

# LAKE POINT CITY COUNCIL

RESOLUTION NO. 15

DATE: 12/10/2025

## A RESOLUTION ADOPTING A PERSONNEL POLICY AND PROCEDURE MANUAL FOR LAKE POINT

WHEREAS, the city of Lake Point (“**City**”) is authorized and required by Utah Code § 10-3-717 to adopt policies and procedures to regulate all administrative functions of the City by power of resolution.

WHEREAS, the City Council desires to set out and adopt its policies and procedures regarding personnel.

NOW, THEREFORE, BE IT ORDAINED by the Lake Point City Council as follows:

**Section 1.** The Lake Point Personnel Policy and Procedure Manual is adopted in substantially the form attached hereto as “**Exhibit A.**”

**Section 2.** Severability: If a court of competent jurisdiction determines that any part of this resolution is unconstitutional or invalid, then such portion of this resolution, or specific application of this resolution, shall be severed from the remainder, which shall continue in full force and effect.

**Section 3.** Direction: The chair and staff, including the city attorney, are authorized and directed to take such steps as may be needed: (a) for this resolution to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the resolution to civiclinQ, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.

**Section 4.** This resolution shall be effective immediately upon its adoption and posting according to law.

PASSED, APPROVED, AND ADOPTED on the 10<sup>th</sup> day of December, 2025

Lake Point

By Kathleen VonHatten  
Chair

ATTEST:

Jamie Olson  
Jamie Olson, City Recorder

SEAL



**Voting:**

Alexis Wheeler  
Kirk Pearson  
Jonathan Garrard  
Kathleen VonHatten  
Ryan Zumwalt

Yea ☒ Nay ☐ Absent ☐  
Yea ☒ Nay ☐ Absent ☐  
Yea ☒ Nay ☐ Absent ☐  
Yea ☐ Nay ☒ Absent ☐  
Yea ☐ Nay ☒ Absent ☐

## **SUMMARY OF LAKE POINT RESOLUTION NO. 15**

On Dec. 10, 2025, the Lake Point City Council enacted Resolution No. 15 to regulate policies and procedures regarding personnel.

A complete copy of Resolution No. 15 is available online and in the office of the Lake Point City Recorder and by contacting Jamie Olson at [info@lakepoint.gov](mailto:info@lakepoint.gov).

## **Exhibit A to Resolution**

# **LAKE POINT PERSONNEL POLICY AND PROCEDURE MANUAL**

### **1. STATEMENT OF POLICY**

1. It is the policy of Lake Point to establish reasonable rules of employment conduct and to maintain policies designed to promote fairness, accountability, and lawful operation of City business. These policies are intended to ensure consistent standards for the City and its employees while respecting the City's guiding principles of limited government, personal responsibility, and voluntary cooperation.
2. This manual shall not be construed as, nor does it constitute, an explicit or implied contract of employment between the City and any employee. Employment with the City is at-will, and either the employee or the City may terminate the employment relationship at any time, with or without cause, unless otherwise expressly provided by applicable law.
3. No officer, agent, or employee of the City has authority to enter into any agreement for employment for any specified period of time, or to make any agreement or representation (verbal or written) that alters, amends, or contradicts the provisions of this Personnel Policies and Procedures Manual.
4. The City reserves the right to amend, supplement, or rescind any portion of this manual at any time, for any reason, by action of the City Council.
5. This manual shall not be interpreted to create any due process requirements.

### **2. INTRODUCTION**

1. As an employee of the city of Lake Point, you are a valued participant in the delivery of quality public service to our community. Your work contributes to maintaining the rural character, safety, and liberty-centered lifestyle that define our City's Vision and Core Values.
2. All employees are expected to read, understand, and follow the policies and procedures set forth in this manual. These policies are designed to promote clarity, accountability, and mutual respect, while preserving the flexibility and trust necessary in a small, cooperative organization.

### **3. EQUAL EMPLOYMENT OPPORTUNITY**

1. It is the policy of Lake Point to comply fully with all Federal and State Equal Employment Opportunity (EEO) and Affirmative Action laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Utah Antidiscrimination Act (U.C.A. § 34A-5-101 et seq.)
2. Employment decisions shall be made without unlawful regard to race, color, religion, sex, pregnancy, national origin, age, disability, sexual orientation, gender identity, or veteran status. All employment activities (including recruitment, hiring, training, promotion, demotion, transfer, compensation, discipline, and termination) shall be conducted in compliance with applicable law and this policy.
3. Officers, managers, supervisors, and employees share responsibility for maintaining a workplace free from unlawful discrimination, harassment, or retaliation.

### **4. SAFETY AND COMPLIANCE**

1. It is the policy of Lake Point to provide a safe and healthy work environment and to comply with all applicable federal and state occupational safety and health laws (U.C.A. § 34A-6-201 et seq.). Employees are expected to use reasonable care, follow established



safety procedures, and promptly report unsafe conditions to their supervisor or to the Human Resources Committee with written notice to the Chair.

2. The City encourages proactive cooperation in maintaining a safe workplace that reflects our shared responsibility to one another and to the public we serve.

