on bulletin boards or the circulation of memos soliciting sales or contributions to charity, and likewise such posting is prohibited through the electronic mail system.
3. All City policies concerning conduct of employees such as courtesy, solicitation, and harassment, apply to the use of the voice mail, electronic mail system and Internet, and violations are subject to discipline, up to and including termination.
4. Employees have no personal privacy right to anything created, received, or sent on or from the e-mail or voice mail system, and by accessing the system, employees expressly waive any right of privacy in anything that they create, store, send, or receive on the system. By accessing the system, employees further consent to allowing personnel of the City to access all material created, sent, or received on the system.
5. Employees may use the Internet to increase productivity. Employees are expected to comply with all City policies that may be applicable to the Internet. No messages

with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual orientation may be transmitted or forwarded using the City system. No abusive, profane, or offensive language may be transmitted through the City e-mail or Internet system. The City's harassment policy applies in full to e-mail and Internet use. Employees do not have personal privacy right regarding any matter created, received, stored, or sent on the City e-mail or Internet system or computers. Under no circumstances are pornographic or harassing materials to be sent, received, viewed, or downloaded using City facilities at any time or using personal facilities during work hours.

6. Personal use of the Internet is not prohibited if it does not interfere with the job responsibilities and productivity. Anonymous messages are not to be sent. Aliases are not to be used. Employees are not to place personal copies of software or data on any computer without prior authorization. Each employee is responsible for the content of all text, audio or images they place on or over the City e-mail or Internet system.
7. If an employee is using an Internet site paid for by the City, employees are expected to only use it for City purposes. All work created or received using City equipment or facilities are City property. Illegal use of software is prohibited.
8. The City monitors its phone systems, networks, and computers. Information stored in or on City facilities is subject to inspection at any time without notice. Employees have no personal privacy right in anything created, received, or sent on or from the computer and/ or Internet system; by accessing the system, employees expressly waive any right of privacy in anything they create, store, send, or receive on the system. By accessing the system, employees further consent to allowing personnel of the City to access all material created, sent, or received on the system.
9. Violation of this City policy may lead to discipline, including discharge.
10. All items downloaded to the City Web site must be scanned for viruses. All items downloaded from the City Web site or any other locations must also be scanned for potential viruses. Anti-virus software must be used to scan for viruses before any material is placed on the City network system.
11. Electronic information may be a public record pursuant to Idaho Code Title 9, Chapter 3; accordingly, maintaining such public records shall be at the direction of the City Clerk.

## **J. DRUG TESTING**

The City has a vital interest in maintaining safe, healthy and efficient working conditions for its employees. Drug and alcohol use may impose serious safety and health risks to the employee and the workplace and may also impair the efficient operation of the City's

business. For these reasons, the City has established the following policy with respect to the use, possession or sale of alcohol or drugs.

1. **Pre-Employment Screening.** The City may require pre-employment screening practices designed to prevent hiring individuals who use illegal drugs.
2. **On-the-Job Use, Possession or Sale of Drugs or Alcohol.**
  - a. **Alcohol:** Being under the influence of alcohol, or a combination of any drug and alcohol, to the extent that an employee is affected in any manner, while performing City business or while in a City facility is prohibited to the extent that such use or influence may affect the safety of co-workers or members of the public, the employee's job performance, or the safe or efficient operation of the City.
  - b. **Legal Drugs and Medication:** Except as provided below, the use or being under the influence of legally obtained drugs, to the extent that an employee is affected in any manner, while performing City business or in a City facility is prohibited to the extent that such use or influence may affect the safety of co-workers or members of the public, the employee's job performance, or the safe or efficient operation of the City facility. An employee may continue to work, even though under the influence of a legal drug, if the City has determined, after consulting with appropriate medical authorities, that the employee does not pose a threat to his or her safety or the safety of co-workers or the public, and that the employee's job performance is not significantly affected by the legal drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate actions determined by the City.
  - c. **Illegal Drugs:** The use, sale, purchase, transfer, or possession of any illegal drug by any employee while in a City facility, vehicle or while performing City business is strictly prohibited. The presence of any amount of any illegal drug in or on an employee while performing City business is prohibited.
3. **Disciplinary Action.** Violation of this policy can result in disciplinary action, up to and including termination, even for a first offense.
4. **Searches.** The City may conduct unannounced searches for illegal drugs or alcohol on City property. Employees shall cooperate in conducting such searches.
  - a. Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee or employees may be in violation of this policy.
  - b. Searches of employees and their personal property may otherwise be conducted when circumstances or workplace conditions justify them, when



reasonable suspicion exists that the employee or employees may be in violation of this policy.

