

CITY OF EVANSVILLE



PERSONNEL POLICIES AND EMPLOYEE HANDBOOK

Effective January 1st, 2024

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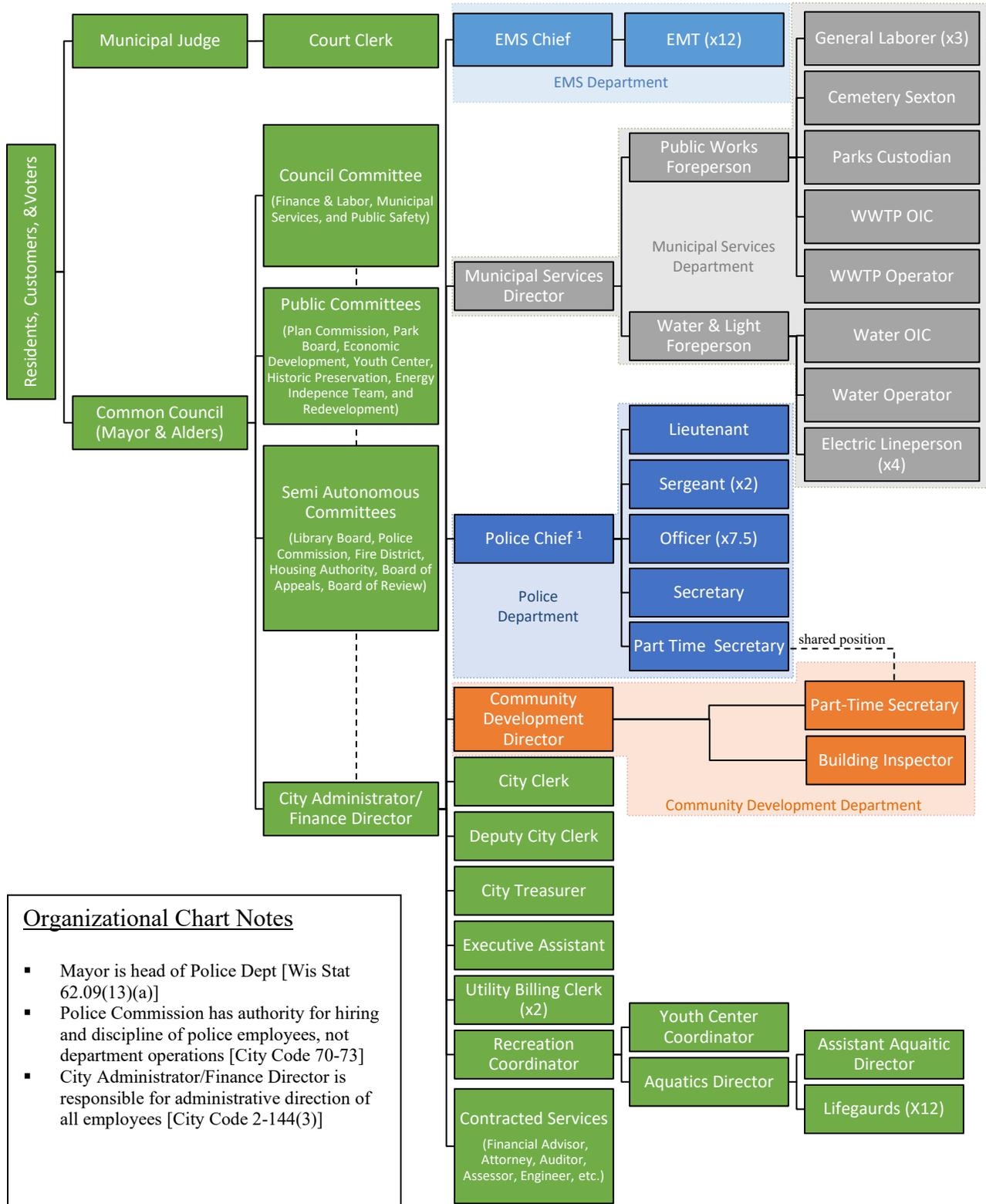
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ORGANIZATION CHART



MISSION STATEMENT

1.1 Mission Statement

The City is committed to promoting teamwork, involving its citizens in the decision process, inclusion and diversity, and always striving towards excellence.

[10/14/2014, 11/14/2023]

GENERAL INFORMATION

2-1 Purpose.

This employee handbook is adopted by the Evansville Common Council to assist and guide City of Evansville employees of their duties and responsibilities for their benefit as well as that of the City and its residents.

[10/14/2014, 11/14/2023]

2-2 Scope.

This Employee Handbook has effect and authority over all full- and part-time employees and volunteers of the City of Evansville, but does not include employees of the Eager Free Public Library.

[10/14/2014, 11/14/2023]

2-3 Not a Contract.

This handbook and the policies set forth in it are not intended to and do not constitute, nor do they create, an employment contract between the City of Evansville and any of its employees. No individual City official has authority to enter into an oral or written promise or contract of employment with any individual or group of employees. Any employment contract must be approved by a majority of the Common Council.

Except as otherwise expressly provided by statute, all employment with the City of Evansville is considered at-will. As such, employees are free to resign at any time and the City is free to end the employment relationship, at any time, with or without cause or prior notice.

[12/09/2014]

2-4 Collective Bargaining and Other Employment Agreements.

To the extent any provision of this Handbook is in conflict with a labor agreement or individual employment contract duly entered into by the City, the labor agreement or individual employment contract shall control.

[12/09/2014]

2-5 Department Specific Personnel Policies.

Individual departments may have needs which are not specifically addressed by this city-wide personnel policy. Those departments may develop policies to address those needs so long as those policies do not conflict with this handbook, other City policies, or with any labor agreement that applies to that department. The more restrictive policy shall be the controlling policy for each department.

Any policies developed under this section must be in writing, approved by the department's supervisory committee, reviewed by the Finance and Labor Relations Committee, adopted by the Evansville Common Council, distributed to all affected employees, and filed with the administrative staff at City Hall.

[10/14/2014]

2-6 Periodic Review at Discretion of Council.

The City reserves and retains all its rights to manage its own affairs. The terms and provisions of this handbook are subject to change from time to time, at the Common Council's sole discretion and pursuant to the Common Council's determination(s) regarding the needs of the City with respect to effective administration, supervision and control of facilities, operations, programs and personnel. The City will endeavor to review the employee handbook at least every five years.

[12/09/2014]

2-7 Employee Definitions.

- 1. Employee** shall mean a person employed by the City of Evansville. Employee does not mean elected public officials, appointed members of City committees, election officials, or independent contractors.
- 2. Full-Time Employee** shall mean an employee who is regularly scheduled for compensated service of thirty (30) or more hours per week [ie: at least one-hundred-thirty (130) hours per month for purposes of determining eligibility under the Affordable Care Act].
- 3. Part-Time Employee** shall mean an employee who is regularly scheduled for compensated service of under thirty (30) hours per week [ie: less than one-hundred-thirty (130) hours per month for purposes of determining eligibility under the Affordable Care Act].
- 4. Limited Term Employee** shall mean a full-time or part-time employee hired for a specific period of time up to one (1) year. The term of a Limited Term Employee may be extended at the discretion of the City for up to one (1) additional year.
- 5. Seasonal Employee** shall mean an employee hired for a brief period, typically no longer than six (6) months. Even if working as thirty (30) or more hours per week, a Seasonal Employee is not considered a Full-Time Employee for purposes of determining eligibility under the Affordable Care Act.
- 6. Safety-Sensitive Employee Positions** shall mean those positions where the nature of the work being performed could jeopardize the life and/or health of the employee, other City employees, or the public, such as positions requiring operation of heavy equipment/machinery, a Commercial Driver License, work within traffic right-of-way, work in a facility with running machinery, treatment of waste water, emergency response requiring defensive driving, emergency response requiring medical service, and emergency response requiring use of weapons.
- 7. Student Intern** shall mean a person who is participating in a program intended to provide the person with a work experience as part of an educational program. Paid student interns, co-op students, and unpaid student interns are not eligible for health and dental insurance, sick leave, paid holidays, paid vacations, and retirement benefits, unless otherwise required by the Wisconsin Retirement System. All student interns will have a

written agreement of understanding with the City, outlining academic and work expectations, job duties, and goals.

8. **Volunteer** shall mean a person performing services without compensation as part of a City function and under the City's direction and supervision. A Volunteer may receive a nominal reimbursement or paid stipend. A Volunteer includes paid on-call Emergency Medical Technician (EMT) and Emergency Medical Services (EMS) Drivers. A Volunteer is subject to background checks and drug testing for hiring and all policies regarding conduct and behavior.
9. **Stipend** shall mean either 1) A temporary increase in pay that an Employee may receive when temporarily assigned an increase in duties or responsibilities or 2) A nominal payment or reimbursement to a Volunteer.

[10/14/2014, 11/14/2023]

2-8 Role of City Administrator/Finance Director.

As defined in the Evansville Municipal Code, the City Administrator/Finance Director (to be referred as the City Administrator) performs the general personnel management duties of the City:

1. Be responsible for the administrative direction and coordination of all employees of the City according to the established organizational procedures of the City and the Wisconsin State statutes.
2. Recommend to the Council the appointment, promotion, and when necessary for the good of the City, the suspension or termination of department heads.
3. In consultation with the appropriate department head, be responsible for the appointment, promotion, and when necessary for the good of the City, the suspension or termination of employees below the department head level.
4. Serve as personnel officer for the City with responsibilities to see that complete and current personnel records, including specific job descriptions, for all City employees are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for City employees not covered by collective bargaining agreements; develop and enforce high standards of performance by City employees; assure that City employees have proper working conditions; and work closely with department heads to promptly resolve personnel problems or grievances.
5. Assist in labor contract negotiations and collective bargaining issues.
6. Work closely with department heads to ensure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills.

[12/09/2014]

2-9 Major Departments & Functions.

1. **Administration & Finance:** The financial and administrative function of the City is encompassed primarily through the auspices of the City Administrator. The financial and administrative functions of the City include but are not limited to payroll, utility billing, financial & capital planning, accounting and permits. The City Administrator serves as the personnel director, chief administrative officer, and budget manager, and oversees day-to-day administrative and financial operations of the City. The City Administrator serves as the focal liaison among the public, the Common Council and Mayor, other

governmental bodies, various City committees and contracted professionals, such as attorneys, engineers, assessor, and auditor. The administration and finance functions are supervised generally by the Common Council and Mayor and specifically by the Finance and Labor Relations Committee.

The City Clerk, City Treasurer, and Executive Assistant, all under the City Administrator, has primary responsibility for payroll, insurance, licensing, record keeping, elections, required notices, and coordinates a variety of municipal activities as required by statutes, ordinances, and as authorized by the Common Council.

2. **Library:** Under the direction of the library director, provides materials and other services to fulfill educational, cultural, informational and recreational needs of the community. The Eager Free Public Library is a member of the Prairie Lakes Library System and serves all residents within the City and surrounding area. The Library Board is the supervisory committee for the library. Employees of the Library are not covered by this Employment Handbook; they are covered by a separate policy adopted by the Library Board.
3. **Police Department:** Under the direct supervision of the Chief of Police, provides full-time police coverage for the City, including law enforcement, traffic and parking enforcement, security checks for businesses and residences, investigative follow-up, representation in municipal court and liaison with the Rock County Sheriff's Department and other law enforcement agencies. The police department is supervised generally by the Public Safety Committee. According to Wisconsin Statute 62.09 (13)(a), the Chief of Police has command of the police force under the direction of the Mayor. The Police Commission has specific statutory responsibilities for hiring and discipline.
4. **Municipal Services Department:** Under the direct supervision of the Municipal Services Director, oversees and maintains City buildings and facilities, streets, parks, cemetery, the sanitary sewer system and wastewater treatment plant, and the storm drainage system, and provides quality water and electric service. The staff works a regular 40-hour work week but provides emergency services on a 24-hour basis through a standby (on-call) policy. The Municipal Services Committee is the primary supervisory committees for the municipal services department.
5. **Emergency Medical Service (EMS):** Under the direct supervision of the Emergency Medical Services Chief, provides emergency medical assistance and ambulance transport to area hospitals through the efforts of trained local volunteer emergency medical technicians. EMS staff follow adopted protocols and operate under the direction of a Wisconsin-licensed Medical Director. The Public Safety Committee is the supervisory committee for the emergency medical service.
6. **Community Development:** Under the supervision of the City Administrator, provides long range planning, development application review, zoning and code enforcement, , as well as economic development programming and planning. Manages the Building and Code Enforcement officer. Planning Commission is the primary supervisory committee for community development.

[10/14/2014, 4/10/2018, 11/14/2023]

2-10 Position Descriptions.

Position descriptions identify the most important tasks and responsibilities of a position, to whom an employee reports, and specific conditions of employment. Position descriptions may be changed at the discretion of the departmental supervisory committee, subject to approval by the Finance & Labor Relations Committee. Position descriptions are used in recruiting for a position vacancy, and both the employee and supervisor should use the description in the selection, orientation and performance planning process.

[12/09/2014]

2-11. Subordinate and Supervisor Communication.