## **5. EMPLOYEE ACKNOWLEDGMENT**

1. All employees shall sign an acknowledgment form confirming that they have received a copy of this manual, understand that it is not a contract of employment, and agree to abide by its policies and procedures.

## **6. EMPLOYEE COMPENSATION REPRESENTATION**

1. Employee compensation, including salary, for Lake Point employees must achieve the following objectives
  - a. Support the City's strategic goals and objectives;
  - b. Attract and retain competent, productive, and motivated employees;
  - c. Be competitive with local municipal employers or other relevant local employers;
  - d. Be internally equitable and consistent; and
  - e. Be within the City's ability to pay.
2. To achieve these objectives, employees and the City administration should regularly and constructively communicate about employee compensation issues.

## **7. ANNUAL REVIEW**

1. Employee compensation shall be reviewed for adjustments annually during the 4th quarter of the Fiscal Year (April 1st to June 30th) in preparation for the following Fiscal Year Budget, and any adjustment to be implemented July 1st of the new fiscal year.
2. Employee compensation, including employee benefits, supports the City's ability to effectively and professionally serve the citizens and businesses of Lake Point. Employee benefits achieve this objective when they advance the City's strategic aims and are integrated with employee wages. The City and its employees should collaborate in reviewing and evaluating employee benefits provided by Lake Point; however, the ultimate decision on the benefits available to employees is left solely to the discretion of the City. Lake Point employs numerous individuals, some of whom receive benefits; however, not all employees are eligible for benefits. Consistent with the goals and strategies, the City provides benefits on a position-by-position basis and may alter benefits as needed to pursue its strategic objectives. To the extent benefits are provided, benefits may include: workers compensation, unemployment benefits, FMLA leave, medical/health coverage, retirement/separation benefits, disability benefits, life insurance, paid leave, flexible work schedules, and other benefits identified by the City Council.

## **8. EMPLOYEE HIRING**

1. Employment
  - a. Job Descriptions
    1. Before any vacancy is posted or announced, a written job description defining the essential functions and minimum qualifications for the position shall be prepared and approved by the City Council.
    2. Job descriptions shall be reviewed and updated as necessary to reflect current duties, responsibilities, and legal requirements.
  - b. Posting and Recruitment
    1. Vacancies may be advertised internally or externally at the discretion of the City Council.

2. The City reserves the right to fill positions through promotion, reassignment, appointment, or contract when such action best meets operational needs or efficiency.
  3. Whenever practical, qualified internal candidates shall receive priority consideration.
  - c. Contracted Positions
    1. When the City determines that a position is best filled through an employment contract, the contract shall:
      1. Define the term, compensation, and the duties of the position;
      2. Be reviewed annually during the fourth quarter of the fiscal year in preparation for the upcoming budget year; and
      3. Be approved by a majority of the City Council prior to execution.
      4. Existing contracts for the City Recorder, Planning Secretary, and Treasurer shall be reviewed under this same schedule.
  - d. Employment Status
    1. Unless otherwise specified by written contract, all employees of Lake Point are at-will employees, meaning either the employee or the City may terminate employment at any time, with or without cause, and with or without notice, consistent with Utah Code § 34-20-2.
2. Placement
- a. Rejection Letters. Within five (5) working days after the job offer has been accepted, non-selected job applicants shall be notified. The Human Resource Committee, or designee, will send a Job Rejection Letter to each job applicant who was not selected for a job opening.
  - b. The Job Offer Letter shall clearly state that the offer is not accepted until the candidate signs the written form and returns it to the City by the requested date.
  - c. Employment offers may take one of two forms:
    1. Standard Offer of Employment.
      1. Applies to at-will employees governed by this Personnel Policies and Procedures Manual.
    2. Contract Offer of Employment.
      1. Applies to positions authorized by the City Council to be governed by a written employment agreement as described in Section 8(c) Contracted Positions. Such contracts must be reviewed by the City Attorney for legal sufficiency and executed by the Council Chair and attested by the City Recorder before the employee begins service.
  - d. Orientation.
    1. Newly hired employees shall complete all required paperwork and receive orientation as a new employee of the City on their first day of work, or as soon thereafter as possible.

## **9. ALCOHOL AND DRUG FREE WORKPLACE POLICY STATEMENT**

1. Policy Statement
  - a. Lake Point is committed to maintaining a safe, healthy, and productive work environment for all employees, officials, volunteers, and the public.
  - b. The unlawful manufacture, distribution, possession, use, or being under the influence of alcohol, illegal drugs, or the misuse of prescription medication while on duty, on City premises, or while representing the City is strictly prohibited.

