

PERSONNEL RULES AND REGULATIONS FOR THE CITY OF SELMA, ALABAMA

**REVISED EDITION
May 2015**

THIS HANDBOOK SUPERSEDES ALL PREVIOUS HANDBOOK ISSUED BY THE CITY OF SELMA

**Date Adopted:
Effective Date:**

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City of Selma Organizational Chart

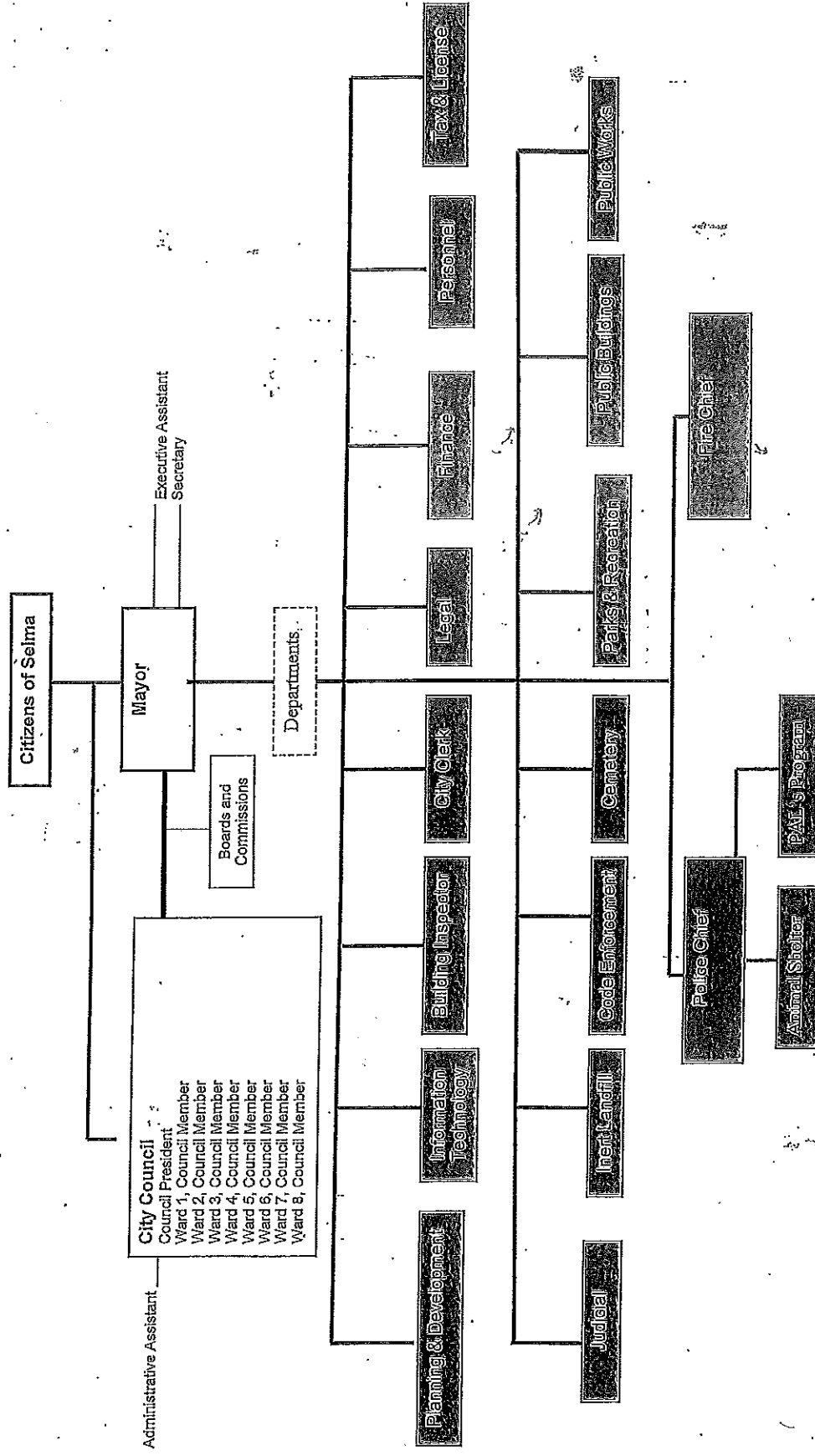


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FOREWORD

The rules and regulations contained in this handbook are the guidelines applicable to employment at the City of Selma, Alabama ("City"). The City Council established by ordinance the personnel rules and regulations of the City and approved guidelines and procedures to implement such policies. The City Council has undertaken that responsibility by adopting this handbook by which personnel decisions regarding City employees shall be made.

The Mayor, as chief executive officer of the City, bears the responsibility in assuring that the rules and regulations of the City, including departmental rules and regulations necessary to enforce these guidelines, are impartially and equitably administered by and through department heads and supervisors in the City service. Public Safety (sworn officers/certified firefighters) departmental rules shall be considered together with this manual and interpreted as one publication. Department heads shall ensure dissemination of the rules and compliance with all policy statements.

All City policies and procedures, whether explicit or implied, as established for the City personnel system are intended to be guidelines and not a contract of employment between the City and its employees and should not be viewed as such. All policies and procedures are guidelines prepared by the City to assist elected officials, department heads and supervisors in making day-to-day personnel decisions.

These rules and regulations are not considered to be all-inclusive; therefore, when a situation arises, where the literal interpretation and/or application of a particular guideline would create a result that is unacceptable, the City reserves the right to address such situation in a manner that is in the best interest of the City. These guidelines are intended to be instructive and not directive in most respects. Deviations from any particular procedure in the administration of these guidelines from oversight (or inadvertence) which do not materially affect rights of the employee in the administration of personnel matters is not cause for invalidating or reversing any personnel action.

These guidelines are effective as of the date of their adoption by the City Council and will remain in effect unless and until amended or repealed by the City Council. The provisions contained in this manual supersede all existing policies and practices. The City reserves the right to make changes in either policies or procedures at any time that the City deems it necessary or desirable. The City may modify, alter, revoke, suspend, terminate, discontinue or change the language in this handbook without prior notice. If an employee has a work-related question not specifically covered in this manual it should be discussed with their department head and HR Director. UPDATES: Any revisions to this manual will be mailed to you to be included in your manual and to your department head.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of Selma is committed in providing equal employment opportunity. It is our policy to recruit, hire, train, promote, to compensate individuals and to administer all personnel actions in

accordance with applicable laws without regard to race, color, religion, creed, age, sex, national origin or ancestry, genetic history, sexual preference or disabilities.

This policy governs all aspects of employment including selection, job assignment, transfer, promotion, access to benefits and training. The City will not tolerate any unlawful discrimination, harassment or retaliation. Any such conduct is prohibited by City employees and vendors.

CODE OF ETHICS / CONFLICTS OF INTEREST

Every employee of the City of Selma is a public employee. Each is entrusted by the taxpayers of Selma with the responsibility of carrying on business beneficial to the taxpayer.

Some employees will have to complete an annual questionnaire for the state Ethics Commission. The City will submit these forms and other required information. These employees are responsible for filing the reports in a timely manner.

Employees cannot use City equipment to make money or gain a personal benefit. Any employee who engages in the activities described above will be subject to severe disciplinary action in addition to any prosecution by the Alabama Ethics Commission.

Employees of the City of Selma are subject to the provisions of the Ethics Law, the decisions of the Ethics Commission and the Alabama Ethics Commission. Employees may visit the Ethics Commission's website to acquire further information of interest.

The Ethics Law states in part:

"No public official or public employee shall use or cause to be used equipment, facilities, time, materials, human labor, or other public property under his/her discretion or control for the private benefit or business benefit of the public official, public employee, any other person... "Section 36-25-5 © Code of Alabama 1975".

If an employee uses city/taxpayer time, equipment, facilities, materials, his or her work time, someone else's work time or other public property for personal gain that employee is guilty of violating the above quoted section.

It is against the City's policy for employees to deal in private transactions that compete with the City or to engage in any way in any other business that competes with the City.

It is important to the City that all employees observe high ethical standards and treat their fellow employees fairly. Employees must not allow personal or financial relationships with clients or those seeking business with the City to interfere with the best interests of the City. Similarly, personal or family relationships within the same department will not be allowed to create the appearance of favoritism or otherwise affect the workplace.

Giving or soliciting a gift from citizens, clients, and/or suppliers is contrary to City policy except as provided in this section. To protect you and the City, every employee must understand the serious implications of accepting any monetary gift in any form or any "gifts" from any citizen, client and/or supplier. If a "gift" is offered to you, contact your supervisor for approval. Failure to do so could result in disciplinary action up to and including termination of your employment with the City.

You may accept greeting cards, items, services with little intrinsic value that are intended solely for presentation (such as plaques, certificates, and trophies), promotional items commonly distributed

to the general public, and items or services of de minimis value. Even a gift that is de minimis in value could be considered in appropriate and in violation of the law and this manual if the intent of the gift was to try to influence a City employee for the benefit of the person or entity giving the gift.

American Disabilities Act

It is the policy of the City of Selma not to discriminate on the basis of disability against any qualified person. To this end all decisions relating to employment including, but not limited to recruitment, selection, training, assignment, transfer, promotion, compensation, benefits and education, will be determined by the applicant's or employee's ability with consideration of any requested reasonable accommodation. This policy is applicable to all employment policies and practices. The City also provides reasonable accommodation in connection with the provision of City services, programs and activities.

The City will comply with federal and state laws concerning the employment of individuals with disabilities. Accordingly, it is the City's policy not to discriminate against any qualified individuals who have a disability with respect to selection and hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

Further, the City will make every effort to make a reasonable accommodation to qualified individuals with a disability so they can perform the essential functions of a job.

Reasonable Accommodation Definition: is an adjustment to job duties, performance methods, and/or work setting or service delivery to meet the need of an individual, applicant or employee with a disability.

Examples of reasonable Accommodation:

- Making facilities accessible and useable;
- Job restructuring;
- Modifying work schedules;
- implementing flexible leave policies;
- Reassigning to a vacant position;
- Providing assistive equipment at City Programs;
- Modifying test, training materials and policies; or
- Providing qualified readers or interpreters.

A request for reasonable accommodation by the employee is the first step in an informal process between the individual and the City. The next step is to clarify what the individual needs and identify the appropriate reasonable accommodation.

Offers of employment may be conditioned on completion of a medical report to ensure that the person is capable of performing the job's essential functions with reasonable accommodation, if necessary. This medical report is given after a conditional employment offer is made and before the commencement of employment. The City may not ask for genetic information concerning the proposed employee and/ or his/her family members. Failure to submit or to or complete a medical examination is viewed as rejection of the offer of employment. All information obtained by the City concerning the medical condition or history of applicants or employees is maintained in separate

medical files and treated as confidential records that are disclosed only as allowed according to ADA, HIPPA and other applicable state and federal law.

All employees are required to comply with safety standards. If an applicant's physical or medical condition poses a direct threat to the health or safety of individuals in the workplace and this threat cannot be eliminated by reasonable accommodation, the individual will not be hired. Current employees who have a physical or medical condition that poses a direct threat to the health or safety to themselves or others in the workplace may be placed on appropriate leave. All employees are expected to comply with the City's Drug Free Workplace Policy.

The City make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in undue hardship to the City or present other significant operational problems.

WORKPLACE RULES OF CONDUCT

One of the City's most paramount principles is to demonstrate respect and dignity in service to the citizens of Selma and interactions with others.

The following are basic guidelines that foster respect and dignity:

- Treat people with respect. All employees must be treated with respect.
- What might be amusing to you may not be amusing to someone else, and may be insulting and/or offensive to some other person. Think before you speak.
- Explain "Why" when you can. People may accept things better if they know why – rather than say "This is the way it is or this is the way we have always done it."
- Recognize when someone does a good job or shows improvement in an area. Positive feedback can and should come from all sources.
- Avoid gossiping about co-workers.
- Your extra efforts will pay off for both you and your co-workers.

RULE 1

GENERAL PROVISIONS

1.1 PURPOSE OF THE RULES. The purpose of the personnel rules is to provide guidelines for compliance with the City Ordinances and to provide for the administration of the City Personnel System. The rules shall provide:

- a) For the preparation and maintenance of a position classification plan for all positions in the classified service, based upon a similarity of duties performed and responsibilities assumed, so that the same schedule of pay is applicable to all employment positions in the same class.
- b) For a pay plan for all employees in the classified service. The plan shall be composed of salary grades and ranges of pay with minimum and maximum rates of compensation, intermittent steps or rates and for premium rates as may be required for recruitment and retention of personnel.
- c) For open competitive and promotional examinations to determine the relative fitness of individuals meeting the announced requirements for performance of the duties of positions in the classified service. Such examinations shall be announced publicly and in advance of the date fixed for closing the filing of applications.
- d) For the establishment of eligible lists for appointment and promotion, upon which lists shall appear the names of successful candidates. The duration of eligible lists shall normally be for a period of two (2) years.
- e) For rejection of candidates who fail to meet announced job requirements or who are found lacking in conduct or character; or for any other reason deemed just and applicable.
- f) For a probationary period of one (1) year before appointment is complete and regular status is conferred on the probationary employee.
- g) For provisional, emergency, temporary, seasonal, and part-time employment within the provisions of these rules.
- h) For the preparation and maintenance of individual personnel records of all employees in the classified service.
- i) For imposition of disciplinary measures of dismissal, demotion, and suspension without pay, and for provisions for appeal from such actions as set forth in these rules.
- j) For establishing procedures governing layoffs and grievances.
- k) For hours of work and holidays, and for vacation, sick, and special leave with or without pay.
- l) For the examination and certification of public payrolls by the Human Resources Director to assure adherence to these rules and regulations.
- m) For the prohibition of political activity on the part of any employee in the Classified Service under certain circumstances as set forth herein.

- n) For other rules, regulations, and directives which shall aid in the administration of the City Personnel System.

1.2 THE PERSONNEL BOARD. The Personnel Board shall be appointed by the City Council of the City of Selma. The Personnel Board shall consist of five (5) members, and shall elect its own Chairman. Such appointments shall be for a term of four (4) years. No member of the Personnel Board, at the time of appointment, nor, for three (3) years prior to appointment, shall have held public office or political party office, nor have been a candidate for public office. Vacancies during unexpired terms shall be filled in the same manner as regular appointments

1.3 DUTIES OF THE PERSONNEL BOARD. In addition to the duties set forth elsewhere in the Personnel Rules, the Personnel Board shall:

- a) Meet in regular session at least monthly and at other times as necessary to transact the business of the Personnel Board.
- b) Recommend to the Mayor and City Council such policies, rules and regulations as are necessary to carry out the provisions of the law and to develop a comprehensive personnel system.
- c) Hear and render decisions relative to employee discipline and related matters set forth in these Personnel Rules.
- d) Conduct inquiries and investigate the force and effect of these rules and the operation of the City Personnel System.
- e) Transact such other business within the purview of the Personnel Board and within the scope and intent of these rules.

1.4 DIRECTOR OF HUMAN RESOURCES. The Mayor shall appoint the Human Resources Director ("Director"), unless otherwise provided by State law. The Director shall be experienced in the field of municipal and personnel administration and shall administer an efficient and economical merit system in accordance with the rules, and shall carry out the policies established by City government. Any act of the Director complained of shall be subject to review by the Board. In addition to the duties and responsibilities set forth elsewhere in these rules, the Director shall:

- a) Serve as Secretary to the Board (or designate an employee within the department to do the same) and also serve as the Executive Officer.
- b) Assist the Mayor and department heads with appointments, rewards, removals and/or disciplinary matters in accordance with applicable personnel rules.
- c) Prepare for approval of the Mayor, City Council and Personnel Board such directives, rules and regulations as are needed to carry out the provisions of the rules, including, but not limited to, rules governing examinations, recruitment, appointments, suspensions, dismissals, certifications, layoffs, sick, vacation, and other types of leaves, reinstatements, promotions, demotions, transfers, salary classifications and other rules as deemed necessary.

- d) Determine the effectiveness of the Personnel System and compliance with the rules, by studies and inquiries as necessary, and to report such findings along with recommendations to the Mayor, City Council and the Personnel Board.
- e) Maintain an official roster for all positions and incumbents in the classified service, and personnel transactions affecting the employees.
- f) Establish and administer, subject to approval of the Mayor and City Council, plans for the classification and compensation of positions in the classified service.
- g) Promote and assist in the establishment of such other programs for general employee career development.

1.5 STATUS OF PRESENT AND FUTURE EMPLOYEES. The service of City employees shall be divided into two categories, as follows:

A. The Classified Service:

The Classified Service includes all employees holding regular positions in the City except those employees in the Unclassified Service as defined in these rules.

B. The Unclassified Service shall include: (Ordinance COS 018-1/02)

- a) Members of the City governing body and other elected officials;
- b) Members of appointed boards and commissions and Municipal Judges;
- c) Employees serving in continuous, full-time positions in the City but who have not yet satisfactorily completed the one (1) year probationary service;
- d) Personnel employed to work less than forty (40) hours per week;
- e) Volunteer personnel who receive no regular compensation from the City;
- f) Temporary positions scheduled for less than one (1) year duration, unless specifically covered by action of the Mayor or the City Council;
- g) Persons performing work under contract for the City who are not reflected on the City's official payroll as employees; and
- h) All positions appointed by the Mayor or City Council.

Nothing contained herein shall be construed as precluding the Mayor and the City Council from filling any excepted positions in the manner in which positions in the classified service are filled.

1.5.1 Status at time of adoption - All classified employees who have served in their regular positions for twelve (12) months immediately prior to the effective date of these rules shall be deemed to have regular, civil service status. Employees with less than twelve (12) months of continuous full-time

service upon adoption date shall be considered probationary employees until completion of twelve (12) months of satisfactory, continuous full-time service.

