



## **FARR WEST CITY COUNCIL AGENDA**

December 7, 2023 at 7 p.m.  
City Council Chambers  
1896 North 1800 West  
Farr West, UT 84404

Notice is hereby given that the City Council of Farr West City will hold a 6:30 p.m. work session and their regular meeting at 7:00 pm on Thursday, December 7, 2023 at the Farr West City Hall, 1896 North 1800 West, Farr West

6:30 p.m. Work Session – Discussion with BlackPine Group on the Cottonwood Drive property

Call to Order – Mayor Ken Phippen

1. Opening Ceremony
  - a. Pledge of Allegiance
  - b. Opening Prayer
2. Comments/Reports
  - a. Public Comments (*2 minutes*)
  - b. Report from the Planning Commission
3. Consent Items
  - a. Assignments and direction for Planning Commission
  - b. Consider approval of minutes dated November 16, 2023
  - c. Consider approval of bills dated December 6, 2023
  - d. Discussion/Action - recycling
4. Business Items
  - a. Consider approval of business license – Ace of Shades LLC, Brayden Schmanski
  - b. Consider approval of Resolution No. 2023-07, establishing the Employee Policies and Procedures Manual
  - c. Consider approval of Ordinance No. 2023-13, deleting Chapter 2.08 of Farr West Municipal Code
  - d. Consider approval of a new backhoe purchase
  - e. Motion – Cancel the December 21, 2023 City Council Meeting
5. Mayor/Council Follow-up
  - a. Report on Assignments
6. Adjournment

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 801-731-4187, at least three working days prior to the meeting. Notice of time, place and agenda of the meeting was emailed to each member of the City Council, posted in the City Hall, and posted on the Utah Public Meeting Notice Website on December 1, 2023.

Lindsay Afuvai  
Recorder

# Application for Residential Business License



Application date: 11-27-23

Owner Name: Brayden Schmanski

Owner Address: 2624 W 3975 N City: Farr West State: UT Zip: 84404

Telephone: 801-388-2626 Fax: \_\_\_\_\_ Email: brayden.schmanski@gmail.com

Business Name: Ace of Shades LLC DBA: \_\_\_\_\_

State Sales Tax ID # 15793860-002-STC State License # N/A

If a daycare of preschool, number of own children: \_\_\_\_\_; number of other children: \_\_\_\_\_

Describe your type of business in detail: Window tinting service. Installations are done on site at customer locations. Accessory building at the address above will be used for storage of tools and materials.

Businesses that require Health Department inspection and permit: ANY business that is selling food, day cares, nursing and assisted livings.

Health Department Permit # N/A or check if not applicable

*All daycares are required to undergo a fire inspection from Weber Fire District. Please **contact Jolene at Weber Fire District at 801-782-3580** to schedule the inspection. Proof of passed inspection must be submitted with the business license application before any approval is given.*

*Please initial each box acknowledging you understand and comply with the ordinance requirements (Farr West City Ordinance, Chapter 5.16)*

- Only persons who are bona fide residents of the premises shall be engaged in the business or occupation.
- The business shall not physically change or alter the exterior of the dwelling.
- No business signs or advertising will be on the premises.
- The business will not cause an increase in vehicular traffic.**
- The business will not require additional off street parking beyond that normally required for residential uses.**
- The business will meet all applicable safety, fire, building and health codes.

- The business will not produce noise, dust, odors, noxious fumes glare or other hazards to safety and health which are emitted from and may be discernible beyond the premises. Residential businesses may not create a public nuisance as defined by State law or this code.
- The business will not create a hazard by using flammable, explosive or other dangerous materials or by keeping or raising animals which are capable of inflicting harm or discomfort or endangering the health and safety of any person or property.
- Any nursery or daycare use of the dwelling shall comply with state laws governing such use.
- If the business is conducted within the living quarters of the home, it will not occupy more than 25% of the main floor area, or more than 400 square feet of the home. If conducted within the garage, it shall not occupy more than 33% of the garage area. \*Businesses in accessory building may use the whole structure for business use.

<b>Residential Business License Fee</b>
<b>\$30.00</b>

***\*Residential businesses conducted entirely within the primary residence are not subject to the \$30.00 fee.***

Is this business conducted entirely within the primary residence? No  
 If no, is it conducted in a garage and/or accessory building? Yes - Accessory building

I, the applicant, am aware of and conform to all State and Federal Regulations. I have read and understand the Codes and Ordinances of Farr west City for Business License Regulations (Title 5).

Applicant signature: Brayden Schmanski Date: 11-27-23

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For office use only:

Amount paid: \_\_\_\_\_ Date paid: \_\_\_\_\_ Receipt Number: \_\_\_\_\_  
 City Council Date: \_\_\_\_\_ Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_  
 License number: \_\_\_\_\_ Date issued: \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF FARR WEST CITY ESTABLISHING A FARR WEST CITY  
EMPLOYEE POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, Farr West City, in effort to better comply with updated Federal and State regulations as they pertain to employers and employees has determined it necessary to establish a new personnel policies and procedures manual; and

**WHEREAS**, Farr West City further desires to provide employees of Farr West City with certain benefits, rules, policies, and a strengthened employee and employer relationship through a new personnel policies and procedures manual; and

**NOW THEREFORE**, be it resolved by the Farr West City Council that the Employee Policies and Procedures shall be adopted as contained in “**EXHIBIT A**” to this Resolution.

This resolution supersedes all prior resolutions and policies of Farr West City to the extent that such may be in conflict with the specific provisions contained herein. In all other respects, such prior resolutions, actions and policies shall remain in full force and effect.

This resolution shall take effect immediately upon passage.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

MAYOR OF FARR WEST CITY, UTAH

By \_\_\_\_\_  
Ken Phippen

ATTEST:

\_\_\_\_\_  
Recorder  
Farr West City, Utah

Vote of City Council

Yes	No	
___	___	Council Member Leatham
___	___	Council Member Blazzard
___	___	Council Member Ferrin
___	___	Council Member Chugg
___	___	Council Member Williams

EXHIBIT A



**Farr West City Employee Policies and Procedures**

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# Farr West City Employee Policies and Procedures

## CHAPTER 1 DEFINITIONS

- 1-1 Full-time Regular Employees
- 1-2 Part-time Employees
- 1-3 Temporary or Seasonal Employees
- 1-4 On Call Employee
- 1-5 Volunteers

### 1-1 Full-time Regular Employees

Full-time regular employees are those who are hired to work 32 hours or more per week for Farr West City ("City") on a continuing basis, and who have successfully completed their probationary period.

### 1-2 Part-time Regular Employees

Part-time regular employees are those who are hired to work on a regular basis less than 30 hours per week. Part-time regular employees are always in a probationary status and may be terminated at will, with or without cause or prior notice, for any reason or no reason at all.

### 1-3 Temporary or Seasonal Employees

Temporary or seasonal employees are hired to work for a fixed or indefinite temporary period. Temporary or seasonal employees should have no expectation of continued or regular employment. They are always in a probationary status and may be terminated at will, with or without cause or prior notice, for any reason or no reason at all.

### 1-4 On-Call Employees

An on-call employee is an employee who is available to perform work duties without being physically present at the job site. An on call employee must be available to return a phone call within 5 minutes and available on site within 30 minutes.

### 1-5 Volunteers

Volunteer means any person who donates service or work time without pay or other compensation except expenses actually and reasonably incurred as approved by the City. A volunteer may not donate any service or work time to the City unless the volunteer's services are approved by the Mayor or the Mayor's designee.



# Farr West City Employee Policies and Procedures

## CHAPTER 2 ADMINISTRATION

- 2-1 Implementation of Personnel Policies
- 2-2 The City Council
- 2-3 The Mayor
- 2-4 Personnel Records and Reports

### 2-1 Implementation of Personnel Policies

This manual is provided for general guidance only. The policies and procedures expressed in this manual, as well as those in any other personnel material, or other types of material which may be issued from time to time, do not create a binding contract or any other obligation or liability on the City. The City reserves the right to change its policies and procedures at any time, formally or informally, with or without notice, for any reason. The City also reserves the right to take any employment action it deems appropriate. The prohibitions set forth in the manual do not create an express or implied contract with any person.

### 2-2 The City Council

All policies and procedures either promulgated by the Mayor or originating with the Council that concern employee/employer relationships require the approval of the City Council. The Mayor or designee shall administer the personnel system of the City with the advice and consent of the City Council.

### 2-3 The Mayor

The Mayor, with the help of such aides or assistants as may be required, shall be responsible for directing and coordinating the personnel activities of the City.

The Mayor shall:

- A. Prepare and recommend position classification and pay plans and direct the continuous administration of these plans. – personnel committee
- B. Compute and submit to the City Council the projected annual salary and wage expenditures for all departments. – Andrea – office manager
- C. Direct the recruitment, testing, selection, and hiring of City Employees, subject to the approval of the City Council.



## Farr West City Employee Policies and Procedures

- D. Obtain or prepare and administer competitive examinations for all original appointments and promotions in the City subject to testing, in conjunction with the appropriate department supervisor.
- E. Prepare, recommend, and enforce rules and regulations for personnel administration.
- F. Supervise, develop, and maintain personnel forms, procedures, and methods of record keeping. recorder
- G. Maintain a personnel file on all persons employed by the City and on City volunteers where such a file is required by the City's liability insurance carrier. Recorder
- H. Validate all appointments, promotions, demotions, disciplinary, and other actions affecting City employees.
- I. Direct or coordinate employee orientation, training, counseling, and career development in conjunction with department supervisors.
- J. Review performance evaluations for all full-time and part-time employees. – Department heads to Personnel committee
- K. Administer all personnel activities to comply with related federal and state laws.

### 2-4 Personnel Records and Reports

The City Recorder or individual designated by the Mayor shall maintain such records as are necessary for the proper administration of the personnel system and in accordance with all Federal, State and Local laws.