- c. The City recognizes that substance misuse can endanger safety, lower morale, and reduce the quality of public service.
  - d. Employees are encouraged to seek voluntary help for drug or alcohol problems before such issues affect job performance.
  - e. Violation of this policy may result in disciplinary action, up to and including termination, consistent with Section 12 of this manual.
  - f. Drug or alcohol test results obtained under this policy will not be used in criminal proceedings, although the City may report violations of law to appropriate authorities as required.
  - g. All employment postings and offers shall note that employment may be contingent upon a pre-employment drug or alcohol screening test.
2. Responsibilities
- a. Given Lake Point's small staff size, implementation of this policy shall rest primarily with the Human Resources Committee and City Council Chair, who may designate specific tasks to the City Recorder or other authorized staff.
  - b. Human Resources Committee
    - 1. Develop and maintain clear procedures for any required testing or referrals.
    - 2. Ensure employees are informed of this policy and any applicable rehabilitation options.
    - 3. Assist supervisors in documenting performance or safety issues that may indicate impairment.
    - 4. Maintain confidentiality of all test results and related records per GRAMA (U.C.A. § 63G-2-302).
  - c. Supervisors or Designees
    - 1. Observe and report objective facts leading to reasonable suspicion of substance misuse.
    - 2. Ensure that any testing or disciplinary action follows due process under Section VI.
    - 3. Encourage voluntary self-referral to treatment when appropriate
  - d. Employees
    - 1. Report to work, free from impairment and ready to perform assigned duties safely.
    - 2. Notify their supervisor if taking prescription or over-the-counter medication that may impair job performance.
    - 3. Cooperate fully with any authorized investigation or testing process.
3. Testing Procedures
- a. Testing shall occur only under one or more of the following circumstances:
    - 1. Pre-Employment: All final applicants selected for employment may be required to pass a chemical screening test prior to hire.
    - 2. Reasonable Suspicion: When observable behavior or objective evidence indicates potential impairment on duty.
    - 3. Post-Accident: When an employee is involved in an on-duty accident causing injury, property damage, or other significant safety concerns.
    - 4. Return-to-Duty: When an employee previously violated this policy and is approved to return to work.
  - b. All testing shall comply with U.C.A. § 34-41-104 and shall be conducted by a certified laboratory or licensed medical facility.



- c. The City shall bear the cost of any required testing.
  - d. Employees who refuse to consent to testing, tamper with samples, or fail to provide an adequate specimen without a valid medical reason are subject to disciplinary action up to termination.
4. Confidentiality
- a. All records related to testing or rehabilitation shall be maintained as Controlled Records under GRAMA (U.C.A. § 63G-2-304) and stored separately from personnel files.
  - b. Access is limited to those with a legitimate need to know, such as the Human Resources Committee, City Council Chair, or legal counsel.
  - c. Disclosure to outside parties is prohibited except upon written employee consent or lawful subpoena.
5. Rehabilitation and Employee Assistance
- a. When an employee's performance has been affected by substance misuse, the City may require participation in an approved treatment or counseling program as a condition of continued employment.
  - b. Completion of a rehabilitation program does not preclude disciplinary action for underlying misconduct.
  - c. Employees may voluntarily seek help for substance issues without disciplinary consequences, provided they do so before the City becomes aware of any policy violation or performance issue.

## **10. EMPLOYEE CODE OF CONDUCT**

1. Professionalism
- a. The City is a professional association whose purpose, among others, is to provide professional services to its residents and businesses. 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 efficiently carry out the work items assigned as their responsibility; be punctual; and do their part in maintaining good relationships with their fellow employees, the public, and employees and officials of other governmental organizations. Professionalism includes providing good customer service, maintaining knowledge of tasks and responsibilities assigned in each employee's job description.
2. Privileged Information
- a. City employees generate and have access to records that are protected by Utah's Government Records Access and Management Act (GRAMA). Employees are only permitted to access such information if their job duties require them to do so. Under GRAMA, employees have the responsibility to keep confidential any record of a private, protected, or controlled classification until the employee receives proper authorization to release the record. If a non-City employee requests access to a potentially restricted record, that person is required to file a GRAMA request so that it can be determined whether the record is public.
  - b. Employees may not use privileged or non-public information for their personal gain, nor to benefit family, friends, or acquaintances. The improper release or use of non-public information is punishable by criminal sanctions. If a conflict of interest arises or an employee has an outside interest that will be affected by a City plan or activity, this situation should be reported to the Council Chair immediately.

