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CITY ADMINISTRATOR'S OFFICE MEMO
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To: Mayor and City Council

From: City Administrator, Kim Downs

Date: December 14, 2018

RE: **Employee Policy Manual Update-2018**

There are guidelines and policies set as to the expectations that we have as a city and those of an employee may have of the city. The last time we did a complete review of our employee policy manual was in 2010. Throughout the past 8-years we have updated/revised sections of our handbook based on legislative rule and regulation changes or because of internal processes such as reimbursement for fitness reimbursement.

While it is not possible to list all every situation or circumstance it is important to conduct a review of those policies and expectations periodically. Prior to the City Clerk Kelly Kornegor's departure, she worked with Amy Reasner, a labor and employment law attorney with Lynch Dallas. They had completed a review and finalized the necessary updates to the appropriate sections of the policy while condensing areas where there were duplications. A summary of those revisions is attached.

Ms. Reasner will be in attendance to briefly go through the changes recommended and the reasons as to why. City Attorney Mark Parmenter has been a part of the process and is familiar with the recommended changes.

As always, I am available for any questions you may have prior to the meeting. The review process has taken months to complete and we appreciate your consideration to this matter.

Kim

DRAFT

RESOLUTION NO. 18-

RESOLUTION AMENDING 2010 EMPLOYEE POLICY MANUAL UPDATING IN ITS ENTIRETY AND DELETING THE 2010 PART-TIME/TEMPORARY/SEASONAL EMPLOYEE POLICY MANUAL

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, to amend the 2010 Employee Policy Manual updating in its entirety and deleting the 2010 Part-Time/Temporary/Seasonal Employee Policy Manual as shown in Exhibit "A".

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 19th day of December, 2018.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kari Graber, Deputy City Clerk

Exhibit "A"

City of Hiawatha 2018 Employee Policy Manual

Summary of Key Changes

Overall	
Deletion of temporary, seasonal and part-time employee manual	Incorporated throughout Policy Manual.

Section I – Introduction	
Equal Employment Opportunity	Substantially revised.
Employment Eligibility Verification	Moved to Section II.
License and Certifications	Moved to Section II.
Employment of Relatives	Moved to Section II.

Section II – Wage and Salary Administration	
Employment Classification	Added language providing that employees returning from a layoff within 365 days will maintain their original anniversary date; added language providing that part-time employees are not eligible for benefits; added classification for Temporary / Seasonal Employees; added provision for reduction in force.
Age Requirements	Added provision regarding FLSA regulations for minor employees.

Section III – Employment / Work Rules	
Hours	Added provision that paid breaks shall not be stacked or combined.
Overtime Pay, Compensatory Time Off, and Flex Time	Reorganized, clarified requirement that overtime hours be pre-approved, and added provision that employees should discuss a flex-time arrangement with their supervisor.
Breastfeeding Policy	Removed provision stating that the City will provide policy information.
Compensation and Deductions	Moved to Section IX

Personnel File	Added provision permitting the City to charge employees regular copying fee for access to personnel file. Added new language regarding subpoenas and open records requests.
Physical/Mental Examinations	Added language congruent with ADA requirements.
Temporary Modified Duty	General revisions.
Life Threatening Diseases	Removed section.
Hazardous Substances in Workplace Program	Added information regarding hazard evaluation procedures, training, labels and nonroutine tasks; moved and expanded Safety Data Sheet information.
Bloodborne Pathogens	Added several sections regarding prevention, protection, training and response to bloodborne pathogens in accordance with OSHA requirements.
Use of Electronic Devices While Driving	Moved to independent subsection.
Restitution for Loss or Damage to City Equipment	Added provision stating that the City may require restitution to be paid from paycheck withholdings.
Dress Code	Added provision regarding religious or health-related accommodations.
Uniforms	Added a provision stating that the City may deduct cost of a lost uniform from an employee's last paycheck.
Conflict of Interest	Added section.
Political Activity / Solicitation	Added provision regarding solicitation of other employees.

Section IV – Promotions and Transfer

(No key changes.)

Section V – Employee Discipline / Termination

Employee Discipline	Substantially revised and supplemented provisions setting forth progressive discipline procedures.
Appeal of Disciplinary Action	Added independent subsection.
Grievance Procedures	Revised to a complaint procedure, moved to Section X.
Exit Interviews	Added provision stating that employee may choose not to participate in exit interview.
Post-Employment Reference Checks	Added provision distinguishing a good faith reference check from an open records request.

Section VI – Discrimination, Harassment, and Retaliation (NEW)	
Definitions	Added independent section and supplemented definitions.
Complaint and Investigation Procedures	Moved to Section X.
Supervisory Responsibilities	Added bullet regarding documentation.
Retaliation	Added new subsection.

Section VII – Workplace Violence (Relocated from Section VI)	
Prohibited Conduct	Substantially supplemented definition of stalking.
Supervisory Responsibilities	Added supervisory response section pertaining to workplace violence.
Complaint Procedures	Added subsection referencing Section X.
Retaliation	Added new subsection.

Section VIII – Drug Free Workplace / Drug Testing Policy	
Substance Abuse Policy and Testing Procedures	Substantially revised, reorganized, and supplemented.

Section IX – Electronic Communication Systems (NEW)	
Prohibited Communications / Uses	Supplemented list of prohibited uses; supplemented provision regarding use of recording devices.
Password Construction	Removed requirement that passwords be provided to City Clerk's office.
Agreement of Reimbursement for Using Personal Cellular Phone	Supplemented agreement to reflect quarterly reimbursement procedure.
Social Media Policy	Added policy.

Section X – Complaint Resolution / Internal Investigation Procedures (Relocated from Sections VI and VII)	
Definitions	Added independent definitions section
Complaint Procedure	Substantially revised and supplemented general complaint procedure previously located in former Sections VI and VII

Investigation Procedure	Added independent subsection for investigation procedure; revised and clarified procedures.
Retaliation	Added independent section prohibiting retaliation for use of complaint resolution process.
Complaint Form	Inserted copy of employee complaint form.

Section XI – Benefit Policies	
Vacation Policies	Added provision stating that involuntarily terminated employees will not be paid for earned but unused vacation.
Bereavement Leave	Added provision exempting part-time employees.
Immediate Family Illness Days	Added provision exempting part-time employees.
Jury or Witness Duty	Added section clarifying that personal court proceedings do not qualify for leave.
Termination Pay	Added accumulated sick leave between 720 and 960 hours to the list of included pay.
Business Travel	Relocated from former section VII.
Group Health Benefit	Added provision exempting part-time employees.
Life, Disability, and Accidental Death	Added provision exempting part-time employees.
Continued Education	Revised conditions for qualifying travel time.
Tuition Assistance	Added provision exempting part-time employees.

Appendix	
Personal Protective Equipment Policy	Supplemented provisions for eye / face protection and foot / leg protection in accordance with OSHA regulations.