## Farr West City Employee Policies and Procedures

### CHAPTER 3 HIRING PRACTICES

- 3-1 General Practice
- 3-2 Anti-Nepotism
- 3-3 Exception to Anti-Nepotism Policy
- 3-4 Veterans Preference
- 3-5 Job Announcements
- 3-6 Rejection of Application
- 3-7 Background Checks
- 3-8 Appointing Authority

#### 3-1 General Practice

The City is an *equal opportunity employer*. It is the policy of the City from recruitment through employment and promotion, to provide equal opportunity at all times without regard to race, color, religion, sex, national origin, age, pregnancy or disability or any other characteristic protected by federal, state, or local laws.

It is the policy of the City to fill all job openings with the most qualified individual available. Where possible, it shall be the policy of the City to promote from within provided that all promotions shall be made based upon candidates' qualifications.

#### 3-2 Anti-Nepotism

It is the City's policy to comply with Title 52, Chapter 3, Utah Code Annotated, as amended. The City prohibits any person holding any position, to appoint, vote for the appointment of, directly supervise, be in the line of supervision of, or be directly supervised by their father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild. This policy applies to full-time regular employees, part-time employees, temporary or seasonal employees, and paid-on-call employees.

#### 3-3 Exception to Anti-Nepotism Policy

Chapter 3-2 shall not apply if the Mayor determines that the employee/relative is the only person available or best qualified to perform supervisory functions. The employee who exercises authority over a relative may not evaluate the relative's job performance or recommend salary increases for the relative. The employee or public officer shall make a complete written disclosure of the relationship to the Mayor (Utah Code 52-3-2).



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### 3-4 Veterans Preference

In accordance with Title 71, Chapter 10, Utah Code Annotated, as amended, eligible veterans and their spouses shall be given preference in interviewing and hiring for a position.

### 3-5 Job Announcements

Job announcements shall specify the title and beginning salary of the position for which the examination is announced; the nature of the work to be performed; the experience and training required, the time, place and manner of making application; the necessary special qualifications established for admission to the examination; and other pertinent information including the weight to be given to various components of the examination consistent with the position to be filled.

Announcements shall be distributed for every examination or job opening in order to inform interested and qualified persons of the opportunity to apply.

Announcements shall be posted where eligible persons might reasonably be expected to be located. A copy of each announcement shall be posted for a minimum of five working days, unless a longer announcement period is required to attract a sufficient number of applicants for the position at any time.

### 3-6 Rejection of Application

Any application may be rejected if the applicant: is found to lack the qualifications prescribed for the position; or has a record of unsatisfactory employment; or has pleaded guilty to a felony or been convicted of a felony or pled no contest to a felony which would bar the applicant from effective performance of the duties of the position applied for; or has practiced or attempted to practice deception or fraud in the applicant's application; or has otherwise violated provisions of these rules and regulations.

### 3-7 Background Checks

It is the policy of the City that all individuals currently employed or hired for employment with the City may submit to or provide to the City at their own expense a criminal history background check and/or drug screen.

### 3-8 Appointing Authority

The head of each City department or division shall be the appointing authority for the employees in that department or division, and he or she shall make a recommendation to the Mayor that approval of the hire be obtained.



## Farr West City Employee Policies and Procedures

### Chapter 4 EMPLOYMENT STATUS

- 4-1 Appointed Positions
- 4-2 Probationary Employees

#### 4-1 Appointed Positions

The following enumerated positions shall be appointed and serve at the pleasure of the Mayor and City Council:

- A. Treasurer
- B. Recorder
- C. Judge

Appointed employees receive certain employee benefits and shall be subject to policies contained in this Manual, with the following exceptions:

- A. Appointed employees are at-will employees, and are appointed and may be suspended or terminated by the Mayor with the advice and consent of the City Council with or without cause or prior notice.
- B. As at-will employees, appointed employees shall have no right to appeal the suspension or termination of their employment.

#### 4-2 Probationary Employees

All new full-time employees who are hired with intention of becoming regular full-time employee, are required to serve at least 6 months in probationary status.

During probation, except probation due to promotion, the employee may be terminated at-will at any time, with or without cause or prior notice, for any reason or no reason at all.

An unpaid leave of absence shall not be considered part of any probationary period.

**Promotion.** Any promotion to a position with significant differences in job responsibility shall be subject to a probationary period of 6 months. During the probationary period the employee's abilities and performance will be evaluated by the supervisor. If in the sole discretion of the City, the City determines that the employee's performance is unsatisfactory, the City shall notify the employee in writing of his/her failure to complete the probationary period and the employee will be reinstated, if available, to their previous



## Farr West City Employee Policies and Procedures

position, or if available another position for which they are qualified. However, if the cause for rejection during the promotional probationary period was sufficient grounds for dismissal from both positions, the employee may be dismissed in accordance with the City's formal disciplinary procedures.

### **Reinstatement.**

The probationary period for a former employee being reinstated may be for a period less than 6 months if reinstatement is to the same department and to the same position previously held, or 6 months if the reinstatement is to a different department or to a different position within the same department to which the employee was previously assigned.



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### Chapter 5 SEPARATIONS

- 5-1 Resigned Employee
- 5-2 Abandonment of Position
- 5-3 Discharge

#### 5-1 Resigned Employee

Employees who resign and desire to leave the City in good standing should give a minimum of two (2) weeks' notice, otherwise they may not be considered for re-employment at a future date. The City reserves the right to place a resigning employee on a paid leave of absence for any portion or all of the notice period.

#### 5-2 Abandonment of Position

One unauthorized absence may constitute cause for separation. An employee who fails to call their supervisor to report their absence for one (1) working day, and to request that the absence be recorded as authorized, may be deemed to have voluntarily abandoned his/her position and may have his/her employment with the City terminated.

#### 5-3 Discharge

Discharge of employment may occur as a result of the employee's failure in some instances, to satisfactorily complete a probationary period, as a result of disciplinary action, or at-will. Discharged employees shall be notified in writing by the Mayor. At-will employees and those in a probationary status (except promotional probation) have no appeal right to appeal the termination.

When it is determined on the basis of a medical examination, that an employee is incapable of satisfactorily performing the essential functions of his/her position because of a physical or mental impairment which is likely to continue indefinitely or to recur frequently and which cannot be overcome by reasonable accommodation and the employee has exhausted any leave for which he/she may qualify, the employee may be terminated. However, every effort will be made to reassign the employee to a position within the employee's physical and mental capabilities.



## Farr West City Employee Policies and Procedures

### CHAPTER 6 EMPLOYEE CONDUCT

- 6-1 Ethics
- 6-2 Privileged Information - Conflict of Interest
- 6-3 Political Activity
- 6-4 Use of City Electronic Mail, Voicemail, and Computer Systems
- 6-5 Outside Employment

#### 6-1 Ethics

City employees shall comply with the Utah Public Officers' and Employees' Ethics Act, Title 67, Chapter 16, Utah Code Annotated, and the Utah Municipal Officers' and Employees' Ethics Act, Title 10, Chapter 3, Part 13, and their successor statutes, to avoid actual or potential conflicts of interest between their public duties and their private interests.

#### 6-2 Information - Conflict of Interest

City employees who are involved with or have access to information of significant public interest may not use this information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest which could be affected by any City plan or activity, this situation must be reported to the employee's supervisor immediately. Each employee is charged with the responsibility of ensuring that only information that should be made available to the general public is released. Violation of these provisions regarding information or use for private gain shall be cause for disciplinary action.

#### 6-3 Political Activity

The following restrictions apply to City employees:

- A. An employee may not use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office.
- B. An employee may not directly or indirectly coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.
- C. An employee may not use City work time to campaign for political office or otherwise engage in political activities.



## Farr West City Employee Policies and Procedures

### 6-4 Use of City Electronic Mail, Voicemail, the Internet, Phone, and Computer Systems

Inappropriate use of electronic mail, voicemail, the Internet, phone and computer systems includes, but is not limited to: harassment and intimidation of individuals on the basis of race, sex, religion, ethnicity, sexual orientation or disability; any pornographic or sexually explicit material, pictures or images; profanity, obscenity, and sexually explicit language; threats of violence; allowing use to interfere with normal work duties; and any violation of local, state or federal laws. Failure to abide by this policy may result in disciplinary action.

#### A. Unacceptable Use of E-Mail.

The use of e-mail to send pornographic, sexually harassing, obscene messages and materials, or those with sexual content is prohibited. The City's sexual harassment policy shall apply to the use of obscene e-mails and materials, and those with sexual content. The use of City computer resources to intentionally view, download or send pornography, sexually explicit materials or materials with sexual content is prohibited.

The use of e-mail to send discriminatory, disparaging or harassing messages or materials based on race, color, religion, sex, pregnancy, gender, national origin, age or disability is prohibited. The City's anti-discrimination policies shall apply to the use of such e-mails and materials.

Electronic dissemination or printing of copyrighted materials, including articles and software, in violation of copyright laws is prohibited.

These rules apply to City-owned phone and computer use during work hours and outside work hours.

#### B. Transmission of Proprietary or Confidential Information.

The unauthorized transmissions of proprietary or confidential information to unauthorized persons or entities by e-mail, or any other means, is prohibited.

#### C. In City E-Mail Advertising.

E-mails sent within the City may not be used for personal business purposes or fund-raisers not approved by the City.

#### D. Outside Business Endeavors.



## Farr West City Employee Policies and Procedures

Use of City computers, computer resources, phones, e-mail, or other resources for the employee's outside business endeavors is prohibited. Under no circumstances may any employee use City computers, phones, computer resources, e-mail, or other resources to run, support or operate a personal business.

E-mail and voice mail communication and the contents of City owned computers and phones are the sole property of the City and may be subject to monitoring at any time without notice. When using the e-mail or voice mail systems, and other equipment including City computers and phones, **the employee knowingly and voluntarily consents to being monitored and acknowledges the employer's right to conduct such monitoring.** The security of e-mail and voice mail communications is not guaranteed. Abuse of e-mail, voice mail, computer systems and phones could subject the employee to disciplinary action, up to and including termination.