Subordinate employee should report issues to their immediate supervisor first. There are no intended systems of reporting within the City meant to restrain an employee's ability to speak on the importance of productivity, safety, harassment, or other important matters within their department or City. The purpose of reporting to the most immediate supervisor is to talk with those best able to understand the issues of productivity, personnel differences, reflect on personal attitude or more. The supervisor shall work with the employee(s) to resolve the matter.

Employees are encouraged to speak on matters and if they are uncomfortable bringing forward concerns or a particular concern to their immediate supervisor they may bring it to the Department Head or City Administrator. If the immediate supervisor fails to follow through on, communicate about, or resolve the issue, the matter should be brought to the attention of the City Administrator. If the concerns involve the City Administrator, it should be brought to the attention of the Mayor or Council President. Any attempts at intimidation or retaliation against employees voicing their concerns may be considered a violation of conduct as described in Chapter 8, resulting in discipline described in Chapter 9.

[4/10/2018]

RECRUITMENT & SELECTION

3-1 Equal Opportunity Employer.

The City of Evansville is an equal opportunity employer. It is the City of Evansville's policy to administer all of its employment policies in a non-discriminatory manner without regard to race, color, religion, gender, age, national origin, disability, or any other basis as required by applicable federal, state or local fair employment laws or regulations. The City shall make a conscious effort to remove artificial barriers to equal opportunity. Job descriptions shall be reviewed with an effort to spot and remove any unnecessary qualifications and add acceptable work or educational experiences that are relevant.

[07/08/2014, 4/10/2018]

3-2 Hiring Authority.

Department heads filling vacancies in non-department head budgeted positions shall advise their supervisory committee and the City Administrator prior to advertising the position. All positions must be budgeted. Vacancies in department head positions are advertised by the City Administrator in coordination with the department's supervisory committee and the Finance & Labor Relations Committee; positions filled by mayoral appointment require additional coordination. All final candidates for employment are subject to the hiring process in section 3-5 below.

[07/08/2014, 12/13/2016, 11/14/2023]

3-3 Advertising & Posting.

Subject to any collective bargaining requirements for represented positions, the City shall have full discretion over the advertising and posting of any vacancy. Current City employees who are qualified for a vacant position may apply for it. Every appointment shall be made on the basis of merit and fitness for the position. In the City's discretion, or when required by law, merit and fitness shall be ascertained by written, oral or other examinations designed to evaluate the ability of the candidate to perform the duties of the position. Current City employees who are qualified and apply for a vacant position shall be considered and interviewed for the position. Vacancies may be filled by promotion or through the hiring process as determined by the City. To meet section 3-1 Equal Opportunity Employer, when advertising for most positions, the City should notify large and diverse groups of people when able.

[07/08/2014, 12/13/2016, 4/10/2018]

3-4 Confidentiality.

The City respects requests for confidentiality from job applicants. However, the City does not guarantee such confidentiality for finalists (generally, those actually invited to interview). The City may request a written waiver for release of information necessary for reference and background checks of job applicants.

[07/08/2014]

3-5 Pre-Employment Background Checks.

1. The City shall conduct a criminal and financial background check on all candidates for employment who reach final consideration for employment with the City and may require

a drug screening. Additionally, when the City determines there to be a job related and business necessity for screening current employees for criminal and financial conduct, the City shall require a criminal and financial background checks on a current employee and may require a drug screening.

2. When assessing an individual applicant or current employee with a criminal conviction or a pending criminal charge, the City shall consider whether the circumstances of the criminal conviction or pending criminal charge are substantially related to the circumstances of the particular job. In making this assessment, the City shall consider such things as the nature and gravity of the crime, the circumstances of the offense, the nature of the job and any other relevant information.
3. All final candidates for employment shall be reviewed by the City Administrator and references checked.

[Ord. 2013-09, 07/08/2014, 12/09/2014, 11/14/2023]

3-6 Residency.

When in the best interests of the City, the City may require residency within a certain geographical proximity to the City for any individual employee position for emergency purposes, per state statute. The positions of City Administrator, Police Chief, Emergency Medical Service Chief, and Municipal Services Director are emergency City personnel.

[07/08/2014]

3-7 Nepotism.

Pursuant to Evansville Municipal Code, Section 2-98:

1. No person shall be employed by the City while the employee or a member of the employee's immediate family:
 - a. Is authorized or required to participate in the employment, disciplining or removal of such person.
 - b. Is authorized or required to participate in determining the wages, hours or working conditions of such person.
 - c. Is authorized or required to exercise supervision over such person.
2. Immediate family includes spouse, brother, sister, father, mother, son, daughter, brother- or sister-in-law, mother- or daughter-in-law or father- or son-in-law.
3. A job promotion will be considered a new hire for purposes of applying the nepotism policy.
4. This subsection shall not apply to seasonal, student intern, or unpaid volunteers employees who are compensated by the City less than \$10,000 in any 12 consecutive month period.

[07/08/2014, 11/14/2023]

3-8 Orientation Program.

As soon as possible following acceptance of employment, new employees shall be provided with written information concerning all general conditions of employment, including hours of work, fringe benefits, pay and pay periods, City rules, privileges and responsibilities. The employee

shall be given a copy of this "Employee Handbook", requiring the employee's acknowledgment of receipt and review, by signature of the employee on the first day of employment. All required forms such as tax withholding, insurance enrollments, etc., shall be completed and signed and relevant benefit descriptions furnished.

The department head shall orient each new employee to the conditions related to the job and work site. Such orientation shall include introductions to fellow employees, work standards, safety regulations, break periods, supplies, etc.

Updated versions of the City of Evansville personnel policy will be provided to all City employees, requiring employees' acknowledgement of receipt and expected review of contents, by signature of the employee within 3 working days.

[07/08/2014]

3-9 Probationary/Introductory Period.

All employees hired are subject to a 12-month probationary period. A collective bargaining agreement or other employment agreement duly entered into by the City may include a revised probationary or introductory period.

[07/08/2014, 11/14/2023]

3-10 Bonds.

Employees whose employment with the City of Evansville requires them to handle other people's property or to deal with money in any capacity, may be required to be bonded. The City of Evansville will pay the cost of bonding. If an employee fails to maintain bondable qualifications, they may be subject to transfer to another position, if available, or termination.

[07/08/2014, 11/14/2023]

3-11 Indemnity.

Employees shall be protected from liability in the performance of their duties with the City pursuant to Wisconsin Statutes, Section 895.46.

[07/08/2014]

3-12 Personnel File.

An employee may inspect their personnel file--including any personnel documents which are used or which have been used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action and medical records. Unless the documents are excluded from employee inspection as provided by law, all such personnel documents are available for employee inspection. The employer shall grant *at least 4* requests by an employee in a calendar year, unless otherwise provided in a collective bargaining agreement, to inspect the employee's personnel records as provided in this section. For an employee to review their personnel file, a written request shall be made to the City Administrator who shall be the steward of all aforementioned City of Evansville personnel files. The City Administrator shall provide the employee with the opportunity to inspect the employee's personnel file within seven (7) working days of such request. Inspection shall take place reasonably near the workplace and under the supervision of the department head or City

Administrator or designated appointee and during reasonable hours. The procedure to follow is outlined in Wisconsin Stats. 103.13 Records Open to Employee.

The employee has the right to write a statement of disagreement with any item in the file. An employee may not remove any item from the file. An employee may have copies of items in the file for the cost of reproduction.

[07/08/2014, 11/14/2023]

3-13 Personal Status Change.

For accuracy of personnel records, emergency contact, employee benefits and tax withholding status, it is the responsibility of each employee to notify the Executive Assistant or designated employee of any change in marital status, number of dependents, address, telephone number, or person to contact in case of an emergency.

[07/08/2014,04/12/2016, 11/14/2023]

3-14 Health and Medical Records.

It is the policy of the City of Evansville to comply with all applicable laws regarding the retention and/or disclosure of employee health and medical records. In that regard, the City treats such information as confidential and will only disclose such information as is necessary to meet any legal obligations the City may have.

[12/09/2014, 4/10/2018]

3-15 Performance Evaluation.

Department heads shall conduct written performance evaluations annually on employees under their supervision, to be filed generally no later than 30 days before the employee's anniversary date. with the City Administrator, who shall place the evaluation in the employee's personnel file. Evaluations shall be signed by the person conducting the evaluation and initialed/signed by the employee. The City Administrator shall generally conduct annual reviews of department heads no later than 30 days before the employee's anniversary date.. The Mayor and/or Council President with formal input from Common Council shall conduct the annual review of the City Administrator consistent with employee contract.

Objectives of performance evaluations include:

1. To give employees positive feedback concerning their work for the City.
2. To determine whether or not an employee is meeting the expectations of the City.
3. To stimulate improved performance on the part of each employee, as well as better performance on the part of work units.
4. To provide employees and their department heads with an opportunity to periodically discuss work-related problems and work out solutions.
5. To provide an opportunity to identify an employee's training needs and desires as well as to ensure that the employee's career goals are being met, where applicable.
6. To provide the City an objective basis for deciding matters concerning retention, promotion or wage increases, where applicable.
7. Determine if employee's performance has been satisfactory to merit step increases in wages per the City's adopted Pay Philosophy

8. To provide a documented source of information about an employee's past performance if a decision needs to be made concerning discipline or dismissal.
9. To collect feedback on policies, actions, and supervision.

[07/08/2014, 11/14/2023]

SEPARATION

4-1 Notice of Resignation.

Employees shall give their department head at least ten (10) working days written notice of resignation. Department heads shall give the City Administrator at least (30) calendar days written notice of resignation with a minimum of 20 working days within said 30 day period. The City Administrator shall give the Mayor and Council President written notice of resignation same as all department heads. Part-time employees who are not department heads are to give two (2) calendar weeks.

No vacation or sick leave, which would otherwise be payable, will be paid to any employee who resigns without giving the required notice. A resignation accepted by the City in writing is final as of the date stated in the notice of resignation.

Working days are the days within the employees regularly scheduled shift. Floating holidays, vacation, compensatory time and sick time shall not count as part of the minimum working days required for payout of vacation and sick time.

Any changes of notice that move the calendar date sooner shall be considered a new notice for purpose of payout.

City may, in its own interest, allow a resignation sooner or the use of floating holidays, holidays, vacation, compensatory time and sick time to fulfill the required schedule as determined by the City Administrator. If the employee seeking exception is an employee with a separate employment agreement, section 4-8 applies.

Unreported or unauthorized absence of three (3) consecutive work days will result in the employee's automatic resignation. In such cases, no vacation or severance payments will be made.

[08/12/2014, 4/10/2018]

4-2 Payout.

Employees who resign, retire, or are laid off shall be paid in full by no later than the date of the following established payroll schedule or as agreed to within a separation agreement.

Upon resignation or retirement with required written notice, employee shall be entitled to unused vacation leave and a payout of unused sick leave. Employees who are involuntarily terminated or who failed to provide required written notice of resignation or retirement shall not be entitled to a payout of unused vacation and sick leave.

1. For non-exempt employees of the municipal services or finance departments or non-exempt clerical employees of the police department who were hired prior to January 1, 2014, the eligible payout shall be 60% of unused sick leave.
2. For exempt employees and sworn police officers, the eligible payout shall be according to the appropriate employment or collective bargaining agreement.
3. For all other employees, the eligible payout shall be 50% of unused sick leave.

[12/09/2014, 12/13/2016, 11/14/2023]

4-3 Layoffs.

Layoffs and furloughs of employees will be based on the City's assessment of employees' skills and qualifications, and its determination as to the needs of the City. There are **no** recall rights.

In the event of a layoff, all City paid benefits, except health insurance, dental insurance, and life insurance, will terminate immediately. Health insurance, dental insurance and life insurance coverage will continue through the month following an employee's last day of work. Employees will have the option of continued participation in the group health and/or dental insurance plans, at their own expense, as required by COBRA.

[12/09/2014]

4-4 Retirement.

In the case of retirement, employees covered by the City of Evansville's retirement plan under the State of Wisconsin Retirement System are eligible for benefits as defined in the plan. An employee may be eligible for continued health insurance coverage under COBRA; an employee may be eligible to utilize deferred sick leave for payment of health insurance premiums.

[08/12/2014]

4-5 Return of City Property.

Failure to return City property upon leaving employment with the City, including keys and passwords, may result in prosecution.

[08/12/2014]

4-6 Exit Interview.

The City may conduct an exit interview when an employee separates from employment with the City regardless of their length of service, position, or circumstances of separation. The exit interview is meant to gain insight into the City's personnel and managerial practices, to determine where personnel policies and procedures are in need of review or revision, and where supervisory and managerial practices need modification or improvement.

[08/12/2014]

4-7 References.

Upon written request, the City will provide any prospective employer of a current or former City employee with verification of employment, including inclusive dates of employment, job title and duties, and final rate of pay. Unless otherwise specifically authorized or required to be released by state statute, any additional information will be provided only pursuant to a written request by the employee or the prospective employer and a written release and waiver signed by the employee.

A prospective employer may review a personnel file with a written release by the employee, subject to statutory restrictions under 103.13.

[08/12/2014]

4-8 Separation Agreements.

A separation agreement between City and employee providing added or less benefits described within this handbook may be considered. Separation agreements for an employee without an employment agreement shall be approved by the Finance and Labor Relations Committee. An employee with an employment agreement shall have their separation agreements approved by the Common Council.