- 1.5.2 Future Employees – The employment of all employees hired or appointed subsequent to the date of adoption of these rules shall be in accordance with these rules.
- 1.6 PUBLIC RECORDS. All public record requests must be submitted, in writing, to the Director. Records subject to inspection may be reviewed in a manner prescribed by the Director, taking into account confidentiality, convenience and related factors.
- 1.7 AMENDMENTS TO THE RULES. The City Council and Personnel Board may from time to time amend the rules. No amendments to the rules shall be made nor shall any rule be promulgated at the same at which it is proposed.
- 1.8 LEGAL SERVICES FOR THE PERSONNEL BOARD AND HUMAN RESOURCES DIRECTOR. In any legal matters, the City Attorney's Office shall provide counsel and legal representation to the Board and the Director.
- 1.9 DEPARTMENTAL RULES AND REGULATIONS. Department heads are authorized to adopt and implement rules and regulations for the information and guidance of the members of their respective departments, which rules and regulations shall be consistent with Personnel Rules for the Classified Service of the City, as amended from time to time. In the event of any conflict between such departmental rules and regulations and these Personnel Rules for the Classified Service of the City, the latter shall take precedence.
- 1.10 PERSONNEL ADMINISTRATION. The Director is responsible for assisting the Mayor, department heads and supervisors in performing those administrative tasks required by these rules.
- 1.10.1 Department Head Responsibility. Department heads have the responsibility for fair and equitable personnel administration within their respective departments as directed by the Mayor and these rules. Department heads shall also ensure that employees abide by such rules.
- 1.10.2 Employee Responsibility. It shall be the responsibility of all employees to familiarize themselves with City personnel policies and procedures and department rules, regulations and procedures and to comply with them. If an employee has a question about any personnel policy or procedure or any departmental rule, regulation or procedure, or any subsequent revisions, it is the employee's responsibility to seek guidance from supervisory personnel. An employee may not use his/her lack of awareness, knowledge, or understanding as an excuse to violate rules or procedures, or to express non-conforming conduct. Employees are encouraged to submit suggestions for changes and improvements in personnel policies and procedures to the Director.

RULE 2

THE CLASSIFICATION PLAN

- 2.1. PURPOSE OF THE CLASSIFICATION PLAN. The Classification Plan provides an inventory of all positions in the Classified Service and an accurate description and specifications for each class of work. The plan standardizes titles, reflecting a definite range of duties and responsibilities throughout the Classified Service.

COMPOSITION OF THE CLASSIFICATION PLAN. The Classification Plan shall consist of:

- a) A grouping in class of positions which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and the same range of pay under similar working conditions.
- b) Class titles descriptive of the work of the class, which shall be used in all human resources, accounting, budget, and related records. No person shall be employed in a position in the Classified Service under a title not included in the Classification Plan.
- c) Written job specifications for each class of positions consisting of: A descriptive title; a brief overall description of the kind and level of work examples of typical duties performed in positions in the class; qualification requirements setting forth the necessary experience, education, license or other special requirements, and the required knowledge, skills and abilities needed in order to perform the work.
- d) An allocation list showing the class title of each position in the Classified Service as identified by the name of the incumbent.
- e) The Classification Plan is to be used as a guide in recruiting and examining candidates for employment and determining wage surveys and job analysis.

- 2.2. ADOPTION OF THE CLASSIFICATION PLAN. After the study of positions comprising the Classified Service, the Director shall present the proposed plan to the Personnel Board, Mayor and City Council for adoption. Copies of the allocation and appropriate job specifications shall be provided to department heads and employees or their representatives upon request.

- 2.3. MAINTENANCE OF THE CLASSIFICATION PLAN. The Director shall be charged with the responsibility for maintaining the Classification Plan to reflect the duties performed by each employee in the Classified Service. It shall be the duty of the Director to:

- a) Recommend establishment of new position classes and the deletion or revision of existing classes in the Classification Plan.
- b) Review the duties and responsibilities of each new position established and allocate the position to the appropriate position class. Department heads should submit to the Director, in writing, a job description describing in detail the duties of each new position established in order that the duties and responsibilities may be studied and the proper classification determined.

- c) Make periodic studies of positions, in conjunction with department heads, in order to determine changes in duties and responsibilities, and recommend allocation or reclassification of positions. Classification studies may be made at the request of the employee, department or on the initiative of the Director. Changes in duty assignments must be more than temporary in nature and the incumbent must be performing the duties for a sufficient duration to justify a study. If needed, the Director, at his or her discretion, will ensure the job is evaluated/re-evaluated and will submit a recommended pay grade assignment through the Mayor to the City Council for approval. Upon approval by the City Council, the appropriate schedule (s) of the classification plan will be updated by the Human Resources Department.
- d) Direct the periodic grading and classifying of all positions in the Classified Service.
- e) Provide for employees and department heads affected by classification and reclassification a reasonable opportunity to be heard by the Director, Personnel Board and Mayor.
- f) Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the supervisor and/or department head if you have any questions or concerns about your job description.
- g) Employees are expected to comply with any revised or rewritten job description for their position. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting work being done.
- h) Each job description states whether the position is "Exempt" or "Non Exempt". Non exempt employees are subject to all provisions of the Fair Labor Standards Act particularly relating to Overtime and /or Compensatory time (Comp Time).

All employees, regardless of their classification, are expected, as an essential function of their jobs to:

- Attend work on a regular and predictable basis.
- Complete assigned tasks in a safe manner and in a constant state of alertness.
- Uphold City policies, including harassment, discrimination, retaliation policies, etc.
- Work in a cooperative manner with department heads, managers, supervisors, co-workers, clients, and the public.

RULE 3

THE PAY PLAN

3.1 PURPOSE OF THE PAY PLAN. The Pay Plan shall provide the basis of compensation for employees in the Classified Service based on:

- a) Varying degrees of difficulty and responsibility among the several classes of work.
- b) Prevailing rates of pay and fringe benefits for similar employment in private industry and other public jurisdictions in the area and state.
- c) Ability to recruit and retain employees.
- d) Financial condition of the City.

3.2 COMPOSITION OF THE PAY PLAN. The Pay Plan shall contain:

- a) Specific provisions for administering the plan.
- b) A basic salary grade and range of pay for each position class in the Classification Plan, consisting of minimum, maximum and intermediate rates of pay.
- c) The basis of pay, indicating the number of weekly work hours in general application to the Classified Service or exceptions thereto.

3.3 ADOPTION AND AMENDMENTS TO THE PAY PLAN. The Director shall prepare or cause to be prepared the necessary studies for development of a comprehensive Pay Plan for presentation to the Mayor and City Council. Subsequent amendments to the plan shall be recommended by the Director based on factors set forth in Rule 3.1 and Rule 3.2. Such recommendation will be submitted to the Mayor and City Council. Final adoption of amendments shall be the responsibility of the City Council, except that no change shall be made to the grade level or to less than all positions of a given class. The City Council may raise or lower the entire pay scale for the Classified Service on a uniform percentage depending on the financial condition of the City.

3.4 ADMINISTRATION OF THE PAY PLAN. Each employee in the Classified Service shall be paid at one (1) of the rates set forth in the Pay Plan for the classification in which he or she serves in accordance with the rules and any special provisions for administering the Pay Plan authorized by the Board, Mayor and City Council.

- a) MINIMUM RATE. New hires to the classified shall be at the beginning rate of the salary range for the classification to which the appointment is made. The Mayor, upon recommendation of the Director, may authorize appointment above the minimum rate when there is a lack of available candidates willing to accept the minimum rate, or when a former satisfactory employee is re-employed in the classification he or she formerly held.
- b) SALARY ADVANCEMENT. Advancement within established ranges shall be based upon satisfactory performance on the job and shall be in accordance with the rules. An

efficiency rating reflecting satisfactory performance shall be required for advancement. With the approval of the department head, Director and the Mayor, advancement from the first to the second step in the range shall be allowed for full-time regular employees after the completion of one (1) year of satisfactory continuous full-time service. Employees with continued satisfactory service shall be eligible for future annual increases until such time as the maximum rate for the range is reached.

c) SALARY RATE IN PROMOTION, TRANSFER, DEMOTION, SEPARATION, OVERTIME AND THE EDUCATION INCENTIVE PROGRAM

In the event a classified employee is promoted, transferred or demoted, or separated, etc, his or her rate of pay shall be determined as follows:

- 1) PROMOTION. Upon promotion, the employee's regular base pay shall determine the new rate in the promotional class. The new rate shall be set to (a) allow a one (1) step increase above the former rate, unless otherwise recommended by the department head and approved by the Mayor; or (b) the new rate shall be the entry rate for the promotional class, whichever increase is greater. Upon the date of promotion, an employee begins a new six (6) month working test period (Probation). Position Change: An employee serving an initial probationary work testing period shall not be eligible for promotional and/or in-house vacancies in the Classified Service until satisfactorily completing this initial probationary working test period.
- 2) DEMOTION. Upon demotion, the employee's pay shall be reduced to the salary prescribed for the class and grade to which the employee is demoted. The particular rate shall be determined by the employee's period of employment in the Classified Service. In no event shall the employee's salary exceed the maximum rate of the new classification. An employee downgraded as a result of a classification error shall have his/her present rate retained. No further increases will be granted to the employee while occupying the same classification until the maximum rate for the class is raised past the rate the incumbent is presently receiving. An employee demoted without prejudice shall be placed on probationary status if requested by the department head and approved by the Director.
- 3) TRANSFER. When an employee is transferred from one (1) department to another in the same classification, the employee's step in the pay range remains unchanged. Transfer shall mean the intra-governmental movement of an employee within a class or between two (2) separate but related classes wherein the maximum pay for those classes is equal. All transfers must be approved by the department heads concerned, the Director and the Mayor.
- 4) SEPARATION. Upon separation, an employee resigning in good standing shall be paid for the number of days worked, any accumulated overtime, and up to eighty (80) hours of paid for unused vacation time, except as noted for public safety employees. The unused vacation allotment for sworn public safety employees in the Classified Service is as follows: Fire – 112 hours; Police – 84 hours. In the event of dismissal, accumulated vacation time shall be forfeited.
- 5) Overtime Pay/Compensatory Time. Any requests for overtime/compensatory time must have advance approval. Proper entry and certification on the payroll by the department head and the Payroll Department is required. Department heads must keep accurate records of all time used. Employees may be required to work overtime from time to time when specifically instructed to do

so by his immediate supervisor. Employee may elect to receive payment in lieu of compensatory time ("Comp Time") at a regular rate of one and one-half times their regular rate of pay for all hours worked in excess of (40) forty hours in a workweek. Special rules apply for Public Safety who abide by specific FLSA provisions.

Compensatory Time

Accumulated comp time must be taken within (15) fifteen days as approved by the department head and cannot be taken in conjunction with vacation.

- 6) Other Paid Incentives. Public Safety (Sworn officers/certified) have paid incentives not provided to employees in these classifications (i.e., Certified Bike Officer, Special Response Team, School Resource Officer, Field Training Officer,

On-Call Pay. Department head submits requests to Human Resources for approval. Employees receiving on-call pay are expected to respond within a reasonable time. Employees will be paid for time responding and doing actual work.

7) EDUCATION INCENTIVE PROGRAM - Public Safety certified employees only.

- A. An employee obtaining an Associate's Degree shall be eligible for a one (1) step pay increase above his/her regular pay step.
- B. An employee obtaining a Bachelor's Degree after obtaining an Associate's Degree shall be eligible for one (1) additional step pay increase.
- C. An employee obtaining a Bachelor's Degree without obtaining an Associate's Degree shall be eligible for a two (2) step pay increase above his/her regular pay step.
- D. An employee obtaining a Master's Degree shall be eligible for a one (1) step increase above his/her regular pay step.
- E. The employee must have obtained such degree from an accredited college or university in a field related to the job the employee holds, acceptable to the department head and the Director and must have achieved a minimum "C" average in his or her completed coursework.
- F. All increases must be recommended by the department head and approved by the Mayor.

3.5 GENERAL OR ACROSS-THE BOARD RAISE. In the event the City grants a general or across-the-board raise based on the increase in the cost of living, such increase may be a percentage increase or a flat rate or sum increase, and shall be applied uniformly to all classes in the Classified Service. Such general increases shall not affect individual eligibility for normal merit increases as provided in Rule 3.4 (b).

3.6 PAYROLL VERIFICATION. The Director, or his or her authorized designee, shall be responsible for certifying that the persons named in payroll vouchers have been appointed and/or employed in accordance with the provisions of these rules. The disbursing officer of the City shall not make or approve or take part in making or approving any payment for the personal service to any person holding a position in the City, which person is under the Personnel System of the City, unless said payroll voucher or account of such pay bears the certification of the Director or his/her authorized designee.

RULE 4

APPOINTMENTS, RECRUITMENT, EXAMINATION AND CERTIFICATION

- 4.1 GENERAL PROVISIONS. All appointments, recruitments and promotions to positions in the Classified Service shall be based on merit, and as far as practical by competition, and shall be done without regard to race, color, age, sex, national origin, religion, political beliefs or disability. To this end the Director shall carry out or cause to have performed evaluations of the relative fitness of applicants for the Classified Service by determining the applicants' training, education, experience and physical fitness through examinations or demonstration of performance.
- 4.2 RECRUITMENT. Individuals shall be recruited from as wide a geographic area as necessary to assure obtaining well-qualified candidates for the various types of positions. Employment, therefore, shall not necessarily be limited to residents of Selma, Alabama; however, in cases where residents and non-residents are equally qualified for particular vacant positions, the residents shall be given preference in filling vacancies. The Director shall prepare recruiting announcements to publicize vacancies which shall set forth the time, place, requirements, and periods for filing applications. The minimum periods of time between public notice and closing dates for applications shall be fourteen (14) days for entrance and/or open competitive examinations and seven (7) days for promotional examinations. All applicants for employment and examinations shall be made on forms prescribed by the Director during the periods of time stated in the announcement. In order to obtain a sufficient number of applicants, the Director may extend the filing date.
- 4.2(a) AGE REQUIREMENT. The minimum age for employment with the City shall be eighteen (18) years of age, except in specific situations where a regulation governs the age requirements for a particular classification and/or youth employment situations.
- 4.2(b) IMMIGRATION REFORM AND CONTROL ACT OF 1986, AS AMENDED BY THE IMMIGRATION ACT OF 1990, AND THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (E-VERIFY SYSTEM). This act makes it unlawful for an employer to knowingly hire or continue to employ an alien who is or has become unauthorized with respect to such employment or to fail to comply with the I-9 requirements to use E-Verify to verify the eligibility to legally work in the United States for all new hires. Contractors performing work for the City shall also enroll in the E-Verify program prior to performing any work, or continuing to perform any ongoing work, and shall remain enrolled throughout the course of performance, and shall submit to the City the E-Verify Program for Employment Verification and Memorandum of Understanding and such other documents the City may require to in order to comply with applicable law.
- 4.2(c) INVESTIGATION OF CANDIDATE'S HISTORY
- The Director, or appointed designee, may investigate a candidate's employment, training, educational, criminal, credit and driving history to verify the statements contained in the application. Any employee who is hired, but later found to have misrepresented or withheld any information contained in the job application is subject to discharge from City service..
- 4.2(d) EMPLOYMENT-AT-WILL: This handbook does not establish contractual rights between the City and its employees. This handbook is not a contract. Therefore, neither the City nor its employees are committed to an employment relationship for any period of time, and either party may end the relationship at any time in accordance with these rules.

4.2(e) EMPLOYMENT STATUS. The employment status of any employee shall be for the purpose of classifying the employment in accordance with the anticipated length of employment, working hours, or other special employment conditions.

4.3 DISQUALIFICATION. The Director may remove from further consideration at any time the application of an applicant when:

- a) The application/resume was not received on or before the closing date established for receiving applications;
- b) The application was not filed on the prescribed form when requested;
- c) The applicant does not meet the minimum requirements;
- d) The applicant has established an unsatisfactory employment or personnel record as evidenced by reference check;
- e) The applicant made a false statement of fact or practiced deception or fraud in an application, examination, or medical history, or did not complete pertinent information on the application form, examination, or medical history;
- f) The applicant is physically or mentally unable to satisfactorily perform the duties of the position. Note: No discrimination shall be exercised, threatened or promised against or in favor of any eligible employee due to age, color, disability, marital status, national origin, race, religion, sex, genetic information or veteran status. The City may provide reasonable accommodation to individuals with disabilities as defined under the Americans With Disabilities Act;
- g) The applicant has been convicted of a crime other than a minor traffic violation;
- h) The applicant has been guilty of infamous or disgraceful conduct;
- i) The applicant has used or attempted to use political pressure, gratuity, bribery, or other consideration of value to secure an advantage in the examination or in employment;
- j) The applicant is found to be addicted to and/or involved in the illegal use of controlled substances/intoxicants or is a habitual user of illegal drugs or intoxicants;
- k) The applicant is not eligible for employment in the United States;
- l) The applicant has an unsatisfactory driving record as evidenced by pattern, frequency, and/or severity of traffic violations, specifically those driving City vehicles;
- m) The applicant has refused or failed to report for an interview after certification to an appointing authority;
- n) The applicant has failed to respond to any official notice or telephone call from the Director; or the postal authorities regarding a change in address,

- o) The applicant has been certified and rejected three (3) or more times for a public safety position with the City;
- p) The applicant failed or refused to submit to a drug screening test after receiving a conditional offer of employment or an applicant's or an employee's drug screening test demonstrated the use of illegal drug, intoxicants or controlled substances;
- q) Any other valid or sufficient reason exists for disqualification. All applicants disqualified may appeal before the Board within ten (10) days after notice by filing a written request for a hearing.