### E. E-Mail Retention.

The purpose of the e-mail retention policy is to ensure that e-mail and electronic documents are maintained in accordance with the Utah Government Records Access and Management Act (GRAMA). Employees are reminded that electronic documents and e-mail created or received on City-owned computers or sent over City-run networks are the property of the City. Employees should have no expectation of e-mail privacy and should limit any personal use of e-mail.

### 6-5 Outside Employment

Upon notification of approval of the department supervisor and the Mayor, a City employee may engage in outside employment. However, no employee may engage in additional employment which in any manner interferes with the proper and effective performance of official duties, or which results in a conflict of interest.





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### CHAPTER 7 DISCIPLINE PROCEDURE

- 7-1 Disciplinary Action
- 7-2 Review of Specified Disciplinary Actions: Discharge, Demotion, or Suspension of Over Two (2) Days without pay.
- 7-3 Suspension Pending Investigation and Decision
- 7-4 Causes for Discipline

#### 7-1 Disciplinary Action

An employee whose conduct constitutes grounds for disciplinary action shall be subject to any of the following discipline: reprimand, suspension without pay, involuntary transfer to a position with less remuneration, or discharge. This provision shall not be construed as requiring that discipline proceed in any particular order, and any one of the foregoing disciplinary actions may be imposed for any incident, including for a first offense.

#### 7-2 Review of Specified Disciplinary Actions: Discharge, Involuntary Transfer, or Suspension of Over Two (2) Days without Pay.

The review process set forth in this section shall apply whenever an employee is subject to any of the following actions: discharge, involuntary transfer to a position with less remuneration, or suspension of over two (2) days without pay.

For purposes of this section, the term “employee” shall not include any of the following positions.

- A. an employee appointed by the mayor or other person or body exercising executive power;
- B. a head of a department;
- C. a probationary employee;
- D. a part-time employee;
- E. a temporary or seasonal employee; or a paid-on-call employee.

The review process for employees (as defined in this section) who are subject to discharge, involuntary transfer to a position with less remuneration, or suspension of over two (2) days without pay, shall be as follows.

#### STEP ONE: PRE-DISCIPLINARY HEARING

The employee shall be given written notice of the hearing which includes an explanation of the conduct constituting the grounds for the potential disciplinary action against the



## Farr West City Employee Policies and Procedures

employee and notice that discipline up to and including discharge, demotion and/or suspension of over two (2) days without pay is being considered. The Pre-Disciplinary Hearing shall be conducted by the Mayor for the purpose of allowing the employee to respond to the conduct constituting grounds for the potential disciplinary action and present information the employee believes is relevant to the decision. A decision as to the disciplinary action to be taken, if any, shall be made by the Mayor and the employee shall be notified in writing within a reasonable time after the hearing. In the event disciplinary action is imposed, the Mayor shall provide the employee with written notice of the disciplinary action along with a written explanation of the employee's rights for appeal, if.

### **STEP TWO: APPEAL TO PERSONNEL BOARD (APPEAL BOARD)**

In the event the Pre-Disciplinary Hearing results in the employee's discharge, involuntary transfer to a position with less remuneration, and/or suspension of over two (2) days without pay, the employee has the right to appeal the decision of the Mayor to the City Council, which shall then act as the "appeal board" as required by Section 10-3-1106 of Utah Code Annotated. The appeal board shall consist of three (3) members, two (2) of whom shall be members of the City Council, selected by the Mayor. The Mayor will also select the third member (to serve on the board for purposes of the appeal) from among all of the current City employees.

The employee's appeal to the City Council must be in writing and delivered to the City Recorder within ten (10) days of the written notice of disciplinary action. Upon receipt of the appeal, the City Recorder shall forthwith refer the matter to the City Council, which shall then forthwith fully hear and determine the matter. In connection therewith, the City Council shall schedule a hearing on the appeal. At the hearing on the appeal, the Mayor's designee shall conduct the hearing and present all evidence on behalf of the City and shall allow the employee.

- A. to appear in person and to be represented by legal counsel (at the employee's expense);
- B. to present his/her own witnesses and submit his/her own evidence;
- C. to have a public hearing;
- D. to confront any witnesses whose testimony is to be considered; and to examine the evidence to be considered.

The appeal board shall receive and consider all of the evidence reasonably presented by the Mayor's designee on behalf of the City and all of the evidence reasonably submitted by the employee, or on behalf of the employee, before making its decision.



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The decision of the appeal board shall be by secret ballot and shall be certified in writing (including findings of fact) to both the City Recorder and the employee within fifteen (15) days from the date of the final day of the appeals hearing, except for good cause, the appeal board may extend this period to a maximum of sixty (60) days if the City and the employee both consent to such an extension. The appeal board may only uphold or reverse the City's action and may not modify it.

In the event the appeal board does not uphold the employee's discharge, involuntary transfer to a position with less remuneration, and/or suspension of over two (2) days without pay, the written decision of the appeal board shall provide that the employee shall receive either the employee's salary for the period of time during which the employee was discharged or suspended without pay, or any deficiency in the employee's salary for the period of time during which the employee was demoted to a position of less remuneration. In the event the decision of the appeal board does uphold the employee's discharge, demotion and/or suspension of over two (2) days without pay, the written decision of the appeal board shall contain a written explanation of the employee's rights for appeal.

### **STEP THREE: APPEAL TO THE COURT OF APPEALS**

Any final, action, or order of the City Council may be appealed to the Utah Court of Appeals by either the employee or City by filing with that court a notice of appeal no later than 30 days from the date of the issuance of the final action or order of the Personnel Board.

### **7-3 Suspension Pending Investigation and Decision**

At the City's sole discretion, an employee may be suspended (with or without pay) pending an investigation. If after an investigation, the charge is found to be without merit, the employee shall be restored to his or her position and/or compensated for any lost pay.

### **7-4 Cause for Discipline**

Each of the following shall constitute cause for discipline, up to and including discharge. The offenses listed are not intended to be comprehensive, and the enumeration of these commonly-accepted violations shall not be deemed to prevent the discipline of an employee for other violations not enumerated.

1. Personal or gross negligence on or off duty which prevents or substantially



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- hampers job performance
2. Negligently using, abusing, or damaging City property
  3. Any violation of City or departmental policies or procedures
  4. Violations of commonly accepted employment standards
  5. Sexual harassment
  6. Illegal discrimination
  7. Disregard for safety rules
  8. Insubordination by refusing superior's order, verbal abuse of a superior, or unwillingness to submit to proper authority
  9. Failure to follow specified job instructions
  10. Unwillingness to work harmoniously with other employees
  11. Unauthorized solicitation on City property
  12. Distributing unauthorized printed matter on City property
  13. Tardiness
  14. Creating or contributing to unsanitary conditions
  15. Unauthorized operation of tools, machinery, equipment
  16. Gambling on City property
  17. Failure to timely report an injury or accident
  18. Unauthorized sleeping on the job during work hours or leaving the site early without permission
  19. Abuse of personal leave
  20. Fighting or attempting to provoke a fight on City property
  21. Deliberately restricting output
  22. Failure to maintain production and performance standards
  23. Theft
  24. Possession and/or use of alcoholic beverages or controlled substances while on duty
  25. Possession and/or use of alcoholic beverages or controlled substances while operating City equipment
  26. Reporting for work while under the influence of alcoholic beverages or controlled substances
  27. Assault on a supervisor or any other City employee
  28. Threatening or intimidating other City employees or supervisors
  29. Falsifying City records
  30. Intentionally misusing, abusing, or damaging City property or the property of another City employee
  31. Unauthorized removal, falsification, or alteration of City records or intentional release of confidential information
  32. Failure to report for work without appropriate notice
  33. Failure to obtain pre-approval for any overtime
  34. Repeated violation of rules and procedures



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35. Use of profanity or any offensive language directed at any individual
36. Dishonesty, deceit or fraud
37. Excessive complaining or poor attitude
38. Spreading of rumors and gossip
39. The commission of any criminal conduct
40. Any conduct which reflects negatively upon the City or upon the character of any City employee
41. Brandishing or exhibiting any dangerous weapon in an angry or threatening manner, or destroying property or throwing objects in a manner perceived to be threatening. This prohibition does not include law enforcement officers acting in their official capacity
42. Inappropriate use of City computers including e-mail, the internet and chat rooms
43. Inappropriate use of City cell phones including excessive personal use, text messaging and the internet



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### CHAPTER 8 EMPLOYEE DEVELOPMENT

- 8-1 Performance Evaluation
- 8-2 Travel Expenses Reimbursed

#### 8-1 Performance Evaluation

Annual performance evaluations shall be conducted of all employees.

#### 8-2 Travel Expenses Reimbursed

City Corporation recognizes the need for its employees to travel outside of the City limits at various times to receive training, information, briefing etc. for efficiency and effectiveness as City employees.

**Approval.** Employees are responsible for completing a pre-travel approval request, authorized by the Mayor, prior to training. Travel for legitimate City purposes in City vehicles may be authorized by a supervisor when the use of the vehicle does not detract from the operational needs of the City.

**Personal vehicle use.** Use of an employee's personal vehicle may be authorized when circumstances warrant. The employee shall calculate the mileage associated with the approved travel and submit a request for reimbursement based upon this calculation and charged to the respective training line item. The Mayor and the Department Supervisor will countersign this request, thus authorizing the reimbursement. The mileage rate will be the Federal Standard IRS rate.

**In-State/Out-of-State Training.** City strongly encourages its employees to attend training provided within the state. Occasionally, out-of-state travel may be approved by the Mayor when similar training is not offered within the state or when out-of-state travel is cost beneficial for the city. As budget allows, employees may be granted out-of-state travel.