[4/10/2018]

COMPENSATION

5-1 Attendance and Hours.

1. **Attendance.** It is expected that employees will report to work on time, use their available working hours to the best advantage, and leave only after the regular working hours are completed. If an employee is unable to report to work at their scheduled starting time, they are to notify their supervisor prior to the start of their shift, *or as soon as reasonably possible*. Employees are not to leave work prior to the end of their scheduled shift without first obtaining permission from their supervisor.
2. **Schedule.** Employees shall work the hours and duties assigned by their supervisors. To the extent consistent with the efficient performance of available work, employees shall generally work a regular schedule of hours. Nothing in these policies is intended to restrict or otherwise limit the City's right to schedule the hours to be worked by an employee. For budgetary or other managerial reasons, the Council may require a reduction in scheduled overtime or a shortened work week below full-time.
3. **Standard Workday and Workweek.** The standard workday shall be comprised of eight hours divided into two approximately equal periods, separated by *an unpaid meal period of at least 30 minutes*. The standard workweek shall be comprised of five eight-hour days worked consecutively within a seven day period. Unless stated in a separate employment agreement/contract, FLSA non-exempt employees may not self-elect to use their meal period to leave their shift early or start their shift late. A department head may set a work schedule different from the standard when no alternative can be made to complete a time sensitive job, weather dependent jobs, adjust for the department's total work load, or it is determined the most efficient use of schedule. Pursuant to approval of the City Administrator, Department Heads and Supervisors can set operation schedules for their department or building on an annual basis. **Rest Breaks.** City employees, when working under conditions where the use of a rest break is practical, shall be allowed to take one 15 minute paid break per every 4 hours worked, at a time specified by the immediate supervisor. The purpose of a break is to provide rest for the health, safety and productivity of the employee and the City. Each supervisor shall schedule rest periods so as not to interfere with work requirements. Unused rest breaks may not be accumulated nor used for any purpose other than a rest period.
4. **Inclement Weather.** In the event of inclement weather such as snow, fog, or ice which creates hazardous travel conditions to and from an employee's home, an employee may arrive late or leave early upon permission from their supervisor. If an employee anticipates being late in their arrival to work, the employee should, to the extent reasonably practical, notify their supervisor prior to the start of their shift.
5. **Closures.** Operational closures due to inclement weather, staffing shortages, or threats to the safety of employees shall be paid as a holiday.

[12/09/2014, 4/10/2018, 01/01/2020, 11/14/2023]

5-2 Pay Periods and Payday.

The payroll year is made up of twenty-six (26) biweekly pay periods, which do not correspond to the calendar year. Pay periods start on Saturday and end on the Friday of the second week. Paychecks will be available to employees by 12:00 noon on Friday after the pay period.

Upon request, payroll checks may be mailed to the employee's home. When a payday falls on a holiday, checks will be distributed a day early, to the greatest extent possible. For calculation of stand-by compensation, holiday pay, overtime and more, the City uses the paid observance date of the holiday, not the actual holiday on the calendar.

[8/14/2007, 04/12/2016]

5-3 Time Sheets.

Time sheets are required of all City employees. The City or department head may require time-stamped time cards or daily time sheets. Each time sheet must be signed by the employee to be valid for payment. Time sheets shall be submitted to department heads no later than 9:00 a.m. on the Monday preceding a Friday payday. The department head shall submit all time sheets to the Administration & Finance Department before noon of the Monday preceding the Friday payday. Time sheets shall indicate the number of hours worked and/or meetings attended, including any compensatory time and/or overtime. Any paid time off such as sick, vacation, compensatory or holiday time shall also be indicated. If a signed time sheet is not turned in on time, the paycheck may be delayed until the next regular payday.

Falsification of a time sheet, intentional or not may constitute a violation of policy. It is imperative all employees carefully track and document their use of time.

[4/8/2014, 01/01/2020, 11/14/2023]

5-4 Compensation.

For employees covered by labor agreements, compensation is set in the applicable labor agreement and may include a longevity bonus. For all other employees, compensation rates, including any longevity, temporary assignment, and performance pay, are set and adjusted by the Finance & Labor Relations Committee, provided that such compensation complies with the annual budget adopted by the Common Council.

[4/8/2014]

5-5 Overtime

Employees shall receive permission from their department head prior to performing work that would result in accrual of overtime or compensatory time. Department heads shall monitor hours worked within their department to avoid the scheduling or use of overtime to the greatest extent possible.

A non-exempt employee who works more than either forty (40) hours in a week or ten (10) hours in a day, shall receive time and one-half (1.5) for all hours actually worked including sick and bereavement leave (not including vacation or other compensation for non-worked hours) in excess of forty (40) hours in a week or ten (10) hours in a day. Paid holiday hours (not floating holidays) or workdays canceled due to inclement weather shall count toward the calculation of overtime or compensatory time eligibility. Employees shall have the option of receiving either

overtime pay or compensatory time off computed at the rate of one and one-half times (1.5) the employee's regular rate of pay.

[01/01/2020]

5-6 Compensatory Time

Compensatory time is allowed and used for the purpose of providing staff additional time off as needed for personal well-being while saving the City from paying additional wages.

Compensatory time off shall accrue at the rate of one and one-half (1.5) hours for each overtime hour worked. To provide employees flexibility in taking time off, hours earned through on-call or working more than their regular shift, including part-time employees, may convert hours to compensatory time.

Compensatory time may be accumulated to a maximum of eighty (80) hours in one calendar year. Afterwards all overtime, or regular hours shall be paid in the pay period earned.

Compensatory time shall be used within the calendar year in which it is earned. Employees may request a payout of earned compensatory time on the second payroll period of June of each year and receive the final payout of earned compensatory time in the second pay period of December each year.

When an employee manages to use 60 hours of compensatory time for time off from work, on or before November 1st, they may elect to replenish their compensatory time above 80 hours in a calendar year, provided the employee never elected to cash out their time in June.

At termination the employee will be paid for accrued compensatory time at the employee's final regular rate. Compensatory time shall be taken at mutually agreed upon time(s) so as not to unduly disrupt operations.

[01/01/2020]

5-7 Call-in Pay

If an employee is called back into work at other than his or her normal time, they shall receive a minimum of two (2) hours pay for such work on weekdays or on weekends and a minimum of four (4) hours for such work on observed, paid holidays or pay for the actual time worked, whichever is greater. This provision shall not apply to hours worked consecutively prior or subsequent to the employee's regular schedule of hours. Minimum call-in pay shall count as hours worked for calculation of overtime.

[4/8/2014, 11/14/2023]

5-8 Standby Procedures and Compensation.

One (1) Water & Light field employee and one (1) Public Works field employee shall take standby duty (on-call with a pager or cell phone) with each employee expected to take a turn on a rotating basis for each one (1) week period from 3:30 pm on Friday through 3:30 pm the following Friday. This period includes all the hours not included in any regular work day, including 24 hours a day on weekends and holidays and the period from the end of each regular work day (typically 3:30 pm) until the start of the following work day (typically 7:00 am).

Regular standby duty shall be compensated as twelve (12) hours straight time for the one-week period plus any calls and equipment checks at the appropriate rate.

The employee on regular standby duty shall be responsible for the Saturday, Sunday, and holiday water test procedures and taking the wastewater treatment plant readings. The employee will receive (in addition to standby compensation) a minimum of two (2) hours of pay for each day on non-holiday weekends and a minimum of four (4) hours of pay on holidays. If testing or other problems occur, the employee shall be paid for actual hours worked if over the two (2) hour or four (4) hour minimum, whichever is applicable. If water or wastewater pumps/controls need to be checked a second time later in the day, the employees shall receive a second call-in pay at the minimum of two (2) hours on non-holiday weekends and four (4) hours on holidays.

Upon receipt of a service call, the employee shall call in a second qualified employee, as needed, to assist them, ensuring all safety regulations are complied with and that neither employee is placed in extraordinary danger or hardship. As many employees as are deemed necessary to complete the work in a safe and timely manner shall be called in. Employees shall document these calls and be compensated at the appropriate rate.

On those weekends and holidays when it will be difficult to contact a second qualified employee, due to vacations, etc., when a number of employees will be out of town, a second employee shall be placed on reserve standby, and carry the second pager, so that employee can be summoned at any time by the employee on regular standby.

Reserve standby duty shall be compensated as two (2) hours straight time per day or four (4) hours straight time on holidays plus any calls and equipment checks at the appropriate rate.

[12/10/2013, 11/14/2023]

5-9 FLSA Exempt Positions.

Fair Labor Standards Act exempt employees shall devote as much time as necessary to carry out their duties without earning overtime or compensatory time. The City may allow FLSA exempt position to adjust their work schedule to recognize and accommodate those situations where they have worked an excessive amount of hours compared to their typical two-week work schedule. Such flexible time off shall be requested, within four pay periods and documented per section 7-1 of this handbook.

Excluding the absence of one (1) or more full days of work, FLSA exempt employees cannot be reduced in pay for working less than their scheduled or expected hours. Failure to meet schedules, expected hours of work in a pay period, or use of paid leave to full-fill the expected hours of a pay period is a matter of employee conduct under Chapter 8 and discipline under Chapter 9. Time cards shall be used to track days and times of work; meetings; and benefit time used. Time sheets benefit FLSA exempt employees as it tracks time earned per section 7-1.

[12/09/2014, 04/12/2016, 4/10/2018, 11/14/2023]

5-10 Longevity Bonus.

The City shall pay a longevity bonus of 1.0% for full-time employees who have worked at least ten (10) years continuous employment with the City, 2.0% for full-time employees who have worked at least fifteen (15) years continuous employment with the City, and 3% for full-time

employees who have worked at least twenty (20) years continuous employment with the City. The longevity bonus earned in the calendar year starting January 1st and ending December 31st shall be paid as a single annual payment during the first pay period in December. In the event an employee retires on or past their anniversary date of employment they shall receive their longevity bonus the same time as their payout of vacation and/or sick time would occur.

[12/10/2013, 12/13/2016, 4/10/2018, 11/14/2023]

5-11 Clothing Allowance.

Full-time Municipal Services Department Supervisors and field employees will be reimbursed for one (1) pair of approved work boots per year that meet state safety requirements, as evidenced by a receipt of purchase.

In addition, full-time Department Heads and Municipal Services Department field employees will receive a three-hundred dollar (\$300.00) or more clothing allowance each year as set by the annual budget, provided the employee continues to be employed by the City for the entire year. The payment of this allowance will occur in January and is considered taxable compensation by the Internal Revenue Service. If, for any reason, an employee who was paid a clothing allowance does not continue to be employed by the City for the entire year in which the clothing allowance was paid, the employee shall pay to the City a pro-rated share of the clothing allowance for the portion of the year the employee is not employed by the City. Note: electric utility purchase of flame-resistant clothing is considered personal protective equipment and is reimbursed by evidence of receipt or directly purchased by the City in addition to the clothing allowance.

A collective bargaining agreement or individual employment contract may include provisions for a clothing allowance.

[12/09/2014, 12/13/2016, 11/14/2023]

5-12 Temporary Assignment Compensation.

During an extended absence or vacancy, the department head or administrator may temporarily assign an employee to perform some or all of the duties of the vacant position.

When the temporary assignment is expected to last more than two (2) weeks, the City may consider providing a stipend or temporary increase in compensation for performance of the higher rated duties of the vacant position. Consideration for compensation may include factors such as the scope and nature of the duties, additional hours needed to perform the duties, expected duration of the temporary assignment, extraordinary or emergency circumstances, budgetary impact, existing collective bargaining or other labor agreement, and recommendation by the department head and/or City Administrator. Typically, if an employee is fully performing the majority of the duties of the vacant position, the employee may be paid either 90% of the wage for that position or a 5% increase in pay, up to the wage for that position for the period the extra duties are performed. Decisions about temporary assignment compensation shall be made by the City Administrator if within budget parameters, or Finance & Labor Relations Committee if outside budget parameters, whose decision shall be final.

[4/8/2014, 11/14/2023]

5-13 Payroll Deductions.

Deductions are made from employees' paychecks as required by law for federal, state and local taxes, social security and Medicare, and as ordered by a court for garnishment and child support. The amount of tax withheld is based on the W-4 form the employee completed upon hire. Employees shall notify the Human Resources Administrator to update their W-4 forms when appropriate to ensure that the amount of tax withholding is appropriate.

Voluntary payroll deductions, if applicable, are made for health, life, other insurance programs and benefits (AFLAC), union dues/fair share payments and employee contributions to a deferred compensation plan, offered by the City. Deductions are itemized on the paycheck stub.

[4/8/2014]

5-14 No Pay Advances.

The City of Evansville does not compensate employees in advance of work performance.

[8/14/2007]

5-15 Travel, Lodging, Meals and Other Reimbursements.

The City expressly notes that the IRS considers reimbursement for lodging and meals to be taxable compensation under certain circumstances. It is the policy of the City to reimburse employees for applicable and reasonable expenses of travel associated with the conduct of City business, training and conferences. Receipts must be submitted for all reimbursement requests. Instead of employee reimbursement, the City may pay the vendor directly for employee travel expenses.

