

Employee Manual
of
Personnel Policy
and
Procedures

CITY OF BLANCHARD

OCTOBER 25, 2016

Adopted August 1993; Amended October 1998; Amended July 2003; Amended January 2012;
Adopted by Resolution No. 2016-14 by City Council.

RESOLUTION NO. 2016-14

**A RESOLUTION OF THE CITY OF BLANCHARD
ADOPTING A REVISED PERSONNEL POLICY AND
PROCEDURES MANUAL.**

WHEREAS, The City of Blanchard is a statutory city; and

WHEREAS, a Personnel Manual is a working guide to the personnel policies, practices and benefits of employment with the City of Blanchard; and

WHEREAS, the Manual was first adopted in 1993 and last revised January 2012; and

WHEREAS, The City Council finds that it is appropriate to update and accept the revisions to the Manual.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BLANCHARD, OKLAHOMA, AS FOLLOWS:**

1. The Revised Personnel Policy and Procedures Manual is hereby adopted effective October 25, 2016.

ADOPTED and APPROVED by the City Council of the City of Blanchard on October 25, 2016.



ATTEST:

Susie Maeder
City Clerk

[Handwritten Signature]

Mayor

EMPLOYEE ACKNOWLEDGMENT FORM

The undersigned acknowledges that he/she has received and has reviewed a copy of the Employee Manual of Personnel Policy and Procedures of the City of Blanchard/Blanchard Municipal Improvement Authority.

I understand that I am governed by the contents of the Manual and that it is my responsibility to familiarize myself with the Personnel Policy and Procedures of the City. **I acknowledge and agree that nothing contained in this Manual creates a contract of employment with the City of Blanchard, that I am deemed to be an employee ‘at will’ and that the policies and procedures contained in this Manual do not give rise to a property right in continued employment.** I recognize and agree that no individual is authorized to alter or modify the terms and conditions of employment without authorization of the City Council. However, the City Manager has the authority to promulgate administrative directives or operating procedures to effectuate the intent of these policies. I further understand that this Manual supersedes any prior versions and that the City of Blanchard retains the right to revoke, change or amend any of the policies and procedures in the Manual at any time, with or without prior notice.

I have read or have had read to me the above statement, understand its meaning and agree to comply with the same.

Applicant/Employee

Date

Witness

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WELCOME

TO ALL EMPLOYEES OF THE CITY OF BLANCHARD

The City Administration welcomes you to the City of Blanchard and encourages you to read and become familiar with the contents of this Employee Manual. You will find that it contains helpful and valuable information about the policies, rules, regulations, benefits, procedures and opportunities available to you as an employee of the City. It is also intended to be a guide in assisting you in performing your duties and responsibilities for the City to the best of your ability and in aiding you in developing and realizing your potential as a valued employee.

The policies in this Manual are designed to serve as guidelines. They are not intended to and do not create any kind of contractual relationship and are subject to change at the discretion of the City Council, with or without notice. While the policies and procedures outlined in this Manual should provide you with answers to most general questions you might have regarding your employment relationship with the City, it cannot cover every situation that might arise. If you have questions about these guidelines, or require further information, you should consult with your department head, with the City Manager or with the Human Resources Director. The City welcomes your suggestions for improvement either to the policies and procedures included in this Manual or to other job related areas and subjects.

Please read this Manual carefully and retain it for future reference. It is important that you familiarize yourself with the contents of the Manual as soon as possible. A well-informed employee has the best potential for succeeding in his or her assigned position.

The City welcomes you and wishes you success.

SECTION 100

INTRODUCTION

101 PURPOSE

The purpose of this Manual is to provide a working guide to the Personnel Policy and Procedures, practices and benefits of employment with the City of Blanchard. **The Manual is not a legal document, does not constitute a contract of employment and does not give rise to a property right in continued employment with the City. The employment relationship with the City is terminable at will at any time with or without cause.** The City Council retains the right to revoke, modify, change or amend any of the policies and procedures at any time. Any employee who has a question regarding any of the policies and procedures contained in the Manual is encouraged to direct any inquiries to their department head, the Human Resources Director or the City Manager.

102 SCOPE

Except as set forth below, this Manual applies to all employees of the City of Blanchard and the Blanchard Municipal Improvement Authority. The provisions of the City Ordinances will supersede any conflicting provisions contained herein. Any reference to the masculine form in these policies shall also be applicable to the feminine form.

103 EXCLUSIONS

The provisions of this Manual will not apply to members of the City Council, to volunteers, reserve officers, seasonal employees, persons appointed to Boards and Commissions, the City Attorney, Municipal Judge and independent contractors. Furthermore, to the extent any provision of a Collective Bargaining Agreement to which the City is a party, conflicts with a provision of this Manual, the provision of the Collective Bargaining Agreement shall prevail.

104 AUTHORITY TO AMEND POLICIES

The City Manager has the sole responsibility for granting waivers or amendments to any administrative or personnel policy or procedure, subject to restrictions of the City Code. The City Manager may also promulgate administrative directives or operating procedures to effectuate the interest of these policies. Copies of such directives or procedures shall be made available to all affected City employees. Until such time as a personnel department shall be established, the City Manager or his/her designee shall assume that responsibility.

105 CHANGES TO DEPARTMENTAL WORK RULES

Any new department work rule or regulation shall be furnished to the affected employees with a copy going to the Personnel Department. Prior to any new department work rule or regulation goes into effect, a copy shall be submitted to the City Manager to ensure no conflicts with this Manual or the City Codes and must be approved by the City Council.

106 CONFLICTS WITH CONTRACTS

This policy is intended to represent all City of Blanchard and the Blanchard Municipal Improvement Authority employees, standards for work, conduct, employment policies, etc. There may be on occasion a conflict between this policy and collective bargaining contracts or management employee contracts. If this occurs then their respective contracts shall apply.

107 CITY SUPERIORITY

The provisions of the Blanchard Code of Ordinances will supercede conflicting rules and regulations in this Manual or in any operating procedures to implement these policies.

108 CITY AND AUTHORITY

When reference is made to the City of Blanchard or City, it is also being made to the Blanchard Municipal Improvement Authority, or any other agency of the City.

109 GENDER

Any reference to gender in this policy refers to both male and female and in no way is meant to discriminate against either sex, but is used as a way to clarify a point or subject.

110 CHAIN OF COMMAND

All employees of the City of Blanchard work for, and on behalf of, the citizens of this community. The City Council is elected by these citizens and in turn employs a City Manager to serve as the Chief Executive (Administrative) Officer of the community. All employees either directly or indirectly, work for or under the direction of the City Manager. The City Manager is ultimately responsible for authorizing the hiring or termination of all employees. The administration also employs supervisory personnel and department heads to oversee the particular functions of their respective areas or operations.

Each department head has in place an Organizational Chart, which reflects each employee's position in the overall organization. This indicates what steps should be taken to follow the proper chain of command.

All employees, in all matters, shall follow the proper chain of command. The chain of command should be as follows:

1. Employee to supervisor;
2. To department head;
3. To City Manager.

NOTE: The decision of the City Manager is final.

City employees shall not contact City Council members except by addressing them at public meetings.

The failure to follow the proper chain of command is grounds for disciplinary action, up to and including termination.

SECTION 200

GENERAL INFORMATION

201 EMPLOYMENT AT WILL

Nothing contained in the Policy Manual or in any other materials or information distributed by the City creates a contract of employment between an employee and the City of Blanchard. Employment is on an “at-will” basis. This means that employees are free to resign their employment at any time for any reason, and the City of Blanchard retains the same right. No statements to the contrary, written or oral, made either before or during an individual’s employment can change this. No individual supervisor, department head, or officer can make a contrary agreement except with the local Fraternal Order of Police, and even then, such an agreement must set forth in writing and approved by the City Council.

The policies and procedures in this manual are intended for all employees of the City of Blanchard, its departments and agencies. The City reserves the right to revise, changes, or terminate policies or procedures at any time, with or without notice.

202 OPEN COMMUNICATIONS/GRIEVANCE PROCEDURE

The City of Blanchard believes that communication is at the heart of good employee relations. Employees are encouraged to make grievances regarding their concerns, to seek information, provide input, and resolve work-related issues in an appropriate manner without fear of reprisal.

Employees are encouraged to discuss with their supervisor/department head any problems or issues which have the potential to create a negative or adverse atmosphere and/or to impede an employee’s performance. The intent of the City’s grievance procedure is to fairly and expeditiously resolve problems through open, direct, honest two-way communication and to ensure, to the extent possible, that such problems/issues do not continue. In filing a grievance against the City, a supervisor, working conditions, or fellow employee(s), the employee must present the grievance within twenty-four (24) hours of any incident or disciplinary action causing the grievance.

- A. An employee who feels aggrieved is to verbally discuss the situation with the supervisor/department head in an effort to informally address potential problem areas. Should the grievance directly involve the department head, the employee may proceed to the City Manager.
- B. The department head is to investigate the matter and take appropriate action to resolve the problem in a fair and timely fashion. The department head must respond within five

(5) working days. If satisfactory resolution of this matter is not achieved, the grievance is taken to the City Manager for final resolution.

- C. If the grievant is not satisfied with the results obtained, the employee may submit a written account of the problem/issue to the City Manager within ten (10) calendar days of the response of the department head. The City Manager will have five (5) working days to investigate and respond to the grievance. The City Manager's decision is final. Such statement must include:
1. A statement of the problem.
 2. Names of the parties involved;
 3. The employee's perception of the supervisor's/department head's response to the problem;
 4. Identification of the areas satisfied by the supervisor's/department head's response and identification of the areas that remain unresolved.
- D. The City Manager, may consult with the parties in an effort to bring about a fair, expedient, equitable solution, and may further investigate the situation, if necessary.
- E. Copies or written documentation of all steps will be kept in the employee's personnel file. If a grievance is decided in favor of the employee, the record will be corrected and other appropriate action will be taken to properly close the matter.

203 EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICY

The City of Blanchard is committed to providing equal opportunity to all employees and applicants for employment. There shall be no discrimination against any employee or applicant on the basis of race, color, creed, religion, national origin, age, sex, sexual orientation, disability or veteran's status. This commitment extends to every aspect of employment, including recruitment, selection, placement, training, compensation, promotion, transfer, layoff, recall and disciplinary action.

The City Manager and the Human Resources Director have been assigned the responsibility of ensuring that all phases of personnel administration are in harmony with this policy. The responsibility for administering this policy is delegated to department heads and supervisors

204 PROFESSIONAL CONDUCT AND ANTI-HARASSMENT POLICY

The City of Blanchard desires to have a professional and congenial work environment and will take reasonable steps to insure that the work environment is pleasant for all who work here.