3. Confidentiality of Personal Employee Information
  - a. Some aspects of public employment are public information, such as job descriptions and compensation information. However, in matters of a personal nature, public employees have the same right to privacy that is enjoyed by other members of our community. If an employee receives information about another employee's medical, family, or financial situations, the receiving employee is required to keep such matters confidential. Such information might include a specific medical prognosis, reports of marital strife, or a child support obligation. Gossip or unauthorized discussions about confidential matters are damaging to a professional environment. Unless the subject employee specifically authorizes you to reveal this information, assume that it is to be kept confidential. Never discuss confidential information with those who are not authorized to receive it, either inside or outside the workplace.
4. Ethics
  - a. City employees must comply with the provisions of the Utah Municipal Officers' and Employees' Ethics Act (the "Ethics Act"), Sections 10-3-1301 et seq., including the prohibition against:
    1. Disclosing or improperly using confidential information, or using or attempting to use the employee's position, for personal gain or to secure special privileges for the employee or other;
    2. Failing to disclose conflicts of interest as provided in the Ethics Act, including an interest in a business that is regulated by the City, or the receipt of compensation for assistance in effecting a transaction with the City; or
    3. Inducing or seeking to induce any employee or official to violate the Ethics Act.
    4. Violations of the Ethics Act may result in disciplinary action, civil penalties, or criminal prosecution.
5. Gifts and Gratuities
  - a. Generally. City employees will not accept gifts or gratuities except under circumstances allowed by the Municipal Officers' and Employees' Ethics Act, Section 10-3-1301 et seq., Utah Code Annotated, as amended, or any other applicable federal, state, or local law.
  - b. This provision, however, does not apply to;
    1. An occasional non-pecuniary gift having a value of less than \$50;
    2. An award publicly presented in recognition of public services;
    3. Any bona fide loan made in the ordinary course of business; or
    4. A political campaign contribution.
6. Political Activities
  - a. Employees are required to comply with provisions of state law governing the conduct of employees during elections, Utah Code Ann. § 10-3-1108. The federal Hatch Act may also prohibit public employees from seeking election in partisan elections. Employees should consult with the office of the City Attorney before deciding to become a candidate in an election.
  - b. No City employee or official may participate in campaigning or fundraising while on duty, nor may any employee direct or coerce other employees into campaigning or donating to campaigns.



- c. Employees may not engage in political or partisan discussions with members of the public while on duty.
- 7. Social Media
  - a. Social media and electronic communications are valuable tools, but must be used responsibly.
  - b. City Use. Posts made on official City platforms must comply with GRAMA, records-retention schedules, and the City's Social Media Policy, if a policy has been adopted.
  - c. Personal Use. When speaking online in a personal capacity, employees should avoid statements that:
    - 1. Disclose confidential City information;
    - 2. Claim to represent City policy or positions; or
    - 3. Damage public trust or working relationships.
  - d. Nothing in this section restricts lawful speech or activity protected under the First Amendment or Section 7 of the National Labor Relations Act (NLRA).

## **11. HARASSMENT**

- 1. City employees should not use harassing, libelous, threatening, abusive, foul, or offensive or obscene speech, conduct, cyberbullying, or otherwise. Among those things that are considered offensive are any verbal or nonverbal communications that contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability.
- 2. Reporting Procedure
  - a. Any employee who experiences an unwelcome, harassing, or hostile work environment or who has personal knowledge of clearly offensive conduct should address such behavior/conduct through the formal remediation process.
  - b. Formal complaints should be in writing to the Human Resources Committee and specify the following, if applicable.
    - 1. The identity of the complainant and the date of the alleged offense.
    - 2. The identity of the allegedly offending employee, citizens, contractors, etc.
    - 3. The alleged offensive behavior that the employee engaged in.
    - 4. The frequency of the alleged offensive behavior.
    - 5. The alleged damage the complainant suffered as a result of the alleged offensive behavior.
    - 6. How the complainant would like the matter settled, or what the complainant would like to see happen.
  - c. Complainants will be allowed a reasonable amount of time during work to prepare a formal complaint.
  - d. Complainants must submit a formal written complaint within thirty (30) calendar days of the alleged incident or discovery of the conduct.
- 3. Formal Remediation Process
  - a. The complainant should submit the formal written complaint to any of the following individuals.
    - 1. The employee's immediate supervisor.
    - 2. Council Member
    - 3. Human Resources Committee
    - 4. The City Attorney

5. The submitted complaint should be forwarded immediately to the Human Resources Committee to conduct a confidential investigation into the allegations. The Human Resources Committee shall notify the City Council Chair and City Attorney of the complaint, except where the allegations involve such individual(s) or department(s). If the allegations involve the Human Resources Committee, the complaint should go to the City Attorney. If the allegations involve the City Attorney's Office, the Human Resources Committee will request authority from the City Council Chair to seek outside counsel to investigate and advise regarding the allegations.
6. The Human Resources Committee, with the assistance of the City Attorney, will conduct an investigation into the formal written complaint. If any of these three entities are involved in the allegations, that entity will be excluded from the investigation process.
7. Retaliation against anyone who makes a good-faith report is prohibited.

## **12. NON-DISCIPLINARY INTERVENTION AND DISCIPLINARY ACTION**

1. It is the policy of Lake Point that management communicates clear performance expectations and that employees are informed of what constitutes misconduct and how to correct substandard performance.
2. Employees are responsible for performing assigned duties competently and following lawful instructions and policies. The City prefers to correct performance problems through coaching and training whenever possible. However, repeated or willful misconduct may result in disciplinary action.
3. Non-Disciplinary Intervention
  - a. The Human Resources Committee may use non-disciplinary measures to correct or prevent performance concerns. Such measures include, but are not limited to;
    1. Verbal or written counseling,
    2. Training or re-training,
    3. Performance improvement plans (PIPs) with measurable goals, and/or
    4. Temporary reassignment of duties with mutual consent.
  - b. All non-disciplinary actions shall be documented and retained in the employee's personnel file for reference should future issues arise.
4. Disciplinary Actions
  - a. Depending on the seriousness and willfulness of the conduct, disciplinary actions may include;
    1. Verbal Warning,
    2. Written Warning,
    3. Suspension without pay, or
    4. Termination for Cause
  - b. Disciplinary measures must be consistent, proportionate, and supported by documentation of the underlying facts.
  - c. Suspension of Employee
    1. After consulting with the City Attorney and the Human Resources Committee, the Council may suspend employees without pay.
    2. When suspending an employee, the Council shall follow due process proceedings hereinafter outlined in Section 13.5. entitled Imposing Disciplinary Action.

