



EMPLOYEE HANDBOOK

PERSONNEL POLICIES, AND GUIDELINES

VERSION 1.2.2023

CITY OF TOWANDA, KANSAS

110 S. 3RD, TOWANDA, KS 67144 . 316-536-2243 . WWW.CITYOFTOWANDA.COM

ORDINANCE NO. 709

AN ORDINANCE TO ESTABLISH VERSION 1.2.2023 OF THE EMPLOYEE HANDBOOK AS THE PERSONNEL POLICIES AND GUIDELINES FOR THE CITY OF TOWANDA, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Towanda, Kansas.

Section 1. Establishment and Modifications of the Personnel Policies and Guidelines of the City of Towanda, KS.

- (a) Version 1.2.2023 of the Employee Handbook Shall be Established as the Personnel Policies and Guidelines of the City of Towanda, KS.
- (b) These personnel policies and guidelines repeal and replace *Chapter 1, Article 4. Personnel and Employee Benefits* of Towanda City Code.
- (c) Modifications to these personnel policies and guidelines shall only be made by ordinance of the Governing Body of the City of Towanda, Kansas.

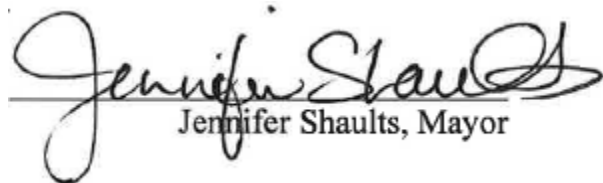
Section 2. Availability


- (a) Copies of the Employee Handbook: *Personnel and Policies Guidelines Version 1.2.2023* and all its subsequent modifications shall be kept on file at the offices of the City Attorney.
- (b) Copies of any version of the Employee Handbook: *Personnel Policies and Guidelines* shall be made available at City Hall upon request.

Section 3. This Ordinance shall take effect upon its passage and publication in the City's official newspaper.

Passed the Governing Body of the City of Towanda this

11th day of January 2023.


Jennifer Shaults, Mayor

ATTEST

Andrew Newbrey, City Clerk

Index

[Article A. General](#)

- A-1. Policies Established
- A-2. Application of Policies
- A-3. Departmental Guidelines
- A-4. Personnel Records
- A-5. Amendment of Policies
- A-6. Appointment
- A-7. Employees
- A-8. Removal
- A-9. Disability Accommodations Policy

[Article B. Position Classifications](#)

- B-1. Objectives and Purpose
- B-2. Job Descriptions
- B-3. Pay Range Plan
- B-4. Maintenance of the Classification Plan

[Article C. Recruitment and Promotion](#)

- C-1. Definitions
- C-2. Recruitment
- C-3. Qualifications for Employment
- C-4. Promotion
- C-5. Employment-Eligibility Verification
- C-6. Advertisement of Job Openings

[Article D. Compensation](#)

- D-1. Pay Plan
- D-2. Pay Increases
- D-3. Performance Evaluations
- D-4. Pay on Termination
- D-5. Overtime Work
- D-6. On-Call and Called-Out Policy

[Article E. Attendance and Leave](#)

- E-1. Attendance
- E-2. Hours of Work
- E-3. Meal Breaks and Rest Breaks
- E-4. Breast Feeding
- E-5. Holidays
- E-6. Vacation Leave
- E-7. Sick Leave
- E-8. Maternity Leave
- E-9. Funeral Leave
- E-10. Injury Leave
- E-11. Military Leave
- E-12. Civil Leave

- E-13. Family and Medical Leave
- E-14. Other Leave
- E-15. Domestic Violence and Sexual Assault Leave
- E-16. Request for Leave
- E-17. Credits for Paid Leave
- E-18. Shared Sick Leave

[Article F. Other Employee Benefits](#)

- F-1. Retirement – OASDI Benefits
- F-2. Retirement – KPERs Benefits
- F-3. Retirement Date
- F-4. Workers’ Compensation Benefits
- F-5. KPERs Death and Disability Benefits
- F-6. Unemployment Compensation
- F-7. Life Insurance
- F-8. Health Care Program
- F-9. Continuing Education Policy
- F-10. YMCA Membership

[Article G. Voluntary Separation](#)

- G-1. Resignation
- G-2. Reinstatement

[Article H. Sexual and Workplace Harassment Policy](#)

- H-1. Definitions
- H-2. General Policy
- H-3. Complaint Procedure
- H-4. Review of a Harassment Complaint
- H-5. Appeal of the Decision
- H-6. Record of a Harassment Complaint
- H-7. Non-retaliation

[Article I. Political Activity](#)

- I-1. Political Activity

[Article J. Outside Employment](#)

- J-1. Outside Employment

[Article K. Workplace Safety](#)

- K-1. General Safety
- K-2. Workplace Violence
- K-3. Substance Abuse Policy
- K-4. Weapons

[Article L. Telecommunications](#)

- L-1. Telecommunications Policy
- L-2. Social Media Policy

[Article M. Travel](#)

M-1. Travel Policy

[Article N. City Issued Credit Card](#)

N-1. Credit Cards

[Article O. Residency](#)

O-1. Residency

[Article P. Conflict of Interest](#)

P-1. Conflict of Interest

[Article Q. Infectious Disease Policy](#)

Q-1. Purpose

Q-2. Infectious Disease Defined

Q-3. Remote Work Locations

Q-4. Infectious Control Measures

Q-5. Employee Leave and Pay

Q-6. Business Travel

[Appendix A. Forms](#)

Confirmation of At-Will Employment

Oath/Affirmation Form

Employment Evaluation Form

Gym Membership Reimbursement Request Form

[Appendix B. Veteran's Benefit Act](#)

**PERSONNEL POLICIES AND GUIDELINES,
CITY OF TOWANDA, KANSAS**

ARTICLE A. GENERAL

A-1. Policies Established. The following policies, guidelines, and other provisions for Personnel Administration in the City of Towanda, KS hereinafter referred to as City, are established to:

- (a) Promote and increase the efficiency and effectiveness of City service.
- (b) Develop a program of recruitment, advancement, and tenure that will make City service attractive as a career.
- (c) Establish and maintain a uniform plan of performance evaluation and compensation based upon the relative duties and responsibilities of each position to assure a fair and equitable wage or salary to all employees.
- (d) Establish and promote high morale among City employees by providing good working relationships, uniform personnel policies, and an opportunity for advancement without regard to race, color, sex, disability, religion, age, national origin, ancestry, genetic information, or sexual orientation.
- (e) Establish City employment and personnel policies. These policies and guidelines do not create contractual employment rights. *All employees are considered to be at-will employees for the purposes of City employment.*

A-2. Application of Policies. These policies and guidelines shall apply to all employees in the service of the City except elected officials.

A-3. Departmental Guidelines. The head of any City department may formulate in writing reasonable guidelines for the conduct of the operations of his or her department, such as those relating to safety or operational procedures, which shall be available to all departmental employees. Such department guidelines shall not be less stringent than, in violation of, or in conflict with any personnel guidelines adopted by the Governing Body.

A-4. Personnel Records. The City shall keep adequate records of all persons employed. The records shall include the employees': pay scale; time worked; accrued vacation and sick leave; all absences for vacation, sick, or other leave; accrued overtime; and all other records directed to be made and maintained under these policies and guidelines or under applicable state or federal law. An employee's personnel file shall be available during office hours for inspection by that employee.

A-5. Amendment of Policies. These policies may be amended from time to time in the same manner as they were adopted.

A-6. Appointment. At the first regular meeting in January of each year the mayor, by and with the consent of the council, may appoint a city clerk, city treasurer, municipal judge, fire chief, and such other employees and officers as may be deemed necessary for the best interest of the city. All such

appointments shall be entered in the journal of proceedings of the council. The duties and salaries of all appointed employees and officers shall be fixed by resolution.

A-7. Employees. The mayor shall have the authority to hire all other employees of the city who are not appointed under the provisions of Section A-6, or such authority may be delegated to the respective department heads.

A-8. Removal

(a) The mayor may suspend any appointed employee or officer, and such employee may be removed with the consent of the majority of **all** members-elect of the governing body in accordance with subsection (b).

(b) No employee shall be removed for any reason until he or she has been given notice and afforded the opportunity for a hearing.