All employees are expected to treat others with courtesy, consideration and professionalism. The City of Blanchard will not tolerate the harassment of any employee or citizens by any other employee, supervisor, citizen or vendor. Employees may not use epithets, slurs or other terms or language designed to threaten, insult, intimidate or show hostility to another. Employees are prohibited from posting or circulating in the workplace any written or graphic materials or other objects that attack, defame, belittle, degrade or show hostility or aversion to any person or group of people. In an effort to avoid even the appearance of impropriety, this policy is more stringent than certain state and federal laws. Consequently, an employee may be found to have violated this policy even though his conduct would not give rise to a violation of state or federal law.

Harassment for any discriminatory reason, such as race, gender, national origin, disability, age, religion or veteran status is prohibited not only by state and federal laws but also by the policies of the City. The City of Blanchard prohibits not only unlawful harassment but other types of unprofessional and discourteous conduct. Accordingly, derogatory, racial, ethnic, religious, age, gender, sexual orientation, sexual or other inappropriate remarks, slurs, "jokes," written material or actions will not be tolerated in the workplace.

Included in this prohibition is a prohibition against sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
3. The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or of creating an environment, which is intimidating, hostile or offensive to the employee.

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

1. Verbal: Sexual innuendos, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;
2. Visual/Non-Verbal: Derogatory posters, cartoons, telefaxes, e-mail, internet contacts, drawings, suggestive objects or pictures, graphic commentaries, leering or obscene gestures;

3. Physical: Unwanted physical contact including touching, interference with the individual's normal work movements or threatening gestures; and
4. Other: Making or threatening reprisals as a result of a negative response to a harassing action.

Any employee or applicant who feels that he or she has been subjected to harassment or otherwise has been discriminated against due to his or her race, color, religion, national origin, gender, sexual orientation, age, disability or veteran status, or who witnesses harassment of or discrimination against another employee, should promptly report the incident to the City Manager or Human Resource Director. A complaint form will be provided.

All complaints of harassment or discrimination will be investigated. In determining whether alleged conduct constitutes harassment or discrimination, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will be considered. Except as deemed necessary to investigate and remedy violations, management will keep any complaint and the information revealed in the investigation as confidential as possible.

All employees are strongly encouraged to use the complaint procedures set forth herein if they believe they have been subjected to discrimination or harassment. Before it becomes a serious problem and the conduct interferes with an individual's work performance or creates a hostile environment, employees are encouraged to notify management of conduct that may violate this policy. That will allow management time to address the situation. If the employee believes that a supervisor or management employee has engaged in harassment, the employee is encouraged to use by-pass the supervisor and go directly to the City Manager.

The initiation of a complaint, in good faith, will not be grounds for discipline. It is a violation of the City's policy for an individual to be disciplined or otherwise disadvantaged as a result of a good faith resort to this complaint procedure. However, deliberately reporting false allegations may be considered as a form of harassment and may subject an employee to appropriate discipline.

If a person is determined to have violated this policy, the City will take appropriate action designed to prevent any further incidents of inappropriate behavior. If necessary, this could include disciplinary action up to and including termination. In addition, management and supervisory employees may face disciplinary action if they fail to take corrective action after becoming aware of the existence of harassment or discrimination, regardless of whether the victim has filed a formal complaint.

205 NON-FRATERNIZATION

While the City of Blanchard encourages amicable relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a member of management's ability to perform his/her job. Any involvement of a romantic nature between two (2) employees, or a supervisor, department head, or officer or agent of the City and anyone he/she supervises, either directly or indirectly, is prohibited. Violation of this policy will lead to corrective action up to and including termination of the individuals involved in the relationship.

206 DRUG-FREE WORKPLACE AND SUBSTANCE ABUSE

The City of Blanchard is committed to providing a safe, healthy, and efficient working environment for all employees and those who do business with the City as well as protecting its reputation in the community.

To help achieve this goal, employees are prohibited from:

1. Possessing, distributing, selling, manufacturing, or being under the influence of any illegal drug;
2. Consuming alcoholic beverages while on City premises, customer premises, in City vehicles, or while on City business or time;
3. Abusing inhalants or prescription drugs or possessing prescription drugs that have not been prescribed for the employee by a physician.

Therefore, the City requires a commitment from all employees to keep an alcohol and drug-free workplace. As a condition of employment, employees must abide by the terms of this policy. The unlawful manufacture, distribution, possession or use of an illegal substance or the use or possession of alcohol is prohibited anywhere in the workplace or on City property.

Use of a controlled substance is not prohibited when prescribed by an authorized medical practitioner for treatment and when used as directed. In these circumstances, employees are to inform their supervisors that they are taking medicines, which may result in side effects.

As a condition of employment, an employee must notify the Human Resources Director of any criminal drug statute conviction no later than five (5) days after such conviction. Criminal drug statute means a criminal statute involving manufacture, distribution, dispensation, use or possession of a controlled substance. Upon conviction of any such violation, the City will take appropriate disciplinary action against the employee, up to and including termination, and/or requiring the employee to satisfactorily participate in an abuse rehabilitation program.

207 TOBACCO POLICY (Adopted by Ordinance No. 594)

The City is committed to providing a healthy and safe working environment. In keeping with this commitment and state law, tobacco use is not permitted in City buildings or City vehicles or upon any City property.

The use of tobacco products including but not limited to cigarettes, electronic vaping, cigars, pipes, and smokeless tobacco is prohibited. Appropriate signage will be placed on City property advising employees and visitors that the City maintains a tobacco-free environment.

208 WEAPONS

To insure the safety of employees and the public, the City of Blanchard prohibits anyone from possessing or carrying weapons of any kind on City property, in City vehicles, or while on City time, whether concealed or not, unless the duties of the employee's position require the carrying of a weapon. This includes but not limited to:

- ◆ Any form of weapon or explosive;
- ◆ All firearms; and
- ◆ All illegal knives or knives with blades that are more than six (6) inches in length.

If any employee is unsure whether an item is covered by this policy, please contact Human Resources. Employees are responsible for making sure that any item they possess is not prohibited by this policy. Police officers, security guards, and other individuals who have been given consent by the City to carry a weapon on the property will be allowed to do so.

While the City has a policy prohibiting weapons, nothing in this policy shall be construed as creating any duty or obligation on the part of the City to take any actions beyond those required of an employer by existing state law.

209 WORKPLACE THREATS AND VIOLENCE

The City of Blanchard is committed to providing a safe and healthy work environment free from violence and threats of violence. Threats, threatening behavior, or acts of violence against employees, visitors, customers or other individuals by anyone on City of Blanchard property or City controlled sites will not be tolerated.

Any employee who displays a tendency to engage in violence, abusive or threatening behavior or who otherwise engages in behavior that the City of Blanchard deems offensive or inappropriate will be subject to disciplinary action, up to and including termination and may be referred to the Employee Assistance Program (EAP) for counseling or other appropriate treatment.

Employees who believe they have experienced treatment which is in violation of this policy, or have anticipated a violent or threatening situation, or have observed behavior which they regard as threatening or violent, are expected to immediately report their concern to their supervisor or department head. All concerns will be promptly investigated and treated confidentially to the extent possible. All employees are required to cooperate in investigations. Failure to do so may result in disciplinary action, up to and including termination. The City will not condone any form of retaliation against an employee for making a report under this policy. However, if an investigation reveals that an accusation was intentionally false, or that an employee provided false or misleading information regarding the complaint, disciplinary action up to and including termination may be taken.

210 CONFIDENTIAL INFORMATION

City property includes not only tangible property, but also intangible property such as information. Proprietary information includes all information obtained by our employees during the course of their work. Employees of the City of Blanchard will receive and have access to information regarding other employees, citizens, arrestees, and vendors that is confidential in nature as outlined by the Oklahoma Open Records Act. This information includes but is not limited to financial information such as credit card numbers, personnel files, medical records, arrest data, etc. Employees are not to disclose any such information to (a) any other person in the City unless there is a legitimate business reason for doing so; or (b) any person outside the organization unless management has expressly stated that the information can be disclosed to that person. This obligation exists even after the employee leaves the City.

211 FINANCIAL INTEREST

An employee may have no financial interest in any contract, service or other work performed by or for the City. Employees shall neither solicit nor accept money, free or preferred service, benefits, or consideration from any person, business or organization in return for special interests or favors. An employee having any questions concerning what is encompassed within this section should direct such questions to the department head, City Manager or Human Resources Director.

Employees shall not recommend or suggest, in any manner, except in the transaction of personal business, the employment, procurement, or patronizing of a particular product, professional service, commercial service or enterprise.

212 NEWS RELEASES

Employees are to respect the confidentiality of City business. Any news releases to the press or other media and/or the general public concerning City business shall be given only by persons designated by the City Manager.

213 SOLICITATIONS AND COLLECTIONS

During working hours, employees may only solicit contributions, subscriptions, sell tickets, or collect donations for pre-approved charitable causes, provided that Departmental operations are not unduly impeded. Prior approval by the City Manager is required.

214 BULLETIN BOARDS

The City of Blanchard uses bulletin boards in each department to communicate important business information such as safety rules, job postings, statutory and legal notices, City policies, and management memos. Each employee has the responsibility to read the information that is posted. Employees may not post material on bulletin boards without the approval of the Human Resources or City Manager. That approval will be stamped upon any notices posted on the bulletin boards.

215 PARKING

Parking spaces is provided for all employees in the designated parking areas. Employees should lock all vehicle doors every day. The City of Blanchard will not assume any responsibility for employee vehicles or their contents. Unauthorized parking in reserved parking spaces or other restricted areas may result in towing the vehicle at the owner's expense as well as subject the employee to corrective action.

216 RESPECTFUL WORKPLACE

The City of Blanchard strives to maintain a workplace that fosters mutual respect and promotes harmonious, productive working relationships. The City believes in going beyond what is required by law and expects our employees to treat each other in a manner in which they would like to be treated and to give to others the respect that is due to every individual whether it is a fellow employee, member of management, citizen, vendor, or visitor to our premises. Therefore, the City prohibits any behavior that is discourteous or demeaning to other employees. Disrespectful behavior may include, but not be limited to, the following:

- ◆ Jokes that demean another individual or group of individuals;
- ◆ Name calling or nicknames that may be offensive;
- ◆ Taking credit for another individual's work or ideas;
- ◆ Refusing to communicate or speak with another individual;
- ◆ Offensive verbal, visual, or physical conduct;

- ◆ Repeated negative comments about others either orally or in writing;
- ◆ Threatening another individual;
- ◆ Invading another's privacy;
- ◆ Knowingly blaming other individuals for a mistake they did not make;
- ◆ Purposely invading another's personal space;
- ◆ Gossiping about another individual; and
- ◆ Any type of "bullying" behavior.

The City of Blanchard expects that everyone will act responsibly to establish a pleasant and friendly work environment. However, if an employee feels he/she has been subjected to any form of disrespectful behavior, the employee should report that conduct to his/her immediate supervisor, another member of management, or Human Resources within three (3) calendar days of the offense. Employees are not required to approach the person who was disrespectful to them and may bypass and offending member of management. All employees should notify a member of management regarding any disrespectful behavior that they witness or are told another person received.