- c. An employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination, even for a first refusal.
  - d. Searches of City facilities and property can be conducted at any time and do not have to be based on reasonable suspicion of possible violations of this policy.
5. **Drug and Alcohol Screening.** The City may require a blood test, urinalysis, hair follicle sampling, or other drug or alcohol screening of those persons suspected of using or being under the influence of a drug or alcohol or where circumstances or workplace conditions justify it. An employee's consent to submit to such a test is required as a condition of employment and the employee's refusal to consent may result in disciplinary action including termination, for a first refusal or any subsequent refusal.
6. **Contract Personnel.** The policy provisions stated above are applicable to contract personnel. Violation of these provisions or refusal to cooperate with implementation can result in the City barring contract personnel from City facilities or participating in City operations.

### **3. EMPLOYEE CLASSIFICATION, COMPENSATION, AND BENEFITS**

The City of Ketchum compensates employees in accord with decisions made by the City Council as budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or status quo maintenance for any time period.

#### **A. CLASSIFYING EMPLOYEES FOR POLICY PURPOSES**

##### **1. Employment Status**

Employees of the City of Ketchum are considered "**AT WILL**" and may be terminated with or without cause absent prior notice, regardless of any clause in this manual. Your wages or salary, benefits, and job duties are affected, in part, by your employee classification and job title. However, none of the City's employee classifications create permanent employment status for any City employee. The primary classes of employees and their respective status is outlined as follows: You may fall into more than one of these categories:

- a. **Full-Time Employee:** Employees who's typical work schedule calls for ~~more than~~ thirty (30) hours of scheduled work during each seven (7) calendar-day payroll

period. Full-time employees shall receive employee benefits provided by the City of Ketchum as such benefits now exist or may be subsequently changed.

- b. **Part-Time Employee:** Any person who works less than thirty (30) hours a week, whose employment is expected to be on a continual basis in a regularly budgeted class or position. Such persons are considered “employees” but do not receive benefits of full-time employees, nor do they enjoy any appeal rights, unless approved by the City Administrator.
  - c. **Temporary/Casual/Seasonal Employees:** Employees who provide services for the City of Ketchum on a a) seasonal basis or b) temporary basis or c) whose scheduled hours of employment for the entity are typically fewer than twenty (20) hours during each seven calendar-day payroll period are classified as casual employees. Casual employees will receive no benefits provided to regular employees, except those required by law or those provided by express written authorization.
  - d. **Paid On-Call Firefighters:** The Ketchum Fire Department may be a combined department comprised of full time professional staff and paid on-call employees. The paid on-call members of the Fire Department are not covered by this manual. A separate handbook sets forth personnel rules for these employees.
2. **Significance of Employee Classification.** The procedures for hiring, promotion, and transfer of full-time employees shall be subject to the provisions of this policy. Disciplinary and appeal actions concerning part-time or casual/ seasonal and temporary employees are not subject to guidelines set forth in this manual except upon termination they may avail themselves to the appeal procedures provided herein.
  3. **Statutory Employees.** Appointed officers, pursuant to Idaho Code §50-204, are the City Clerk, Treasurer, City Attorney, Chief of Fire Services, and City Administrator.

## B. RECRUITMENT AND SELECTION

1. **Determination of Vacancy.** A Department head shall notify the City Administrator in writing when a vacancy is anticipated or occurs in his/her department.
2. **Transfers at the City’s Request.** Transfers may be made at the City’s request to satisfy management or operational needs.

## C. COMPENSATION POLICIES

### 1 Salary Administration

An employee's rate of pay is based on an assessment of the position, training, experience and the market for similar jobs. An increase in the wage rate or salary is dependant upon City budget considerations as well as each individual employee's job performance.

New hires will be placed at a salary based on their knowledge, education and experience as determined by the Department Director with the approval of the City Administrator, provided it is within the approved appropriation for that department.

### 2. Compliance with State and Federal Pay Acts

The City of Ketchum shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the public service.

### 3. Classification Plan

All employees of the City of Ketchum shall be classified in the position they hold with the City of Ketchum in the following manner:

- a. Elected officials.
- b. Exempt employees (as defined by the FLSA).
- c. Non-exempt employees (as defined by the FLSA).
- d. Part-time or casual employees.

### 4. On Call and Call Back Pay

For on call pay, non-exempt employees will be compensated for two (2) hours of pay at straight time for a twenty four (24) hour period. On call pay is not considered time worked.

Non-exempt employees are guaranteed a minimum of two (2) hours pay for a call back. ~~Firefighters will receive a minimum of one (1) hour for a call back.~~

### 5. Right to Change Compensation

The City of Ketchum reserves the right to change general compensation through the budget process for any reason deemed appropriate by the City Council. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent entity budget.

6. Overtime Compensation - Compliance with Fair Labor Standards Act

In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as exempt or non-exempt for purposes of complying with the Federal Fair Labor Standards Act (FLSA). The FLSA is the Federal wage and hour law which governs the obligation of employers to pay overtime compensation. Certain employees are exempt from operation of this law because they hold positions which are professional or primarily executive or administrative in nature. As such, exempt employees are not required to receive overtime pay for hours worked beyond the limits provided by the statute. Employees who serve as sworn law enforcement officers and as fire fighters will be subject to special exceptions found in the FLSA (See 207K). Please contact your department supervisor or the City Clerk for further clarification of your FLSA status.

