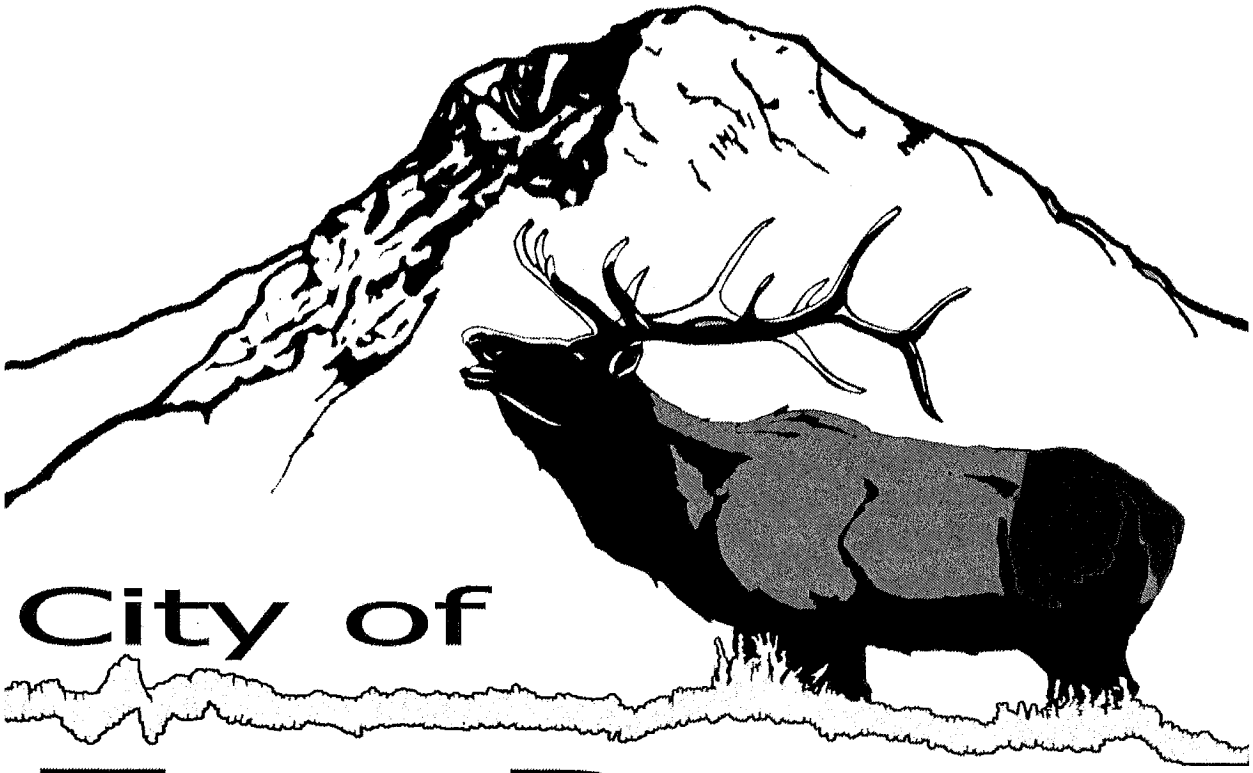

ELK RIDGE

PERSONNEL POLICIES AND PROCEDURES MANUAL FOR

ELK RIDGE CITY CORPORATION

Approved: _____

INTRODUCTION

Welcome,

As an employee of Elk Ridge City you will be expected to read, understand, and follow the Personnel Policies and Procedures contained in this manual.

It is the policy of Elk Ridge City to comply with Federal and State Equal Employment Opportunity guidelines. All employment decisions will be made without unlawful regard of race, color, religion, sex, national origin, age or disability. To this end, Elk Ridge City will not engage in any unlawful discrimination against any employee or applicant for employment because of race, color, religion, sex, national origin, disability, age, or veteran status, and will ensure that applicants and employees are treated without unlawful regard to these characteristics.

It is the obligation of each officer, manager, supervisor, and employee of Elk Ridge City to conduct themselves in conformity with the principle of Equal Employment Opportunity at all times. All employment activities including, but not limited to, advertising, recruitment, hiring, promotion, demotion, transfer, disciplinary action, layoff, termination, compensation, and training, shall be conducted without unlawful regard to race, color, religion, sex, national origin, age or disability.

It is the policy of Elk Ridge City to strive for safety in all activities and operations, and to carry out our commitment of compliance with health and safety laws applicable to our business by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions.

No employee, officer, agent or other representative of Elk Ridge City has any authority to enter into any agreement for employment for any specified period of time or to make any agreement or representation, verbally or in writing, which alters, amends, or contradicts the provisions of this Personnel Policies and Procedures Manual.

Elk Ridge City reserves the right to change any of its policies and/or procedures at any time in the future for any reason.

This Personnel Policies and Procedures Manual is not, and shall not, be construed as an explicit or implied contract, shall not modify an existing employment at will status of any employee and shall not create any due process requirement in excess of Federal or State constitutional or statutory requirements.

Elk Ridge City

TABLE OF CONTENTS

SECTION VI: EMPLOYEE CODE OF CONDUCT 6
1. Professionalism 6-1
2. Privileged Information 6-1
3. Confidentiality 6-1
4. Gifts and Gratuities 6-1
5. Attendance 6-1
6. Appearance 6-1
7. Smoking 6-1
8. City Owned or Leased Vehicles 6-2
9. Personal Use of Elk Ridge City Office Items 6-3
10. Credit Cards 6-4
11. Outside Activities 6-5
12. Political Activity 6-5
13. Secondary Employment 6-6

SECTION VII: DISCIPLINARY ACTION 7
1. General Policy 7-1
2. Types of Disciplinary Action 7-1
3. Causes for Disciplinary Action Applicable to Non At Will Employees 7-3
4. Conducting an Investigation 7-5
5. Imposing Disciplinary Action 7-5

SECTION VIII: GRIEVANCE PROCEDURES 8
1. General Policy 8-1
2. Confidentiality 8-2
3. Filing 8-2

SECTION IX: TERMINATION OF EMPLOYMENT 9
1. Types of Termination 9-1
2. Required Notice Prior to Termination 9-1
3. Termination Procedures 9-2
4. COBRA 9-3

SECTION X: RECORD KEEPING 10
1. General Policy 10-1
2. Confidentiality 10-1
3. Personnel Files Requirements 10-1
4. Other Files Requirements 10-2
5. Federal Labor Standards Act (FLSA) Minimum Wage Requirements 10-3
6. Other Requirements 10-3

SECTION XI: PERFORMANCE EVALUATIONS 11
1. General Policy 11-1
2. Performance Periods 11-1
3. Confidentiality 11-1

TABLE OF CONTENTS

SECTION XVII: FAMILY AND MEDICAL LEAVE ACT (FMLA) 17
1. General Policy 17-1
2. City Notice of FMLA Leave 17-2
3. Eligibility 17-3
4. Leave Options 17-3
5. Notice and Medical Certification Requirements 17-3
6. Benefits and Employment Status 17-3

SECTION XVIII: LEAVES OF ABSENCE 18

1. Absent Without Leave 18-1
2. Annual Leave 18-1
3. Holiday Leave 18-2
4. Sick Leave 18-2
5. Maternity Leave 18-5
6. Injury Leave 18-5
7. Emergency Leave 18-6
8. Military Leave 18-6
9. Jury Leave 18-6
10. Administrative Leave 18-6
11. Funeral Leave 18-6
12. Leave Without Pay 18-6
13. Documentation of Leave 18-7

SECTION XIX: GENERAL SAFETY 19

1. Safety and Accident Prevention Manual 19-1
2. General Policy 19-1
3. Proper Use of Elk Ridge City Equipment and Tools 19-1

SECTION XX: UOSHA REQUIREMENTS 20

1. General policy 20-1
2. Posting UOSHA Notices 20-1
3. Inspection Procedures 20-1
4. Accident Reporting Procedures 20-2

SECTION XXII: Information Technology Resources 21
1. General Policy 21-1
2. General Use and Ownership Privacy of Records 21-1
3. Retention/Disposition of Electronic Records 21-1
4. City Employees Responsibilities 21-1
5. Unacceptable Use of Information Resources 21-2

SECTION I: EQUAL EMPLOYMENT OPPORTUNITY (EEO)

THESE POLICIES ARE NOT EXPRESS OR IMPLIED CONTRACTUAL EMPLOYMENT COMMITMENTS AND, EXCEPT FOR THE EMPLOYMENT-AT-WILL POLICY, MAY BE MODIFIED OR REVOKED BY THE CITY AT ANY TIME. NEITHER THIS PERSONNEL POLICY NOR ANY OTHER CITY DOCUMENT IS INTENDED AS A GUARANTEE OF TERMS OR CONDITIONS OF EMPLOYMENT OR OF BENEFITS OR RIGHTS. **THIS PERSONNEL POLICY DOES NOT ALTER THE EMPLOYMENT-AT-WILL RELATIONSHIP IN ANY WAY.** EMPLOYMENT IS NOT FOR ANY SPECIFIC TIME AND MAY BE TERMINATED AT WILL AND WITHOUT NOTICE AT ANY TIME WITH OR WITHOUT CAUSE. EMPLOYEES MAY RESIGN **AT ANY TIME. THESE GUIDELINES REPLACE ANY PREVIOUS ORAL OR WRITTEN STATEMENTS, POLICIES OR PRACTICES REGARDING MATTERS COVERED IN THIS PERSONNEL POLICY.**

(1) GENERAL POLICY. It is the policy of the City of Elk Ridge to comply with Equal Employment Opportunity standards in all phases of personnel administration: job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, etc., without unlawful regard to race, color, religion, sex, age, physical or mental disability, national origin or veteran's status.

SECTION III : EMPLOYEE HIRING

1. **EMPLOYMENT**. Job Descriptions defining the essential functions of the vacant position shall be drafted and adopted before the vacancy is posted or otherwise advertised internally or externally.

2. **RECRUITMENT.** All recruitment shall be conducted in a non-discriminatory manner.

   A. Internal Promotions. It is Elk Ridge City's policy to give first consideration to current, qualified City employees to fill a job position. Elk Ridge City reserves the right to promote a current employee to fill a job position without noticing job opening.

   B. External Advertising.

      (1) Only the Mayor or designee, is authorized to place advertisements and respond to inquiries from employment agencies and/or job applicants.