A-9. Disability Accommodations Policy. The City complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, and all applicable state and employment practices. The City is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, the City will provide reasonable accommodation to disabled applicants and employees provide the reasonable accommodation that would allow the individual to perform the essential functions of the job unless doing so would create an undue hardship.

If you believe that you need an accommodation because of your disability, please contact the City Administrator who will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations.

If your disability or need for accommodation is not obvious, the City may ask you to provide supporting documents showing that you have a disability within the meaning of the ADA and applicable state or local laws and that your disability necessitates a reasonable accommodation. If the information provided in response to this request is insufficient, the City may require that you see a healthcare professional of the City's choosing, at the City's expense. In those cases, if you fail to provide the requested information or see the designated healthcare professional, your request for a reasonable accommodation may be denied.

The City expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting accommodation in good faith.

ARTICLE B. POSITION CLASSIFICATIONS

B-1. Objectives and Purpose. Position classification is a system of identifying and describing different kinds of work in the organization in order to permit equal treatment in employment practices and compensation. Each City position shall, on the basis of the duties, responsibilities, skills, experience, education, and training required of the position, be allocated to an appropriate class, which may include either a single position or two or more positions.

B-2. Job Descriptions. Each position shall have a concise descriptive title, a description of the essential and marginal functions and tasks of the position, and a statement of the qualifications for filling such positions. The Governing Body shall approve the descriptions and the City shall keep the descriptions on file in the office of the City Clerk to be available for inspection by any interested party during regular office hours.

B-3. Pay Range Plan. The Governing Body shall adopt a pay plan, with minimum and maximum amounts of pay for each class of position. The Governing Body shall periodically review and revise the pay ranges assigned to each class of positions.

B-4. Maintenance of the Classification Plan. It shall be the duty of each department head to report to the City Administrator, any and all organizational changes significantly altering or affecting changes in existing positions or proposed positions. The Governing Body shall approve all new or revised job descriptions and pay ranges for such positions.

ARTICLE C. RECRUITMENT AND PROMOTION

C-1. Definitions.

(a) *Full-Time Employee:* one employed to work a normal week of at least 32 hours on a regular and continuing basis. The work week shall begin on **Monday** and end on **Friday** except as otherwise provided in Section E-1.

(b) *Part-Time Employee:* one employed to work less than 32 hours per week on a regular and continuing basis.

(c) *Seasonal Employee:* one employed to work on a regular and/or recurring basis during a specific season or portion of a year.

(d) *Volunteer:* a non-paid individual in the position he or she holds. When acting as a volunteer, an individual is not an employee regardless of other City employment.

(e) *Termination:* the removal of an employee from City employment.

C-2. Recruitment. It shall be the policy of the City to provide fair and equal opportunity to all qualified persons to enter City employment on the basis of demonstrated merit and fitness determined by fair and practical methods of selection, without regard to race, color, sex, disability, religion, age, national origin, ancestry, genetic information, or sexual orientation.

C-3. Qualifications for Employment. All applicants for any position with the City shall meet the minimum qualifications established for that position. Each applicant shall complete a job application form. The City may require applicants for certain positions to satisfactorily complete a background check. All information obtained as a result of a background check will be used solely for employment purposes. A medical examination or other testing, including drug testing, may be required only after an offer of employment has been made, provided that, such exams or testing are required of all such applicants who are offered employment in similar positions or position classifications. Where required, the offer of employment is contingent upon the applicant passing the required tests. At the start of employment, each employee shall take an oath of office consistent with the requirements in K.S.A. 75-4308.

C-4. Promotion. It is the policy of the City to fill vacancies for supervisory, skilled, and upper-level positions from within the ranks of present employees whenever possible. All employees seeking promotion shall be expected to meet the minimum qualifications for the class in which they seek promotion. A medical examination or other testing, including drug testing, may be required only after an offer of promotion has been made, provided that, such exams or testing are required of all such employees who are offered promotions in similar positions or position classifications. The offer of a promotion is contingent upon the applicant passing required tests, when deemed necessary by the City Administrator.

C-5. Employment-Eligibility Verification. All employees hired for any position with the City shall complete an employment-eligibility verification statement in compliance with the federal Immigration Reform and Control Act of 1986.

C-6. Advertisement of Job Openings.

(a) When a job position is to be filled, the position may be advertised to the general public and, if deemed necessary, shall be advertised for a minimum of two weeks. In an emergency situation, the Mayor may appoint someone on a temporary basis during the advertising period.

(b) If the position is not an at-will position, or if the City creates a property interest through personnel policies, the City shall give a veteran preference for initial employment and first promotion if the veteran is competent to perform such services. If the veteran is not hired, the City, within 30 days of filing the position, shall send a notification of the rejection by certified mail or personal services. This notice shall inform the veteran of any administrative appeals available. [See Appendix B for an explanation of Veteran Preference]

ARTICLE D. COMPENSATION

D-1. Pay Plan.

(a) The City designates each employee as either exempt or nonexempt in compliance with applicable federal, state, and local law. Exempt employees are paid a fixed salary and are not entitled to minimum wage and overtime under the Fair Labor Standards Act. Nonexempt employees are entitled to overtime pay as described in D-5.

(b) The salary of each City employee shall be set annually by simple resolution, at least by the first regular meeting in January, at an amount within the pay range of the position class in which the employee is assigned. An employee's continued employment at the salary rate within his or her class assignment shall be contingent upon the provisions outlined in D-3.

(c) For hourly employees, the pay received shall be based strictly on actual time worked. There shall be no rounding or adjustment of time when calculating hours worked.

D-2. Pay Increases.

(a) Pay increases shall not be routine or automatic and are subject to approval by the Governing Body.

(b) Annual cost-of-living pay increases may be given as approved by the Governing Body.

(c) Subject to the approval of the Governing Body, the City Administrator may award a pay increase to an employee based on an annual performance evaluation submitted by the employee's immediate supervisor.

(d) Annual longevity pay may be given at the discretion of the Governing Body.

D-3. Performance Evaluations.

(a) Employee performance evaluations will be considered in determining the following employment matters: salary increases and decreases within the limits established in the pay plan, promotions, demotions, orders of layoffs, transfers, and termination.

(b) An evaluation of the performance of each Full-time and Part-time employee based on his or her duties and responsibilities shall be prepared by the employee's immediate supervisor at least annually. The evaluation shall be in writing. The supervisor shall evaluate at least quarterly, any employee who has received a poor performance rating. A sample employee evaluation is available in Appendix A.

(c) Evaluations, upon review by the supervisor and after the employee has had an opportunity to respond, shall be included in the employee's personnel file.

D-4. Pay on Termination.

(a) An employee, who is terminated from City employment, either voluntarily or involuntarily, shall receive his or her final paycheck on the first regularly scheduled payday following his or her termination.

(b) Terminated employees, and those employees who voluntarily terminate without giving a minimum of two-week notice, shall not be eligible to receive pay for any accrued benefits other than unused vacation.

D-5. Overtime Work.

(a) Compensation for authorized overtime work shall be at the rate of one and one-half times the employee's regular rate of pay.

(b) No person employed in an administrative, executive, or professional position, as defined by the federal Fair Labor Standards Act (FLSA), and who meets the salary threshold test of the FLSA, shall be eligible for overtime pay. These positions are defined as "FLSA - Exempt".

(c) All "FLSA - Non-Exempt" employees shall be eligible to receive overtime compensation for all hours worked in excess of the normal City work week (as defined in C-1).

(d) All overtime work must have prior authorization by the employee's department head and City Administrator. The department head shall maintain records of any overtime worked.

