



**PERSONNEL POLICY HANDBOOK**

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## **SECTION 1– INTRODUCTION**

### **1.1 Purpose**

The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the City of Arlington. They should not be construed as contractual terms. All employees of the City of Arlington are “employees at-will”. The policies are not intended to cover every situation that might arise and can be amended at any time at the sole discretion of the City Council. These policies supersede all previous personnel policies.

Since employees are considered “at-will”, except as otherwise prohibited by law, the City of Arlington has the right to terminate any employee, at any time for any or no reason. Employees may similarly terminate employment at any time for any reason.

Violations of this policy may be grounds for discipline up to and including termination.

### **1.2 Organization and Authority**

It shall be the policy of the City Council to carry out the contents of these policies and control the administrative services through the City Administrator and department heads in accordance with the City’s Code where applicable and other provisions herein specified.

### **1.3 Scope**

These policies apply to all employees of the City. Except where specifically noted, these policies do not apply to:

1. Elected Officials.
2. The City Attorney.
3. Members of City Boards, Commissions, and Committees.
4. Consultants, Contractors, and Contractual Service Providers.
5. Volunteer personnel, except for paid on-call firefighters and EMT’s.

If any specific provisions of this Personnel Policy conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

Departments may have special work rules deemed necessary by the department head, and approved by the City Administrator, for the achievement of the objectives of that department. Each employee will be given a copy of such work rules by the department head upon hiring. Such rules will be further explained, and enforcement discussed with the employee by the department head.

### **1.4 Equal Employment Opportunity**

The City of Arlington is committed to providing equal opportunity in all areas of employment, including but not limited to hiring, demotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation, and selection for training. The City of Arlington will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission.

## **SECTION 2 – CITYWIDE WORK RULES & CODE OF CONDUCT**

### **2.1 Conduct as a City Employee**

In accepting City employment, employees become representatives of the City and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of Arlington. Employees should exhibit conduct that is ethical, professional, responsive, and of a standard becoming of a City employee. To achieve this goal, employees must adhere to established policies, rules, and procedures, as well as follow the instructions

of their department heads.

The following are job requirements for every position at the City of Arlington. All employees are expected to:

- Always perform assigned duties to the best of their ability.
- Always render prompt and courteous service to the public.
- Read, understand, and comply with the rules and regulations as set forth in these Personnel Policies as well as those of their departments.
- Conduct themselves with decorum toward both residents and staff.
- Respond to inquiries and information requests with patience and every possible courtesy.
- Report all unsafe conditions to their immediate supervisor.
- Maintain good attendance.
- Refrain from obscene, uncivil, or boisterous language.

## **2.2 Attendance & Absence**

Attendance is an essential function of every City position. The operations and standards of service in the City of Arlington require that employees be at work unless valid reasons warrant absence. In order for a team to function efficiently and effectively, employees must be on the job.

Employees who are going to be absent from work or training sessions are required to notify their department head as soon as possible in advance of the absence. In case of unexpected absence, employees should call their department head before their scheduled starting time. If the department head is unavailable, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the department head. Failure to use the established reporting process is grounds for disciplinary action. Department heads may establish more specific reporting procedures.

The employee must call on each day of an absence extending beyond one (1) day, unless arrangements otherwise have been made with the department head. Employees who are absent for three (3) days or more, and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing. The City may waive this rule if extenuating circumstances warranted such behavior. This policy does not preclude the City from administering discipline for unexcused absences of less than three (3) days.

## **2.3 Attendance Requirements for Fire and Ambulance Members**

Proper training for Ambulance and Fire Department members is an essential function of the job therefore, members are expected to attend regular meetings of their respective departments. Ambulance and Fire Department members who are absent from regular meetings more than five (5) times in a calendar year will be subject to disciplinary action, including termination. Any discipline in relation to this policy will be conducted under the provisions outlined in Section 16.

## **2.4 Tardiness**

Employees are expected to be ready for work at their designated starting time. If unavoidable circumstances will delay the employee, the employee must contact their department head as far in advance as possible and advise when they will be able to arrive to work. Excessive tardiness cannot be tolerated and may result in termination of employment.

## **2.5 Access To and Use of City Property**

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other City-owned equipment must register his/her name and the serial number or identifying information of the equipment with the department head. All such equipment must be returned and accounted for by any employee leaving employment with the City in order to resign in good standing.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the City is prohibited unless authorized by the City Administrator. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

## **2.6 Sale of City Property and Handling Payments**

The sale of any City-owned property, or property in the possession of the City, must first be approved by the City

Council. Payments for the sale of City-owned property, or property in the possession of the City, are to be made to City administrative staff only. Cash payments are not to be accepted by City employees unless those payments are made to administrative staff working at City Hall during regular hours of operation.

## **2.7 Appearance**

Department heads may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people. Each employee is expected to use good judgment in attire, and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace.

All employees are expected to be well groomed. For safety reasons, Fire Department Members must be clean-shaven (no beards) with short sideburns. Mustaches of reasonable proportions will be allowed.

Safety glasses shall be provided at City expense, as required by law. Safety shoes shall be provided to appropriate employees at City expense at the rate of one pair per year at a maximum cost per employee, as set by the City from time to time.

Police officers will be reimbursed for clothing that is purchased for required uniforms, up to an amount to be set by Council Resolution from time to time. A new full-time officer will receive the first two years of his/her uniform allowance upon being successfully hired. The employee is to use the first two years of the allowance to outfit their person with the appropriate department uniform. The uniform allowance will then not be available to the new employee until their third year of employment. If the officer is unable to successfully complete the initial probationary period, the employee will be expected to reimburse the City for fitted items (boots, pants, etc.).

## **2.8 Conflicts of Interest**

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be a perceived or actual conflict of interest. This policy shall be liberally construed in favor of protecting the public interest by a full disclosure of conflicts of interest. The following shall be prohibited activities:

- No employee, or member of his/her immediate family, shall have a financial interest in, or derive profit from, any matter upon which the employee is required to act in discharge of his/her official duties and fails to disqualify him/herself from acting or participating.
- No employee shall use, or permit the use of, any person, funds, or property under his/her official control, direction, or custody, or any of the City's funds or property for a purpose which is, or to a reasonable person would appear to be, for the private benefit of the employee.
- No employee shall have a material interest, personally or through a member of his/her immediate family, in business entities doing or seeking to do business with the City, except with full disclosure and consent of the City Administrator or City Council. No employee shall influence, or attempt to influence, the selection of, or the conduct of business with the City.
- No employee shall solicit or receive anything of monetary value from any persons or entity where it has been solicited, received, or given with the intent to give or obtain special consideration or influence as to any action by such employee in his/her official capacity; provided that nothing shall prohibit contributions, including political contributions, which are reported in accordance with applicable law, or which are accepted on behalf of the City, or an honorarium, travel or other expenses reimbursed to any employee as a result of a speaking engagement or personal appearance made as a result of that person's official position.
- No employee shall disclose or use any information gained by reasons of his/her official position for the immediate or anticipated personal gain or benefit of the employee, or any other person or entity; provided that nothing shall prohibit the disclosure or use of the information which is a matter of public knowledge, or which is available to the public on request.
- No employee shall deprive the City or its agencies of their original files. All original work products generated or obtained by a City Official on City time shall be the property of the City of Arlington and shall remain so after an employee leaves City employment. Examples of work product include but are not limited to, research, investigative reports, computer files, legal briefs, official letters, and memoranda.



- No person seeking employment or promotion in the municipal service shall either directly or indirectly give, render, or pay any money, service, or other valuable consideration to any person or account of, or in connection with, the test, appointment, promotion, or proposed appointment or promotion.
- The appointment of any person, when such person is related to any elected or appointed officer or employee of the City, or an appointment of a candidate who is related to current City personnel who have the ability to influence the employment, promotion and salary or performance evaluation of another relative is to be avoided whenever possible.

If an employee has any question about whether such a conflict exists, he/she should consult with the City Administrator.

## **2.9 Falsification of Records**

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action, up to and including termination and potential criminal prosecution.

## **2.10 Personal Telephone Calls**

Personal telephone calls are to be made or received only when truly necessary. They are not to interfere with City work and are to be completed as quickly as possible. Any personal long-distance call costs will be paid for by the employee. Please refer to the cellular phone use policy for information on use of cellular phones.

## **2.11 Personal Mail**

Employees may purchase postage from the City for use on their personal mail items. Personal mail items may be included with the City's daily delivery of mail to the US Post Office, but employees may not use the City as a mailing address for personal mail.

## **2.12 Fax**

Employees may use the City's fax machine on lunch breaks, rest breaks, before work hours, or after work hours to fax personal communications. No charge will apply to local faxes. Employees will be responsible for the cost of long-distance faxes.

## **2.13 Political Activity**

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no City employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the City to avoid any conflict of interest or perception of bias, such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

## **2.14 Solicitation**

No solicitation shall be allowed on City time for any individual, group, company, cause, or organization. The City encourages its employees to support community and charitable causes on their own time.

## **2.15 Smoking**

All City buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that no person will smoke tobacco, or other substances, or use smokeless tobacco while in a City facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes, and the use of chewing tobacco is prohibited for employees while on duty. Employees 21 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

## **2.16 Alcohol**

Employees shall not consume, or be under the influence of, alcohol while working or operating City vehicles, machinery, or equipment.

Emergency Personnel who have consumed more than two drinks of alcoholic beverages in the previous four hours shall

not respond to an emergency call.

## SECTION 3 – DEFINITIONS

For purposes of these policies, the following definitions will apply:

### **Authorized Hours:**

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee's department head.

### **Benefits**

Privileges granted to qualified employees in the form of paid leave and/or insurance coverage.

### **Benefit Earning Employees**

Employees who are eligible for at least a pro-rated portion of City provided benefits. Such employees must be year-round employees who work at least 20 hours per week on a regular basis.

### **City**

Refers to the City of Arlington.

### **City Council**

The elected Mayor and five City Council members.

### **Demotion**

The movement of an employee from one job class to another within the City, where the maximum salary for the new position is lower than that of the employee's former position.

### **Department Head**

An employee who is responsible for managing a department or division of the City. The City Administrator shall be considered the department head for any City employees who are themselves a department head.

### **Emergency Personnel**

A Fire, Ambulance, or Police Department Member or Officer.

### **Employee**

An individual who has successfully completed all stages of the selection process, including the probationary period.

### **Employee Relations Committee**

A committee established by the City Council to aid in dealing with employee issues.

### **Exempt Employee**

Employees who are not covered by the overtime provisions of the federal or state Fair Labor Standards Act.

### **Federal Insurance Contributions Act (FICA)**

FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Specifically, FICA requires an employee contribution of 6.2% for Social Security and 1.45% for Medicare, or as amended from time to time. The City contributes a matching 7.65% on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers).

### **Fiscal Year**

The period from January 1 to December 31.

### **Full-time Employee**

Employees who are required to work forty (40) or more hours per week, year-round, in an ongoing position.

**Hours of Operation**

The City's regular hours of operation are Monday through Friday, from 8:30 a.m. to 5:00 p.m.

**Non-exempt Employee**

Employees who are covered by the federal or state Fair Labor Standards Act. Such employees are normally eligible for overtime at 1.5 times their regular hourly wage for all hours worked over forty (40) in any given workweek.

**Official City Business**

The performance of duties that is necessary to the operation of the City.

**Part-time Employee**

Employees who are required to work less than forty (40) hours per week, year-round, in an ongoing position.

**Pay Period**

A fourteen (14) day period beginning at 12:00 a.m. (midnight) on Saturday through 11:59 p.m. on Friday, fourteen (14) days later.

**Public Employees Retirement Association (PERA)**

Statewide pension program in which all City employees meeting program requirements must participate in accordance with Minnesota law. The City and the employee each contribute to the employee's retirement account.

**Promotion**

Movement of an employee from one job class to another within the City where the maximum salary for the new position is higher than that of the employee's former position.

**Reclassify**

Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

**Seasonal Employee**

Employees who work only part of the year (100 days or less) to conduct seasonal work. Seasonal employees may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn benefits or credit for seniority.

**Service Credit**

Time worked for the City. An employee begins earning service credit on the first day worked for the City. Some forms of leave will create a break in service.

**Temporary Employee**

Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn benefits or credit for seniority.