4.4 TYPES OF EMPLOYEES.

- (A) Regular, Full-time. A regular, full-time employee is hired on a regular, full-time basis contingent upon completion of a one (1) year probationary period. Such employee is subject to the regulations concerning termination and retirement. Employment continues during good behavior and subjects to necessity for the work. With the exception of the fire and police protection personnel, the average hours per week for all regular full-time employees is forty (40) hours. Regular, full-time employees are entitled to all normal fringe benefits, such as accrual of paid vacation and paid sick leave, and overtime/compensatory time, as appropriate.
- (B) PART-TIME APPOINTMENTS: Regular Part-time – A regular part-time employee who works a minimum of twenty (20) hours or more but less than forty (40) hours per week. Eligible for retirement plan.
- (C) Temporary, Full-time: (not to exceed six (6) months in any calendar year). A full-time temporary employee is expected to work a full workweek of forty (40) hours. Such employee is eligible to receive overtime pay. A temporary, full-time employee is not eligible for paid vacation and paid sick leave.
- (D) Temporary, Part-time. A temporary part-time employee is hired for a limited period of time, not to exceed six (6) months, for the performance of specific tasks. The employee is expected to work less than forty (40) hours per week. Part-time Summer employees are included in this category. Such employees are not eligible for paid vacation, sick leave, or holiday pay.
- (E) Probationary, Full-time. During the first year of employment in a regular, full-time position, an employee's status shall be considered probationary, full-time. The workweek shall be the same as that of a regular full-time employee. The one-year probationary period is intended to give new and re-hired employees the opportunity to demonstrate the ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this working period to evaluate employee capabilities, work habits, and overall performance. Employees are encouraged to ask questions so they will have clear understanding of the job and performance expectations. All new employees will receive an orientation to advise him/her of the policies of the City.

Each new employee shall complete all necessary forms and sign for his or her copy of the Employee handbook/manual. Each employee shall also attend all required orientations.

4.5 RELATIVES. Two (2) or more members of an immediate family should not be employed under the same supervisor; neither shall two (2) members of an immediate family be employed at the same time, regardless of the administrative department, if such employment will result in an employee supervising a member of his/her immediate family. This policy also applies to promotions, demotions, transfers, reinstatements, and new appointments. The provisions of this section shall not be retroactive, and no action is to be taken concerning those members of the same family employed at the time of the adoption of this section. The provisions relating to non retroactive application of this rule apply to promotions and demotions of employees of the City at the time of original adoption of this rule, to wit, August 22, 1977. Immediate family is defined as wife, husband, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, son-in law, daughter-in-law, grandparents, grandchildren, stepmother, stepfather, brother-in-law, sister-in-law, uncle and aunt.

4.6 TYPES OF EXAMINATIONS. Examinations shall be thorough and practical and shall relate to those matters fairly test the relative capacity and fitness of examinees to discharge the duties of the classification. Examinations may be either entrance and/or open promotional, a combination of open and promotion or qualifying.

- a) ENTRANCE AND/OR OPEN COMPETITIVE. Any examination in which competition is open to all applicants meeting the announced requirements for admission to the classification.
- b) PROMOTIONAL AND OPEN COMPETITIVE. Any examination in which competition is open to outside applicants meeting announced requirements and present employees occupying eligible classifications. In all instances, promotional eligibles will be given preferential consideration.
- c) PROMOTIONAL Any examination in which competition is limited to present employees. Such examinations shall customarily be restricted to employees serving in lower, related classifications and possessing regular status. However, additional training, education and/or experience beyond regular status may be required as determined by the Director in the best interests of the service. A promotional examination may include employees in all departments, or be limited to less than all departments. The Director in each case will determine whether an open competitive or promotional examination will serve the best interests of the service in attracting well qualified candidates.
 - (1) In order to reduce a certain number of classified positions within the City's Police Department for Police Captains and Police Lieutenants by normal attrition by resignations, separations or retirement, no vacancy of Police Captain shall be filled or previous incumbents replaced until such time as there are no more than six (6) such positions remaining at this class level in the Police Department.
 - (2) The foregoing procedure shall also be followed for the class level of Police Lieutenant until such time as there are no more than five (5) such positions remaining at this class level in the Police Department.
- d) QUALIFYING. For certain classes of work, where competition is impractical and/or the needs of the service are such to render competition impractical, the Board may provide for qualifying examinations. Such examinations may be limited to employees of the public service

to fill existing positions. Such examinations may consist of an evaluation of the candidates' qualifications based upon efficiency rating by competent authority and physical fitness to perform the work or such other methods as may be determined by the Director.

- d -(i) PROMOTIONAL EXAMINATIONS FOR CURRENT EMPLOYEES. Per Ordinance 0113-07-08, to be eligible for promotional examinations: A Police Officer must have served two (2) consecutive years as Police Officer to take the Sergeant exam; A Firefighter must have served two (2) consecutive years as Firefighter to take the Fire Sergeant exam; Fire Sergeant must serve 2 years as Fire Sergeant to take the Lieutenant exam. Police Sergeant must have served two (2) years as Police Sergeant to take the Lieutenant exam; a Police Lieutenant must have served one (1) year as Lieutenant to take the Captain exam.

- 4.7 ADDITIONAL PROMOTIONAL PROVISIONS. In addition to the provisions of Rule 4.4b, c, the following provisions shall apply:

EFFICIENCY RATING. In the event of the announcement of an examination on a promotional basis, the preceding employee efficiency rating forms of employees who make application shall be used in addition to the other announced requirements to establish eligibility for examination. The minimum efficiency grade and/or rating for promotional eligibility shall be a standard rating or such numerical designation as may reflect superior performance and potential as determined by the Director.

- 4.8 MEDICAL/PHYSICAL REQUIREMENTS. All public safety employees for sworn appointments shall meet reasonable medical and physical requirements established by the Board and Director. All public safety employees for sworn appointments and those candidates in other departments determined to be in safety-sensitive positions shall further submit to a drug screening test upon receipt of a conditional offer of employment. In addition, all police officers, firefighters and others in safety-sensitive positions shall submit to an initial, previously announced drug screening test and thereafter shall be subject to random urine drug screening or other standard drug screening procedures. Medical re-examination of all present employees may be required by the Director if at any time an employee's ability to perform assigned duties due to reasons of health is in question.

- 4.9 PROBATIONAL APPOINTMENT. An appointment to a full-time regular budgeted position shall be a probationary appointment subject to the completion of a satisfactory probationary period. The probationary period shall be regarded as a part of the examination process, and will be utilized to evaluate the employee's performance on the job, and will also be utilized for dismissing any employee who does not meet the required standards of performance. The duration of such probationary period shall be for one (1) year from the date of appointment with no interruptions in service.

- a) SEPARATION OF PROBATIONAL EMPLOYEES. An employee in the probationary period may be discharged with or without the right of appeal to the Board.
- b) PROMOTIONAL PROBATIONAL EMPLOYEES. A promotional probationary employee who is demoted for unsatisfactory service, shall have the option of returning to the position held prior to appointment, if still vacant. In the event the position has been filled, the Director shall determine the manner in which the employee shall be retained in the service. The demoted employee shall have the further option of electing to separate from the service and having his/her name retained on the lay-off list

for future consideration for the classification of his/her former position, for a period not to exceed two (2) years.

4.10 REGULAR STATUS Defined. Employment of an eligible employee from an eligible list, in a full-time regularly budgeted position after the satisfactory completion of a probationary period shall be considered a regular appointment.

4.11 CERTIFICATION OF ELIGIBLES – PUBLIC SAFETY. The Director shall establish and maintain such eligible and/or employment registers for the various classes of positions as deemed necessary to meet the needs of the service. Names of eligibles shall be placed on lists in the order of their examination or rating, ranked from highest to lowest. The Director shall certify and refer the name of eligibles from the appropriate eligible lists in the following priority and manner:

a) Entrance level or open competitive positions shall be filled by:

- 1) First, the one (1) name of the ranking former employee of the department from the lay-off list;

Per Ordinance 0113- 07/08 – Promotional Exams

4.9 (b) The top five (5) names of ranking eligibles, for the first vacancy and one (1) additional name for each additional vacancy.

4.9 (c) Promotional positions shall be filled by:

- (1) First, the one (1) name of the ranking former employee of the department from the lay-off list, if any;
- (2) The top five (5) names of ranking eligibles, for the first vacancy and one (1) additional name for each additional vacancy.

4.9 (d) After conferring with the Director, the Fire Chief or Police Chief shall reserve the right:

- (a) to remove from the eligible register individual(s) who do not meet the established criteria;
- (b) not to promote those individuals on the eligible register who do not meet the established criteria; and
- (c) to dissolve the entire eligible register should the candidates not meet the established criteria for that classification.

The Director shall determine the period during which such registers remain in effect.

NOTE: SPECIAL PROVISIONS. In the event the City has an Affirmative Action Plan, the object of which is to employ members of protected classes, the Director may certify additional names, taking into consideration the number of vacancies in the class, number of minorities in the particular class, and the racial composition of the eligible register.

4.12 OTHER TYPES OF APPOINTMENTS. The Director shall review, approve, and otherwise establish other appointments consistent with Personnel Rules, as follows:

- a) PROVISIONAL APPOINTMENTS. In the absence of an eligible list, the Director may, for urgent need, authorize the filling of a vacancy by provisional appointment. Any candidate for provisional appointment must meet education, experience and related requirements set by the Director. Provisional appointments shall be for a period of not more than twelve (12) months. No provisional appointment shall be continued for more than ten (10) days after the establishment of an eligible list for the class. Any provisional employee failing to qualify by examination shall not be certified. The provisional appointment of an individual shall not confer on the appointee any rights of status set forth under these rules.
- b) PART-TIME APPOINTMENTS. Part-time appointed employees work less than forty (40) hours hours per week, and such appointments shall not exceed six (6) months in any calendar year. Such appointments shall be reviewed by the Director, and should the Director question or disapprove any: such appointment, such findings shall be submitted to the Board and Mayor for final action.

RULE 5

TRANSFERS, ASSIGNMENTS, DEMOTIONS, LAYOFFS AND REINSTATEMENTS

- 5.1 TRANSFERS. Any employee holding regular status in the Classified Service may transfer from one position to another position in the same or related class between departments of City government upon approval of the departments concerned and the Director. In such transfers, all seniority, status, sick leave and related benefits shall be retained.
- 5.2 ASSIGNMENTS. Any and all such assignments outside the classification must be immediately reported to the Director. A department head may assign any employee in the Classified Service under his/her jurisdiction to any duties so long as such duties are within the employee's same classification, having the same maximum pay rate, involving the performance of similar duties, and requiring essentially the same basic qualifications. Such assignments may be voluntary or involuntary. No employee in the service may be assigned duties of a different class for a period in excess of thirty (30) days without the approval of the Director. Any and all such assignments outside the classification must be immediately reported to the Director. However, in the event a temporary vacancy or absence becomes a permanent vacancy, the department head shall consider all other qualified and eligible applicants or candidates regardless of any previous or temporary assignment.

With the approval of the Mayor, the Director is authorized to make a transfer, without advertising the position, in the following situations:

- (A) To reassign an employee who has been reclassified to a lower grade position; or
- (B) To accommodate an employee pursuant to the Americans with Disabilities Act, the Family Medical Leave Act, or in accordance with other federal or state law(s).

- 5.3 DEMOTIONS. Demotion is a move of an employee to a position or classification having a lower starting salary or maximum range. An employee may be demoted to a position of a lower grade for which the employee is qualified for any of the following reasons:

- a) When an employee would otherwise be laid off because his/her position is being abolished, reclassified to a lower grade, or due to lack of work, or lack of funds.
- b) When an employee does not possess the necessary qualifications to render satisfactory service in the position he/she holds.
- c) When an employee is removed during probation.
- d) When an employee voluntarily requests such demotion.
- e) When an employee is demoted for disciplinary reasons.

All demotions must receive the approval of the Director and the Mayor. If the employee is demoted against his/her will (other than probationers), the employee may appeal to the Personnel Board as provided in Rule 8 - DISCIPLINARY ACTIONS AND APPEALS.

5.4 LAYOFFS AND REINSTATEMENT. In the event it becomes necessary because of lack of work or lack of funds to reduce staff, the following procedure shall govern the layoff:

- a) The reasons for such layoff shall be reported in writing to the Director and shall specify the number and classifications to be affected.
- b) The Director shall determine in consultation with the department(s) the organizational units to be affected by the layoff.
- c) If such a reduction is departmental, then the layoff shall first be made by laying off the employee(s) in the classification to be affected by the layoff who are provisional, temporary, seasonal, part-time and probationary, if any. From that point, layoff shall be of regular employees in the classification on the basis of their relative seniority. In the event there are two (2) or more employees who would be affected by the layoff, and they have equal seniority, the employee who stands lowest in efficiency or performance ratings, last regularly filed with the Director, shall be laid off first.
- d) If such reduction is of a general nature, and City-wide, the Director, after consultation with the Mayor, shall determine the manner of layoffs, taking into consideration the number and classifications of positions to be reduced. In all instances, seniority shall govern except in cases of two (2) or more employees having equal seniority; in this event, efficiency or performance ratings shall be applied as provided in subsection (c) of this rule.
- e) When an employee is laid off in a department which has other classifications or grades lower than the classification or grade from which the employee is laid off, the employee shall have the option of working in any other lower classification or grade in the same department, provided the Director finds that the employee is performing the duties of such lower classification, such option being subject, however to subsections (f), (g) and (h) following.
- f) When an employee so laid off elects to drop to a lower classification or grade, and where the Mayor reduces the number of employees in such lower classification or grade, the reduction shall in no case cause the layoff of any regular employee in such lower classification or grade who has more seniority in the department than the employee laid off from the classification or grade. An employee laid off from the classification or grade shall have the right, so long as the employee is in the service or on the layoff list, to return to the position from which the employee was laid off, in the event such position is refilled.
- g) The duties performed by the employee or employees so laid off may be assigned to any other regular classified employee in the department or office, who, in the opinion of the Director are qualified to perform such duties regardless of the specific classification or grade to which such employees are allocated.

Any employee to be affected by layoffs shall be given a minimum of fifteen (15) days notice.

SEPARATION OF EMPLOYMENT

5.5 REINSTATEMENT: In the event a regular status employee voluntarily resigns and separates from

the City in good standing, the employee may within a period of two (2) years from the date of separation request reinstatement to an entrance level eligible register in a class for which the employee may have had regular status. The Board shall determine the merits and conditions of such reinstatement or deny the request.

5.6 RESIGNATION. It is required that any employee who chooses to resign give at least a two weeks advance notice before the employee's final working day. Upon receipt of such written notice, the department head in conjunction with Human Resources, may waive or reduce the requirement that the employee work for this period. Failure of the employee to give the required written notice may jeopardize the employee's good standing and eligibility for rehire.

5.7 TERMINATION. Upon termination of employment with the City, employees who have left in good standing will receive accrued vacation as follows:

- 8 hour employee (up to 80 hours)
- Police, sworn officers on 12 hour shift (up to 84)
- Fire, certified, (up to 112)

Forfeiture of Accrued Vacation: An employee who is dismissed for cause or resigns in bad standing shall forfeit his or her accrued vacation.

5.8 EXIT INTERVIEWS. All employees terminating from the City are required to do an Exit Interview. Department Heads shall notify their employees to schedule an appointment with Human Resources. Human Resources will arrange for employees to meet with the Mayor. All city property must be returned and accounted for before employees receive their final checks.

5.9 REFERENCES. Generally, information is limited to confirming dates of employment and job title. Human Resources may release additional information regarding employment status upon receipt of authorization from the employee.

RULE 6

ATTENDANCE AND LEAVE

- 6.0 ATTENDANCE POLICY. Regular and predictable attendance is essential to every City position. Unauthorized absences, excessive absences or tardiness, leaving work early, unauthorized visits away from work sites during scheduled work hours will not be tolerated and may result in disciplinary action, up to and including termination. This policy applies to all employees. Exempt employees are also required to maintain good attendance and be punctual, but different guidelines may apply given the nature of their responsibilities.

Employees must notify their immediate supervisor, as far in advance as possible whenever they are unable to report for work or know they will be late. Failure to notify your supervisor in a timely manner of any absence or delay may be grounds for disciplinary action.

Employees must obtain permission from their immediate supervisor in order to leave the City premises (their assigned work place) during working hours for other than for their normally scheduled lunch.

Absences which are neither supported in writing by the employee's health practitioner nor authorized by the employee's immediate supervisor may be regarded as unauthorized leave and may subject an employee to disciplinary action.

- 6.0 (a) JOB ABANDONMENT. Not reporting to work and not calling to report the absence is a no call/no show and is a serious matter. Any no call and no show lasting 3 days is considered job abandonment, and may result in immediate termination of employment. However, department must confer Human Resources before making this determination so that additional information may be considered, if applicable,

- 6.1 HOURS OF WORK. The hours of work for City departments shall be fixed by the Mayor and City Council with due regard to the convenience of the public, and to working hours customarily observed in the community.

- 6.2 TYPES OF LEAVE. The following types of leave are officially established: Holidays, vacation leave, sick leave, injury with pay leave or Workers' Compensation if applicable, military leave, administrative leave, jury leave, Family Medical Leave, leave for special meetings and examinations, leave without pay, and leave for political activities pursuant to Rule 9.1 (e).

- 6.3 ATTENDANCE AND LEAVE REPORTING. The absence of an employee from duty shall be reported to the Director by the department head by appropriate entry on payrolls. The department shall maintain accurate leave and attendance records, subject to auditing.

- 6.4 FAILURE TO REPORT ABSENCES. If a department head fails to report the absence of an employee and the employee is paid in excess of the amount due the employee, the department head shall be liable for the overpayment.

- 6.5 ABSENT WITHOUT LEAVE. An employee who is absent without authorized leave shall be subject to the provisions of Rule 8 governing suspensions and dismissals.

- 6.6 NO ADVANCE LEAVE. Vacation leave, sick leave, and overtime leave shall not be allowed in

advance of being earned. If an employee has insufficient leave to cover a period of absence, no allowance shall be posted in advance or in anticipation of future leave credits. In such cases, payroll deductions for the time lost shall be made in the period in which the absence occurred.