D-6. On-Call and Called-Out Policy. At times our maintenance staff will be asked to stand-by or be “On-Call” over the weekends in case of emergencies. If you are hourly, the pay schedule will be:

- a) **On-Call Time: Straight time just for being on call**
 - i) 1 hr Friday
 - ii) 2 hrs Saturday
 - iii) 2 hrs Sunday
 - iv) All straight time and does not create any overtime
- b) **Called-Out Time:** If an employee is on-call and **does** get called out, the time actually worked becomes “Called-Out Time.” Called-Out Time **can** become overtime
- c) **Called-Out to Help Time:** If an employee is not on call but help is needed and gets called out, that person will receive a minimum 2 hours of work time which **can** become overtime

Example 1: The employee has worked 40 hours, and is On-Call for the weekend but did not get called out:

Total Straight Time hours for the week = 45

Example 2: The employee has worked 40 hours, is On-Call for the weekend, and gets Called-Out for an emergency that takes 3 hours:

Total Straight Time hours for the week = 42

Overtime Hours = 3

Example 3: The employee has worked 40 hours; is NOT On-Call for the weekend but did get called out to help with an emergency that took 1 hour:

Total Straight Time hours for the week = 40

Total Overtime Hours = 2

D-7. Pay periods, Paydays. The City shall pay all employees bi-weekly on the Thursday following the last day of the previous pay period by check (or direct deposit should that service become available). Employees should review their paychecks and the accompanying information for errors. If you find a possible error, report it to the City Administrator immediately. The City will correct any errors, including any under or overpayment, as soon as possible.

ARTICLE E. ATTENDANCE AND LEAVE

E-1. Attendance. The City requires regular and punctual attendance from all employees. Employees who are going to be absent for a full or partial workday, or late for work, must notify their supervisor as far in advance as possible but at least one hour before the start of the workday. Employees who must miss work because of emergencies or other unexpected circumstances must notify their supervisor as soon as possible.

E-2. Hours of Work.

- (a) *General Employees.* The normal work week for general employees, which includes all employees, shall be 40 hours, consisting of five eight-hour days.

(b) *Normal Work hours.* No employee shall be permitted to work in excess of their normal work week except when so directed by the employee's department head or City Administrator.

(c) Nonexempt employees are required to record all hours worked, including any hours worked outside of their normal schedule.

(d) All city employees shall be obligated for the performance of their services at any off-duty time upon an emergency call from heads of departments and shall be compensated as provided in Article D-6.

E-3. Meal Breaks and Rest Breaks. All nonexempt employees who work more than four hours in a workday may take an unpaid meal break. Employees are entitled to a rest break of 15 minutes for every four hours of work. The time of the rest break, usually midmorning and mid-afternoon shall be determined by the employee's immediate supervisor. Meal breaks and rest breaks are intended to provide nonexempt employees an opportunity away from work. Nonexempt employees are not permitted to perform any work during meal or rest breaks. Employees are encouraged to take meal and rest breaks away from their work area. Any nonexempt employee who performs work during their meal break must document that time on their timecard.

E-4. Breast Feeding. For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. The City can designate an area for this purpose. Nursing mothers wishing to use this area or room must request/reserve the space by contacting City Administrator. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

A small refrigerator reserved for the specific storage of breast milk can be made available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering.

E-5. Holidays.

(a) The Governing Body shall declare which days shall be paid holidays for City employees. From time to time, and for certain special occasions, the Governing Body may by motion designate other days as special holidays on a one-time basis. As of this publication, these shall be the established holidays.

1. New Year's Day, January 1st
2. Memorial Day, The Last Monday in May
3. Independence Day, July 4th
4. Labor Day, The 1st Monday in September
5. Thanksgiving Day, the Fourth Thursday in November
6. The Friday After Thanksgiving Day
7. Christmas Eve, December 24th
8. Christmas Day, December 25th
9. Each employee will also receive one personal holiday to be scheduled with their immediate supervisor

(b) When a paid holiday falls on a Saturday or Sunday, the preceding Friday or following Monday may be declared a holiday by the City Administrator.

(c) Employees required to work on a City-observed holiday shall be granted an alternative day off or shall be compensated at one and one-half times their regular salary for the day.

(d) All full-time employees shall receive eight hours' pay for the established holidays in their appropriate pay periods.

(d) Part-time employees shall be paid only for City-observed holidays falling on days in which they would otherwise have been scheduled to work. The amount of such pay shall be equal to the wages they would have earned for the number of hours they would have been scheduled to work on that day. Seasonal and temporary employees shall not receive paid holidays.

(e) Hours paid for Holiday time shall not be included when calculating overtime pay.

(f) To be eligible to receive pay for a City holiday, an employee must not have been absent without leave either on the workday before or the workday after the holiday.

E-6. Vacation Leave. Vacation leave shall be earned beginning with the date of employment under the conditions hereinafter stated. An employee who works fewer than 12 days in any month shall not accrue vacation credit for such month of service; provided, this restriction of 12 days shall not apply if the employee has worked fewer than 12 days due to authorized vacation or sick leave. No employee shall be permitted to use vacation time for any period spent on unauthorized leave.

(a) *Full-Time Employees.* Full-time employees are entitled to paid vacation leave time according to the following schedule.

Years of Service	Hours of Vacation Per Year	Max Available with Carryover
1 st Year	Accrued at 1,538 Hours per Pay Period	
2 nd – 4 th	80 Credited on Anniversary Date	80
5 th – 9 th Year	80 Credited on Anniversary Date	120
10 th – 19 th Year	120 Credited on Anniversary Date	160
20 th & Every Year Thereafter	160 Credited on Anniversary Date	200

(b) *Part-Time Employees.* Part-time employees who work at least 20 hours are entitled to paid vacation leave time according to the following schedule.

Years of Service	Hours of Vacation Per Year
1 st Year	Accrued at .7692 Hours per Pay Period
2 nd Year & Every Year Thereafter	40 Credited on Anniversary Date

(c) *Other Employees.* Seasonal and temporary employees shall not earn vacation leave.

(d) *Scheduling.* The dates for the taking of vacation leave shall be scheduled in consultation with the employee's supervisor and department head. In cases where the requested vacation schedules of two or more employees would adversely affect the efficient operation of the City, vacation leave shall be granted on the basis of seniority of City employment.

(e) *Holiday During Vacation.* City holidays occurring during the taking of an employee's authorized vacation leave will not be counted as a day of vacation.

(f) *Minimum Hours.* Employees may use vacation leave in units of not less than one hour, subject to the approval of their supervisor.

(g) *90-Day Provision.* Vacation hours shall not be available for use until after the first 90 days of employment with the City.

(h) *Termination.* Upon termination, an employee shall be compensated for all unused vacation time at their final rate of pay, subject to the maximum hours of accumulation authorized in the schedule in Section E-6 (a) and (b).

E-7. Sick Leave. All exempt employees and full-time nonexempt employees, and part-time employees who are employed to work at least 20 hours or more per week, shall be entitled to sick leave with pay for absences resulting from illness, injuries, accidents, or other physical incapacities, occurring either on or off the job of themselves or a family member. A family member is defined as spouse, child, (including stepchild), parent (including stepparent), sister, brother, grandparents (including step-grandparents), mother or father-in-law, sister, or brother-in-law. No employee shall be permitted to use sick leave for any period spent on unauthorized leave. The provisions of the Family and Medical Leave Act may apply in some circumstances, please see E-13 below.

(a) *Amount of Sick Leave.* Exempt employees and full-time nonexempt employees shall earn 8 (eight) hours of sick leave for each month of service. Nonexempt part-time employees who are employed to work not less than 20 hours per week shall receive 4 hours of sick leave for each month of employment.

(b) *Computing Sick Leave.* Any absence for a fraction of a day that is chargeable to leave shall be charged in increments of not less than one hour.

(c) *Doctor's Certificate.* For sick leave in excess of three workdays, a department head or the City Administrator may require a signed statement from a healthcare provider verifying the employee's inability to perform his or her assigned duties because of illness.

(d) *Notification.* To be eligible for paid sick leave, an employee, or his or her representative, shall notify his or her immediate supervisor and give the reason for the absence no later than two hours before the beginning of the first workday in which sick leave is taken. This notification requirement may be waived by the employee's supervisor in extraordinary circumstances.

(e) *Abuse of Sick Leave.* An employee who improperly claims sick leave shall be subject to disciplinary action, including loss of pay or dismissal. Sick leave hours may not be used for

purposes other than the purposes outlined in this section. The City reserves the right to discipline employees who abuse this policy, for example, by: falsifying documents submitted to support leave; being untruthful about the reasons for requested leave; or repeatedly using paid sick leave immediately before or after weekends, City holidays, or vacations. The City reserves the right to request additional documentation to support repeated requests for leave on Mondays or Fridays; or for leave requests on either the end of a City holiday, a planned vacation, or other absence.