**Travel Accommodation Reimbursement.** All hotels or other sleeping accommodations and airplane or other travel accommodations shall be arranged in advance for overnight trips and paid in advance of the trip. An employee may be approved for lodging when attending a two or more day training or conference outside a 50 mile radius of City. The Mayor may reduce mileage and per diem reimbursement for City travel and training when the City's financial condition makes it necessary and where such adjustment to the normal policy will maximize scarce training dollars.

All registration fees etc. will be approved and paid in advance. If payment in advance is



## Farr West City Employee Policies and Procedures

not possible, the City shall reimburse to the employee the cash amount of the cost of such lodging and travel accommodations after receiving the appropriate receipts to verify that the employee has expended their own money for such purposes. Failure to produce a receipt in such circumstances may necessitate the withholding of reimbursement. Receipts for hotel accommodations shall be turned in to the City by the employee as a verification of attendance no matter what the form of payment.

**Recreational Activities.** With pre-approval of the Mayor and Supervisor, employees may be allowed to receive reimbursement from the City for recreational activities, if such activity is part of the conference, does not directly conflict with attending the conference, or if by attending would not receive a discount by not participating, or if such activity comes with an additional charge, but provides an advantage for the City.



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### CHAPTER 9 FULL-TIME EMPLOYEE BENEFITS

- 9-1 Insurance
- 9-2 Annual Leave/PTO
- 9-3 Sick Leave
- 9-4 Paid Holidays
- 9-5 Bereavement Leave
- 9-6 Military Leave
- 9-7 Leave of Absence (Family and Medical Leave Act - FMLA)
- 9-8 Jury Duty
- 9-9 Unemployment Compensation Benefits
- 9-10 Workers Compensation
- 9-11 Parental Leave

#### 9-1 Insurance

The City may make health, dental, and life insurance available to all qualifying employees. The City will pay one hundred percent (100%) of premiums for full time employees and family members

**Coverage.** Insurance coverage begins immediately upon hire date and ends on the last day of the month of separation.

**Eligibility.** All full-time employees, and such other employees whose positions are designated by the Mayor with the advice and consent of the City Council, are eligible to participate in the City's health, dental, and life insurance programs should the City choose to offer them. Premium rates and City contributions may vary. Enrollment cards and a detailed schedule of benefits will be provided to eligible employees.

**Retired Employee Eligibility.** An individual retiring from the City who qualifies for and/or is vested in an approved City retirement plan may choose to remain with the City's group insurance until the individual is eligible for Medicare coverage by personally paying the applicable premium(s).

The spouse of such an employee may also stay with the City's group insurance until the spouse is eligible for Medicare coverage by personally paying the applicable premium. In the event the employee dies, the surviving spouse will then be eligible only for such further group insurance as COBRA may provide.





## Farr West City Employee Policies and Procedures

### 9-2 Annual Leave/Personal Time Off - PTO

The maximum annual leave eligibility, carryover provisions and separation compensation for full time employees are listed below:

#### 1. Vacation Eligibility:

- a. An employee hired on the first six (6) months of a fiscal year is eligible for five (5) days of vacation upon completion of six (6) months of continuous service. In the following fiscal year, on the anniversary date of employment, the employee will have ten (10) days of vacation time.
- b. An employee hired in the second six (6) months of a fiscal year is eligible for ten (10) days of vacation, upon completion of twelve (12) months of continuous service. Five (5) of the ten (10) days may be taken upon completion of six (6) months of continuous service with approval of the mayor.
- c. An employee who has completed one year, but less than five (5) years of continuous service in the current fiscal year is eligible for ten (10) days of vacation during that fiscal year (unless eligible for vacation under provisions above).
- d. An employee who has completed five (5) years, but less than fifteen (15) years of continuous service in the current fiscal year is eligible for fifteen (15) days of vacation during that fiscal year.
- e. During the fiscal year in which an employee completes fifteen (15) years of continuous service, and each year thereafter, the employee is eligible for twenty (20) days of vacation.

#### 2. Annual Leave Carryover

- a. Vacation is to be scheduled and used during the fiscal year in which it is earned. Vacation carryover to the next year is allowed only as follows:
  - i. If an employee is eligible for ten (10) days of vacation, no days may be carried over to the next year.
  - ii. If an employee is eligible for fifteen (15) days or more of vacation, five (5) days may be carried over to the next year.
- b. The mayor or department head may approve carryover of unused vacation beyond the carryover provisions above to a maximum of forty (40) hours, but only if the employee was unable to take vacation due to city requirements compelling the employee meet important city needs.
- c. Vacation should be scheduled in advance by notifying the mayor or department head at least one day prior to using it.

3. Vacation Compensation at Separation: An employee at separation shall be compensated for all vacation time at their current hourly rate of pay.



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### 9-3 Sick Leave

Sick leave is an insurance policy insuring the employees will receive full pay for sick leave used. The following guidelines will be in effect:

1. Sick Leave Accrual:
  - a. Full time employees accrue sick leave at the rate of six and two-thirds (6 2/3) hours per month during the first twelve (12) months of employment. After the first twelve (12) months, the employee receives the difference between eighty (80) hours and the total sick leave already granted during the fiscal year. On July 1 of each fiscal year the employee will be credited with eighty (80) hours of sick leave. Sick leave will accrue up to a maximum of one thousand forty (1,040) hours.
2. Additional Sick Leave: Employees with no or insufficient sick leave may be granted additional sick leave to cover long term or multiple illnesses by submitting a memo to the mayor. The mayor may grant up to thirty (30) additional days by taking into consideration such things as length of service, overall performance and past sick leave record.
3. Unused Sick Leave:
  - a. At the end of each fiscal year an employee shall be compensated at a rate of fifty dollars (\$50.00) per full day (8 hours) of unused sick leave over one thousand forty (1,040) hours of sick leave.
  - b. Upon retirement an employee shall be compensated at a rate of fifty dollars (\$50.00) per full day (8 hours) of unused sick leave.

### 9-4 Paid Holidays

The following days have been designated by the City to be paid holidays:

New Year's Day	January 1
Dr. Martin Luther King, Jr. Day	Third Monday of January
President's Day	Third Monday of February
Memorial Day	Last Monday in May
Juneteenth National Freedom Day	June 19 (if a Monday) or the Monday preceding June 19
Independence Day	July 4
Pioneer Day	July 24
Labor Day	First Monday in September
Columbus Day	Second Monday in October



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Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Day	December 25
Floating Holiday	

When a holiday falls on a Saturday, it shall be observed preceding workday. When a holiday falls on a Sunday, it shall be observed on the following workday. However, If June 19 is a Saturday or Sunday, the Juneteenth holiday is celebrated on the following Monday.

### 9-5 Bereavement Leave

Full-time employees are eligible for paid leave of up to three days who suffer the loss of an immediate family member. Immediate family will be defined as an employee's spouse, parents, children, sisters, brothers, grandparents, grandchildren, or in-laws. In event of death in any of these instances, the employee will be paid his/her regular base pay for scheduled work time.

In accordance with state law, any employee or employees' spouse is eligible for paid leave of up to three days following the end of the employee's pregnancy by way of miscarriage or stillbirth.

In the event of death of friends or relatives not listed above, an employee may be allowed to use PTO for time off to attend the funeral or memorial service for such person.

### 9-6 Military Leave

The City does not discriminate against any person who is a member of, applies to be a member of, performs, has performed, applies to perform or has an obligation to perform service in a uniformed service, as defined by federal statute. The City will not deny initial employment, re-employment, retention in employment, promotion, or any benefit of employment by the City on the basis of that membership, performance of service, application for service, or obligation. It is the City's policy to comply with all applicable statutes, including Employment And Re-employment Rights Of Members Of The Unified Services Act, 38 U.S.C. § 4301 *et seq.*, and Utah Code Ann. §§ 71-10-1 *et seq.*

For attendance of monthly reserve meetings, personnel should schedule their work and/or meetings so that they fall on their days off. If this is not possible, personnel should trade with others to cover shifts. If a trade cannot be arranged, the department will arrange



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leave for the individual and they will be charged with PTO. No pay as provided below shall be made for monthly reserve meetings.

For training periods for which leave is granted, and for which military order are issued to the employee to serve, the City will pay the difference between the employee's base military pay and their normal City pay up to and including 15 days. Since military pay may not be paid until after training is completed, should an employee desire, they may receive their normal City pay and then reimburse the City when they receive their reserve pay. A form for the purpose of calculating the proper reimbursement shall be provided by the personnel officer and completed by the employee. The employee shall then return the completed form within 15 days of receipt of military pay to the personnel department. The payroll department will then deduct the respective military pay amount from the employee's next paycheck; thus reducing the employee's total taxable income by the respective amount of military pay. Should a full-time employee be ordered to serve over 15 working days, no compensation will be made to the employee for any days in excess of 15 working days during any calendar year.

It shall be the policy of the City that any employee on military leave shall receive no compensation in excess of his or her normal City pay unless it comes entirely from the military. In order to facilitate relationships between the City and the reserve units, the employee must give as much notice as possible to the City of the need for military leave in order to avoid scheduling and conflicts in the departments. Requests for leave should be made at least twenty (20) days prior to the beginning of leave.

### **9-7 Leave of Absence (Family and Medical Leave Act - FMLA)**

The City provides family and medical leave of absence, without pay, to eligible employees for their own serious health conditions; or who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement for a foster child; or to care for a child, spouse or their own parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Eligible employees are those who have worked for the City for at least one year and worked 1,250 hours within the previous 12 month period. Eligible employees should make requests for FMLA leave to their supervisors at least 30 days in advance of foreseeable events. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and must comply with the City's normal call-in procedures.