The City will conduct its investigation in as confidential a manner as possible. Interviews, allegations, statements, and identities will be kept confidential to the extent possible. However, the City will not allow the goal of confidentiality to be a deterrent to an effective investigation. A timely resolution of each complaint will be reached and communicated to the employee. Appropriate corrective action, up to and including termination, will be taken promptly against any employee engaging in disrespectful behavior. The corrective action issued will be proportional to the severity of the conduct. The alleged perpetrator's employment history and any similar complaints of prior disrespectful behavior will be taken into consideration.

The City reserves the right to determine whether any type of behavior is disrespectful and injurious to the morale of the City.

217 REWARDS, GIFTS, ETC.

No rewards, gifts or other forms of remuneration of cash value, other than regular compensation, are to be received from any source by an employee for the performance of official duties. It is the intent of this policy to prohibit favors, preferential favors or special attention being given by a municipal employee in exchange for such remuneration.

218 POLITICAL ACTIVITY

Employees may attend and express their views and opinions at City Council meetings or any other public meetings. Employees may participate in political activity; provided, the political activity shall occur only during off-duty hours, while not in uniform, while not on City property and while not using any City property to include City ID badge.

No employee will be forced, threatened, intimidated or coerced into campaigning, making a financial contribution to or obligating himself to contribute labor in support of any candidate for office.

No employee shall use or promise to use, directly or indirectly, an official authority or influence, whether possessed or anticipated, to secure, or attempt to secure, for any individual, an appointment or advantage in appointment to a position in the classified service, or any increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any individual.

Employees of the City shall not directly or indirectly solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any candidate, political organization or other political purpose. Except, as noted above, nothing in this policy shall be construed as prohibiting a City employee from contributing to and/or working for any non-municipal candidate of their choice on their own time and at their own expense.

219 PUBLIC RELATIONS

Employees of the City are in a position of public trust and, as such, must be courteous and helpful, accepting their responsibilities as public servants, and be attentive to citizens who seek assistance, information, or desire to register a complaint. Employees are to keep in mind that their primary obligation is to render impartial, efficient, and effective service to the public in the discharge of their duties.

When dealing with the public be polite, courteous and fair. Employees are expected to assist as best as they can without violating departmental rules, city codes or state law. Should a problem arise that the employee cannot handle, the immediate supervisor, department head or city manager should be notified as soon as possible. NO employee will become confrontational with the public, other employees or to any member of the Council or members of local city boards and commissions.

220 DRIVING RECORD

An employee's driving record, on duty or off duty, affects the City's insurance rates and safety program. For this reason, employees who acquire a bad driving record such as speeding,

reckless driving, driving under the influence or driving while intoxicated, may be given disciplinary action or terminated, depending upon the seriousness of their record.

If an employee, who is expected to drive as a part of his duties with the City, has his/her driver's license revoked or suspended because of a bad driving record, he/she may be subject to discipline up to and including termination.

SECTION 300

EMPLOYMENT

301 AUTHORIZATION TO HIRE

The department head is responsible for submitting a Job Requisition Form to the City Manager for approval for any open position he/she wishes to fill. The approved Job Requisition Form will serve as authorization for Human Resources to internally post the position or to advertise for qualified candidates.

302 HIRING PROCEDURE

When a job vacancy is approved to be filled by the City Manager, the City will endeavor to select the most qualified individual for the position.

Initial employment with the City will be based on merit (an applicant's qualifications, skills, aptitude, previous experience and education as they relate to the essential functions of a particular position) and fitness.

- A. Request to Fill Vacancy - The department head will notify the City Manager and the Human Resources Director of a position vacancy with a completed Job Requisition Form. All job vacancies at any level will be advertised internally and will be advertised externally as deemed appropriate on a case-by-case basis. Internal announcements will be distributed to each department for posting on bulletin boards.

The vacancy shall be advertised with the Oklahoma State Employment Commission (OSEC) and/or in the "**Help Wanted**" section of the Blanchard News or other various newspapers or trade publications such as the Oklahoma Municipal League and/or such other places as the City Manager may deem necessary to attract qualified applicants. All advertisements shall include the following statement, "**The City of Blanchard is an Equal Opportunity Employer.**" Selection shall be based upon the E.E.O. Policy.

- B. Eligibility for Hire - Any person will be deemed eligible for initial employment in the City service who:
1. Meets the minimum requirements established for the position;
 2. Is able to perform the essential functions of the position with or without reasonable accommodation;
 3. Has not been convicted of or pled guilty to a felony or to a misdemeanor which would indicate that the person is not fit for City employment;

4. Does not have a record of previous unsatisfactory service in City employment or elsewhere of such a nature as to demonstrate unsuitability for employment in the position for which he/she has applied;
5. Is otherwise qualified under the Personnel Policy and Procedures.

C. Filling vacancies - When a vacancy occurs in a position that is eligible to be filled, the following procedures will be used, unless, for the good of the service, the City Manager approves an exception to the screening process.

1. City Employees - City employees meeting the City's requirements may be given preference in filling vacancies. However, the City reserves the right to hire externally if it is deemed to be in the best interest of the City.
2. Application - All applications for employment will be filed on forms provided by the City Manager. Current employees must submit Letter of Interest with statements bringing their applications up-to-date in order to make application for promotions and/or transfers.
3. Use of Commercial or State Employment Agencies - Applications may be accepted from commercial employment agencies or from the state employment services. The applicant will be required to complete the City's application form and go through the same testing requirements.
4. Interviews and Screening - The department head, with the assistance of the Human Resources Director, will screen job applications to ensure the applicants have the minimum qualifications of the position, that the responses are correct, and that references are indicative of a proper employment history. Employee's work histories may also be reviewed.
5. Background Checks - The position an individual applies for and the information he/she gives during the interview process will determine what contingencies may apply to an offer of employment. All employees applying for any position with the City will be subject to reference checks with former employers. Unless required by law, reference checks will not be shared with the potential employee.

Positions that have responsibility for initiating or affecting financial transactions will require a credit check of any individual offered such a position. These responsibilities could include, among other things, collecting or handling cash or checks, writing checks or approving them, access to a direct money stream or as a fiduciary to the City.

Depending upon the job requirements, some employees may have to comply with the Department of Transportation requirements for a Commercial Driver's License.

Information gained from any of the above background checks will be held in confidence and shared with management individuals only on a need-to-know basis.

6. Competitive Examinations - Competitive examinations may be given if deemed necessary. They may be oral, written, physical agility, skills, rating of experience and training, psychological, polygraph or any combination thereof. Any false statement made by the applicant in securing employment with the City of Blanchard shall be considered grounds for termination of employment.
 7. Interviews - Job interviews will be conducted by an Oral Interview Board established by the City Manager or by a CBA. The Supervisor/department head or their designee and the Human Resources Director or their designee shall comprise members of the Board. On completion of interviews, the supervisor/department head shall submit his recommendation(s) to the City Manager.
- D. Disqualification from Consideration - Fraud, misrepresentation, concealment, or dishonesty on any part of the application form or resume, the examination process or any attempt to obtain special consideration will disqualify an applicant for employment. Further, an applicant will be disqualified if he tests positive on the post-offer drug and alcohol screening.
- E. Post Offer Medical Examinations - Post offer pre-employment physicals and drug/alcohol screening may be required for applicants to be hired for a full-time position. Certain temporary positions may also require physicals. Such examinations shall be used to determine whether the applicant can perform the essential functions of the job with or without reasonable accommodation.

Although the physicians make the medical determinations as to physical/mental capabilities of the applicant, their determinations are only recommendations subject to the decision to make reasonable accommodation or not by the City Manager. In cases of emergency, an employee may begin work prior to the medical examination but employment is subject to passing such examination.

Such reports and records of all physical, psychological and mental exams shall be kept in the office of the physicians or mental health practitioners with only a summary report provided to the Personnel Department to be kept CONFIDENTIAL Medical File apart from the employee's Personnel File. Should a supervisor be informed as to the need of

reasonable accommodation including job restructuring, the report shall be made available to the necessary legal and supervisory or administrative personnel in the City with the need to know.

- F. Hiring - Final hiring decisions for ALL positions will be made by the City Manager.

303 DEFINITION OF EMPLOYEES

- A. Introductory - An individual will be deemed to be in an introductory status for twelve (12) months from the date of initial employment. An introductory employee shall have no grievance rights or rights to a hearing.
- B. Regular/Full-Time - An employee who has satisfactorily completed an introductory period. Completion of the introductory period does not confer on any employee any status other than employment at will. **The employee is normally scheduled to work forty (40) hours per week for fifty-two (52) weeks per year.**
- C. Part-Time - an employee who is expected to establish a continuity of service, but is scheduled for no more than thirty (30) hours per week per calendar year.
- D. Temporary/Part-Time - Anyone employed for seasonal work or for a specific period of time. A temporary/part time employee is entitled to Workers' Compensation and Social Security benefits but is not eligible for any other City benefits.
- E. Non-exempt - Employees who are not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as amended are paid by the hour and are entitled to compensatory time off at the rate of one and one-half (1-1/2) times their regular hourly rate for all overtime hours worked.
- F. Exempt - Employees who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as amended are considered executive, administrative, and professional employees.

304 EMPLOYMENT ELIGIBILITY DOCUMENTS

Federal regulations require the City of Blanchard to comply with the Immigration Reform and Control Act of 1986. All new employees must complete an I-9 Form and provide proof of their identity and their ability to work in this county. Human Resources is responsible for obtaining the I-9 Form and verifying the eligibility to work in the United States. Employees will be expected to complete the I-9 Form during orientation on their first day of work. Human Resources will properly complete the Employer Section of the I-9 Form. If a new employee is unable to provide the necessary documentation within three (3) working days from the date of

hire, he/she must provide proof that he/she has applied for the required documents. If this is not provided, the employee will be terminated.

If any department head is notified by any governmental agency that it is going to conduct an inspection of the I-9 documents, the department head should contact Human Resources immediately.

305 IDENTIFICATION BADGES AND BUILDING ACCESS

Reserved.

306 NEW EMPLOYEE ORIENTATION

In an effort to ensure a smooth transition to City employment, all newly hired employees shall participate in an Orientation. Orientation is the joint responsibility of the new employee's supervisor, department head and Human Resources. Human Resources will be responsible for providing new employees with:

- ◆ A history of the organization;
- ◆ An explanation of the operations of the City and department
- ◆ An overview of the City's policies, procedures, and benefits.

All new employees must attend the mandatory Orientation session. During the Orientation session, the employee will receive an employee handbook and will be given an opportunity to ask questions about any information contained in the Personnel Policy and Procedures Manual.

The new employee's supervisor is responsible for ensuring that each employee attends an Orientation session. In addition, supervisors are responsible for all job training as well as introducing the new employee to his/her coworkers.