(f) *End Of Year Payout.* Sick leave may not be accumulated. In the first pay period of January of each year any sick leave unused in the previous year shall be paid out to the employee according to the following formula:

Unused Sick leave hours X .50 X Employees Current Rate = End of Year Payout

Example:

An employee has worked the full 12 months in the year

96 hours Sick Leave Earned – 16 hours Sick Leave Used = 80 hours

80 hours X .50 X \$15.50 (Employee's Current Rate) = \$620.00 End of Year Payout

\$620 to be paid out in the 1st pay period of January (Less appropriate withholdings.)

Due to our payroll system requirements, this End Of Year Payout will probably come as a distribution separate from one's regular paycheck.

E-8. Maternity Leave. An employee who becomes pregnant may claim and receive maternity leave in the same manner as provided for sick leave; the employee may also elect to use any accrued vacation leave to the extent such leave is available. An employee may also take leave without pay in the same manner as any other employee on leave without pay. If medical complications related to the pregnancy exist, the employee may, with the approval of the department head or the City Administrator remain on maternity leave until released by the employee's physician. The provisions of the Family and Medical Leave Act may apply in some circumstances (see E-13 below).

E-9. Funeral Leave. In the case of the death of a member of an employee's immediate family (to include only the spouse, children, mother, father, brother, sister, grandparents, or close relatives by marriage of the employee or employee's spouse), full-time and part-time employees shall be granted paid funeral leave not to exceed three consecutive working days.

E-10. Injury Leave.

(a) All injuries occurring on the job shall be reported as soon as possible to the employee's immediate supervisor.

(b) Any employee injured on the job shall be eligible to receive injury leave with pay during the seven-day waiting period for workers' compensation claims.

(c) When an employee receives compensation under the workers' compensation act, the pay he or she receives from the City, while an employee of the City, shall be the difference between his or her regular rate of pay and the amount he or she receives from workers' compensation.

E-11. Military Leave. The City recognizes and adheres to all applicable state and federal laws regarding leaves for uniformed service to the State of Kansas as well as the United States. Any employee who needs time off for uniformed service is to immediately notify his or her supervisor and the City Administrator, both of whom will provide a detailed explanation to the employee of his or her reemployment rights under K.S.A. 48-517 (governing members of the Kansas national guard, Kansas air national guard, and the Kansas state guard that are 'called or ordered to duty') and the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301 *et seq.*, covering persons performing duty, voluntarily and/or involuntarily in the U.S. Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, and Public Health Service commissioned corps.

Any employee, including full- and part-time, who notifies the City that he or she intends to return to Employment, once military service is completed, shall be eligible for military-leave benefits including:

- (a) Reinstatement of the veteran to the position he or she would have held if his or her employment had not been interrupted by military service provided one of the exceptions in 38 U.S.C. §4312(d)(1) have not been triggered;
- (b) Retention and accrual of benefits tied to seniority;
- (c) Continued health care coverage at the employee's expense; and
- (d) Continued participation in insurance and other benefits not determined by seniority to the same extent as employees granted other types of leave.

E-12. Civil Leave.

(a) *Civil Leave With Pay.* An employee shall be given necessary time off with pay (1) when performing jury duty, (2) when appearing in court as a witness in answer to a subpoena or as an expert witness when acting in an official capacity in connection with the City, (3) when performing emergency civilian duty in connection with national defense, or (4) for the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled hours of work.

(b) *Civil Leave Without Pay.* If an employee is involved in a personal lawsuit either as a plaintiff or as a defendant in an action not related to his or her duties with the City, the employee may take leave without pay unless he or she elects to utilize any accumulated vacation leave.

E-13. Family and Medical Leave. *[Required only if you employ 50 or more employees at the time the request for leave is made]*

(a) Upon request, any employee will be granted up to 12 weeks of unpaid family and medical leave during any 12-month period. Such leave will be available as the result of the birth, adoption, or placement of a child for foster care; to care for a spouse, child, or parent with a serious health condition; or due to an employee's disabling illness; or because of any qualifying exigency (as the Secretary shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. Where possible, employees are required to provide at least 30 days' notice before beginning to take leave. The employer may require any accrued paid vacation, sick, or personal leave of the

employee to be substituted for the 12 weeks of leave provided under this law. Any required use of accrued paid leave will run concurrently with family medical leave.

(b) Upon request, any employee will be granted up to 26 weeks of unpaid military caregiver leave during a single 12-month period to care for the serious injury or illness of a son, daughter, spouse, parent, or next of kin who is a member or veteran of the Armed Forces as defined in 29 CFR 825.122.

E-15. Domestic Violence and Sexual Assault Leave. The City will not discharge, or in any manner discriminate against, an employee who is a victim of domestic violence or sexual assault and who takes time off from work to obtain relief, including restraining orders and other injunctive relief. The employee must be permitted time off to seek medical attention, obtain services from domestic violence programs, or make court appearances related to domestic violence. The employee must give advance notice when feasible. The employee must also provide to the City certain documentation such as a copy of the police report or restraining order within 48 hours of returning from requested time off. The employee may use accrued paid leave or, if paid leave is unavailable to the employee, up to 8 days per calendar year of unpaid leave for these purposes.

E-16. Request for Leave. Except as provided in Section E-7 as to sick leave, and Section E-13 as to family leave, all leave must be authorized in writing by the employee's department head or *City Administrator*, prior to leave time being taken. A copy of each leave record, including records of sick leave taken, signed by the employee and department head, shall be maintained in the employee's personnel file.

E-17. Credits for Paid Leave. An employee while on paid sick leave, vacation leave, or other leave with pay shall continue to earn credit for sick leave and vacation leave, but no leave credit shall be earned by any employee while on leave without pay.

E-18. Shared Sick Leave. An employee who lacks sufficient earned sick leave to cover the period of absence because of temporary medical disability, including pregnancy, may be granted leave without pay, as described herein; however, with the approval of the City Administrator, any eligible employee may transfer up to 120 hours (3 work weeks) of *Vacation leave* to any eligible employee so long as the donating employee's *Vacation Leave* does not drop below 40 hours. All donors' and recipients' names shall be kept confidential. All requests for shared leave shall be made through the City Administrator. To receive shared sick leave recipient must be completely out of sick leave and vacation leave.

ARTICLE F. OTHER EMPLOYEE BENEFITS

F-1. Retirement—OASDI Benefits. All eligible employees of the City are under the federal OASDI social security system and receive the benefits of it in accordance with federal laws and guidelines. The cost of this benefit is paid equally by the City and the employee, with the employee contribution subject to payroll deduction.

F-2. Retirement—KPERs Benefits. All eligible employees of the City are members of the Kansas Public Employees Retirement System (KPERs) and receive the benefits of it in accordance with state laws and guidelines.

F-3. Retirement Date. The federal Age Discrimination in Employment Act shall be the policy for City

retirement.

F-4. Workers' Compensation Benefits. All employees of the City receive the benefits of the Kansas Workers' Compensation Act, in accordance with such laws and guidelines. The cost of this benefit is paid entirely by the employer.

F-5. KPERS Death and Disability Benefits. All employees who are contributing members of KPERS are eligible for the insured death and disability benefits provided by KPERS, which is supplemental to the regular KPERS benefits. The cost of this benefit is paid entirely by the employer. This insured death and disability benefit begin on the first day of employment.

F-6. Unemployment Compensation. All employees receive the benefits of the Kansas Employment Security (unemployment compensation) Act, in accordance with such law and guidelines. The cost of this benefit is paid entirely by the employer.

F-7. Life Insurance. In addition to the death benefits provided under OASDI and KPERS, the City makes available to each employee the option of purchasing group life insurance, administered by KPERS, on a payroll deduction basis. The cost of this additional life insurance is paid by the employee and varies with the options selected by the employee.

F-8. Health Care Program.

(a) All permanent full-time employees shall be eligible for the City's group health insurance program. A part-time employee shall be eligible for group health care insurance as of the date that the individual's employment status changes to full-time.

(b) The City shall pay for 100% of an employee's Single Coverage policy through the State of Kansas Employee Health Plan.

(c) The City and the employee shall each pay the appropriate portion of a Family Coverage policy as directed by the State of Kansas Employee Health Plan.

(b) When an individual employee is required to contribute because of participation in the City's group healthcare program, the amount of such contribution shall be a payroll deduction.

(c) All costs for healthcare insurance shall be paid by the employee during any period the employee: is on leave without pay; is on suspension without pay; is on unauthorized leave; or is participating in any unlawful work stoppage.