**Probationary period/Probationary Period**

A (6) six-month period at the start of employment with the City, or at the beginning of a promotion, reassignment, or transfer, that is designated as a period within which to learn the job. The probationary period is an integral extension of the City's selection process and is used by supervisors for closely observing an employee's work.

Training begins on your first day of employment with an orientation process in which you will learn about City policies and procedures, take a tour of the city, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress, and at six months you will have a formal review.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the City, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest to continued City employment.

Time served in temporary, seasonal, volunteer, or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken.

### **Transfer**

Movement of an employee from one City position to another of equivalent pay.

### **Workweek**

For most employees, a workweek is seven consecutive 24-hour periods. For Police Department employees, a workweek is fourteen consecutive 24-hour periods. For most employees, the workweek will run from Saturday through the following Friday. For Police Department employees the workweek will run from Saturday through the second Friday. With the approval of the City Administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g. fire department, parks and recreation department).

## **SECTION 4 – EMPLOYEE RECRUITMENT & SELECTION**

### **4.1 Scope**

The City Administrator, with the help of the Employee Relations Committee or other Council Committees, will manage the hiring process for positions within the City. While the hiring process may be coordinated by the City Administrator, the City Council is responsible for the final hiring decision and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled. No hiring process will begin without first being approved by the City Council.

### **4.2 Features of the Recruitment System**

The City Administrator, with the help of the Employee Relations Committee or other Council Committees, will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis. Most position vacancies will be filled through an open recruitment process.

Application for employment will be made on application forms provided by the City. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the City Administrator or Council Committee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position. The deadline for application may be extended by the City Administrator.

All applications and related material shall be submitted to, and shall remain with, the City Administrator. Applications will first be reviewed by the City Administrator and the Department Head of the department an applicant is applying for. All applications will be kept in the "Active" file for a period of six (6) months. If an applicant desires to keep their application active beyond that time, he/she will be required to bring the existing application up-to-date or fill out a new application. Whether an applicant is or is not interviewed, his/her application will continue to be kept active for a six (6) month period and will be again considered if another position becomes available.

Position vacancies may be filled on an "acting" basis as needed. The City Council will approve all acting appointments. Pay rate adjustments, if any, will be determined by the City Council.

### **4.3 Rejection of Applications**

Applications for positions may be rejected by the City Administrator for any one of the following reasons:

- Lack of specified minimum qualifications required.

- Applicant's lack of physical, mental, or personal prerequisites deemed necessary for the effective performance of the duties and responsibilities of a position.
- Reference and/or investigation of the applicant prove unsatisfactory.
- Past employment history with the City.
- Applicant has directly or indirectly rendered or promised to give money, payment, service, or valuable item to any person in connection with appointment.
- Incomplete application form, falsification of information, or failure to provide required application information.
- Has a record of unsatisfactory employment.
- Has a recent history of untreated excessive use of alcohol, narcotics, or other drugs which may affect work performance.
- Such other causes and reasons deemed sufficient.

#### **4.4 Testing and Examinations**

Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test; or another appropriate job-related exam.

Internal recruitments will be open to any City employee who: (1) has successfully completed the initial probationary period; (2) meets the minimum qualifications for the vacant position; and (3) currently is, and for the past year has been, in good standing with the City.

The City Council or designee will establish minimum qualifications for each position with input from the appropriate department head. To be eligible to participate in the selection process a candidate must meet the minimum qualifications.

#### **4.5 Pre-Employment Medical Exams**

The City Council may determine that a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any City position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the City, with the cost of the exam paid by the City. Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist. The physician will notify the City Council that a candidate either is or is not medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug test, if applicable. If the candidate requires accommodation to perform one or more of the essential functions of the job, the City Council will confer with the physician and candidate regarding reasonable and acceptable accommodations.

If a candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

#### **4.6 Selection Process**

The selection process will be a cooperative effort between the City Administrator or Employees Relations/Council Committee and the hiring department head, or all three, subject to final hiring approval of the City Council. Any, all, or none of the candidates may be interviewed.

The process for hiring seasonal and temporary employees may be delegated to the appropriate department head with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the department head at any time, subject to City Council approval.

#### **4.7 Background Checks**

All finalists for employment with the City will be subject to a background check to confirm information submitted as part

of application materials, and to assist in determining the candidate's suitability for the position. Except where already defined by state law, only the City Administrator will determine and authorize the level of background check to be conducted based on the position being filled.

#### **4.8 Felonies**

The City will not hire a person who was previously convicted of a felony.

All police officer applicants must meet the minimum selection standards of the Minnesota Peace Officers Standards and Training Board. Minnesota Statute §626.87.

## **SECTION 5 – PROBATIONARY PERIOD**

### **5.1 Purpose**

The probationary period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work and for training the employee in work expectations. Probationary periods apply to new hires, transfers, promotions, and rehires. It shall be used for making any necessary adjustments to the position and for rejecting any employee whose performance does not meet the required work standards. An employee may be dismissed at any time and without cause during the probationary period.

### **5.2 Duration**

All original and promotional appointments shall be subject to a probationary period of six (6) months for all employees.

Peace officers are subject to a 12-month probationary period (Minnesota Statute 44.10 sub. 1 (b).)

Non-certified ambulance staff are subject to a probationary period of twelve (12) months.

Firefighters are subject to a probationary period of thirty-six (36) months.

At any time during the probationary period, the employee may be subject, but not limited, to disciplinary action, suspension, lay-off, demotion, transfer, or dismissal. An employee so dismissed will not have the right to appeal unless the employee is covered by the Veteran's Preference Law, in which case the employee may request a hearing pursuant to Minnesota Statute 197.46, or any law amending or replacing that law.

### **5.3 Completion of Probationary Period**

A performance evaluation will be completed and reviewed with the employee before the end of the probationary period. The department head or City Administrator shall then make a recommendation to the Employee Relations Committee for the termination of the probationary period. Final decision and notice shall be provided by the City Council upon recommendation of the Employee Relations Committee.

During the City Council's annual consideration of salary increases, an employee is not eligible for step increases while in probationary period.

### **5.4 Extension of Probationary Period**

The Employee Relations Committee may, upon recommendation of the City Administrator, extend the probationary period up to an additional six (6) months. The employee shall be notified of the reason for the extension, a reason which shall be directly related to performance within the position. The probationary period may also be extended due to leave of absence or suspension without pay.

### **5.5 Benefits during the Probationary Period**

An employee during the probationary period will not be paid for any absence from work except for legal paid holidays, jury duty, and funeral leave. Vacation leave will be granted (per Leaves policy) and can be used after the initial six months of the probationary period and pursuant to City Council approval. Insurance benefits shall commence from the start date of the employee; however, any waiting periods shall be according to the terms of the insurance benefits.

## SECTION 6 – ORGANIZATION

### 6.1 Job Descriptions

The City will maintain job descriptions for each regular position. New positions will be developed as needed but must be approved by the City Council prior to the position being filled.

A job description is prepared for each position within the City. Each job description will include: position title, department, department head's title, FLSA status (exempt or nonexempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. Good attendance and compliance with work rules and policies are essential functions of all City positions.

Prior to posting a vacant position the existing job description is reviewed by the City Administrator or designee and the hiring department head to ensure that the job description is an accurate reflection of the position and that the stated job qualifications do not present artificial barriers to employment. A current job description is provided to each new employee. Department heads are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Administrator.

### 6.2 Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the department head subject to the approval of the City Administrator.

### 6.3 Job Descriptions and Classifications

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the City Administrator.

### 6.4 Layoff

The City Administrator will maintain a seniority list. In the event that it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the City before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the Employee Relations Committee, subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoff.

## SECTION 7 – HOURS OF WORK

### 7.1 Work Hours

Work schedules for employees will be established by department heads with the approval of the City Administrator. The regular work week for employees is five eight-hour days, 8:30 a.m. to 5:00 p.m., in addition to a half-hour unpaid lunch period, Monday through Friday, except as otherwise approved by the City Administrator in accordance with the customs and needs of the individual departments. The police department will operate on separate irregular shift pattern.

### 7.2 On Call Hours

Due to the need to maintain essential City services, many employees will be required to be available "on call" to work in emergency situations. The employee who is serving on call time shall have the duty to remain close enough to the workplace to be able to report to work as soon as possible, or within 30 minutes after being called to do so. The employee shall be able and fit to respond to an emergency call during the employee's on call shift. The employee shall also remain in a location to be contacted by phone or beeper. It shall be the duty of the employee to inform the dispatcher of the phone number or radio at which the employee can be reached during the on-call shift.

An employee shall receive a base payment for the week on call during a pay period for the inconvenience of remaining

available to the City for emergencies. In addition to the hourly on call pay, the employee shall be paid at the overtime pay rate for actual time worked in response to an emergency call during the employee's on call shift. To compensate the employee for travel and preparation time for being called in for emergencies, the employee shall be paid a minimum of one hour of overtime pay per call. If the work time spent on a call exceeds one hour, the employee will be paid at the overtime pay rate for the actual time worked.

In all cases where an emergency arises, the employees who are on call in the affected department shall be called first, unless special skills are needed that can only be supplied by other employees who are not on call or who are in another department. The opportunity to earn overtime pay is another compensation for serving on call and must not be denied to the on-call employees unless absolutely for the benefit of the City.

Each employee that is on call shall be for one calendar week at a time. Employees shall not swap on call time without obtaining approval of the City Administrator.

### **7.3 Meal Breaks and Rest Periods**

A paid fifteen (15) minute paid break is allowed within each four (4) consecutive hours of work. An unpaid thirty (30) or sixty (60) minute lunch period is provided when an employee works eight or more consecutive hours. The employee, at their discretion and in coordination with their Department, can select an unpaid thirty or sixty-minute lunch break as long as the Department has adequate employee coverage. Employees are expected to use these breaks as intended and will not be permitted to save these breaks in order to adjust work start time, end time or lunchtime. Departments with unique job or coverage requirements may have additional rules, issued by the department head and subject to approval of the City Administrator, on the use of meal breaks and rest periods.

### **7.4 Timecards**

All employees that report to the shop must properly enter their timecard into the time clock at the beginning and end of each shift. Employees are expected to clock in no earlier than five minutes before the start of their scheduled work shift and are expected to clock out no later than five minutes after the end of their scheduled work shift, except in emergency situations. Paid time off should be indicated by reason (vacation, holiday). Overtime and any duty other than normal work shift hours must also be entered on the timecard by use of the time clock. If the employee clocks out more than 7.5 minutes after the normal work shift should have ended because of City needs, the time in excess of 7.5 minutes after the normal end of shift shall be paid at the overtime rate. All other employees must fill out a timecard approved by the City Administrator.

### **7.5 Adverse Weather Conditions**

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will be allowed to use accrued vacation time or compensatory time; or with department head approval may modify the work schedule or make other reasonable schedule adjustments.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective department head or the City Administrator.

### **7.6 Emergency Personnel Response Time**

Fire and Ambulance Emergency Personnel who are required to respond to emergency calls must be able to respond within eight (8) minutes of the call.

Police who are required to respond to emergency calls must be able to respond within twenty (20) minutes of the call.

## **SECTION 8 – COMPENSATION**



## **8.1 General**

Full-time employees of the City will be compensated according to schedules adopted by the City Council. Unless approved by the Council, employees will not receive any amount from the City in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay.

Compensation for part-time, seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Employees are responsible for notifying the Deputy Clerk of any change in status including changes in address, phone number, names of beneficiaries, marital status, etc.

Under the Minnesota Wage Disclosure Protection law, employees have the right to tell any person the amount of their own wages. While the Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minnesota Statute §181.172, Subd. 3

The City cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800)342-5354.

## **8.2 Direct Deposit and Paychecks**

As provided for in Minnesota law, all employees are required to participate in direct deposit. Paychecks are issued every two weeks; except for Library, Council, Ambulance and Fire personnel who are paid on a monthly, quarterly, semi-annual or annual basis. When paydays fall on a holiday, checks will be issued the day before the holiday. If the payday is the Friday after Thanksgiving, paychecks will be issued the Wednesday before Thanksgiving.

Paystubs will be distributed to email addresses as designated by each employee.

## **8.3 Time Reporting**

Full-time, non-exempt employees are expected to work the number of hours per week established for their position. In most cases, this will be 40 hours per workweek. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked, and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a biweekly basis. Each time reporting form must include the signature of the employee and department head. Reporting false information on a time sheet may be cause for immediate termination.