307 WORK PERIOD

The standard workweek is forty (40) hours. The standard workday is eight (8) hours for nonexempt workers. When necessary, emergency and essential functions will operate twenty-four (24) hours per day, seven days per week. The exact workday lengths for exempt employees are determined primarily by their current workloads. General office hours are from 8:00 a.m. to 5:00 p.m. daily. As starting and ending times vary within departments and office locations, the department head of each department will determine the schedule for his/her department with prior approval by the City Manager. The work period is a standard seven (7) day workweek which begins Sunday morning at 0001 hours and ends the following Saturday at 2400 hours.

308 LUNCH PERIODS

Whenever possible, employees, other than police and fire department employees, will be granted a non-paid one (1) hour lunch period each work day. The lunch period for police and fire employees shall be included in the forty hours of paid work. Lunch periods may vary from department to department depending on daily work schedules. Supervisor/department head shall schedule lunch periods so that normal service to the public will not be interrupted during the workday.

309 SCHEDULES

Supervisor/department heads shall schedule shifts and working hours necessary for the efficient operations of their departments. The City reserves the right to modify an employee's starting and quitting time as well as the number of hours worked to accommodate City needs.

310 BREAKS

Non-exempt employees will receive two (2) 10-minute paid break periods for each full workday, one approximately a quarter of the way into the workday and one approximately three-quarter into the workday. Employees are not to leave the premises during this paid break period without notifying their immediate supervisor or department head.

311 ABSENTEEISM

If any employee knows in advance, except in an emergency, he/she is going to be absent from work shall be responsible for notifying his supervisor/department head, or in his absence the City Manager or Human Resources Director, two (2) hours in advance when he is to be off and when he will report back to work. Any employee who fails to comply with this rule may be subject to disciplinary action or be docked for that day.

While management understands unpredictable events which cause employees to be late or absent, unexplained absences are difficult to justify. Absenteeism will reflect negatively on an employee's work record, future promotion, and continued employment. The reporting of absenteeism shall be noted on the regular employee time card and the Daily Attendance Report.

Unauthorized absence from work for a period of two (2) successive working days will be considered by the City as a resignation.

312 TARDINESS

Each employee must be ready to work at the starting time and work up to the quitting time. Inexcusable or habitual tardiness will be grounds for disciplinary action up to and including termination.

All employees will give a minimum of thirty (30) minutes' notice for any unscheduled tardiness to his/her supervisor before work time or be docked for that day.

Tardiness will reflect negatively on an employee's work record, future promotion, and continued employment. The reporting of tardiness shall be noted on the Daily Attendance Report.

313 INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the City of Blanchard may end the employment relationship at will at any time during or after the introductory period with or without cause or advance notice.

All new employees work on an introductory basis for the first ninety (90) days after their date of hire. If the City determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and social security. Employees should read the information for each specific benefit program for the details on eligibility requirements.

314 EMPLOYMENT RECORDS

Personnel Files - The City of Blanchard is required to keep accurate, up-to-date employment records on all employees to ensure compliance with state and federal regulations, to keep benefits information up to date, and to make certain that important mailings reach all employees. All information contained in personnel files is the property of the City and is considered confidential.

An employee has the right to review his personnel file during regular business hours only in the presence of the Human Resources. No item may be removed from an employee's personnel file without the written authorization of the Human Resources with the concurrence of the City Manager. If copies are requested, then the appropriate personnel forms shall be completed and

signed prior to release. The employee should insure that the information contained within is true and accurate.

A. It is important to keep information about employees up-to-date. Therefore, employees should promptly notify the Personnel Department about any of the following changes:

1. Marital Status;
2. Dependents;
3. Insurance beneficiary;
4. Who to notify in case of an emergency;
5. Legal name, if changed by marriage or otherwise.

Change of Address and/or Telephone Number - Employees are required within five (5) business days to report any change of address and/or telephone number to the Human Resources.

Former employees will not be permitted to review their personnel files after leaving the employment of the City.

315 PERSONAL APPEARANCE

It is the responsibility of every employee to present himself/herself on the job in a way to enable him/her to perform duties in a safe, healthy and efficient manner and in harmony with fellow employees and the general public.

Office Personnel - Employees working in office areas should dress conservatively and professionally. Regular business dress is required. Suits, sport coats, dress shirts, ties, and slacks are the preferred dress for men. Suits, dresses, skirts and blouses, and pantsuits are the preferred dress for women. Skirts and dress should not be any shorter than three (3) inches above the knee. Dress slacks also are acceptable. Socks or hosiery should be worn at all times. Blue jeans, T-shirts, sweat suits, and leggings are not appropriate office dress.

For those employees who do not have direct contact with the public, dress should still be neat and clean and pose no safety hazard to themselves or others

On approved casual days, employees may dress in casual clothing, including blue jeans, although dress standards still require a neat, clean appearance.

Maintenance Personnel – Employees working outside or maintenance areas may wear blue jeans and work shirts. No open-toe shoes may be worn at any time. Long hair must be tied back to ensure the employee’s personal safety. Loose clothing or dangling jewelry that poses a safety hazard to employees also prohibited.

The wearing or displaying of anything that may disrupt the normal workflow that causes an unsafe or unhealthy condition or causes social offense is prohibited. Under no circumstances may employees wear halter tops, strapless tops, spaghetti straps, tank tops, cropped tops, clothing that shows undergarments (sheer), torn clothing, clothing with holes in it, or tight-fitting, revealing, or oversize clothing.

Safety, health and social harmony shall be the ruling factor on such matters as body cleanliness and exposure, hair length, style and neatness, facial hair, footwear, clothing cleanliness, repair, fit and selection and the wearing or displaying of jewelry, religious items, political or patriotic emblems or insignias. The wearing or display of unpatriotic, socially offensive, vulgar or obscene words, signs, pictures or use of gestures is prohibited.

Uniforms - If uniforms are required for City employees, the appropriate style and number of uniforms shall be furnished by the City or by contract. Uniform upkeep will be the responsibility of the employee. The uniform shall be worn in a manner acceptable to the position and job necessity.

316 JOB DESCRIPTIONS

A job description is a formal document describing the nature, scope, physical requirements, and responsibilities of a specific job within the organization. Job descriptions are used for purposes of training and development, annual performance appraisals, promotions, recruiting, and hiring. Job descriptions are prepared by the City Manager within input from the incumbent employee, the supervisor, and the department head.

Once designed, the Human Resources is responsible for:

1. Administering the overall job description program;
2. Providing the necessary training, instructional materials, and assistance to employees, supervisors, and department heads;
3. Monitoring job descriptions for proper format;
4. Maintaining a central file of all current job descriptions; and
5. Ensuring that all positions have an up-to-date job description.

Supervisors and department heads are responsible for reviewing and ensuring the job descriptions for their areas are up-to-date by Human Resources.

The City's job evaluation program provides a systematic and equitable method of evaluating and assigned a job grade and classification. All new positions must be evaluated and approved before the job can be posted. When the duties of a job change significantly, it may be necessary to reevaluate the job's classification.

317 PERFORMANCE REVIEWS

In order to ensure that all employees receive regular feedback on their performance, supervisors shall evaluate the job performance of all employees working for them on a regular basis. Performance appraisals establish a performance history with the City and are used in performance, promotion, transfer, and merit increases (when provided) decisions.

- A. The purpose of a performance appraisal is to:
 - 1. Maintain or improve the employee's job satisfaction and morale;
 - 2. Advise the employee of his strengths and weaknesses and what is expected of him in performing his duties;
 - 3. Serve as a basis for promotion, demotions, reassignments and/or discipline;
 - 4. Build and strengthen the supervisor/department head and employee's work relationship; and
 - 5. Determine the employee's possible merit pay for a given fiscal year (if and when appropriated by the City Council).

- B. All original Performance Appraisals will be maintained in the employee's personnel file located in the City Manager's office.
 - 1. New employees will be evaluated every thirty (30) days during the first six (6) months of their twelve (12) month introductory period. If the supervisor/department head considers the employee's overall performance to satisfactory, employment will continue and a second evaluation will be completed at the end of the twelve (12) month introductory period. If the employee's overall performance is satisfactory, regular full-time status will be recommended on the completion of the introductory period. It is the responsibility of the supervisor/department head to keep the employee informed of his job performance throughout the introductory period and provide a copy of the written evaluation to the employee and a copy will be placed in their

personnel file.

- C. Annual Evaluation - Within thirty (30) days prior to the employee's anniversary date of employment in his current position, the immediate supervisor/department head will evaluate the employee's quality and quantity of work performed. The supervisor/department head shall discuss the employee's job performance evaluation with the employee.

- D. Evaluations will be on such forms approved by the City Manager and job performance of each employee shall be evaluated in accordance with the job description using such factors as the job description, productivity goals established by management and the experience and training of the employee. Factors to consider in the performance appraisal include, but are not limited to:
 - 1. General Job Skills
 - a. Job Skills
 - b. Productivity

 - 2. Essential Job Functions
 - a. Work Conduct
 - b. Proficiency Skills
 - c. Supervision/Management (if applicable)

 - 3. Personal Attributes
 - a. Adaptability
 - b. Personal Traits

318 PROMOTION

The City will attempt to promote from within the workforce when it is determined that it would be in the best interest of the City and public. However, the City reserves the right to hire from outside sources for any position. In considering a promotion from within the workplace, the City will consider the person's merit (the employee's qualifications, skills, aptitude, attitude, performance evaluations and attendance) and fitness for the position. An employee may apply for a promotion after he has been in his current position for at least one (1) year.

If an employee is selected for promotion, he will receive a higher level of pay than what he is currently receiving, in accordance with the current pay plan adopted by the City Council. If the employee fails to meet the standards set for the position within a six (6) month period, the employee may be returned to his previous job classification if available, at the discretion of the City Manager and his pay decreased to that level.

No employee may be promoted or transferred to a position, which will result in that person being in a supervisory role in relationship to a spouse or family member. For the purpose of this policy, a supervisory role is defined as one where the person has direct or indirect input over the subordinate employee's pay, job evaluations, disciplinary recommendations, promotions, demotions or day-to-day supervision. Further, no employee may transfer into a position, which will result in the person being supervised by a spouse or family member. Family member is defined to include parent, child, brother, sister, aunt, uncle, cousin, niece, nephew, parent-in-law, brother-in-law or sister-in-law (all to include step, half and foster relationships).

In the event a situation arises in conflict with this provision, the impacted persons will be given three (3) months to resolve the conflict by one of the parties transferring to another department, resigning, accepting a demotion to a non-supervisory position or the like.

319 TRANSFER

An employee may request a transfer after he has been in his position for at least one (1) year, or may be asked to transfer to a different Department if it is in the best interest of both Departments and if the employee meets the qualifications for that position. The employee shall be placed in the pay step deemed appropriate by the Supervisor/department head and approved by the City Manager.