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Employees requesting FMLA leave related to their own serious health condition or the serious health condition of a spouse, child, or their own parent must submit sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of leave. Employees must also inform the City if the requested leave is for a reason for which FMLA leave was taken or previously certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Eligible employees may request up to a maximum of twelve weeks of family leave within a 12 month period. Any combination of FMLA leave may not exceed this maximum limit. The City uses the *rolling period* to calculate this 12 week period. The rolling period method starts counting the FMLA period on the date the employee first uses FMLA leave. Eligible employees will be required to first use any accrued paid leave time before taking unpaid leave. This accrued paid leave time will be included as part of the maximum twelve weeks leave. Married employee couples may be restricted to a combined total of twelve weeks leave within any 12 month period for childbirth, adoption, or placement of a foster child; or to care for a parent with a serious health condition.

To the extent the law requires, eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

During the single 12-month period for service member care leave, an eligible employee is entitled to a combined total of 26 workweeks of service member care leave and leave for any other FMLA-qualifying reason, provided that the eligible employee may not take more than 12 workweeks for any other FMLA-qualifying reason during this period. For example, in the single 12-month period an employee could take 12 weeks of FMLA



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leave to care for a newborn child and 14 weeks of service member care leave, but could not take 16 weeks of leave to care for a newborn child and 10 weeks of service member care leave.

Subject to the terms, conditions and limitations of the applicable plan, health insurance benefits will be provided by the City for the length of time on leave, up to the maximum of twelve weeks. The employee must continue to pay any portion of the premium that the employee would typically pay if not on leave.

Benefit accruals, such as annual leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on FMLA leave must provide the City with at least two weeks' advance notice of the date the employee intends to return to work. When FMLA leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to report to work promptly at the end of the approved leave period, the City will assume that the employee has resigned.

### **9-8 Jury Duty**

Jury Duty: When an employee has been summoned to serve on jury duty, or has been subpoenaed to appear as a witness during normal working hours, he/she will be paid his/her full city salary by the city. Any pay received for an appearance as a witness, or juror, must be returned to the city. The employee is to report to work before and after service when possible. This policy shall cover only time lost while performing such duty.

### **9-9 Unemployment Compensation Benefits**

Employees whose employment is terminated may be eligible to receive unemployment compensation benefits, contingent upon the reason for the termination of the employment, the existence of a continued attachment to the labor market by the employee, and other factors. The determination of eligibility for unemployment compensation benefits, the amount of the benefits, and the duration of payments, if any, is made by the State of Utah Department of Employment Security, according to statutes, regulations and case law decision. Questions regarding unemployment compensation benefits should be directed to the State of Utah Department of Employment Security.



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### 9-10 Workers Compensation

Any injury occurring on the job must be immediately reported to the employee's supervisor. The job related injury shall be detailed on forms prescribed by the Utah Labor Commission and the City. These forms must be completed within 24 hours following the incident producing the injury.

### 9-11 Parental Leave

Parental leave is an additional benefit that is separate from, and in addition to, other types of paid leave. Parental leave benefits are a privilege, where the City provides compensation to employees during time related to the birth or adoption of a child. In order to qualify for parental leave, a benefits eligible employee must be employed full time by the City.

For the purpose of bonding with or caring for a newborn child or newly adopted child, the eligible employee shall receive 5 work days (up to 40 hours) of paid leave.

Eligible employees who physically give birth to a child shall receive 10 work days (up to 80 hours) of paid medical maternity leave due to temporary disability and/or the necessity of recovering from childbirth.

Parental leave must be used within 3 months of the birth or adoption of the child and must be used in a block of consecutive work days.

Parental leave may not be used before the birth or actual adoption of the child. Other leave may be used prior to the birth or adoption, but parental leave is only for the purpose of recovery, care, and bonding with the child after the birth or adoption.

Upon termination, an employee will not be compensated for any unused parental leave.



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### CHAPTER 10

### RETIREMENT BENEFITS

#### 10-1 Retirement System

Eligible employees will be enrolled in and shall participate in the Utah State Retirement System in accordance with Title 49, Utah Code Annotate.

In addition to participation in the URS, for employees eligible for participation in the URS, the city will match employee contributions to a state approved retirement plan up to and including a maximum of five percent (5%) of the employee's annual gross salary.

The city recorder and treasurer are designated as Tier 2 elected and appointed officials and are eligible for participation in the URS. All other elected and appointed officials are considered ineligible part time (averaging less than twenty (20) hours per week over the course of a year) and are therefore not eligible for participation in the URS.

Employees who are not eligible for participation in the URS, shall participate fully in social security.

If applicable, all Tier 2 elected and appointed officials who are not eligible for participation in the URS or coverage under social security are not eligible for retirement benefits from the City.





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### CHAPTER 11 COMPENSATION AND WORK HOURS

- 11-1 Work Hours
- 11-2 Classification of Positions
- 11-3 Payroll Administration
- 11-4 Reclassification of Positions
- 11-5 Regular Full-time and Part-time Compensation Scale
- 11-6 Fair Labor Standards Act
- 11-7 Compensatory Time

#### 11-1 Work Hours

Regular and prompt attendance at work is required of all employees. Employees are expected to arrive at work so that they can begin working at the start of their shift. The normal workday for full-time employees shall be eight (8) hours and the normal workweek forty (40) hours, except when longer working shifts are a common condition of employment and in certain public works or related divisions where the best interest of the City is served by extended hours of work.

Work shall generally begin at 8:00 a.m. and end at 4:00 p.m. However, other work schedules may be followed in accordance with service delivery needs.

An employee is entitled to two (2) compensated 15 minute work break periods in an 8 hour work day, generally speaking one in the morning and the other in the afternoon. Employees may take a 15 minute break period for every four (4) hours worked.

Office hours of the City building shall be Monday - Thursday 8:00am to 4:00pm and Friday 8:00am – noon.

Full time employees shall incur 4 hours of flex time per week. These hours are intended to be used by a full time employee for work activities and assignments not scheduled during the regular business hours of the City building as described above. Full time employees may accumulate flex time up to 208 hours per fiscal year. Each full time employee is required to report flex time usage and accumulation with the reporting of their regular work hours on the employee's time sheet. At the end of the fiscal year, any remaining flex time hours not used in the fiscal year shall be forfeit and the employee shall not be entitled to compensation for the unused hours.

#### 11-2 Classification of Positions

The Mayor, in conjunction with the City Council shall be responsible for the development



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and maintenance of a uniform and equitable pay plan and maximum rates of pay for each classified position as deemed necessary and equitable.

Each City position shall have a job description.

The City assigns each regular position a salary range.

### 11-3 Payroll Administration

All employees of the City shall be paid their salaries or wages on a bi-weekly basis.

All time sheets shall be reviewed and signed by the employee's supervisor and turned into the City Recorder no later than 9:00 a.m. on the first working day following the end of the pay period.

In the event there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their supervisor, the payroll office, or the Mayor so that corrections can be made as quickly as possible.

City Corporation reserves the right to make any and all payroll corrections as deemed necessary and appropriate.

Federal and State laws require City Corporation to keep an accurate record of time worked.

- Time worked is all time actually spent on the job performing assigned duties.
- Employees should accurately record the time they begin and end their work. They should also record the beginning and ending time of any split shift or departure from work for personal reasons.
- Overtime and comp time must be approved before it is performed.
- Altering, falsifying, tampering with the records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.
- It is the employee's responsibility to sign their time records and to certify the accuracy of all time recorded. The supervisor will review and then sign the time record before submitting it for payroll processing.



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- If corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the change.

Each paycheck will include earnings for all work performed through the end of the previous payroll period.

- In the event that a regularly scheduled payday falls on an employee's day off or a holiday, employees will be paid in accordance with state and federal guidelines.

Department Heads and/or supervisors will not release paychecks or pay statements to anyone other than the employee unless written authorization is given in advance by the employee.

Employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in City approved programs. Employees should review any discrepancies in payroll deductions with the payroll office.

### 11-4 Reclassification of Positions

Due to possible budget impact, reclassification studies will typically be undertaken in conjunction with the preparation of the yearly operating budget. Any proposed reclassification pay increase will typically not become effective until the beginning of the new fiscal year.

The effective date for any pay increase shall generally be the beginning of the payroll period following City Council action on the pay increase, but this may be changed by the City Council when extenuating circumstances so warrant.

### 11-5 Regular Full-time and Part-time Compensation Scale

Compensation Model:

- a. Modified Grade And Step: The city will utilize a matrix of grades and steps to compensate all employees.
  - b. Grade: Each grade on the Grade and Step Model will represent a clearly defined job description, which should closely match each city approved job description. All employees whose jobs fit within a particular job description will be compensated within the steps of that grade.
  - c. Step: All employees will fall within one of eighteen (18) steps on the Grade and Step Model.
3. Technology Net®: Technology Net® is a national company who provides salary



## Farr West City Employee Policies and Procedures

information which has been accumulated from various governmental entities. Farr West City shall utilize the information available from Technology Net® to establish the wage ranges for each full-time position within the city. Part-time, temporary and seasonal positions may utilize the survey to help determine wage ranges, but will ultimately be determined by the Personnel Committee and approved by the City Council.

4. Technology Net® Job Descriptions: In order to utilize the Technology Net® information, it is necessary that each city approved job description be as closely matched as possible to the job description on the Technology Net® Survey.

5. Technology Net Survey Information: Although Technology Net® provides survey information for many counties and service districts, Farr West City has chosen to compare the salary information of all participating Utah cities, Wasatch Front counties and applicable service districts. Those entities whose information is more than five (5) years old will not be used until their information is again current. The city will use the information from the survey during the last quarter of the fiscal year to determine the minimum and maximum of each grade in preparation for the budgeting process for the new fiscal year.