No employee shall accumulate overtime hours without prior written authorization from his or her supervisor.

According to the FLSA, only actual hours worked are computed for purposes of determining hours worked for overtime calculation. Therefore, the City will not count Annual Leave or any other time for which you are compensated but do not actually perform work when computing hours worked in a work week.

7. Compensatory Time Policy

It shall be the policy of the City of Ketchum to accrue Compensatory Time ("Comp Time") in lieu of payment for overtime hours worked by regular non-exempt employees. The Department Head may authorize overtime in lieu of Comp Time. This policy does not create any contractual rights. Comp Time shall be defined as time off granted to a regular non-exempt employee to offset hours worked by the employee over and above those required in the normal course of employment. The accrual of Comp Time for ~~Department Head~~ exempt employees is not allowed. Violations of this policy may result in disciplinary action up to and including discharge. Although the City intends that the policy will generally remain in effect, the City reserves the right to, at any time, amend, curtail or otherwise revise the policy including the temporary suspension of the policy at the sole discretion of the City Administrator.

a. ACCRUAL.

Comp Time for non-exempt employees will accrue at a rate of one and one-half hours for each hour of employment for which overtime compensation is otherwise required and where the employee has not accrued Comp Time in excess of 72 hours. ~~Comp Time for eligible exempt employees will accrue at a rate of one hour for each hour of employment for which overtime compensation would be earned (if such employee was not exempt) and where the employee has not accrued Comp Time in excess of 72 hours.~~ Accrual of Comp Time must be approved in advance by the employee's

supervisor except in cases of emergency. Employees may carry over up to 40 hours of Comp Time into the following fiscal year. **Comp Time in excess of 40 hours may not be carried over or cashed out for payment at the end of the fiscal year.** Comp Time is not intended for ongoing daily work. Time reports of the employee showing overtime hours accrued as Comp Time should be signed by both the employee and the supervisor as an agreement between the two that the employee will be taking Comp Time in lieu of overtime pay. Supervisors should attempt to schedule the utilization of Comp Time as it is accrued.

- a. UTILIZATION. Comp Time accrued should be utilized (redeemed) at a time mutually agreeable to the employee and supervisor. This time will also be utilized with the least amount of disruption to productivity and effectiveness to minimize departmental hardship. Use of Comp Time must be approved in advance by the employee's supervisor. If an employee takes a medical leave of absence, accrued Comp Time shall be added to other appropriate leave time for additional time off and utilized prior to the utilization of any other accrued leave time. Upon employment separation, an employee shall be paid for unused Comp Time.

## 8. Reporting and Verifying Time Records

It is the responsibility of each non-exempt employee to properly record time that he or she has worked during a payroll period. Each time sheet shall bear the signature of the employee with a statement verifying its accuracy and a counter signature by a supervisor indicating that the hours claimed were actually worked. Failure to carry out these duties may result in delay in payment and disciplinary action.

## 9. Work Periods/**Overtime Authorization**

Employment with the City of Ketchum is subject to the Federal Fair Labor Standards Act as previously described. Each employee is responsible for monitoring the status of hours worked in each work period. The work week for all regular employees who are subject to the FLSA will begin at 12:00 a.m. on Saturday of each week and concludes at 11:59 p.m. of the succeeding Friday. Overtime will be allowed only when authorized by an appropriate supervisor or when absolutely necessary in an emergency. For non-exempt regular employees, hours actually worked must exceed forty (40) in a work week. **Full time firefighters are covered by the effective Collective Bargaining Agreement.** ~~Full time firefighters have a work period of nineteen (19) days, and overtime is accrued beyond 144 hours in a 19 day work period.~~

Questions about overtime and compensatory time should be directed to your supervisor or the personnel/payroll office.

## 10. Pay Periods

Each employee is paid every two (2) weeks, and the regular payday is every other Friday. If the payday falls on a holiday, the payday will occur on the first business day preceding the holiday.

## 11. Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding

If you receive a jury summons or a summons to appear as a witness in a court proceeding, you should immediately advise your supervisor so arrangements can be made to accommodate your absence. In recognition of your responsibilities as a citizen, leave will be granted to full-time employees called to jury duty or to serve as a court witness. Full pay will be provided during the first three days of such service. The City of Ketchum will pay the difference between the income you would receive from a scheduled forty (40) hour work week and the compensation received for jury duty, excluding mileage compensation. After the first three days the employee may elect to use accrued vacation time or unpaid leave of absence. Special allowance may be made by the City Administrator upon a showing of inordinate hardship.