      (2) Each Job Opening Notice should contain a statement indicating that the Elk Ridge City is an equal opportunity employer.

      (3) Job Opening Notices must be advertised in the appropriate media (Job Service shall be utilized in all cases that extend job offering to public notice), and through any other channels the City administration deems appropriate.

      (4) All Job Opening Notices must specify the name and the office of the person from whom Job Applications are to be obtained, the name and office of the person to whom completed applications are to be returned, and the deadline for filing an application.

3. **SELECTION.**

   A. Nepotism. It is the policy of Elk Ridge City to comply with the provisions of Utah's Anti-Nepotism Act, Utah Code 52-3-1.

   B. Employment of Minors. It is the policy of Elk Ridge City that no one under the age of sixteen (16) shall be hired for any position.

   C. When selecting a job applicant, the City may consider the proximity of the job applicant's residence relative to the job.

   D. Rehires. Job applications received from former employees will be processed using the same procedures and standards that govern all other applications. The City administration will review the former employee's personnel records and the circumstances surrounding termination of previous employment with Elk Ridge City.

(4) The applicant has failed to timely file the application.

(5) The applicant has an unsatisfactory employment history or poor work references.

(6) The applicant has failed to attain a passing score, if an examination is required.

H. Interviewing.

(1) The Mayor or Designee will select applicants to interview from those who have passed the preliminary screening job application and ability tests. Job related duties and qualifications will provide the basis for initial screening of job applicants. During the interview, all job applicants should be advised that any and all of the information provided will be verified.

(2) Individuals conducting job interviews shall only ask questions that pertain to the job position. The Pre-Employment Inquiry Guide (see Appendix Number 3 for details) should be reviewed by the interviewer before the interview begins. In addition, during the interview each interviewer completes an Interview Guide (see Appendix Number 4 for details) which is consistent with Elk Ridge City's Equal Employment Opportunity policy.

I. Reference Checks. In order to facilitate references checks, written permission shall be obtained from the applicant using the Applicant's Consent to Release Information Form (see Appendix Number 5 for details). Elk Ridge City may contact the references for each job applicant and ask job-related questions, which include similar questions for each job applicant checked, using Elk Ridge City's Telephone and Written Reference Check Questionnaires (see Appendix Number 6 and 7 for details).

4. PLACEMENT.

A. Rejection Letters. Within five (5) working days after the job offer has been accepted, non-selected job applicants shall be notified. The Mayor or Designee will send a Job Rejection Letter to each job applicant interviewed for the position. The City will post a Job Filled Notice on its website for applicants not interviewed.

B. Job Offers. After a job applicant is approved by Elk Ridge City, the City shall notify the successful job applicant of their selection through a written Job Offer Letter. The written Job Offer Letter shall clearly state the job description, salary conditions, and any provisional conditions of employment (i.e., successfully passing drug/alcohol tests). Additionally, the written Job Offer Letter shall clearly state that the offer is not accepted until the candidate signs the written Job Offer Letter and returns it to Elk Ridge City by the requested date. The original Job Offer Letter is then filed in the employee's file and a copy is given to the new employee during orientation. Written Job Offer Letters should also include the following:

F. Orientation. Newly hired employees shall complete all required paperwork and receive orientation as a new employee of Elk Ridge City on their first day of work.

(1) In accordance with the Immigration Reform and Control Act of 1986, all new employees shall provide proof of identity and employment status by completing an Employment Eligibility Verification Form. The employee must sign under penalty of perjury that they are a U.S. citizen, a lawful permanent resident alien, or an alien otherwise authorized for U.S. employment.

(2) All new employees shall complete and sign a Form W-4 Federal Withholding Statement.

(3) All new employees should be given a tour of the work place with a brief overview of City rules and benefits. The employee should complete a New Employee Orientation Form, which form may be modified from time to time to meet the particular needs of Elk Ridge City.

G. Probationary Period.

(1) All new employees shall be subject to a one (90) days probationary period (At Mayor or Supervisor's recommendation, probationary period may be extended for an additional 90 Days). During this period, probationary employees may be terminated with or without notice for any or no reason without any right to due process, notice, explanation, or appeal in connection with said termination.

(2) Probationary periods begin on the first day of employment and continue for one year. Management will provide guidance to probationary employees so they understand work requirements.

(3) An employee on probation shall have a performance evaluation at the end of the probationary period. This performance evaluation may be used to provide information to both the employee and management regarding the employee's performance. A performance evaluation and the results of such evaluation shall not obligate management to a particular course of action relative to the probationary employee nor shall it create any property/due process rights for the probationary employee relative to their job/position.

5. VOLUNTEERS.

A. City officials who recruit volunteers to perform services of benefit to the public will provide appropriate training and supervision. A volunteer is any person who donates services to the City without compensation, except for preapproved, incidental expenses relevant to their volunteer work.

SECTION IV: ALCOHOL AND DRUG FREE WORKPLACE

1. GENERAL POLICY. The purpose of this policy is to implement the Federal Drug Free Workplace Act of 1988 by providing for a safe and productive work environment that is free from impaired performance caused by employee use or abuse of alcohol, controlled substances and/or medication. The possession or use of illegal substances or the abuse/misuse of alcohol or drugs in the workplace jeopardizes the safety of City employees and the public, reduces productivity, impairs employee health, causes high absenteeism, increases the incidents of accidents and injuries, decreases employee morale, and unnecessarily increases medical costs. The City will continue to maintain a drug free workplace by implementing this policy.

This policy shall be distributed to employees and volunteers and made available for review by prospective employees and prospective volunteers.

2. DEFINITIONS.

A. Abuse/Misuse. Abuse includes reporting to work or working while impaired by alcohol or any other drug(s); having a chemical dependence on alcohol or drugs, where job performance or the safety of the employee or others is adversely affected; or using illegal substances. Misuse is the improper use of a validly prescribed medication or the improper use of a non-prescription drug or psychotropic chemical, where job performance or the safety of the employee or others is adversely affected.

B. Accident. Any occurrence or incident involving an employee at work, or an employee operating City equipment, or an employee on City property, when the occurrence or incident results in injury to the employee or others, or results in damage to property.

C. Alcohol. Any beverage, mixture, or preparation, including any medication, containing alcohol.

D. City's designated representative. Mayor or designee.

E. Commercial Driver License (CDL) driver. Any employee who regularly operates a commercial motor vehicle as a requirement of his or her job, including but not limited to part-time, full-time, casual, intermittent, or occasional employed operators.

F. CDL operations. As defined by federal regulation, safety-sensitive functions performed by CDL drivers, including, but not limited to: any time a CDL driver is waiting to be dispatched to perform duties herein; all time spent by a CDL driver in inspecting, servicing, or conditioning City equipment; all time spent by a CDL driver at the driving controls of a commercial motor vehicle; all time spent by a CDL driver in or upon a commercial motor vehicle, except time spent resting in a sleeper berth; all time spent by a CDL driver loading or unloading, attending a vehicle being unloaded or loaded, remaining in readiness to operate a vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and all time spent by a CDL driver repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

D. City employees shall not violate the confidentiality of communications regarding employee test results, as specified in this Policy.

E. CDL drivers shall not operate a City vehicle on duty within a minimum of four (4) hours after using alcohol.

4. REQUIRED NOTIFICATION OF CRIMINAL CONVICTION OR DRIVER'S LICENSE REVOCATION OR SUSPENSION AND CERTIFICATION REQUIREMENTS.

A. City employees who are convicted of any crime involving drugs or alcohol in the workplace shall notify the Mayor within five (5) working days of a court's decision. The Mayor shall notify the federal granting or contracting agency within ten (10) days after receiving notice of such a conviction.

B. The City will take appropriate personnel action against City employees who are convicted of any crime involving drugs or alcohol in the workplace, up to and including termination. The city may also require such an employee to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program.

C. Any employee whose job duties require a valid state driver's license shall notify their supervisor when the state revokes or suspends the employee's driver's license for any reason.

D. It is the employee's responsibility to maintain their minimum job qualifications as noted in their job description.

E. Time spent during the employee's regularly scheduled shift to obtain/maintain required Commercial Driver License (CDL) will be considered time worked. Testing outside of the employee's regularly scheduled shift will not be considered time worked.

F. .The medical examination required for a City employee to receive a CDL license from an approved health care provider. Any special referrals for other medical examinations by providers other than the approved occupational health provider will be the employee's responsibility – no reimbursement will occur.

G. The City will pay for only one certification test for each re-certification period. If the employee does not pass the initial test, the employee will assume responsibility for the additional cost(s) involved. Additional testing will be on the employee's own time.

(4) Odor of alcohol or residual odor peculiar to some chemical or controlled substances; or

(5) Poor physical coordination, slow reactions, slurred speech, hand tremors, unsteady walking, dilated or constricted pupils, disorientation, or unusual restlessness.

(6) Other events, actions, or admissions by the employee that may support a reasonable suspicion determination, include the following:

(a) Changes in work performance;

(b) Increased accidents or injuries;

(c) Repeated failure to follow instructions or operating procedures;

(d) Poor judgment and difficulty in concentration;

(e) Uncharacteristic inability to follow a series of consecutive directions in a predictable and/or logical manner;

(f) Changes in personal hygiene;

(g) Social withdrawal, including isolation, overreacting to criticism;

(h) Flagrant disregard of safety procedures;

(i) Abusive, loud, combative, aggressive, threatening, fearful, paranoid, or other uncharacteristic behavior;

(j) An accident or near-accident in which employee carelessness may be a contributing factor;

(k) Credible information received by a City supervisor or officer suggesting that an employee may be abusing alcohol, a controlled substance, or using illegal drugs;

(l) Unexplained or frequent absenteeism; or

(m) Arrest or conviction for violation of a criminal drug statute or an illegal act involving drug or alcohol abuse.

(7) The City shall provide at least 60 minutes of training for all supervisors to detect the physical, behavioral, speech, and performance indicators of probable drug and alcohol abuse or misuse. All supervisors should be able to determine if an employee may be impaired in his or her job performance due to such abuse or misuse.

D. When any City employee at work is involved in a non-fatal accident the employee's supervisor or City official may determine that reasonable suspicion exists to require the employee to submit to a drug and alcohol screen. In non-fatal accident cases, the supervisor may not conclude there is reasonable suspicion merely because an accident has occurred. Rather, the supervisor should consider the totality of the circumstances, including factors related to reasonable suspicion, as described in this Policy.

E. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a vehicle operator from leaving the scene of an accident for the period necessary to obtain assistance in responding to an accident, or to obtain necessary emergency medical care.

9. RANDOM DRUG AND ALCOHOL TESTING (SAFETY SENSITIVE POSITIONS).

A. The City may, per state and federal regulations, randomly select employees in safety sensitive positions for drug and alcohol tests. The random selection process shall be conducted independent of the City departments. The dates for testing shall be selected on a random basis. Each employee in a safety sensitive position shall have an equal chance of being selected each time a random screen is drawn. This process may result in some employees being selected more than once in a given period, while others may not be selected for testing.

B. The City shall inform employees in safety sensitive positions that the random testing in this section is authorized by state and federal regulation.

C. Once the City notifies an employee in a safety sensitive position the requirement to submit to a random test, the employee has a maximum of two hours to appear at the designated testing location for testing. Employees in safety sensitive positions may be tested for drugs or alcohol, or both.

D. Any employee in a safety sensitive position who refuses to take any required test, or who fails to report when scheduled, shall be prohibited from performing or continuing to perform his/her safety sensitive job functions. Employees will also be subjected to disciplinary action, up to and including termination.

E. If a Medical Review Officer reports a positive drug or alcohol test result, or the employee refuses to submit to testing, the City may refer the employee to a substance abuse professional. The initial meeting between the employee and the substance abuse professional should occur within three working days of the City being notified of the positive test result or the employee's refusal to be tested. At the time of the referral, the employee shall sign a release that will allow the substance abuse professional to report employee attendance at treatment or counseling sessions, and to discuss treatment recommendations with appropriate City officials.

(c) the sample collection, storage and transportation is in compliance with the Americans with Disabilities Act of 1990;

(d) the sample collection, storage, and transportation to the place of testing are performed in a manner that reasonably precludes the probability of sample misidentification, contamination, or adulteration; and

(e) sample testing conforms to scientifically accepted analytical methods and procedures.

(4) Before the result of any test may be used as a basis for any action the City, the City shall verify or confirm any positive initial screening test by gas chromatography, gas chromatography-mass spectroscopy, or other comparably reliable analytical methods and shall provide that the employee, prospective employee, volunteer, or prospective volunteer be notified as soon as possible by telephone or in writing at the last-known address or telephone number of the result of the initial test, if it is positive, and told of his option to have the 15 ml urine sample tested, at an expense equally divided between the donor and the employer. In addition to the initial test results, the test results of the 15 ml urine sample shall be considered at any subsequent disciplinary hearing if the requirements of Utah Code have been complied with in the collection, handling, and testing of the samples.

(5) Any drug testing by the City shall occur during or immediately after the regular work period of the employee or volunteer and shall be considered as work time for purposes of compensation and benefits.

(6) The local governmental entity or state institution of higher education shall pay all costs of sample collection and testing for drugs required under this policy, including the costs of transportation if the testing of a current employee or volunteer is conducted at a place other than the workplace.

D. Urine collection shall not be observed, unless facts support a reasonable belief that the employee may alter or substitute the specimen. For example, urine collection may be observed when the person to be tested is a confirmed illegal substance abuser, is seen to have equipment or implements used to tamper with urine samples, or has recently been determined to have tampered with or altered a sample. In such cases, only a person of the same gender shall make observed collections.

E. When an employee is tested for drugs other than alcohol, the City shall take and preserve a split 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 in one bottle and at least 15 ml 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

SECTION IV: ALCOHOL AND DRUG FREE WORKPLACE

11. TREATMENT AND REHABILITATION PROGRAMS.

A. The City encourages employees with drug or alcohol abuse/misuse problems to participate in treatment and rehabilitation programs.

B. The City supports employee use of EAP services. EAP counseling is available to employees when an employee feels he or she needs help with a problem that is causing or might cause their job performance to decline or safety to be compromised. Employees seeking assistance may obtain the name, address, and phone number of EAP services by contacting the Mayor or Designee.

C. Notwithstanding the City's support for EAP counseling, supervisors should not attempt to diagnose an employee's problem or direct employees to seek assistance. The supervisor's role is to monitor job performance, workplace safety, and overall efficiency of City operations.

D. Nothing in this Policy shall be construed to require the City to offer or provide rehabilitation to employees.

E. If an employee refuses to seek assistance or is unable to avoid drug or alcohol impairment in the performance of job duties, these circumstances will be considered in making employment decisions.

F. The cost of drug or alcohol abuse treatment or rehabilitation is solely the employee's responsibility.

G. Prevention of drug and alcohol abuse/misuse among employees will be addressed through ongoing educational programs available to all City employees.

12. RETURN TO WORK AND FOLLOW UP ACTIONS.

A. The Mayor or Designee may require employees who test positive on a drug or alcohol screen to consult with a substance abuse professional. The City will request the substance abuse professional to recommend appropriate treatment and follow-up that would be advisable for the employee to fully and successfully perform his or her duties, without impairment from drugs and alcohol.

B. An employee who, as a result of a reasonable suspicion determination, tests positive on a drug or alcohol screen may not return to work until:

(1) the City has received the written recommendation of a licensed physician or substance abuse professional, and

(2) the employee accepts any resulting terms and conditions of employment, which can include random testing.

E. Employees who dispense or sell illegal substances on City property or on City time will be subject to termination and criminal investigation.

F. The fact that an employee tests positive for drug or alcohol use under this Policy does not mean the City recognizes or acknowledges the employee as disabled under the American with Disabilities Act or as a person with a handicap for purposes of the Utah Anti-discrimination Act.

G. Contract employees and volunteers providing goods or services for or on behalf of the City shall also be subject to this Policy, including the cancellation or refusal of continued services or work of any volunteers or contract employees who are found to be in violation of this Policy.

14. CONFIDENTIALITY.

A. City-required drug and alcohol test results, records relating to specific test methods, steps, and procedures are and shall remain property of the City. The City shall share such information with others only on a need-to-know basis. Such need-to-know may exist with respect to department heads, immediate supervisors, human resource consultants, and City attorneys.

B. All information, interviews, reports, statements, memoranda, or test results received by the City under this Policy are confidential communications and shall be safeguarded and controlled, as required by law and regulation. The use and disposition of all drug test results are subject to the limitations of Title 63G, Chapter 2, Government Records Access and Management Act, and Americans with Disabilities Act of 1990, 42 U.S.C. 12101 through 12213.

C. The City may use these confidential communications as a basis for disciplinary action or employment conditions relating to rehabilitation, treatment or counseling, which may include additional drug or alcohol testing.

D. The confidentiality requirements of this Policy shall not restrict the right of the City to investigate any incidents or performance issues relating to an employee, take disciplinary action against an employee, notify professional licensing agencies of the employee's actions, or to otherwise act in support of the City's interests and protect the safety and health of its employees and the public.

15. APPEALS.

A. Employees who are disciplined for violations of this Policy may appeal such disciplinary actions as specified by City policies.

B. Employees who test positive for illegal substances or alcohol, but who are not disciplined, may request a hearing to challenge the basis for the testing or to challenge the test results. Such requests must be filed in writing with the Office of the City Recorder within 10 working days of the report to the employee of the positive test result.

SECTION V: HARASSMENT PREVENTION

1. GENERAL POLICY. It is the policy of Elk Ridge City that:

A. Elk Ridge City is committed to maintaining a work environment free of discrimination and harassment based on a person's sex (including gender harassment, harassment due to pregnancy, childbirth, or related medical condition), race, color, age, religion, disability, ancestry, or national origin, consistent with applicable laws.

B. All employees should respect the rights, opinions and beliefs of others.

C. Employment decisions, such as promotions, performance evaluations, pay adjustments, disciplinary or corrective actions, or work assignments, will be based on merit, an employee's abilities and qualification, or on other job related criteria.

D. Harassment of any person because of sex, sexual orientation, race, color, age, religion, disability, ancestry, or national origin is strictly prohibited, whether directed at an employee or a citizen. Any such harassment is prohibited by this policy whether or not it also violates the equal employment opportunity laws, except that those employees of Elk Ridge City under the direct control or supervision of the Elk Ridge City Council may be bound only by City ordinance and State and Federal equal opportunity laws.

2. PROHIBITED CONDUCT.

A. Any deliberate, unwanted, or unwelcome behavior of a sex/gender based nature, whether verbal, non-verbal, or physical is prohibited.

B. Two major categories of sexual/gender harassment are:

(f) Quid Pro Quo, or the granting or conditioning of tangible job benefits for the granting of sexual favors.

(g) Creating a hostile or unwelcome work environment, which could occur through any or all of the following general means:

(a) Level One: Gender harassment/discrimination.

[1] Intentional or unintentional behavior/conduct of a visual or verbal nature directed at a specific gender which is demeaning, ridiculing, or derisive.

[2]Creating an environment that demonstrates a demeaning, ridiculing, or derisive attitude toward a specific gender.

[3] Ask the supervisor to give notice to the offending employee, accompanied by the victim.

[4]Ask the supervisor alone to provide notice to the offending employee.

B. Formal Action.

(1) Employees who are experiencing an unwelcome or hostile work environment which is clearly offensive or at Level Three as described above, or who have been subjected to quid pro quo type sexual harassment, should address that unwelcome behavior/conduct through the formal remedial process.

(2) Formal complaints should be in writing and specify:

(a) The identity of the victim.

(b) The identity of the offending employee.

(c) The offensive behavior that the employee engaged in.

(d) The frequency of the offensive behavior.

(e) Damage the victim suffered as a result of the offensive behavior.

(f) How the victim would like the matter settled, or what the victim would like to see happen.

(3) ..The victim will be allowed a reasonable amount of time during work to prepare a formal complaint.

(4) The victim should submit formal written complaints to their immediate supervisor. If the immediate supervisor is the employee engaging in the offensive behavior, the formal complaint should be submitted to supervisor, the department head, the Mayor.

3. DISCIPLINARY ACTION. Employees found guilty of sexual harassment may face disciplinary action up to, and including, termination based on all the circumstances of the case, as well as the offending employee's work history.

6. MAINTAINING COMPLAINT FILES.

A. Information related to any sexual harassment complaint, proceeding, or resolution shall be maintained in separate and confidential sexual harassment complaint files. This information shall not be placed or maintained in the any employee's personnel file.