- 6.7 HOLIDAYS. The City Council shall fix by annual resolution the holidays that employees shall observe. Employees on non-pay status, such as leave of absence, or employees on paid military leave shall not earn additional time for holidays. All employees of the City shall receive the same number of holidays. Employees who are required to work on an observed holiday shall be compensated at the straight time rate or given equivalent time off. If the holiday falls on the employee's normal day off, the employee shall be paid or given equivalent time off for an additional day. Holidays falling on weekends are usually observed on the preceding Friday or the Monday following such holiday, unless otherwise designated by the City Council. In addition to the observed holidays listed below, the City Council may from time to time proclaim other holidays to be observed by City employees:

January 1 st	New Year's Day
3 rd Monday in January	Martin Luther King's Birthday
Friday before Easter Sunday	Good Friday
Last Monday in May	Memorial Day
July 4 th	Independence Day
1 st Monday in September	Labor Day
November 11 th	Veteran's Day
4 th Thursday in November	Thanksgiving Day
Friday after Thanksgiving Day	Thanksgiving Friday
December 24 th	Christmas Eve
December 25 th	Christmas Day

- 6.8 Holiday Pay in Lieu of Annual or Sick Leave Pay. If an authorized paid holiday occurs while an eligible employee is on approved annual or sick leave, such time off will be charged as holiday time and not against the employee's annual or sick leave.
- 6.9 VACATION LEAVE. All employees holding regular full-time positions in the Classified Service shall be allowed to earn and accrue vacation leave with pay. Upon completion of six (6) months of service in a regular position, an employee shall be eligible to use vacation leave. The usage of such vacation leave shall be determined by the department head with due consideration to seniority, length of service, and request of the employee.
- 6.10 COMPUTATION AND EARNING OF VACATION LEAVE. For the purpose of computing vacation leave, each week of seven (7) days, excluding holidays shall be considered as containing not less than five (5) work days. (Exceptions include employees whose basis of pay is other than the standard work week, such as fire and police personnel).

An employee holding a regular position shall earn vacation leave in accordance with the employee's longevity of service as follows:

0 - 10 years	1 working day per month per year
11- 20 years	1 ½ working day per month per year

Over 21 years ----- 2 working days per month per year

In computing vacation leave, only uninterrupted service shall be considered.

6.11 ACCUMULATION OF VACATION LEAVE. Vacation leave earned but not used during the calendar year may be accumulated up to a maximum of forty (40) days. Vacation leave earned in excess of the maximum allowed amount must be used by December 31st or it shall be forfeited; unless extenuating circumstances indicate a different handling is desirable in the opinion of the Director. In summary, vacation leave earned but not used would be as follows: 320 hours for employees working an 8 hour day; 448 hours for Firefighters, and 480 hours for Police Officers on a 12 hour shift.

6.12 RESTRICTIONS OF VACATION LEAVE. Vacation leave maybe subject to the following restrictions:

- a) An employee shall not earn vacation leave during a leave of absence without pay, a suspension, or when the employee is otherwise in a non-pay status for more than fifteen (15) calendar days in a month. An employee currently using sick leave shall not earn additional vacation leave during the period when the employee is on sick leave.
- b) An employee who is dismissed for cause or resigns in bad standing shall forfeit earned vacation leave.
- c) An appointing authority or department head shall not require an employee to forfeit earned vacation leave as punishment through the action of suspension.
- d) The maximum vacation leave that can be granted during a calendar year shall be five (5) weeks or as otherwise determined by the Director.
- e) Vacation leave must be taken as leave rather than payment, except upon separation from the City service.

6.13 VACATION LEAVE DUE UPON SEPARATION

Employees must file a written resignation or retirement letter with their department head, giving at least a two (2) weeks advance notice of separation from the City service. Upon submission of such letter, the employee will not be allowed to take any vacation or annual leave time in conjunction with separation of employment. If an employee is absent during this period, such absences will either be charged against annual leave or, in the case of an hourly employee, the employee's pay will be docked.

The maximum number of hours to be paid to an employee who leaves in good standing is eighty (80) hours, except for Fire personnel who can receive pay for a maximum of 112 hours and Police personnel who can receive pay for a maximum of 84 hours.

6.13.1 SICK LEAVE. All employees holding regular positions shall be allowed to earn and accrue sick leave. Sick leave is not a right for which employees make a demand, but a privilege granted in accordance with prescribed rules which may be changed from time to time as the best interests of the service demand.

6.14 ELIGIBILITY FOR SICK LEAVE. Upon completion of six (6) months of service in a regular position, an employee shall be eligible to use sick leave.

6.15 COMPUTATION AND EARNING OF SICK LEAVE. For the purpose of computing sick leave, each week of seven (7) days, excluding holidays, shall be considered as containing not less than five (5) work days.
(NOTE: Employees whose basis of pay is other than the standard work week such as Fire personnel shall earn and use sick leave in a five (5) work day period.

6.16 EARNING. Sick leave shall be earned at the rate of one (1) work day for each month of service. Sick Leave earned during the calendar year but not used may be accumulated up to a maximum of sixty (60) days per year. Sick leave earned in excess of the maximum allowed shall be held in a special reserve and may be granted as supplementary sick leave upon approval of the Director.

6.17 USE OF SICK LEAVE. An employee shall be granted sick leave for the following reasons:

- a) Personal illness of the employee, including sick leave for maternity purposes;
- b) Personal physician and dental appointments;
- c) Illness arising from exposure to contagious disease endangering the health of employees;
- d) Illness in the employee's immediate family which necessitates the employee's absence from work. In this case, "immediate family" shall be defined as the employee's spouse, children and parents;
- e) Death of the employee's spouse, child, parent, parent-in-law, sister or brother.

Total absences allowed under section (e) above combined shall not exceed six (6) days in any calendar year.

6.18 PROOF OF ILLNESS. An employee who is absent on sick leave continuously for a period of five (5) work days or more shall submit a written doctor's certificate or other written evidence to substantiate the employee's use of sick leave. However, the department head or Director may require evidence to substantiate any claim for sick leave.

6.19 RESTRICTIONS OF SICK LEAVE. Sick leave shall be subject to the following restrictions:

- a) An employee shall not earn sick leave during a leave of absence without pay, a suspension, or when the employee is otherwise in a non-pay status for more than fifteen (15) calendar days in a month. An employee currently using sick leave shall not earn additional vacation or sick leave during the period when the employee is on sick leave.
- b) Sick leave shall not be granted an employee whose absence from duty is a result of the employee's own misconduct. Absence for such cause shall be reported as absence without leave, and shall subject the employee to disciplinary action.
- c) Sick leave accumulation shall be forfeited upon separation or retirement from the Classified Service. Exception: 18 months of sick leave can be used towards a 25 year retirement.

6.20 Workers' Compensation. An employee who is injured on the job while performing the duties of his/her position is entitled to the protections of the Workers' Compensation Act. Employees must use the panel of physicians/medical facility recommended by City of Selma Insurance Office to accommodate the workers' compensation medical treatment. If an employee is released by the employee's physician or other medical professional to return to work prior to full recovery, modified duty is permitted if there is temporary, meaningful work for the employee to perform. Department heads are not required to create modified duty positions.

6.21 FAMILY AND MEDICAL LEAVE

In accordance with the Family Medical Leave Act of 1993, Employees on payroll with the City for at least one year and who have worked at least (1250) one thousand two hundred fifty hours over the previous twelve months are eligible to obtain up to (12) twelve weeks of unpaid leave for medical reasons. While the employee may apply any unused annual/sick leave towards Family Medical Leave, employees are encouraged to retain a combined total of (40) hours on their leave records.

Employees interested in applying for FMLA should inform their immediate supervisor immediately and contact Human Resources for a meeting to receive a good overview of FMLA, discuss the required procedure to see if they are eligible, complete the necessary FMLA Forms, including furnishing medical certification that may be required etc. Employees should submit a 30-day Advance Notice, where possible..

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- 1) *The birth of a child and in order to care for that child.*
- 2) *The placement of a child for adoption or foster care and to care for the newly placed child.*
- 3) *To care for a spouse, child or parent with a serious health condition (described below).*
- 4) *The serious health condition (described below) of the employee.*

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

- 5) *Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.*

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4)

financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

6) Military caregiver leave (also known as covered service member leave) to care for an ill or injured service member.

This leave may extend to up to twenty-six (26) weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

A. Amount of Leave

An eligible employee can take up to twenty-six (26) weeks for the FMLA circumstance (6) above - military caregiver leave during a single 12-month period. For this military caregiver leave, the City will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of twenty-six (26) weeks available.

B. Combined leave by Spouses

If a husband and wife both work for the City and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of twelve (12) weeks of leave. If a husband and wife both work for the City and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of twenty-six (26) weeks of leave.

C. Employee Status and Benefits During Leave

Under current City policy, the employee pays a portion of the health care premium. While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Accounting Department by a set day each month. If the payment is more than thirty (30) days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide fifteen (15) days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may

request continuation of such benefits and pay his or her portion of the premiums, or the City may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the City may discontinue coverage during the leave. If the City maintains coverage, the City may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

D. Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider upon returning to work. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The City may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

E. Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by the City's sick leave policy) prior to being eligible for unpaid leave.

F. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in twelve (12) consecutive weeks and may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks (or twenty-six (26) workweeks to care for an injured or ill service member over a 12-month period).

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule in those instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one (1) year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach an agreement with the City before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

G. Certification for the Employee's Serious Health Condition

The City will require certification for the employee's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The City may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The City will not use the employee's direct supervisor for this contact. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the City will obtain the employee's permission for clarification of individually identifiable health information.

The City has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. The City may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

H. Certification for the Family Member's Serious Health Condition

The City will require certification for the family member's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. The City may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The City will not use the employee's direct supervisor for this contact. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the City will obtain the employee's family member's permission for clarification of individually identifiable health information.

I. Certification of Qualifying Exigency for Military Family Leave

The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave (<http://www.dol.gov/esa/whd/forms/WH-384.pdf>).

J. Failure to Return to Work from FMLA

The City may recover the premium that the City paid for maintaining coverage under a group health plan during any period of unpaid leave under this policy, if the employee fails to return from leave, after the period of leave to which the employee is entitled has expired, for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee. In order to determine whether the premiums should be recovered, the City may require the employee to provide timely certification to verify that the employee's inability to return to work is due to circumstances beyond the control of the employee.

6.22 The Uniformed Services Employment and Reemployment Rights Act

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Right to be free from Discrimination and Retaliation:

- If the individual is a past or present member of the uniformed service;
- If the individual has applied for membership in the uniformed service; or
- if the individual is obligated to serve in the uniformed service

Then the City may not deny because of status:

- initial employment
- reemployment
- retention in employment
- promotion; or
- any benefit of employment

Reemployment Rights

The individual has the right to be reemployed in a civilian job if he/she leaves to perform service in the uniformed service and:

- the individual insures that the City receives advance written or verbal notice of his/her service;
- the individual has five (5) years or less of cumulative service in the uniformed service while with the City;
- the individual returns to work or apply for reemployment in a timely manner after conclusion of service; and
- the individual has not been separated from service with a disqualifying discharge or under other than honorable conditions.

If the individual is eligible to be employed, the individual must be restored to the job and benefits he/she would have attained if he/she had not been absent due to military service or, in some cases a comparable job.

Health Insurance Protection

- If the individual left his/her job to perform military service, he/she has the right to elect to continue his or her existing employer-based health plan coverage for himself/herself for up to 24 months while in the military.
- Even if the individual do not elect to continue coverage during his/her military service, he/she has the right to be reinstated in the City's health plan when he/she is reemployed, generally without any waiting period or exclusions (i.e., pre-existing condition exclusions) except for service-connected illnesses or injuries.

6.23 LEAVE FOR NATIONAL GUARD AND ARMED FORCES RESERVE TRAINING

Employees who are members of the Alabama National Guard or Naval Militia or of any reserve component of the United States Armed Services are entitled to military leave of absence from their respective duties on all days that they shall be engaged in field or coast defense or other training or on other service ordered under the provisions of the National Defense Act, or of the federal laws governing the United States reserves. This shall be without loss of pay, time, efficiency rating, annual or sick leave, but no person granted such leave shall be paid for more than one hundred sixty-eight (168) working hours per calendar year. These employees shall be entitled, in addition thereto, to be paid for no more than one hundred sixty-eight (168) working hours at any one time while called by the governor to duty in the active service of the state (Act 95-256). Employees who are exempt from the Fair Labor Standards Act, and who are absent on military leave for less than a full work week, and who have exhausted the one hundred sixty-eight (168) hours of pay provided by state law are entitled to pay for the full work week, even if the pay exceeds pay for one hundred sixty-eight (168) hours in a calendar year.

Military leave with pay may be taken each calendar year. To request military leave, prior to departure, employees should submit a copy of the military orders calling the employee to active duty. The orders must specify the period of active duty or active duty for training. A certificate of service signed by a military personnel officer or similar official must be provided to the office upon return from military duty.

Short term training, i.e., weekend training, which occurs on a normal duty day for an employee is authorized to be counted as military leave. If military orders are not issued for short term training, employees will obtain a statement of training from their Commander or Personnel Officer reflecting the type of training and specific period of time they were required to be on duty.

When the President of the United States declares a national emergency, the following applies: Any employee who is drafted or ordered to active duty in the Armed Forces will be placed on military leave and paid up to one hundred sixty-eight (168) hour's working salary per calendar year. Employees whose draft or reserve status is such that they are likely to be called to duty and who volunteer for active duty will be eligible for military leave in the same manner as those who are drafted. Members of National Guard and Active Reserve who are called to duty are eligible for military leave. An employee off work under Workers' Compensation will not be charged leave during that period. A probationary employee shall also be granted military leave with pay.

(A) REGULAR EMPLOYEES. If an employee in regular status enters into the military service of the United States Government or Public Health Service, whether drafted, activated, or if the employee enlists, the employee shall be granted a leave of absence from the Classified Service for the duration not to exceed five (5) years unless the military service is extended by Federal Act or Presidential Decree. No loss of rights, service or status shall occur, and the employee shall be given credit for the time spent in the Armed Forces of the United States as actual service rendered in the Classified Service as though the employee's employment has not been interrupted, provided the employee presents himself or herself for re-employment with the Board within ninety (90) days after discharge from such military service - unless such time shall be extended for reasons of health or physical unfitness after application to and approval of the Board. The benefits provided by this rule are not afforded to any employee who has received a dishonorable discharge from the service. In instances in which the discharge from the military service is for reasons other than dishonorable, the Board shall review the reasons for the discharge and may consent or refuse re-employment to any employee receiving such discharge. This rule is also contingent upon whether the employee is still qualified to perform the duties of the position; if so, the employee shall be restored to such position or to a position of like seniority, status and pay. If not qualified to perform the duties of such position by reason of disability sustained during military service, the

Director shall determine what most nearly reflects the employee's capabilities and will provide reasonable compensation consistent with the circumstances.

B) PROBATIONARY EMPLOYEES. The provisions concerning regular employees shall also apply to probationary employees, provided that the service credit shall not accrue to a veteran who was in probationary status at the time of entrance into the military service of the United States Government until the veteran shall have satisfactorily completed his probationary period after return as an employee of the Board.

6.24 PRE- INDUCTION PHYSICAL EXAMINATION. An employee in the Classified Service shall be allowed up to one (1) full day for the purpose of taking a pre-induction physical examination when such examination is ordered by the Selective Service Board.

6.25 JURY LEAVE. Employees who are required by a court subpoena to attend court in the capacity of jurors or in the capacity of witnesses in performance of civic duties will be granted leave with pay to attend such court. A copy of the subpoena for civic duty witness or jury duty with a certificate of jury duty served must be submitted to the employee's supervisor. An employee who receives a summons to report for jury duty shall, on the next working day, show the summons to his/her immediate supervisor. The employee shall be excused from work for the day or days required of him/her in serving as a juror. The employee will inform his/her supervisor of any postponement, excusal or cancellation of jury service as soon as possible. The employee must return to work after being dismissed from any jury. The employee may be required to provide documentation of hours of attendance in court. Failure to return to work immediately may subject the employee to disciplinary action up to and including termination. If subpoenaed to court to attend to personal affairs, an employee must be charged appropriate annual leave for the absence.

6.26 LEAVE FOR SPECIAL MEETINGS AND EXAMINATIONS. Whenever it is deemed in the best interest of the Classified Service, an employee may be granted leave with pay by the Mayor to attend professional or technical institutes or conferences or such other meetings.

6.27 LEAVE OF ABSENCE WITHOUT PAY. Upon recommendation of the department head and approval of the Director, leave without pay shall be allowed in the following situations:

- a) An employee occupying a regular, full-time position, who is temporarily unable to perform his/her duties may be granted a leave of absence for no more than one (1) year.
- b) An employee with regular status desiring to engage in a course of study which will increase the employee's usefulness upon return to duty may be granted a leave of absence for not more than one (1) year.
- c) An employee with regular status may be granted a leave of absence for not more than one (1) year for any good reason subject to the recommendation of the department head and approval of the Director.

6.28 Leave requests must be submitted in writing and must state the purpose of the leave, and the dates the leave is to begin and end. The Director shall at the time of approval of such leave designate whether the employee shall be entitled to resume his/her position at the expiration of such leave, or whether the employee's name shall be placed on the re-employment list.

6.29 Time Off for Voting (Act 2006 -545): An employee shall be given time off not to exceed one (1) hour to vote and if the hour of of work of the employee commence at least two (2) hours after the opening of the polls, or end at least one (1) hour prior to closing of the polls. Then the time off for voting (as provided) shall not be available.

The City may specify the hours during which the employee may be absent to vote.

RULE 7

GRIEVANCES

7.1 GRIEVANCES. The most effective accomplishment of the work of the various departments requires prompt consideration of employee grievances. Supervisors and employees should resolve all problems informally as they arise. However, it is recognized that there will be grievances which can only be resolved through appeal and review.

7.2 DEFINITION OF GRIEVANCE. A grievance is a wrong, real or imagined by an employee, that serves as grounds for a complaint. Matters dealing with: Classification, pay, compensation, examination, leave, discipline, and related actions specifically set forth in the Personnel Rules shall not be considered under grievance procedures, but shall be addressed in accordance with the provisions set forth in these rules. Any questions as to what constitute a grievance or what should be processed at a matter subject to these rules shall be determined by the Director, subject to the review of the Board.

While the list is not all-inclusive, some possible grievance issues are:

- a) Discrimination or harassment;
- b) Unauthorized or inappropriate use or disclosure of protected health information, as defined by HIPPA Privacy Regulations;
- c) Unsafe working conditions;
- d) Retaliation by a supervisor against an employee for exercising a right protected by law; complying with any law; or reporting a violation of any law to the proper government authority;
- e) Promotional by-passing where there is evidence of arbitrary and capricious action. Arbitrary and capricious action is defined as unreasonable action in disregard of the facts or without a determining principle;
- f) Misapplication of law, ordinance, or policy affecting matters or conditions of employment.