3. On or before the effective date of the suspension, the Council shall furnish the employee with a written employee suspension notification setting forth the reason(s) for suspension.
  4. A copy of the employee suspension notification, signed by the Council Chair, shall be sent to the Human Resources Committee and be permanently placed in the employee's personnel file.
- d. Termination of Employee
1. Termination for cause may be imposed only when an employee has willfully violated City policy, committed serious misconduct, or otherwise engaged in behavior listed under Section V (Disciplinary Action)
  2. The Council, after consultation with the Human Resources Committee and the City Attorney, may terminate employees for cause.
  3. When terminating an employee for cause, the Council shall follow the due process proceedings hereinafter set forth in Section 13.5. entitled, Imposing Disciplinary Action.
  4. Prior to termination, the employee shall be provided the same pre-disciplinary due-process notice and meeting described in Section 13.5.
  5. The written termination notice shall state:
    1. The grounds for termination;
    2. A summary of the supporting facts; and
    3. The employee's right to appeal under Subsection 5 of this Section.
  6. Appeal of Termination
    1. A full-time employee terminated for cause may appeal the decision following the procedures in Section 13.5.b.5. this manual.
    2. If no appeal is filed within the time allowed, the decision shall be considered final.
  7. Exit Interview and Record Retention
    1. The Human Resources Committee or City Recorder may conduct an optional exit interview to document feedback and clarify any post-employment matters.
  8. A copy of the employee termination notification, signed by the Council Chair, shall be sent to the Human Resources Committee and be permanently placed in the employee's personnel file.
  9. All termination records, including final pay documentation, shall be retained in the employee's personnel file and handled in accordance with the City Records Retention Schedule and GRAMA (U.C.A. § 63G-2-301 et seq.)
- e. Causes for Disciplinary Action
1. Disciplinary action, up to and including termination, may be imposed only for willful violations.
  2. The burden rests on the City to show that the employee knowingly or recklessly disregarded policy or direction.
  3. Causes include, but are not limited to:
    1. Willful violation of federal, state, or local law, excluding minor traffic offenses;



2. Willful violation of the Employee Code of Conduct or any adopted City policy;
  3. Willful falsification or unauthorized alteration of official records, timesheets, or applications;
  4. Intentional misuse, destruction, or theft of City property;
  5. Conduct that endangers the peace, safety, or reputation of others;
  6. Job abandonment or repeated, unexcused absences after a written warning;
  7. Refusal to perform contracted duties; or
  8. Unauthorized disclosure of confidential information.
4. Non-willful errors or good-faith mistakes shall be handled through non-disciplinary intervention rather than formal discipline.

### **13. INVESTIGATION PROCEDURES**

1. The Human Resources Committee, or designee, shall investigate allegations of misconduct before any disciplinary action is taken.
2. The Council, or designee, may place an employee on paid administrative leave during the investigation.
3. The investigation must include an opportunity for the employee to respond to the allegations and provide relevant evidence or witnesses.
4. All materials collected shall be maintained as protected records under GRAMA until the matter is resolved.
5. Imposing Disciplinary Action
  - a. The City Council Chair (or Council appointee) oversees the disciplinary process.
  - b. Procedure
    1. Pre-Disciplinary Notice
      1. Prior to imposing discipline, the employee shall receive written notice at least five (5) calendar days before a pre-disciplinary meeting. The notice shall include:
        1. A summary of the allegations.
        2. Identification of the policies allegedly violated.
        3. Potential level of discipline, and
        4. Copies of all materials the City intends to rely upon.
      2. No new evidence may be introduced after this notice without providing the employee equal access and time to respond.
    2. Pre-Disciplinary Meeting
      1. The employee shall have the opportunity to respond, present mitigating information, and ask questions. The employee may be accompanied by a representative or support person(s) of their choice.
    3. Decision
      1. After the meeting, the City Council Chair (or Council appointee), with advice and consent of the Human Resources Committee, shall determine whether the allegations are sustained and, if so, what level of discipline is appropriate, considering:
        1. Severity of the conduct,
        2. Prior interventions,
        3. Employee's work history, and
        4. Effect on City operations.

4. Written Determination

1. The Human Resources Committee shall provide the employee with a written decision stating:
  1. Findings of fact;
  2. Grounds for discipline;
  3. Level and duration of discipline; and
  4. Corrective steps, required to avoid future discipline.
2. Copies shall be filed in the employee's personnel record.