B. Information contained in the sexual harassment complaint files shall be released only with the written authorization of the victim and the Mayor.

SECTION VI: EMPLYOEE CODE OF CONDUCT

1. **PROFESSIONALISM.** Elk Ridge City is a professional association whose purpose, among others, is to provide professional services to its citizens. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are required to carry out efficiently the work items assigned as the responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with their supervisors and fellow employees, the public, and other member employees and officials.

2. **PRIVILEGED INFORMATION**. City employees who are involved with information of significant public interest may not use this privileged 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 Mayor immediately. Each employee is charged with the responsibility of ensuring that only information that should be made available to the general public is released as pursuant to the regulations found in the Government Records Access and Management Act.

3. **CONFIDENTIALITY.** Fellow employees have an unquestionable right to expect all personal information about themselves, their illness, their family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence. Never discuss privileged information with others who are not authorized to receive it, either inside or outside the office.

4. **GIFTS AND GRATUITIES**. City employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan or item of monetary value from any person seeking to obtain business with the City, or from any person within or outside City employment whose interests may be affected by the employees' performance or nonperformance of official duties. City employees will not accept gifts or gratuities except under circumstances allowed by the Utah Public Officers' and Employees' Ethics Act 67-16-101 et seq.

5. **ATTENDANCE.** Regular attendance and punctuality are essential to providing high quality work, service to customers, and to avoid extra work for fellow employees. Therefore, when the employee is going to be late or will not be able to report to work, the employee must notify his/her Supervisor prior to the scheduled work time. If the employee is ill or has an emergency, he/she should notify a Supervisor (immediate Supervisor preferred) as soon as possible on each day of absence. An employee must report for work unless he/she is utilizing sick or vacation leave or is entitled to leave under federal or state code.

6. **APPEARANCE.** The City reserves the right to expect its employees to present a favorable impression during any contact with the public. All employees are expected to maintain a neat and clean personal appearance. Standards of dress shall be appropriate to the job and the tasks to be accomplished.

7. **SMOKING**. In compliance with the Utah Indoor Clean Air Act smoking is not permitted in City facilities.

SECTION VI: EMPLYOEE CODE OF CONDUCT

9. PERSONAL USE OF ELK RIDGE CITY OFFICE ITEMS.

A. Computer Equipment.

(1) Personal use of City owned computer systems is permitted only when all of the following criteria are met.

(a) The use offers an opportunity for the employee to increase the employee's job-related knowledge and skills.

(b) The employee is not compensated for the work performed, unless the employee has received prior written approval by the City.

(c) The employee pays for the cost of consumables and other attendant expenses (diskettes, paper, computer on-line and access charges, etc.).

(d) The employee uses the computer system after hours, or on the employee's personal time.

(e) The employee does not use the computer system for permanent storage of data.

(f) The use does not conflict with the employee's City responsibilities or normal City business. And,

(g) The use has been approved by the City.

(h) Computers may not be used for pornography, explicitly sexual material or violence or threats of violence.

(2) Software, programs, databases, catalogs, lists, curriculum, systems, codes, and like items developed on City owned computer equipment is the property of the City.

B. FAX and Copying Machines. Any employee desiring to use City owned FAX or copying machines for items of a personal nature may do so on a de minimus basis. For large or excessive fax or copying projects of a personal nature, employees must pay for such use at the rate which is in effect at the time of use. Employees should get permission from the Supervisor for personal use of the fax or copy machine for large or excessive projects.

C. Telephone calls.

(1) Any employee desiring to use City telephones to make long distance, personal calls for items of a personal nature may do so on a de minimus basis. However, frequent or excessive personal, long distance phone calls are prohibited and employees will be billed for charges associated with such calls.

SECTION VI: EMPLYOEE CODE OF CONDUCT

11. OUTSIDE ACTIVITIES. Elk Ridge City employees, shall not use City-owned property in support of outside interests and activities when such use would compromise the integrity of Elk Ridge City or interfere with the employee's duties. Specifically, an employee who is involved in an outside activity such as a civic organization, church organization, committee unrelated to City business, public office, or service club, shall:

A. Pursue the outside, activity on the employee's own time;

C. Pursue the outside activity away from the City offices;

D. Discourage any phone, mail or visitor contact related to the outside interest at the City offices;

E. Arrange for annual leave or compensatory time off to pursue the outside interest during business hours; and

F. Except as provided in this policy, not use data processing equipment, postage metering machines, copiers, other City-owned, equipment or supplies for the outside interest.

G. Employees shall not use City equipment, including computers, telephones, email or internet, and other equipment for personal gain, such as other employment or self-employment.

12. POLITICAL ACTIVITY.

A. An employee shall not be directly or indirectly coerced to support a political activity, whether funds or time are involved.

B. Unless an employee is on approved leave, an employee shall not engage in political activity during work hours, including but not limited to engaging in political campaigning or soliciting political contributions.

C. An employee shall not use City-owned equipment, supplies or resources, and other attendant expenses (diskettes, paper, computer online and access charges, etc.) when engaged in political activity.

D. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on political activities.

E. An employee shall not use the employee's title or position while engaging in political activity.

F. In addition to the foregoing regulations and policies, City employees and officers shall abide by Utah Code Ann. § 10-3-1108, Political Activity of Municipal Officer or Employee.

(b) That the secondary employment could invoke a conflict of interest with their employment with Elk Ridge City.

(c) That the secondary employment should cause an employee to violate the City's policies.

(2) This decision shall be communicated in writing to the employee. The employee:

(a) Shall abide by that decision:

(b) May appeal the decision to the City Council, whose decision shall be final.

(c) May voluntarily resign their employment with Elk Ridge City.

(2) On or before the effective date of the suspension, the Mayor or appropriate Department Head shall furnish the employee with a written Employee Suspension Notification, (see Appendix Number 10 for details) setting forth the reason(s) for suspension.

(3) A copy of the Employee Suspension Notification, signed by the Mayor and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the Mayor will so state.

(4) An employee on suspension may be responsible for making full contributions to their employee medical insurance benefits.

D. Demotion.

(1) The Mayor or designee may demote an employee for cause.

(2) On or before the effective date of the demotion, the Mayor or Designee shall furnish the employee with a written Employee Demotion Notification (see Appendix Number 11 for details) setting forth the reason(s) for demotion.

(3) A copy of the Employee Demotion Notification, signed by the Mayor or Designee and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor or Designee will so state.

E. Transfer.

(1) The Mayor or designee may transfer an employee (with the exception of a probationary employee) by furnishing the employee with a written Employee Transfer Notification (see Appendix Number 12 for details).

(2) A copy of the Employee Transfer Notification, signed by the Mayor or Designee and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the Mayor or designee will so state.

F. Termination.

(1) The Mayor or Designee may terminate an employee by furnishing the employee with a written Employee Termination Notification (see Appendix Number 13 for details).

(2) A copy of the Employee Termination Notification, signed by the Mayor or Designee and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form the Mayor or City Administrator will so state.

(20) violation of the Personnel Policies and Procedures.

(21) use of alcohol or drugs, other than medication prescribed by a physician, that affect job performance.

(22) Falsifying of City Records.

(23) Knowingly marking, the time slip of another employee, authorizing one's time slip to be marked by another employee, unauthorized alteration of a time slip.

(24) Unauthorized possession of firearms, weapons, or explosives on City owned property.

(25) Carelessness which affects the safety of personnel.

(26) Threatening, intimidating, coercing, or interfering with fellow employees on the job, or the public at large.

(27) Theft or removal of any City property or property of any employee from the work area premises without proper authorization.

(28) Gambling or engaging in a lottery at any City work area.

(29) Misusing, destroying, or damaging any City property or the property of any employees.

(30) Deliberately restricting output.

(31) Drinking any alcoholic beverage during the workday, or being under the influence of illicit drugs or alcohol during the workday.

(32) Sleeping during working hours, with the obvious exception of fireman employees.

(33) Fighting (verbal or physical) on City premises.

(34) Bringing firearms or weapons onto the City premises, with the obvious exception of police officer employees.

(35) Any act which might endanger the safety or lives of others.

B. The Department of Transportation (DOT) has expanded the definition of events that require disqualification of CDL drivers from driving commercial vehicles. A driver will be disqualified from driving a Commercial Motor Vehicle (CMV) pursuant to current DOT rules and regulations.

(5) The corrective action necessary for the employee to avoid further disciplinary action.

G. Suspension, demotion, transfers or termination of an. employee shall require the approval of the Mayor.

H. The Mayor or Designee may note the disciplinary action on their personal notes at the time the disciplinary action is imposed and/or on the employee's performance evaluation form.

E. If an administrator is unable to answer the grievance within the specified time period due to exigent circumstances, the administrator may take an additional ten (10) working days to answer the grievance if they notify the employee in writing of the exigent circumstances and that the extension is being exercised. If the grievance remains unresolved or the decision is considered unacceptable, the employee may appeal the decision to the next level of appeal.

F. Absent exigent circumstances, if the supervisor fails to respond within the allotted time, the employee may proceed to the next level of appeal.

G. Only the issues presented in the original grievance may be considered throughout the appellate process. A grievance and any necessary appeals shall be processed through the following chain of command, if applicable:

(1) Immediate supervisor

(2) Department head

(4) Mayor

(5) City Council

H. The decision of the City Council constitutes the final level of administrative appeal and is final.

2. CONFIDENTIALITY.

A. Written Grievance Forms (see Appendix Number 14 for details) shall be private data under the Government Records Access Management Act of the State of Utah. The Mayor or City Council may declare the grievance documents to be confidential and/or order the entire record, or any part of it, sealed.

3. FILING.

A. No document relating to a grievance shall be placed in the employee's personnel file.

B. If any disciplinary action against an employee is rescinded as a result of the grievance process, the Mayor, Personnel Director or City Administrator, shall remove the record of the disciplinary action from the employee's personnel file.

C. If any disciplinary action against an employee is modified as a result of the grievance process, the unmodified record of the disciplinary action shall be removed from the employee's personnel file and the modified record of the disciplinary action shall be placed in the employee's personnel file.

B. Elk Ridge City is not required to give any notice to an employee before terminating that employee's employment with the City. When Elk Ridge City terminates their employment, Elk Ridge City will pay the terminated employee unused, accrued vacation leave (if applicable).