The grievance procedure is not intended for and will not be used for the following purposes:

- a) To resolve personal differences between and among employees;
- b) To contest the City's pay plan or classification schedule(s), or to appeal City-wide pay reductions which are part of a general plan to reduce salaries and wages when such reductions are pro-rated to all employees;
- c) To contest the validity of an adopted, approved ordinance or a properly-enacted resolution of the City Council;

- d) To contest the validity of a rule or policy promulgated by the Mayor;
- e) To contest any action or matter falling within management rights or management discretion.
- f) To contest any action that does not pertain directly, personally, and solely to the employee's own employment, except in those situations, for example, where charges of discrimination and /or harassment are being filed on behalf of the aggrieved employee.

7.3 Employees Eligible to File Grievances: Within the City Grievance procedures, employees eligible to file grievances include:

- a) All regular status classified employees;
- b) All employees, regardless of service category or status, when such grievance is based upon a claim of discrimination or harassment due to race, color, religion, gender, age, disability, veteran status, genetic information or national origin.

7.4 Good Faith Timely Presentation. An employee's grievance must be submitted in good faith and within the established time period listed below. Failure to do so will bar consideration of the grievance. If an employee willfully files a false grievance action, the employee may be subject to disciplinary up to and including dismissal.

7.5 Representation. An employee shall have the right to be represented by a person of his/her own choosing at any step in the grievance process. Any expenses associated with such representation will be paid by the employee.

7.6 Withdrawal. An employee may withdraw his/her grievance at any step in the process.

7.7 GRIEVANCE PROCEDURE. In the presentation of a grievance, employees are assured of freedom from restraint, interference, discrimination or reprisal. Grievances resolved at any step shall become effective immediately.

Step 1 The grievance must be submitted in writing to the employee's immediate supervisor within five (5) days of the occurrence of the incident. A copy of the grievance must also be filed with the Director. All such grievances shall cite the reasons for and nature of the complaint and must be signed by the employee. The immediate supervisor shall within three (3) days submit a response, in writing, with a copy furnished to the Director.

Step 2 If unresolved in five (5) days, the written grievance and the supervisor's response shall be submitted to the department head. The department head shall, within five (5) days, reply in writing to all parties concerned and forward a copy of his/her reply to the Director.

Step 3 If unresolved, at step 2, the grievance shall be submitted to the Grievance Committee, composed of three (3) members as follows:

One (1) member elected by the classified employees of the department in question. The term of the employee-elected member shall be for a period of

twelve (12) months. A second member designated by the Mayor. A third member shall be a mutually-agreed upon person selected by the first two (2) members. In the event a mutual party cannot be agreed upon, the Director shall designate the third member.

The Grievance Committee as constituted shall review the findings of all parties concerned and may obtain additional information as it deems necessary. The Grievance Committee shall render a decision concerning the unresolved grievance within thirty (30) days after receipt of such grievance. The decision shall be binding on all concerned parties.

The Director shall provide such minimal administration services as may be necessary and may require the production of records or appearance of witnesses as may be required to carry out the provisions of this rule.

Nothing within the content of this rule shall be so construed as to limit the City's right to manage its affairs and governmental operations or to infringe on its right and responsibility to appropriate funds and to fix budgets for the proper expenditure of public funds.

- 7.8 EXAMINATION AND APPEAL OF EFFICIENCY RATING. While not part of the grievance procedure, every rated employee shall have the opportunity to discuss and review the employee's rating with the person or persons rating the employee. Employees shall also have the opportunity, in the event of a disagreement, to discuss and review their ratings with a reviewing officer and the department head. If unable to reconcile any differences, employees shall further have the opportunity to appeal the decision, which appeal will be heard by the Director. Employees shall appeal in writing, within ten (10) days of meeting with the department head.

RULE 8

DISCIPLINARY ACTIONS AND APPEALS

- 8.1 GENERAL POLICY: Employees of the City are expected to maintain high standards of cooperation, efficiency, economy and effectiveness at their work. Each employee is expected to display conduct both on and off the job that reflects favorably upon the City. The maintenance of high standards of honesty, integrity and conduct by City employees is essential to assure the proper performance of City business and maintenance of confidence by others. City employees will be disciplined for violations of established City rules and regulations. Disciplinary action will be fairly, promptly, and consistently applied to all employees. Disciplinary action is not intended to be governed by a rigid set of rules, but administered through flexible guidelines utilized as supervisory tools in carrying out required functions within each department.
- 8.2 Corrective Measures. Supervisory personnel should be aware when employee work habits, productivity, attitude or personal conduct falls below an acceptable standard and point out the deficiencies to the employee at the time they are observed. Warning in sufficient time for improvement should, if practical, precede formal disciplinary action but nothing shall prevent formal action whenever the best interest of the City shall require. A written report is not required for a routine counseling session, but, if one is prepared, the employee will be provided a copy. A copy should also be submitted to the Director for filing in the employee's personnel file.
- 8.3 PROBLEM RESOLUTION POLICY. If an employee has issues that the employee feels affects work performance or the work environment, the employee is encouraged to first discuss the issues with his/her designated supervisor. If the issue is not resolved to the employee's satisfaction, the employee may request permission from the immediate supervisor to have a meeting with the department head and/or Director.
- 8.4 DESIGNATED PERSON. If an individual designated to take disciplinary action against an employee fails to take action for an obvious violation of City rules, the department head or the Mayor may take action so long as the action is consistent with the intent of these rules.
- 8.5 COUNSELING SESSIONS. Before disciplinary action is taken and when practical, the management official responsible for recommending discipline may initiate counseling to correct the employee's conduct.
- 8.6 DISCIPLINARY POLICY. Employment in the Classified Service shall be conditioned on the satisfactory conduct of the employee and continued, efficient performance of assigned duties and responsibilities. Employees serving in a probationary period may be disciplined or dismissed with or without cause by a department head without right of appeal. The reasons for such discipline or dismissal shall be furnished in writing to the employee and the Director. A regular employee may be dismissed, demoted or suspended for cause or for any reason deemed to be in the best interest of the public service, and shall have the right of appeal as set forth in the following provisions.
- 8.7 CAUSES FOR DISCIPLINARY ACTION. The following are among the causes which shall be sufficient for dismissal, demotion or suspension:
- a) Unsatisfactory attendance (including failure to report to work, late arrival, early departure, no calls , or unauthorized absence from duty)

- b) Job Abandonment
- c) Conduct unbecoming an employee in the public service.
- d) Conviction of a criminal offense or a misdemeanor involving moral turpitude.
- e) Disorderly or immoral conduct.
- f) Failure to pay or make proper provision for the liquidation of just debts.
- g) Incompetency or inefficiency- Failing to meet reasonable standards of efficiency and productivity or otherwise unsatisfactory job performance and/or repeated substandard work.
- h) Insubordination or lack of cooperation.
- i) Intoxication while on duty or public intoxication while off duty.
- j) Neglect of duty.
- k) Negligence or willful damage to public property or waste of public supplies or equipment.
- m) Violation of any lawful or reasonable regulation or order made and given by a superior officer.
- n) Willful violation of any of the provisions of the Personnel Rules.
- o) Use or possession of illegal drugs, refusal to submit to any drug screening test, or failure to pass any drug screening test provided hereunder, or failure to successfully complete any required drug rehabilitation program. Note: Depending on the circumstances, consideration may be given to an employee who request assistance prior to the actual drug screen notice.
- p) Violation of the Harassment Policy.
- q) Violation of City conduct standards or actions determined to be a conflict of interest or ethics violation as defined by state law and/or City ordinance, rules, regulations, or procedures.
- r) Driving a City vehicle under the influence of intoxicants.
- s) Deliberate falsification of records and/or personal misrepresentation of statements given to a supervisor, an official, the public, or any duly-authorized City board or committee.
- t) Fighting on City property or while on duty, except when the employee is a victim of an unwarranted assault; fighting, threatening violence, or otherwise starting a disturbance on City premises or while performing job duties, including, but not limited to, assaulting or intimidating a City employee or non-employee.
- u) Unauthorized possession and/or use of firearms, or other weapons, including knives and explosives or other dangerous materials on/in City property, (other than such possession

and/or use as may be required of law enforcement personnel in the line of duty.

- v) Flagrant violation of safety practices that might endanger the life or health of the employee or others.
- w) Failure to report a work-related accident or injury or failure to attend safety classes when directed.
- x) Boisterous or disruptive activity or Horseplay in the workplace.
- y) Unauthorized release of privileged or confidential information.
- z) Walking off the job.
- aa) Sleeping on the job; except when authorized by department or city rules.
- bb) Engaging in unauthorized outside activities while on duty.
- cc) Interfering with the work of others, including offensive personal habits, which interfere with efficient operations.
- dd) For any other reason deemed to be in the best interest of the public service and not inconsistent with the intent of the Personnel Rules.
- ee) Failure to prepare and submit required reports and/or records in a timely manner.
- ff) Abusing, damaging, wasting, stealing, inappropriately removing/possessing City property, records, or the property of other employees.
- gg) Falsifying City reports or committing fraud with regard to any records (including time sheets, expense accounts, absence, excuse, etc).
- hh) Using tobacco/e- cigarettes in unauthorized areas.
- ii) Disclosing unauthorized confidential City information.
- jj) Performing work other than City assignments during working hours.
- kk) Calling in absent after refusal of request for time off.
- ll) Failing to fully cooperate in City investigations
- mm) Failure to notify the City for wrongdoings of co-workers or for violation of any rules, regulations or law
- nn) Failing to notify City of an accident as soon as possible
- oo) Abuse or misuse of the City telephone system, computer system or data

- pp) Entering a restricted area without authorization
- qq) Not being truthful or attempting to mislead or evade a direct question or inquiry from any supervisor or city official

8.8 PROGRESSIVE DISCIPLINE GUIDELINES

The following are general guidelines for administering progressive discipline. Management officials should use their discretion in determining the appropriate discipline. When it is determined that an employee is not fulfilling the essential functions and responsibilities of the position, all reasonable counseling and disciplinary steps should be taken prior to discharge. Disciplinary situations involving employees who have completed their probationary period should be dealt with by progressive discipline. Consistently applied progressive discipline will assist in assuring equitable treatment and in encouraging acceptable performance.

Informal Discussion or Verbal Counseling

When a performance problem is identified, the problem should be thoroughly discussed in private with the employee by his/her supervisor. Bringing the problem to the attention of the employee is often enough to prompt the employee to correct it willingly. The supervisor shall complete a memo that identifies the date, time, the occurrence(s) and the employee's response and both should sign the memo.

If the private informal discussion has not resulted in corrective action, the supervisor should meet with the employee, review the problem, permit the employee to present his or her views on the problem, advise the employee that the problem must be corrected and make suggestions and/or give direction for correcting the problem, inform the employee that failure to correct the problem will result in further disciplinary action. A Written Reprimand should be issued to the employee and a copy placed into his personnel file.

Progressive Discipline (the number of oral/written warnings or type of warning received will depend on the situation).

<u>1st Offense</u>	- Oral/Verbal Warning
<u>2nd Offense</u>	- Written Warning
<u>3rd Offense</u>	- Final Written Warning
<u>4th Offense</u>	- Any subsequent violations after the receipt of a final warning may lead to suspension and/or dismissal.

Note: A suspension without pay or dismissal may occur at any stage depending upon the severity of the situation. Any and all employees under the City's personnel system may be subject to disciplinary action for failure to demonstrate acceptable conduct or satisfactory job performance. Such disciplinary action should not be taken lightly and management should realize that the appropriate disciplinary action is not fixed but based upon good judgment, fair treatment, and the circumstances involved in each incident. At all times, employees' rights will be respected.

8.9 Written Record of Incident Procedure

- a) With no exceptions, all disciplinary actions, including verbal warnings, must be documented in writing;
- b) The employee and management official involved must sign the documentation and a copy of same given to the employee. If the employee refuses to sign, another employee may witness and sign the form along with the

management official who disciplined the employee. If no one is available, the management official should indicate on the form that the employee refused to sign. Under no circumstances will a written disciplinary record be made and/or placed in an employee's personnel file without the employee being given an opportunity to sign the written record.

c) A copy must be immediately forwarded to the Director for inclusion in the employee's file.

8.10 Due Process Policy: All City employees are entitled to and will be afforded the opportunity to give their side of before any adverse disciplinary action concerning their property rights will be determined. It is the employee's right to be informed of the charges, receive written evidence and afforded the opportunity to respond in the presence of his or her department head.

Step #1: Scheduling of a Pre-Determination Hearing with the employee and the Department Head.

The department head will give a minimum twenty-four (24) hour notification to the employee of the charge(s) and reason for disciplinary action. The notice must also advise the employee of the date, time and location of a pre-determination hearing in the Personnel Department. The employee may waive the right to such hearing.

Step #2: On the date of the pre-scheduled hearing, the hearing will be conducted by the Human Resources Director and recorded. The employee and the department head will both have an opportunity to state their positions. Following the comments by both parties, the employee will be informed of the decision within 5 days.

Within this 5-day time frame, a discussion will take place concerning the evidence presented at the pre-determination hearing. Subsequently, the employee will be notified in writing of the decision and given a signed copy. A copy will be provided to the Director for inclusion into the employee's personnel file.

8.10 (a) RIGHT TO APPEAL BEFORE THE PERSONNEL BOARD

Classified Service employees have a right to appeal suspensions, demotions and dismissals demotion before the Personnel Board. With respect to suspensions, employees do not have a right to a hearing before the Personnel Board if such suspension or suspensions do not exceed an aggregate of five (5) calendar days as a singular offense or ten (10) days cumulative in any year of service. Should the suspensions exceed the five (5) day limitation for a single offense or ten (10) days cumulative limitation, a regular employee shall have the right of appeal as provided in this rule. Such suspension shall be effected by service upon the employee by the department head or Mayor, a written statement of the delinquency for which suspension was made, a copy of which must be delivered to the Human Resources Director.

The suspended employee shall have a right to file an answer with Personnel Board, department head and the Mayor.

8.10 APPEAL PROCEDURE

An employee with regular status shall have the right to appeal disciplinary action of dismissal, demotion, or suspension. An employee desiring to appeal shall within ten (10) calendar days after notice thereof, file with the Director, in duplicate, a written answer to the charges and request a hearing. Such answer shall contain:

- The reason for dismissal, demotion, or suspension
- An admission or denial or guilt.
- Reasons why the dismissal, demotion or suspension should not take effect. Upon receipt of the appeal, the Director shall forward a copy thereof to the department head and the Mayor.

8.11 HEARING

The Board shall order a public hearing of such charge. The hearing shall be for the purpose of determining whether or not the employee, by reason of his or her act or acts as charged and his record of service, merits retention in the service or should be removed therefrom or otherwise disciplined; and to that end the Board shall not be bound by the technical rules of evidence but shall diligently seek all of the information and evidence bearing on the merits of the case. Either party at interest may be represented by counsel.

8.12 WITNESSES

It shall be the duty of the Director to subpoena witnesses other than character witnesses, for or against the employee upon written request and affidavit that their testimony is necessary. Employees in the classified service shall be required to attend and testify without subpoena.

7.12 DECISION

The Board shall render its decision within ten (10) calendar days after the conclusion of the hearing which shall forthwith be certified to the appointing authority and enforced by him or her. Copies of the decision shall be delivered to all other parties at interest. The Board may rescind, modify, or increase the penalty imposed by the department head or Mayor as warranted by the facts adduced at the hearing.

7.12 RECORD OF TESTIMONY

The Board may require that testimony introduced at hearings be recorded but same shall not be transcribed except upon further order.

8.15 Due Process for APPOINTED PERSONS (Ordinance COS 018-1/02)

An appointed person, prior to being suspended, demoted or terminated, is entitled to request a pre-disciplinary hearing. An appointed person shall receive written notice from the person(s) making the appointment listing the reasons for the suspension, demotion or termination. The appointed person shall, within ten (10) days from receiving the notice, file a written request for the hearing with his/her appointing authority. A hearing shall be conducted informally and rules of evidence and discovery shall apply. The appointed person shall have the right to appear at this hearing in person or by representative.

If the appointed person fails to properly request a hearing as provided by these procedures, he or she shall forfeit any right to a hearing and the proposed disciplinary action will be final. Nothing in this policy shall prohibit placing the appointed person on leave with pay until a decision has been made.

RULE 9

PROHIBITED POLITICAL ACTIVITIES

9.1 ACTIVITIES PROHIBITED.

- a) No person shall seek or attempt to use any political endorsement in connection with any appointment or position.
- b) No person shall use or promise to use, directly or indirectly, any political authority or influence, whether possessed or anticipated, to secure or attempt to secure any position, an appointment or advantage in appointment to a position, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any consideration.
- c) No person shall solicit any assessment, subscription or contribution of or from any employee.
- d) No employee in the Classified Service or the Unclassified Service shall be a member of any national, state or local committee of a political party or an officer of a partisan political club or a candidate for nomination or election to any public office or take any part in the management or affairs of any political party or in any political campaign, except on his or her personal time. Employees may exercise their right as citizens privately to express opinions and to cast votes; provided, however, that nothing in this section shall prohibit any person in the Classified Service from serving out the term of a party office to which he/she had been elected at the time this chapter goes into effect. Any employee in the Classified Service may engage in political action or political activities on personal time before and after work, on holidays and during leave approved by the Director for a period not to exceed one hundred twenty (120) days. Any officer or employee covered by this rule who violates any of the foregoing provisions of this section shall forfeit his/her office or position. However, nothing in this provision shall be construed to deny any employee his or her rights to associate or be represented by any organization of his or her choosing nor shall an employee be denied his or her right to petition his or her city, county, state, or national government.
- e) No person in the employment of the City, whether classified or unclassified, shall be denied the right to participate in city, county or state political activities to the same extent as any other citizen of the State of Alabama, including endorsing candidates and contributing to campaigns of his or her choosing.
- f) All persons in the employment of the City shall have the right to join political clubs and organizations and state or national political parties.
- g) All persons in the employment of the City shall have the same right to publicly support issues of public welfare, circulate petitions calling for or in support of referendums, and contribute freely to those of his or her choosing on their own personal time.
- h) No person shall attempt to use his or her official authority or position for the purpose of influencing the vote or political action of any person. Any person who violates this subsection shall be guilty of a felony punishable in accordance with Alabama law.