6. Grade And Step Matrix:

a. Using Survey Averages: All participating cities and counties report a pay range for each job description. The Technology Net® survey information will be used to determine the average minimum and maximum paid by all Utah cities, select counties and special service districts who participate in the survey. Utilization of the average is based on the city's desire to compensate employees better than most cities. It is acknowledged that not all cities and counties in Utah participate in the survey and that generally larger, higher paying cities are participating. Using an average of these cities and counties should provide the city with a more competitive wage scale.

b. Minimum Average: The lowest step in the city's Modified Grade and Step will be the average minimum wage range reported on the survey for each job.

c. Maximum Average: The highest step in the city's Modified Grade and Step will be the lesser of one hundred percent (100%) of the average maximum wage range reported on the survey for each job or the highest maximum reported on the survey for that specific job.

d. Step Calculations: Steps will be established by taking the minimum and maximum and evenly distributing the dollar amount of the pay range between all eighteen (18) steps.

7. Annual Adjustments:

a. Date Of Adjustment: At the beginning of the fiscal year, all employees whose work is at least satisfactory will be eligible for a step increase if:

(1) They have been employed with the city for at least one year; or

(2) If hired within the last twelve (12) months, the employee has successfully completed their six (6) month probationary period.

b. Amount Of Adjustment: Employees whose work is at least satisfactory will be



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eligible to advance to the next step in their grade. In the event that new survey data would create a reduction in employee pay, the employee will still move to the new step, but will not receive a reduction in pay.

c. Budget Shortfalls: In the event that the annual cost of the matrix adjustments and step increases exceed the amount approved by the City Council for the payroll budget, all grades will be adjusted by the same percentage reduction to conform to the budget.

### 8. Exceptions:

a. Job Descriptions: Technology Net® job descriptions are intended to closely match the city's job descriptions. It is expected that employees are compensated at their highest skill level as long as that skill is a substantial part of their job and required by the city to perform their specific job. In the event job descriptions from Technology Net® are not available or do not match closely, the Personnel Committee, shall determine the minimum and maximum steps for this job.

b. Unsatisfactory Job Performance: In the event that an employee's work is unsatisfactory, the employee will not be eligible for a step increase nor for any increase due to adjustments in the survey wage data. This exception may result in an employee's wages not matching a specific step in his/her grade. Once performance has improved to a satisfactory level, the Manager may, with approval from the Personnel Committee, award the lost step increase to the employee.

### 9. New Employees/Promotions/Demotions/Merit Increases:

a. New Employees: New employees will generally be replacing former employees and will normally be placed on the same grade as their predecessor. The Manager, with approval from the Personnel Committee or Mayor, will have the latitude to place new employees on the step that is most appropriate for the education, experience or other factors that the new employee brings to the job.

b. Promotions: The Manager, with approval from the Personnel Committee, will have the latitude to place promoted employees on the step that is most appropriate for the education, experience or other factors that contributed to their promotion or selection for the job.

c. Demotions: When employees are voluntarily or involuntarily demoted, the employee will be moved to their new grade and step by the Manager with the approval of the Personnel Committee.

d. Department Restructuring: When employees are moved from one grade to another due to restructuring of their department, the employee will be moved to the step that matches the current pay or if the pay does not match, the next higher step.

## 11-6 Fair Labor Standards Act

All employees shall comply with the provisions of the Fair Labor Standards Act (FLSA) as amended and the Department of Labor regulations issued there under pertaining to



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compensation for overtime work.

Employees shall be classified as either exempt or nonexempt. These categories are defined as:

- (a) Employees who are not covered by or subject to the overtime requirements and regulations of the FLSA are deemed “exempt.” Employees are classified as exempt based upon the nature of the work, conditions of employment, and criteria set forth in the FLSA and related Federal rules and regulations.
- (b) Non-Exempt. Employees who are covered by and subject to the overtime requirements and regulations of the FLSA are deemed “non-exempt.”

**Work period.** For the purpose of complying with the requirements of the FLSA, the workweek shall consist of seven days beginning 12:00 a.m. Saturday and ending at 11:59 p.m. Friday. All overtime hours shall be accounted for by the employee on the time sheet during which the hours were worked.

**Joint employment.** A City employee shall not serve as a volunteer for the same job in which he/she is employed by the city.

### 11-7 Compensatory Time

As a general rule, the requirement of frequent and considerable overtime within the City shall be considered evidence of under staffing and will be investigated by the Mayor. However, when employees are directed by the department or division supervisor or his/her duly appointed representative to work extra time in addition to normal working hours, they shall be compensated for overtime or allocated compensatory time.

All overtime work must be given proper authorization and/or be known in advance by the supervisor, and records of all overtime work must be kept by department supervisors with copies to the accounting payroll clerk.

Employee compensation for overtime and allocation of compensatory time shall be governed by applicable Federal and State law, including the Federal Fair Labor Standards Act. Departmental policies for the use of overtime and compensatory time can be drafted by each department, approved by the City Council, and kept on file in the offices of the Mayor and the City Recorder.



## Farr West City Employee Policies and Procedures

### CHAPTER 12 SUBSTANCE ABUSE AND DRUG-FREE WORKPLACE

- 12-1 Policy Statement
- 12-2 Definitions
- 12-3 Testing Policy
- 12-4 City Action
- 12-5 Confidentiality
- 12-6 Work Place Rules
- 12-7 Acknowledgment of Policy
- 12-8 Drug and Alcohol Policy Not a Contract

#### 12-1 Policy Statement

City is a drug-free workplace and is committed to providing a safe and productive work environment. Alcohol and drug abuse poses a threat to the health and safety of City employees and others, and to the security of the City's equipment and facilities. This policy provides alcohol and drug screening, testing and treatment procedures for City employees.

It is the policy of City to prohibit the use of alcohol and illegal drugs and the abuse of legal medications that impact job performance; that may create a significant danger or harm to the public, employees and City property; that may be in violation of the criminal laws of the State of Utah; and that may increase the potential legal liability of the City for accidents or misconduct of its employees. Employees who violate this policy will be subject to discipline, up to and including termination.

#### 12-2 Definitions

For the purposes of this policy:

**"Alcohol"** means alcoholic beverages and any other intoxicating substances.

**"Drugs"** used in this policy refer to and include all drugs, paraphernalia, controlled substances, or mood or mind altering inhalants, any of which were not prescribed by a licensed physician/dentist in the United States for the person taking or in possession of the drug or substance, or which have not been used as prescribed or directed.

**"Drug Paraphernalia"** means objects used to manufacture, compound, convert, produce, process, prepare, test, analyze, pack, store, contain, conceal, and/or to inject, ingest, inhale, or otherwise introduce a drug into the human body.

**"Employee"** means any person in the service of the City whether for compensation or as





## Farr West City Employee Policies and Procedures

a volunteer.

**“Prospective employee”** means any person who has made application for employment with the City and to whom the City has offered employment, conditioned upon the results of a drug and alcohol test.

**“Conviction”** means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal statutes.

**“Criminal Drug Statute”** means a Federal or State criminal statute involving the manufacture, distribution, dispensing, possession, or use of any controlled substance.

**“MRO”** means Medical Review Officer, charged with reviewing and interpreting test results and determining any alternate medical explanations.

**“Drug Policy Coordinator”** is the City employee specifically designated to administer the Drug and Alcohol Testing Policy and through whom any procedures, or disciplinary or rehabilitative action regarding this policy, must be reviewed and approved. The Drug Policy Coordinator is the Human Resource Coordinator.

**“CDL-Commercial Driver’s License”** is the license required to operate a commercial vehicle.

**“Sample”** means urine, blood, breath, saliva, or hair.

### 12-3 Testing Policy

It is the policy of the City to test employees and prospective employees for the presence of drugs or alcohol, according to the provisions set forth below, as a condition of hire or continued employment. Any employee or prospective employee failing or refusing to take the test will not be eligible for employment, or if employed, may be subject to termination. The City shall consider as negative all confirmed positive drug and alcohol test results with a medically sufficient explanation.

The preferred method of drug testing shall be urine collection. However, an alternate sample may be used if deemed necessary by the department head or Medical Review Officer.

The City shall require the testing of employees and prospective employees, including management, on a periodic basis, under the following circumstances and purposes.





## Farr West City Employee Policies and Procedures

### **Pre-Employment Testing.**

All prospective employees shall be tested for drug or alcohol usage prior to being placed for employment. All job applicants shall be informed of the policy at the pre-employment interviews. A copy of this policy shall be available for review by all prospective employees. All prospective employees shall be required, prior to being hired by the City, to sign the acknowledgment form, agreeing to abide by the terms of this policy. The City will exclude from employment any job applicant or prospective employee who refuses to abide by the terms of this policy. Any prospective employee whose pre-employment drug and alcohol test results in a confirmed positive and who does not have a medically sufficient explanation (as determined in the sole, but reasonable, discretion of the MRO), may reapply for employment with the City after six months from the date of such test. If the City hires a prospective employee, he or she must have first successfully passed the above-referenced pre-employment drug and alcohol test, and thereafter he or she will be subject to all the procedures and requirements for drug and alcohol testing as set forth in this policy.

In addition, any employee who has taken an extended leave of absence of six months or longer must be retested under this section before returning to work.

### **Reasonable Suspicion (For Cause) Testing.**

Certain supervisors shall be trained to look for behaviors which may indicate drug or alcohol usage. These behaviors include, but are not limited to: direct observation of drug or alcohol use, drug paraphernalia, abnormal or erratic behavior such as accidents, stealing, or repeated errors on the job, or unsatisfactory time and attendance patterns, any of which are coupled with a specific contemporaneous event that indicates probable drug or alcohol use. An employee will be required to provide a sample, as defined below, when such reasonable suspicion arises and at least one supervisor or manager, and the designated Drug Policy Coordinator, concur that a reasonable suspicion of drug or alcohol use exists. The decision to test for drug or alcohol use by an employee is based on specific contemporaneous, physical, behavioral, and/or performance indicators. Once the authorized supervisors have determined that a reasonable suspicion exists, testing is done immediately.