320 REDUCTIONS IN FORCE

On occasion, the City may be forced to reduce staff. Some business reasons for this may be economic need, consolidation of facilities, restructuring of operations, combining of departments or functions, and streamlining or elimination of departments, functions, or jobs. If a reduction in staff is deemed necessary, the department head will work with the City Manager to document the business reason and process for the restructuring. This may include an analysis of business needs to determine the appropriate criteria to use, development of a communication plan, job re-evaluations, salary administration, and/or the use of outplacement services.

In selecting the employees who will remain with the City, only job-related criteria will be used. The criteria used will be determined based on the reason for the reduction in force and the determination of the City needs. Job-related criteria may include the employee's current performance (as noted by the most recent performance review), competencies, skills, responsibilities, experience, leadership, education and training, personal commitment, and seniority.

Affected employees are encouraged to seek other positions in the City. In some cases, the City may be able to transfer an employee whose position is being eliminated into another area.

321 NEPOTISM

Neither the City Manager, the City Council nor any other authority of the City government may appoint or elect any person related to the City Manager, any Council member, or himself, or in the case of a plural authority, to one of its members, by affinity or consanguinity within the third degree, to any office or position of profit in the City government. However, this shall not prohibit an officer or employee from continuing in the service of the City. This includes any spouse, child, brother, sister, parent, uncle, aunt, niece, nephew or cousin. In addition, it is the policy of the City not to employ persons related to one another within the third degree in the same department or in positions where one person might be in a supervisory position to a relative.

322 EMPLOYMENT APPLICATIONS

The City does not accept applications and/or resumes except for positions that the City currently has open. All applications and/or resumes must designate the open position being applied for or they will be disposed of. The City does not retain applications and/or resumes for any period of time. Individuals interested in applying more than once for employment must submit an application and/or resume each time they apply.

No individual can be made an offer of employment with the City without filling out the City's Application for Employment. If the candidate has submitted a resume in order to apply for an open position, he/she may use the resume to satisfy the Employment and Education Sections of the Application, but all other sections must be filled out and the Application signed.

323 INCLEMENT WEATHER

Because of the nature of the City, we need to be open and operating during all business hours. Inclement weather rarely warrants closing our offices during normal hours of operation, and employees should be present during all required hours. However, each employee needs to make a personal judgment pertaining to his/her personal safety in traveling to and from work, understanding that any absence puts a greater burden on those employees that come to work despite difficult weather conditions. Loss of work time due to inclement weather will be charged against the employee's accrued vacation or comp time.

324 SECONDARY EMPLOYMENT

Employment with the City of Blanchard is the primary employment for each person. Secondary employment is permissible provided it does not interfere, in any manner, with an employee's ability to perform assigned duties as a City employee or to timely respond when called back to assist with unexpected circumstances and/or emergencies. City employees may not be engaged in secondary employment at any time while scheduled to work for the City and may not use any City property in the performance of such employment. An employee must obtain written

approval of the Department head for secondary employment, which approval will not be unreasonably withheld. An employee injured during outside employment will not receive City worker's compensation benefits.

Employees may not use city equipment for personal gain such as outside employment.

325 USE OF CITY PROPERTY

All employees are expected to exercise care in the use of City property. Personal use of City property or equipment is prohibited. Negligence in the care and use of City property, personal use of such property, or unauthorized removal of City property, may result in discipline. City equipment and property may not be removed without prior authorization from the City Manager. Employees are prohibited from working on personal projects or outside businesses or activities during regular work hours. Employees violating these policies will be subject to discipline up to and including termination.

All employees are expected to exercise proper care in the use of all City property, tools and equipment. Any employee who loses City property or equipment, or who negligently damages the same, shall be responsible for the reasonable cost in replacing the items.

The City provides property and equipment to employees to assist them in carrying out their duties such as office equipment, computers, computer accounts, radios, voice mail, e-mail, fax machines, cellular telephones, furniture, lockers, vehicles and the like. All items remain the property of the City. These items are not for the exclusive use of any one employee. As these items are the property of the City, it reserves the right to inspect, review, audit, intercept, access, disclose and monitor such property, equipment and information systems at any time, with or without notice, and during or after regular work hours. All such items must be returned upon the request of the supervisor/department head or the City Manager.

No employee is authorized to modify any such items without the prior written permission of the employee's supervisor. This includes, without limitation, a prohibition against loading floppy disks, software programs or CD-ROM operations onto the City's computers without prior permission. Employees are prohibited from removing City computers and software for use elsewhere. Computer games are prohibited on City equipment. No employee is authorized to change the lock on or use a personal lock on City owned equipment without specific written permission from the department head. An employee may only install and use a password on a City computer with the consent of the City Manager. All passwords, except those on law enforcement computers, must be provided to the City Manager. All passwords on law enforcement computers must be provided to the Chief of Police.

The City strives to maintain a workplace free of harassment and is sensitive to the diversity of its employees. Therefore, the City prohibits the use of computers, e-mail systems, voice mail and all other communications and information systems in any manner which is disruptive,

offensive, disrespectful or harmful to the morale of the employees. Fraudulent, harassing, obscene or unlawful messages and/or materials are not to be sent, printed or stored on City equipment.

All City provided property and equipment are to be used only in the furtherance of legitimate City business. The City's information system is not to be used to solicit or proselytize for personal, political, commercial or religious causes, outside organizations or other non-job related personal matters. This policy does not prevent brief personal communications between employees or between employees and family members so long as it does not become time consuming and does not detract from day-to-day operations.

326 USE OF TELEPHONES AND CELL PHONES

The use of City telephones for personal calls is to be kept to a minimum, in order to keep telephone lines open for business calls. When it is necessary to make or receive personal calls during working hours, they are to be kept as brief as possible. Abuse of telephone privileges for personal calls can and will result in disciplinary action.

327 USE OF COMPUTERS, INTERNET, COPIERS AND FAX MACHINES

The use of city computers, copiers and fax machines is strictly for the transaction of City business. Using city equipment for non-city functions is prohibited, i.e. social networking, personal email's, surfing the web, etc. Personal use of personal cell phones, except those of an emergency nature, shall be made outside working hours or on breaks.

328 USE OF CITY VEHICLES

Vehicles are purchased by and are intended for, official City business ONLY. The personal use of City vehicles is prohibited.

Only authorized, licensed, qualified personnel may operate City vehicles. City vehicles shall be operated in compliance with the appropriate traffic laws and the operator manual. Only authorized personnel may ride in or on City vehicles. All City vehicles shall have a "City of Blanchard" insignia on them. As such they are singled out to the public; therefore, they must be operated in a safe, courteous and professional manner so as to set an example to the public.

Unlawful or improper use of City vehicles or equipment is cause for disciplinary action.

Employees with City vehicles may use them for breaks and lunch hours but must stay within City limits. Employees may not use City vehicles and equipment for personal reasons or personal business and is strictly prohibited. See Section 325 regarding Use of City Equipment.

Violation of this policy is grounds for disciplinary action up to and including termination.

329 TRAVEL AND TRAINING ALLOWANCES

A. Travel - All trips out of town for City business and training must be approved in advance by the City Manager. Employees who are on approved assignment for the City shall be eligible for reimbursement for lodging, conference/seminar registration fees, meals, and transportation (personal vehicle) expenses. The reimbursement may be subject to being taxed based on the then existing Internal Revenue Service regulations. Employee may request advances for these allowances subject to City Manager's approval. The following criteria will be used to determine reimbursement:

1. Original receipts will be required for lodging and meals. Between meal snacks and drinks will not be reimbursed. The City will **NOT** pay for any alcoholic beverages.
2. A maximum of thirty-six dollars (\$36.00), including tips, per day will be allowed for meals. As noted, the reimbursement may be subject to being taxed. Further, an employee will not be eligible to be reimbursed for a meal if the meal is provided as part of the registration fee.
3. Mileage will be reimbursed according to the current Internal Revenue Service allowance when a personal vehicle is used. In the event that an employee has a City issued vehicle, that vehicle must be used unless the Department head determines that it is in the best interest of the department that the vehicle remain available for common use. If a commercial airline is used, economy fare must be used.
4. Charges for tolls and parking fees will be reimbursed.

All training and claims for reimbursement are to be made on the City's travel forms and individual receipts are required within ten (10) days. An employee, council member or any board or commission member wishing to attend a conference, seminar or other meeting must submit a request, in writing, to the City Manager for approval along with an agenda and itemization of expected costs.

B. Travel requested for out of state training and/or conference attendance must be submitted to the City Manager in advance and approved by the City Council.
Reimbursement

C. Credit For Hours Worked - Employees attending approved official City business at the request of the City shall be given credit for hours worked based upon the following criteria:

1. Credit for attendance will be based upon the starting time of the function and the ending time of the function, less meal periods or social hours.
2. Credit for hours of travel will be based on the total hours of travel from the point of departure and return to the point of departure, when the hours of travel require leaving and returning outside the normal workday. When travel time is scheduled, consideration will be given to provide for the safety of the employee in relation to the number of hours spent driving to and returning from the official City assignment.
3. For official assignments that last more than one (1) day, the travel time outside the normal workday is figured from the point of departure on the first day and return to point of departure on the completion day.
4. Out of state functions will be considered on a case-by-case basis as far as travel time is concerned and must be approved by the City Council in advance.

NOTE: The City will NOT reimburse for costs that are not directly associated with City business such as speeding tickets, liquor, meals or snacks before or after the meeting, training or conference, etc.

330 MEMBERSHIP IN PROFESSIONAL AND CIVIC ORGANIZATIONS

Membership in a professional organization is valuable to our employees as well as to the City. The City of Blanchard will pay one-hundred (100%) percent of the annual membership fee required for an employee to belong to one job-related professional organization.

If membership in a professional or civic organization or a professional designation is not job related but is beneficial to an employee and the City, employees may request their dues be paid for by the City. Employees shall make a written request to the City Manager. Employees will be advised in writing whether any or all of the dues will be paid by the City.

The City also will pay one-hundred (100%) percent of the expenses associated with attending periodic meeting, seminars and conferences sponsored by professional organizations.

331 PERSONAL PROPERTY

Personal belongings brought onto City's premises are the employees' responsibility. While the City does all it can to protect employee's property, it will not be held responsible for the loss or theft of personal belongings. If employees find property missing or damaged, they shall report it to their supervisor immediately.

332 PERSONAL CONDUCT

The City expects all employees to observe certain standards of behavior while at work and at City-sponsored events. Employees shall be responsible for ensuring that the conduct of any of their guests at a City-sponsored function is respectful and not offensive to anyone in attendance. These standards are not intended to restrict employees, but to ensure a consistent application of the policies and procedures for all employees.