## **8.4 Overtime / Compensatory Time**

The City of Arlington has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as "exempt" or "non-exempt" from earning overtime.

### Non-Exempt (Overtime-eligible) Employees:

Most overtime-eligible employees will be compensated at the rate of time and one-half for all hours worked over 40 in one workweek. Police Department employees will be compensated at the rate of time and one-half for all hours worked over 86 in one work period. Vacation, PTO, and paid holidays do not count toward "hours worked". Compensation will take the form of either time and one-half pay or compensatory time. Compensatory time is paid time off at the rate of one and one-half hours off for each hour of overtime worked.

For most employees the workweek begins at 12:00 a.m. (midnight) on Saturday and runs until the following Friday night at 11:59 p.m. with a 40-hour workweek expected. Employees of the Police Department will have a work period which begins at 12:00 a.m. (midnight) on Saturday and runs until the second Friday night at 11:59 p.m. with an 86-hour work period expected. Department heads may establish a different workweek based on the needs of the department, subject to the approval of the City Administrator.

The employee's supervisor must approve overtime hours in advance. An employee who works overtime or takes compensatory time in advance without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time and one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum compensatory time accumulation for any employee is 40 hours per year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Deputy Clerk will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves employment at the hourly pay rate the employee is earning at that time.

Exempt (non-overtime-eligible) Employees:

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountancy, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means that they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Arlington will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns PTO, receives a short-term disability benefit or workers' compensation wage loss benefits and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the City in which the employee does not work a full week. In this case, the City will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness or injury, but:
  - Paid leave has not been requested or has been denied.
  - Paid leave is exhausted.
  - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City of Arlington may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City of Arlington will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the City any amounts received by the employee as jury fees or witness fees.

If the City inadvertently makes an improper deduction to the weekly salary of an exempt employee, the City will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as requested by their department heads as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

### **8.5 Leave Policy for Exempt Employees**

Exempt Employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. The normal hours of business for exempt employees are Monday through Friday, 8:30 a.m. to 5 p.m., plus evening meetings as necessary.

Exempt employees are required to use paid leave when on personal business or away from the office for four (4) hours or more, on a given day.

Absences of less than four (4) hours do not require use of paid leave as it is presumed that the exempt member regularly puts in work hours above and beyond the normal 8:30 a.m. to 5 p.m. Monday through Friday requirement. Exempt employees must communicate their absence to the City Administrator or his/her designee.

If one of the above employees regularly absents themselves from work under this policy and it is found that there is excessive time away from work which is not justified, the situation will be handled as a performance issue. If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the City. Additional notification and approval requirements may be adopted by the City Administrator for specific situations as determined necessary.

From time to time, exempt positions may require work beyond forty (40) hours per week. In recognition for working extra hours, these employees may take some time off during their normal working hours with department head approval. The time off for extra hours will not be on a one-for-one basis.

### **8.6 Attendance at Council Meetings**

Non-exempt employees who attend City Council meetings at the request of the City Council or City Administrator to report on City operations shall receive two (2) hours of compensation time.

Employees who attend Council meetings without the request of the City Council will be considered to volunteer their time to attend such meetings.

## **SECTION 9 – ROUTINE EMPLOYEE PERFORMANCE**

### **9.1 General**

The City Administrator shall be primarily responsible for evaluating routine employee performance, with input as appropriate from the department head. The Employee Relations Committee shall be responsible for evaluating the routine employee performance of the City Administrator.

In the case of routine job performance corrections, the City Administrator shall be the final authority in correcting the employee and putting a written notice of said correction or, if appropriate, written reprimand, in the employee's file. The City Administrator shall report such actions to the Employee Relations Committee at least quarterly.

### **9.2 Appeals**

If an employee job performance criticism is first brought to the attention of the Employee Relations Committee, the Committee will immediately report such criticism to the City Administrator for investigation and action on the part of the City Administrator, who shall then report said action back to the Committee as quickly as possible.

The Committee shall have no power to override the decisions of the City Administrator regarding routine job performance corrections. However, if the Committee deems it appropriate, the Committee may ask the City Administrator for further comment and background facts regarding the employee job performance issues and may recommend further or altered action on said issue to the general City Council. It should be the philosophy to allow the City Administrator to perform his normal function as supervisor of the City employees on a day to day basis.

In the case of serious employee misconduct, which may or may not include possible criminal charges, the City Administrator shall act as a factfinder and report the matter to the Committee for further review and investigation. The City Attorney should also be immediately contacted to participate in the process, to make sure that the appropriate legal warnings are given to the employee before the employee is questioned on the incident. The Committee shall conclude its investigation with a recommendation to the City Council for action according to the discipline procedures established in the City's personnel policies

### **9.3 Privacy**

It is understood that all discussion and written records of employee job performance, allegations of misconduct, or criminal acts shall be strictly confidential, and conducted only in meetings closed to the general public. As required by state law, the only information to be discussed at open meetings of the Committee or the City Council will be any final actions taken to discipline the employee with the basic grounds for the said action.

## **SECTION 10 – ANNUAL PERFORMANCE REVIEWS**

### **10.1 General**

An objective performance review system will be established by the City Administrator or designee for the purpose of periodically evaluating the performance of City employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

During the probationary period, informal performance meetings should occur frequently between the supervisor and the employee.

Signing of the performance review document by the employee acknowledges that the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

### **10.2 Process**

The City Administrator or designee shall conduct all performance reviews and all performance reviews will be discussed with the employee. The City Administrator may conduct the review with the employee's department head.

The Employee Relations Committee will review the City Administrator's evaluations and pass them onto the City Council for final review and any positive or negative actions based on said evaluations.

The Employee Relations Committee will be the primary evaluator of the City Administrator, and they shall pass along their evaluation of the City Administrator to the City Council for action.

### **10.3 Grievances**

An employee may grieve a performance review to the Employee Relations Committee.

The Employee Relations Committee shall have no power to override the decisions of the City Administrator regarding performance reviews. However, if the Committee deems it appropriate, the Committee may ask the City Administrator for further comment and background facts regarding the performance review and may recommend further or altered action on said issue to the general City Council. The decision of the City Council is final.

While the employees do not have the right to change their performance review, they may submit a written response to the review, which will be attached to the performance review.

## **SECTION 11 – BENEFITS**

### **11.1 Health, Short-Term Disability, and Life Insurance**

The City may contribute a monthly amount toward group health, short-term disability and life insurance benefits for each eligible employee and his/her dependents. The amount to be contributed and the type of coverage will be determined annually by the City Council.

### **11.2 Retirement**

The City participates in the Public Employees Retirement Fund (PERA) to provide pension benefits for its eligible employees. The City and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the City matches the employee's social security and Medicare withholding).

Employees are also eligible to take part in the Minnesota Deferred Compensation Plan. The City does not provide a match

### **11.3 Workers Compensation Insurance**

The City provides workers compensation insurance at City cost as required by law to cover disabilities due to work related injury or illness. The terms of the policy and state law govern the specific types of coverage provided.

### **11.4 Part-Time, Temporary and Seasonal Employees**

Part-time, temporary and seasonal employees shall receive no benefits of any kind other than basic payroll and workers compensation insurance coverage and those negotiated with the City Council.

## **SECTION 12 – HOLIDAYS**

The City observes the following official holidays for all regular full-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	Christmas Day

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter.

In addition to the official holidays, the City Administrator may determine from time to time, in keeping with the City needs, to allow half of the City workforce to take a half day paid holiday the afternoon of December 24<sup>th</sup> and the other half of the workforce to take a half day paid holiday the afternoon of December 31<sup>st</sup>. If the City offers this additional holiday, the employees shall be given the right to choose the half day they prefer, but any conflict shall be resolved in favor of the employees with seniority. In addition, the City may require that all the employees in a department take the same half day off. If the City offers these extra half day paid holidays, but some employees cannot take either half day off due to City

needs, those employees who cannot take advantage of either half day off shall receive compensation time for four (4) hours instead.

When a holiday falls on a Sunday, the following Monday will be the “observed” holiday and when a holiday falls on a Saturday, the preceding Friday will be the “observed” holiday for City operations/facilities that are closed on holidays.

Full-time employees will receive pay for official holidays at their normal straight time rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Part-time employees will receive no holiday pay. Any employee on a leave of absence without pay from the City is not eligible for holiday pay.

Premium pay of 1.5 times the regular hourly wage for non-exempt employees required to work on a holiday will be for hours worked on the “actual” or “observed” holiday.

Employees wanting to observe holidays other than those officially observed by the City may request either vacation leave or unpaid leave for such time off.

## SECTION 13 – LEAVES

### 13.1 Annual Leave

Annual leave replaces, and is in lieu of, individual sick leave, vacation leave, and combines them into on single benefit program.

Annual leave can be used for any reason, subject to existing request and approval procedures. As with all paid time off programs, supervisors must ensure that service to the public and work requirements are not adversely impacted.

### 13.2 Medical Certification

Good attendance is an essential job function for all city employees. If unplanned absences are excessive, a doctor’s certification may be required. The doctor’s certification is to state the nature and duration of the illness or injury and verify that the employee is unable to perform the duties and responsibilities of his/her position.

A statement attesting to the employee’s ability to return to work and perform the essential function of the job and a description of any work restrictions may also be required before the employee returns to work.

### 13.3 Accrual Rates for Annual Leave

2018 Accrual Rates:

Years of Service	Annual Accrual Rate	January Accrual	Per Pay Period Accrual
Hire - 2 years	136 hours	32	4
3 - 5 years	160 hours	56	4
6 - 10 years	200 hours	96	4
11 - 15 years	216 hours	112	4
16 – 20 years	232 hours	128	4
21+ years	256 hours	152	4

### 13.4 Paid Time Off

Paid Time Off (PTO) replaces vacation and sick leave beginning in 2018. The only requirement for the use of PTO is that it be approved through your supervisor so that your absence does not create a hardship for the department.

Any time off during probation, except for funeral leave, will be taken as unpaid leave. After a successful probationary period, employees will receive 68 hours of PTO and begin accruing 4 hour per pay period for the remainder of the year. Employees will have access to use their PTO time 30 days following the end of their probation period.

The City of Arlington will cap the amount of PTO leave at 296 hours per year. Employees will have until May 18, 2022 to get below 296 hours. Any hours over 296 after May 18, 2022 will be forfeited. PTO will be accrued through an annual allocation in January and four hours per pay period for the remainder of the year. The January allocation will vary depending on your years of service.

Employees hired prior to January 1, 2018, will retain current sick leave balances as of December 17, 2018 to be titled “Catastrophic Sick Bank”, and available for use when three or more days absence is required. Employees that retire with a balance in the Catastrophic Sick Bank will be eligible to have a portion of the sick leave paid out at their hourly rate as of December 18, 2017, and at percentages provided for in the prior sick leave policy.

Employees leaving the City in good standing for a resignation or retirement are eligible for a payout of their accrued leave up to the maximum accrual amount or one and a half of their annual accruals. Employees will have the option to direct this money into a Healthcare Savings Account, 457 Deferred Compensation Plan (subject to IRS maximum deferral regulations and Minnesota Law) or receive a payout after taxes.

Towards year end, employees whose actual years of service of contract period exceed two years are eligible to designate up to 48 hours of unused PTO for payment into a Healthcare Savings Account or 457 Deferred Compensation Plan, as long as the employee has used at least 30% of the annual leave accrual in the current year.

Annual leave will accrue on a pay-period basis up to a maximum of one-and-one-half times the employee’s maximum annual accrual rate as noted above. Employees may carry over any annual leave that does not exceed the stated cap. No additional accrual will occur above the cap.

Annual leave will not accrue during unpaid leaves.

### **13.5 Catastrophic Sick Bank**

Employees hired prior to January 1, 2018, who have accrued sick leave will retain sixty-five (65) percent of their sick leave balance to be used as “catastrophic sick bank” until the balance is exhausted. Catastrophic sick bank can be used for any doctor certified extended leave that would have been covered under the previous sick leave policy. An extended leave for purposes of this policy is defined as one requiring an employee to be out of work for more than three (3) consecutive days.