- i) No person in the employment of the City whether classified or unclassified, shall use any state, county, or City funds, property or time, for any political activities. Any person who is in the employment of the City shall be on approved leave to engage in political action or the person must be on personal time before or after work and on holidays. It shall be unlawful for any officer or employee to solicit any type of political campaign contributions from other employees who work for the officer or employee in a subordinate capacity. It shall also be unlawful for any officer or employee to coerce or attempt to coerce any subordinate employee to work in any capacity in any political campaign or cause. Any person who violates this section shall be guilty of the crime of trading in public office and upon conviction thereof, will be punished in accordance with Alabama law.
- j) Any employee of the City, whether classified or unclassified, who qualifies to seek a political office with the governmental entity with which he or she is employed, shall be required to take an unpaid leave of absence from his or her employment, or use accrued overtime leave, or use accrued vacation time with the City from the date the employee qualifies to run for office until the date on which the election results are certified, or the employee is no longer a candidate, or there are no other candidates on the ballot. For purpose of this subsection, the term "employing authority" means the City Council for City employees. Any employee who violates this section shall forfeit his or her employment position with the City. In no event shall this section apply to elected officials.
- k) When off duty, out of uniform, and acting as a private citizen, no law enforcement officer, firefighter, or peace officer shall be prohibited from engaging in City political activity or denied the right to refrain from engaging in political activity so long as there is compliance with this section.

RULE 10

SEXUAL HARASSMENT AND WORKPLACE VIOLENCE

10.1 Sexual Harassment Policy

Harassment of any kind is unacceptable and will not be tolerated in City employment. Harassment can come from many sources and even from outside the agency, i.e., managers, supervisors, co-workers, clients, vendors, suppliers, delivery drivers, sales representatives, etc. According to the EEOC, sexual harassment is defined as:

- Any unwelcome sexual advances
- Requests for sexual favors, and
- Verbal or physical conduct of a sexual nature when:
 - submission to this conduct is made either explicitly or implicitly a term or condition of an individual's employment,
 - submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual and
 - such conduct creates an intimidating, hostile work environment.

There are two types of sexual harassment:

- A. Quid pro quo – this phrase basically means “something for something, (for example, a supervisor promises to give an employee a pay raise, promotion transfer, etc in exchange for some sexual favor, or possibly the employee is passed over for promotion, not given a pay increase because the employee did not agree to the sexual favor.
- B. Hostile work environment – Comments or conduct based on sex, sexually orientated materials or other offensive materials is considered harassment when they reasonably interfere with an employee's work

Each employee must use his/her own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of harassment include, but are not limited to:

- Verbal: Repeated sexual innuendos, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;
- Visual: Non-Verbal: Derogatory posters, cartoons or drawings, suggestive objects or pictures, graphic commentaries, leering or obscene gestures; sending sexually related materials via e-mail, letters, etc
- Physical: Unwanted physical contact, including touching, interfering with an individuals' normal work movement or assault; and
- Other: Making or threatening reprisals as a result of a negative response to harassment or harassing actions.

Any employee found to be guilty of harassment will be disciplined as appropriate, up to and including termination of employment. The recipient of harassing conduct must assume responsibility for informing the alleged violator that the conduct is unwelcome. Any employee who wants to report harassment should promptly contact his or her supervisor and file a written complaint. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Director, department head, or any supervisory or management official with whom the employee feels comfortable speaking concerning the complaint. No employee will be required to make a complaint to any management official who is the subject of that complaint. The facts of each complaint will be investigated and appropriate discipline, if warranted, will follow. Harassment grievances shall follow the procedures specified in Rule 7 of the Personnel Rules.

Alternatively, an employee with a complaint of harassment may use the Director's open door policy to file a complaint.

10.3 RETALIATION

Retaliation against any individual reporting workplace discrimination or harassment or participating in an investigation of such report is prohibited. In addition, retaliation against an employee utilizing military leave, or Family and Medical Leave, or filing a claim for workers' compensation, is also prohibited. It is the policy of the City to investigate any such reports of retaliation.

10.4 WORKPLACE VIOLENCE. POLICY

The City recognizes that workplace violence is a growing concern among employers and employees across the country. The City is committed to providing a safe, violence-free workplace and strictly prohibits employees, consultants, customers, visitors, vendors, or anyone else on the premises or engaging in business on the premises from behaving in a violent or threatening manner. All staff shall acknowledge in writing that they have received and read this policy and that they understand it. As part of this policy, the City seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity toward violence even prior to any violent behavior occurring. The City believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs, and has established procedures for responding to any situation that presents the possibility of violence.

I. Workplace Violence Defined.

A. Workplace violence includes:

1. Threats of any kind;
2. Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others, bullying and aggressive horseplay.
3. Other behavior that suggests a propensity toward violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of public or private property, or a demonstrated pattern of refusal to follow policies and procedures, whether such acts are oral, written, through electronic, facsimile or other form of communication;
4. Defacing office or other public or private property or causing physical damage in the workplace;
5. With the exception of sworn law enforcement officers, bringing weapons or firearms of any kind into the workplace. Employees should ask their supervisor if they are uncertain as to what items are considered weapons.

II. Reporting

A. If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, customer, consultant, visitor, vendor or anyone else, he or she should immediately report such events to his/her immediate supervisor. If the supervisor is the offending party, the employee may go up the chain of command to any other supervisor or the Director. If the event requires immediate attention, 911 should be called.

B. Further, employees should notify their supervisor if any restraining order is in effect, or if a potentially violent non-work related situation exists that could result in violence in the workplace.

III. Investigation

A. All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the department head will inform the reporting individual of the results of the investigation. To the extent possible, the identity of the reporting employee and of the investigation will be

kept confidential, if possible, but may need to be disclosed in appropriate circumstances, for example, in order to protect individual safety. The City will not tolerate retaliation against any employee who reports workplace violence. Employees should be aware that incidents of workplace violence may result in the filing of criminal charges. Law enforcement authorities should be notified to determine what laws, if any, may have been violated.

IV. Corrective Action and Discipline

Appropriate corrective action will be taken and any offending employee will be disciplined. The discipline will depend on the particular facts but may include written or oral warnings, probation, reassignment of responsibilities, suspension, or termination. The department head or appointing authority may direct the employee to participate in professional counseling as a condition of employment. If the violent behavior is that of a non-employee, the City will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.

10.5 Zero Tolerance for Violence

In summary, any behavior that may contribute to violence in the workplace, or an atmosphere of threatened violence will not be tolerated. Every reasonable action will be taken by the City to protect employees. Violators will be subject to disciplinary action and, when appropriate, the City will engage law enforcement authorities. Employee actions on City properties that may lead to immediate dismissal include:

1. Using, possessing, or concealing a weapon if it is not authorized;
2. Threatening, intimidating, using abusive language, displaying inappropriate temper, aggressive touching; or
3. Fighting or starting a fight;

10.6 Unauthorized possession and or use of firearms or other weapons including knives, explosives or other dangerous materials on City property (other than such possession and/or use as may be required of law enforcement personnel in the line of duty) or any other violation of the City's Workplace Violence Policy is prohibited. No firearms are permitted when posted signs forbid them (Act 2013 – 283).

RULE 11

EMPLOYEE BENEFITS

- 11.1 General Statement. The City provides monetary benefits that are considered part of the employee compensation package. Where a benefit is provided in accordance with law and/or a group insurance policy (contract), the provisions of such law and/or policy (contract) will govern if a conflict should exist between the information provided herein and such law and/or policies. Employees should contact the Insurance Office in City Hall if additional or specific information is needed concerning a City benefit.
- 11.2 Workers' Compensation. An employee who is absent from work due to bodily injury or occupational illness incurred in the line of duty, may receive workers' compensation benefits in accordance with the Code of Alabama (1975). When an employee is injured on the job, the supervisor in coordination with the department head will ensure that medical treatment, as required, is provided by City approved doctors and medical facilities.
- 11.3 Injury Report. Any employee who is injured in any manner or degree while on duty or serving in the line of duty shall immediately notify his/her supervisor of such injury. A report of all on-the-job injuries (Employer's First Report of Injury Form) must be completed by the injured employee's department and submitted to the City Insurance Office within twenty (24) hours following such injury (or the next business day). The Insurance Analyst is responsible for administration of the workers' compensation program and for preparing and issuing to department heads guidelines for effective administration of the program in their departments.
- 11.4 Modified or Light Duty. The City is not required to create light duty positions for its employees. The City may temporarily provide employees with modified or light duty when they are unable to perform their regular duties, subject to the availability of positions within the City.
- 11.5 Life and Accidental Death Plan. All classified employees who work at least thirty (30) hours per week are eligible to be covered under this plan thirty (30) days from the employee's date of employment. Each employee will be required to complete during an initial orientation those necessary forms to designate beneficiaries. The City pays the premium. The death benefit will be paid whether the employee is on-duty or off-duty from the work site. Upon separation, an employee may convert such coverage to an individual policy in accordance with the terms and conditions of the group policy. Employees should review the insurance book for more information.
- 11.6 Health Plan. Generally, all classified employees who work at least thirty (30) hours in a work week are eligible under the employee group health insurance. New eligible employees may be covered by the City's group health plan by completing a written application for such coverage. Such coverage will become effective thirty (30) days from the date of hire. If an employee refuses health coverage the employee must show proof of coverage as required by the Affordable Care Act. If an employee does not apply for coverage within this time period and later wishes to apply for coverage, the coverage will not become effective until the carrier gives written consent for such coverage or during the open enrollment period (September). All eligible employees may select either single coverage, or single plus one coverage, or family coverage to include eligible dependents. The City will pay a percentage of cost associated with single coverage; the employee will be responsible for the costs associated with coverage for the employee's family. COBRA is also available for departing employees. For further details employees should contact the Insurance Office.

- 11.7 Alabama State Retirement System (RSA). The City provides to all eligible employees a retirement benefit that is managed by the Alabama State Retirement System. This is a dual contributory system where both the City and the employee make contributions to the employee's retirement account. Participation in this retirement system is mandatory if an individual is employed in a position that is eligible for coverage and is employed in a non-temporary capacity on at least a one-half time basis (20 hours/week) and earning at least the federal minimum rate. If an employee has ten (10) years or more of vested service with the City, he or she is eligible to receive retirement benefits.

Upon termination of employment from the City, employees may elect to withdraw retirement contributions. Employees may contact the insurance office for further information

- 11.8 Deferred Retirement (RSA-1). This is an optional individual retirement plan offered through The Retirement System of Alabama that is pre-taxed. The City does not match funds on this account.

RULE 12

RECORDS AND REPORTS

PURPOSE. The Human Resources Department maintains all personnel records that are necessary for the proper administration of the City's personnel system. This policy provides guidance regarding whom to contact.

- 12.1 Personal Status Change. An individual employee and his/her supervisor are **required** to keep the Department informed of any changes in personal status. Department heads are **required** to submit this information immediately to the HR so that central files can be updated.

Any change in employee name, address, telephone number, emergency contact number, marital status, insurance beneficiary, tax, number of dependents, etc. should be reported immediately. Any birth or death in an employee's family or change in marital status may affect the employee's income tax withholding or the rates of the employee's medical or dental insurance. An employee may add dependents to his/her medical, dental, and life insurance policies if the Insurance Office is notified within thirty (30) days of the date such dependents become eligible. Designated beneficiary changes can be made at any time and are required to be reported to the Insurance Office. Employees should contact the Insurance Office for assistance and clarification of benefits. It is important in emergency situations that current information is available.

- 12.3 Forms and Supplies. The Department will prepare and make available such forms, blanks, and other record-keeping materials necessary for the maintenance of required personnel records and reports.

- 12.4 Confidentiality. There are authorized City employees who, by virtue of their position, work with certain sensitive personnel records and other privileged information of importance about other employees or the general public. These employees must not use this privileged information for their own advantage or provide this privileged information for their own advantage or information to anyone who should not have access to it. Each employee is charged with the responsibility of ensuring that information released to others is done solely to promote orderly and efficient business operations. Violations of this section shall be considered just cause for disciplinary action.

- 12.5 VEHICLES. No city employee may operate a vehicle, personal or city owned, on any city property unless the employee has current driver's license and valid liability insurance for his/her personal vehicle. All city drivers must be insurable. Any violation of this provision may result in disciplinary action up to and including termination for the first offense.

RULE 13

SAFETY, ACCIDENTS, INJURIES AND INSURANCE

- 13.1 General Provisions. The purpose of this procedure is to establish policies governing safety and the reporting of accidents and injuries, and procedures for submitting workers' compensation and insurance claims. The City seeks to provide a safe working environment for all employees.

Each employee is expected to obey safety rules and to exercise caution on all work activities. Employees must immediately report any unsafe or unhealthy conditions, including buildings and grounds managed by the City and any on-the-job related injury or illness to their supervisor.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should notify their supervisor immediately.

Safety and Loss Prevention. The safety of City employees is considered one of the primary obligations of the City. The primary objectives of the City's safety program is the prevention of accidents and fatalities both on and off the job and the prevention of property damage and lost job time. The Department coordinates with City departments to assist department heads in the enforcement of the City's safety policies.

- 13.2 Safety Plan Coverage. The City of Selma Safety Program provides coverage for all employees. All employees are expected to attend quarterly safety meetings within their own department and/or central safety meetings held by the Personnel Department.

Policy Implementation. It is the responsibility of the department heads and supervisors to continuously monitor their work environment to:

- a. Orient new employees;
- b. Communicate all safety procedures and rules;
- c. Observe workplace behavior; and
- d. Take disciplinary action against any employee who violates safety rules or procedures.

It is the responsibility of the Safety Coordinator to provide guidance, implement safety training programs and develop appropriate procedures for all departments.

Violations will subject an employee to disciplinary action regardless of whether the incident was willful.

Employees are responsible for their own safety and are expected, before starting any job, to satisfy themselves that the job can be performed safely under existing conditions. Employees must not take unnecessary chances or permit associates to do so. Each employee is responsible for complying with departmental rules and regulations. Employees should inform their co-workers and supervisors of any known safety hazards or unsafe conditions.

Negligence: Employees are expected to conduct all job duties in a safe working manner in order to prevent property damage and/or personal injury due to their own negligence.

13.3 Supervisory Responsibility.

General. Department heads and supervisors are responsible for enforcing the City's safety manual for safeguarding the lives and health of the individuals under their supervision and for the prevention of loss, damage and destruction of City property.

Training. Supervisory employees are particularly responsible for the training, performance and behavior of employees under their supervision.

Discipline. Prompt disciplinary action shall be administered whenever a department head or supervisor determines that an employee has violated procedures outlined within the City's safety manual and/or neglected required safety practices, deliberately disobeyed safety rules or, through unsafe acts, endangered his/her own safety and/or health or safety of others.

13.4 City Vehicles Accident Procedures

Whenever any City vehicle is involved in an accident the employee shall:

- i. Notify the police immediately;
- ii. Notify his/her supervisor;
- iii. Keep the scene and vehicle (s) intact if possible until the police arrive;
- iv. Give his/her name, address, license number and registration for the City vehicle to any other party involved;
- v. Volunteer no further information.

13.5 Supervisor's Report. The employee's supervisor shall obtain all necessary information from the employee and/or other knowledgeable individuals and submit a Supervisor's Accident report to the appropriate department head. The department head shall review the report and forward it to the City Clerk's Office within twenty-four (24) hours after the accident or the next business day if on a weekend.

13.6 No Smoking Policy. The purpose of the no smoking policy is to ensure compliance with all City and state ordinances related to smoking. Violators of this policy may be subject to disciplinary action. Smoking is prohibited in all City buildings, vehicles, offices or any other interior space. (City Ordinance #105-04/05)

Reasonable Distance. Smoking is prohibited within reasonable distance of forty-five (45) feet outside an enclosed area where smoking is prohibited, so as to ensure that tobacco smoke does not enter the area through entrances, windows, ventilation systems, or other means.

12.6 ID Badges Policy

The City of Selma is committed to providing a safe workplace for all employees. This policy serves the dual purpose of readily identifying city employees and other authorized personnel while providing measured protection against unauthorized personnel and intruders from entering certain work areas. These measures can be effective if there is active cooperation and compliance at all times.

Employee badges shall be worn in plain sight. ID badges will be requested by and issued by department heads to their employees. Badges are the property of the City and are to be returned upon separation from the City.

Employees should not (a) lend their badges to anyone (b) make copies of your badge. If you lose or damage your badge, notify your department head.

RULE 14

DRESS CODE

- 14.1 General Statement. Good grooming and appropriate dress reflect employee pride and inspire confidence. The purpose of the dress code policy is to ensure safety and promote a professional image of the City and its departments. While the City recognizes the employees' right of freedom of expression, the City expects all employees to dress appropriately in the workplace. Employees in doubt about the appropriate attire should ask their supervisor.

Department heads shall have the right to prescribe certain reasonable standards of dress and appearance of their employees. The standards may be established to ensure the safety of employees, to maintain an appearance of neatness and cleanliness among employees, or to further other purposes related to conducting city business.

Department heads who wish to establish a department dress code are encouraged to consult with a Human Resources Department representative. Dress codes must be communicated to all employees.

- 14.2 GENERAL GUIDELINES: (All work days - Affects all employees)

- A. Clothing should fit in such a manner that it does not expose the abdomen, too much cleavage, or buttocks
- B. A reasonable standard of dress rules out any extreme in dress, accessories, fragrances, hair styles, clothing, and jewelry. Hair should not be loose to dangle in such a way that it creates a safety hazard.
- C. Clothing should be free of sexually related references, foul language or language or symbols that suggest or promote the use of illegal drugs.
- D. Body piercing jewelry may be worn only in the ear. No other areas of the body should be visible with body piercing jewelry.
- E. Tattoos, if visible, must be appropriate in content and in keeping with a professional image.
- F. Employees must not wear tank tops, halter tops, beachwear, shorts, bib overalls, too tight or revealing pants, spandex or other form fitting pants, work-out attire, thongs or slippers, distracting, offensive or revealing clothes in the workplace.