If employees are dismissed from jury duty before the end of the workday, they must report to their supervisor for instruction on whether to return to work for the remainder of the work day. The employee must present checks from the court to the City Clerk/Treasurer to substantiate the claim for compensating pay. Employees shall sign over checks received for jury or witness fees to the City.

In the event that the commitment to a trial may last for an extended period of time, you must notify your supervisor. Jury duty for an exceptionally long duration may be compensated upon the discretion of the City Administrator.

## 12. Military Leave

Paid leave of absence will be granted to participate in ordered and authorized field training, subject to a maximum number of days as set by the Department Head. Our public entity employment policy will comply with the provisions of Idaho Code § 46-224, *et seq.*, or its successor, as those Code provisions govern leaves of absence for military service and Uniformed Services Employment and Reemployment Rights Act of 1994. If paid leave is not available, employees who are required to attend annual military training or other active military duty may take the time as either regular vacation or unpaid leave.

## 13. Travel Expense Reimbursement

An employee on city business shall be reimbursed for expenses incurred in completing his/her work-related assignment in accord with the policies established by the City Administrator. Each employee is responsible for providing verified

receipts for any expenses for which reimbursement is requested. All employees traveling or incurring business expenses on behalf of the City as well as those responsible for the approval of these expenses are expected to use prudence, discretion, and good judgment to assist in maintaining control over travel expenses. The City will not pay for entertainment not included in the function package.

#### 14. On-the-Job Injuries

All on-the-job injuries shall be reported to the **Department Director within 24 hours of the injury** ~~City Clerk as soon as practicable~~ to allow filing of worker's compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident he/she shall be eligible for worker's compensation benefits upon submission to the State Insurance Fund. The City Clerk must make sure the proper forms are filed with the State of Idaho for worker's compensation benefits eligibility. Return to employment will be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund. Concerns associated with injured worker status may be brought before the supervisor and City Administrator for review.

#### 15. Working Out of Classification

**Compensation for working out of classification is provided as monetary recognition to an employee for the assumption and performance of duties normally performed by an employee of higher classification.**

**The assumption and performance of the duties of the higher classification must encompass the full range of responsibilities of the higher classification. This shall not apply to temporary assignments which are made pursuant to prior mutual agreement between the employee and his or her immediate supervisor for the purpose of providing a training opportunity to the employee, for a mutually agreed upon period of time.**

**The performance of such duties must be for an extended period of time, wherein a need exists to fulfill the duties and responsibilities of the vacant position. An extended period of time is generally considered as an assumption of duties and responsibilities that will last in excess of thirty (30) calendar days. Pay will be retroactive to the first day those duties were assumed.**

**Working out of classification compensation for employees shall be allowed only after written recommendation of the Department Head and concurrence by the City Administrator. For employees who are asked to work out of classification as a Department Head, the City Administrator shall recommend a proposed salary adjustment to the Mayor for approval. Recommendation and designation shall be accomplished prior to the assumption of the higher classification responsibilities.**

The employee's compensation will be increased to the starting salary of the higher classification in which the employee is substituting, or five percent (5%), whichever is higher.

When the temporary assignment is completed, the employee's salary will be readjusted to its previous level, or the level where it would have attained, including general salary adjustment and step increases, if the out of classification pay had not been made. The employee's date of hire and anniversary date will remain unchanged throughout the temporary assignment.

#### **D. EMPLOYEE BENEFITS**

The City of Ketchum offers a number of employee benefits for full-time employees only. These benefit offerings are subject to change or termination in the sole discretion of the City Council or the City Administrator. If a program is terminated and not replaced with comparable benefits, participants will be notified. In some cases, there may be a waiting period before coverage begins. The policy terms may also limit coverage or eligibility depending on the number of hours an employee works. For information on these, consult the applicable benefits booklet or contact your Supervisor or the City Administrator.

##### **1. Annual Vacation Leave**

###### **a. Full Time Employees**

Vacation leave is available to full-time employees who have completed the equivalent of six (6) months of full-time employment. Each full-time employee, except shift work assigned firefighters, who completes thirty (30) consecutive days of employment with the City of Ketchum accrues paid annual leave according to the length of such consecutive employment as follows:

- i. For up to five (5) years of continuous service; 8 hours a month or 96 hours a year;
- ii. More than five (5) years but less than ten (10) years of continuous employment; 10 hours a month or 120 hours a year;
- iii. More than ten (10) years but less than fifteen (15) years of continuous service; 12 hours a month or 144 hours a year;
- iv. More than fifteen (15) years of continuous service for the City but less than twenty (20) years; 14 hours a month or 168 hours a year;
- v. More than twenty (20) years, but less than twenty-five (25); 16 hours for each full month of continuous employment or 192 hours a year;



- vi. 18 hours for each full month of service, or 216 hours a year, more than twenty-five (25) years of continuous employment but less than thirty (30) years of continuous service; and
- vii. More than thirty (30) years of employment and thereafter, 20 hours for each full month of service, or 240 hours a year.