If an employee knows he/she will be out for more than three (3) consecutive days before the absence, he/she will be eligible to use the deferred sick leave from the first day. For example, if an employee has a scheduled surgery where he/she knows – in advance – he/she will be out for two (2) weeks, the employee will be able to use hours from the deferred sick leave bank starting on the first day of the absence. If an employee is out and expects to return within three (3) days, he/she will use Annual Leave. If the medical condition extends beyond the three (3) days, the deferred sick leave bank will be applied retroactively, and any annual leave used will be restored to the employee’s annual leave balance.

Once the catastrophic sick bank is exhausted, employees will use annual leave for all absences covered by the annual leave program. Any deferred sick leave balance remaining when an employee leaves city service will expire. The City will not pay out any hours that may remain in the deferred sick leave bank at termination.

### **13.6 Returning to Work After a Medical Absence**

After a medical absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The City has the right to obtain a second medical opinion to determine the validity of an employee's workers' compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The City will arrange and pay for an appropriate medical evaluation when it has been required by the City.

### **13.7 Current Vacation Balances**

Unused vacation balances shall be converted to annual leave on an hour for hour basis.

### **13.8 Severance Pay**

Employees leaving the City in good standing will receive 100 percent of their annual leave balance as compensation (applicable taxes will be withheld). Employees have the option of directing those dollars into a 457 deferred compensation plan (subject to IRS maximum deferral regulations and Minnesota law).

### **13.9 Unpaid Leave**

Unpaid leaves may be approved in accordance with the City personnel policies. Employees must normally use all accrued annual leave prior to taking an unpaid leave.

If the leave qualifies under Parenting Leave or Family and Medical Leave, the employee may retain a balance of forty (40) hours when going on an unpaid leave. Any exceptions to this policy must be approved by the City Administrator.

### **13.10 Annual Leave Conversion**

Annual leave will be eligible for conversion to a 457 deferred compensation plan on an hour-for-hour basis (subject to IRS maximum deferral regulations and Minnesota law) annually with the following conditions. A maximum amount of 48 hours may be converted each year provided the employee has used as least 30% of his/her annual accrual during the current calendar year and has a balance of at least 176 hours.

The minimum balance requirement will be determined as of the first payroll in December. Payment will be based on the employee's current hourly rate on December 1.

Conversion to deferred compensation will occur in the second payroll of the following year with specific dates to be determined by the Administrator's Office each year. The City Administrator, or Deputy City Clerk, will notify all employees in November of each year as to the dates and conversion options. Regular rate for the purpose of this policy is the employee's straight time rate not including overtime, pay differentials, out-of-class, on-call or any other additions to regular pay.

### **13.11 Funeral Leave**

Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. This paid leave will not be deducted from the employee's PTO.

Immediate family shall be defined as an employee's or an employee's spouse's, child foster child, brother, sister, stepbrother, stepsister, father, mother, stepfather, stepmother, grandchild, grandmother, and grandfather.



The actual amount of time off, and funeral leave approved, will be determined by the department head or City Administrator depending on the individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

### **13.12 Military Leave**

State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of 15 days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service or is prevented from returning by physical or mental disability or other cause not the fault of the employee or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active-duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of annual leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

Employees will be granted up to ten (10) working days of unpaid leave whose immediate family member is a member of the United State armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the City, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

### **13.13 Jury Duty**

Regular full-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the City in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued annual leave or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the Clerk of Court so the City will be able to determine the amount of compensation due for the

period involved.

Part time, temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take a leave without pay subject to department head approval.

### **13.14 Court Appearances**

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with City employment, minus mileage reimbursement, must be turned over to the City.

### **13.15 Job Related Injury or Illness**

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and arrange for a medical appointment.

Worker's compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

### **13.16 Administrative Leave**

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the City Administrator with the approval of the City Council.

### **13.17 Victim or Witness Leave**

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony as a victim or witness, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, is entitled to reasonable paid time off from work to attend criminal proceedings related to the victim's case.

### **13.18 Elections / Voting**

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided that the employee gives the City at least ten (10) days written notice.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote during the morning of election day. Employees wanting to take advantage of such leave are required to work with their supervisor to avoid coverage issues. Employees are responsible to go directly to, vote and return to the City workplace directly from the employee's designated polling place.

### **13.19 Regular Leave without Pay**

The City Administrator may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

Normally an employee while on leave without pay will not earn employee benefits. However, the City's contribution toward health, dental and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays or annual leave. Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and annual leave based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued annual leave and compensatory time must normally be used before an unpaid leave of absence will be approved.

To qualify for leave without pay, an employee need not have used all PTO earned unless the leave is for medical reasons. Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the City.

Employees returning from a leave without pay for a reason other than FMLA will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Administrator subject to approval of the City Council.

### **13.20 Family and Medical Leave (FMLA)**

The Family and Medical Leave Act (29CFR Part 825) provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave.

The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools). TO be eligible for FMLA leave, an employee must work for a covered employer and:

- Have worked for that employer for at least 12 months; and
- Have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and
- Work at a location where at least 50 employees are employed at that location or within 75 miles of the location.

### **13.21 Reasonable Unpaid Work Time for Nursing Mothers**

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for nursing her child for one year after the child's birth. The city will provide a room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

### **13.22 Light Duty/Modified Duty Assignment**

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City Administrator on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the City Administrator. The City Administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential functions, duties, and requirements of the position. This notice **must** be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions

related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the City's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the City Administrator.

The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the City Administrator whether to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

If the City offers a light duty assignment to an employee who is out on worker's compensation leave, the employee may be subject to penalties if he/she refuses such work.

The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

### **13.23 Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy**

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth.

- More frequent restroom, food, and water breaks.
- Seating.
- Limits on lifting over 20 pounds and/or Temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the City. The City will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

## **SECTION 14 – RESPECTFUL WORKPLACE POLICY**

### **14.1 General**

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

### **14.2 Applicability**

Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel including regular, part-time, temporary employees, volunteers, firefighters, ambulance personnel, and City Council members.

### **14.3 Abusive Customer Behavior**

While the City has a strong commitment to customer service, the City does not expect that employees accept verbal abuse from any customer. An employee may request that a department head intervene when a customer is abusive or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their department head

about the incident as soon as possible.

#### **14.4 Types of Disrespectful Behavior**

The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:

Violent behavior includes the use of physical force, harassment, or intimidation.

Discriminatory behavior includes inappropriate remarks about, or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, or status with regard to public assistance.

Offensive behavior may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive to a reasonable person. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and department head what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their department head or the City Administrator.

Sexual harassment can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

#### **14.5 Possession and Use of Dangerous Weapons**

Possession or use of a dangerous weapon, defined as an object which, as used, may be anticipated to produce death or great bodily harm, is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

#### **14.6 Employee Response to Disrespectful Workplace Behavior**

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to follow the steps below.

Step 1(a). Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your department head or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1(c). In the case of violent behavior, all employees are required to report the incident immediately to their department head, City Administrator or Police Department. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Administrator.

Step 2. If, after what is considered to be a reasonable length of time (no longer than 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the City Administrator or the Mayor.

#### **14.7 Department Head's Response to Allegations of Disrespectful Workplace Behavior**

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

In the case of sexual harassment or discriminatory behavior, a department head must report the allegations within two business days to the City Administrator, who will determine whether an investigation is warranted. A department head must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, department heads will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the department head may choose to handle the matter informally. The department head may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be

interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his/her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time and place.

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 3. The department head must notify the City Administrator about the allegations.

Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

### **14.8 Special Reporting Requirements**

When the department head is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Attorney who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a Council Member is perceived to be the cause of a disrespectful workplace behavior incident involving City personnel, the report will be made to the City Administrator and referred to the City Attorney who will undertake the necessary investigation. The City Attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

### **14.9 Confidentiality**

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

### **14.10 Retaliation**

Consistent with the terms of applicable statutes and City personnel policies the City may discipline any individual who retaliates against any person who reports alleged violations of this policy. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

## SECTION 15 – SEPARATION FROM SERVICE

### 15.1 Resignations

Employees wishing to leave the City service in good standing must provide a written resignation notice to their department head, at least ten (10) working days before leaving. Exempt employees must give thirty (30) calendar days' notice. The written resignation must state the effective date of the employee's resignation.

Failure to comply with this procedure may be cause for denying the employee's severance pay and any future employment with the City.

### 15.2 Severance Pay

Employees who leave the employment of the City in good standing by retirement or resignation will receive pay for 100% of earned unused accrued PTO.

Earned unused accrued vacation leave will be defined as vacation earned and paid out at retirement/resignation on a pro-rated basis. (Example: An employee who retires or resigns in good standing at the end of March and had a balance of 120 vacation hours on January 1<sup>st</sup> will be paid out for 30 hours, because that would have been the amount (3/12) of vacation earned during the year.)

If an employee retires or resigns and has already taken and been paid for more vacation time than earned, the employee shall reimburse the City for excess pay.

## SECTION 16 – DISCIPLINE

### 16.1 General Policy

Department Heads are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Arlington. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the City's personnel policies. The department head and/or the City Administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

### 16.2 No Contract Language Established

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

### 16.3 Process

The City may elect to use progressive discipline with any employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any City employee has a property right to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

The following are descriptions of the types of disciplinary actions:



### Oral Reprimand

This measure will be used where informal discussions with the employee's department head have not resolved the matter. All department heads have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The department head will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

### Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period of time. Serious infractions may require skipping either the oral or written reprimand, or both.

Written reprimands are issued by the department head with prior approval from the City Administrator.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean that they agree with the reprimand. Written reprimands will be placed in the employee's personnel file.

### Suspension With or Without Pay

The City Council, upon recommendation from the City Administrator, may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

### Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the City Council determine a demotion or transfer to be the best solution to the problem. The employee must be qualified for the position to which they are being demoted or transferred.

### Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies.

## Dismissal

The City Council may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with City standards.

If the disciplinary action involves the removal of a qualified veteran, the appropriate hearing notice will be provided, and all rights will be afforded the veteran in accordance with Minnesota law.

## SECTION 17 – GRIEVANCE PROCEDURE

### **17.1 General**

Any dispute between an employee and the City relative to the application, meaning or interpretation of these personnel policies will be settled in the following manner:

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper department head within twenty-one (21) days after the alleged violation or dispute has occurred. If the employee grieving is a department head, then the grievance should be sent directly to the City Administrator (Step 2). The department head will respond to the employee in writing within seven (7) calendar days.

Step 2: If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the City Administrator within seven (7) days after the department head's response is due. The City Administrator or his/her designee will respond to the employee in writing within seven (7) calendar days.

Step 3: If the grievance has not been settled in accordance with Step 1 or 2, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the Employee Relations Committee within seven (7) days after the City Administrator's response is due. The Employee Relations Committee will review the grievance and will make a recommendation to the City Council, which shall have final authority to resolve the grievance.

### **17.2 Waiver**

If a grievance is not presented within the time limits set forth above, it will be considered "waived." If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled based on the City's last answer. If the City does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the City and the employee without prejudice to either party.

The following actions are not grievable:

1. Pay increases or lack thereof; and
2. Merit pay awards.

The above list is not meant to be all inclusive or exhaustive.

## SECTION 18 – EMPLOYEE EDUCATION & TRAINING

### 18.1 General

The City promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Any terms within this section calling for approval of the City Administrator, in cases where the City Administrator is the employee requesting the education benefit shall require the approval of the City Council.

### 18.2 Policy

The City will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved in advance under the following criteria and procedures:

#### Job-Related Training & Conferences

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

Continuing Legal Education (CLE) or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the City.

The department head and the City Administrator are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

#### Job-Related Meetings

Attendance at professional meetings costing \$100 or less and are directly related to the performance of the employee's work responsibilities do not require the approval of the City Administrator. Advance department head approval is required to ensure adequate department coverage.

#### Request for Participation in Training & Conferences

The request for participation in a training session or conference must be submitted in writing to the employee's department head on the appropriate form. All requests must include an estimate of the total cost (training session, travel, meals, etc.) and a statement of how the education or training is related to the performance of the employee's work responsibilities with the City.

Requests totaling more than \$100 must be approved by the employee's department head and the City Administrator. Documentation approving conference or training attendance will be provided to the employee with a copy placed in the employee's personnel file.

Payment information such as invoices, billing statements, etc., regarding the conference or training should be forwarded to accounting for prompt payment.

#### Out of State Travel

Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out of state travel are reviewed for approval/disapproval by the City Council.

