

RESOLUTION No. 2024-07

ROLL CALL

VOTING	YES	NO	ABSENT	ABSTAIN
MIKE MENDENHALL <i>Mayor (votes only in case of tie)</i>				
STACY BECK <i>Councilmember</i>	X			
JESSE CARDON <i>Councilmember</i>	X			
SHANE MARSHALL <i>Councilmember</i>	X			
KEVIN OYLER <i>Councilmember</i>	X			
LANDON TOOKE <i>Councilmember</i>	X			

I MOVE this resolution be adopted: Councilmember Oyler  
I SECOND the foregoing motion: Councilmember Marshall

RESOLUTION No. 2024-07

A RESOLUTION APPROVING VARIOUS AMENDMENTS  
TO THE SPANISH FORK CITY EMPLOYEE PERSONNEL POLICY

WHEREAS Spanish Fork City ("City") has adopted an employee personnel policy to govern the conduct and performance of its employees;

WHEREAS the Spanish Fork City Council is authorized to make changes to the employee personnel policy; and

WHEREAS miscellaneous changes are needed to clarify sections of the employee personnel policy;

NOW, THEREFORE, be it resolved by the Spanish Fork City Council as

follows:

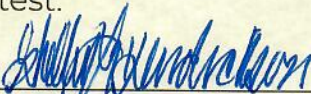
1. **Amendment of Policy.** The Spanish Fork City Personnel Policy is hereby amended as set forth in Exhibit A, attached hereto and incorporated herein by reference. Only the sections contained therein are hereby amended and all other policies shall remain unchanged.

2. **Effective Date.** This Resolution is effective immediately upon passage.

DATED: April 2, 2024.

  
MIKE MENDENHALL, Mayor

Attest:

  
TARA SILVER, City Recorder  
*Shelley Hendrickson, Deputy Recorder*



SPANISH FORK CITY PERSONNEL POLICY AMENDMENTS

Policy: 1.20.50.031. **Employer Retirement Contributions.**

A. The City participates in six distinct retirement plans as created and allowed by the State of Utah. The six plans as designated by the Utah Retirement System (URS) are: Tier 1 Public Employees, Tier 1 Public Safety Employees, Tier 1 Firefighters, Tier 2 Public Employees and Tier 2 Public Safety Employees, and Tier 2 Firefighters. The City will contribute to retirement as follows:

1. Tier 1 Public Employees.
  - a. For employees eligible for the Tier 1 Public Employees Retirement.
  - b. City will pay the required URS employer contribution.
  - ~~c. Total retirement contribution of 17.9% of employee's eligible salary or a percentage required by the URS, whichever is greater.~~
  - ~~d. Percentage split between required URS contribution with any remaining percentage placed into a non-URS 401(k).~~
  - ~~e. If required URS contribution exceeds 17.9%, contributions into the non-URS 401(k) will not be made.~~
  - f. Tier 1 employees that are eligible to be exempt from the URS Pension may do so if they choose. Retirement contributions are then made according to contract.
2. Tier 1 Firefighters.
  - a. For employees eligible for the Tier 1 Firefighters Retirement.
  - b. City will pay URS required employer contributions.
  - c. City will pay URS Required employee contributions of up to 17.9%.
  - d. Tier 1 employees that are eligible to be exempt from the URS Pension may do so if they choose. Retirement contributions then made according to contract.
3. Tier 1 Public Safety Employees.
  - a. For employees eligible for the Tier 1 Public Safety Retirement.
  - b. City will pay the required URS contribution.
  - ~~c. Total retirement contribution of 17.9% of employee's eligible salary or a percentage required by the URS, whichever is greater.~~
  - ~~d. Percentage split between the required URS contribution with any remaining percentage placed into non-URS 401(k).~~
  - ~~e. If required URS contribution exceeds 17.9%, contributions into the non-URS 401(k) will not be made.~~
  - f. Contributions for overtime hours made into the non-URS 401(k).