(d) Healthcare insurance coverage shall be extended to an individual who is temporarily disabled and drawing workers' compensation while serving as a City employee. The employee's share of the cost shall be deducted from any compensation payments. In the event no additional compensation is due, insurance may be extended at the option of the City.

(e) No employee shall be entitled to a cash payment in lieu of healthcare insurance coverage

(f) The City complies with those provisions of the federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA) relating to the extension of group health care plan coverage upon termination of City employment.

F-9. Continuing Education Policy. In an effort to assist the employees of the City increase their life skills in their field of work, the Governing Body wishes to assist the employee in their education by allowing the employee to work full time and continue education during their personal time.

(a) *Approval.* All continuing education reimbursements shall be subject to Council review and approval.

(b) *Amount Reimbursed.* If continuing education is not required by the City for employment and has been approved by the Council, the City will pay one-half (1/2) of the continuing education tuition costs and books required for the course, while the employee agrees to pay one-half (1/2) of the same costs. Tuition costs may be advanced in whole or in part, by the City and the employee may repay one-half (1/2) of the costs through an optional employee payroll deduction over a ten-month period of time. The City Council may agree to pay more or less than one-half (1/2) the cost of continuing education depending on relevance to the employee's field of work.

(b) *Completion Requirements and Restrictions.* The employee is bound to complete the continuing education program and agrees to continue to work for the City for a two-year period, once the continuing education requirements are completed. If for any reason (including termination of employment) the employee elects to discontinue the continuing education program prior to completion or fails to maintain a 'B' average, the employee shall be liable for the entire costs of the course.

(c) Should the employment relationship between the City and the employee end for any reason after the completion of the continuing education program, but prior to the end of the two-year employment requirement, the employee shall be liable on a pro-rata basis for that portion of the tuition and books paid by the City based on the number of months remaining in the two-year period. Under no circumstances shall anything in this section be construed to extend an employment contract to the participating employee.

F-10. Gym Membership. The City of Towanda Governing Body encourages employees to achieve and maintain a healthy lifestyle through physical fitness. Employees who purchase and participate in a gym membership may be eligible for a 50% of gym membership reimbursement of up to \$40 per month.

(a) *Gym Qualification.* A membership to a facility primarily focused on physical fitness, such as a YMCA, Planet Fitness, Anytime Fitness, CrossFit, etc. Gym qualifications must be approved by the City Administrator.

(b) *Eligibility.* Gym membership reimbursement is available to employees who have been employed by the City for a minimum of 90 days.

(c) *Reimbursement.* To qualify, the following proof of paid membership and attendance must be submitted with a completed City of Towanda Gym Membership reimbursement form:

- i. *Proof of paid membership*: receipt from the gym; copy of a canceled check; credit card statement; online purchase receipt must include employee name, gym name, the amount paid, and the date paid. Other gym fees (e.g. joiner, start-up, annual fees) are not reimbursable. **AND**
- ii. *Proof of attendance* showing a minimum of 8 visits per month for each month requesting reimbursement: a gym-generated printout of attendance that identifies the date of every gym visit and the employee/member, or an official tracking sheet signed and certified by a gym employee.

(d) The amount reimbursed shall not exceed 50% of the cost of the gym's rate for an individual membership and the amount of the receipt submitted, up to \$40 per month.

(e) If two City employees are on the same 2-person or family membership, the amount of their combined reimbursement amounts shall not exceed the cost of the membership, and the amount of the receipt submitted, up to \$40 per month for each.

(f) Reimbursement will be disbursed in a regular paycheck (contingent on employment) and is taxable.

(g) Late or incomplete forms will not be accepted.

(h) Reimbursements shall be made quarterly according to the following schedule:

Gym Membership Period	Submit Form and Proof Between*	Receive Reimbursement with Paycheck By
July 1 – September 30	October 1 and 15	November 30
October 1 – December 31	January 1 and 15	February 28
January 1 – March 31	April 1 and 15	May 31
April 1 – June 30	July 1 and 15	August 31

ARTICLE G. VOLUNTARY SEPARATION

G-1. Resignation. An employee who terminates his or her employment voluntarily shall be terminated in good standing, provided the employee gives a minimum of two weeks' written notice to his or her immediate supervisor or department head. Under appropriate circumstances, a shorter period of notice may be approved by the City Administrator.

G-2. Reinstatement. An employee who was terminated in good standing and who is re-employed in the same job classification within a period of 120 calendar days following separation may be reinstated at not more than the salary he or she was receiving at the time of his or her termination. Upon reinstatement within 120 calendar days following separation, an employee shall receive credit for all unused sick leave he or she had accrued as of the time of separation.

ARTICLE H. SEXUAL AND WORKPLACE HARASSMENT POLICY

H-1. Definitions.

(a) *Sexual harassment* is defined as the threat, either explicitly or implicitly, that an employee's or job applicant's refusal to submit to sexual advances will adversely affect his or her employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development (*quid pro quo*); or the subjecting of an employee(s) or job applicant(s) to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical, so as to create an intimidating, hostile, or offensive working environment.

(b) *Workplace harassment* is repeated inappropriate behavior, direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated instance of behavior described in this definition may be an affront to dignity at work but, as a one-off incident, is not considered to be harassment.

(c) The term *harassment*, as used in this Article, may mean either sexual harassment or workplace harassment, or both, as the case may require.

H-2. General Policy. It is the policy of the City to maintain a work environment free of intimidation, insult, and harassment based upon race, creed, religion, sex, age, national origin, ancestry, disability, genetic information or sexual orientation, or post, current, or prospective service in the uniformed services. To ensure that this policy is strictly adhered to, the City will not tolerate harassment of any of its employees or job applicants and will take immediate action if such behavior should occur.

The City will not condone harassment by any employee or non-employee. Non-employees include, but are not limited to: governing body members, vendors, volunteers, and members of the general public. Sexual harassment as defined includes but is not limited to:

- (a) Unwelcome touching, propositions, or advances;
- (b) Abusive or vulgar language of a sexual nature;
- (c) Suggestive jokes or comments about an employee's body or clothing;
- (d) Displaying of sexually graphic or suggestive pictures, photographs, cartoons, etc.

Examples of workplace harassment can include group harassment, peer-to-peer harassment, supervisor-to-subordinate harassment, and situations where a subordinate employee subjects a supervisory-level employee to harassment. These can include, but are not necessarily limited to:

- (a) Slandering, ridiculing, or maligning a person or his or her family; persistent name calling that is hurtful, insulting, or humiliating; using the person as a butt of jokes; abusive and offensive remarks.
- (b) Nonverbal threatening gestures; glances conveying threatening messages.
- (c) Socially or physically excluding or disregarding a person in work-related activities.

- (d) Persistent or constant criticism in front of other persons (including co-workers, vendors, contractors, or members of the public) for the purpose of humiliating another employee.
- (e) Pushing, shoving, kicking, poking, tripping, assaulting, or threatening physical assault, or damage to a person's work area or property.
- (f) Tampering with an employee's personal belongings or work equipment.
- (g) Invasion of privacy, such as spying, stalking and rummaging through personal belongings (including unauthorized access of personal email and contents of personal cell phones and employee-owned personal digital assistants). NOTE: an employee has no expectation of privacy in any items of personal equipment attached to the City's network devices.
- (h) Making up arbitrary rules applying only to the targeted employee.
- (i) Assigning undesirable work as punishment.
- (j) Managing by threat and intimidation.
- (k) Giving tasks with unreasonable, impossible, or constantly changing objectives and or deadlines.
- (l) Removing key areas of responsibility and/or replacing them with more trivial or unpleasant tasks for no business-related reason.
- (m) Taking credit for another employee's work.
- (n) Falsely accusing an employee of making errors.
- (o) Undermining or deliberately impeding an employee's work.

Any employee or job applicant who believes they are the victim of unwelcome behavior constituting harassment shall immediately report the incident(s) to any level of supervision. Any employee in a supervisory role who believes he/she has witnessed behavior constituting harassment shall immediately report the incident. Any non-supervisory employee who believes he/she has witnessed behavior constituting harassment may report the incident to any level of supervision.

All complaints involving claims of harassment shall be promptly and confidentially (as practical) investigated. The employee or job applicant filing the complaint shall be advised of the results of the investigation.