Not to Exceed Figure

Payment of training and/or conference expenses must not exceed the budgeted amount per department per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Council.

Compensation for Travel & Training Time

Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act.

Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

**18.3 Memberships and Dues**

The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the City. Normally, one City membership per agency, as determined by the City Administrator is allowed, providing funds are available.

Upon separation of employment, individual memberships remain with the City and are transferred to another employee by the City Administrator.

**18.4 Travel & Meal Allowance**

If employees are required to travel outside of the area in performance of their duties as a City employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. However, the City will not reimburse employees for meals connected with training or meetings within City limits, unless the training or meeting is held as a breakfast, lunch or dinner meeting.

Employees who find it necessary to use their private automobiles for City travel and who do not receive a car allowance will be reimbursed at the prevailing mileage rate as established by the allowable IRS rate for the current year.

Maximum expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy:

If meals are included in tuition or registration fees and/or only a fraction of the day is authorized for travel, the per diem or expense allowance will be reduced as follows, unless documented otherwise:

<u>In-State</u>			<u>Out-State</u>		
<i>Breakfast</i>	-	<i>\$10.00</i>	<i>Breakfast</i>	-	<i>\$12.00</i>
<i>Lunch</i>	-	<i>\$15.00</i>	<i>Lunch</i>	-	<i>\$17.00</i>
<i>Dinner</i>	-	<i>\$20.00</i>	<i>Dinner</i>	-	<i>\$23.00</i>

Breakfast allowance shall be authorized for metro departures prior to 8:00am and dinner allowance shall be authorized for metro arrivals after 7:00pm. Allowances within these parameters are the responsibility of the Department Head consistent with the facts and good judgement applied to each travel expense claim.

No reimbursement will be made for alcoholic beverages. Tips at a maximum rate of 18% will also be reimbursed only if tip is itemized on appropriate receipt. These are maximum limits and not flat allowances. Actual costs, supported by receipts, shall be the basis for reimbursement.

**18.5 Tuition Reimbursement**

To be considered for tuition reimbursement the employee must be in good standing and have been employed by the City for at least one year. All requests for tuition reimbursement will be considered on a case-by-case basis

by the City Administrator, with final approval/disapproval provided by the City Council.

Courses taken for credit at an approved educational institution must meet the following criteria to be approved for reimbursement:

- Courses must be directly related to the employee's present position (whether required for a degree program or not); OR
- Courses must be directly related to a reasonable promotional opportunity in the same field of work as present position (whether part of a degree program or not). AND

The City will pay the cost of tuition upon successful completion (C grade or better; “pass” in a pass/fail course) of the approved course for full-time employees. The maximum reimbursement per course will be based on an average course cost at the University of Minnesota. Employees may elect to attend a more costly school provided they pay the difference in cost. Employees must reimburse the City if they voluntarily leave employment within twelve (12) months of receiving tuition reimbursement from the City.

Tuition reimbursement for an individual employee will not exceed \$1,000 per year.

## SECTION 19 – OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed by the City of Arlington regard the City as their primary employment responsibility. All outside employment is to be reported to the employee’s immediate department head. If a potential conflict exists based on this policy or any other consideration, the department head will consult with the City Administrator. Any City employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee’s City job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-City employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with City employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the City’s regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use City equipment, resources or staff in the course of the outside employment.
- The employee must not violate any City personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the City. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for his/her own business, while using PTO from the City for those same hours.
- Department heads may establish more specific policies as appropriate, subject to the approval of the City Administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the

potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspect of the City.

## **SECTION 20 – DRUG FREE WORKPLACE**

### **20.1 General Policy**

In accordance with Federal Law, the City of Arlington has adopted the following policy on drugs in the workplace:

- Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the City’s intent and obligation to provide a drug-free, safe and secure work environment.
- The unlawful manufacturing, distribution, possession, or use of a controlled substance on City property or while conducting City business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
- The City recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans, as appropriate.
- Employees must, as a condition of employment, abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting City business. A report of the conviction must be made within five (5) days after the conviction as required by the Drug-Free Workplace Act of 1988.

### **20.2 Testing**

The City reserves the right to test for drugs and alcohol according to Minnesota State Statutes 181.950 – 181.957, or any laws amending or replacing such laws, as follows:

- The City may request or require pre-employment, reasonable suspicion, random, post-accident, and follow-up/return to duty drug and/or alcohol testing of employees in positions requiring the possession of a Commercial Driver’s license and defined as safety sensitive.
- The City shall use the services of a testing laboratory that meets one of the criteria for drug testing as defined in MN Statute 181.953, subd. 1. A testing laboratory that is not certified by the National Institute on Drug Abuse shall follow the chain-of-custody procedures prescribed in MN Statute 181.953, subd. 5. A testing laboratory shall conduct a confirmatory test on all samples that produced a positive test result on an initial screening test. The laboratory must disclose written test results to the City which indicate the drugs, alcohol, or drug or alcohol metabolites tested for and whether the test produced negative or positive results.
- Before requesting an employee or job applicant to undergo drug or alcohol testing, the City shall provide a form on which to acknowledge that the employee or job applicant has seen the City’s drug and alcohol testing policy. The employee or job applicant will be given a written copy of the test results, and if positive, will be given an opportunity to explain any positive test results. In addition, the employee or job applicant may request a confirmatory retest of the original sample at their own expense. The City will pay for the cost of pre-employment, post-accident, random and reasonable suspicion testing that is requested or required. The employee must pay for the cost of all requested confirmatory retests, return-to-duty and follow-up testing.
- If a job applicant refuses to undergo drug or alcohol testing requested or required by the City, no such test shall be given, and the job applicant shall be deemed to have withdrawn the application for employment. If an employee refuses to undergo drug or alcohol testing requested or required by the City, no such test shall be given, and the employee may be discharged from employment on grounds of insubordination.

- Where there has been a positive test result in a confirmatory test/retest, the City will withdraw the offer of employment to a job applicant. Where there has been a positive test result in a confirmatory test/retest regarding current employees, the City may do the following:
  1. On a first positive test result, the employee will be given an opportunity to participate in either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate. Participation in a counseling or rehabilitation program will be at the employee's own expense. If the employee either refuses to participate in the counseling or rehabilitation program or fails to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program, the employee may be discharged from employment.
  2. On a second positive test result, the employee will be disciplined; including, but not limited to, discharge from employment.
- The City will not disclose the test result reports and other information acquired in the drug or alcohol testing process to another employer or to a third party individual, governmental agency, or private organization without the written consent of the employee tested, unless permitted by law or court order.
- The City of Arlington will make a continuing good faith effort to maintain a drug-free workplace through the implementation of this policy.

## SECTION 21 – VEHICLE USE POLICY

### 21.1 Purpose & Need

The purpose of this policy is to establish responsibility and authority for vehicle use and operation.

### 21.2 City Use of Personal Vehicles

All employees of the City will be paid mileage for use of their personal vehicles and reimbursed for all related legal parking costs while conducting official City business. The mileage rate will be that as set by the IRS. However, employees are encouraged to use available City vehicles whenever possible while conducting official City business.

City vehicles shall be used only under these circumstances:

- City vehicles shall be used for official City business only. Employees and/or agents who are authorized to use a City vehicle are prohibited from using vehicles for personal purposes.
- Only authorized City employees and/or agents are allowed in City vehicles unless the use is for authorized official City business.
- All individuals driving any City vehicle shall have on their person a current valid driver's license of the class appropriate for the vehicle being driven.
- All appropriate reports/forms must be completed and given to the City Administrator whenever a vehicle is involved in an accident, as well as being reported to the Police Department.
- It is the responsibility of all employees and or/agents to report policy/procedure abuse to the appropriate authority.
- All vehicle use after regular work hours needs to be granted by the City Administrator.

This criterion does not apply to employees and/or agents whose job requires response to a fire scene, crime scene or other situation which threatens human life (primary emergency response.)

Normal personal commuting mileage from home to work or work to home is not reimbursable.

### 21.3 Emergency Response

The use of private vehicles to respond to the scene of an emergency, including fire and ambulance calls, should always be avoided. All employees and/or agents whose job requires response to a fire scene, ambulance call, crime scene or other situation which threatens human life (primary emergency response), shall do so while in a City of Arlington emergency vehicle. All State of Minnesota traffic laws shall be followed for any emergency responder traveling to the station in their private vehicle to mount up on an emergency vehicle.

#### **21.4 Driving Policy**

This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The City expects all employees who are required to drive as part of their job to drive safely and legally while on City business and to maintain a good driving record.

The City will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first work day after any temporary, pending or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

#### **21.5 Seat belts**

The City recognizes that seat belts are extremely effective in preventing injuries and loss of life. The City cares about its employees and wants to make sure that no one is injured or killed in a tragedy that could have been prevented by the use of seat belts. Therefore, all employees of the City must wear seat belts when operating a city-owned vehicle, or any vehicle on city business; and all occupants are to wear seat belts or, where appropriate, child restraints when riding in a city-owned vehicle, or in a personal vehicle being used for city business.

## **SECTION 22 – CELLULAR PHONE AND MOBILE ELECTRONIC DEVICES**

### **22.1 General**

Existing and future generations of technology provide opportunities for employees to work more efficiently and effectively using cell phones and mobile devices (for example, smart phones, personal pocket computer devices), and other technology that has yet to be invented. This policy addresses City-purchased and employee purchased cell phones and electronic mobile devices. The purpose of this policy is:

- To provide guidance with regard to who has cell phone and mobile device privileges and City expectations of those employees.
- To provide a framework for City purchasing of existing and future communication technology.
- To provide guidance to department directors in evaluating which positions can benefit from such technology.
- To provide a process for purchasing said technology in a way that protects City assets.
- To address employee purchased personal electronic devices used at work.

Cellular telephones are intended for the use of City employees in the conduct of their work for the City. Department heads, with the approval of the City Administrator, will determine which positions would benefit significantly from a City-provided cell phone or mobile electronic device. This evaluation will be based on the benefit to the City for providing such a device, the scope of position responsibilities, the frequency with which the employee is away from the office/workspace, the need to be able to contact the employee on immediate or short notice, and the employee's role in emergency response. The cost of such devices needs to be balanced



with the benefit or gain to the City.

Use of public resources by City employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances.

A City-issued cell phone (including mobile devices with cell phone capabilities) is not intended to be an employee's primary phone or as a long-distance provider for employees. Limited incidental and occasional personal use of a City cell phone may be permitted with the consent of the department head. These calls should be limited to a short reply. Frequent and/or lengthy calls for personal reasons during work time are a violation of this policy. Usage of City-owned cell phones (including mobile devices with cell phone capabilities) for personal long-distance calls is not allowed because phones are provided to more efficiently perform job duties and not as an additional personal benefit to the employee. In addition, any personal use may cause the City to exceed the plan's allotted monthly minutes and/or to incur roaming charges. The City has the right to review cell phone/device records and if it is determined that there has been excessive personal use; the employee will be required to pay their proportionate share of the bill(s). Employees may also be disciplined for excessive personal use.

In no instance will it be deemed acceptable for an employee to use a cell phone or mobile device to make harassing, threatening, or intimidating calls, personal or otherwise.

Employees are expected to keep their City-issued cell phone turned on at certain times to assure that they can be reached.

Cell phones should not be used when a less costly alternative phone service is convenient and readily available. These devices may be taken-out-state and used for business purposes only.

The City will not purchase extra services for cell phones and mobile devices that are not related to the work performed by the employee. Employees are not to access and/or download online features (such as ring tones, games) to their cell phones or mobile device. This conduct would be considered a violation of this policy and the employee may be required to reimburse the City for any expenses incurred and would be subject to discipline.

Computers or other electronic devices (City or personal) may not be used at any time while driving, including any time when the vehicle is part of traffic (except when in accordance with City policies and State law). If an employee, while driving a City vehicle (or a personal vehicle for work) must use a mobile communications device, a hands-free device must be used. Only in the case of an emergency is the use of a mobile communications device without a hands-free device permitted.

Employees are not to loan a City-issued cell phone or mobile device to another person for non-City use, except in an emergency.

## **22.2 Phone Care**

Continued care and safekeeping of City owned cellular phones is required of all employees. Phones shall be continually protected and secured to eliminate potential damage and/or theft. Leaving phones unattended, misuse or abuse of an individual phone, or disregard for their protection (water, dust, etc.) will not be tolerated. In the case of theft or loss of phone, the employee is required to contact the City Administrator immediately. The City will pay to replace one lost/damaged phone due to negligence only. The employee will pay for additional damaged or lost phones.