RULE 15

TRAVEL REIMBURSEMENT POLICY & REQUIREMENTS

15.1 GENERAL POLICY STATEMENT

The City is committed to ensuring that employees who are required to travel on official duty are provided with appropriate levels of accommodations, travel and financial assistance.

All pre-paid travel or travel to be reimbursed by the City must be pre-approved by the Mayor. Employees must submit a travel request addressed to the Finance Department and the Mayor within a reasonable time prior to the date of travel. All requests should include:

- Dates of departure and return;

- Destination;

- An estimate of the cost;

- Purpose of trip with documentation as to the business nature of the trip.

Any travel expenses incurred without prior approval of the Mayor will not be reimbursed.

Under this policy, city employees will be reimbursed per State approval on mileage, which changes periodically. When change occurs notification is e-mailed to the Finance Department.

RULE 16

PURCHASING

- 16.1 GENERAL STATEMENT. The City has a centralized Purchasing Division. The Purchasing Division is the authority for all material, service, construction and supply purchases. No purchases shall be made without a properly authorized purchase order, unless purchased with petty cash or the City's purchasing card.

PURCHASE ORDER PROCEDURES

- A. Before requesting a purchase order, department heads should check their budget to verify that the amount requested is unencumbered and that the said purchase would be under the Y-T-D percentage allowable for that month.
- B. If the purchase is an emergency, the purchase order request should be brought to the City Clerk's Office (with a copy of the attached quote when possible). All information should be filled out with as much description as possible. The best possible price for the best quality products should be sought.
- C. If the purchase is not an emergency, it should be placed in the City Clerk's mailbox in the City Clerk's Office.
- D. If the purchase is a specialty item, departments should initiate a quote.
- E. When a purchase order is submitted to the City Treasurer's Office, it will be double-checked for available funds by the City Treasurer to determine if the item or service is included in the budget and the funds are available. If positive, a purchase order number can then be assigned by the City Clerk's office..

Reminder: It remains the responsibility of the department head to keep an accurate account of spending.

For those businesses or individuals who desire to do business with the City, information is available through the City Clerk's Office.

RULE 17

INTERNET USAGE POLICY

1. Introduction

The City's computer systems allow access to resources and services through Internet connectivity. This section formally defines the City's official policy regarding Internet usage, and all Internet users are expected to be familiar with and to comply with this policy.

For the purposes of this policy, the Internet is defined as a worldwide "network of networks" using Transmission Control Protocol/Internet Protocol (TCP/IP) for communication and/or Modem connectivity.

1.1 Purpose

The City is committed to preventing the occurrence of inappropriate, unethical, or unlawful behavior by any of the users of its computing systems and telecommunications networks. These responsibilities are not only mandated by the City's business interests but by legal and ethical obligations concerning the welfare and privacy of its citizens and business partners. This *Internet Usage Policy* and its strict enforcement are important and necessary components of the overall usage strategy.

1.2 Scope

The scope of this policy includes the following information:

- Internet Services
- Resource usage
- Expectation of privacy
- City image
- Contacts for usage issues and questions
- Periodic reviews

The components outlined in this document focus on issues associated with the City's computers, routers, terminal servers, and other devices that support access to the Internet. The *Internet Usage Policy* applies to all Internet users (individuals working for the City, including regular and part-time employees, contract workers, temporary agency workers, business partners, vendors and citizens who access the Internet through the computing or networking resources. The City's Internet users are expected to be familiar with and to comply with this policy, and are also required to use their common sense and exercise their good judgment while using Internet services.

1.2 Consequences of Violations

Violations of the *Internet Usage Policy* will be documented and can lead to revocation of system privileges and/or disciplinary action up to and including termination.

Additionally, the City may at its discretion seek legal remedies for damages incurred as a result of any violation. The City may also be required by law to report certain illegal activities to the proper enforcement agencies.

2. Usage Threats

Internet connectivity presents the City with new risks that must be addressed to safeguard the City's vital information assets. These risks include:

2.1 Inappropriate Use of Resources

Access to the Internet by personnel that is inconsistent with City business needs results in the misuse of resources. These activities may adversely affect productivity due to time spent using or "surfing" the Internet. Additionally the city may face loss of reputation and possible legal action through other types of misuse.

2.2 Misleading or False Information

All information found on the Internet should be considered suspect until confirmed by another reliable source. There is no quality control process on the Internet, and a considerable amount of its information is outdated or inaccurate.

3. Internet Services

Access to the Internet will be provided to users to support City business activities and only on an as-needed basis to perform jobs and professional roles.

3.1 User/Internet Services

Internet access is to be used for City business purposes only. Capabilities for the following standard Internet services will be provided to users as needed:

- *Email* – Send/receive Email messages to/from the Internet (with or without document attachments).
- *Navigation* – WWW services as necessary for City business purposes, using a hypertext transfer protocol (HTTP) browser tool.
- *File Transfer Protocol (FTP)* – Send data/files and receive in-bound data/files, as necessary for City business purposes.
- *Telnet* – Standard Internet protocol for terminal emulation. User Strong Authentication required for Internet contacts into the City.

The Mayor's Office reserves the right to add or delete services as City business needs change or conditions warrant. All other services will be considered unauthorized access to/from the Internet and will not be allowed.

3.2 Request & Approval Procedures

Internet Access will be provided to users to support City business activities and only as needed to perform work duties.

3.2.1 Request for Internet Access

As part of the Internet access request process, all employees are required to read this *Internet Usage Policy*. Users must sign the statement (located on the last page of this document) stating that they understand and agree to comply with the policies. Users not complying with these policies may be subject to disciplinary action up to and including termination.

Policy awareness and acknowledgement, by signing the acknowledgement form, is required.

Before access to the Internet via City computer equipment is approved, the potential Internet user is required to read this *Internet Usage Policy* and sign an acknowledgement form (located on the last page of this document). The signed acknowledgement form should be turned in and will be kept on file. For questions on the Internet Usage Policy, contact the Information Technology (IT) Department.

3.2.2 Approval

Internet Access and/or a City E-mail account is requested by the user or user's department head by submitting, to the IT Department, a copy of a signed Internet Usage Coverage Acknowledgment Form. This form must be approved by the employee's supervising department head or responsible party for non-employee, the IT Department and the Mayor's Office. See Section 6 for an Internet Usage Policy acknowledgment Form. Access User ID's and initial passwords will be provided directly to the user.

The signed form will be kept on file by the Personnel Department. In addition, all outside organizations under contract with the City will be required to include in their contract their agreement to adhere to the restrictions on Internet use and information dissemination as set forth in this policy. Privileges granted to users who are not City employees must be granted for periods no greater than 180 days or the length of the temporary contract (not to exceed one (1) year). As needed, users who are not City employees must have their privileges re-authorized by the sponsoring department head prior to expiration of the currently filed Internet Usage Policy Acknowledgement Form on file for that person.

3.2.3 Removal of Privileges

Internet access and City E-mail Accounts will be discontinued upon termination of the employee, completion of contract, end of service of non-employee, or disciplinary action arising from violation of this policy. In case of a change in job function and/or transfer, the original access code will be discontinued, and only re-issued if necessary and a new request for access is approved.

All user IDs that have been inactive for thirty (30) days will be revoked. The privileges granted to users must be reevaluated by the department heads and the Mayor's Office annually. In response to feedback from either the user's department head or the Mayor's Office, systems administrators must promptly revoke all privileges no longer needed by users.

4. Usage Policies

4.1 Resource Usage

Access to the Internet will be approved and provided only if reasonable City business needs are identified. Internet services will be granted based on an employee's current job responsibilities. If an employee moves to another City department or changes job function, a new Internet access request must be submitted within five (5) days.

User Internet access requirements will be reviewed periodically by City departments to ensure that continuing needs exist.

4.2 Allowed Usage

Internet usage is granted for the sole purpose of supporting City business activities necessary to carry out job functions. All users must follow this policy and exercise good judgment in using the Internet. Questions can be addressed to the IT Department.

Acceptable use of the Internet for performing job functions might include:

- Communication between employees and non employees for City business purposes;
- IT technical support downloading software upgrades and patches;

- Review of possible vendor websites for product information;
- Referencing regulatory or technical information;
- Research.

4.3 Personal Usage

Using City computer resources to access the Internet for personal purposes, without approval from the user's department head and the IT Department, may be considered cause for disciplinary action up to and including termination.

All users of the Internet and/or city e-mail accounts should be aware that this usage is periodically reviewed.

Users who choose to store or transmit personal information such as private keys, credit card numbers or certificates or make use of Internet "wallets" do so at their own risk. The City is not responsible for any loss of information, such as information stored in the wallet, or any consequential loss of personal property.

4.4 Prohibited Usage

Blogging, accessing social networking sites (Facebook, Twitter, Craig's List .etc), Streaming Radio and Instant Messaging (IM) activities are prohibited at all times when using City provided computer equipment and/or City provided Internet connectivity services.

Acquisition, storage and dissemination of data which is illegal, pornographic, or which negatively depicts race, sex or creed is specifically prohibited.

The City also prohibits the conduct of a business enterprise, political activity, engaging in any form of intelligence collection from City facilities, engaging in fraudulent activities, or knowingly disseminating false or otherwise libelous materials.

Other activities that are strictly prohibited include, but are not limited to:

Accessing City information that is not within the scope of one's work - this includes unauthorized reading of citizen information, unauthorized access of personnel file information, and accessing information that is not needed for the proper execution of job functions.

Misusing, disclosing without proper authorization, or altering citizen or personal information. This includes making unauthorized changes to a personnel file or sharing electronic citizen or personnel data with unauthorized personnel.

Deliberate pointing or hyper-linking of the City's website to other Internet/www sites whose content may be inconsistent with or in violation of the aims or policies of the City.

Any conduct that would constitute or encourage a criminal offense, lead to civil liability, or otherwise violate any regulations, local, state, national, international law including without limitations US export control laws and regulations.

Use of transmission duplication, or voluntary receipt of material that infringes on the copyrights, trademarks, trade secrets, and or patent rights of any person or organization. Assume that all materials on the Internet are copyrighted and/or patented unless specific notices state otherwise.

Transmission of any proprietary, confidential, or otherwise sensitive information without the proper controls is strictly prohibited.

Creating, posting, transmitting, or the voluntary receipt of any unlawful, offensive, libelous, harassing material, including but not limited to comments based on race, national origin, gender, sexual orientation, age, disability, religion, or political beliefs.

Any form of gambling.

Unless specifically authorized under the provisions of Section 4.3, the following activities are also strictly prohibited:

- Unauthorized downloading of any shareware programs or files for use without authorization in advance from the IT Department and the user's department head.
- Any ordering (shopping) of items or services on the Internet.
- Playing of any games.
- Forwarding chain letters.
- Participation in any on-line contest or promotion.
- Acceptance of promotional gifts

Bandwidth to connect to the Internet is a shared, finite resource. Users must make reasonable efforts to use this resource in ways that do not negatively affect other employees. The IT Department may ban the downloading of particular file types.

If employees have questions about acceptable use, they should contact the IT Department.

4.5 Software License

The City strongly supports strict adherence to software vendors' license agreements. When at work, or when City computing or networking resources are employed, copying of software in a manner not consistent with the vendor's license is strictly forbidden. Questions regarding lawful versus unlawful copying should be referred to the IT Department for review or, to the Legal Department for the purpose of requesting a legal opinion.

Similarly, reproduction of materials available over the Internet must be done only with the written permission of the author or owner of the document. Unless permission from the copyright owner(s) is first obtained, making copies of material from magazines, journals, newsletters, other publications and online documents is forbidden unless it is both reasonable and customary. This notion of "fair use" is in keeping with international copyright laws.

4.6 Expectation of Privacy

4.6.1 Monitoring

Users should consider their Internet activities as periodically monitored and conduct their activities accordingly.

The Mayor's Office reserves the right to examine Email, personal file directories, web access, and other information stored on City computers, at any time and without notice. This examination ensures compliance with internal policies and assists with the management of City information systems.

4.6.2 Email Confidentiality

Users should be aware that clear text Email is not a confidential means of communication. The City cannot guarantee that electronic communications will be private. Employees should be aware that electronic communications can, depending on the technology, be forwarded, intercepted, printed, and stored by others. Users should also be aware that once Email is transmitted it may be altered. Deleting an Email from an individual workstation will not eliminate it from the various systems across which it has been transmitted.

4.7 Maintaining City Image

4.7.1 Representation

Users are prohibited from creating a blog as a representative of the City and/or that represents any activity of the City.

When using City resources to access and use the Internet, users must realize they represent the City. Whenever employees state an affiliation with the City, they must also clearly indicate that "the opinions expressed are their own and not necessarily those of the City". Questions may be addressed to the IT Department.

4.7.2 City Materials

Users must not place City material (examples: internal memos, press releases, product or usage information, documentation, etc.) on any mailing list, public news group, or similar service. Any posting of materials must be approved by the Mayor's Office and the IT Department and will be placed by an authorized individual.

4.8 Periodic Reviews

4.8.1 Usage Compliance Reviews

To ensure compliance with this policy, periodic reviews will be conducted. These reviews will include testing the degree of compliance with usage policies.

4.8.2 Policy Maintenance Reviews

Periodic reviews will be conducted to ensure the appropriateness and the effectiveness of usage policies. These reviews may result in the modification, addition, or deletion of usage policies to better suit City information needs.

5. References

5.1 Points of Conduct

If employees need assistance regarding Internet usage, they should contact the IT Department.

6. Internet Usage Coverage Acknowledgement Form

After reading this policy, employees must sign the coverage form and submit it to the Department for filing. A copy of the signed form will be forwarded to the IT Department for filing. These acknowledgement forms are subject to internal audit.

By signing the acknowledgement on the next page, the individual requesting Internet access through City computing resources acknowledges receipt of and compliance with the *Internet Usage Policy*. Furthermore, the individual also acknowledges that he/she read and fully understood this policy before signing the form.

ACKNOWLEDGEMENT

I have read the *Internet Usage Policy*. I understand the contents, and I agree to comply with the said *Policy*.

City of Selma
City Hall
222 Broad Street
Selma, AL 36702

For City Purpose

Employee Full Name (Please Print) _____ Date: _____

Employee Department _____

Employee Signature _____ Date: _____

Department Head Signature _____ Date: _____

IT Department Signature _____ Date: _____

Mayor Signature _____ Date: _____

RULE 18

USE OF PERSONAL CELL CITY CELL PHONES/LANDLINES AND USE OF AUDIO RECORDING DEVICES POLICY

18.0 Definition. Cell phone: Commercial wireless phone service (mobile, cellular, or digital).

18.1 Personal Cell Phone Use and Personal Use of City Office Telephones

The City recognizes that occasionally there may be times when personal calls must be made or received during business hours on City office telephones. While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of the City's office telephones.

Your workplace is a professional environment. You are not being paid to handle personal affairs during working hours. Excessive use/abuse of this policy will be subject to disciplinary action.

Excessive personal calls during the workday (including texting), regardless of the type of phone used, can interfere with employee productivity and be distracting to co-workers, clients and the public. Employees are encouraged to make personal calls on non-work time where possible and to ensure that friends and family members are aware of the City policy.

The City will not be held liable for the loss of personal cellular phones brought to the workplace.

18.2 City-Provided Cell Phone Policy. This policy affects employees whose work duties require them to use a cell phone and/or associated wireless service for City business, and they have received proper authorization to use a City-disbursed cell phone as outlined in a subsequent section of this policy. All equipment purchased remains the property of the City. Employees in possession of City equipment are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. When calls exceed the number of pooled minutes approved for the City's new cell phone plan, any overages will be assessed to the employee.

18.3 City-Supplied Cell Phone Usage.

Eligibility for cell phone: The cell phone must be approved by the employee's supervisor if, at least, one of the following criteria is met:

- a) The job requires considerable time outside the office (travel, meetings, conferences, etc.) and use of an electronic device facilitates the effective maintenance of business operations while away.
- b) The job requires the employee to be immediately accessible to receive and/or make frequent business calls outside of working hours.
- c) Job duties away from the office may expose the employee or others to immediate harm or danger (i.e., visits to homes of clients).

18.4 Employee Responsibility.

- a) Comply with state and municipal laws regarding the use of cell phones while driving and prevent cell phone use that jeopardizes employee safety.

- b) Acknowledge that cell phone transmissions are not necessarily secure and employees should use discretion in relaying confidential information over cell devices.
- c) Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result in such actions.

18.5 Cell Phone Use While Driving

An employee who uses a City-supplied device or a City-supplied vehicle is prohibited from using a cell phone, hands on or hands off, or a similar device while driving, whether the business conducted is personal or City-related. This prohibition includes receiving or placing calls, text messaging, surfing the internet, receiving or responding to email, checking for phone messages, or any other purpose related to employment; the City; City customers; City vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the City; or any other City or personally related activities not named herein. Use of City-owned vehicles, or devices for personal use is discouraged.

18.6 Technical Support - is provided by service providers to users of digital devices.

The IT Department will keep records regarding all approved City-provided cell phones. Any changes to this policy will be authorized by the IT Department.

18.7 Video or Audio Recording Devices

The use of camera phones or other audio or video recording capable devices within the City may constitute not only an invasion of employees' privacy, but may breach confidentiality of City trade secrets or other protected information. Therefore, unless authorized due to the nature of the employee's particular position, the use of camera or other video-capable recording devices within the City is prohibited without the expressed prior permission of management and of the person(s) present at the time. This prohibition includes restrooms and locker rooms, and other areas that may be specified.

18.8 EMPLOYEES WHO VIOLATE ANY OF THE ABOVE POLICIES WILL BE SUBJECT TO DISCIPLINE, UP TO AND INCLUDING EMPLOYMENT TERMINATION.