### **Return to Duty Testing.**

If the City returns to duty an employee after he or she has voluntarily sought rehabilitation for drug or alcohol abuse and has successfully completed rehabilitation, such employee shall be entered into a program of unannounced drug and alcohol testing for a predetermined period of time at the sole discretion of the City.



## Farr West City Employee Policies and Procedures

### **Post-Accident Testing.**

Post-accident testing will be conducted on employees whose performance either contributed to an accident, or cannot be completely discounted as contributing to the accident. Such testing will occur as soon as possible, but not later than two (2) hours after an accident has occurred. The immediate supervisor and the department manager of such employee, in association with the Drug Policy Coordinator, shall determine if the performance of that employee either contributed to the accident or cannot be completely discounted as a contributing factor.

### **Random Testing.**

The City reserves the right to implement a random drug and alcohol testing program consistent with applicable federal, state and local law, for purposes of maintaining safety and as a deterrent to drug and alcohol abuse.

Employee's required to hold a Commercial Driver's License (CDL) and drive commercial vehicles as a condition of employment may be tested as required by federal and/or state law.

Any drug or alcohol testing shall occur during or immediately after the regular work period of current employees, and shall be deemed work time for purposes of compensation and benefits for current employees.

Individuals will be tested on City premises or sent to an outside clinic or testing facility licensed to perform such tests. If an employee is sent to an outside clinic for a "Reasonable Suspicion" test, the employee must be driven to the facility by the supervisor or his/her designee. The employee must then be put on administrative leave until the results of the test are available. The supervisor must make arrangements or help the employee make arrangements to get home without driving him/herself.

The City shall pay all costs of testing and transportation associated with a test required by the City.

All sample collection and testing shall be performed under the following conditions:

- A. The collection of samples shall be performed under reasonable and sanitary conditions.
- B. Samples shall be collected and tested with due regard to the privacy of the individual being tested, and in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.



## Farr West City Employee Policies and Procedures

- C. The collection of samples shall be documented, and the documentation procedures shall include labeling of samples, to reasonably preclude the probability of erroneous identification of test results. An opportunity shall be provided for the employee or prospective employee to provide notification of any information that he or she considers to be relevant to the test, including identification of currently or recently used prescriptions or non-prescription drugs, or other relevant medical information.
- D. Sample collection, storage, and transportation to the place of testing shall be performed in a manner that reasonably precludes the probability of sample misidentification, contamination or adulteration.
- E. Sample testing shall conform to scientifically accepted analytical methods and procedures.
- F. Testing shall include verification or confirmation of any positive initial screening test by gas chromatography, gas chromatography-mass spectroscopy, or other comparably reliable method.
- G. In the case of urine testing, an employee or prospective employee will submit a split urine sample. A split urine sample shall consist of at least 45 ml of urine. The urine shall be divided into two specimen bottles, with at least 30 ml of urine in one bottle and at least 15 ml of urine in the other. If the test results of the 30 ml urine sample indicate the presence of drugs, the donor of the test shall have 72 hours from the time he is so notified to request, at his option that the 15 ml urine sample be tested for the indicated drugs, the expense of which shall be divided equally between the donor and the City. The test results of both samples may be considered at any subsequent disciplinary hearing.

Drug and alcohol testing will be conducted in compliance with federal, state and local laws, including but not limited to Utah Code Ann. § 34-41-101 *et seq.*

### 12-4 City Action

Upon receipt of a verified or confirmed positive drug or alcohol test result, which indicates a violation of this policy (and in the case of urine testing after providing the employee or prospective employee notice of the result of the initial test and the option to have the 15ml urine sample tested), or upon the refusal of any employee or prospective employee to provide a sample, the City may use that test result or refusal as the basis for disciplinary or rehabilitative actions, which may include, but not be limited to, the following:



## Farr West City Employee Policies and Procedures

- A. Termination of employment.
- B. Refusal to hire a prospective employee.
- C. Any other disciplinary measures in conformance with the City's practices, policies, or procedures.

### 12-5 Confidentiality

The information received from the drug testing results shall be the property of the City. Test results information may be released to the person who has been tested upon written request.

### 12-6 Work Place Rules

Employees, who possess, dispense, manufacture, or distribute alcohol, drugs or drug paraphernalia on City premises, or on City time may be subject to disciplinary action, including termination.

Employees undergoing prescribed medical treatment with a drug that may alter physical or mental abilities must report that to their supervisor.

Any employee convicted of violating a criminal drug statute must notify the City Administrator within five (5) days of conviction. The City may take appropriate disciplinary or rehabilitative actions as a consequence.

No employee may use or be under the influence of drugs or alcohol on the City's premises, in the City's vehicles, or any time the employee is representing the City on City business, except in cases involving a current, prescription prescribed in the United States, or over-the-counter drug, taken as prescribed or directed.

### 12-7 Acknowledgment of Policy

The City shall require each employee to read this policy and sign a form, acknowledging that they have received and read a copy of this policy and agree to abide by its terms as a condition of continued employment. The signed acknowledgment shall be kept in each employee's personnel file.

### 12-8 Drug and Alcohol Policy Not a Contract

This Drug and Alcohol Testing Policy is the unilateral action of the City and does not



## Farr West City Employee Policies and Procedures

constitute an express or implied contract with any person affected by or subject to the policy. Neither this policy nor any action taken pursuant to this policy assures or guarantees employment or any terms of employment to any person for any period of time. The City may alter, terminate or make exceptions to this policy at any time, at the City's sole discretion. This policy does not limit or alter the City's right to terminate any employee at any time for any reason.



## Farr West City Employee Policies and Procedures

### CHAPTER 13 SEXUAL HARASSMENT POLICY AND PROCEDURE

- 13-1 Prohibition Against Sexual Harassment
- 13-2 Statement of Penalties for Misconduct
- 13-3 Reporting Violations of Sexual Harassment

#### 13-1 Prohibition Against Sexual Harassment

All employees of the City have the legal right (Title VII of the Civil Rights Act of 1964) to work in an environment free from sexual harassment. In addition, all individuals making application for employment with the City have the right to expect an environment free from sexual harassment.

Sexual harassment is an unlawful activity which violates City policy and is prohibited as a form of sex discrimination. Both sexual harassment and inappropriate sexual conduct, whether legally sexual harassment or not, are unacceptable behavior. Any employee who engages in any form of sexual harassment shall be subject to disciplinary action.

Sexual harassment, according to the federal Equal Employment Opportunity Commission (EEOC), consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual nature or sex based nature where:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- B. An employment decision is based on an individual's acceptance or rejection of such conduct.
- C. Such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

It is also unlawful to retaliate or take reprisal in any way against anyone who has filed a complaint about sexual harassment or inappropriate sexual conduct. The City and its supervisors, employees and agents are under a duty to investigate or eradicate any form of sexual harassment or inappropriate sexual conduct or complaints about such conduct. In addition to prohibiting sexual harassment and inappropriate sexual conduct by its employees, the City prohibits sexual harassment towards its employees by its citizens, contractors and/or vendors.

The City's management is committed to vigorously enforcing this prohibition of Sexual Harassment at all levels of the organization. This prohibition against Sexual Harassment



## Farr West City Employee Policies and Procedures

is in effect at all times and in all places.

### 13-2 Statement of Penalties for Misconduct

An employee's commission of acts of sexual harassment, inappropriate sexual conduct, and/or retaliation will result in disciplinary action up to and including termination.

### 13-3 Reporting Violations of Sexual Harassment

Employees are required to report all incidents of what they believe to be inappropriate sexual conduct or violations of the City's Sexual Harassment Policy. These reports shall be made at the time when the employee first feels they or someone else has been sexually harassed or subjected to inappropriate sexual conduct. The following procedure will guide the investigation of these claims:

- A. Employees must file a sexual harassment complaint either verbally or in writing with the Mayor, or the City Attorney. The Mayor will then investigate the allegation with the help of the appropriate supervisory personnel and make a written report of his findings to City Council, together with any corrective actions proposed or undertaken.
- B. All such complaints will be investigated. If the investigation indicates that harassment or inappropriate sexual conduct has occurred, appropriate action will be taken. Confidentiality will, to the extent practical, be protected. The City will make every reasonable effort to keep the identity of the reporting person confidential, but confidentiality cannot be guaranteed.
- C. Any employee of the City who is accused of sexual harassment or inappropriate sexual conduct shall not question, coerce, intimidate, or retaliate in any way against the employee who has filed a complaint of sexual harassment or inappropriate sexual conduct or against employees that have provided information concerning the complaint.
- D. All employees shall cooperate fully in any investigation of sexual harassment, inappropriate sexual conduct, or retaliation. Disciplinary action will be taken against any employee that obstructs or does not fully cooperate with any such investigation.



## Farr West City Employee Policies and Procedures

### CHAPTER 14 DISCRIMINATION/HARASSMENT POLICY AND PROCEDURE

#### 14-1 Prohibition Against Discrimination/Harassment

##### 14-1 Prohibition Against Discrimination/Harassment

The City does not tolerate discrimination, retaliation, or any form of harassment based on race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws. All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, transfer, demotion, or termination of employment.

Any employee who believes that he or she has been subjected to discrimination or harassment based on race, color, religion, sex (including gender), pregnancy, national origin, age, or disability, or who is aware of such an occurrence, has the obligation, duty, and right to report to the Mayor, or the City Attorney. All complaints should be made as soon as the objectionable conduct or language first occurs. The Mayor will then investigate the allegation with the help of the appropriate supervisory personnel and make a written report of his/her findings to City Council, together with any corrective actions proposed or undertaken.

All such complaints will be investigated and, if the investigation indicates that discrimination or harassment has occurred, appropriate action will be taken. All employees and any special investigators are required to maintain confidentiality with respect to on-going investigations or records involving complaints of harassment, discrimination, retaliation, or inappropriate behavior.

An employee who is accused of such discrimination or harassment shall not question, coerce, intimidate or retaliate in any way against the person making the report, against the person who was discriminated against or harassed, or against any person who provided information concerning the complaint. All employees shall cooperate fully in any investigation of discrimination, harassment or retaliation.