5. Appeal Procedures

1. Right to Appeal
  1. An employee may appeal a disciplinary action that results in suspension without pay or termination.
2. Filing an Appeal
  1. The appeal must be filed in writing with the City Recorder within ten (10) calendar days after receipt of the written decision. The appeal shall state specific grounds and desired relief.
    1. If the disciplinary action is being taken against the City Recorder, the appeal can be submitted to the City Attorney

c. Hearing Authority

1. Appeals shall be heard by the Administrative Law Judge (ALJ), appointed by the City Council as an independent hearing for that case.
  1. If the City has not appointed a standing ALJ, the Council may designate an independent qualified attorney or hearing officer for that case only.
2. The ALJ shall have authority to receive evidence, question witnesses, and issue written findings and recommendations to the City Council.

d. City Council Review

1. Upon receipt of the ALJ's recommendation, the City Council shall issue a final decision by majority vote at a properly noticed meeting. The decision shall be final and binding within the City, subject only to judicial review as provided by law.

**14. TERMINATION OF EMPLOYMENT**

1. Employment with Lake Point is generally at will, meaning either the employee or the City may end the employment relationship at any time, with or without cause. However, when termination is for cause or follows disciplinary proceedings, the due-process steps in Section 13 apply..
2. The City will exercise this authority responsibly and consistent with its Vision and Core Values of fairness, accountability, and respect for individual liberty.
3. Required Notice and Effective Date
  - a. The City is not required to provide advance notice of termination unless specified by contract.
  - b. Employees who choose to resign are encouraged (but not required) to provide at least two weeks' notice to allow for an orderly transition of duties.
  - c. All final pay, including payment of unused accrued PTO (if applicable), shall be calculated and issued in accordance with the Lake Point Payroll Policy and/or employee contract and Utah Code § 34-28-5 (Final Pay Statute).



- d. The effective date of termination shall be the employee's last working day unless otherwise authorized by the City Council Chair.
- 4. Final Pay and City Property
  - a. Before issuance of the final paycheck, the Human Resources Committee and Treasurer shall confirm that:
    - 1. All City property, equipment, and records have been returned;
    - 2. Any outstanding financial obligations to the City have been resolved; and
    - 3. Time worked, leave balances, and deductions are accurately recorded.
    - 4. Final payment may not be delayed beyond the timelines required under Utah law.

## **15. RECORD KEEPING**

- 1. Confidentiality
  - a. Lake Point recognizes its duty to protect the privacy of employees, residents, and others whose information is maintained by the City. All personnel records and employment-related data are confidential except as required by law.
- 2. Access
  - a. Access to employee records is limited to the following:
    - 1. The employee to whom the record pertains;
    - 2. The Human Resources Committee or City Recorder for official administrative purposes;
    - 3. The City Council Chair or legal counsel, when relevant to official proceedings; and
    - 4. External agencies or auditors, as required by law.
  - b. No elected official or staff member shall review, copy, or discuss personnel or payroll records without proper authorization, according to the Lake Point Privacy and Sensitive Records Access Policy. Unauthorized access or disclosure is grounds for disciplinary action.
- 3. Reference to Privacy Policy
  - a. All employees and officials shall comply with the Lake Point Privacy and Sensitive Records Access Policy, which governs classification, access, and release of City-held information in compliance with the Utah Government Records Access and Management Act (GRAMA, U.C.A. § 63G-2-101 et seq.).
- 4. Personnel Files
  - a. The City Recorder or designee shall maintain a personnel file for each employee, which constitutes the official employment record of the City.
  - b. The file shall include the following, as applicable:
    - 1. Employment application or resume;
    - 2. Employment eligibility and tax forms (I-9, W-4);
    - 3. Job description and signed acknowledgment of the Personnel Manual;
    - 4. Employment contracts or amendments (if applicable);
    - 5. Performance evaluations;
    - 6. Records of disciplinary or corrective actions;
    - 7. Training or certification documentation;
    - 8. Records of compensation, benefits, and leave balances; and
    - 9. Any employee-submitted statements responding to evaluations or disciplinary actions.
- 5. Review by Employee

- a. Employees may review their personnel file upon request during regular business hours, in the presence of the City Recorder or Human Resources Committee designee.
  - b. Employees may request copies of specific documents in their file; reasonable reproduction costs may apply.
- 6. Supervisor Access
  - a. Supervisors may review relevant portions of an employee's personnel file only with approval from the Human Resources Committee or City Recorder and only for legitimate business purposes, such as evaluating performance or investigating a complaint.
- 7. Confidential Materials
  - a. Medical records, drug-test results, background checks, or other sensitive information shall be maintained in separate confidential files, not in the general personnel file, and shall be accessed only by authorized individuals as allowed by law.
- 8. Record Retention and Disposal
  - a. Personnel and payroll records shall be retained and disposed in accordance with the Utah Municipal General Records Retention Schedule and the Lake Point Records Retention Policy.