## **22.3 Revocation and Return**

Department heads may revoke the use of employee issued phones at any time for any reason. Specific considerations in revoking the use of an employee issued cellular phone include, but are not limited to, violation of city policy, misuse of the phone, or careless treatment and or damage to the phone.

Any employee failing to return a phone at the request of the department head shall be subject to disciplinary action and monetary penalties including but not limited to, the original purchase price of the phone and continued billing expenses from the date of notice until return.

#### **22.4 Privacy**

Employees are given cell phones and mobile devices to assist them in the performance of their jobs. All equipment is the property of the City and is to be used for City purposes. Employees should have no expectation of privacy for anything they create, store, send or receive using the City's property. The City reserves the right to monitor the use of all City-owned cell phones and mobile devices.

Cellular transmissions are not secure. Employees should use discretion in relaying confidential information while using an electronic device with telephone, e-mail, texting and/or other communication capabilities.

#### **22.5 Responsibility**

Department heads are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit department head discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained, or outside employment is served.

A department head may authorize an employee to use his/her own personal phone for City business and be reimbursed by the City for those calls. An employee will not be reimbursed for business-related calls without prior authorization from his/her department head. Department heads may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

When an employee terminates employment, the employee is responsible for returning the cell phone or mobile device to the City.

The use of cell phones and mobile devices is subject to all other City policies, for example, Personnel Policy Handbook Section 23 – Computer Usage and Section 2.5 – Access and Personal Use of City Property.

The City Administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All department heads will be responsible for enforcement within their departments.

#### **22.6 Devices Purchased at Employee Expense**

Employees may purchase mobile devices at their own expense, which assist them in performing their job responsibilities. The City of Arlington is not responsible for repairs to employee-owned electronic devices.

#### **22.7 Personal Cell Phones at Work**

Employees should make every effort to assure that their personal cell phone is not disruptive to co-workers during work hours or interferes with the employee completing their own work.

Typically, the City will not reimburse an employee for incidental use of their personal cell phone for work. However, an employee can request reimbursement under extraordinary circumstances for expenses incurred on a personal cell phone bill.

## **22.8 Personal Cell Phone/Mobile Device Stipend**

A stipend may be provided for employee-owned devices that are purchased by the employee and used for City business. Business necessity includes meeting customer or client service expectations in a timely fashion, the need for immediate communication with department staff or others where employee job requirements take employee outside of primary work area, or if job duties support 24x7 business infrastructure and require immediate response(s) to urgent communication needs.

A cellular phone/smartphone or mobile data device allowance is offered to employees as a voluntary, non-compensatory, option and is to be based on the net cost for the City to provide the device at the level of service assigned by the department head or City Administrator. The cell phone allowance is considered non-taxable as long as the amount reimbursed is less than the employee's total monthly bill. The employee is required to bring in one monthly bill to be kept on-file to show the employee is not being reimbursed for more than their personal bill. The stipend is to be made on a disbursement check and not on a payroll check. The cell phone stipend will be discontinued during any leave of absence from the City for a month or longer duration.

The employee receiving a stipend must make the phone number available to his or her supervisor, emergency contacts and Emergency Operations Plan (EOP) call list, if the employee is a designated EOP contact. The employee acknowledges his/her personal device phone number may be published for official city business, but it should be determined by the employee's department policy.

Non-exempt employees should have no expectation of overtime or comp time for checking emails or accessing City systems after non-work hours. The City of Arlington has no general expectation for employees to check or respond to emails during non-work hours, unless explicitly required by the employee's department head.

Employees receiving a stipend for a communications device are responsible for ensuring the device is in good working order. The City is not responsible for upkeep, support or replacement of personal devices that are used for City business. Employees are responsible for all the costs associated with the cell plan they choose. For example, lost or stolen phones, phones that break or quit working, plan penalties, activation fees, excess charges, etc. are all the responsibility of the employee. The City of Arlington is only responsible for the approved cell phone/mobile device stipend.

In the event a personal cell phone breaks, quits working, or is lost/stolen, the employee must notify their department head or the City Administrator. If the employee is without a cell phone for more than one week, the City will suspend payment of the cellular phone allowance until a replacement phone has been obtained and activated.

IT support will be limited to instructions for the employee on how to sync email, schedules and tasks (if available) and use of City-supplied security products (if available). Each device syncing with City communications systems requires a Client Access License to be procured by the City. The City assumes no liability for any direct or indirect damages arising from the user's use of personal phone. The City is not responsible for any lost personal data.

## **SECTION 23 – IT USE**

### **23.1 Purpose**

The purpose of this section is to set standards to protect the city's IT Systems and equipment from business interruption and unauthorized or inappropriate access, and to maintain security.

This applies to all Users. Directors and supervisors are responsible for ensuring the appropriate use of all electronic tools through training, supervising, coaching and taking disciplinary action when necessary. Additionally, supervisors must notify IT/Administration promptly about any User with network accounts and access to the city's electronic data who is no longer employed or retained by the city for immediate account disabling.

All Users of IT Systems are responsible for appropriate use and are expected to adhere to the highest ethical standards as set forth in the city's Personnel Policy Manual - Article 1 - "Code of Ethics" when conducting city business. All Users with access to the city network have a responsibility to protect the electronic data that they have access to and follow proper data practices protocols as directed by the Minnesota State Statutes. All Users with access to IT Systems are expected to protect these systems from harm, damage, unauthorized access or theft by adhering to this policy.

### **23.2 Monitoring of Computer, Internet and Telephone Usage**

The city, through direction by the City Administrator and IT/Administration, has the right to monitor and log any and all aspects of its computer system including, but not limited to: monitoring Internet sites visited by Users, monitoring chat and newsgroups, monitoring file downloads, reviewing all communications created, sent and received by Users, recording and reviewing all data on the city's telephone system, and reviewing all data stored on the city's IT Systems.

### **23.3 Blocking Sites**

The City has the right to utilize software to identify and block access to any Internet sites it chooses without notice, including but not limited to those containing sexually explicit material or any other material deemed by the City in its sole discretion to be inappropriate or prohibited in the workplace. In the event a User unintentionally accesses inappropriate material the User expects to be deemed inappropriate or prohibited, e.g. pornographic images, the User must immediately report that unintentional access to his or her supervisor.

### **23.4 Reporting**

Users will notify their immediate supervisor, IT/Administration, and the City Administrator upon learning of violations of this policy.

### **23.5 No Expectation of Privacy**

Users are given computers, internet access, and telephones to assist them in the performance of their jobs. All IT Systems are the property of the city and are to be used for city purposes. Users have no expectation of privacy in anything they create, store, send or receive using IT Systems and anything created, stored, sent or received by Users is subject to review by the city.

As a government agency, the city is subject to the Minnesota Government Data Practices Act ("MGDPA"). All files and documents, including personal messages and Internet logs, are owned by the city and may be subject to open records requests under the MGDPA. Further, Users conducting city business or tasks related to their employment or retention by the city on personal computers or PDAs, including those located and used exclusively in their homes, are also subject to disclosure and retention requirements under the MGDPA. Users are required to conduct city business and tasks related to employment or retention by the city exclusively on city issued resources. Any exceptions shall be documented and reported to the employee's direct supervisor.

### **23.6 Hardware and Software Acquisition Processes**

IT and the City Administrator must approve, *in advance of purchase*, all hardware devices and software to ensure consistency with the design and architecture of the city's network and IT ongoing ability to support and maintain IT Systems efficiently. Departments must consult with IT/City Administrator in advance of and during budgeting and any grant-writing processes to ensure that hardware devices or software to be acquired are necessary and compatible with existing IT Systems and can be adequately supported and maintained by IT/

both during the grant period and after it. **Consultation with IT/City Administrator prior to applying for or acceptance of grant funds is required.** Consultation will permit Departments and IT/ City Administrator to consider: (1) where and how particular acquisitions fit within IT Systems, including PCI compliancy where required; (2) timelines for implementation; (3) the scope of the project and any future financing or service requirements; and (4) the total cost of ownership.

Without this advance consultation, it is difficult for IT/City Administrator to maintain and support IT Systems, particularly those Hardware Devices or software applications acquired without its knowledge or input, in an efficient and effective manner. IT/ City Administrator will not be responsible for delays, system problems, or compatibility issues that may occur as a result and implementation under such circumstances will occur according to a timeline set by the IT/Administration.

### **23.7 Installation, Downloads, and Configuration**

Users must contact IT/ City Administrator for Hardware Devices and software support and must not modify standard configurations without prior approval of IT/City Administrator.

Users should not change setup or configuration files and must limit any customization to items such as wallpaper, screen savers, icons, toolbars and colors.

Users are prohibited from installing, downloading, or acquiring Hardware Devices or software, including product demonstrations, without prior approval from IT/City Administrator and their department supervisors. Software not required for official city business is strictly prohibited.

Any data stored on a C drive is strictly the responsibility of the User. C drives are not backed up. IT/ City Administrator will not recover or copy this data in the event of a hard drive failure, change in personnel, or when hardware is replaced.

It is the User's responsibility to safeguard the laptop and any data saved to a laptop. All information and devices containing information is to be considered to belong to the city and must be relinquished to a supervising authority immediately upon request.

### **23.8 Licensing**

To ensure compliance with law, all software must be purchased by and licensed to the city.

- Any software programs, e.g. custom designed Microsoft Access/SQL databases, developed for use by the city becomes the property of the city. Software programs may not be sold or distributed without prior approval from the City Administrator and IT.
- City-owned software may not be loaded on non-city-owned equipment unless there is prior approval of the department head and IT/City Administrator.

### **23.9 Data Management and Protection**

All data stored on IT Systems owned, leased or rented by the city, including information stored on local hard drives, and all data created by Users for city business or relating to employment or retention by the city, regardless of that data's storage location, is the property of the city. Such data are subject to dissemination to the public according to the requirements of the Minnesota Government Data Practices Act. Such data are subject to review and investigation at the discretion of the City Administrator, IT, and law enforcement. Users should contact the City Administrator with questions regarding the classification of Data under the Minnesota Government Data Practices Act.

All city data must be saved to a network drive on a city server. Users are responsible for deleting files, including data and e-mail messages that are not subject to retention under the city Records Retention Schedule. Users should contact the City Administrator with questions regarding the City Records Retention Schedule.

To facilitate off-site work, Users may copy appropriate files, including word processing, spreadsheets, and graphic files, to and from portable storage devices. No other files or information may be copied to or from the city computers without supervisor approval. A current copy of the portable file(s) must be maintained on the city server. Users are encouraged to conduct city business and tasks related to employment or retention by the city exclusively on IT Systems. Data that is classified as nonpublic under the Minnesota Government Data Practices Act (e.g. SSNs) must not be downloaded to portable storage without permission from IT/City Administrator. Any such data must be secured by encryption or other measures insuring it does not become public.

IT use of personal hardware for storage of City files or data may subject that personal hardware and all files and data contained on it, including deleted files, to public inspection and copying under the Minnesota Government Data Practices Act or to review and copying by adverse parties during litigation.

For any City-owned software that includes a password protection option exercised by the User, the User must disclose any such password to the appropriate management personnel and IT/City Administrator.

### **23.10 Copyright Protection**

Users may not copy material protected under copyright law or make that material available to others for copying. Users are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material that may be downloaded or copied. Users must obtain the express written permission of an authorized representative of IT/Administration before agreeing to a license or downloading any material for which a registration fee is charged.

### **23.11 Portable Information Systems**

Portable personal computer(s), digital cameras, projectors, and other city-owned portable equipment may be used for city business outside of city facilities with permission. When Users check out portable equipment they are expected to protect against theft, accidental breakage, environmental damage and other risks. Desktop computers and attached devices are not to be removed from city buildings. Users are responsible for the backup of or loss of any data stored on the portable unit.

### **23.12 Personal Digital Assistants**

The City Administrator must pre-approve the purchase of all Personal Digital Assistants/Smart Phones/Pocket PCs, etc. ("Mobile Device") a User intends to use for City-business in consultation with IT to ensure network compatibility. If a Mobile Device will be individually owned by the User but used at least in part for City business and connect to IT Systems, the User must complete the City of Arlington Access Agreement for Authorized Individually Owned Mobile Devices in conjunction with IT/City Administrator.