- ◆ Completing all documents and records accurately;
- ◆ Refraining from altering and/or destroying any documents or records without proper authorization;
- ◆ Maintaining satisfactory attendance and punctuality;
- ◆ Performing duties and operating equipment with care to protect the safety of employees, coworkers, and the public;
- ◆ Carrying out assigned duties and following reasonable instructions or requests from supervisors and/or management;
- ◆ Not posting any literature, handbills, petitions, posters, or other materials on the premises without the prior approval of the City Manager;
- ◆ Refraining from soliciting funds or selling any item, commodity, or service;
- ◆ Not possessing weapons on the City premises;
- ◆ Refraining from any manner or form of discrimination and/or harassment, regardless of whether it is sexual, racial, religious, or related to another's gender, age, sexual orientation or disability;
- ◆ Using City property or that of another employee in an inappropriate manner;
- ◆ Failing to obtain written authorization to remove City property from the premises;
- ◆ Refraining from misuse, theft, or destruction of City time and/or property or another employee's property;
- ◆ Remaining in the employee's work area, on the job, and awake during working hours;
- ◆ Reporting to work fit for duty and not under the influence of alcohol and/or drugs and refraining from using, selling, or possessing illegal drugs on City premises or while on

City time. While working, employees should only possess and take drugs that are medically authorized, approved, and determined by the employee, the employee's physician, and the City not to impair job performance or cause a safety hazard. Employees are responsible for notifying their supervisors that they are taking prescription medication if it would affect their performance on the job;

- ◆ Passing a mandatory drug and/or alcohol test or refusing to take a drug and/or alcohol test;
- ◆ Refraining from fighting, threatening, intimidating, or coercing fellow employees and/or customers or general public during working hours or at City-sponsored functions;
- ◆ Refraining from the use of foul or offensive language;
- ◆ Disclosing or using confidential or proprietary information only with proper authorization;
- ◆ Using City telephones for City purposes only and not for personal business other than emergency local calls;
- ◆ Failing to obtain or maintain a current driver's license, license, certification, or other qualification required by law or the City as a condition of continued employment;
- ◆ Engaging in conduct unbecoming an employee of the City and/or conduct that appears to reflect badly upon the City;
- ◆ Not being convicted of a felony; and
- ◆ Participating in any action that would in any way interfere with or disturb the normal operation of the organization or that would interfere with the ability of management to manage.

Failure to observe the above standards could lead to corrective action up to and including termination.

333 CORRECTIVE ACTION

When it becomes necessary to address an employee's actions in the workplace, general guidelines of acceptable business conduct will govern. Depending upon the nature and seriousness of the employee's actions, corrective action may begin at any step of the corrective action process. This process ensures that employees are informed of exactly what behavior

needs to be corrected, inform employees of the measures they must take to correct unacceptable behavior, and give employees adequate opportunity to correct the situation.

- A. The regulation of acceptable conduct is necessary for the orderly and efficient operation of the City and for the benefit and protection of the rights and safety of all employees and citizens. The appearance and conduct of the City employees reflect on the image of the City.

Employees must therefore perform their duties efficiently, courteously and to the best of their ability. When an employee's supervisor points out areas needing improvement, the employee must make every effort to conform to the required level of performance.

1. These rules apply to all City of Blanchard employees.
2. Any change to these rules or corrective actions must be approved by the City Manager.
3. Corrective actions in the form of verbal and/or written reprimands or administrative leave with pay may be administered by the department supervisor, personnel department or higher authority.
4. Corrective actions involving administrative leave with pay may be administered by the department head or higher authority.
5. Any type of reprimand or administrative leave with pay may be appealed using the grievance procedure, and the utilization of pre-determination hearings held by the City Manager.
6. Corrective action for incidents that are not repeated within a three (3) year period shall be removed from the employee's personnel file.

However, some disciplinary issues may be in violation of certain criminal or civil laws or financial responsibilities and as such may involve legal actions in addition to the disciplinary actions listed herein.

- B. The following guidelines and procedures are designed to promote understanding of what is considered "unacceptable conduct." These are guidelines only and other unacceptable conduct may result in disciplinary action being imposed on the employee. Employees may be laid off, suspended, demoted or removed by the City Manager for the good of the service.

Progressive Discipline: The City will attempt to follow a system of progressive discipline for those offenses that are not serious. Progressive discipline might include

counseling, oral reprimand/admonishment, written reprimand, suspension, demotion or reassignment, disciplinary probation and discharge. However, progressive discipline is only a guideline and the City retains the right to impose whatever level of discipline it deems appropriate for any unacceptable conduct when deemed in the best interest of the City.

Disciplinary Procedures: While the express purpose of discipline is to correct inappropriate performance or behavior, discipline may be punitive in nature and will be based on an employee's status or classification, past performance and behavior, the severity of the circumstances and the evidence warranting any action. When reviewing the degree of discipline to be imposed, the areas to review may include, but are not limited to, the following:

- Severity of the action;
- Policy or procedure violated and the employee's knowledge thereof;
- Past work history;
- Degree of damage/injury to equipment, property or persons;
- Length of service;
- Degree of insubordination, if any;
- Cover-up or false statements or records;
- Prior safety record, if applicable;
- Violation of a disciplinary probation agreement;
- Cooperation during any investigation.

Employment is at will and may be terminated when such action is deemed for the good of the service. To assist employees and supervisors in understanding the disciplinary philosophy of the City, the following factors may be considered in determining the appropriate level of discipline. These factors are designed to serve merely as guidelines and the City of Blanchard reserves the right to impose discipline for any reason deemed necessary for the good of the service and to select the level of discipline it deems appropriate for any single offense up to and including termination.

C. Disciplinary Reasons: The following are examples of the type of infractions, which normally would warrant severe discipline including termination, although charges may be based upon complaints other than those listed below. This list is not intended to be all-inclusive.

1. Insubordination: Gross neglect of duty, refusal to comply with management's lawful instructions or violation of or refusal or inciting others not to comply with departmental or City rules and regulations.

2. Negligent misuse, willful or malicious damage to, or destruction of, City property or property of others.
3. Theft, misappropriation or misuse of City property.
4. Conviction of or plea of guilty to any felony, or any criminal misconduct on or off duty involving moral turpitude or conduct that shocks the conscience of the community or brings the City's good name into disrepute because the conduct is public. A plea of "nolo contendere" will be considered tantamount to a conviction.
5. Disorderly or offensive conduct while on duty; disgraceful or offensive conduct while on or off duty, when such behavior threatens public respect for the City service or the public order, safety, or health.
6. Deliberate discourtesy to the public.
7. Habitual tardiness, unauthorized or excessive absences or abuse of sick leave, falsification of leave usage, sleeping on duty except when accepted as a normal portion of the job assignment.
8. Acceptance of a gift or fee or other valuable thing in the course of or in connection with work, other than items of nominal value.
9. Improper use of Authority: Use of official position or authority for personal profit or advantage; inducing or attempting to induce any employee to commit an unlawful act or to act in violation of any lawful departmental regulations or professional ethics; discussing with unauthorized persons any confidential information gained through employment with the City.
10. Falsification of records, including application records or papers, time records, claims against the City, or falsification of any City record.
11. Being under the influence of intoxicants or drugs while on duty, or while in any City vehicle or possession, use or distribution of alcohol or illegal substances while at work or on City property.
12. Unreasonable failure to follow any safety policy, rule or regulation; gross negligence in the performance of duties; or any conduct that would place the employee, citizens or fellow employees or City property at risk.
13. Smoking in unauthorized areas.

14. Vending, soliciting, or collecting contributions on City time or City premises without prior authorization.
15. Violation of the City's policy against discrimination or harassment.
16. Excessive garnishments, tax liens or wage assignments as regulated by State law.
17. Loss of appropriate licenses or certificates necessary to the function of the job or requirements for original appointment to the job.
18. Job abandonment.
19. Fighting or gambling on duty or while on City property.
20. Failure to maintain "conditions of employment" as outlined in any disciplinary probation agreement.
21. Consistent inability to perform assigned duties in an acceptable manner.
22. Any behavior that impedes, interrupts, contradicts or jeopardizes the effective functioning of the City.

D. The following are examples of infractions, which if not repeated, would generally warrant less severe discipline. This list is not intended to be all-inclusive. Repeated violations or cumulative violations would result in more severe discipline.

1. Violations of policies or procedures when proof exists that the employee had no knowledge or reason to have knowledge of the infraction.
2. Minor first violations of a policy or procedure, not considered a safety violation and not involving damage to or loss of City equipment, property, material or supplies, or any injury to any person.
3. Initial substandard performance before the employee is placed on notice.
4. Minor attendance problems.
5. Initial non-conformance with acceptable dress codes or hygiene standards.
6. Failure to report known violations of policy or procedure.

7. Failure to become knowledgeable of policies, procedures or work routines/processes.
8. Conviction of a misdemeanor, including minor traffic offenses on the job. A plea of “nolo contendere” is tantamount to a conviction. A plea bargain from a felony may or may not fall within this category based on the seriousness of the offense and whether it fits the definition of conduct unbecoming an officer.
9. Violation of traffic laws, parking ordinance, or noncompliance with accepted traffic safety practices.

E. Authority to Suspend and Length of Suspension

1. Summary Suspension: When it is deemed for the good of the service to immediately remove an employee from active service because he is a danger to the public, fellow employees, or to the City, a summary suspension with pay may be issued by the supervisor, department head, or City Manager prior to finalizing the investigation.

F. Fitness for Duty Examination

Employees who become incapacitated due to mental or physical disabilities from performing the essential job functions with or without reasonable accommodations, or who pose a direct threat, shall be subject to a fitness for duty examination. Based on the findings of the exam and other job restructuring factors, the City Manager shall take such action that is necessary for the good of the service.

334 DEMOTION/REASSIGNMENT

An employee may be reassigned to another available open position for which he is qualified if his position has been abolished or if he is unable to perform the duties of his current position. An employee may be demoted for disciplinary purposes. The employee shall be placed in the pay step deemed appropriate by the Supervisor/department head and approved by the City Manager.

335 SEPARATIONS

Upon separation from employment, the employee will be required to return all City property before his final pay check is issued. The separation date is the employee’s last day to work except when an employee becomes disabled in which case the last day paid is the separation date. Upon separation, Human Resources may conduct an exit interview. This provides the employee with an opportunity to receive any benefit forms, to have any questions answered

and to provide information related to the reasons for leaving City employment, where applicable. Participation in an exit interview is strictly voluntary.

- A. Resignation - All employees, except temporary employees, are expected to give at least ten (10) working days' notice prior to their last day of work. Failure to do so may be cause for denying future employment with the City. An employee resigning in good standing may be considered for re-employment by complying with all requirements for a new employee.
- B. Layoff - When there is a shortage of work or funds, or when the abolishment of a position becomes necessary, an employee(s) may be laid off. Recall of laid-off employee(s) may be considered at the discretion of the City when clearly in the best interest of the City if the position is re-established or if a vacancy becomes available for which the employee is qualified.
- C. Retirement - Retirement as outlined in this Manual and the official applicable plan documents.
- D. Disability - An employee who is unable to perform the essential functions of the position and where an accommodation would impose an undue hardship on the City may be separated as permitted by state and federal law.
- E. Death of Employee - In the event of the death of a City employee, termination shall be effective as of the date of death. Compensation due will either be paid to the beneficiary as designated by the employee or to the estate of the employee.
- F. Termination - Termination will be for the good of the service with or without cause.