b. **Shift work firefighters shall accrue vacation leave in accordance with the effective Collective Bargaining Agreement.** ~~The Rate at which vacation leave for shift work assigned firefighters who complete thirty (30) consecutive days of employment with the City of Ketchum shall accrue is as follows:~~

- ~~i. For up to five (5) years of continuous service; 10 hours a month or 5 24-hour shifts a year;~~
- ~~ii. More than five (5) years but less than ten (10) years of continuous employment; 14 hours a month or 7 24-hour shifts a year;~~
- ~~iii. More than ten (10) years but less than fifteen (15) years of continuous service; 16 hours a month or 8 24-hour shifts a year;~~
- ~~iv. More than fifteen (15) years of continuous service for the City but less than twenty (20) years; 20 hours a month or 10 24-hour shifts a year;~~
- ~~v. More than twenty (20) years, but less than twenty five (25); 22 hours a month or 11 24-hour shifts a year;~~
- ~~vi. More than twenty five (25) years of continuous employment; 26 hours for each full month of service, or 13 24-hour shifts a year.~~

c. The maximum accrual for regular full time employees is as follows:

<u>Years of Service</u>	<u>Maximum Accrual (hours)</u>
1-5	240
6-10	260
11-15	280
16+	300

Whenever possible, vacations are scheduled as requested by the employee, subject to the City's needs in ensuring proper service coverage and in balancing the various requests of employees. For purposes of leave accrual, all past service shall be included in determining the duration of employment, provided that such service is continuous with no separation longer than six (6) months, or military service, or on written approved leave of absence or under conditions of reinstatement.

Upon separation from employment, after six (6) months' continuous service, all employees shall receive a lump-sum payment for earned, but unused vacation leave at the hourly rate of pay for the employee's grade and step. Nonexempt employees also receive a lump sum payment for unused compensatory time. Where possible, such payment, in addition to the regular salary payment, shall be made to the employee on the regular payroll immediately following the employee's termination. In the event of an employee's death, payment for accrued vacation leave shall be made to his or her estate.

## 2. Holidays

Eleven official holidays are provided for full-time employees. Employees who have full-time active status on the date of any holiday shall receive compensation for that day even though they do not work, as long as they have completed their orientation period and are scheduled to work on the holiday in question. ~~Police officers, fire fighters,~~ Utility workers, street workers and park workers who must staff shifts regardless of holidays, shall be entitled to Comp Time off equal to holiday time. Holidays which fall on Saturday shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. The City Administrator, as necessary, may change the holiday schedule at any time.

If a holiday falls during your vacation, the holiday will not count as a vacation day. Full-time, hourly workers shall be paid for holidays on the basis of the number of hours they normally work, without overtime. If an hourly employee is required to work on a holiday, the employee will receive 1.5 times the normal hourly rate for all hours actually worked on the holiday, even though the work does not constitute overtime.

### A. Recognized Holidays:

New Year's Day Martin Luther King, Jr./ Human Rights Day President's Day Memorial Day Independence Day Labor Day	Veteran's Day Thanksgiving Day Day After Thanksgiving Christmas Eve Day Christmas Day
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In addition, any day appointed by the President of the United States, or by the Governor of the State of Idaho, or the Mayor of Ketchum for a holiday.

## 3. Bereavement Leave

Up to three (3) days of additional paid leave of absence for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers and sisters). This time off may be used to arrange for and attend a funeral or memorial service and to attend to other family matters. Additional leave may be granted from

accrued vacation and/or sick leave. Firefighters shall be limited to seven (7) calendar days.

#### 4. Disability Leave

The City of Ketchum shall allow any employee who is disabled in such a manner that his/her return to work is anticipated, a maximum of 120 days unpaid leave for purposes of recovering from said disability. The employee may, at his or her option, choose to use vacation and/ or sick leave to receive pay as long as such benefits are available in accordance with the Family and Medical Leave Act ("FMLA") of 1993. Employees may have rights for twelve (12) weeks of leave under the FMLA if they meet the eligibility requirements set forth in CFR 825.110. If you have any questions about your rights under FMLA please contact the City Clerk.

#### 5. Leaves of Absence

The City Administrator, after recommendation by the supervisor, may grant up to fifteen (15) days unpaid leave for any justifiable purpose when the employee's vacation and sick leave has been exhausted. An employee may request, in writing, an unpaid leave of absence for up to fifteen (15) days. However, no employee is guaranteed a leave of absence. Unpaid leave in excess of thirty (30) days shall require written approval of the City Council.

Because of fluctuating City needs, the City cannot guarantee reemployment when an employee's leave of absence expires. If the employee's position or comparable position is not available, the employee's name will be placed on a hiring list and considered for future vacancies if the employee meets the qualifications.

The City of Ketchum will afford reasonable accommodations to qualified employees with a known disability or for an employee's religious beliefs. The City will also provide leave under particular circumstances as mandated by applicable federal or state law.