Any employee, supervisory or non-supervisory, found to have engaged in harassment of another employee or job applicant will be disciplined, up to and including discharge. When appropriate, the employee or job applicant filing the complaint will be encouraged to file criminal charges against the harasser.

H-3. Complaint Procedure. Any employee or job applicant who feels he/she is being subjected to

harassment should immediately contact one of the persons listed below with whom the employee or job applicant feels the most comfortable. Complaints may be made orally or in writing to:

- (a) The employee's immediate supervisor;
- (b) The employee's department head;
- (c) Other supervisory personnel;
- (d) The City Administrator.

The employee should be prepared to provide the following information:

- (a) Employee's name, department, and position title;
- (b) The name of the person or persons committing the harassment;
- (c) The date(s) and approximate time(s) of the harassment;
- (d) The specific nature of the harassment, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against him/her as a result of the harassment;
- (e) Witness to the harassment, if any;
- (f) Whether the harassment has been previously reported and if so, when and to whom.

After receiving a harassment complaint, the recipient of the complaint shall assist the employee filing the complaint with documenting the incident in writing and the employee shall affix their signature attesting to the accuracy and truthfulness of the complaint. All information disclosed in the complaint procedure will be held in the strictest confidence and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter.

H-4. Review of a Harassment Complaint. It shall be the responsibility of the City Administrator to coordinate the investigation and review of harassment complaints or, as necessary, to delegate the investigation and review of harassment complaints to an independent third party. If the City Administrator or any member of the governing body is the subject of the complaint, an independent individual shall coordinate the investigation of the complaint. The following procedures shall apply to the receipt, review, and handling of such complaints:

- (a) The person to whom the complaint is made shall immediately present it to the City Administrator.
- (b) An investigation into the alleged incident shall be promptly started;
- (c) The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of harassment, witnesses

interviewed during the investigation, the person against whom the complaint of harassment was made, and any other person contacted by the investigator in connection with the investigation;

(d) The investigator shall notify the individual accused of the harassment as promptly as possible of the complaint and the severity of the allegations (immediate notification is not necessary if such notification would jeopardize the investigation);

(e) The individual accused of the harassment shall be given an appropriate opportunity to refute the allegation and present information and/or witnesses on his/her behalf.

Based upon the investigation report, the City Administrator or the Independent Third-Party shall determine if the conduct of the person against whom a complaint of harassment has been made constitutes harassment. In making that determination, the City Administrator or the Independent Third-Party shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question, and the context in which the conduct, if any, occurred. The determination of whether harassment occurred will be made on a case-by-case basis.

If the City Administrator or Independent Third-Party determines the complaints of harassment are founded, he/she shall take, or in the case of the Independent Third-Party recommend, immediate and appropriate disciplinary action against the employee guilty of harassment.

The disciplinary action shall be consistent with the nature and severity of the offense, whether a supervisory relationship exists, and any other factors the City Administrator or Independent Third-Party believes relate to the fair and effective administration of the City, including the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the City. The disciplinary action may include demotion or suspension, dismissal, warning, or reprimand. A determination of the level of disciplinary action shall also be made on a case-by-case basis. If the City Administrator or Independent Third-Party determines the complaint of harassment is unfounded, he/she shall notify the employee accused of harassment of the determination. Action shall also be made on a case-by-case basis.

The employee or job applicant making the complaint shall be notified of the results of the investigation and the discipline, if any, to be administered. If the City Administrator or Independent Third-Party determines after reviewing the investigation report that the complaint was intentionally falsified by the employee filing the complaint, the City Administrator shall take immediate and appropriate disciplinary action against the complaining employee.

H-5. Appeal of the Decision. (Optional) Within 10 working days of the postmark of the written notification to the employee of the City Administrator or Independent Third-Party's decision, the complainant or respondent may make a written request for a final review of the record by the Governing Body. The Governing Body members, in response to a timely appeal, will either:

(a) Review the record and provide a final decision within five working days of the receipt of the appeal; or

(b) Schedule an executive session with the appealing party to hear his/her appeal, within ten days

following the receipt of the appeal.

The meeting date can be scheduled on any date, convenient to all parties, with mutual consent (including beyond the 10-day period).

A final decision will be made by the Governing Body.

Copies of the decision shall be sent to the complainant and respondent by certified mail, return receipt requested, and a copy will be given to City Administrator.

H-6. Record of a Harassment Complaint. All records, except those affected by the Kansas Open Records Act, concerning a harassment complaint shall be confidential and kept in a separate locked file. Access shall be granted only with the City Administrator's approval and to parties who have a direct and relevant need to know.

H-7. Non-retaliation. This policy prohibits retaliation against employees who report in good faith potential sexual harassment or workplace harassment or participate in the investigation of the complaint. Any employee bringing a good faith complaint under this policy, or assisting in the investigation of such complaint, will not be adversely affected in terms and conditions of employment, nor discharged because of the complaint. Anyone who engages in retaliatory action will be subject to discipline, up to and including dismissal. Retaliation is defined as an activity that may dissuade a reasonable person from exercising his or her rights under this policy.

ARTICLE I. POLITICAL ACTIVITY

I-1. Political Activity. It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations, or groups, and to become involved in political activities subject to the restrictions of this article.

(a) As private citizens, employees may participate in all political activities, including holding public office, except where holding an appointive or elective office is incompatible with the employee's City employment.

(b) Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections. They are not permitted to wear or display political badges, buttons, or signs on their person or on City property during on-duty hours.

(c) No supervisor or other person in authority shall solicit any City employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.

(d) The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to nor retained in, the City's service on the basis of their political affiliations or activities.

ARTICLE J. OUTSIDE EMPLOYMENT

J-1. Outside Employment. Outside employment constitutes a City employee holding a second job with another employer. Outside employment by a full-time employee is permitted only when such outside employment: (1) is considered secondary to service with the City; (2) does not interfere with the performance of duties for the City; and (3) no legal, financial, or ethical conflict of interest results from such dual employment.

ARTICLE K. WORKPLACE SAFETY

K-1. General Safety. All employees are required to wear appropriate safety equipment and follow appropriate safety precautions according to City or departmental policy at all times. Failure to comply with safety policies may result in disciplinary action.

K-2. Workplace Violence. The City has a policy of zero tolerance for violence. If an employee engages in any violence in the workplace or threatens violence in the workplace, the employee shall be terminated immediately for cause. No talk of violence or joking about violence will be tolerated. "Violence" includes physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking about engaging in those activities. It is the intent of this policy to ensure that everyone associated with the City, including employees and citizens, never feels threatened by any employee's actions or conduct.

K-3. Substance Abuse Policy. The City has a responsibility to its employees and citizens to take reasonable steps to assure safety in the workplace and in the services it provides. To this end, the City reaffirms its policy that the following are strictly prohibited:

- (a) Reporting for work under the influence of intoxicants, including alcohol, illegal drugs, or controlled substances; and
- (b) The use, possession, sale, or distribution of such intoxicants, illegal drugs, controlled substances, or related paraphernalia, in any manner during work hours, or while engaged in City business, on City property, or in City vehicles. Employees are further prohibited from using such drugs or alcohol on their personal time to the extent that such use negatively impacts work performance.
- (c) Employees may be asked to submit to a drug and alcohol test if an employee's supervisor or other person in authority has a reasonable suspicion based on objective factors such as the employee's appearance, speech, behavior, or other conduct and facts, that the employee is under the influence of unlawful drugs or alcohol or both.
- (d) Employees in safety or security-sensitive positions are subject to random drug and alcohol testing.

K-4. Weapons. For all employees other than those authorized by the City Administrator the carrying or use of a firearm shall be considered outside the scope of the employee's duties. Employees may not openly carry a firearm in the workplace unless authorized by the City Administrator. If an employee chooses to exercise his or her statutory right to concealed carry, the City will not be responsible for any attorney fees resulting from the employee's use of his or her weapon. If the employee chooses to carry

a concealed firearm, the firearm must remain on his or her person at all times. Any interruption in the employee's work due to his or her decision to concealed carry may result in discipline or even termination. Any injury resulting from the concealed carrying of a firearm is considered outside the employee's course and scope of employment and will not be covered by workers' compensation.