336 TERMINATION NOTICE

Employees of the City of Blanchard are employed "at will" and for no term of definite duration. **Both the employee and the City have the right to terminate the employment relationship at any time, for any reason or no reason, as long as the termination does not violate federal or state statutes.** Employees desiring to leave the employment of the City should give a minimum of two (2) weeks written notice, in which case payment will be made for any accrued vacation and comp time. No payment will be made for accrued sick.

337 REFERENCES

All inquiries regarding employees who are currently employed or have been previously employed by the City are to be referred to Human Resources. Frequently, an employer will inquire about an employee's character or abilities. This information is considered confidential and may not be released. Human Resources will only provide confirmation of information

provided by the employee or former employee to a third party unless special circumstances exist or the City is compelled by law to release additional information. That information is limited to dates of employment and job title.

The only exception to the above statement is that Human Resources may release salary information to credit institutions when such information will assist the employee in securing credit, provided the request for salary information is made in writing and the employee authorizes release of the information.

338 REINSTATEMENT AFTER A BREAK IN SERVICE

On occasion, employees are hired who have previously been employed by the City. The City adjusts employees' service dates and gives them credit for previous service if the break in service is less than one (1) year.

339 RETURN OF CITY PROPERTY

An employee leaving the service, whether through resignation, layoff or dismissal is responsible for returning any City property which he/she may have in his/her possession. Upon termination such property as personnel manual, badges, uniforms, keys, etc., must be returned to the department head from which the employee is terminated. The Payroll Clerk is empowered to withhold the issuance of the employee's final paycheck until such time as City property is returned or deducted from the final paycheck in an amount equal to the replacement value of the non-returned items.

340 THE AMERICANS WITH DISABILITIES ACT (ADA)

The City will take all reasonable steps to insure that interview, hiring and employment practices do not conflict with the provisions of the Americans with Disabilities Act. The City will provide reasonable accommodation to a person with a disclosed disability in terms of application, hiring and job retention so long as such accommodation does not result in an undue hardship. It is the responsibility of every employee to comply with the provisions of the ADA and to create a positive work environment.

SECTION 400

WAGE AND SALARY ADMINISTRATION

In establishing its wage and salary administration program, the City of Blanchard strives to achieve the following:

- ◆ Attract and retain highly competent employees;
- ◆ Offer employees incentives to excel in their work;
- ◆ Maintain internal equity among employees based on similar education, skills, and responsibilities;
- ◆ Reward individual efforts; and
- ◆ Comply with all governmental regulations.

The procedure for establishing wage scales and job ranges is:

- ◆ To evaluate each job in objective terms;
- ◆ To establish a salary range for each job, taking into account its relative importance to the City;
- ◆ To determine a job's worth in comparison to other jobs in the City;
- ◆ To determine a job's worth in comparison to the marketplace of five (5) city average of Chickasha, Newcastle, Noble, Purcell and Tuttle; and
- ◆ To set an individual's salary within the job range by using such factors as performance, time in the specific job, the employee's education, and the employee's unique skill set.

Employees have the right to know the salary range of their current job upon request. They also should be made aware of the salary range of any job which they apply within the City.

The City Manager is responsible for the overall administration of all wage and salary programs and for developing and publishing specific guidelines and policies for their implementation subject to City Council approval and appropriation of funds.

401 POSITION CLASSIFICATION & PAY PLAN

All determinations of wage classification status are made through the job evaluation process. The City Manager is responsible for classifying all employees into one of three (3) categories for eligibility to receive certain benefits offered by the City of Blanchard. These categories are defined in Section 303.

The City will provide a position and pay plan for all budgeted, regular, full time positions. This Pay Plan is subject to being amended, from time to time, at the discretion of the City Council. Job descriptions are provided to assist with screening applications, for job restructuring, for pay administration and performance appraisals. The position classifications and job descriptions will be reviewed and adjusted as needed to take into account changes in job structures or duties and the addition or deletion of classifications and functions within the City. Pay ranges may be adjusted to account for cost-of-living increases and re-evaluations of skills or duties within a classification.

402 PAY PERIOD

Paychecks will be issued every two (2) weeks on a day specified by the City Manager. Time will begin on Sunday and end on Saturday. Employees are required to work eight (8) hours per day – forty (40) hours per week unless otherwise specified by the department head and approved by the City Manager. Employees are required to submit their weekly timesheet to their department head no later than the following Monday. No written paycheck will be issued to any employee. Direct deposit shall be required based on the employee's appropriate bank documentation provided to the Payroll Clerk.

New employees shall be advised at their Orientation when they can expect to receive their first pay check.

403 DIRECT DEPOSIT

For the sake of convenience and efficiency for both the employee and the City, employees shall have their payroll checks processed through direct deposit. The Payroll Clerk will deposit an employee's paycheck to the financial institution of the employee's choosing. Employees will be provided information by Human Resources during Orientation in order to set up direct deposit for an employee.

404 PAYROLL DEDUCTIONS

A. The following items are mandatory deductions from each pay check according to the appropriate laws and/or policies:

1. Federal Income Tax;

2. Oklahoma Income Tax;
 3. F.I.C.A. (Social Security @ 6.20%);
 4. F.I.C.A (Medicare Tax @ 1.45%);
- B. The following items are eligible deductions from a paycheck if the employee elects the item or is covered under the item:
1. Medical Insurance;
 2. Deferred Compensation;
 3. Dental Insurance;
 4. Life Insurance;
 5. Other deductions as may be appropriate.

405 RECORDING OF TIME WORKED

Supervisors are required to keep an accurate record of hours worked by each employee. The time sheet shall reflect only authorized hours of work unless an exception is made by the City Manager.

- A. Time Sheets - Time sheets will be maintained for each employee. An employee's wages are computed directly from this record, which must be signed by the employee. Supervisors/Department heads shall validate the hours worked and sign the time sheets before submitting them to the Payroll Clerk. The Supervisor/department head shall make all notations or alterations to the employee's timecard or time sheet. If the employee disagrees with any notation or alteration, the employee is required to sign a statement detailing the reason for refusing to certify the notation or alteration.
- B. Department heads or Exempt Employee - All department heads and exempt employees from the FLSA will record time-off only to include vacation days, sick days and administrative leave taken during the pay period, which time cards must be signed by the City Manager for recordkeeping and payroll purposes.

Employees will not tamper or alter the timecard in any way. An employee found guilty of tampering with the time cards or altering another employee's time card will be subject to discipline up to and including termination.

406 OVERTIME

The FLSA requires all employees to be classified according to the overtime provisions of the law. For the purpose of paying any compensation, all employees are classified as either “Exempt” or “Nonexempt” from overtime compensation.

Employees (other than the Blanchard Police Department), in a non-exempt status, are paid on the basis of forty (40) hours per week.

- A. Non-uniformed, non-exempt employees: are entitled to receive compensatory time off at the rate of one and one-half (1-1/2) times for all hours actually worked over forty (40) in the standard work period as defined in Subsection 601 above. Except in an emergency, all overtime work must be pre-approved by the supervisor/department head with final approval by the City Manager before the time records are turned in. Over time pay is not authorized. Whenever possible, compensatory time off is to be taken in the same pay period in which it is earned. However, if this is not possible, the City reserves the right to schedule the compensatory time off at its discretion.
- B. Fire Fighters – All non-exempt fire fighters will accrue compensatory time in excess of forty-four (44) hours worked as defined below during a seven (7) day reporting period.
- C. Police Officers – All non-exempt police officers will accrue compensatory time in excess of eighty-six (86) hours worked as defined below during a fourteen (14) day reporting period.
- D. Overtime Determination
 - 1. Work Status – At the end of the pay period, overtime shall be authorized depending on whether the employee was on normal work status during the pay period. An employee shall be considered on work status for any of the following:
 - a. When on duty performing assigned tasks.
 - b. Civil or military leave (according to policy and state statute).
 - c. Training leave (when directed or approved by the Employer (City Manager)).

If any employee performs work in excess of the regularly scheduled hours under the above conditions, overtime shall be compensated at the rate of time and one-half.

- 2. Non-Work Status – An employee is considered NOT to be on work status for the following:
 - a. Unauthorized leave.

- b. Sick leave.
- c. Emergency leave.
- d. Injury leave.
- e. Family Medical Leave.
- f. Vacation leave.
- g. Holidays.
- h. Compensatory Time Off.

If an employee performs work in excess of the regularly scheduled hours under the above conditions, overtime shall be compensated at the rate of straight time ONLY.

- E. Department heads may require an employee to work overtime when they consider it in the best interest of the City to do so. Overtime will be assigned equally in as far as skills of employees and conditions will allow.
- F. Supervisory, department heads and all exempt status employees shall not be eligible for overtime provisions.

407 ADMINISTRATIVE LEAVE FOR EXEMPT EMPLOYEES

In order to recognize those times when additional hours are required of exempt employees due to special projects or increased workloads, the City of Blanchard grants these employees an additional benefit by allowing them eight (8) hours of administrative leave per month. Such leave is non-cumulative.

The use of administrative leave must be approved by the City Manager after the appropriate Leave Request is submitted.

An exempt employee who terminates at any time and have not used the administrative time that month will not be eligible for payment of such administrative leave.

408 COMPENSATION FOR “CALL-BACK” PERSONNEL

During a local, state, or federally declared disaster or emergency, certain “critical “ or “essential” personnel may be asked to return to, or remain at work. In cases of emergency, where excessive overtime may be required, the City Manager may authorize personnel to remain or return to work and may authorize overtime to be paid to all employees, which would include salaried and hourly, rather than comp. time.

This must be enforced regardless of whether there is an officially declared disaster or not.

409 LONGEVITY PAY (adopted by Resolution No. 2009-05)

The City Council has recognized the importance of retaining a qualified and experienced staff as a necessary benefit of the City. For that reason, the City instituted a program to reward staff who has made a commitment to serve the citizens of the City of Blanchard by instituting a longevity incentive program, which may be amended from time to time by the City Council. The program is administered by the City Manager and the incentive will be paid in December of each year, when funds are available and appropriated by the City Council in the annual budget. All employees who completed one (1) year of continuous service as if June 30th will be eligible for the program. The longevity incentives will be as follows:

STAFF

0 - 1 years	\$ -0-
1 - 5 years	\$ 200.00
6 - 10 years	\$ 300.00
11 - 15 years	\$ 400.00
16 - 19 years	\$ 400.00
20 plus years	\$ 500.00

DEPARTMENT HEADS

0 - 1 years	\$ -0-
1 - 5 years	\$ 300.00
6 - 10 years	\$ 400.00
11 plus years	\$ 500.00

410 CLOTHING ALLOWANCE

Members of the Police Department will be provided with a clothing allowance in an amount determined by the CBA and approved by the City Council.