- g. ~~Overtime hour contributions are capped at 17.9%. Overtime hour contributions will be made at Tier I Public Employee net employer rate (see Tier I Public Employee Section).~~
        - h. Tier I employees that are eligible to be exempt from the URS Pension may do so if they choose. Retirement contributions then made according to contract.
- 4. Tier 2 Public Employees.
  - a. For employees eligible for the Tier II Public Employees Retirement.
  - b. Receive URS required retirement contribution percentage of the employee's eligible salary.
  - c. ~~As per State law, employees are required to pay a URS mandated contribution towards their retirement. The City will match this employee contribution by depositing the same percentage into a 401k account, up to a maximum of 5%.~~
  - d. ~~If future legislation permits the City to cover the employee's required contribution, the matching won't apply, and the City will cover the employee's share, up to 5%.~~
  - e. Employees new to URS must select a retirement plan within one year of their status start date with the URS.
  - f. Plan selection made according to URS policy.
- 5. Tier 2 Firefighters.
  - a. For employees eligible for the Tier 2 Firefighters.
  - b. City will pay URS required employer contributions.
  - c. City will pay URS required employee contributions of up to 5%.
  - d. Employees new to URS must select a retirement plan within one year of their status start date with the URS.
  - e. Plan selection made according to URS policy.
- 6. Tier 2 Public Safety Employees.
  - a. For employees eligible for the Tier II Public Safety Retirement.
  - b. Receive URS required retirement contribution percentage of the employee's eligible salary.
  - c. City will pay URS required employee contributions of up to ~~5%~~ ~~2.5%~~.
  - d. Employees new to URS must select a retirement plan within one year of their status start date with the URS.
  - e. Plan selection made according to URS policy.

**1.20.55.010. Higher Education Assistance.**

D. In cases where the employee is eligible for grants, scholarships, or veterans educational benefits, they are required to utilize these benefits prior to utilizing the Higher Education Assistance from the city. The reimbursement from the city will be adjusted to ensure that it does not exceed the amount paid out of pocket by the employee after accounting for any grants, scholarships, or veterans payments received.

**Policy 1.20.40.010. Holidays.**

F. Fire/EMS personnel working 24 hour shifts are entitled to 6 days of 24 hours paid holiday (144 hours) each calendar year.

1. Employees working 24 hours shifts will receive 144 hours of holiday pay the first pay period ending in January.
2. Holiday hours accrued in the prior year and not used by the first pay period ending in January will be removed from the employees leave bank.
3. Employees who start employment, after the first pay period ending in January, will receive a prorated amount of 12 hours per month for the remaining months of the year.
- ~~4. Holiday hours not used by the second payroll ending in January will be removed from the employees leave bank.~~
5. Upon separation Fire/EMS holiday will not have a cash value and the employee will not receive payment for remaining leave.
6. If an employee separates employment and uses holiday hours before the holiday has been observed by the city. The city will prorate the amount by 12 hours per month and remove these hours from the employees buy-out of vacation.

**1.20.95.140. Drones/small Unmanned Aircraft Systems (sUAS) Use & Operations Policy**

- A. Only city employees with the required FAA certifications, required licenses, and who have been trained as drone pilots are

authorized to operate city-owned drones. The department director or designee may authorize employees to use drones as long as they meet the criteria found in this policy.

- a. Each drone, also commonly called a Small Unmanned Aircraft System (sUAS) must be registered with the FAA.
- b. No person may manipulate the flight controls of a drone unless:
  - i. That person has a remote pilot certificate or that person is under the direct supervision of a remote pilot in command and the remote pilot in command has the ability to immediately take direct control of the flight of the small unmanned aircraft.
- c. No person may operate a sUAS at night without the appropriate waiver from the FAA.
- d. Only employees that have met the following requirements are eligible to operate drones on behalf of the city:
  - i. Studied and are familiar with the [URMMA Drone Use and Operations Manual](#). This manual does not represent the city's official drone use and operations policy.
  - ii. **Have completed the [City's training program](#) within the past 24 months. This training is to be completed once initially and then every other year on the off year in which the employee retests for the [part 107 test](#).**
  - iii. Are meeting the requirements found in sections 6.1-6.3 and 6.8-6.10 and 6.14 of the [URMMA Drone Use and Operations Manual](#) which includes keeping a logbook of all flights.