ARTICLE L. TELECOMMUNICATIONS

L-1. Telecommunications Policy. The City's e-mail, computer, internet, and voicemail systems are City property. These systems are in place to facilitate the employee's ability to do his or her job efficiently and productively. To that end, these systems are solely for City purposes, and abuse of these systems for personal use is prohibited. The City may intercept, monitor, copy, review, and download any communications or files employees create or maintain on the systems. When using the internet, exercise discretion. Sending materials of a sensitive nature or materials constituting "confidential information" is prohibited unless the information is properly encrypted to prevent interception by third parties. Employees have no expectation of privacy while accessing social media at work or on City-owned equipment.

Employee communications and use of City e-mail, computer, internet, and voicemail systems will be held to the same standard as all other business communications, including compliance with anti-discrimination and anti-harassment policies. It is expected that employees will use good judgment in the use of the City's system. Management should be notified of unsolicited, offensive materials received by any employee on any of these systems.

It is the responsibility of each employee to adhere to IT security protocols. No employee shall share usernames, passcodes, or passwords with any other person unless expressly authorized in order to perform the employee's job duties. An employee shall immediately inform the IT Department if he or she knows or suspects that any username, passcode, or password has been compromised.

Any City business performed on an employee's personal device is subject to the Kansas Open Records Act. If the information requested is on an employee's personal device, the employee agrees to participate in fulfilling the records request. If the employee refuses to provide the requested data, the employee may be subject to discipline up to and including termination.

Employee consent and compliance with e-mail, computer, internet, and voicemail policies is a term and condition of employment. Failure to abide by these rules, or to consent to any interception, monitoring, copying, reviewing, and downloading of any communications or files, is grounds for discipline, up to and including termination.

L-2. Social Media Policy. The City understands that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world; however, the use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for the appropriate use of social media.

(a) *Guidelines.* In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the internet, including to your own, or someone else's, weblog or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a

chat room, whether or not associated or affiliated with the City, as well as any other form of electronic communication.

The principles and guidelines found in this policy apply to your activities online. The City respects your 1st Amendment rights; ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards involved. Keep in mind that any conduct adversely affecting your job performance, the performance of fellow employees, or that otherwise adversely affects members of the public, customers, suppliers, and people who work on behalf of the City may result in disciplinary action up to and including termination.

Know and follow the rules. Carefully read these guidelines, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, threats of violence, or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be respectful. Always be fair and courteous to fellow employees. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparages members of the public or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or City policy.

Be honest and accurate. Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors you know to be false about the City.

Express only your personal opinions. Never represent yourself as a spokesperson for the City. If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City, fellow employees, members, customers, suppliers, or people working on behalf of the City. If you do publish a blog or post online related to the work you do or subjects associated with the City, make it clear that you are not speaking on behalf of the City. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the City."

(b) *Using social media at work.* Refrain from using social media while on work time or on equipment provided by the City unless it is work-related as authorized by your manager or consistent with the City's Equipment Policy. Do not use your City email addresses to register on social networks, blogs, or other online tools utilized for personal use.

(c) *Retaliation is prohibited.* The City prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any

employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

(d) *Media contacts.* Employees should not speak to the media on the City's behalf. All media inquiries should be directed to the City Administrator.

ARTICLE M. TRAVEL

M-1. Travel Policy. In an effort to provide a fair and equitable policy pertaining to travel by employees necessary for the conduct of their particular assignments, the City establishes the following policy and procedure for work-related travel by employees.

The City shall allow employees to utilize City vehicles for work-related travel. Travel shall be defined for the purposes of this policy as any out-of-town trip(s). An employee shall receive permission from the appropriate department head for any travel. Any overnight travel shall be approved in advance by the appropriate department head and City Administrator.

City vehicles shall be used for travel whenever possible. Scheduling of vehicles shall be performed by the appropriate department head. Scheduling the use of a City vehicle shall be done with the City Clerk. When a City-owned vehicle is unavailable for travel, the employee's personal vehicle may be used with the approval of the City Administrator. The rate of per-mile reimbursement shall be at the standard mileage rate set annually by the Internal Revenue Service.

No City employee shall operate a motor vehicle on a public highway while using a mobile telephone while the employee's vehicle is in motion. The only exception to this policy is if the employee is using a hands-free device while engaging in a telephone call.

It is the City's practice to reimburse employees for reasonable expenses incurred during the period they are employed by the City in connection with travel and other business on behalf of the City subject to the guidelines set out in this policy. Specific types of expenses that may be reimbursed and procedures for requesting reimbursement are set out below. Employees must obtain advance written approval from the city Administrator and receipts or other appropriate substantiating documentation for all travel and business-related expenses must be submitted to the City Treasurer within three (3) business days of the expense being incurred.

ARTICLE N. CITY-ISSUED CREDIT CARDS

N-1. Credit Cards. The City may, in its sole discretion, issue City credit cards to certain employees for business-related purposes. Employees may only use their City-issued credit card to incur expenses that are reimbursable under this policy. Employees may not incur personal expenses on City credit cards. The employee will be required to reimburse the City for any personal expense placed on the City issued credit cards. Violations of the policy will subject the employee to discipline up to and including termination.

Employees must submit receipts and other necessary substantiating documentation for all purchases on the City credit card to the City Treasurer within three (3) business days.

ARTICLE O. RESIDENCY

O-1. Residency. It is the policy of the City to employ its residents whenever possible; however, the City recognizes that employment of persons outside its geographic boundaries is sometimes necessary and desirable. Except where residency within the City is required by state law, employees may reside outside the City.

ARTICLE P. CONFLICT OF INTEREST

P-1. Conflict of Interest. Employees should always act in the best interest of the City and not permit outside interests to interfere with their job duties. If you have a question about whether a situation is a potential conflict of interest, please contact City Administrator.

ARTICLE Q. INFECTIOUS DISEASE POLICY

Q-1 Purpose. The City remains committed to safeguarding the health and well-being of staff during the COVID-19 pandemic. To slow the spread of the novel coronavirus, the City has implemented a strict cleaning regiment, enforced social distancing practices, and limited public access to City facilities. Despite these precautions, the City recognizes that there are inherent health risks when people interact in close proximity. To safeguard the health of employees and the public, the City will now require staff and visitors to follow specific guidelines related to decreasing the spread of infectious diseases. This policy outlines specific steps that the City takes to safeguard employees' health and well-being during widespread outbreaks of infectious bacterial or viral diseases while ensuring the City's ability to maintain essential operations and provide necessary services to customers.

Q-2 Infectious Disease Defined. According to the federal Centers for Disease Control, emerging infectious diseases are new infections resulting from changes or evolution of existing organisms, known infections spreading to new geographic areas or populations, previously unrecognized infections appearing in areas undergoing ecologic transformation, old infections that are reemerging as a result of antimicrobial resistance in known agents, or breakdowns in public health measures. These include COVID-19, influenza, staph infections, and the Ebola and Zika viruses.

Q-3. Remote Work Locations. The City acknowledges that employees' access to and use of public services or transportation might be prohibited or curtailed by local, state, or federal authorities during an infectious disease outbreak. Employees also might be unable to access or leave buildings, and disruptions can occur in the delivery of goods or services. The City is prepared to continue key operations from several remote work locations, including employees' home offices.

Q-4. Infectious Control Measures. The City takes several steps to minimize, to the extent practicable, exposure to infectious diseases at the workplace. As appropriate, the City recommends measures that employees can take to protect themselves outside the workplace and encourages employees to discuss their specific needs with a physician or other appropriate health or wellness professional.

Exposure Self-Check. The City expects employees who contract an infectious disease or are exposed to infected family members or other persons, to stay home and seek medical attention if needed. The City also expects these employees to notify the City as soon as possible of their exposure or illness. Before coming to work, the City expects all employees to provide a self-check of the following questions:

- (1) Do you have a temperature?
- (2) Have you been exposed to an individual who has tested positive for COVID-19?
- (3) Have you traveled to an area listed on KDHE’s mandatory quarantine list?
- (4) Do you feel ill?

If the answer to any of these questions is “Yes,” the employee must notify his or her supervisor. The supervisor will work with the employee on the appropriate next steps including telework or utilizing leave as appropriate.

Meetings. The City encourages all employees to limit meetings and conduct meetings virtually as much as possible. If in-person meetings are necessary, they must be conducted in a manner consistent with social distancing requirements.