## **16. EMPLOYMENT CLASSIFICATIONS/COMPENSATION**

- 1. General Policy
  - a. Lake Point compensates its employees in accordance with applicable federal and state labor laws, including the Fair Labor Standards Act (FLSA, 29 U.S.C. § 201 et seq.), the Utah Minimum Wage Act (U.C.A. § 34-40-101 et seq.), and the Equal Pay Act (29 U.S.C. § 206(d)).
  - b. The City shall provide equal pay for equal work, ensuring that wage determinations are based on position, experience, and performance rather than personal or political considerations.
  - c. All payroll, timekeeping, and overtime procedures shall be governed by the Lake Point Payroll Policy.
  - d. No section of this Manual shall be interpreted to conflict with that policy or applicable labor law.
- 2. Employment Classifications
  - a. Employees of Lake Point are classified as follows:
    - 1. Full-Time Employees
      - 1. Employees who are regularly scheduled to work over 30 hours per week or more and hold a position approved as full-time by the City Council.
      - 2. Full-time employees are eligible for PTO, paid holidays, and other City-approved benefits as defined in this Manual or individual employment contracts.
    - 2. Part-Time Employees
      - 1. Employees who are regularly scheduled to work fewer than 30 hours per week and whose positions are designated by the City Council as part-time.
      - 2. Part-time employees are not eligible for PTO, paid holidays, or other benefits unless specifically authorized by Council action or required by law.

3. Temporary or Seasonal Employees
  1. Employees hired for a limited period or project, generally less than six (6) months in duration.
  2. Temporary or seasonal employees are not eligible for benefits and may be released at any time, with or without cause, upon completion of their assignment or as determined by the City Council Chair.
4. Contracted Employees
  1. Employees or individuals working under a written employment contract approved by the City Council, such as the City Recorder, Planning Secretary, or Treasurer.
  2. Each contract defines the term, duties, and compensation for the position and shall be reviewed annually during the fourth quarter of the fiscal year in preparation for the following fiscal year budget.

## **17. SALARY**

1. The Human Resources Committee, in conjunction with the City Council, shall be responsible for the development and maintenance of a uniform and equitable pay for the City employee(s), which shall consist of minimum and maximum rates of pay for each position and such intermediate steps as deemed necessary and equitable. Salaries shall be determined with due regard to the following considerations:
  - a. Ranges of pay for other positions
  - b. Prevailing rates of pay for similar employment in both public and private organizations.
  - c. Cost of living factors.
  - d. Other benefits received by employees.
  - e. The financial policy and economic conditions of the City.

## **18. BENEFITS**

1. General Policy
  - a. Lake Point provides employee benefits consistent with Utah law, the City's budget capacity, and its Vision and Core Values of fairness, stewardship, and accountability.
  - b. Benefits are intended to support employee well-being while ensuring responsible use of public funds.
  - c. The City reserves the right to modify, suspend, or discontinue any benefit at any time, subject to law and City Council approval.
  - d. Unless specifically stated otherwise, only full-time employees are eligible for City-provided benefits.
2. Statutory Benefits
  - a. Workers' Compensation – Provided through the City's insurer under U.C.A. § 34A-2-101 et seq., covering job-related injury or illness.
  - b. Unemployment Insurance – Contributions made as required under U.C.A. § 35A-4-101 et seq.
  - c. Social Security (FICA) – Withholding and matching contributions as required under federal law (26 U.S.C. § 3101 et seq.).
  - d. Family and Medical Leave Act (FMLA) – The City recognizes its status as a covered public employer, but currently employs fewer than fifty (50) employees within seventy-five (75) miles of any worksite; therefore, no employee presently



- qualifies for FMLA leave. Requests for medical or personal leave shall be evaluated under City policies and Utah law on a case-by-case basis.
3. Paid Time Off (PTO) and Paid Holidays
    - a. Eligibility.
      1. PTO and paid holidays are provided only to full-time employees.
    - b. Administration.
      1. Accrual rates, usage, and payout upon separation shall be administered according to the Lake Point Paid Time Off and Overtime Policy adopted by the City Council.
    - c. Part-Time Employees.
      1. Part-time and temporary employees are not eligible for paid leave or holidays unless required by law or authorized by specific Council action.
  4. Continuing Education
    - a. Purpose.
      1. The City values ongoing professional development and supports employees in attending training or certification programs related to their assigned duties.
    - b. Approval
      1. Employees may participate in job-related or legally required training during work hours without prior Council approval when costs are included in the approved budget or at no cost.
      2. Training that goes beyond assigned duties or exceeds the approved training budget must receive prior Council approval before City time or funds are used.
      3. Courses not related to an employee's current job description shall not be taken on City time or at City expense.
    - c. City-Sponsored Training
      1. If attendance is required by the City, all registration, travel, and lodging costs shall be reimbursed in accordance with the Event Attendance and Travel Cost Reimbursement Policy.
    - d. Optional Training
      1. If attendance is voluntary and approved by the Council, reimbursement may be granted at the City's discretion based on budget availability.
  5. Health, Life, and Retirement Benefits
    - a. Lake Point currently does not provide medical, dental, vision, life insurance, or retirement/separation benefits.
    - b. The City may consider such benefits in the future if budget conditions and staffing needs justify the expense, but no employee shall have an expectation of such benefits absent formal Council authorization.
  6. Benefit Administration
    - a. The Human Resources Committee and Treasurer shall jointly ensure:
      1. Timely payment of required benefit contributions and premiums;
      2. Accurate recordkeeping of accrued and used PTO; and
      3. Compliance with applicable reporting laws and the City's Records Retention Schedule.
  7. Changes in Benefit Status