C. Unused, accrued vacation leave (if applicable) will always be paid for terminations of employment involving Reductions in Force/Layoffs, Medicals and Deaths. However, no payment will be made for accrued sick or other leave days.

3. TERMINATION PROCEDURES,

A. A Notice of Voluntary Resignation Form (see Appendix Number 24 for details), signed by the employee and the Mayor, City Administrator, Personnel Director or department head, may be utilized in Voluntary Resignations.

B. Involuntary Terminations/Separations for Cause require Elk Ridge City to provide the terminating employees with written notification of due process. "At-Will" Involuntary Terminations (for at will employees) do not require Elk Ridge City to provide the terminating employee with written notification of due process.

C. A Resignation In Lieu of an Involuntary Termination Agreement (see Appendix Number 15 for details), signed the employee and the Mayor or Designee may be utilized in negotiated terminations.

D. The following steps should be taken for Voluntary Retirements:

(1) Employees who desire retirement should notify Elk Ridge City three months in advance.

(2) Elk Ridge City should communicate the status of each employee's retirement benefits. The employee is responsible for notifying Elk Ridge City, the administrator of the retirement program and the appropriate state and federal regulatory agencies of their intent to retire.

(3) Elk Ridge City should carefully explain to the employee what the options are (such as Cobra and Retirement Plan Options).

(4) Elk Ridge City should give the employee ample time to review the retirement plan.

(5) Elk Ridge City should have the employee sign a release or declaration statement to the effect that they are electing retirement of their own free will.

E. The following steps should be taken for Reductions in Force/Layoffs:

(1) Determine whether Elk Ridge City is required to follow statutory guidelines related to the reduction in force/layoff. If Elk Ridge City is required to follow statutory guidelines; policy, procedure and actual practice must comply with said guidelines.

SECTION X: RECORD KEEPING

1. **GENERAL POLICY.** Elk Ridge City maintains employee records that contain data about its employees.

2. **CONFIDENTIALITY.** Employee records are maintained in compliance with the law.

   A. Confidentiality must be maintained at all times with access limited to employees and their supervisory chain.

   B. Elk Ridge City's policy is that only relevant, job-related information is maintained on its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate business reasons.

   C. Employees have the opportunity to review their own files in the presence of the Mayor or Designee on Elk Ridge City premises during regular business hours.

3. **PERSONNEL FILES REQUIREMENTS.**

   A. General.

      (1) Personnel files are maintained on each employee and kept by the City Recorder. The record copy (original) of all appropriate personnel information, as set forth hereafter, related to an employee shall be filed in the employee's personnel file.

      (2) No information from any record placed in an employee's personnel file will be communicated to any person or organization except by the Mayor or their designated representative.

      (3) Employees, or their representative designated in writing, may examine the employee's personnel file upon request during normal working hours at Elk Ridge City. When a Supervisor requires access to the personnel file of an employee under their supervision for the handling of personnel matters, the supervisor must obtain the file from the City Recorder.

   B. Contents.

      (1) An employment record, including the employee's job application, resume, interview forms; Employment Eligibility Verification (Form 1-9), Employee's Withholding Allowance Certificate (Form W-4), etc.

      (2) A signed copy of the employee's acknowledgment of receiving a copy of the personnel policies and procedures manual and the performance standard for the position the employee currently occupies.

      (3) Election form to disclose or keep confidential, the employee's home address and home telephone number.

D. Any advertisements or notices relating to job openings, promotions, training programs, or opportunities for overtime work.

E. Records of promotion, demotion, transfer, selection for training, layoff, rehire, or termination of any employee. These should also be signed by the employee.

5. **FEDERAL LABOR STANDARDS ACT (FLSA) MINIMUM WAGE REQUIREMENTS.** Elk Ridge City should keep the following data on all non exempt employees for a period of at least two (2) years.

A. Employee's full name and social security number;

B. Address, including zip code;

C. Birth date, if younger than 19;

D. Employees' sex and occupation;

E. Time and day each work week begins;

F. Hours worked each day;

G. Basis on which employee's wages are paid (e.g. per hour, per week, piecework);

H. Regularly hourly pay rate;

I. Total daily or weekly straight time earnings;

J. Total overtime earnings for the workweek;

K. All additions to or deductions from the employee's wages;

L. Total wages paid each pay period;

M. Date of payment and the pay period covered by the payment.

6. **OTHER REQUIREMENTS.** There are record keeping requirements under other federal and state laws over which the personnel record keeping function has jurisdiction:

A. OSHA record of work related injuries and illnesses.

B. ERISA record of pensions and related information.

C. IRCA requires verification of status forms to be kept for three (3) years after the person is *hired or for* one (1) year after employment is terminated, whichever is later.

SECTION XII: EMPLOYMENT CLASSIFICATION/COMPENSATION

1. **GENERAL POLICY.** Elk Ridge City will pay at least minimum wages and overtime to all employees except those who are specifically exempt from minimum wage and overtime under the Fair Labor Standards Act (FLSA) of 1938. Elk Ridge City will also provide equal pay to all employees doing similar work which requires substantially equal skill, effort, and responsibility and are performed under similar working conditions in accordance with the Fair Labor Standards Act of 1938 and the Equal Pay Act of 1963.

2. **EMPLOYMENT CLASSIFICATIONS.** There are five classifications of employees within Elk Ridge City:

   A. Full-time. An employee hired for an indefinite period in a position for which the normal work schedule is forty (40) hours per week. Full-time employees may or may not qualify for specific Elk Ridge City benefits.

   B. Part–time Non Benefited. An employee hired for an indefinite period in a position for which the normal work schedule is less than thirty (30) hours per week. Part-time Non Benefited employees do not qualify for Elk Ridge City benefits.

   C. Temporary. An employee hired for a position which is required for only a specific, known duration, usually less than six (6) months. Temporary employees do not qualify for Elk Ridge City benefits.

   D. Seasonal. An employee hired for a position which is required less than five months, typically April through September. Seasonal employees do not qualify for Elk Ridge City benefits.

   E. Volunteers. Those serving on various boards and committees in an unpaid capacity.

3. **EMPLOYMENT STATUS.** To facilitate provisions of the Fair Labor Standards Act, employees shall also be classified as either exempt or non-exempt, with respect to eligibility for overtime payment and shall be required to use time cards. They shall be defined as:

   A. Exempt. Positions of a managerial, administrative, or professional nature, as prescribed by Federal and State Labor Statutes shall be exempt from minimum wage and mandatory overtime payment regulations.

   B. Nonexempt. Positions of a clerical, technical, or service nature, as defined by Federal and State Labor Statutes, which are covered by provisions for minimum wage and mandatory overtime payment regulations.

4. **WORK WEEK.**

   A. Begins on Saturday at 0001 hours.

   B. Ends on Friday at 2400 hours.

C. The law requires that after certain types of employees have accumulated specific maximum amounts of compensatory time during any work period, overtime must be paid.

(1) For employees not engaged in public safety activities; not more than forty (40) hours of compensatory time may accrue.

D. Compensation time will be accumulated as provided in Section XII. 9 OVERTIME PAY.

E. The Mayor, or his/her designee, and the appropriate department heads will determine who, when, and how many hours may be turned in for cash after hours have been designated as compensation time.

F. Bonus Pay. Cash for exceptional performance.

9. OVERTIME PAY.

A. Definitions:

(1) Emergencies: Plowing snow, sanding, or other road hazards occurring outside of normal work hours. Interruptions of utility services outside of normal work hours, including electrical power failure, sewer backup, culinary or irrigation water failures, or other situations demanding immediate attention as determined by the Mayor or his/her designee.

(2) Overtime rate: One and one-half (1 1/2) times the regular straight-time pay for eligible hours worked.

(3) Emergency overtime: All non-scheduled hours worked beyond work hours identified herein under XII.5 as determined by the Mayor or his/her designee in response to designated emergencies and other situations identified by the Mayor or his/her designee as emergencies.

(4) Scheduled overtime: All hours worked in excess of 40 hours per work week except those hours wherein employee is summoned by the Mayor or his/her designee to respond to emergency situations. All scheduled overtime must be approved by the Mayor or his/her designee.

(5) Compensatory time (comp-time): Time off during normal working hours in lieu of pay for hours accumulated under emergency or scheduled overtime.

B. Overtime shall be allowed for all hours worked in response to defined emergencies regardless of the number of hours worked during the work week.

C. Overtime shall be allowed for all scheduled hours worked in excess of 40 hours per work week, which work week is defined under XII.4.

SECTION XIII: SALARY PLANNING

1. MERIT INCREASE.

A. The Mayor, or his/her designee, upon approval of the City Council, may adopt merit increases effective July 1 of each calendar year subject to funding in the approved budget.

B. Full-time and part-time employees may be eligible to receive a merit increase.

C. Temporary, seasonal, or probationary employees whose performance is rated less than successful, shall not be eligible to receive a merit increase.

D. A part-time employee may be eligible to receive a merit increase in the same amount of elapsed calendar time on the job as a full-time employee.

E. The Mayor, or his/her designee, may complete an employee's performance evaluation within thirty (30) days preceding the effective date of a merit increase.

2. SELECTIVE SALARY ADJUSTMENT.

A. The Mayor, or his/her designee, may recommend a selective salary adjustment in order to mitigate an inequity caused by merit increase freeze or other similar circumstances.

B. The Mayor, or his/her designee, may submit a written rationale supporting the recommendation to the City Council.

C. A selective adjustment is subject to the availability of funds and guidelines established by the City Council.

3. REASSIGNMENT. Except when due to a demotion or a disciplinary action, an employee who is reassigned shall be paid the same salary received prior to the assignment.

4. DEMOTION. If an employee is demoted, either voluntarily or involuntarily, the Mayor, or his/her designee, may not reduce the employee's salary or may reduce the salary.

SECTION XIV:REIMBURSABLE TRAINING TESTING & TRAVEL EXPENSES

1. **GENERAL POLICY.** With prior approval, legitimate expenses will be reimbursed by Elk Ridge City to the employee. It is the general intent to reimburse employees for actual costs associated with travel for City business. Receipts should be required to reimburse the employee. Reimbursement may be in the form of petty cash, an addition to a paycheck, or a separate check. Records must be kept reflecting the amount of reimbursement each employee has received.