All travel by a non-department head employee requires the approval of the department head. All travel by a department head requires the approval of the City Administrator. All travel by the City Administrator must be approved by the Mayor. Travel that either exceeds the amount budgeted or has not been budgeted requires prior approval of the City's appropriate supervisory committee. In addition, all trips exceeding \$5,000 require prior approval by the City of Evansville Common Council.

Travel expenses must be accounted for by presenting valid receipts no later than thirty (30) days following the trip. The appropriate department head or City Administrator/ Finance Director shall review all receipts submitted. The City shall not reimburse expenses exceeding the travel allowance; the City shall not duplicate reimbursement when costs are reimbursed by other sources. All reimbursements require an itemized receipt or detailed report of what was purchased, for what purpose and assurance the purchase is not contrary to any other policies. Reimbursement shall be made in a timely manner.

1. **Transportation.** The City shall reimburse transportation costs, including parking, at either the actual cost of hired transportation or at the IRS standard mileage rate for use of a personal vehicle. Use of a City vehicle or car-pooling with others attending the same function is required to conserve on City expenses. When a City vehicle or car-pooling is available, employees electing not to carpool for personal convenience (such as but not limited to bringing guests along, traveling to another non-work location before/afterwards, or preferring to drive their personal vehicles separate from other

employees) shall be denied for reimbursement. Payment for transportation charges may be handled by reimbursement upon presentation of valid receipts or by prepaid advance travel reservations. All traffic and parking violations or other non-work related expenses are not reimbursable. Employees shall always travel using the most economical and carbon neutral means necessary.

If an employee does not have the State required liability coverage they shall use a City vehicle instead.

2. **Lodging.** In order to qualify for overnight travel reimbursement, the event must take place no less than a one (1) hour drive from Evansville or have prior approval by the appropriate supervisor. Lodging expenses per night, including all taxes, shall not exceed \$250.00 excluding expenses without: prior City Administrator approval; the employee is staying at the closest hotel to where the conference is located; or the rate is below the Government Services Administration (GSA) set per diem.

Posted hotel check-out hours are to be observed to avoid a charge for the day of departure. When registering into a hotel, or signing for any official purpose, employees should use their business address and identification and ask for government discounts and tax exemptions. Employees shall not be reimbursed for personal telephone calls or valet or dry cleaning services. If any employee is accompanied by a non-City employee (e.g. a spouse, domestic partner, family member, etc.) on an overnight trip, the City will not reimburse for more than the applicable single room rate since no travel expense for non-employees is reimbursable.

3. **Meals.** Meal receipts are required for reimbursements, and reimbursement, including gratuity, will not exceed \$75.00 per day, unless the GSA per diem for meals is greater in the area visited by the employee. Reimbursement will be allowed for: (1) Breakfast, if the employee leaves before 6:00 a.m. or is staying overnight out of town; (2) Lunch, if the employee leaves before 10:00 a.m. and returns after 2:30 p.m.; (3) Dinner, if the employee leaves before 5:00 p.m. returns after 8:00 p.m. Under no circumstances will the cost for alcoholic beverages be reimbursed by the City of Evansville.

[12/09/2014,04/12/2016, 4/10/2018, 11/14/2023]

5-16 Membership Dues.

Memberships to local, state, or national organizations and fees for professional licensure may be reimbursed by the City provided the membership or licensure is job-related and is budgeted.

[4/8/2014]

5-17 Training and Development.

When an employee attends a job-related training or conference program, the City will pay the employee their regular pay and reimburse the employee for associated expenses. All textbooks received in conjunction with the training program are deemed to be City property. In addition, the City requires its management/supervisory staff to provide ongoing training regarding work performance, City policies, and safety issues required by the City's insurance carrier and OSHA.

[8/14/2007]

The City may provide additional training and education for employees with the expectation such training will provide the City with new services, advance understanding of existing service, provide the employee with a future opportunity for advancement within the City, or pursuit and completion of an Associate's Degree. City coverage of expenses for tuition, training equipment, materials, mileage and employee pay will be decided on a case-by-case basis. The City may request potential reimbursement for education and training programs if the employee does not complete the program. The City may request guarantees of employment to cover the investment of education and training programs in an agreement. These agreements are developed case-by-case and are approved by Finance and Labor Relations Committee.

[4/10/2018]

5-18 Work from Home.

Being available to staff and the public is an essential function of most positions within the City of Evansville. Department Heads and FLSA Exempt employees may make arrangements with the City Administrator to allow City work to be conducted from home as needed and infrequently. Work from home can provide the opportunity for exempt personnel and department heads to complete essential tasks. This allowance is to be restricted so it does not create a system of abuse. Arrangements for accessing City files, programs and applications shall be made in advance with the City's Information Technology provider to create the most secure connection possible. All work conducted at this time is property of the City. Time calculations must be made conservatively to make certain staff meet the minimum requirements on their time sheets. Work from home requests shall be made in writing to the City Administrator and should generally avoid work days preceding or following weekends and holidays.

[01/01/2020, 11/14/2023]

BENEFITS

6-1 Health Insurance.

Pursuant to the criteria and procedures of the Employee Trust Fund, eligible employees shall be able to enroll for health insurance coverage as of the first of the month following receipt of a timely application. Employer contributions shall be tolled until after one (1) month of employee's coverage under the Wisconsin Retirement System. The City does not allow duplication of coverage if the employee and their dependent are both employed by the City, unless the dependent loses insurability, provided that the carrier does not prohibit such coverage. Employees and their dependents have the right to continue health insurance coverage, at their own cost, under certain state and federal laws, upon leave of absence without pay, termination, layoff, retirement, divorce, death and/or certain other qualifying events.

For currently enrolled active employees with creditable Wisconsin Retirement System (WRS) service on or after July 1, 2011 the City shall pay a percentage of the premium for single or family health insurance as follows:

1. Full-Time Employees are regularly scheduled for compensated service of thirty (30) or more hours per week [ie: one-hundred-thirty (130) hours or more per month for purposes of determining eligibility under the Affordable Care Act]. For Full-Time Employees, the City shall pay the lesser of either 90% of premium of the lowest cost health plan in Rock County or 88% of the average premium cost of plans offered in any tier of the lowest employee premium cost. The employee share of the premium shall not exceed a cap set at \$66 per month single coverage and \$159 per month family coverage in 2014 to the extent that the cap remains within the legal limit of no less than 12% of the average premium cost of plans offered in any tier of the lowest employee premium cost. Said caps shall automatically increase by 18.5% each calendar year.
2. Part-Time Employees are regularly scheduled for compensated service of under thirty (30) hours per week but more than twenty three (23) [ie: less than one-hundred-thirty (130) hours per month for purposes of determining eligibility under the Affordable Care Act].the City shall pay 50% of the premium of the lowest cost health plan in Rock County.

For currently enrolled active employees with creditable Wisconsin Retirement System (WRS) prior to July 1, 2011 the City shall pay a percentage of the premium for single or family health insurance as follows:

3.
 1. For Part-Time Employees regularly scheduled for under twenty (20) hours per week [ie: less than one-thousand-forty (1040) hours per year for purposes of determining eligibility under the requirements of the Employee Trust Fund] but more than eleven and a half (11.5) the City shall pay 0% of the premium of the lowest cost plan in Rock County.

In all cases, the employee shall have the option to select a higher cost health plan and shall be solely responsible for the difference in cost.

[12/09/2014, 11/14/2023]

6-2 AFLAC.

Employees may choose, at their own expense, to participate in a separate insurance policy offered through American Family Life Assurance Company (AFLAC). An AFLAC representative is available to explain policy options. The City also offers an employee flexible spending account (Section 125 plan) option to employees for qualified medical expenses and child care expenses through AFLAC. The unreimbursed medical flexible spending account is limited to \$1,500.

[3/18/2014]

6-3 Dental Insurance.

Employees shall be eligible for dental insurance coverage after one (1) month of coverage under the Wisconsin Retirement System prior to eligibility. The City does not allow duplication of coverage if the employee and their dependent are both employed by the City, unless the dependent loses insurability, provided that the carrier does not prohibit such coverage. Employees and their dependents have the right to continue dental insurance coverage, at their own cost, under certain state and federal laws upon leave of absence without pay, termination, layoff, retirement, divorce, death and certain qualifying events.

For each full-time employee, the City currently pays the monthly premiums for single coverage and family (including domestic partners as defined in the policy) coverage. The City shall not provide alternate compensation for employees who do not receive dental insurance benefits.

[12/09/2014, 11/14/2023]

6-4 Life Insurance.

The City currently offers employees an opportunity to participate in the Group Life Insurance Plan for state or local employees of Wisconsin. The City shall pay the premium for the basic plan; the employee may choose to participate in supplemental or additional plans at their own expense. Participation is subject to terms and conditions, including one (1) month coverage under the Wisconsin Retirement System prior to eligibility, as shall be established by the plan. The employee shall name their beneficiary or beneficiaries.

[8/14/2007, 11/14/2023]

6-5 Income Continuation Insurance.

After one (1) month coverage under the Wisconsin Retirement System, the City will pay the premiums for Income Continuation Insurance at the rate of a 120-day waiting (elimination) period for each regular full-time employee. The terms of coverage under the plan are as set by the State of Wisconsin.

[12/09/2014, 11/14/2023]

6-6 Wisconsin Retirement Fund.

For each eligible employee, the City shall contribute to the Wisconsin Retirement Fund the employer contribution, at the rate as may be from time to time determined. Employee shall be responsible for the employee contribution, at the rate as may from time to time be determined. Hours of paid-on-call status of emergency medical technicians and ambulance drivers do not

count as hours worked for determining whether the employee has worked sufficient hours to qualify for the Wisconsin Retirement Fund, but if the employee qualifies, these hours are counted as hours worked for purposes of determining the contribution to the Wisconsin Retirement Fund.

All employee contributions toward the Wisconsin Retirement System shall be considered as employer contributions for tax purposes under the Internal Revenue Code section 414(h)(2). Participating employees shall not be permitted to opt out of the pick-up or to receive the contributed amounts directly instead of having them paid by the City to the plan.

[3/18/2014]

6-7 Deferred Compensation.

Employees may choose to participate in a deferred compensation program offered by the City under Section 457(g) of the Internal Revenue Code.

[8/14/2007]

6-8 Wellness Programs.

1. The City shall provide at no cost to employees and volunteers of the City an Employee Assistance Program.
2. For the health and well-being of staff, the City shall pay a share for health and well-being improvement costs for all full time, volunteer EMS, or part-time employees . The City will share in costs not to exceed \$150 each calendar year for full time employees. The City will share in costs not to exceed \$75 for volunteer EMS and part-time employees. The reimbursement is taxable and will be processed with payroll only once annually no later than October 30th of each year. Applicable uses include but are not limited to:

- Massage therapy
- Acupuncture
- Gym Membership
- Fitness Classes
- Other Health Consultations
- Devices with digital fitness tracking features
- Community Supported Agriculture (CSA) memberships
- Home Fitness Equipment
- Other uses approved in advance by the City Administrator

[01/01/2020, 11/14/2023]

HOLIDAYS & LEAVE

7-1 Request for Schedule Change and Time Off.

Requests for changes in an employee's scheduled hours of work shall be submitted in writing to the immediate supervisor not less than five (5) working days prior to the requested change. Changes that create overtime, scheduling, or work assignment problems will not be approved, except as otherwise expressly permitted within these policies. Requests for time off will be considered in the order received, subject to the City's needs. Where all factors are equal, the employee's length of service shall be considered in deciding on competing requests for schedule changes.

Department heads may generally schedule their leave at their discretion and shall inform the City Administrator in writing of any absence over one-half day or longer and to designate the department's contact person during the absence.

To recognize and accommodate those situations where a FLSA exempt employee (i.e. a department head or an employee with an employment agreement) has worked an excessive amount of time during a two-week cycle, the City Administrator may, on a case by case basis, allow the department head additional "flex time" off duty. Accounts of time worked, lunch breaks, meetings attended, and travel on the employee's time sheet shall be used to document such excess time and "flex time" used. This is not to bank or track the amount of time similar to compensatory time for non-exempt employees, but to document justification for request and approval. Terms for the use of "flex time" is set under Section 5-9.

[6/10/2014, 4/10/2018, 11/14/2023]

7-2 Vacation.

Part-time, seasonal, and limited-term employees are not entitled to earn paid vacation time unless otherwise provided in an employment contract or the City Administrator. Full-time employees shall receive paid time off for vacation leave.

1. **Calculation.** All vacation days earned in the year which they are hired shall be prorated by the week rounded in 15 minute intervals

On January 1, of the calendar year of hire (or the calendar year following the year of hire for those hired before January 1, 2016), a full-time employee shall be entitled to up to ten (10) days of vacation time, unless the City granted alternate vacation leave at the start of employment or in an employee agreement or collective bargaining agreement. Any extra vacation granted by the City for new hires is subject to review by the City Administrator. Vacation shall not be earned during periods of layoff exceeding thirty (30) calendar days or during unpaid leaves of absence. Upon completion of five (5) full calendar years employment with the City, a full time employee shall be entitled to fifteen (15) days of vacation with one (1) additional day of vacation time for each additional year afterwards (completion of year 6), up to a maximum of twenty-five (25) days. Vacation leave shall be paid at the employee's current regular rate of pay.