18.9 Special Responsibilities for Managerial Staff

As with any policy, management staff is expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

RULE 19

DRUG AND ALCOHOL ABUSE AND TESTING POLICY FOR THE CITY OF SELMA, ALABAMA

SECTION 1. Program Objective

The City is committed to the highest standards of safety, integrity and professionalism in its work, and for this reason does not condone abuse of any illegal substance by employees. The nature of the City's work mandates behavior that inspires the highest degree of confidence by the public. The use of illegal drugs and the abuse of other controlled substances or alcohol, on or off duty, is inconsistent with law-abiding behavior and is a threat to the safety of others and efficiency of job performance and work of the City. This policy is intended to create and maintain a safe working environment free of the use and effects of drugs and alcohol, to protect City property, equipment and operations, and to provide for the welfare of citizens of the City and its visitors.

SECTION 2. Drug Usage (Alcohol) and Testing Policy for the City of Selma:

The City has a Zero -Tolerance policy as it relates to employees using, selling or being involved in alcohol and drugs. This means that an employee is encouraged to voluntarily seek help via the Department before being found in violation of this policy. Such request must be unrelated to drug or alcohol testing of the employee (whether already conducted or scheduled) or (b) the request must not be made during a pending investigation of prohibited drug or alcohol use by the employee.

Therefore, employees having a medical dependence on alcohol may apply for medical assistance and be accorded appropriate leave for medical treatment. Employees who voluntarily seek such treatment shall not be subjected to disciplinary action on the first occasion of seeking such medical assistance. Subsequent requests for leave will be reviewed on a case by case basis and may, at the discretion of the City, be the subject of disciplinary action, including termination.

Employees in their non-working hours shall not consume alcohol to the extent that the consumption renders the employee unfit for work upon their next scheduled shift. Employees of the City in their non-working hours shall not consume alcohol to the extent that the consumption adversely affects their reputation, health or continued job fitness.

Employees, except for police officers consuming alcohol pursuant to a specific duty such as undercover investigations, are prohibited from consuming alcoholic beverages while on duty, and are prohibited from consuming alcohol within a time frame prior to reporting to duty in which there is insufficient time for the consumed alcohol to dissipate. Employees of the City shall not, while on duty, be under the influence of alcohol.

Failure to submit to testing shall constitute a violation of this policy as well as the basis for additional disciplinary action.

ZERO TOLERANCE - Employment Discharge

Zero -Tolerance policy includes the following violations:

1. Being at work under the influence of alcohol, or the use or possession of alcohol on City premises.¹
2. Being at work or in any workplace under the influence of drugs (except for the proper use of lawful prescription drugs).
3. The manufacture, distribution, dispensation, possession, sale or purchase of any controlled substance or the abuse of any other drug.
4. Positive test results for alcohol, controlled substances or unauthorized prescription drugs.
5. Failure to report to the City, no later than the beginning of the next work day after any arrest, for violation of any criminal drug statute.
6. Failure to report to the City within five (5) days any conviction (including "nolo contendere" plea) for violation of a criminal drug or alcohol statute, which occurs in the workplace, during work hours or while representing the City at any location.
7. Conviction (including "nolo contendere" plea) for violation of a criminal drug or alcohol statute, which occurs in the workplace, during work hours or while representing the City at any location.
8. Failure or refusal to satisfactorily complete a drug or alcohol abuse program.
9. Failure or refusal to sign forms consenting to drug or alcohol testing.
10. Refusal to consent to, or cooperate with, a drug or alcohol test; or
11. Attempt to alter, falsify or interfere with a drug or alcohol test.

SECTION 3. Drug and Alcohol Testing:

1. Job Applicant Testing

Applicants for safety-sensitive, law enforcement and firefighter job classifications shall undergo a drug and alcohol screening after receiving a conditional offer of employment.

2. Reasonable Suspicion Testing

Employees will be drug and/or alcohol tested if a supervisor has a reasonable suspicion that a violation of any aspect of the City's policy has occurred.

3. Random Testing

Random testing will be performed on all employees in law enforcement, fire, and safety sensitive classifications as determined by the Director. At a minimum, the random drug and alcohol-testing program shall cover all positions as required by applicable federal regulations. A current listing of positions to be random tested is maintained in the Human Resources Office. Unannounced random testing may also be conducted at least annually for a two-year period as a follow-up where employees are returned to work following drug or alcohol rehabilitation.

¹"Premises" includes all City vehicles and all locations where employees may be at work other than on City property.

4 Post Accident Testing

Testing will be required of all employees involved in a work-related accident causing personal injury, property damage, or equipment damage.

5 Return-to-Work Testing

Testing may be required of all employees in safety sensitive, law enforcement and firefighter job classifications upon return to duty after an extended work absence. "Extended Absence" shall be absence of more than thirty (30) calendar days but may be changed by policy amendment by the Director.

SECTION 4. The following testing procedure will be followed by the City

Random Screening for Law Enforcement, Fire and Safety Sensitive Classifications:

1. Employees/applicants shall be selected by a scientifically valid random process to be tested on a quarterly basis, (four (4) times per year). Employees/applicants will be instructed to report to a designated area either within the department or to a specified location, along with a designated staff member of the department. Testing shall include but not limited to: Amphetamines, Cocaine, Opiates, Benzodiazepine, Marijuana, and creatinine on all non-Dot screenings and PCP, Amphetamines Opiates Marijuana Cocaine, Ecstasy, Heroin, Creatinine in accordance with the U.S. Department of Transportation.

2. Employees/applicants (D.O.T. and non D.O.T) shall be alcohol screened at a minimum of 5% - 10% of the average number of employees subject to testing requirements. The employees/applicants will be informed of the results of the alcohol screening upon completion of the screening test. If the screening shows evidence of a detectable alcohol concentration, a confirmation test will be performed. If an alcohol level of 0.02 or higher is verified in the confirmation test; test is positive, and the employee/applicant will not be allowed to leave the testing site until alcohol is no longer detectable. Under the influence of alcohol shall be defined for the purposes of this policy as a blood/alcohol content of .02%

a) "Random Testing" of all employees in classifications subject to random testing shall be from a common selection pool. The Social Security number of each employee shall be assigned a unique random selection number. Once the unique selection numbers have been assigned they will be used for selection without any correlation to actual name. Through use of a random number generator or random number table, such as that found in the "Random Drug Testing Manual" published by the Federal Transit Administration, the required number of persons shall be selected for each cycle throughout the year.

b) All eligible employees shall always remain in the random selection pool, regardless of whether or not they have been previously selected for testing.

c) Specimen collection for random testing should be conducted on different days of the week throughout the work cycle and should be evenly distributed throughout the year.

d) No supervisor shall notify an employee that he or she will be random tested until the employee arrives for work. The supervisor shall schedule personnel to fill-in as needed for random tested employees on the day of specimen collection.

e) If an employee is absent from work on the day scheduled for random testing, no specimen will be collected but the employee will be placed on a special list maintained by the Personnel Department and will be tested within thirty (30) days.

3. In addition to a stated refusal by an employee to submit to a test, the following behavior will be considered as a refusal: a) failure to provide adequate urine for a controlled substance test without medical explanation; b) conduct that clearly obstructs the testing process; and c) leaving the testing site prior to providing a sample.

Post Accident Testing: If an alcohol test is not administered within two (2) hours of an accident, or if a controlled substance test is not administered within thirty-two (32) hours of an accident, the department head shall prepare (maintain a copy) records explaining why the test was not conducted and provide same to the designated employee representative/Director. A test will not be given if not administered within eight (8) hours after the accident for alcohol or within thirty-two (32) hours for controlled substances. Tests conducted by the authorized federal, state or local officials will fulfill post-accident testing requirements, provided they conform to applicable legal requirements and are obtained by the designated employee representative/Director. The breath test will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations.

Reasonable Suspicion: If an alcohol test is not administered within two (2) hours of a determination of reasonable suspicion, the department head shall prepare (maintain a copy) a record explaining the reason the test was not administered. Attempts to conduct the alcohol test shall terminate after eight (8) hours. A supervisor or other official who makes observations leading to a controlled substance reasonable suspicion test shall make a written report of his/her observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Any supervisor who has reasonable articulable suspicion that an employee is under the influence of alcohol or drugs may direct the employee to report to the Human Resource Department for an authorized testing facility. Circumstances which constitute a basis for determining "reasonable suspicion" may include but are not limited to: a) odor of alcohol or similar to an alcoholic beverage on the employee's breath or about his person; b) observable events while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse; c) any physical characteristics about the employee that are typical of a person under the influence, or information that the employee has recently consumed an alcoholic beverage or controlled substance; d) abnormal conduct or erratic behavior while at work or a significant deterioration in work performance; e) evidence that an individual has tampered with any substance abuse test during his or her employment with the City; g) Information that an employee has caused or contributed to an accident while at work; h) evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on City premises of the employer or while operating a City vehicle, machinery, or equipment.

The circumstances which give rise to reasonable suspicion may vary for different departments or occupations.

The City shall detail in writing the specific facts, symptoms or observations which formed the basis for the determination that reasonable suspicion existed to warrant the testing of an employee. This documentation shall be forwarded to the Human Resources Department within two (2) working days and shall be made available to the employee upon request.

Only the Mayor, department heads, the Director, or other official appointed in writing by the Mayor, may authorize reasonable suspicion testing.

The City of Selma uses Dallas County Court Services –Specialty Laboratory (DCCSSL) as its Testing Facility.

Upon arrival at the facility, the employee (or applicant for a safety sensitive position) must provide proper picture ID. If unavailable the identity of the individual must be verified by the accompanying member of the department.

Dallas County Court Services –Specialty Lab (DCCSSL) will complete a Drug Testing Custody and Control Form on each employee (or applicant for a safety sensitive position). The employee (or applicant for a safety sensitive position) will be instructed to read the certification statement and verify name, date of birth and telephone number. After verification, the certification must be signed and dated..

The department's staff/or DCCSSL will continuously observe the employee/applicant while at the specimen collection site and will serve as the urine donor validator. The employee/applicant will be required to remain inside a specified location accompanied by the department's staff and/or a DCCSL staff member until such time as he/she can provide a specimen.

Reporting on all non-DOT will take approximately twenty-four (24) hours unless a specimen requires further confirmation, which will result in an additional ninety-six (96) hours before reporting. All Department of Transportation (i.e, CDL) screenings will be sent off site for verification and will report within ninety-six (96) hours.

Effective 8/25/08, DOT Urine Specimen Collection Guidelines: Observed collections required rather than optional for all return-to-duty and follow-up drug testing.

The department head, Director or designated person will maintain all files and rosters pertaining to the Drug Screening Program in a confidential manner. Test results from employees/applicants for each department will remain confidential unless a consent form for release is signed by the employee/applicant. Information with reference to the identity of employees/applicants tested and the results of such tests will only be released by the Director.

SECTION 5. Supervisor Training

The City shall develop a program of training to assist supervisory personnel in identifying drug and alcohol use among employees. Such training will be directed towards helping supervisors recognize the conduct and behavior that gives rise to a reasonable suspicion of drug or alcohol use.

SECTION 6. Drug Free Awareness Program

There shall be an on-going drug free awareness program coordinated by the Department to inform employees about the dangers of drug abuse in the workplace; the City's policy of maintaining a drug free workplace; the availability of drug counseling, rehabilitation, and treatment programs in the community; and the penalties that may be imposed upon employees for drug abuse violations.

SECTION 7. Notice of Policy

The City shall provide written notice of its drug and alcohol testing policy to all current employees and future job applicants. The notice shall contain the following information:

- The need for drug and alcohol testing;
- The circumstances under which testing may be required;
- The procedure for confirming an initial positive drug test result;
- The consequences of a confirmed positive test result;
- The consequences of refusing to undergo a drug and alcohol test;
- The right to contest or explain a positive drug test result to a certified medical review officer and/or the City within five (5) days of receipt of written notice of the positive result;
- The right to appeal procedures;
- The availability of drug abuse counseling and referral services; and
- The provisions of Sections 1 and 2 of this policy.

SECTION 8. CONSENT

Before a drug and alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting release of test results to those City officials with a need to know. The consent form shall provide space for employees/applicants to acknowledge that they have been notified of the City's drug testing policy.

The consent form shall also set forth the following information:

- The procedure for confirming the initial positive test result;
- The consequence of a confirmed positive test result;
- The right to explain a confirmed positive test result and the appeal procedures available; and
- The consequence of refusing to undergo a drug and alcohol test.

SECTION 9 Refusal to Consent: Applicants

A job applicant, under this program, who refuses to consent to a drug and alcohol test will be denied employment with the City.

SECTION 10. Refusal to Consent: Employees

An employee who refuses to consent to a drug and alcohol test, under this program, will be considered insubordinate and will receive the same discipline as an employee with a positive test result.

SECTION 11. MRO Procedure

If a test confirms a positive result, the Medical Review Officer ("MRO") shall notify the employee/applicant. The MRO, after consultation with the employee, shall determine if the test should actually be classified as a positive result or negative result if proper medical reason can be found. Only those tests determined to be positive by the MRO shall be referred to the City for further action.

An employee/applicant with a confirmed positive test result for drugs may, at his/her own expense, have an additional test conducted on a split sample at an approved laboratory. This test must be conducted within thirty (30) days from the date notifying the employee/applicant of the results of the confirmed positive test.

If there is a confirmed positive test result that may have been the product of prescription or over the counter medication, the employee/applicant shall be permitted to present to the MRO satisfactory evidence of the medicine taken.

SECTION 12. Consequences of a Confirmed Positive Test Result: Applicant

Job applicants, with a confirmed positive test result, will be denied employment with the City. Applicants shall be informed in writing if they are rejected on the basis of a confirmed positive drug or alcohol test result.

SECTION 13. Consequences of a Confirmed Positive Test Result: Employee

An employee with a positive test result is subject to being discharged. No disciplinary action will be taken against employees who qualify for voluntary rehabilitation.

SECTION 14. Opportunity for A Due Process Hearing

If an employee's test is positive, a hearing will be held under the City's due process procedure. The employee may be placed on administrative leave with pay until after the hearing and decision.

SECTION 15. General Rules

All property belonging to the City is subject to inspection at any time without notice to employees because employees have no expectation of privacy when using City property. Property includes, but is not limited to, City-owned vehicles, desks, containers, files and storage lockers. The employee's supervisor or another senior City official may inspect an employee's assigned locker (that is locked by the employee).

An employee who has a reasonable basis to believe that another employee is using drugs or alcohol in violation of this policy shall report the facts and circumstances immediately to his/her supervisor.

DEFINITION OF TERMS

BOARD or THE BOARD.

The Personnel Board created by act of the City Council.

CERTIFICATION.

A submission of names of eligibles from a re-employment list, a promotional list, or an eligible register to a department head for the purpose of filling a position in the classified service.

CLASS or CLASS OF POSITIONS.

A group of positions in the Classified Service sufficiently similar with respect to duties, responsibilities and authority so that the same descriptive title may be used to identify all positions allocated to the class and the same requirements as to education, experience, capacity, knowledge, proficiency, ability and other qualifications will be required of the incumbents. Additionally, the group of positions must be sufficiently similar so that the same tests of fitness may be used to choose qualified employees and the same schedule of compensation can be made to apply with equity.

CLASSIFICATION.

The assigning of a position to the appropriate class in accordance with its duties, responsibilities, and authority.

COUNCIL OR CITY COUNCIL

The City Council of the City of Selma.

DIRECTOR

The Human Resource Director created by the act of the City Council.

ELIGIBLE

A person whose name is on a re-employment, or promotion list, or on an eligible register.

ELIGIBLE REGISTER

A record containing the names of those persons who have successfully completed prescribed tests, listed and ranked in order of their final earned average from the highest to the lowest and are considered qualified for original appointment to positions in the class for which the test was held.

EMPLOYEE or APPOINTEE

Persons in the Classified Service herein set up and appointed by a department head, unless herein specifically excepted.

MAYOR

The Mayor of the City of Selma, Alabama.

PAY GRADE

The specific pay range as set forth in the Pay Plan for a classification.

PAY STEP

The specific pay rate within a pay range as set forth in the Pay Plan.

POSITION

Any job or set of duties in the Classified Service requiring the full-time or part-time employment of one (1) person in the performance and exercise thereof.

PROBATIONARY EMPLOYEE

An employee appointed to a regular position from a re-employment list, promotion list or eligible register who has not completed the required probationary period.

PROMOTION

An advancement from one (1) class to another related occupational class with increased duties and/or responsibilities and for which a higher rate of pay is prescribed.

PUBLIC HEARING

A meeting of the Board, open to the public, where any citizen, taxpayer, or party at interest may appear and be heard subject to such rules and regulations as may be fixed by the Board.

PUBLIC NOTICE ANNOUNCEMENTS

A written notice placed upon the bulletin board maintained at or near the entrance to the office of the Board in a place accessible to the public during business hours.

PUBLIC RECORDS

A record which the public shall have the right to inspect in a reasonable manner during ordinary business hours.

QUALIFICATIONS

The minimum experience, educational, physical and personal requirements determining the eligibility of an applicant for examination.

RE-EMPLOYMENT LIST

A list containing the names of persons formerly occupying positions in the Classified Service who have been separated from the Classified Service and who are entitled to preference in appointment to vacancies in positions.

REGULAR EMPLOYEE

An employee who was appointed under the provisions of the Personnel Rules to a regular position and who has completed the required probationary period.

REGULAR POSITION

Any position in the Classified Service which has required or which is likely to require the full-time services of an incumbent without interruption for a period of more than six (6) months.

SEASONAL POSITION

Any position in the Classified Service which is not permanent but requires or is likely to require the services of an incumbent at certain parts of each year, only at recurring annual or other periods.

SERIES

A sub-division of a group consisting of two (2) or more classes of positions similar as to line of work but differing in responsibility and/or difficulty which constitute steps in a normal line of promotion.

SPECIFICATIONS

A formal statement descriptive of a position containing:

A title and class;

A descriptive of the duties and/or responsibilities thereof; and

The minimum qualifications required of applicants therefore as to education, experience, physical ability and other attributes.

TEMPORARY POSITION

Any position in the Classified Service which is not permanent but which requires or is likely to require the services of an incumbent for a period of six months or less.

TESTS

Written and/or oral examinations and/or other methods established by rules and regulations of the Board and/or the Director as herein provided, to determine the merit, efficiency, and general fitness of applicants for positions.