## Farr West City Employee Policies and Procedures

### CHAPTER 15 WORKPLACE VIOLENCE

15-1 Workplace Violence and Policy Statement

15-2 Workplace Violence Definitions

#### 15-1 Workplace Violence and Policy Statement

The City has a zero tolerance policy for violence in the workplace by any of its employees, customers, the public, and anyone else who conducts business with the City. Prohibited conduct within the City workplace includes violent behavior, physical attacks, verbal or physical threats of violence, physical intimidation, stalking, and property damage.

The objective of this policy is to reduce the potential for violence in and around the workplace, to encourage and foster a work environment that is characterized by respect and healthy conflict resolution, and to mitigate the negative consequences for employees who experience or encounter violence in their work lives.

#### 15-2 Workplace Violence Definitions

The work violence in this policy shall mean an act or behavior that:

- A. is physically assaultive;
- B. consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;
- C. would be interpreted by a reasonable person as having potential for physical harm to the individual;
- D. a reasonable person would perceive as menacing;
- E. involves carrying or displaying weapons, destroying property or throwing objects in a manner reasonably perceived to be threatening; or
- F. consists of a communicated or reasonably perceived threat to destroy property.

Any workplace violence committed by employees or members of the public while on City property or while using City facilities will be prosecuted as appropriate and may result in disciplinary action, up to and including termination. Employees must immediately report to their supervisor all incidents of workplace violence. Any employee who acts in good faith by reporting actual or implied violent behavior will not be subjected to retaliation.



## Farr West City Employee Policies and Procedures

### CHAPTER 16 VEHICLE USE

- 16-1 Purpose
- 16-2 Official City Business
- 16-3 Use Agreement and Driver's License Verification
- 16-4 Authorized Passengers Only
- 16-5 Safe Operation
- 16-6 Maintenance
- 16-7 Accidents
- 16-8 Private Vehicle Use

#### 16-1 Purpose

The purpose of this Chapter is to establish guidelines for the use of City vehicles by employees. Employees using City vehicles shall comply with this Chapter.

#### 16-2 Official City Business

The use of City vehicles by employees shall be limited to official City business, provided that reasonable incidental stops may be made while en route of City business or during break or lunch periods.

#### 16-3 Use Agreement and Driver's License Verification

Each employee using a City vehicle shall carry a valid Utah driver's license corresponding to the type of vehicle being operated. Employees operating City vehicles shall be at least eighteen (18) years of age. The City shall have the right to review the driving records of all employees in order to identify unsafe or uninsurable drivers. City employees with poor driving records may be prohibited from driving City vehicles or may be required to obtain "high risk" insurance. Any employee subject to this Chapter for authorized use of a City vehicle whose driver's license expires or is suspended or revoked shall immediately report such expiration, suspension or revocation to the employee's department head. The department head shall immediately notify the Mayor of such expiration, suspension or revocation. Any department head subject to this Chapter for authorized use of a City vehicle whose driver's license expires or is suspended or revoked shall immediately report such expiration, suspension or revocation to the Mayor.

#### 16-4 Authorized Passengers Only

Non-City persons may only ride in City vehicles in connection with official City business and when accompanied by a City employee. No other persons such as family or friends of employees or strangers are permitted to ride in City vehicles



## Farr West City Employee Policies and Procedures

unless authorized by the employee's supervisor or department head and only in limited circumstances.

### **16-5 Safe Operation**

All employees using City vehicles shall operate the vehicle in a safe manner and in accordance with all state and local traffic laws, including but not limited to, all posted and required speed limits. Employees shall exercise defensive driving skills to prevent accidents and shall wear a seatbelt at all times the vehicle is in operation. Smoking/vaping is prohibited in all City owned vehicles.

### **16-6 Vehicle Maintenance**

Employees are responsible for the daily care and general maintenance of City vehicles under their control or assigned to them, provided however, that no repair or other alteration to the vehicle should be made without authorization from their supervisor. Any suspicions regarding mechanical problems or any equipment breakdown, defect, or failure involving a City vehicle shall be reported immediately to the employee's supervisor. No supervisor should knowingly require a subordinate to operate an unsafe vehicle or equipment.

### **16-7 Accidents**

Employees involved in a vehicular accident while driving a City vehicle or while on City business shall immediately contact the local law enforcement agency with jurisdiction and fill out the appropriate police report for the incident. As soon as reasonably practical, employees shall report any accident or damage involving a City vehicle or work-related injuries to their supervisor. Any required post-accident drug and alcohol testing shall be conducted.

### **16-8 Private Vehicle Use**

Employees normally shall use City vehicles for City business. Department heads may approve employee use of private vehicles for City business in limited circumstances. When circumstances require an employee to use his or her private vehicle for City business and such use has been approved by the employee's department head, the employee may be paid mileage reimbursement the amount specified in the Internal Revenue Code. The employee shall submit documentation of approved mileage to his or her department head for review and approval prior to reimbursement. Employees shall be required to maintain appropriate insurance for such vehicles and shall be responsible and liable for any damage to the same.



## Farr West City Employee Policies and Procedures

### 16-9 Take Home Vehicle Use

Subject to approval by an employee's supervisor, an employee may be permitted to take a City vehicle to and from their place of residence so long as an employee does not live further than a 15 mile radius from the City Hall.



## Farr West City Employee Policies and Procedures

### CHAPTER 17

### PERSONAL USE OF CITY PROPERTY

#### 17-1 Purpose

#### 17-2 Definitions

#### 17-3 Policy

#### 17-1 Purpose

This policy is intended to define authorized personal use of City property, including for purposes of Utah Code Ann. § 76-8-402.

#### 17-2 Definitions

**Employee** means one of the following who performs services for the City, whether or not paid: an employee, including an elected official; a volunteer; a board or committee member; a consultant; or a contractor.

#### 17-3 Policy

City-owned property is public property and is to be used for the benefit of the public. City offices, departments, and employees are to use city-owned property to achieve the purposes of City government. Notwithstanding the foregoing, incidental and occasional personal use of City-owned property by employees is permitted.

If an employee's personal use of City-owned property creates more than a de minimus cost to the City, the employee shall reimburse the City for the cost of the personal use. If City-owned property is damaged during personal use and must be repaired or replaced, the employee shall pay the cost of repair or replacement.

This policy supersedes all other City policies related to personal use of public property.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF FARR WEST CITY, UTAH DELETING CHAPTER 2.08 OF THE FARR WEST CITY MUNICIPAL CODE**

**WHEREAS**, Title 2 Chapter 2.08 “Personnel Policies and Procedures” of the Farr West City Code of Ordinances establishes certain employee and employer standards, practices, rules, and policies applicable to employees of Farr West City; and

**WHEREAS**, Farr West City, in effort to better comply with updated Federal and State regulations as they pertain to employers and employees has determined it necessary to establish a new personnel policies and procedures manual and has adopted said manual by resolution; and

**WHEREAS**, because Farr West City has adopted a new personnel policies and procedures manual, Title 2 Chapter 2.08 “Personnel Policies and Procedures is no longer necessary; and

**NOW THEREFORE**, be it ordained by the Farr West City Council that Title 2 Chapter 2.08 “Personnel Policies and Procedures” shall be deleted in its entirety.

This Ordinance supersedes all prior ordinances and policies of Farr West City to the extent that such may be in conflict with the specific provisions contained herein. In all other respects, such prior ordinances, resolutions, actions and policies shall remain in full force and effect.

This ordinance shall take effect immediately after publication or posting by the City Council of Farr West City, Utah.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

MAYOR OF FARR WEST CITY, UTAH

By \_\_\_\_\_  
Ken Phippen

ATTEST:

\_\_\_\_\_  
Recorder  
Farr West City, Utah

Vote of City Council

Yes No  
\_\_\_\_ Council Member Leatham  
\_\_\_\_ Council Member Blazzard  
\_\_\_\_ Council Member Ferrin  
\_\_\_\_ Council Member Chugg  
\_\_\_\_ Council Member Williams

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF FARR WEST CITY, UTAH AMENDING SECTION 3.30.010 OF THE FARR WEST CITY MUNICIPAL CODE**

**WHEREAS**, Chapter 3.30.010 “Fee Schedule Enumerated” of the Farr West City Code of Ordinances provides for certain fees applicable to various activities within Farr West City (“City”); and

**WHEREAS**, Section 3.30.010 currently provides for a fee in the amount of \$200.00 for excavation permits; and

**WHEREAS**, the Farr West City Public Works has requested an update to the fee schedule for excavation permits; and

**WHEREAS**, the Farr West City Council desires to update 3.30.010 “Fee Schedule Enumerated” to update the excavation permit fee; and

**NOW THEREFORE**, be it ordained by the Farr West City Council that the excavation permit fee found in Title 3 Section 3.30.010 shall be amended to read as follows:

**3.30.010 FEE SCHEDULE ENUMERATED**

Code Section	Item	Fee	Effective Date
12.04.050	Excavation bonding and permit fee	\$10,000.00 minimum bond/ <del>\$400.00</del> 200.00 minimum permit fee	<del>Oct-14</del> Nov-23

This Ordinance supersedes all prior ordinances and policies of Farr West City to the extent that such may be in conflict with the specific provisions contained herein. In all other respects, such prior ordinances, resolutions, actions and policies shall remain in full force and effect.

This ordinance shall take effect 15 days after publication or posting by the City Council of Farr West City, Utah.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

MAYOR OF FARR WEST CITY, UTAH

By \_\_\_\_\_  
Ken Phippen

ATTEST:

Vote of City Council

\_\_\_\_\_  
Recorder  
Farr West City, Utah

Yes	No	
___	___	Council Member Leatham
___	___	Council Member Blazzard
___	___	Council Member Ferrin
___	___	Council Member Chugg
___	___	Council Member Williams