2. **Schedule.** Vacation may not be taken in less than fifteen (15) minute increments. All vacation shall be taken within twelve (12) months of the calendar year earned. Vacation

not taken shall be forfeited. Where the City is unable to give the employee a reasonable opportunity to take their vacation within the twelve (12) month period, there may be a reasonable extension granted by the City Administrator.

Department heads have the exclusive right to schedule the vacations of the employees they supervise. Employees shall notify their immediate supervisor of tentative vacation plans by March 1 of each year; senior employees within departments may be afforded priority over employees with less seniority. Vacation may be scheduled after the March 1 deadline without regard to seniority. All vacation requests shall be subject to the department head's approval. The department head may deny a vacation request due to scheduling problems, lack of qualified replacement, limited funds, or other hardship on the City's operations. As part of the reasonable extension, the City Administrator shall have the authority to approve all extensions of vacation days not to exceed 80 hours for no more than six (6) months.

3. **Payout.** Non-exempt employees hired prior to January 1st, 2016 who resign or retire and gives required written notice, shall be paid for their unused vacation earned during the prior year plus vacation leave at the rate of 1/52nd for each week worked in the current year, provided the employee shall have completed one (1) year of continuous employment. Those hired after January 1st, 2016 had immediate access to vacation and therefore only receive payout of the pro-rated vacation minus used time within that year. Such employee who resigns or retires without giving required written notice or who is terminated by the City, shall not be paid for any earned vacation leave.

Department heads. Department heads accrue vacation leave for a calendar year at the start of the calendar year. If a department head starts employment during the year, the amount of vacation accrued for the first partial calendar year of employment shall be prorated for the portion of the calendar year the employee will work for the City. Department heads shall accrue vacation leave at a rate of fifteen (15) days per year during the first through fifth full calendar years of employment, unless otherwise provided in an employment contract or terms of employment. In the sixth (6th) full calendar year of employment and in each subsequent full calendar year of employment, the vacation benefit shall increase by one (1) day per year to a maximum of twenty-five (25) days. Department heads may carry forward from a calendar year to the next calendar year up to ten (10) days of accrued, unused vacation leave, and any vacation days in excess of these ten (10) days will be forfeited. If provided in an employment contract or approved by the Finance & Labor Relations Committee additional unused vacation days beyond ten (10) may be carried forward. A department head's employment contract or terms of employment may limit the use of vacation leave during a specified initial training period. After completion of such initial training period, upon retirement, termination of a department head, termination of the employment contract (if any), or the department head's death, the department head or department head's estate shall be entitled to payment of unused vacation leave paid at 100%, prorated based on the portion of the calendar year worked by the department head.

[12/09/2014, 12/13/2016, 4/10/201801/01/2020, 11/14/2023]

7-3 Paid Holidays.

Starting in the calendar year of 2017 full-time employees shall receive the following named paid holidays: New Year's Day; Memorial Day; Independence Day (July 4); Labor Day; Thanksgiving Day; Day After Thanksgiving; Christmas Eve; Christmas Day; and four (4) Floating Holidays (to be taken in full shift increments and pro-rated per quarter upon hire).

Part-time, seasonal, and limited-term employees are not entitled to earn paid holidays unless otherwise provided in an employment contract or the employee's terms of employment. Part-time employees who do receive pay for the above holidays (including floating holidays) shall be paid on a pro-rated basis equal to their regularly scheduled hours of work.

If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday. If a holiday falls on a Sunday, the following Monday shall be observed as the holiday. When a holiday falls during an employee's vacation period, their vacation period shall be extended one (1) day for each holiday. If Christmas falls on Saturday, then Christmas Eve will be observed on Friday and Christmas Day will be observed on Monday. If Christmas Eve falls on a Sunday, then Christmas Eve will be observed on Monday and Christmas Day will be observed on Tuesday. If a holiday falls on day or year not prescribed in this section, the City Administrator shall make the final determination on the observation day.

Each employee, to be entitled to holiday pay, shall work, or use approved vacation time, sick time, compensatory time, or a floating holiday, all normally scheduled hours on their last scheduled workday before the holiday and the first scheduled workday following the holiday. In the event that a holiday shall fall during a period when an employee is on approved sick leave, their sick leave accumulation shall not be reduced that day.

[6/10/2014, 12/13/2016, 11/14/2023]

7-4 Religious Observances.

The City of Evansville respects the right of each employee to worship as their faith dictates. Any employee wishing to be absent for the purpose of religious observances or holidays may request to use vacation, floating holiday time, or unpaid leave to observe such observance or holiday. Employees shall provide their department head 15 work days of notice of their desire for time off in such situations. All requests are subject to prior approval. Requests will be honored unless doing so would cause an undue hardship for the City.

[12/09/2014, 11/14/2023]

7-5 Sick Leave.

1. **Initial Hire.** A newly hired employee shall begin employment with zero (0) hours of accrued sick leave, unless the City grants the employee a sick leave accrual at the start of employment in an employment contract or other terms of employment. In the event that an employee is granted a sick leave accrual at the start of employment, it shall be assumed that an employee uses sick leave accrued after the start of employment with the City first, and only if all such sick leave has been exhausted will sick leave that was part of the sick leave accrual at the start of employment be used. Any such employee shall not receive a payment on account of such sick leave accrual at the start of employment upon such employee's voluntary resignation from employment with the City.

2. **Accrual.** Full-time employees shall be entitled to one and one-quarter (1-1/4) days sick leave per full month of employment. Part-time, seasonal, and limited-term employees are not entitled to earn sick leave unless otherwise provided in an employment contract or the employee's terms of employment. Part-time employees who do earn sick leave shall accumulate sick leave on a pro-rated basis equal to their regularly scheduled hours of work. Sick leave benefits shall not accrue to the employee during an approved leave of absence or while on active sick leave exceeding two (2) weeks. The maximum accumulation of sick leave shall not exceed ninety (90) days, except as stated below, which shall also be the maximum that may be used by an employee during any calendar year.
3. **Use of Sick Leave.** An employee unable to report to work due to illness or injury (physical and/or mental) of the employee or their immediate family (spouse, child, parent or household member) is required to give notice no later than within the first one-half (1/2) hour of the start of their shift unless unforeseen circumstances prevent them from doing so. If employee is designated as a care giver to a family member, notification shall be given to their immediate supervisor for preauthorized use of sick time. Pets, livestock and other non-human animals and creatures are not eligible for sick time.

For scheduled doctor or dentist appointments, the employee shall give the department head notice thereof as soon as is practical following the scheduling of the appointment. Sick leave may be taken in fifteen (15) minute increments. Sick leave is to be used for getting well, not as extra vacation. Supervisors may send a sick employee home in the interest of the employee or public health or safety.

If not approved, personal time such as compensatory, vacation or holiday may be used.

[01/01/2020, 11/14/2023]

4. **Doctor's Statements.** The City, may require the employee claiming sick leave to produce a doctor's statement of illness or injury or to submit to an examination by a doctor designated by the City at the City's expense. In the event of sick leave absence of more than three (3) consecutive days, the employee shall provide a doctor's statement of illness or injury. Following surgery, extended illness, or treatment of a significant injury, the employee may be required to produce a doctor's statement for fitness to return to work.
5. **Excess Sick Leave.** If at the end of any calendar year, an employee would have more than 90 days of accumulated sick leave, the employee may receive a payout of 50% of the value of sick leave in excess of 90 days. This payment shall be paid no later than the second pay period of the following calendar year. Such employee may instead choose, on a yearly basis, to defer payout of the excess sick leave value until retirement for the sole purpose of paying employee's health insurance premiums after retirement. The employee will be assumed to elect to defer payout of excess sick time unless they indicate their preference no later than December 15 of each year. Pay shall be based on such employee's normal rate of pay and scheduled hours of work in effect at the time.

- a. For non-exempt employees of the municipal services department, finance departments or non-exempt clerical employees of the police department who were hired prior to January 1, 2014, the amount eligible to be deferred for post-retirement insurance premiums shall be 100% of excess sick leave.
 - b. For exempt employees and sworn police officers, the amount eligible to be deferred for post-retirement insurance premiums shall be according to the appropriate employment or collective bargaining agreement.
 - c. For all other employees, the amount eligible to be deferred for post-retirement insurance premiums shall be 50% of the excess sick leave.
6. **Payout.** Upon retirement with appropriate notice (based on eligibility standards established by the Wisconsin Retirement System), termination of such employee (unless such termination is for cause), termination of employee's employment contract (if any), resignation with appropriate notice, or employee's death, employee or employee's estate shall be entitled to payment of up to 90 days of unused sick leave at the employee's current wage rate according to the schedule in section 4-2 above. For purposes of this provision, the term "cause" includes but is not limited to misconduct connected with employment, or a serious or repeated violation of the work rules or other policies set forth in this Employee Handbook.
7. **Donation of Sick Leave.** An employee may voluntarily donate accrued sick leave (calculated according to the respective wages) to another employee to cover periods of absence due to a medical condition of the employee or family member, including intermittent periods of absence due to a single on-going medical condition. Donation of sick leave must meet the following criteria:
- a. The recipient employee has less than 3 days of available paid leave (sick leave, vacation, compensatory time, floating holidays).
 - b. The recipient employee is not then receiving unemployment compensation or worker's compensation or other disability based benefits.
 - c. The otherwise unpaid absence would exceed twenty-four (24) working hours beyond the recipient employee's having utilized all other available paid leave.
 - d. The donor employee cannot donate more than half of their accrued sick leave.
 - e. Donated sick leave may be used on a current basis or applied retroactively to the beginning of the absence.
 - f. With City Administrator approval, up to 5 days of an employees vacation time can be donated as sick time

Persons involved in the leave transfer program are responsible for guarding the privacy of recipient and donor employees. No information should be revealed to anyone (including to a recipient who wishes to thank donors) who does not have a need to know for administrative purposes.

If, at the end of the absence (return to work, resignation, or death), unused donated leave remains, the City may arrange to have it returned to the donor employee. If there are multiple donor employees, the leave may be returned on a pro-rated basis.

[12/09/2014, 11/14/2023]

7-6 Funeral / Bereavement Leave.

Full-time and permanent part-time employees shall be entitled to paid leave for funeral or bereavement. Unless otherwise provided in an employment contract or the employee's terms of employment, a seasonal, and limited term employee shall not receive paid leave for funeral or bereavement.

In the event of a death of a spouse, significant other or domestic partner, child, stepchild, parent, parent-in-law, child-in-law, sibling, grandparent, grandchild, or household member an eligible employee shall be entitled to pay for three (3) days of absence for funeral or bereavement. In the event of a death of a sibling-in-law, or grandparent-in-law, a full-time employee shall be entitled to pay for one (1) day of absence for funeral or bereavement. In the event of a death of any relative previously undefined, employee may receive pay for one (1) day of absence for funeral or bereavement at the discretion of the department head and the City Administrator. All part-time pay shall be prorated.

On a case by case basis, with full consideration for the individual situation and the business needs of the City, the City may allow an employee to utilize their accrued vacation, compensatory time, floating holiday, or sick leave for funeral or bereavement of an extended family member (i.e. a relationship not explicitly listed here) or for a longer period of leave than the standard (i.e. three days or one day).

Pets, livestock and other non-human animals and creatures are not eligible for funeral/bereavement leave.

[06/10/2014, 4/10/2018, 01/01/2020, 11/14/2023]

7-7 Disability leave.

In the event of an illness or injury requiring recuperation longer than accumulated sick leave, employees may apply for an unpaid leave not to exceed 180 calendar days (inclusive of any FMLA leave to which the employee is entitled). The City of Evansville reserves the right to require satisfactory medical evidence of the employee's medical condition, their ability to return to work, and/or the need to extend the medical leave.

[12/09/2014, 4/10/2018, 11/14/2023]

7-8 Personal leave.

An employee may request a personal leave of absence without pay not to exceed thirty (30) calendar days. Such requests shall be made in writing to the department head not less than fifteen (15) calendar days prior to the start thereof, and shall state the starting and ending dates of the requested leave. Supervisors may waive the fifteen (15) day request in exceptional circumstances. Department heads may make their requests to the City Administrator for recommendation to the Finance and Labor Relations Committee for final approval. All requests for leave are subject to the approval of and such conditions, if any, as may be specified by the City of Evansville. Employees on an approved leave of absence, without pay, except approved Family and Medical Leave, may continue insurance coverage, but are responsible for payment of all premiums.

[12/09/2014]

7-9 Military leave.

Employees shall be granted military leave in accordance with applicable federal and state laws. Employees shall be entitled to the option of either receiving their military pay or receiving their regular straight time pay from the City of Evansville during the first three (3) calendar weeks of an authorized leave under this section, but not to exceed a total of six (6) calendar weeks within any twelve (12) month period.

[06/10/2014]

7-10 Family and Medical Leave.

The City of Evansville complies with all applicable requirements of the Federal and Wisconsin Family and Medical Leave Acts (FMLA). Additional information on the federal FMLA follows:

All requests for FMLA leave should be submitted as soon as possible. Employees generally have fifteen (15) days to get any required medical forms returned. More information is available in the Human Resources department.

The state and federal FMLA laws permit eligible employees to take unpaid leave in the following circumstances:

- For the employee's own serious health condition.
- For a serious health condition involving the employee's parent, child, spouse, and under the state law, the spouse's parent, employee's domestic partner or domestic partner's parent.
- The birth or adoption, and under the federal law, foster placement of a child.