IT/City Administrator will support Mobile Devices if such devices use Microsoft Mobile, Android or Apple iOS, unless exempted from this requirement with prior approval of the City Administrator. IT will install city purchased and approved Mobile Devices on city-owned equipment. IT will retain a list of all Mobile Devices users who connect to IT Systems.

### **23.13 Electronic Mail**

The city e-mail system is a tool to be used for matters causally related to the business activities of the city and to provide services that are efficient, accurate, timely and complete. Inappropriate non-business use of the city e-mail system is prohibited.

City e-mail account messages involving City business should not be forwarded to personal email accounts under any circumstances. The Outlook Web Access allows access to City e-mail accounts from any location. Use of a personal e-mail address to conduct city business can subject that e-mail account to public inspection and copying under the Minnesota Government Data Practices Act or to review and copying by adverse parties during litigation, at great potential expense to the City.

Inappropriate non-business use of the city e-mail system includes but is not limited to: transmission of non-business audio, video, graphic, or movie files (to include streaming audio and video, MP3, .jpg, .tif, .gif, .mpg, AVI, etc.); games; jokes; instant messaging; content of an offensive or pornographic nature; copyrighted material and large data files not directly related to city business. These types of files can affect IT Systems' performance or carry viruses and must not be sent or accepted as e-mail attachments.

IT adheres to the following Microsoft Outlook Data Management Policy:

- E-mail messages are automatically deleted from the **“Inbox”** **60** days from the message modified date.
- E-mail messages are automatically deleted from the **“Sent Items”** folder **60** days from the message modified date.
- E-mail messages are automatically deleted from the **“Deleted Items”** folder after **7** days.
- All other e-mail messages are automatically deleted **365** days after the message modified date.
- Items are automatically cleared from **Calendars** once they are **730** days old.
- Users will be notified by IT if their Outlook account exceeds 200 MB in size and a strategy for reducing that volume will be implemented where appropriate.

The city retains the right to use management software to eliminate the delivery of junk e-mail (SPAM), including e-mails that contain profanity, sexual content or adult content. IT/Administration backs up the city e-mail and retains those backup tapes for seven days.

### **23.14 Permitted Use of IT Systems**

All data stored on IT Systems owned, leased or rented by the city, including information stored on local hard drives, and all data created by Users for city business or relating to employment or retention by the city, regardless of that data's storage location, is the property of the city. Such data are subject to dissemination to the public according to the requirements of the Minnesota Government Data Practices Act. Such data are subject to review and investigation at the discretion of the City Administrator, IT, and law enforcement. Users should contact the City Administrator with questions regarding the classification of Data under the Minnesota Government Data Practices Act.

IT Systems are the property of the city and are to be used for legitimate city purposes. Users are provided access to the computer network to assist them in the performance of their jobs. All Users have a responsibility to use the IT Systems, the Internet, and the Intranet in accordance with this IT Policy and in a professional, lawful and ethical manner. Any use must be able to withstand public scrutiny without embarrassment to the city.

IT/City Administrator will coordinate with departments to provide tools, training and other assistance so that departments can publish and maintain their department information in an online form if requested.

The City retains the right to use management software to monitor User activity. Such software may monitor and limit Internet activity in order to ensure the most efficient use of city resources.

### **23.15 Prohibited Use of IT Systems**

IT Systems may not be used to disseminate, view, or store commercial or personal advertisements, solicitations, chain letters, promotions, destructive code such as viruses or used for outside business or commercial activities for personal gain, personal sale of goods and/or services or inquiries for such items, political activity, illegal and/or questionable queries or transmissions, transmission or viewing of sexually explicit or harassing or threatening communication or materials, or any other use deemed questionable, inappropriate or for an unauthorized purpose by the city, including but not limited to any communication or files that promote, foster or perpetuate discrimination or harassment on the basis of race, color, creed, religion, age, national origin, sex, sexual orientation, marital status, public assistance status, disability, or political affiliation through their content, name or use.

The following uses of IT Systems are strictly prohibited at all times: (a) illegal activities, including but not limited to wagering, betting, or selling chances; (b) for-profit or commercial activities; (c) activities related to public office or employment that is incompatible with city responsibilities, as determined by the City Administrator; (d) fund-raising, unless specifically city-approved; (e) religious or political activities; (f) unethical conduct.

City Departments may not utilize social networking sites (e.g. Facebook, Twitter) to conduct City business without explicit authorization from the City Administrator. The request for use of Social Networking Media form must be completed and authorized by the City Administrator before social networking sites are created. If such accounts are presently in use without prior authorization, they are subject to review by IT/City Administrator and may be shut down.

### **23.16 Personal Use of Systems**

The City of Arlington offers Users the privilege of personal use of IT Systems. Personal use of IT Systems is allowed before and after regular business hours, or during break periods provided such use does not interfere with the User's job performance. In addition to all other provisions of this IT Policy, Users must adhere to the following guidelines for Personal Use of IT Systems:

- Only authorized city Users are to use the computers and computer-related peripherals.
- Users must use their own media (disks, CDs, DVDs and paper) for storage of information. No personal files or data are to be stored on the city file servers.
- Participation in any kind of non-city-business related list serves or broadcast e-mailing list is prohibited.
- Long-distance charges incurred from city telephones are the responsibility of the User. A report listing all toll calls will be given to the User for review of personal calls. The charge for the call will be the actual charge incurred by the city. Payment is due within 30 days after receipt of the long-distance bill.
- The city recognizes that occasionally Users may need to use city-issued cellular telephone for personal use. Users of city owned cellular phones will be issued, on a monthly basis, a copy of the cellular telephone bill. Charges for all personal calls must be reimbursed within 30 days of receiving a copy of the bill.

Users will reimburse the City of Arlington for personal copies, faxes, and print requests, at the rate set by the finance department. Personal use fees should be reimbursed within 24 hours from the time the expense was incurred.

## **SECTION 24 – IT Security**

### **24.1 Purpose**



Ensure secure, protect, and allow appropriate access to the City of Arlington IT systems and resources. Information Technology Security is the responsibility of all Users.

## 24.2 Logins and Passwords

All Users must use and maintain unique IT issued login IDs for computer and network-related access. Login IDs are not to be shared with others, and corresponding passwords must remain confidential. Multi-user or shared login IDs are permissible only in special circumstances approved and maintained by IT/City Administrator.

Password creation tips and suggestions follow:

- Contain both upper- and lower-case characters
- Have digits and/or punctuation characters as well as letters (e.g., 0-9,@#\$%^&\*()\_+|~=-\`{}[]:"';'<>?,./).
- Should not be a word in any language, slang, dialect, jargon, etc.
- Should not be based on personal information, names of family, etc.
- Should not have been previously used.
- Passwords should never be written down or stored on-line. Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: "This May Be One Way To Remember" and the password could be: "TmB1w2R"

If a User forgets his or her password, or suspects that his or her password security has been compromised, the User should contact IT/City Administrator immediately to be issued a new one.

## 24.3 Employment Separation

To maintain the integrity and security of IT Systems, data management practices will be required when a User's employment or service to the City ends. In order to facilitate proper data management, the User's Department Director must complete a Notice of Employment Separation and Request for Access Form and submit it to IT/City Administrator.

In the event of a User's *unscheduled* employment separation and submission of the Employment Separation and Request for Access Form, IT/City Administrator will permit access to the User's email and home drive network by the Department Director for a period of up to 60 days. The Department Director is responsible for compliance with the City's Records Retention Policy. After the prescribed period, the User's email and home drive network data will be deleted.

In the event of a User's *scheduled* employment separation (e.g. via retirement), the following tasks should be completed on or prior to the User's last day of employment or service:

*User:* (1) review all email messages and home drive network data for compliance with the City's Records Retention Policy, deleting unneeded files; and (2) relocate as required any data accessible only to that User that should be retained by the City (and accessible by others) after the conclusion of the User's employment or service.

*Department Director* (or User's supervisor): (1) ensure that the User has completed the tasks set forth above; and (2) complete a Notice of Employment Separation and Request for Access Form.

Following scheduled employment separation and completion of the above tasks, the User's email account and home drive network data will be accessible by the Department Director and IT/City Administrator for a period

of up to 60 days before it is deleted. If additional time is needed, the Department Director must provide written notice to IT/City Administrator prior to the expiration of the 60 day period. In such cases, the User's home drive data will be made accessible to necessary personnel until a replacement for the User is hired or retained and begins employment or service. After that time, the data will be made accessible only to the new User.

If a Notice of Employment Separation and Request for Access Form is not completed within one week of a User's final day of employment or service, IT/City Administrator may delete the employee's email and home drive network data without additional notice.

#### **24.4 Physical Security**

Users are expected to provide reasonable security to their computer workstations and IT Systems. This includes ensuring that passwords are not written down in accessible places, removable media must be kept in a secured area, and that confidential data is not displayed in such a manner that unauthorized personnel can access it.

IT Systems are city property and must remain on premises unless approved by a supervisor for short term relocation. Users may not move IT Systems outside of their assigned area without prior approval from IT/City Administrator. Designated portable equipment, such as projectors, laptop computers, and digital cameras, may be removed from city buildings only for city business. Portable equipment must be reserved and checked out only to Users. Users are expected to provide protection against theft, breakage, environmental damage, and other risks.

IT Systems have been marked with ID tags for recovery and inventory purposes.

Users should shutdown computer workstations when absent for an extended time. Users may "lock" their workstation by activating password protected personal computer screen saver when absent for a short period of time, such as during a meeting or over lunch. At the end of each workday, the workstation must be logged off. Computers and monitors should be shutdown nightly to reduce energy consumption.

#### **24.5 Virus Protection**

All computer workstations, laptops, and servers must be protected from viruses using up-to-date antivirus software. Users may not alter their system's configuration or take other steps to defeat virus protection devices or systems. All files on removable media must be scanned for viruses prior to installation onto or access from IT Systems. Any files suspected or known to contain viruses must be immediately reported to IT/Administration for proper handling.

#### **24.6 Remote Network Access**

Remote Network Access is defined as the ability to connect to a computer or network from a distance, such as from home, hotel, conference, Internet kiosk, etc. Remote Network Access to IT Systems may be granted upon meeting the following conditions:

- Business-related purpose approved by requesting Department Director and IT/City Administrator.
- Use of industry standard encryption and/or city-supported VPN (Virtual Private Network) technology.
- Authentication and access control will be maintained via the city's Internet domain. Valid network logins and passwords are required.
- While remotely connected, nobody but the authorized User may have access to the computer making the connection.
- The remote computer must comply with current anti-virus and security parameters as specified by the IT department.

All remote Users are subject to the rules and regulations set forth in this policy, including MGDPA requirements. Materials involving city business, regardless where they are created or stored, are subject to the provisions of the MGDPA and may be subject to a disclosure request from the public or discovery in litigation.

#### **24.7 Wireless Access**

Unauthorized wireless access (including but not limited to access via 802.11 (Wi-Fi), Bluetooth, WiMax, and cellular technologies) to IT Systems is strictly prohibited. Wireless access must be authorized and configured by IT/Administration. Any wireless access must utilize standards-based encryption and conform to adopted security practices as governed by LOGIS and/or state and federal government guidelines.

#### **24.8 PCI Compliancy**

All Users responsible for or involved with credit card transactions must receive training in PCI compliancy and adhere to the Finance Department's PCI Policy.

## **SECTION 25 – SAFETY**

### **25.1 General**

The health and safety of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To the greatest degree possible, the City will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each department head.

### **25.2 Reporting Accidents and Illnesses**

Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's department head is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

### **25.3 Exposure to Hazardous Substances**

Any employee routinely exposed to hazardous substances or infectious agents as defined in the "Minnesota Employee Right to Know Act of 1983" (Laws 1983, Chapter 316, Minnesota Statutes 182.65 - 182.675), and any laws amending or replacing such laws, will be trained before being assigned or reassigned to work which exposes the employee to such substances or agents, and shall be given training as needed thereafter. Training shall include an explanation of how and where information about hazards is stored in the workplace, how the hazards are labeled, and where to obtain specific information.