.....Delete the remaining section of policy 1.20.95.140.

#### **Policy [1.20.65.110. Safety Belts](#).**

- A. Safety belt use is required of all employees when operating **or as a passenger**-in a vehicle. ~~during business hours and/or while on city business.~~ The operator of said vehicle and all passengers bear the responsibility to **must** ensure all occupants **are passengers** are properly belted.

- B. Exception: Fire & EMS Personnel are to be properly restrained at all times when essential patient care is not hampered by the use of safety belts. The situations for temporary safety belt removal should be limited and apply almost exclusively to:
  - a. Delivering a child
  - b. Providing CPR
  - c. Grabbing something from a cabinet that is out of range
  - d. Starting an IV/IO or giving medications
  - e. Conducting an intubation
  - f. Performing other life-saving measures
- C. If emergency medical personnel need to temporarily remove their safety belt for other occasions they must be able to justify such removal to their manager. Upon completion of activities that required the removal of their safety belts, emergency medical personnel shall secure themselves with a safety belt as soon as reasonably practicable.

**Policy - 1.20.40.105. Military Leave - Intermittent Leave**

In the event of an interruption in employment due to military service, employees are entitled to request the utilization of any accrued vacation or compensatory time off. However, accrued sick leave cannot be utilized during this period. Spanish Fork City does not mandate the utilization of accrued vacation or compensatory time off during periods of military service. If requested, military employees can have leave without pay during military intermittent leave.

**1.20.40.120. Leave Without Pay.**

A. Upon recommendation of the supervisor and approval of the city manager, an employee of the city may be granted leave-without-pay for a specified period of time. No leave-without-pay shall, however, be in excess of ninety (90) calendar days. A leave of absence without pay as granted herein, may be terminated prior to the expiration date thereof with the consent of the city manager. Failure of an employee to report for duty promptly at the expiration of the leave, or a violation of any agreement of understanding entered into by the same, relative thereto shall be just cause for discipline, up to including termination.

B. Leave without pay shall not be regarded as an acquired right by employees and shall be granted only when the service to the city will not be adversely affected thereby. Request for such leaves shall be made in writing to the city manager, and, if approved, shall be filed with the same.

C. Military exemption to this policy: See 1.20.40.105. Military Leave - Intermittent Leave

**Policy: 1.20.95.190 Remote Work**

- A. In-person work at Spanish Fork City is essential for fostering a culture of collaboration and unity. While the general rule is to work in person, occasional remote work is permitted with supervisor approval. Such instances should be infrequent and arise only when a thoughtful assessment of the situation deems remote work appropriate.
- B. While most roles require in-person work as a rule, others allow for more consistent remote work, such roles usually involve non-traditional hours. In these instances job descriptions shall specify if a position falls under these exceptions to the consistently in-person work rule.
- C. Employees whose job descriptions permit consistent remote work shall:
  - a. Obtain approval from their supervisor, department director and the Assistant City Manager by using the form found at this [link](#).
  - b. Utilize their work laptop when available.
  - c. Ensure the use of up-to-date software on personal computers (when a work laptop is unavailable).
  - d. Seek guidance from the City's IT Manager before utilizing remote-in software.
  - e. The City's IT Manager shall keep a running list of those who have a VPN installed on their computer.

**Policy 1.20.95.100. Driver's License.**

A. Employees involved in the performance of their duties, operating a city owned vehicle or a private vehicle, must possess a valid driver's license with the appropriate class specification necessary for their duties.



B. Employees required to have a commercial driver's license (CDL) must comply with all standards established by State and Federal law.