The federal FMLA also allows FMLA leave for:

- Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty in the Armed Forces for certain qualifying exigencies.
- Eligible employees to care for a covered service member.

The state law applies to employers employing 50 or more individuals on a permanent basis and covers employees who have worked for at least one (1) year (does not have to be consecutive months) and 1,000 hours (worked or otherwise paid) in the preceding twelve (12) months. The federal law also has a one (1) year qualification period, but uses 1250 hours actually worked as the minimum requirement; in addition, to be eligible for FMLA benefits, the employee must be assigned to a worksite with 50 or more employees within a 75 mile radius.

The state benefit is based on a calendar year and is:

- Two (2) weeks for the employee's own serious health condition.
- Two (2) weeks for a serious health condition involving the employee's parent, child or spouse, or domestic partner.
- Six (6) weeks in cases of birth or adoption (foster placement is not covered).

The federal law allows a total of twelve (12) weeks per twelve (12) month period, except that up to twenty-six (26) weeks of leave is allowed during a single twelve (12) month period to care for

a covered service member. The military caregiver leave is available during a single twelve (12) month period during which an eligible employee is entitled to a combined total of twenty-six (26) weeks of all types of FMLA leave. The City uses a calendar year to calculate federal FMLA leave. Where a leave is covered by the state and federal law, state leave runs concurrently with federal law.

Any accrued paid leave time which the employee elects to use and for which the employee is eligible will be credited against the unpaid leave allowance. Employees may be required to use accrued paid vacation for federal FMLA leave, which will be counted against the unpaid federal leave allowance

Employees requesting family or medical leave should give as much advance notice as possible of the need for the absence. A 30 day notice is required when leave is reasonably foreseeable.

If FMLA leave is for birth and care or placement of a newly placed child for adoption or foster care, use of intermittent leave is subject to the employer's approval, except as may be allowed by the Wisconsin FMLA. FMLA leave may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Employees on a federal or state approved family or medical leave may be required to provide medical certification of the need for the leave as well as the employee's fitness to return to work, as applicable.

During an approved state or federal family or medical leave, the City will continue to provide group health insurance, for up to the maximum FMLA leave, on the same terms and conditions as provided for before the leave. Continuation of insurance coverage beyond that period shall be provided in accordance with applicable state and federal law (COBRA).

Employees returning from an approved state or federal family or medical leave shall be reinstated to their former position or equivalent position in accordance with and to the extent required by applicable state or federal law.

Family or medical leaves are only available up to the time periods specified by state and federal laws, unless the employee contacts the City and obtains special approval for an extended leave of absence without pay. Requests for extensions must generally be submitted, in writing, at least two weeks in advance of the employee's scheduled return date. The City reserves the right to grant or deny extensions in whole or in part, in accordance with local, state and federal laws as applicable. If the employee does not return to work following the conclusion of FMLA leave or an otherwise approved leave, the employee will be considered to have voluntarily resigned.

[06/10/2014]

7-11 Jury Duty.

Regular employees may receive time off to serve on jury duty and shall notify their department head as soon as the employee receives notice. Employees shall be required to provide proof of their service of jury duty time, such as a jury summons and/or other evidence of their continuing service. Regular employees who are required to serve jury duty shall be entitled to receive their

regular straight time pay from the City during an authorized jury duty under this section. Any employee released from jury duty shall immediately report back to work unless excused by the department head.

[06/10/2014]

7-12 Fire Service and EMS Leave.

Employees who are qualified members of the Evansville Community Fire District or Evansville Emergency Medical Service will be authorized to leave their jobs during regular working hours under pre-determined conditions with approval of their supervisor to respond to emergency service calls with no loss of pay.

The City Administrator may authorize a leave of absence, without pay, for the purpose of an employee's attending fire or medical service training which has been recommended in writing by the Fire Chief or EMS Chief.

[06/10/2014, 11/14/2023]

7-13 Worker's Compensation.

Employees who become injured while on duty or contract a disease in the course of their employment are covered under the Worker's Compensation Law. This law provides for the payment of medical and hospital bills for the related illness or injury; all employees are eligible for benefits under the Worker's Compensation Act in accordance with and to the extent provided by law. Death benefits are also provided for work-related fatalities.

Employees shall:

1. Immediately contact the 24/7 Care Line, as provided by our insurer, for certain injuries.
2. Report all accidents or injuries, no matter how minor, to their supervisor and, unless incapacitated, to submit a written report within twenty four (24) hours of the injury.
3. If medical treatment is required, submit a doctor's report to the supervisor describing the injury; whether the employee is able to return to work, with or without restrictions; and if not, the estimated return to work date.
4. Assist in completing any required paperwork within twenty-four (24) hours of the injury.

If an employee's illness or injury is determined to be a temporary partial disability or a temporary total disability such that worker's compensation does not cover the full loss of the employee's wages, the employee may request use of accumulated sick leave to offset the difference. Such payments shall not exceed accumulated sick leave and shall be deducted from the accumulated sick leave. An employee shall not be required to use sick leave, but in such case shall receive no payment beyond that provided by worker's compensation.

[12/09/2014]

7-14 Light Duty.

An employee may be assigned to "light duty" status based on a doctor's order or at the discretion of the appropriate department head to allow the employee to heal, to the extent that appropriate work is available. Light duty assignments shall be reviewed weekly or as conditions change. At the discretion of the City, light duty assignment may only be offered when available, may be part-time, and is not considered permanent duty. There is no guarantee of a light duty

assignment. First preference in making light duty assignments shall be to assist in the return to regular work assignments for employees with work-related injuries or illnesses.

[12/09/2014]

7-15 Paid Parental and Adoption Leave

The primary goal of this policy is to allow new parents time to bond with their child and adjust to life as a parent. This policy is to grant time away from work with pay for the birth of the employee's child or the placement of a child with the employee for adoption or as a precondition to adoption under Section 48.90(2) of the Wisconsin Statutes, but not both.

All regular full-time employees of the City who have been employed as full-time employees for at least twelve (12) consecutive months are entitled to the leave provided for in this section once for each birth or adoption instance once per calendar year. Multiple children in one (1) birth or adoption count as one (1) birth or adoption instance.

1. Exclusions to paid leave include:
 - a. Sperm/egg donors do not incur a qualifying event under this policy.
 - b. Serving as a surrogate does not incur a qualifying event under this policy.
2. For purpose of this paid benefit the following definitions are:
 - a. **Parent.** A person identified on a child(ren)'s birth certificate, adoption certificate, certified copy of a foreign adoption order that has been registered with the State of Wisconsin, or other legal document certifying an adoption.
 - b. **Qualifying Event.** The birth or adoption of a child on or after January 01, 2020. For foreign adoptions, the qualifying event is the date the child enters the United States.
3. The length of leave shall be provided as follows:
 - a. **Parental Leave.** An eligible employee who is a parent is entitled to 160 hours of paid parental leave to be taken following the birth of their child(ren).
 - b. **Adoption Leave.** An eligible employee who becomes an adoptive parent is entitled to 160 hours of paid adoption leave to be taken following the adoption or placement of the child(ren).
4. **Dual-employed parents.** When both parents are employed by the City, both parents are entitled to their respective leaves.
5. **Concurrency with FMLA.** Paid parental and adoption leave run concurrently with FMLA as allowed by law.
6. **Use of other Paid Time Off.** Sick leave or other paid time off may be used for additional maternity leave, pregnancy complications and still births.

[01/01/2020, 11/14/2023]

CONDUCT

8-1 Respectful Workplace.

It is the policy of the City to maintain a respectful work and public service environment free from discrimination, violence and other offensive or degrading remarks or conduct. The City will not tolerate such behavior by or towards any employee. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action, up to and including immediate termination.

All employees are 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, businesses, and customers of Evansville. Employees are expected to:

1. Be respectful and exercise civility with other employees, as well as the public, in the conduct of City business.
2. Be courteous at all times and display a cheerful, polite attitude.
3. Be neat, keep their workplace as neat as possible, and dress appropriately for their respective jobs.
4. Be dependable and accountable.

[9/09/2014, 11/14/2023]

8-2 Employee Conduct and Work Rules.

To ensure orderly operations and to provide the best possible work environment, the City of Evansville expects employees to follow rules of conduct that will protect the interests and safety of all employees and the City.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination, as determined appropriate by the City:

1. Theft or attempted theft or other unauthorized removal or possession of the City, a co-worker or other individual's property.
2. Misuse of City credit cards, credit accounts or tax exemption. This excludes incidental uses where the employee mistakenly used a City credit card or account and repays within one (1) billing cycle. This excludes purchases to be reimbursed in part by an employee under circumstances where the City pays in part (i.e. errors on meal tickets, overages on per diems, or overages on protective gear).
3. Falsification of timekeeping records. This includes but is not limited to failure to document the proper amount of time used for unpaid break periods; documenting time of when an employee stops or starts work; proper use of vacation, sick, compensatory or holiday time; or errors caused by failing to regularly document time throughout the work week.
4. Working under the influence of alcohol or illegal drugs.
5. Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating City owned vehicles or equipment.
6. Illegal gambling in the workplace.
7. Fighting or threatening violence in the workplace.

8. Boisterous or disruptive activity in the workplace. This excludes what may be personality traits of an employee. Rather this is activity of an employee to slow or halt progress and work of others intentionally or continued unintentional activity after notification.
9. Negligence or improper conduct leading to damage of property, loss of funds or loss of productivity. This can include but is not limited to abandoning a work station, failing to secure money and property of the City, or failing to report maintenance needs,
10. Insubordination or other disrespectful conduct.
11. Violation of safety or health rules including but not limited to, failure to follow departmental safety training or apply proper safety equipment.
12. Smoking in prohibited areas.
13. Sexual or other unlawful or unwelcome harassment. This includes any conduct (verbal, written, physical, or other) that demeans or harasses a subordinate, fellow employee, customer, resident or other person by an employee acting within their role as an employee to said person, even when not on duty, on the basis of sex, gender, orientation, religion, or other protected class.
14. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
15. Excessive absenteeism from work station during the workday.
16. Unauthorized personal use of telephones, computers, mail system, City owned equipment, City paid time, City facilities, and other City staff. This can include but is not limited to: working on outside employment while working for the City; ordering the help of subordinates for personal interest; use of City paid time or documented time of self or others for other personal interests; viewing materials on the internet that are sexually suggestive; or excessive personal use of internet outside of documented break periods.
17. Violation of inner departmental policies including but not limited to polices on conduct, operations, finance and safety. Inner departmental polices are created specifically for the technical and safety requirements of positions within the City and are equally important for the health, safety and productivity of staff.
18. Unsatisfactory performance. During a review process, supervisors are able to document those areas of performance the employee should improve their effort to correct. Failing to acknowledge or place effort in the needed areas/topics of correction is an example of unsatisfactory performance. Other examples of unsatisfactory performance include but are not limited to: avoiding responsibility of errors; hiding errors; not communicating needs of the department or City with other staff/supervisors; failing to meet deadlines; failing to meet quotas; continued errors in work with no signs of improvement; showing hostility towards others; and failure to stay productive.
19. Unsatisfactory conduct. Any violation of City policy, resolutions, contracts and ordinances is unsatisfactory conduct.
20. Inattention to duties. Examples of inattention to duties include but are not limited to: staying busy with unassigned tasks while other assignments are left unattended; not remaining available to the public or staff; and delegating duties within the employee's job description without reason and available time to otherwise complete.
21. Misuse of legal prescription drugs other than as prescribed by the employee's health care provider and non-prescription drugs in the workplace.
22. Making any intentional false statement in the course of an investigation or during employment. Intentional falsification in statements (written and verbal) by any employee of the City shall not be tolerated.
23. Knowingly withholding pertinent information during an investigation.

24. Retaliation, reprimands or hostility towards employees for reporting performance and safety concerns to others than their immediate supervisor.

[12/09/2014, 04/10/18, 01/01/2020, 11/14/2023]

8-3 Unlawful Harassment Policy.

All employees of the City of Evansville are required to be familiar with, and comply with, the policy of the City prohibiting unlawful harassment in the workplace. This policy is more thoroughly explained below.

1. Sexual Harassment.

This policy prohibits sexual harassment in the workplace and applies to all City employees, vendors or visitors, male or female. Intentional, unintentional, persistent or a single occurrence are all possible violations. Prohibited sexual harassment includes:

- a. Unwelcome sexual advances or requests for sexual favors. This includes, but is not limited to implied advances and requests through joking, deferential treatment on the basis of sex and/or orientation, comments about the appearance of others in a suggestive manner, and/or sexual objectification of individuals.
- b. Unwelcome verbal, visual, or physical conduct of a sexual nature. This includes, but is not limited to joking, deferential treatment on the basis of sex and/or orientation, comments about the appearance of others in a suggestive manner, and/or sexual objectification of individuals.
- a. Making submission to (or rejection of) such conduct a factor in employment decisions.
- b. Displaying pictures, objects or other behavior that results in the sexual objectification of a person or group of people.
- c. Permitting such conduct to interfere with a person's performance, or to create a hostile, intimidating or offensive work environment.