2. **TRAINING AND CONFERENCES.** Certain travel by city employees is necessary and useful for the accomplishment of municipal functions. It is the purpose of this policy to provide a reasonable, systematic means by which the cost of such travel may be estimated for budget purposes and controlled for purposes of economy and efficiency.

   A. Travel expenses must be included in the annual budget for each department anticipating travel as part of the budget process. Responsibility for keeping within the travel budget lies within the department supervisor. Any trip involving expenses in excess of the amount budgeted for that purpose may be made only upon of the Mayor.

   B. Travel expenses and training must be related to an employee's position and approved by the departmental supervisory to be eligible for reimbursement. Travel reimbursement for employees appointed to serve on committees, boards, or other organizations outside of his or her employment with Elk Ridge City must be approved by the Mayor.

3. **TESTING & CONTINUING EDUCATION.** Employees are encouraged to obtain continuing education through attendance at job related seminars. Requests for attendance must be approved in advance by the Mayor, or his/her designee.

   A. Required by Elk Ridge City. When Elk Ridge City requires an employee to attend any education or training course, conference, seminar, or certification course, Elk Ridge City will provide the necessary time off with pay and will reimburse the employee for all associated costs including tuition or registration fees, authorized travel, meals, and lodging.

      (1) Testing – Elk Ridge City will pay all associated costs for an employee to obtain mandatory certification, licensing, etc. If after testing two times employee is unsuccessful in obtaining certification, licensing, etc. employee will be required to pay all future costs (including but not limited to tuition, registration, travel, meals, lodging, and time off of work) to obtain such certification, license, etc.

   B. Encouraged by Elk Ridge City. Employees are encouraged to further their education and training in areas that will enhance their job performance. Upon advance approval by the Mayor, or his/her designee, and upon successful completion of relevant training courses, employees shall be reimbursed for tuition fees, materials, and other necessary and approved expenses upon presentation of proper receipts. Proof of successful completion will include one of the following:

(5) All hotel, motel or other sleeping accommodations and airline or other travel arrangements for overnight trips shall be made in advance and the cost of such paid through the purchase order process and with city check in order to receive appropriate discounts and avoid unnecessary taxes. If such payment in advance is not possible, the city shall reimburse to the employee the cash amount of the cost of sleeping and travel accommodations after receiving the appropriate receipts to verify that the employee has expended his/her own money for such purposes. Failure to produce a receipt in such circumstances may necessitate the withholding of reimbursement.

(6) The amount of sixty dollars ($60.00) shall be granted as the maximum daily per diem allowance for City employees engaged in travel on the City's behalf. Employee will not receive a per diem for any meals that are covered in the conference registration (continental breakfast is considered a meal), nor a breakfast per diem if hotel employee is staying at provides any type of free breakfast. One day travel events are exempt from any per diem allowances. The following are specific per diem allowances:

Breakfast	$15.00
Lunch	$15.00
Dinner	$30.00

7. WAGE TO TRAVEL.

A. Week Day Travel. Employees will receive their regular work day pay for travel to, attendance at, and travel from training or conferences on Monday through Friday.

B. Week End Travel. If an employee is required to travel out of town to attend a training, conference, briefing or to gather information, the employee must leave the training, conference, briefing or other meeting on Friday with sufficient time to enable the employee to return home within a forty hour work week. However, an employee may request permission from the Mayor to attend a training, conference, briefing or other meeting requiring weekend travel time that cause the employee to exceed a forty hour work week. If the employee obtains permission beforehand, the employee will be compensated at the rate of one and one-half (1 and 1/2) times his/her regular work day pay if hours worked exceed forty (40) hours in that week.

C. Employees will not be compensated/reimbursed for expenses incurred that are not directly related to City business. For example, if an employee travels to attend a two day conference, but stays for five days, taking three vacation days, the City will not reimburse/pay expenses associated with the three vacation days.

SECTION XVI: BENEFITS

1. WORKERS' COMPENSATION.

A. All employees are covered by workers' compensation which provides medical reimbursement and disability benefits for job-related illness or injury. An employee does not accrue benefits while receiving workers' compensation payments. For exact compensation coverage check the workers' compensation contract on file with the Recorder.

B. Medical Attention. An employee who sustains a bona fide, on-the-job injury may seek medical attention from the medical facility of their choice. They must tell the doctor, HOW, WHEN and WHERE the accident occurred. The doctor will complete a medical report (Physicians Initial report of Injury or Illness--Form 123) and copies of this report should be sent within seven (7) days to the insurance carrier, the Industrial Commission, and to the injured worker. (Do not submit doctor or hospital bills for on-the-job injuries or illness to the regular medical plan.)

C. Initial Reporting of Illness or Injury. Reporting the accident or illness is critical to qualification for payment under workers' compensation. If an employee is injured while on the job, no matter how minor, the circumstances should be reported to their supervisor. After the Employer's First Report of Injury or Illness form (Form 122) is completed, a copy must be sent to the insurance carrier and a copy must be sent to the Industrial Commission within seven (7) days of the date of the injury.

D. Reporting while off the Job. While on leave because of a bona fide, on-the-job injury or illness, an employee must contact their supervisor to report on their condition. Failure to provide the required medical status reports may result in revocation of the leave and/or immediate termination.

E. Return to Service. All employees must return to work after the approval of the attending physician. A statement from the attending physician stating the employee is able to resume normal duties will be required before returning to work. Failure to return to work when directed may result in immediate termination. An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within their current job classification.

F. At the time of final release or settlement of a workers' compensation claim, if no vacancy exists, and, if a reasonable effort, which has proven to be unsuccessful, has been made to place the employee in another position, they may be terminated and paid any accrued benefits due to them.

2. SOCIAL SECURITY/FICA. Employees are covered by the benefits of Old Age, Survivors and Disability Insurance as provided for by law. Contributions of the employee and Elk Ridge City will be made in accordance with the provision of the law.

(4) Conversion.

(a) The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 is available for those employees who resign or are terminated from employment or if work hours are reduced which makes the employee no longer eligible to participate in the state group health insurance plans. Employees may have the right to continue to participate in a COBRA program through the state for up to eighteen (18) months at the employee's expense, subject to current state and federal law.

(b) Eligible dependents may also extend coverage, at their expense, for up to thirty-six (36) months in state health insurance plans in the event of the employee's death, divorce, legal separation, or entitlement to Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan, subject to current state and federal law.

(5) Notice to employees of coverage options under FLSA and Affordable Care Act. Under the Patient Protection and Affordable Care Act, health insurance coverage may be offered through a Health Insurance Marketplace along with premium tax credits to assist individuals in purchasing such coverage. (*See* appendix 31 for details).

4. STATE AND FEDERAL UNEMPLOYMENT. All employees are covered by the benefits of State & Federal Unemployment. Contributions of the employee and Elk Ridge City will be made in accordance with the provision of the law.

5. RETIREMENT SYSTEM. Additional details are available from the Mayor, or his/her designee.

A. All full time Elk Ridge City employees are covered by the Utah State Retirement Systems, unless otherwise authorized by the City Council according to State Law.

B. The cost of this program is paid for by Elk Ridge City and the employee in the percentages set by action of the City Council and the Utah State Retirement Systems.

6. CELL PHONE REIMBURSEMENT. Elk Ridge City recognizes that allowing certain City personnel to use a cell phone is helpful to efficiently conducting City business.

A. When the job duties of an employee require the frequent use of a cell phone to conduct City business, the Mayor may approve a city cell phone or authorize a monthly allowance for that employee to use his/her personal cell phone.

B. Use of the cell phone in any manner contrary to local, state or federal laws constitutes misuse and will result in immediate termination of the city cell phone or cell phone allowance and, depending on the severity of the offense, may result in disciplinary action.

(3) Any period of incapacity or treatment for a chronic serious health condition;

(4) A period of incapacity for permanent or long term conditions for which treatment may not be effective; or

(5) Any period of incapacity to receive multiple treatments (including recover from those treatments) for restorative surgery, or for a condition which would likely result in an incapacity of more than three consecutive, full calendar days absent medical treatment.

E. "Intermittent leave" or a "reduced leave schedule" for medical reasons can be taken under this policy "when medically necessary". Intermittent leave or a reduced leave schedule to care for a newborn child or for the placement with the employee of a child for adoption or foster care unless the employee and the City mutually agree to that arrangement.

(1) Intermittent leave is leave that is not taken consecutively.

(2) A reduced leave schedule is a leave schedule that reduces the usual number of hours per work week or hours per work day.

2. CITY NOTICE OF FMLA LEAVE.

A. Absent extenuating circumstances, the City shall notify an employee of whether the employee is eligible to take FMLA leave (and, if not, at least one reason why the employee is ineligible) within five (5) business days of the employee requesting leave or the employer learning that an employee's leave may be for a FMLA-qualifying reason.

B. At the same time the City provides an employee notice of the employee's eligibility to take FMLA leave, the City will also notify the employee of the specific expectations and obligations associated with the leave. Among other information included in this notice, the City should inform the employee whether the employee will be required to provide certification of the FMLA-qualifying reason for leave and the employee's right to substitute paid leave (including any conditions related to such substitution, and the employee's entitlement to unpaid FMLA leave if those conditions are not met). If the information included in the notice of rights and responsibilities changes, the City will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change.

C. The employee may be required to provide the employer with medical certification to support a request for FMLA leave because of a serious health condition. If the employer requires a second or third opinion, they will both be at the employer's expense.

D. A fitness for duty report is required before an employee returns to work with the City after being absent due to a serious health condition. The fitness for duty certification should address the employee's ability to perform the essential functions of his/her position. The City may require a fitness for duty certification up to once every 30 days for an employee taking intermittent or reduced schedule FMLA leave if reasonable safety concerns exist regarding the employee's

6. BENEFITS AND EMPLOYMENT STATUS.

A. During the FMLA leave, the City must maintain the employee's health benefits coverage under any "group health plan" that the employee has with the City.

B. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's FMLA leave. However, no seniority or other benefits will accrue during the FMLA leave.

C. Upon return from FMLA leave, most employees must he restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

F. The maximum PTO leave which can be accrued and carried forward from calendar year to calendar year is forty (40) hours. Any accrued leave in excess of forty (40) hours shall be forfeited on December 31 in which the leave was accrued. An employee may turn in up to Forty (40 PTO Hours per year for pay.)