#### 6. Reductions in Benefits

The City of Ketchum, through the City Administrator, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as law otherwise requires.

#### 7. Benefits for Part-time or Casual/ Seasonal Employees

Part-time or casual/ seasonal employees shall only receive Worker's Compensation Insurance and hours worked.

## 8. Insurance Coverage

The City of Ketchum provides health, vision and dental insurance to full-time employees and offers family coverage at the employee's option. Insurance coverage begins on the first day of the month following the start of employment with the City. All coverage is subject to policy terms and to change at any time. Claims procedures are administered by the City Clerk's Office.

Limited life insurance coverage and limited disability programs may be provided to full-time employees. Questions regarding the terms of these programs should be directed to the City Clerk.

Worker's Compensation insurance covering job-related injuries is provided for all employees. Questions about worker's compensation insurance should be directed to the City Clerk's Office.

## 9. Retirement

The retirement plan of the City of Ketchum combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA)). PERSI charges a percentage of an employee's gross salary, which is presently exempt from the Federal and State income taxes, and the City of Ketchum matched this with an additional larger contribution. Contact the City Clerk for further information.

## 10. Sick Leave

Qualified employees begin to earn sick leave at the completion of the first full month after the date of hire. Full-time non-exempt employees accrue sick leave benefits at the rate of 9 hours for each calendar month of continuous employment. ~~Shift work assigned firefighters shall accrue sick leave benefits at the rate of 13 hours for each calendar month of continuous employment.~~ Part-time employees and seasonal employees do not earn sick leave benefits. Employees do not earn sick leave benefits during any portion of a leave when they are not receiving their regular wages. Verification of illness may be required.

All sick leave shall be forfeited at the time of separation from service, and no employee shall be reimbursed for accrued sick leave at the time of separation; however, if the employee is reinstated to service within ninety (90) days after the date of separation, all sick leave credits accrued at the time of separation shall also be reinstated.

Notwithstanding the above, employees with a minimum of ten (10) years of service qualify for a payment for a portion of their accumulated sick leave at the time of separation. This payment is computed as follows:

- Retirement after ten (10) years of continuous employment:
  - Cap of 1,080 hours or fifty (50) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after fifteen (15) years of continuous employment:
  - Cap of 1,620 hours or seventy-five (75) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after twenty (20) years of continuous employment:
  - Cap of 2,200 hours or 100 (100) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.

At the election of the employee this payment can be either:

- A cash payment to the employee, a cash payment deposited directly into employee's 401k or other qualified retirement savings plan, or a combination of both (up to the qualifying limits), or
- Used to pay for a continuation of the City's Medical/Dental Insurance coverage for that employee and/or his/her family as proscribed by COBRA, or
- Used to pay the premiums for some other Medical Insurance Plan for which that employee and /or his/her family qualify, or
- Deposited directly into a qualifying Health Savings Account (HSA) type of Medical Insurance Plan (up to the qualifying limits).

## 11. Tuition Reimbursement

This is a program at the City whereby employees may take college courses and be reimbursed for tuition. Tuition reimbursement for college courses is guided by the following:

- Courses must directly relate to the employee's present or potential promotional assignment within the City.
- Department must have sufficient budgetary resources prior to approval. Absence of budgeted funds is reason for the denial of request.
- The City shall reimburse for tuition expenses only. The reimbursement rate shall not exceed public institution charges for undergraduate courses. If graduate fees are charged, the City will reimburse at the undergraduate rate.
- To participate in the City's tuition reimbursement program, an employee must submit a request to his/her supervisor and obtain approval from the Department Head prior to enrolling in the course.
- Tuition reimbursement may be requested for only one (1) course during any one quarter.
- The employee receiving reimbursement from any other source will be considered for City reimbursement for the portion not covered.
- The employee must submit evidence of satisfactory completion of the course, a grade of "B" or better (or "pass" in the case of pass/fail class).
- The employee shall refund the City a proportional amount of the course if the employee terminates employment or is terminated for cause within two (2)

calendar years of completion of the course. To determine the prorated amount, the cost of the course will be divided by twenty-four (24) months and the employee will be responsible for repaying the cost of the course less the prorated amounts for the months worked since completion of the course.

All employees who pursue professional certification (i.e. paramedic licenses, Police Academy, Water & Wastewater Operator's License, etc.) and who participate in the tuition reimbursement program, at the City's Expense, will be required to accept the following reimbursement schedule if the employee voluntarily leaves employment with the City of Ketchum.

<u>Date of Separation</u>	<u>% of Reimbursement</u>
Up to 12 months from receiving assistance	100%
12-18 months from receiving assistance	50%
18-24 months from receiving assistance	25%

## 12. Miscellaneous Benefits

In addition to the benefits listed above and on the previous pages, other miscellaneous benefits are available to full-time regular employees. The City of Ketchum may offer miscellaneous benefits to its employees in accordance with the policies or other documents which establish the programs.