The department head shall provide for such training and for compliance with the "Minnesota Employee Right to Know Act of 1983", including the establishment of specific policies to ensure compliance with the state law and regulations. An employee acting in good faith has the right to refuse to work under conditions which the employee reasonable believes present an imminent danger of death or serious physical harm to the employee.

### **25.4 Safety Equipment**

The conditions of employment for some City employees require the use of certain safety equipment. Where such equipment is required, it shall be the policy of the City to furnish items as follows:

- If safety glasses are required, the City will provide them. The City will only contribute toward the purchase of one set of glasses per employee, unless the glasses are destroyed by a workplace accident.
- The City will provide hard hats, safety vest, or other equipment deemed necessary by the Administrator.
- If special protection apparatus or special hearing or facial protectors are required in order to operate City equipment, they will be provided by the City.

When safety equipment is required by federal, state, or local rules or regulations, it shall be a condition of employment that such equipment be worn by the employee. Failure to comply with these provisions will be grounds for disciplinary action.

### **25.5 Unsafe Behavior**

Department heads are authorized to send an employee home immediately when the employee's behavior violates the City's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

## **SECTION 26 – DATA PRIVACY AND EMPLOYEE RECORDS**

### **26.1 Minnesota Data Practice Act**

The City of Arlington complies with the MN Data Practices Act which governs what information is public and what is confidential. Public information shall be made available to the public upon request within a reasonable time and during regular business hours. Documents and records not specified by law as public will not be shared with any outside person or agency without the employee's informed consent or a valid court order. The Federal Equal Opportunity Commission and the MN Department of Human Rights may be authorized by federal or state law to receive private information in order to investigate specific complaints of employment discrimination. Personnel data may be given to labor organizations to the extent necessary to conduct elections, and to implement the Public Employees Labor Relations Act and well as to the Bureau of Mediation Services, when it so orders. Unless the law provides to the contrary, an employee may review their personnel file.

### **26.2 Right of Access**

Employee personnel files are open for inspection and review during office hours. Public data on individuals is data, which, by statute, shall be accessible to the public. Public data is that which is listed in the MN Data Practices Act. All other data is private and is not accessible to the public but is accessible to the subject employee and the City Administrator.

### **26.3 Employee Records**

Records containing information pertinent to this employment will be maintained for all employees and will be available at any time for their own review in accordance with the Minnesota Government Data Practices Act.

Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, record performance, etc.

No piece of information is retained unless required for a specific purpose. Employees have the right to know exactly what data is retained, where it is kept, and how it is used. All employee data will be received, retained and disseminated according to the Minnesota Government Data Practices Act.

### **26.4 Records Retention**

The City of Arlington will dispose of records under Minnesota Statutes section 138.17, or any law amending or replacing that law; and has adopted the "Minnesota General Records Retention Schedule for Cities" and its subsequent revisions.

## **SECTION 27 – COMMUNICATIONS**

### **27.1 Purpose**

The City of Arlington strives to provide the public accurate and timely information, communicated in a

professional manner, and in accordance with the laws regarding public information and data practices. This policy provides guidelines for all external communications from the City using various mediums including:

- Printed materials such as newsletters, articles, and brochures.
- Electronic materials such as email, postings to web sites and social media sites.
- Media relations such as requests for interviews, new releases, and media inquiries.

The City also recognizes that employees may sometimes comment on city matters outside of their official role as an employee of the City of Arlington. Therefore, this policy also provides guidelines for employees when communicating as a private citizen on matters pertaining to city business.

### **27.2 General Guidelines for All Communications (Official & Personal)**

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any employee who identifies a mistake in reporting should bring the error to the City Administrator or Department Head. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc. Employees must follow all city policies that may apply. Examples of relevant policies include:

- **Technology and Computer Use Policy (Section 23).** For example, city employees may use city technology for personal reasons on a limited basis provided it doesn't interfere with normal work. The City reserves the right to inspect any electronic data made by a city-owned computer or related system. This policy should be reviewed and complied with in full.
- **Respectful Workplace Policy (Section 14).** For example, employees cannot publish information that is discriminatory, harassing, threatening, or sexually explicit. This policy should be reviewed and complied with in full.
- **Data Practices Policy (Section 25).** For example, employees cannot disclose private or confidential information and must route data practices requests to the responsible authority. This policy should be reviewed and complied with in full.
- **Political Activity Policy (Section 2.13).** For example, employees cannot use city resources to participate in personal political activity while on city time or while discharging city responsibilities. No employee may act in a manner that suggests that the City either supports a particular candidate or political issue or endorses the personal political opinions of the employee. This policy should be reviewed and complied with in full.

### **27.3 Additional Guidelines for Official City Communications**

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. All staff is responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department head or to the City Administrator. Any employee who identifies a mistake in reporting should bring the error to the City Administrator or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc.

#### News/Media Releases

Except for routine events and basic information that is readily available to the public, all news releases and requests for interviews or information from the media concerning municipal affairs are to be routed through the City Administrator. No City employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and web sites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if you are unsure if it is a “routine” question, forward the request to the City Administrator. An appropriate response would be, “I’m sorry, I don’t have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as he/she can.”
3. Ask the media representative’s name, questions, deadline, and contact information.

### Communicating on Behalf of the City

When/if the City Administrator authorizes a staff person to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications:

- Employees must identify themselves as representing the City. Account names on social media sites must clearly be connected to the City and approved by the City Administrator.
- All information must be respectful, professional and truthful. Corrections must be issued when needed.
- Personal opinions generally don’t belong in official city statements. One exception is communication related to promoting a city service. For example, if an employee posted on the City’s Facebook page, “My Family visited Sportsman’s Park this weekend and really enjoyed the new playground”. Employees who have been approved to use social media sites on behalf of the City should seek assistance from the City Administrator on this topic.
- Employees need to notify the City Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that the data transmitted or stored may be subject to the data practices act.

### **27.4 Additional Guidelines for Personal Communications**

It is important for employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. Personal use of social media by city staff – whether about the city or not, and whether positive or negative – will reflect on the city. Personal use of media should not violate any city policies already in existence, such as those on harassment prevention and data privacy.

The following guidelines apply to person communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what you write is public and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- The City of Arlington expects its employees to be truthful, courteous and respectful towards supervisors, co-workers, citizens, customers and other persons associated with the City. Do not engage in name-calling or personal attacks.
- If you publish something related to city business, identify yourself and use a disclaimer such as, “I am an employee of the City of Arlington. However, these are my own opinions and do not represent those of the City of Arlington.”
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the city’s logo, email, or working time to promote his/her side business as a plumber.
- Public Safety Officials (Police, Fire, Ambulance, etc.) are encouraged not to post pictures of or

comment on accidents and/or accident scenes on social media websites, because the posting of such pictures and/or commenting may violate the City's Data Practices Policy.

- Personal social media account names or email name should not be tied to the City (e.g. CityofArlingtonCop).

**City of Arlington**

Notice of Employment Separation and Request for Access

*This form must be completed by Department Director and received by IT/City Administrator within one week following the date of employment separation of any User.*

**TO BE COMPLETED BY DEPARTMENT DIRECTOR:**

User (PLEASE PRINT): \_\_\_\_\_

Last Day of Employment or Service: \_\_\_\_\_

- Select one:     Administrative Access to the User’s data and email account is not needed. IT/City Administrator should delete the User’s accounts.
- Administrative Access will end on: \_\_\_\_\_ (up to 60 days following the Last Day of Employment or Service).

I understand that the IT Policy requires the User, under my supervision, prior to the date of employment separation, to relocate all data to be retained by the City. I understand that it is my responsibility as Department Director to ensure compliance with MGDPA and the City’s Data Retention obligations. I understand that access will be granted only for the period as stated herein and terminated when that period ends without further notice<sup>1</sup> and that, at that time, the User’s data and email account will be removed from the network.

\_\_\_\_\_  
Department Director Signature:

\_\_\_\_\_  
Date

**TO BE COMPLETED BY IT/City Administrator:**

I have received this form and will arrange for access as requested for up to 60 days following the User’s employment separation. Following the access period, the User’s data and email account will be removed from the network.

An Employee’s home drive network data that includes sensitive or unique information requiring a longer period of retention (that cannot be relocated as stated above) can be made accessible to necessary personnel until a replacement is hired and begins employment, after which time the home drive network data will be reassigned and accessible to that individual. If the Employee maintains sensitive or unique data that cannot be relocated prior to or within the administrative access period, contact the IT/City Administrator to plan for longer-term accessibility.

**IT/Administration Signature:** \_\_\_\_\_      **Date:** \_\_\_\_\_

\_\_\_\_\_



**City of Arlington**  
**Request for Use of Social Media for City Business**

*This form must be completed by all Users of social media for City business.*

Employee (PLEASE PRINT): \_\_\_\_\_  
Dept: \_\_\_\_\_

I would like to use \_\_\_\_\_ (social networking media tool) for the purpose of marketing/investigations of \_\_\_\_\_.

Name of Site: \_\_\_\_\_  
URL/Internet Address of Site(s): \_\_\_\_\_  
e.g., www.facebook.com/ID... or www.myspace.com/name...  
Admin staff: \_\_\_\_\_

The reason I would like to/are currently using this tool is:

I have requested approval of my supervisor and have spoken with IT/Administration about my needs. I understand that this form will be filed with my personnel records and with the IT/Administration.

\_\_\_\_\_  
Signature of User

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Department Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of IT/

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of City Administrator or Deputy

\_\_\_\_\_  
Date

**City of Arlington Access**  
Agreement for Authorized Individually Owned Mobile Devices

*This Agreement must be completed by all owners of personal Mobile Devices  
prior to any connection to IT Systems.*

This agreement defines standards, procedures, and restrictions for Users who have a legitimate City business reason for connecting a personally owned Mobile Device to IT Systems. This agreement applies to all Mobile Devices not owned or supplied by the City but that could be used to access IT Systems or City resources.

By signing this agreement, the undersigned User agrees to:

- (1) Abide by the terms of the IT Policy as it relates to City business conducted on User's Mobile Device.
- (2) Give IT/Administrator permission to make appropriate modifications and changes to configuration setting as required.
- (3) Contact IT/Administrator immediately if
  - a. User's Mobile Device is lost or stolen, or User suspects a security breach.
  - b. User terminates the use of the Mobile Device.
  - c. User is no longer employed by or in service to the City.
- (4) Allow IT/City Administrator to completely wipe User's Mobile Device with remote wipe capability in the event of a suspected security breach, the device is lost or stolen, use of the Mobile Device is terminated, or when my employment or service to the City ends. Wiping User's Mobile Device will result in the loss of all personal data including contacts, photos, music files and other data. User retains responsibility to back up all personal data.
- (5) Surrender User's Mobile Device to IT/Administrator in the event a security or privacy breach occurs or is suspected. If requested, User will grant IT/Administrator access to User's usage records.
- (6) Sync User's Mobile Device to IT Systems only via approved wireless access software.
- (7) Remain personally responsible for User's mobile number, contract and all carrier or service provider agreements.

Direct support-related inquiries, except for issues with installation and connection to IT Systems, to User's service provider.

\_\_\_\_\_  
Signature of User

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of IT/Administration

\_\_\_\_\_  
Date

**City of Arlington Access**  
SECURE NETWORK ACCESS REQUEST (WIRELESS)

Name \_\_\_\_\_

Position \_\_\_\_\_

Supervisor Name \_\_\_\_\_

Device Name \_\_\_\_\_

Operating System Version \_\_\_\_\_

WiFi MAC Address:

(Settings> Network & Internet> Wi-Fi > Hardware Properties> Physical Address (MAC) "XX-XX-XX-XX-XX-XX")

Is this a Personal or Work issued device?  
(Was it given to you or owned by the City of Arlington)

Why does this device need access?

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reviewed by

\_\_\_\_\_  
Approve/Deny

\_\_\_\_\_  
Date



I, \_\_\_\_\_, an employee of the City of Arlington, Minnesota do hereby state that I have received a copy of the Personnel Policy Handbook and I agree to read it and to comply with it and any other rules and policies of the City.

I understand that violating the policies and rules set out in the handbook may lead to disciplinary action, up to and including termination.

I clearly understand that this policy handbook does not create a contract for employment with the City of Arlington, and that the City of Arlington may change or modify the policies and procedures in this handbook at any time or without prior notice.

This handbook replaces and supersedes all earlier personnel practices, policies, and guidelines.

\_\_\_\_\_  
Date Employed

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date