A person who believes he or she has been the witness to or the subject of sexual harassment should report the matter as stated in the Whistleblowers Policy, section 10-1 of this handbook. A witness should not weigh whether the incident is harassment or a misunderstanding, and always report the incident. The City is responsible to investigate and determine the proper course of action to prevent future incidents, ensure a safe work environment, provide education to employees on the importance of respecting others or bring clarity to a misunderstanding.

To the extent allowed by law, all allegations of sexual harassment and subsequent on-going investigations shall remain "non-public"; all complaints and investigative materials will be contained in a file separate from the involved employee's personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will generally then become part of the employee's personnel file.

2. Other Forms of Unlawful Harassment.

It is the policy of the City not to permit other forms of unlawful harassment based upon, race, religion, national origin, disability, sexual orientation or other status protected under applicable local, state or federal fair employment laws. This includes ethnic jokes, slurs

or name-calling. The standards and procedures set forth above apply equally to these forms of unlawful discrimination.

3. Consensual Relationships.

It is not the policy of the City to prohibit City employees from dating or establishing other non-work relationships with one another, provided such relationships are and continue to be consensual, i.e., welcomed.

The exclusion of any consensual relationship being allowed is when it is between a supervisor and a subordinate. When an employee accepts a promotion or position as a supervisor, they have accepted that there will be no personal relationships of a sexual nature with any of their subordinates.

All employees are expected to respect another employee's decision not to enter into and/or to terminate a dating or similar relationship. This pertains to both on-duty and off-duty or off premises conduct. Failure to do so will be considered a violation of the Unlawful Harassment policy. If an employee believes his or her decision not to be in a relationship is not being honored, the matter should be brought to the attention of the City by utilizing the Whistleblower Policy, section 10-1. Nothing in this policy is intended to alter or supersede the City's Nepotism policy, section 3-7.

4. No Retaliation.

It is the policy of the City not to tolerate retaliation or intimidation directed towards anyone who makes a complaint of unlawful harassment or discrimination per the Whistleblower Policy (section 10-1).

[12/09/2014, 4/10/2018, 01/01/2020]

8-4 Health and Safety.

Workplace safety is a top priority of the City, is a shared responsibility and requires a team effort. All personnel shall perform assigned work in accordance with established safety and health related policies, procedures, and work practices. Intentional failure to consciously observe safety and health related policies will result in disciplinary action.

Any employee routinely exposed to hazardous substances or harmful physical agents shall be trained before being assigned or reassigned work exposing them to such substances or agents and shall be given training annually 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.

An employee acting in good faith has the right to refuse work under conditions which the employee reasonably believes present an imminent danger of death or serious physical harm to the employee.

Employees are required to immediately report to their supervisor all accidents and injuries occurring within the course of employment within 24 hours of the accident. The Supervisor shall submit an appropriate report and send the employee for applicable medical examinations and drug testing. (See section on Worker's Compensation).

[9/09/2014]

8-5 Weapons.

The City is committed to providing a safe environment for its employees and other persons while on its premises and while otherwise conducting business with or on behalf of the City. As part of that commitment, the City prohibits the possession, use or transfer of any weapon while on City premises or while in the course of employment, subject to the exception noted below.

For purposes of this policy, the term “weapon” includes, but is not limited to, firearms, electronic weapons (e.g. TASARs), knives, swords, billy clubs, explosives, explosive devices, harmful chemicals and similar objects. The term “weapon” does not include equipment or objects which are used in the regular course of the individual’s job and which are used solely for their intended purpose while in the course of employment.

This policy applies to all City facilities and locations, as well as to non-City facilities and premises while on duty.

Exception: In accordance with Wisconsin’s Carrying Concealed Weapons Law, this policy does not prohibit an individual with a valid Carrying Concealed Weapon (CCW) license from carrying or storing a concealed weapon, a particular type of concealed weapon or ammunition, in the licensee’s own motor vehicle whether or not such vehicle is used in the course of employment and/or parked on City premises. At no time, however, may a CCW licensee discharge, use or remove a weapon or ammunition from their own vehicle while on duty or on City premises. While the vehicle is in use in the course of the employee’s job performance, any weapon or ammunition in the vehicle shall be secured and away from the reach of any other occupant of the vehicle.

For purposes of this exception, an individual’s own motor vehicle shall mean a vehicle which the employee or a member of the employee’s immediate family owns or leases.

Any vehicle in which a weapon or ammunition is stored shall be locked at all times while not in use and on City premises.

Any employee who possesses a valid CCW license shall notify their manager that they are a CCW license holder prior to bringing any weapon onto City work premises.

The above restrictions shall not apply to police officers who are required to carry firearms or other weapons in the course of their employment.

Right to Search: The City reserves the right to conduct a reasonable search of an employee’s person, property, including vehicle(s), and work area if it has a reasonable suspicion of a violation of this policy. Any employee who witnesses a suspected violation of this policy should immediately report it to their supervisor, or to the City Administrator.

[4/10/2018, 11/14/2023]

8-6 Intoxicants and Controlled Substances.

Employees shall not report for duty when under the influence of intoxicants or controlled substances. Employees may not use or consume intoxicants or controlled substances off duty in circumstances where such use or consumption may impair the person’s ability to adequately

undertake the responsibilities of the employee's position. In exceptional circumstances, police personnel may be authorized to consume alcohol while participating in SIU or other investigations. Alcohol shall not be consumed while on duty. Employees shall not report for duty while under the influence of misused legal prescription drugs other than as prescribed by the employee's health care provider and non-prescription drugs.

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the City's intent and obligation to provide a drug-free, safe and secure work environment.

The unlawful manufacture, distribution, possession, or use of alcohol or 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.

If a person suspects that an employee is under the influence of intoxicants, controlled substances or due to use of legal prescription drugs other than as prescribed by the employee's health care provider, the matter should be reported immediately to his or her supervisor. If a person believes that a supervisor is under the influence of intoxicants, controlled substances or has misused legal prescription or non-prescription drugs, the matter should be reported immediately to the City Administrator. If a person suspects the City Administrator is under the influence of intoxicants or misused legal prescription or non-prescription drugs while conducting City business, the matter should be reported immediately to the Chair of the Finance and Labor Relations Committee.

The City shall require an employee to undergo drug and/or alcohol testing if the employer has a reasonable suspicion that the employee is under the influence of drugs or alcohol; has violated City rules prohibiting manufacture, distribution, sale or use of drugs or alcohol; has sustained or caused another employee to sustain a work-related personal injury; or has caused a work-related accident or was operating machinery, equipment or a vehicle involved in a work-related accident.

The City shall require employees in safety sensitive positions, including positions requiring operation of machinery, equipment, or vehicles, to undergo drug and alcohol testing on a random selection basis.

In addition to any criminal charges which may be brought for violation of state statute or local law, a violation of this policy shall be grounds for disciplinary action up to and including termination. In the event of a positive test result, the employee may request at their own expense a confirmatory retest.

Refusal to submit to a required test or tampering with the results of a test shall be grounds for disciplinary action up to and including termination.

Employees must abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on City property or while conducting City business. A written report of the conviction must be made within five days after the conviction as required by the Drug-Free Workplace Act of 1988.

[12/09/2014, 11/14/2023]

8-7 Smoking and Tobacco.

Smoking, use of tobacco, and use of electronic nicotine delivery devices is strictly prohibited within all City owned facilities, vehicles, and grounds while on duty.

[4/10/2018, 11/14/2023]

8-8 Loss of Driver's License.

If an employee loses driving privileges due to license suspension or revocation, the department head will evaluate the ability of the employee to fulfill the duties as outlined in the job description. The issuance of an occupational or other limited or temporary license shall not relieve the employee from the requirements of their position or this paragraph. Should the loss be sufficient, the employee may be reduced in salary, position, classification, or terminated, as determined appropriate by the City. It will be the responsibility of the employee to notify the department head in writing immediately upon the loss of driving privileges. Failure to notify the City of loss of driving privileges shall be subject to disciplinary action, up to and including termination.

[12/09/2014]

8-9 City Property.

Use of City property, equipment, or vehicles shall be strictly prohibited for personal or private advantage. This is most restricted in the use of any equipment, materials, time or other, even when reimbursed, for the purpose of Outside Employment. Further the City has the right to monitor and record employee use of City electronic equipment, motorized equipment, facilities, and general property. The employee should have no expectation of privacy when using City provided equipment, service, email, cell phones, cell service or other technological device and service. Emails, texts and call logs used in the course of City business have the potential to be public documents and/or are subject to open records requests.

1. Telephone.

Telephone lines, including City cellular phones, are provided for official City business. The City discourages personal telephone calls, including those on personal cellular phones, during working hours, except in cases of emergency or specific personal business that cannot be conducted during non-working hours. If a personal call is necessary, it shall be kept brief. Work duties shall take precedence over personal business. Any personal long-distance or toll calls charged to a City telephone shall be reimbursed by the employee. Any employee found to be abusing telephone privileges shall be subject to disciplinary action.

The City cell phone contract will no longer be provided for personal use to employees after July 1st, 2016. All current and former employees using this benefit will have to remove their phone from the City's cell phone contract.

2. Computer, Internet, and Email.

Access to and use of information technology equipment, systems and software and/or internet access are intended for official City business. Unauthorized use of information

technology equipment, systems, and software and/or internet access is prohibited. Any employee found to be abusing computer, internet, website, internet stored data, document storage, cellular phone service or city assigned emails shall be subject to disciplinary action.

- a. Allowed Use. The City is committed to maintaining a professional work environment. Limited personal use of the City's computer system and internet may be authorized provided that it shall not interfere with any employee's official duties and shall be done during break time.
- b. Improper Use. Soliciting, creating, retrieving, transferring or downloading any material which is harassing, discriminatory, obscene, sexually suggestive or pornographic is strictly prohibited. Use of City's computer system for personal financial gain or illegal purposes is also strictly prohibited.

Internet users must comply with copyright laws regarding software, information and authorship in transferring any file to or from a City computer. Internet users must also be aware of the risk of viruses when transferring files from the internet. Proper precautions must be followed so as not to expose City software or data, or the City's network, to viruses and spam.

3. City Email.

All messages created, sent, or retrieved through the City's email accounts, or the employee's account used for City business are the property of the City. The City reserves the right to access, read, use and disclose all messages and files on the City's system and in the City's email accounts. Any messages stored in any location on the City's system, including PC hard drive, the server, or internet storage are considered City property.

Employees are required to use care and good judgment when using the City's e-mail system. Excluding those conducting lawful investigations, employees are prohibited from soliciting, creating, sending, transferring, retrieving, downloading or retaining any material on the City's e-mail accounts that:

- a. Contains offensive, defamatory, obscene or sexually explicit or otherwise inappropriate or unprofessional statements or images,
- b. Results in the unauthorized disclosure or could lead to the unauthorized disclosure of confidential or other proprietary business information,
- c. Harasses, threatens, or abuses any other person or entity,
- d. Infringes on any other person's or entity's copyright or that violates copyright or other applicable laws, or
- e. Is used for outside business ventures, personal enterprises or commercial purposes.

Unsolicited material of an inappropriate nature is to be immediately deleted from the system. Such material is not to be forwarded or otherwise retained except as may be necessary to document violations of this policy or to pursue enforcement of this policy.

4. Documents and Papers.

All original work products generated or obtained by an employee in the course of their work shall be the property of the City of Evansville and shall remain so after an employee leaves City employment. Examples of work product include, but are not limited to, research, investigative reports, legal briefs, official letters and memoranda. No employee shall deprive the City or its agencies of its original files.

All confidential files of the City are to be appropriately secured at all times and are not to be removed from City facilities. In rare circumstances, such as a court trial, confidential files may be removed with prior approval.

All FMLA, workers compensation, employee applications, discipline, performance reviews, and similar documents shall be kept at City Hall with the City Administrator, or assigned Human Resources staff. Non Police Department Heads may not keep copies of employee documents.

5. City Funds.

All City monies collected shall be processed only in City facilities and shall be deposited in banking institutions within two (2) business days. Utility payments collected directly by banking institutions are deposited by the institution, with documentation forwarded to the City.

All employees are prohibited from using the City's cash including, but not limited to, the Clerk's Office cash drawers and departmental petty cash funds, to cash personal checks for anyone, including City employees. The City shall not accept checks written for an amount larger than the required payment, unless the customer intends to create a deposit, in which event no cash shall be given to the customer, including a customer who is a City employee. A City employee who is authorized to handle cash shall not make change for themselves out of the cash drawer or petty cash fund.

6. Monitoring, Searches and Inspections.

Employees expressly waive any right of privacy in anything they create, store, send or receive using City of Evansville computer equipment, telephone or internet access. The City has the right to and does monitor and log any and all aspects of its computer and telephone system including, but not limited to, internet sites visited by employees, chat and newsgroups, file downloads and all communications sent and received by employees.

The City may conduct unannounced searches of City premises and/or property for alcohol, weapons, illegal drugs, other contraband, or digital communications at any time for any reason. City property includes all City-owned property used by employees such as vehicles, lockers, desks, closets, computers, cell phones, etc. The City of Evansville reserves the right to search employees and their personal property, including lunch boxes, brief cases and packages when there is reasonable suspicion to warrant such search. An employee's consent to search under these circumstances is a condition of employment. An employee's refusal to consent may result in disciplinary action, including termination.