Cleaning. The City approves the installation or use, wherever possible, of improved equipment or cleaning methods to guard against the spread of infection at the workplace. All employees are required to practice regular infection control practices, such as regular hand washing, following proper coughing and sneezing etiquette, and proper tissue usage and disposal.

Masks. Should the Center for Disease Control and Prevention (CDC), or the State of Kansas issue a “mask mandate” the City shall comply as per their directions.

Training. The City will provide training as appropriate to address issues such as the availability of vaccines; symptoms, treatment, and appropriate medical care; steps to take if exposure is suspected; proper use of provided personal protection equipment; and proper hygiene in the workplace and at home.

Q-5. Employee Leave and Pay. The City grants leave to employees who are absent because of an infectious disease that affects them or their family members.

The City allows employees to use their accrued annual sick or vacation leave as appropriate if they become ill or need to take leave to care for a family member. Employees can also use unpaid family and medical leave for their illness or a family member’s illness. These employees must notify the City as soon as possible of their need for family and medical leave. The City requires employees to take unpaid family and medical leave if they lack accrued annual sick or vacation leave.

Q-6. Business Travel. The City will make all reasonable efforts to reduce the need for travel by, for example, using technology that allows employees to communicate or otherwise work electronically. In the event of an infectious disease outbreak, travel on the City’s behalf generally is limited to a select group of essential employees who have the required travel authorization from the Executive Director, and if necessary, outside authorities.

APPENDIX A – FORMS

Confirmation of At-Will Employment

I, _____, an employee of the City of Towanda, KS have read the City’s Personnel Policies and Guidelines. I agree that I understand the policies and guidelines.

I also understand that my employment and compensation with the City of Towanda, KS are at-will and therefore, can be terminated with or without cause, at any time without prior notice at my option or the City’s option.

This document confirms that no one in the City of Towanda, KS has made any representation or promise that my job offers guaranteed employment or job security of any kind.

This at-will employment relationship will remain in effect throughout my employment with the City of Towanda, KS unless it is specifically modified by an express written employment agreement executed by an authorized representative of the City and me.

I also understand that this at-will employment relationship may not be modified by any oral or implied agreement and that neither the City’s Personnel Policies and Guidelines, nor any course of conduct, practice, policy, award, promotion, performance evaluation, transfer, or length of service can modify this at-will relationship.

I acknowledge that I have carefully read this manual and agreement and that I understand its meaning. I further acknowledge that I have entered into this agreement voluntarily and am returning this document for my personnel file.

Agreed:

Date: _____ **By:** _____
Employee’s Signature

Date: _____ **By:** _____
Supervisor’s Signature

OATH/AFFIRMATION OF OFFICE

“I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of _____. So help me God.”

or

“I do solemnly, sincerely, and truly declare and affirm that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of _____ under the pains and penalties of perjury.”

Date: _____ **By:** _____
Employee’s Signature

EMPLOYMENT EVALUATION FORM

PERSONAL INFORMATION

Employee's Name & Title: _____

Evaluator: _____

Today's Date: _____

Evaluation Period: _____

I. Major projects you have undertaken during the previous evaluation period.

- 1.
- 2.
- 3.

II. Strengths you have demonstrated during the previous evaluation period.

- 1.
- 2.
- 3.

III. Areas in which you can improve your professional performance.

- 1.
- 2.
- 3.

IV. Professional goals for the upcoming evaluation period and any long-term goals.

- 1.
- 2.
- 3.

VI. Additional thoughts or comments.

- 1.
- 2.
- 3.

Employee's Signature _____ Date: _____

Supervisor's Signature _____ Date: _____

City of Towanda GYM MEMBERSHIP PROGRAM

Reimbursement Request Form

(See page2 for important Program information and deadlines)

Employee Information: All information is required	
Name	Preferred Phone
Job Title/Department	
E-mail	
IF this gym membership includes another City employee, please provide:	
Other Employee Name	Relationship <input type="checkbox"/> Spouse/Domestic Partner <input type="checkbox"/> Adult Child
Other Employee's Job Title/Department	
Other Employee's E-mail	

Gym Information: Please complete all applicable information		
Gym Name	Gym Location	Gym Phone
Reimbursement Period (choose one)		
<input type="checkbox"/> 1 st Quarter (Jan-Mar) Dec)	<input type="checkbox"/> 2 nd Quarter (Apr-Jun)	<input type="checkbox"/> 3 rd Quarter (Jul-Sept) <input type="checkbox"/> 4 th Quarter (Oct- Dec)
Type of Gym Membership Purchased (select all that apply)		
<input type="checkbox"/> Monthly <input type="checkbox"/> Annual <input type="checkbox"/> Other (e.g. punch card, visit pass)	<input type="checkbox"/> Individual <input type="checkbox"/> 2-Person *See box below <input type="checkbox"/> Family *See box below	
Amount Paid (attach proof of payment to your application) \$	*If you purchased 2-person or family membership provide the gym's standard monthly rate for individual membership \$	

I certify that the information provided above is valid and accurate. I understand that submitting false or fraudulent information and/or documentation may result in progressive discipline up to and including discharge. I have read and understand the program requirements on the reverse side of this application.

Employee Signature _____ Date _____

Other Employee Signature _____ Date _____
(If applicable)

In order to process reimbursement, you must submit:

___ This completed form ___ Proof of gym payment/membership ___ Proof of gym attendance

For Human Resources Personnel Only:		
<input type="checkbox"/> Approved Month 1: \$ _____ Month 2: \$ _____ Month 3: \$ _____		
<input type="checkbox"/> Denied Reason: _____		
Processed By	Date Received	Pay Date

APPENDIX B – VETERAN’S PREFERENCE ACT

1. C-6(b): The Veteran’s Preference Act, K.S.A. 73-201 *et seq*, establishes several hiring requirements for cities.

a. Definitions

i. “Veteran” includes:

1. Any person who entered the armed forces before October 15, 1976, and separated from the armed forces under honorable conditions if such person served: (i) On active duty during any war (the official dates for war service are April 6, 1917, through July 2, 1921, and December 7, 1941 through April 28, 1952); (ii) during the period April 28, 1952 through July 1, 1955; (iii) in any campaign or expedition for which a campaign badge or service medal has been authorized; or (iv) for more than 180 consecutive days since January 31, 1955, but before October 15, 1976, excluding an initial period of active duty for training under the "six-month" reserve or national guard program;
2. any person who entered the armed forces on or after October 15, 1976, and separated from the armed forces under honorable conditions, if such person was awarded a service medal or campaign badge;
3. any person who separated from the armed forces under honorable conditions and has a disability certified by the United States department of veterans affairs as being service-connected, has been issued the purple heart by the United States government or has been released from active service with a service-connected disability;
4. the spouse of a veteran who has a 100% service-connected disability as determined by the United States department of veteran affairs;
5. the un-remarried spouse of a veteran who died while, and as a result of, serving in armed forces; and
6. the spouse of a prisoner of war, as defined by [K.S.A. 75-4364](#), and amendments thereto.

ii. "Competent" means a good faith determination that the person is likely to successfully meet the performance standards of the position based on what a reasonable person knowledgeable in the operation of the position would conclude from all information available at the time the decision is made. The basis for such determination shall include experience, training, education, licensure, certification and/or other factors determined by the decision-making authority as appropriate to determine the applicant's overall qualification and ability to successfully meet the performance standards of the position. The decision-making authority shall document such factors prior to the initiation of the selection process.

iii. "Disabled veteran" means a person who has served on active duty in the armed forces, has been separated therefrom under honorable conditions, and has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the department of veterans affairs or a military department.

b. All notices of job openings, if any, and all applications for employment, if any, by the state and any City or county in this state shall state that the job is subject to a veteran's preference, how

the preference works and how veterans may take advantage of the preference and post a written statement of: (1) The qualifications for such position; (2) any preferred qualifications of such position; (3) performance standards for the position; and (4) the process that will be used for selection. A veteran, or a spouse who qualifies for the veteran's preference, desiring to use a veteran's preference shall provide the hiring authority with a copy of the veteran's DD214 form or the DD214 form of the veteran under which the spouse qualifies for the preference.

c. Every employment center of the state and any city or county human resources department, if any, shall openly display documents that indicate that veterans are eligible for a preference in their initial employment and any first promotion within the employment of the governmental entity.