- a. Employees are responsible for promptly notifying the Human Resources Committee or City Recorder of any changes that may affect eligibility or benefit coverage, such as:
  - 1. Transition from part-time to full-time or vice versa;
  - 2. Change in legal name, address, or dependent status; or
  - 3. Approved leave or change in contract status.
- b. Benefit eligibility changes will take effect on the first pay period following approval and confirmation by the City Council Chair.

## **19. LEAVE POLICIES**

- 1. General
  - a. Lake Point supports reasonable leave for civic duty, family needs, and personal circumstances while maintaining continuous public service.
  - b. All leave shall be administered consistent with the Lake Point Paid Time Off and Overtime Policy, the Payroll Policy, and applicable Utah and federal law.
  - c. Unless otherwise specified, only full-time employees are eligible for paid leave.
  - d. Employees requesting leave must provide advance notice whenever practicable and submit appropriate documentation when required.
- 2. Parental Leave and Pregnancy Accommodation
  - a. Full-time employees employed at least 12 consecutive months prior to the birth or adoption of a child are eligible for up to two (2) weeks of paid parental leave to bond with their child.
  - b. This leave runs concurrently with any other authorized medical or personal leave.
- 3. Pregnancy-Related Accommodation.
  - a. Employees needing adjustment to duties or schedules for medical reasons related to pregnancy shall notify the Human Resources Committee. Reasonable accommodations will be provided as required by U.C.A. § 34A-5-106 and related law.
- 4. Nursing Mothers.
  - a. Employees who breastfeed or express milk shall be provided reasonable break time and a private location (other than a restroom) consistent with U.C.A. § 34-49-202. Breaks may run concurrently with existing rest periods.
- 5. Bereavement Leave
  - a. Full-time employees may be granted up to five (5) paid workdays following the death of an immediate family member (spouse, child, parent, or an individual whose relationship with the employee is substantially similar to the role of an immediate family member).
  - b. Up to three (3) paid workdays may be granted for the death of an extended family member (sibling, grandparent, in-law, step-relation, or grandchild).
  - c. At least three days of paid leave shall be granted to an employee who experiences a miscarriage or stillbirth, or whose partner does, as defined in U.C.A. § 34A-5-106.5.
  - d. Additional unpaid leave may be authorized by the City Council Chair for extraordinary circumstances. Documentation may be requested for verification.
- 6. Military Leave
  - a. Full-time or part-time employees who are members of the National Guard or Armed Forces Reserves shall receive the difference between their City pay and military pay for up to 15 working days per calendar year, as provided in U.C.A. §§ 39-3-1 and -2.



- b. Extended service beyond 15 days may be taken as unpaid or, if available, with accrued PTO.
- 7. Jury Duty and Witness Leave
  - a. Employees summoned for jury service or subpoenaed as a witness as a direct result of their city employment or official city duties shall receive regular pay during the required absence.
  - b. If the employee receives regular City pay for jury or witness service related to their City employment, any court-issued compensation exceeding two (2) days of service (excluding travel or meal reimbursements) shall be remitted to the City.
  - c. Employees must promptly notify the Human Resources Committee and provide a copy of the summons or subpoena.
  - d. No employee shall be penalized for fulfilling jury or witness obligations (U.C.A. § 78B-1-116).
  - e. The City Council may review and authorize exceptions to this policy when unique or unforeseen circumstances arise.
- 8. Administrative Leave
  - a. The City Council Chair may place an employee on paid administrative leave when necessary for investigation, safety, or operational reasons.
  - b. Paid administrative leave exceeding ten (10) workdays shall require City Council approval.
  - c. Administrative leave does not affect employment status or accrual of benefits.
- 9. Leave Without Pay
  - a. Authorization. Leave Without Pay (LWOP) may be approved by the City Council Chair for personal, medical, or family reasons when PTO is exhausted.
  - b. Duration. LWOP should not exceed 30 calendar days without Council approval.
  - c. Effect on Benefits. Accrual of PTO and other benefits is suspended during LWOP unless required by statute.
  - d. Return to Work. Employees failing to return on the approved date may be deemed to have resigned.
- 10. Workers' Compensation Leave
  - a. Employees injured in the course of employment shall follow the City's insurance carrier requirements.
  - b. While receiving statutory wage benefits, employees shall be placed on unpaid administrative leave. Any pay differential provided by the City shall be administered through the Payroll Policy.
- 11. Documentation of Leave
  - a. Certain leave types require written documentation, such as medical certification, jury summons, or military orders.
  - b. Employees shall submit documentation to the Human Resources Committee as soon as available.
  - c. Records shall be retained in accordance with the Records Retention Schedule and treated as protected under GRAMA.