7. Care of City Property.

All employees are expected to exercise due care in the use of City of Evansville property and to utilize such property only for authorized purposes. Employees are required to use

City of Evansville supplies prudently and economically. In cases of intentional misuse, employees may be held responsible for damages. City of Evansville postage shall not be used for personal use.

[12/09/2014, 04/12/2016, 4/10/2018, 01/01/2020, 11/14/2023]

8-10 Conflict of Interest.

It shall be unethical for any City employee to participate directly or indirectly in a procurement contract if the City employee knows that:

1. The City employee or any member of the City employee's immediate family has a financial interest pertaining to the procurement contract; or
2. Any other person, business, or organization with whom the City employee or any member of the City employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement contract.
3. The purchase would violate Wisconsin Statutes, sections 19.59 and 946.13, where an employee or official may be or may appear to be a reasonable person to be influenced by potential financial gain, either direct or indirect, for the employee, a member of their immediate family, or an organization with which they are affiliated.

[4/10/2018, 11/14/2023]

8-11 Gifts and Gratuities.

No employee or official shall receive or offer to receive, either directly or indirectly, any gift, gratuity, or anything of value which they are not authorized to receive from any person, if such person:

1. Has or is seeking to obtain contractual or other business or financial relationship with the City or the City Council,
2. Conducts operations or activities which are regulated by the City or City Council, or
3. Has interests which may be substantially affected by the City or City Council.

Non-monetary gratuities, such as but not limited to food or flowers given by members of the public at holidays or on special occasions may not exceed \$25 in total value annually (or as this amount may be amended from time to time by the Internal Revenue Service) and may be accepted only when made available to an entire department and not an individual official or employee.

Unsolicited monetary gifts such as money in any denomination, gift cards in any denomination or items of market value above \$25 may only be used for City business. As an example, if somebody donated a computer to a department head, that computer is the property of the City and must be used for City business.

If there is doubt as to whether the gift would violate Section 8-11 of this handbook it should be turned away or given to a non-profit entity (i.e. Care Closet, Goodwill, or other socially conscious or active non-profit organizations) if employee is unable to turn the gift away.

In addition to any criminal charges which may be brought for violation of state statute or local law, a violation of this policy shall be grounds for disciplinary action up to and including termination.

[12/09/2014, 4/10/2018, 11/14/2023]

8-12 Dress and Grooming.

All employees are to dress and be groomed appropriately for the requirements of their jobs and to comply with department health and safety standards. Description of the appropriateness or inappropriateness of dress and grooming shall be documented by the supervisor through memorandum, department policy, safety standards and/or department procedures. Copies shall be given to employees when changes are made or at the time of orientation.

[9/09/2014, 4/10/2018]

8-13 Bulletin Boards.

Bulletin boards are provided to inform employees of important information from the City that will affect the employee or their job. Bulletin boards are used by the City to communicate information to employees and to post notices required by law. Employees may post notices regarding union meetings and other matters pertaining to union affairs on the City's bulletin board, provided the use of the City's bulletin board does not interfere with normal work performance.

[9/09/2014, 11/14/2023]

8-14 Political Activity.

No employee is precluded from engaging in political activity, provided the activity does not interfere with normal work performance, is not conducted during working hours, and does not involve the use of City equipment, property, or other resources.

Employees are specifically prohibited from seeking contributions to political candidates during working hours and from directly or indirectly coercing any person to contribute monetary or other types of assistance to any political candidate, party, or purpose.

Political clothing, campaign buttons, and any political signage worn or displayed by City employees are prohibited in City facilities, including City vehicles.

A City employee shall not represent themselves as speaking on behalf of the City on political matters.

[9/09/2014, 11/14/2023]

8-15 Outside Employment.

The City of Evansville does not prohibit its employees from holding part-time employment with another employer or from being self-employed. Nonetheless, outside employment must not interfere with nor shall it adversely affect the employee's performance of City work. Moreover, outside work must not create a conflict of interest or a scheduling conflict.

Employees shall notify their department head in writing about outside employment, before the employee's first shift after acceptance of the outside employment. The purpose of the notice will be to establish whether such outside employment may cause a conflict of interest or otherwise cause interference with the employee's City work--such as interference with scheduled hours or

overtime hours. All outside work shall be approved by the employee's Supervisor and City Administrator and documented in writing as part of a personnel file.

Those engaged in outside employment must understand that any comingling of their access to City time, services, influence, funds, property and staff can lead to future abuses. It is imperative to the maintenance of the public's trust that all employees create distinct boundaries. Any comingling of employment may potentially subject an employee's outside employment into open records request and review.

When engaged in outside employment an employee is expected to: document their use of time including the scheduling of meetings; never use City equipment for anything related to outside employment; and communicate with supervisors.

It is the employee's choice to conduct outside employment and their risk to discipline under Chapter 9 if they violate City policy.

[9/09/2014, 01/01/2020, 11/14/2023]

8-16 Confidential Information.

Employees shall not disclose confidential information gained through their City employment, except as authorized or required by law. Employees shall not use confidential information gained through their City employment for personal gain or benefit.

All confidential files of the City are to be appropriately secured at all times and are not to be removed from City facilities, except in rare circumstances, such as a court trial.

[9/09/2014]

DISCIPLINE

9-1 Discipline.

Discipline may result when an employee's actions do not conform with generally accepted standards of good behavior, when an employee violates a policy or rule, when an employee's performance is not acceptable, or when the employee's conduct is detrimental to the interests of the City of Evansville.

Disciplinary action may call for any of four (4) steps – verbal warning, written warning, suspension (with or without pay) or termination of employment – depending on the severity and nature of the offense, as well as the employee's prior discipline. There may be circumstances when one (1) or more steps are bypassed. Certain types of employee offenses are serious enough to justify either a suspension or termination of employment without going through progressive discipline steps. The City of Evansville reserves the right, in its sole discretion, to impose disciplinary action as may be appropriate to the particular circumstances.

[11/11/2014]

9-2 Grievance Procedure.

This policy is intended to comply with Section 66.0509(1m), Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This policy applies to all employees covered under Section 66.0509(1m), Wis. Stats., other than police employees subject to Section 62.13(5), Wis. Stats., and library employees subject to Section 43.58(4), Wis. Stats. The scope of a grievance that is subject to a grievance procedure in a collective bargaining agreement may not be brought forth under the procedure herein.

An employee may appeal any level of discipline under this grievance procedure. For purposes of this policy, the following definitions apply:

1. "Employee discipline" includes all levels of progressive discipline, but shall not include the following items:
 - Documentation of employee acts and/or omissions in an employment file;
 - Placing an employee on administrative leave, paid or unpaid, pending an internal investigation;
 - Counseling, coaching sessions, meetings or other pre-disciplinary action;
 - Actions taken to address work performance, including use of a performance improvement plan or job targets;
 - Demotion, transfer or change in job assignment; or
 - Other personnel actions taken by the employer that are not a form of progressive discipline.

2. "Employee termination" shall include action taken by the employer to terminate an individual's employment for misconduct or performance reasons, but shall not include the following personnel actions:
 - Voluntary quit;
 - Layoff or failure to be recalled from layoff at the expiration of the recall period;
 - Retirement;

- Job abandonment, “no-call, no-show” or other failure to report to work;
 - Termination of employment due to medical condition, or other inability to perform job duties; or
 - End of employment and/or completion of assignment of a temporary, limited term or seasonal employee.
3. "Workplace safety" is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence, and training related to same. A grievance alleging a workplace safety issue shall be personal to the grievant and may not relate to safety of property or third parties.

Any written grievance filed under this policy must contain the following information:

- The name and position of the employee filing it;
- A statement of the issue involved;
- A statement of the relief sought;
- A detailed explanation of the facts supporting the grievance;
- The date(s) the event(s) giving rise to the grievance;
- The steps the employee has taken to review the matter, either orally or in writing, with the employee's supervisor; and
- The employee's signature and the date.
- A grievance alleging a workplace safety issue shall also identify the workplace rule allegedly violated, if applicable, as well as a proposed remedy.

9-3 Steps of the Grievance Procedure.

Employees should first discuss complaints or questions with their immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen before filing a grievance.

1. Step One – Written Grievance Filed with the City Administrator. The employee must prepare and file a written grievance with the City Administrator within ten (10) business days of when the employee knows, or should have known, of the events giving rise to the grievance. The written grievance must contain all information specified above. The City Administrator or their designee will investigate the facts giving rise to the grievance and inform the employee of his/ her decision, if possible within ten (10) business days of receipt of the grievance. In the event the grievance involves the City Administrator, the written grievance shall be filed with the Chair of the Finance and Labor Relations Committee, who shall conduct the Step 1 investigation.
2. Step Two – Impartial Hearing Officer. If the grievance is not resolved after Step One, the employee may request in writing, within five (5) business days following receipt of the decision, a request for written review by an Impartial Hearing Officer. The City shall select the Impartial Hearing Officer. The Hearing Officer shall not be a City employee.

In cases involving allegations of workplace safety, a conciliation meeting shall be mandatory, and shall occur not more than ten (10) business days after assignment to the

Hearing Officer. The Hearing Officer's involvement in the conciliation process shall not disqualify the Hearing Officer from hearing the merits of any grievance.

The Impartial Hearing Officer will determine whether the City acted in an arbitrary and capricious manner. In all cases, the grievant shall have the burden of proof to support the grievance. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the Impartial Hearing Officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The Impartial Hearing Officer shall prepare a written decision.

3. Step Three – Review by the City Council. If the grievance is not resolved after Step Two, the employee or the City Administrator shall request within five (5) business days of receipt of the written decision from the Impartial Hearing Officer a written review by the City Council. The City Council shall not take testimony or evidence; it may only determine whether the Impartial Hearing Officer reached an arbitrary or incorrect result based on a review of the record before the Impartial Hearing Officer. The matter will be scheduled for the City Council's next regular meeting. The City Council will inform the parties of its findings and decision in writing within ten (10) business days of the City Council meeting. The City Council shall decide the matter by majority vote and this decision shall be final and binding.
4. An employee may not file a grievance outside of the time limits set forth above. If the employee fails to meet the deadlines set forth above, the grievance will be considered resolved. If it is impossible to comply with the deadlines due to meeting notice requirements or meeting preparation, the grievance will be reviewed at the next possible meeting date. An employee will not be compensated for time spent in processing their grievance through the various steps of the grievance procedure. The employee shall prepare and process the grievance during non-working hours.

[11/11/2014, 11/14/2023]

9-4 Termination.

Except for employees covered by a labor agreement or other employment contract, all City employees are hired for no specific period of employment and all employment is terminable at-will for any lawful reason.

Termination of any employee is deemed to be immediate. A terminated employee is not eligible to receive a payout of unused vacation or sick leave. (See the section on Separation for other relevant policies).

[11/11/2014]

WHISTLEBLOWER POLICY

10-1 Whistleblower Policy.

The City of Evansville is committed to operating in compliance with all policies of the City, applicable laws, rules and regulations. These policies include, but are not limited to, sexual harassment, hostile work environment, concerns about public safety, concerns about employee safety, other inappropriate behavior, accounting, auditing and fraudulent practices by any of its elected officials, officers, employees or volunteers. This policy outlines a procedure for employees to report actions that an employee reasonably believes violates City policy, laws, rules or regulations. This policy applies to any matter which is related to City business and does not relate to private acts of an individual not connected to City business.

If an employee has a reasonable belief that an employee has engaged in any action that violates any applicable law or regulation, including those concerning, but are not limited to, sexual harassment, hostile work environment, concerns about public safety, concerns about employee safety, other inappropriate behavior, accounting, auditing, and fraudulent practices the employee is expected to immediately report such information to a supervisor or the City Administrator. If the employee does not feel comfortable reporting the information to a supervisor or the City Administrator, they are expected to report the information to the Chair of the Finance and Labor Relations Committee. If an employee believes an elected official is involved, the matter should be brought to the attention of the City Administrator.

All reports will be followed up promptly and an investigation conducted. In conducting its investigations, the City of Evansville will strive to keep the identity of the reporting individual as confidential as possible, while conducting an adequate review and investigation.

All employees are required to cooperate with investigations. Refusal to cooperate with the investigation may result in disciplinary action. If the facts support the allegations, the perpetrator will be subject to appropriate disciplinary action, up to and including termination.

The City of Evansville will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, to the City Administrator or the Chair of the Finance and Labor Relations Committee; or (b) participates in good faith in any resulting investigation or proceeding or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights.

The City of Evansville may take disciplinary action, up to and including termination, against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy.

In addition, The City of Evansville shall not, with the intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel or a court truthful information relating to the commission or possible commission of fraudulent actions or any of its employees in violation of any applicable law or regulation.

Supervisors will be trained on this policy and the prohibition against retaliation in accordance with this policy.

[11/11/2014, 4/10/2018, 11/14/2023]

EMPLOYEE ACKNOWLEDGEMENT FORM

I hereby acknowledge the following:

- 1. I have received the City of Evansville Personnel Policies and Employee Handbook, updated November 14, 2023 and Effective January 01, 2024.

- 2. I have had the opportunity to review the Handbook and opportunity to ask for clarification of any of its requirements.

Signed: _____ Date: _____