G. A holiday which falls during an employee's leave shall be counted as a paid holiday and not as annual (PTO) leave.

H. An employee who is separated from employment shall be compensated for all accrued leave.

I. Official vacation records will be maintained and kept current by the Mayor or Designee.

3. HOLIDAY LEAVE.

A. Holidays which apply to permanent full time employees are:

(1)	New Year's Day	January 1st
(2)	Human Rights Day	3rd Monday in January
(3)	President's Birthday	3rd Monday in February
(4)	Memorial Day	Last Monday in May
(5)	Independence Day	July 4th
(6)	Pioneer Day	July 24th
(7)	Labor Day	1st Monday in September
(8)	Veteran's Day	November 11th
(9)	Thanksgiving	4th Thursday in November
(10)	Day After Thanksgiving	4th Friday in November
(11)	Christmas	December 25th

B. If any of the above holidays fall on Saturday, then the preceding Friday shall be the holiday. If any of the above holidays fall on Sunday, then the following Monday is the holiday.

4. SICK LEAVE.

A. Purpose. Sick leave is to be used with accrued PTO Hours. These hours are regulated under the annual leave section of this manual.

B. Eligibility. Sick leave is accrued under the Annual Leave (PTO) and shall be available to all permanent employees, Sick leave (PTO) will not be granted to employees during their first ninety (90) calendar days of employment, except for emergency circumstances.

9. **JURY LEAVE.** Full-time employees who have completed their Initial Employment Period will be granted leave with full pay when performing jury duty or when required to serve as a witness in any municipal, county, state, or federal court, or before an administrative tribunal. Any compensation, including travel and expense allowance, received by the employee must be turned back to Elk Ridge City. Part-time employees and full-time employees who have not completed their Initial Employment Periods do not qualify for paid jury leave. Employee who do not qualify for paid jury leave may retain their jury/witness fees. Paid leave will not be granted when the employee is serving as his own witness in financial and related suits which he has initiated.

10. **ADMINISTRATIVE LEAVE.** A permanent or probationary employee may be granted administrative leave with pay to perform authorized duties in connection with City business, to attend trade or professional meetings which relate to official duties, or to participate in recognized and authorized training programs.

11. **FUNERAL LEAVE.** The Mayor, or Department Head shall grant an employee up to three (3) days of funeral leave with pay to attend the funeral of the employee's spouse, child, step-child, daughter or son-in-law, parent, step-parent, grandchild, mother or father-in-law, sister or brother-in-law, grandparent, spouses' grandparent, brother or sister.

12. **LEAVE WITHOUT PAY.**

    A. Upon recommendation of the Mayor, or his/her designee, and approval of the City Council, an employee may be granted leave without pay for a specified period of time, not to exceed one (1) year. At the expiration of a leave without pay, the employee shall return to the same position, where feasible, or to a similar position. Failure of the employee to report promptly at the expiration of such leave without pay shall be considered a resignation without notice.

    B. A leave without pay shall not constitute a break in service. However, during leave without pay in excess of thirty (30) calendar days, Annual (PTO) leave, and time toward annual performance evaluation shall not accrue.

    C. Leave without pay shall be granted for education purposes when the employee's course of study will be of direct benefit to Elk Ridge City, their absence will not be a hardship for their department, and the employee agrees to return to work at the end of the leave without pay.

    D. To attend funerals not covered by the funeral leave policy.

    E. To attend to an ill or injured member of the employee's immediate family.

    F. Employees are expected to apply for absences in advance and in writing, giving as much detail about the absence as is necessary so that the Mayor may decide whether the leave without pay is warranted.

    G. Must have one (1) hour minimum increments.

SECTION XIX: GENERAL SAFETY

1. **SAFETY AND ACCIDENT PREVENTION MANUAL.** Employees are responsible to read, know, understand and comply with the policies set forth in Elk Ridge City's Safety and Accident Prevention Manual (a separate document issued to all employees on first day of employment with Elk Ridge City). The Safety and Accident Prevention Manual is to prevent accidents to employees, persons and property. Violation to this manual may lead to immediate disciplinary action.

2. **GENERAL POLICY.** The following general safety rules will apply in all agency work places. Each work unit may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.

   A. Proper licensing and extreme caution are required by all employees operating any type of power equipment.

   B. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, toe guards, back supports, and hard hats, if required or appropriate to the work performed.

   C. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines. Long hair will be properly secured.

   D. All accidents, regardless of severity, personal or vehicular, shall be reported immediately to the supervisor/manager.

   E. Defective equipment will be reported immediately to the supervisor or Mayor, or his/her designee.

   F. Employees will not operate equipment or use tools for which licensing and training has not been received.

   G. In all work situations, safeguards required by State and Federal Safety Orders will be provided.

3. **PROPER USE OF ELK RIDGE CITY EQUIPMENT AND TOOLS.** The use of Elk Ridge City equipment or tools for private purposes is strictly prohibited. However, reasonable use of Elk Ridge City tools and equipment to protect property and preserve life is authorized.

   A. Employees must receive the proper training including an explanation of job hazards, safety procedures and training on all equipment, tools, etc., necessary for the accomplishment of the employee's job description.

   B. A commercial driver's license (CDL) is required for operators of commercial motor vehicles. No individual shall be allowed to operate such vehicles unless they have a current commercial driver license in their possession. This license is required pursuant to the Commercial Motor Vehicle Safety Act, signed into law on October 27, 1986. Employees must renew their commercial driver license at four year intervals.

SECTION XX: UOSHA REQUIREMENTS

1. **GENERAL POLICY.** It is Elk Ridge City's policy to maintain an environment which is free from any recognizable hazard which is likely to cause death or serious injury to any employee through open communications with employees.

2. **POSTING UOSHA NOTICES**. Elk Ridge City will post all required UOSHA notices conspicuous places (such as employee bulletin boards or where similar notices are usually posted). Employees may obtain additional information from Mayor or Designee when they have questions about any of the standards which are provided under UOSHA.

3. **INSPECTION PROCEDURES.** All employees should follow the procedures listed below in the event an inspector from UOSHA presents themselves on the job site.

   A. If an inspector arrives on the job site, an employee should understand that they are not authorized to offer any information requested by the inspector.

   B. The employee will inform the inspector that the employee will contact the Department Head or Supervisor, who will accompany the inspector during any inspection.

   C. The Department Head or Supervisor should make sure that all employees know who they are required to contact in the event an UOSHA inspector shows up on the job site.

   D. If the UOSHA inspector does not reveal the appropriate credentials at the outset of the inspection, the Department Head or Supervisor should ask the inspector to reveal his credentials and should then examine them before allowing an inspection of the job site.

   E. The Department Head or Supervisor should not refuse an inspection of the job site where the inspector does not have a warrant to inspect. The inspector will usually have no trouble obtaining a warrant for inspection. Refusing to allow an inspection may create a negative atmosphere which may be more harmful to Elk Ridge City. This may result in harsher penalties if violations are discovered by the inspector.

   F. If the credentials are appropriate, and before beginning the inspection, the Department Head or Supervisor should as the inspector the reason for the inspection. If it is routine, no further requests are required. If the inspection was due to an employee complaint, the Department Head or Supervisor should request a copy of the complaint. This will help Elk Ridge City correct any safety problems. Under no circumstances should the information received on an employee complaint be used for disciplinary action toward an employee as this type of action is prohibited by law.

   G. The Department Head or Supervisor should accompany the inspector during the entire inspection of the job site.

SECTION XXI: INFORMATION TECHNOLOGY RESOURCES

1. **GENERAL POLICY.** The purpose of information technology resources (e.g. e-mail, electronic voice, video communication, facsimile, internet/intranet/extranet related systems and like technologies) provided by the City is to support City operations and improve City government effectiveness and efficiency.

2. **GENERAL USE AND OWNERSHIP – PRIVACY OF RECORDS.** Elk Ridge City is committed to respecting the rights of its employees, including their reasonable expectation of privacy. However, it is also responsible for servicing and protecting its electronic communication networks. The City has the right to access and disclose the contents of electronic files, as required for legal, audit, or legitimate operational or management purposes. Do not transmit personal information about yourself or someone else using corporate resources without proper authorization. The confidentiality of such material cannot be guaranteed. E-Mail and other electronic files may be accessible through the discovery process in the event of litigation. Each of these technologies may create a "record" and therefore are reproducible and subject to judicial use or a Government Records Access and Management Act (GRAMA) request for information.

3. **RETENTION/DISPOSITION OF ELECTRONIC RECORDS.** Just as with any other government record, electronic records are retained or disposed of in accordance with GRAMA. Refer to GRAMA or ask the City Recorder's Office if you need additional information or guidance in this area.

4. **CITY EMPLOYEES RESPONSIBILITIES.** City employees shall:

   A. Access only files, data and protected accounts that are your own, that are publicly available, or to which you have been given authorized access.

   B. Use City resources efficiently and productively. Refrain from monopolizing systems, overloading networks with excessive data, playing computer games or wasting computer time, connect time, disk space, printer paper, or other corporate resources.

   C. Be responsible for the use of your accounts. Under no circumstances shall you give your passwords to another person. Guard yourself against unauthorized access to your accounts.

   D. Seek the advice of the authorized supervisor responsible for any City resource if you are in doubt concerning your authorization to access that resource.

   E. Conduct yourself as a representative of both the City agency and Elk Ridge City Corporation as a whole.

   F. Effective use of computer resources is important to Elk Ridge City Corporation. To help improve the effectiveness of your use of these resources, incidental and occasional personal use is permitted, as long as such use does not:

(5) Junk Mail or Spam. Distributing junk mail, such as chain letters, advertisements, or unauthorized solicitations. This includes unauthorized and/or unsolicited mass mailings or "spam" email.

(6) Confidential Information. The distribution of information prohibited without proper authorization. When authorized, transmitting classified information requires proper security.

(7) Security Breaches. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties.

(8) Port Scanning or security scanning is expressly prohibited without prior permission from City Administrator or designee.

(9) Executing any form of network monitoring which will intercept data not intended for the employee's host server or database, unless this activity is part of the employee's normal job duties.

(10) Using any program/script/command or sending messages of any kind, with the intent to interfere with network and server operations.

5. **EMAIL.** Employees are encouraged to use email where appropriate when conducting City business. Employees should check for new email messages regularly.

6. **INSTANT MESSAGING/TEXT MESSAGING.** Employees are permitted to use instant messaging and texting where informal communication is appropriate.