## 13. Transfer of Benefits with Employee Transfer

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one department to another within the City of Ketchum. Any such transfer will not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

## 14. Catastrophic Leave

Employees may donate leave time to any city of Ketchum employee who has exhausted their sick leave time and who requires absence from work due to illness or injury in accordance with FMLA. The following applies to donations:

- Donations may be made in a minimum of 1 (one) hour increments. For every hour of sick, vacation or compensatory time donated by the donor, the recipient will be credited with one hour of sick leave. The pay levels of the two employees shall not affect the transaction.
- A donating member must retain a minimum of 144 hours of sick leave for their own use.
- A recipient can receive a combined maximum to the equivalent of the maximum allowable leave time in accordance with FLMA.
- An employee who returns to work either on a limited duty or on a part time basis may continue to use the donated time up to the maximum allotment.
- The donated time will not count as the donor's hours worked in any pay period.

- Participation as a donor is voluntary. A donor cannot be directly or indirectly intimidated, threatened, or coerced, or promised any benefit by any employee for the purpose of donating or using leave.
- Unused donated time will be returned to the donor or donors in the event the time is no longer needed.
- Donated time shall not count towards any leave cash out or conversion to retirement upon the employee's separation from the city.

#### 4. **EMPLOYEE EVALUATION AND DISCIPLINE**

##### A. **PERFORMANCE EVALUATION PROCEDURES**

###### 1. **Standard Procedures**

Each employee may be evaluated on an annual basis to assess the performance of that employee in the job being performed for the City. Formal performance appraisals are usually conducted after an employee's first year of employment with the City, or in a new position of responsibility. Thereafter, formal performance evaluations may take place at the end of each year thereafter. Formal evaluations may also be completed at other times as the need arises.

Regular performance appraisals provide both the employee and her/ his supervisor the opportunity to discuss how well each employee is meeting expectations, to clarify job responsibilities, make corrections when needed, and to explore possibilities for the development of skills and advancement. Each evaluation will be given on the basis of the direct supervisor's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity, and additional efforts expended by the employee on behalf of the City. Each supervisor must complete a standard City evaluation form, or other format provided by the City Administrator, which shall be placed in the employee's permanent record file. The City may ask that the employee to sign the performance appraisal to indicate that it was reviewed with the employee, but the employee's signature does not signify that the employee agrees or disagrees with the City's evaluation.

2. **Employee personnel files.** The official employee records for the City shall be kept in the office of the City Clerk. Within these personnel files will be kept all records of payroll, employee performance evaluation, employee status, and other relevant materials related to the employee's service with the City. Materials may be contributed by any supervisory personnel and the employee, as long as the material is relevant to the employee's performance and tenure.

i. **Access to personnel files.** It is the policy of the City to allow limited access to the personnel files as required by law. Based upon the inherent confidentiality of personnel matters, access to others personnel files shall be only with the

authorization of the City Administrator, Mayor, City Clerk or the City Attorney. Department Heads, or Division Managers, with approval from the Department Director, are authorized to review personnel files of their Department. Information regarding personnel matters will only be provided to outside parties with a release from the employee or in limited circumstances where the release is deemed necessary with the concurrence of the City Clerk who supervises the records and the City Attorney. Each employee shall have the right to review materials placed within their employment file at any reasonable time. Copies of materials within a personnel file are available to each employee without charge. However, personnel files shall not be removed from the premises where they are kept.

## **B. EMPLOYEE DISCIPLINE PROCEDURES**

1. **Purpose of Discipline Policy.** The purpose underlying the discipline policy of the City of Ketchum is to establish a consistent procedure for maintaining suitable behavior and a productive working environment in the workplace and for the best interest of the City. These procedures are directory in nature and minor variations of the processes set forth herein shall not affect the validity of any actions taken pursuant to this policy. All employees are considered at will and may be terminated without cause and for any reason regardless of this section.
2. **Disciplinary System Framework.** The City of Ketchum adopts the following framework for actions to be taken in the event that any employee subject to this manual violates employment policies. The City of Ketchum reserves the right to take any of the prescribed steps in any order in the event that a supervisor deems a policy violation or action of the employee to be serious enough to warrant a certain step. Progressive discipline shall be applied only where the supervisor or the City Administrator believes that the potential for improvement and correcting the behavior is possible.
3. **Disciplinary Actions Available.** The following actions, in no particular order, are among the available disciplinary steps that can be taken by the City Administrator or supervisor in response to personnel policy violations:
  - a. Oral warning
  - b. Written warning or reprimand
  - c. Suspension with or without pay
  - d. Demotion
  - e. Probation
  - f. Dismissal
4. **Appeal Hearing.** The personnel policy for the City of Ketchum establishes the right to a hearing only in the event of a discharge or demotion with attendant change in pay or suspension. An employee receiving the demotion or termination must request an appeal hearing in writing received by the City Clerk within ten (10) calendar days of the demotion or termination. Elements of procedure to be followed



in any such hearing to be undertaken at the direction of the City Administrator or supervisor, unless waived by the employee, are the following:

- a. The employee shall be provided notice of the charges against him and the time the hearing is to be conducted.
- b. The employee shall be heard before the department supervisor responsible for department management with the oral hearing to last no longer than two hours, unless otherwise approved by the department supervisor.
- c. There shall be a record maintained, including a recording of the hearing.
- d. The employee shall have a right to an explanation of the conduct complained of.
- e. The employee shall have an opportunity to be represented by an Attorney at his/her own expense.
- f. The employee shall be provided an opportunity to present evidence and to rebut the information upon which his/her charged misconduct or inadequate performance is based.

Every such hearing shall take place as soon as it can be accommodated by the schedules of those involved. Additional time may be granted at the request of the employee upon a showing that additional time is needed to provide facts necessary to respond to the charges. Said decision shall set forth the reasons for the personnel action.

## **5. SEPARATION FROM EMPLOYMENT**

### **A. REDUCTIONS IN FORCE (RIF)**

Employee assignments may be affected by reductions in force made due to economic conditions or to changes in staffing and workload. The City Administrator or his designee reserves the right to make any changes in work force or assignment of resources that is deemed to be in the organization's best interests. The City Administrator may also specify at the time reductions in force are made what reinstatement preferences may accompany the reductions, if any. Said reinstatement preferences may be tied to the classification of the employee or to specialized skills possessed by the employee.

### **B. RESIGNATION POLICY**

Voluntary resignations will only be accepted if made in writing. Any oral resignations will be treated as leave without approval, unless authorized by their supervisor. Under leave without approval an employee may be terminated for "job abandonment" after two (2) days of absence, which has not received prior written approval of their supervisor. If the employee wants his formal records to indicate "voluntary resignation", they must do so in writing to the City Clerk.

Job abandonment shall be defined as an unexcused or unauthorized absence of two (2) working days or more, which shall subject the employee to termination.

**C. COBRA BENEFITS**

Employees of the City of Ketchum who currently receive medical benefits, who separate from their employment may be eligible to continue those medical benefits at the employees sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). If you have any questions regarding your right to continue your health coverage after separating from the City of Ketchum please contact the City Clerk. The preceding policy statement applies only to the City should it contain twenty (20) or more employees.

**D. EXIT INTERVIEW**

Each employee who terminates from employment with the City of Ketchum may participate in an exit interview with the employee's supervisor or in the event of involuntary termination, with the City Administrator. In such interview, the supervisor shall notify the employee when certain benefits will terminate and when final pay will be issued. The employee will inform the interviewer about his/her impressions of employment in such interview. An employee exit form, or other written record, will be completed at this point and will be retained in the employee's personnel file.

**APPENDIX A**  
**ACKNOWLEDGEMENT OF RECEIPT OF CITY OF KETCHUM PERSONNEL POLICY MANUAL**

I, \_\_\_\_\_ acknowledge receipt of the new City of Ketchum Personnel Policy Manual.

- I understand that this manual is **NOT** a contract and cannot create a contract.
- I understand that I am obligated to perform my duties of employment in conformance with the provisions of the new City of Ketchum Personnel Policy Manual and any additional rules, regulations, policies or procedures imposed by the department in which I work whether or not I choose to read the new manual.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Name  
*City of Ketchum Employee*

I, \_\_\_\_\_, provided a copy of the new City of Ketchum Personnel Policy Manual to \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
*Name-Department-Title*

Witness: \_\_\_\_\_

**Resolution Number 15-024**

WHEREAS, the City of Ketchum issues a City of Ketchum Employee Personnel Policy Handbook to provide a collection of employment polies; and,

WHEREAS, the City of Ketchum has determined the September 20, 2010 Employee Personnel Policy Handbook is in need of revisions; and,

WHEREAS, the City of Ketchum has revised and updated the Employee Personnel Policy Handbook and desires to adopt a new Employee Personnel Policy Handbook for City of Ketchum employees; and,

WHEREAS, the new Employee Personnel Policy Handbook shall supersede and replace the September 20, 2010 Employee Personnel Policy Handbook and approved amendments;

NOW THEREFORE BE IT RESOLVED by the Mayor and Ketchum City Council that the City of Ketchum has adopted a new Employee Personnel Policy Handbook, as attached to this Resolution. The existing Employee Personnel Policy Handbook shall be repealed.

This Resolution will be in full force and effect upon its adoption and approve this second (2<sup>nd</sup>) day of November 2015.

CITY OF KETCHUM IDAHO

  
\_\_\_\_\_  
Nina Jonas, Mayor

ATTEST:

  
\_\_\_\_\_  
Robin Crotty  
Acting City Clerk