7. **SOCIAL MEDIA.** Social media, including Facebook, MySpace, Twitter, YouTube etc. may be an effective way to communicate with the public and employees may participate in these services where appropriate. Information posted to a City related social medial site by an employee must first be approved by the City Administrator and/or his designee. Information posted on social media websites may be subject to human resource personnel matters, litigation disclosure, forensic analysis, and information requests under GRAMA.

Appendix Number 2

INDEMNITY PROVISION AGREEMENT

Whereas [Company Name] desires to enter into a contract with Elk Ridge City in consideration for the City's willingness to contract with [Company Name], the compensation set forth below and other good and valuable consideration, I [Company Representative's Name] , as the duly authorized agent of [Company Name] herewith agree to indemnify and hold the Elk Ridge City, its officers, agents, officials and employees, harmless from any action, causes of action, claims for relief, demands, damages, expenses, costs, fees, or compensation, whether or not said actions, causes of action, claims for relief, demands, damages, costs, fees, expenses and/or compensations are known or unknown, are in law or equity, and without limitation, all claims of relief which can be set forth through a complaint or otherwise that may arise out of the acts or omissions, negligent or otherwise of Elk Ridge City or its officers, officials, agents, or employees, or any person or persons.

I further agree and bind [Company Name] to conduct and be financially responsible for any and all environmental testing and cleanup measures required by any state or federal law or regulatory agency in connection with the use of said property.

I acknowledge that I have been advised to consult legal counsel and have had the opportunity to consult with legal counsel prior to entering into this Hold Harmless / Release of Liability Agreement.

I understand and agree that, by signing this Hold Harmless / Release of Liability Agreement, I relinquish all rights or claims to adjudication or recourse which I may be entitled to in relation to any damages or injury that may arise out of the above described activities.

I warrant that I enter into this agreement with full knowledge of the meaning and future effect of the promises, releases and waivers contained herein.

I warrant that I have entered into the releases and waivers contained in this Agreement voluntarily and that I make them without any duress or undue influence of any nature by any person.

I agree to assume all risk, chance or hazard that any loss sustained by me may be greater or more extensive than is known, anticipated or expected.

_____ _____

Company Representative's Name Date

_____ _____

Supervisor Date

B. Improper Pre-Employment Inquiries:
Any other inquiry which would indicate sex or related conditions such as pregnancy or plans to have children. Inquiry into sex of applicant.

8. Photographs.
   A. Proper Pre-Employment Inquiries: Photograph may be requested only after hiring and then only for legitimate business purpose.
   B. Improper Pre-Employment Inquiries: Any request for photograph prior to hiring is prohibited.

9. Religion-Creed.
   A. Proper Pre-Employment Inquiries: None.
   B. Improper Pre-Employment Inquiries: Inquiry into an applicant's religious denomination, religious affiliations, church, parish, pastor, or religious holidays observed prior to hiring is prohibited.

10. Relatives.
   A. Proper Pre-Employment Inquiries: Inquiry into name and address and relationship of persons to be notified in case of emergency. For a minor it must be a parent or guardian.
   B. Improper Pre-Employment Inquiries: Names and addresses of any relatives other than those listed as proper.

11. Organizations.
   A. Proper Pre-Employment Inquiries: Inquiry into organization memberships including professional, scientific and civic groups, but excluding any organization, the name or charter of which indicate the race, religion, color, sex, and national origin of its members.
   B. Improper Pre-Employment Inquiries: Requirement that applicant list all organizations, clubs, societies, and lodges to which he belongs. Unlawful to inquire into organizations which may indicate race, religion, color, sex, and national origin of their members.

12 Notice in Case of Emergency.
   A. Proper Pre-Employment Inquiries:
   Name and address and relationship of "Persons" to be notified in case of accident or emergency.
   B. Improper Pre-Employment Inquiries:
   Name and address of all others except those listed as proper.

13. References.
   A. Proper Pre-Employment Inquiries:
   Persons willing to give references.
   B. Improper Pre-Employment Inquiries:
   Request of name of applicant's bishop, pastor, or religious leader.

14. Military Experience.
   A. Proper Pre-Employment Inquiries: Inquiry into applicant's military experience or duties in United States Armed Forces.
   B. Improper Pre-Employment Inquiries: To require copy of military discharge paper or type of discharge , unless such inquiry is based upon a bona fide occupational qualification.

15. Experience.
   A. Proper Pre-Employment Inquiries:
   Inquiry into work experience.
   B. Improper Pre-Employment Inquires:
   Any inquiries into work history which are not work-related.

16. Character.

Appendix Number 4

INTERVIEW GUIDE

Applicants Name: _____ Date: _____

Position Applied For: _____ Interviewed By: _____

1. Qualifications.
   A. Education: _____
   B. Experience: _____
   C. Does Applicant meet minimum qualifications:
      (Please circle one) Yes No

2. Work Experience.
   A. How much work experience is similar to that for which Applicant is applying:
      None — 3 to 5 years
      Less than 1 year — 5 to 10 years
      1 to 3 years — Over 10 years

   B. How related is the experience to the position for which Applicant is applying:
      Unrelated
      Performed similar work 25% of the time
      Performed similar work 50% of the time
      Performed similar work 75% of the time

   C. Which best describes Applicant's prior work experience:
      None — Supervised 1 to 3 individuals
      Worked independently — Supervised 4 to 6 individuals
      Worked under supervision — Supervised over 6 individuals

   D. How would you rate Applicant's work experience to do the job:
      Inadequate _____ Adequate_____ Very Good_____ Excellent_____

3. Job Stability.

   A. Number of Employers in the last five (5) years:
      None___ One___ Two___ Three___ Four___ Five___ Six___

   B. Average length or time in previous full-time positions:
      _____ years

   C. Reason Applicant left previous jobs:
      No previous jobs _____ Difficulty with supervisor _____ Pay
      Working conditions_____ Difficulty with subordinates_____ Laid off
      No chance for advancement _____ Other _____

   D. How would you rate Applicant's job stability:
      Not Good_____ Good[e] _____ Very 'Good _____ Excellent

4. Education:

Appendix Number 5

APPLICANT'S CONSENT TO RELEASE INFORMATION STATEMENT

I [Name of Applicant] authorize Elk Ridge City to contact any or all of my former employees or any or all of the references I have supplied to Elk Ridge City, for the purpose of verifying any of the information I have provided to Elk Ridge City, and/or for the purpose of obtaining any information, whether favorable or unfavorable, about me or my employment with any former employer.

_____ _____

9. Is there anything else that would be helpful for us to know about him/her?

Mr./Ms. [Name of Previous Employer], I sincerely appreciate your comments. This information will, of course, be kept in strict confidence. Thank you very much,

Checked by: _____ Date: _____

Appendix Number 8
EMPLOYEE'S NOTICE OF SECONDARY EMPLOYMENT

Elk Ridge City Employee's Name: _____

1. Secondary Employer's Name: _____

   Secondary Business's Name: _____

   Secondary Business's Address: _____

2. General overview of the type of business engaged in by the Secondary Employer:

_____

_____

_____

3. Specific duties the Elk Ridge City employee will be engaged in at their secondary employment:

_____

_____

_____

_____ _____
Employee's Signature Date Submitted

Circle one: Approved Denied

_____ _____
Elk Ridge City Representative or Official Date

Appendix Number 10

EMPLOYEE SUSPENSION NOTIFICATION

To (Name of Employee): _____

Date of Notice: _____

Date of Violation: _____

Location of Violation: _____

Nature of Violation:

_____

Previous Related Violation(s)/Date(s):

_____

Disciplinary Action to be Imposed:

_____

Employee Suspension Dates.
From: _____ To:

_____

_____ _____

Elk Ridge City Representative or Official Date

I have been informed and understand that if I am a merit employee (i.e., non at-will employee) pursuant Utah Code Ann. § 10-3-1105, I may appeal this disciplinary action, within ten (10) days, to Elk Ridge City's City Council. I have also been informed and understand that during the appeals process I may appear in person, be represented by legal counsel, have a public hearing, present and confront witnesses and examine evidence. I have reviewed and received a copy of this form.

_____

_____

Employee's Signature Date

Appendix Number 12

EMPLOYEE TRANSFER NOTIFICATION

To (Name of Employee): _____

Date of Notice: _____

Reason(s) for Transfer:

_____

_____

_____

Effective Date of Transfer: _____

_____ _____

Elk Ridge City Representative or Official Date

I have been informed and understand that if I am a merit employee (i.e., non at-will employee) pursuant Utah Code Ann. § 10-3-1105, I may appeal this disciplinary action, within ten (10) days, to Elk Ridge City's City Council. I have also been informed and understand that during the appeals process I may appear in person, be represented by legal counsel, have a public hearing, present and confront witnesses and examine evidence. I have reviewed and received a copy of this form.

_____ _____

Employee's Signature Date

Appendix Number 14

GRIEVANCE FORM

1. _____ Employee Filing Grievance:

2. _____ Date Grievance Occurred:

3. Nature of Grievance: (Please give specific details of what happened)

_____

_____

4. Historical Information Related to the Grievance: _____

_____

_____

5. Requested Resolution: _____

_____

_____

Employee's Signature — Date Filed

Supervisor's Signature — *Date Received*

Appendix Number 16

RESIGNATION IN **LIEU** OF AN **INVOLUNTARY** TERMINATION AGREEMENT

[Name of
Employee]
[Address]
[City, State, Zip Code]

Dear [First Name of Employee]:

This letter sets forth the substance of our conversation held on [Date]

_____
_____
_____
_____
_____
_____

I told you that Elk Ridge City has initiated disciplinary proceedings against you for violation of the following:

_____

On [Date] you submitted your voluntary resignation to be effective [Date}.

Please be advised that Elk Ridge City herein accepts your resignation, in lieu of an involuntary termination, based on your submission of the attached notice of voluntary resignation.

_____ _____

Mayor Date

my rights under COBRA for continuation of insurance coverage.

_____

Signature of Qualified Beneficiary Date

_____

Signature of Employer/Designee Date

Appendix Number 18

Request for time off without PTO

I _____ am requesting ____ days off for, _____

_____

_____

I acknowledge that I am out of PTO or any paid leave. I am requesting additional time off that will be unpaid leave. I understand that additional time off is subject to approval by my direct supervisor and the Mayor.

Signature _____

Days approved if different from requested _____

Supervisor Approval _____

Mayor Approval _____