411 CAFETERIA PLAN (adopted by Resolution No. 2013-37)

The City of Blanchard provides employees with certain benefits, including partially funded health insurance. Employee spending on health care and related services can be significant. The Internal Revenue Service authorizes employers to establish Section 125 Cafeteria Plans for public sector employees.

Such a plan allows employees to pay for certain eligible expenses on a pre-tax basis, thereby saving both the employee and the City of Blanchard the cost of certain taxes, including payroll taxes. These include:

1. Health insurance premiums;
2. Eligible medical costs out of pocket;

3. Eligible prescription costs out of pocket; and
4. Child Care.

The City Council authorized the City Manager to establish and implement a “Section 125 Cafeteria Plan” for its employees, in accordance with provisions of Section 125 of the Federal Revenue Act of 1978.

412 PERSONAL DEBTS AND GARNISHMENTS

The City of Blanchard employees are expected to pay their personal bills promptly and maintain a good credit standing. It is embarrassing and costly when creditors are forced to collect delinquent bills. Therefore, two (2) garnishments, separate indebtedness, made to an employee’s paycheck within a one (1) year period will be grounds for disciplinary action up to and including termination. Termination shall not be because of garnishment, but because of the employee’s failure to pay his debts and meet his obligations.

413 EDUCATIONAL INCENTIVES (Adopted by Resolution No. 2015-15)

Council on an annual basis, the City may provide the following educational incentives at the sole discretion of the City Council and subject to sufficient appropriations:

A. For all employees:

1. Associate’s Degree: \$ 50.00 per month
2. Bachelor’s Degree: \$100.00 per month
3. Master’s Degree: \$155.00 per month

A certified copy of a transcript from an accredited college or university conferring the degree must be provided.

B. For members of the Blanchard Fraternal Order of Police Lodge No. 208 and in addition to the education incentives set forth above:

1. Intermediate Certification (CLEET): \$100.00 per month
2. Advanced Certification (CLEET): \$150.00 per month

C. For Public Works employees only, and in addition to the education incentives set forth above:

1. Class D Water Operator License \$ 25.00 per month

2.	Class C Water Operator License	\$ 50.00 per month
3.	Class B Water Operator License	\$ 75.00 per month
4.	Class A Water Operator License	\$100.00 per month
5.	Class D Wastewater Operator License	\$ 25.00 per month
6.	Class C Wastewater Operator License	\$ 50.00 per month
7.	Class B Wastewater Operator License	\$ 75.00 per month
8.	Class A Wastewater Operator License	\$100.00 per month
9.	Commercial Driver's License (CDL)	\$ 45.00 per month

414 PAYROLL ADVANCES/LOANS

No payroll advances or loans will be considered due to payroll processing with Direct Deposit.

SECTION 500

EMPLOYEE BENEFITS

The City provides certain benefits for eligible employees. The City reserves the right to amend, suspend or terminate any of these benefits at its sole discretion. All statements contained herein are mere summaries of the plans. Details of certain plans are contained in individual plan summary booklets or documents. If any statement herein is in conflict with the official plan document, the official plan document will control.

Eligibility for Benefits – An employee’s eligibility to participate in the benefit programs is determined by the following classifications:

- ◆ Full-time employees who are regularly scheduled to work forty (40) hours per week are eligible for full City benefits.
- ◆ Part-time employees must work more than twenty-five (25) hours but less than thirty (30) hours per week are eligible for full City benefits.

The City pays a significant portion of the costs of these benefits for employees. Employee contributions will be deducted from their paychecks on a pre-tax basis (that are eligible for pre-tax). Employees pay no federal or social security taxes on these eligible amounts.

501 GROUP INSURANCE

The City provides for group health insurance coverage for full-time employees and makes coverage available for their dependents. Coverage is available on the first day of the month following sixty (60) days of employment, and ceases upon termination of employment at the end of the month (unless COBRA provisions apply). The City will pay 100% for the coverage for the employee. Subject to the discretion of the City Council, the City may elect to contribute to the cost of dependent coverage. All employees electing dependent coverage will be responsible for the payment of all premiums not paid by the City for such coverage (at this time the City contributes 0% for dependent coverage) by payroll deduction.

The insurance carrier shall be required to respond to the COBRA provisions in writing and a copy of such response shall be placed in the employee’s personnel file. This benefit is available only to regular, full-time employees. This policy may be changed by the City Council at any time.

502 GROUP LIFE INSURANCE

Each regular, full-time employee is entitled to group life insurance. This insurance is provided at no charge to the employee; however, this is subject to change by the City Council.

This insurance begins at the first of the month following ninety (90) days after full-time employment is achieved, and ceases upon termination of employment. This benefit is available only to regular, full-time employees.

503 HOLIDAYS (adopted by Motion on 4/26/16)

All employees are granted nine (9) paid holidays per calendar year as recognized by the City. The authorized holidays are as follows:

NEW YEAR'S DAY	January 1 st
MEMORIAL DAY	Last Monday in May
INDEPENDENCE DAY	July 4 th
LABOR DAY	1 st Monday in September
VETERAN'S DAY	November 11 th (Res. No. 2009-04)
THANKSGIVING DAY	4 th Thursday in November
DAY AFTER THANKSGIVING	4 th Friday in November
CHRISTMAS EVE	December 24 th
CHRISTMAS DAY	December 25 th

Holidays falling on Saturday shall be observed on the Friday before the holiday. Holidays falling on Sunday shall be observed on the following Monday. Holidays falling during an employee's vacation shall be counted as a holiday and not charged as a vacation day.

City offices shall be closed on the observed holidays except emergency operations such as police, fire, communications, sewage disposal, water treatment, and other such operations.

Holiday Pay

Holiday pay shall be available only to those full-time employees who would otherwise be financially affected by the closure of a City office.

Employees working a department that does not close on an observed holiday and whose schedules are not affected by the closure of a City office shall not be eligible to receive holiday pay unless holiday pay is otherwise granted as part of a collective bargaining agreement or a written contract of employment.

Holidays shall not be considered when calculating overtime pay for any pay period. To be eligible for holiday pay, an employee must have worked the workday before and the workday following the holiday. An excused absence, such as vacation, sick leave, etc., shall be considered as present for duty, but not overtime payment consideration.

504 VACATION LEAVE

A. Vacation - All full-time employees, except bargaining units and the City Manager, will be eligible to accrue annual leave which may be used for vacations, time off to attend to business and for personal reasons. Accrual of annual leave is computed from the anniversary date of employment. Annual leave accrues at the following rate:

0 - 7 years	10 work days annually, accrued at .833 hours per month or 3.077 hours per pay period
7 - 15 years	15 work days annually, accrued at 1.25 days per month or 5 hours per pay period
15 or more years	20 work days annually, accrued at 1.666 days per month or 6.67 hours per pay period

Vacation leave will begin accruing from the first day of employment, but is not available to be used within the first six (6) months of employment. Vacation leave is to be taken in the year in which it is accrued. Employees may take only the amount of leave time, which has been accrued. Under normal circumstances, unearned annual leave will not be advanced to employees.

All City employees may accrue vacation leave and accumulate up to but not to exceed one-hundred eighty-four (184) hours with the approval of the department head and City Manager.

All requests to use vacation leave must be approved at least ten (10) days in advance by the Supervisor/department head and scheduled so as not to unduly disrupt the efficient operations of the Department. It is the responsibility of the supervisor/department head to ensure that the employee's vacation leave is scheduled within twelve (12) months of the employee's anniversary date of employment. Accrued vacation leave may be scheduled in increments of a minimum of two (2) hours but not more than a maximum of eighty (80) hours. Requests for scheduling of vacation leave in excess of eighty (80) hours will require approval of the City Manager.

In addition, any employee who has accrued more than forty (40) hours of vacation leave may donate up to one-half of all accrued vacation leave to any other employee who has sustained a prolonged illness or injury and who has exhausted all of his/her own vacation and sick leave.

Any full-time employee whose employment is terminated by death, resignation or dismissal, shall be compensated for unused vacation accrued up to the date service terminates, provided they have completed the ninety (90) day pre-benefit period.

- B. Vacation Periods and Scheduling - At the beginning of each calendar year, employees are to designate, to the extent possible, the times when they wish to use vacation leave during that fiscal year to allow department heads to plan work schedules and projects.

The time at which any employee may take his/her vacation shall be determined and approved by the department head with due regard for the wishes of the employer, but with particular regard for the job requirements of the employee.

Vacation periods and scheduling are subject to approval by the Supervisor/department head and the City Manager.

- C. Vacations may be taken any time during the year providing the absence will not create undue hardships on the department.
- D. Vacation scheduling shall be granted when possible by seniority within each department.
- E. The needs of the department shall take precedent over vacation periods.
- F. Requests for vacation or changes of vacation scheduling shall be submitted two (2) weeks (10 business days) in advance.
- G. No vacation shall be scheduled for less than four (4) hours. If leave is required for a shorter period of time, special arrangements must be made with the department head. Any vacation time used by the employee shall be claimed on each pay period time card, and approved by the employee's supervisor. The calculation of eligible vacation time shall be the sole responsibility of the Payroll Clerk or Finance Director.
- H. Donation of Vacation Leave: Any employee who has accrued a total of one-hundred eighty-four (184) hours of vacation leave may donate up to but not to exceed one-half (1/2) of their total amount accrued vacation leave to any employee who has sustained a prolonged injury or illness. Such donations will not be approved until the recipient has exhausted all of their own annual vacation, comp time or sick leave. Final approval must be granted in writing by the City Manager. No employee shall donate as much leave as to reduce their total accrued vacation leave below one-hundred (100) hours.

505 FAMILY MEDICAL LEAVE ACT

The City of Blanchard has adopted a Family Medical Leave Act policy for all eligible employees as defined by the Act.

506 SICK LEAVE

A. All regular, full-time employees shall accrue sick leave at the rate of 3.077 hours per pay period beginning from the first day of employment, but is not available to be used within the first six (6) months of employment. Any such sick leave accrued which is not used in a year may be carried over as accumulated leave for the succeeding year up to a maximum accrual of one-hundred sixty (160) hours. After an employee has served continuously for an employment period of seven (7) years, a balance of two-hundred forty (240) hours of accrued sick leave may be accrued. Unused sick leave benefits shall not be payable to the employee upon termination of employment, retirement or resignation.

1. Sick leave may be used:
 - a. when employees are incapacitated by personal illness or injury;
 - b. for medical, dental, or optical diagnosis or treatment with prior approval (chargeable to vacation if no sick leave is available);
 - c. quarantine of employee by physician or officer complying with community health regulations after exposure to a contagious disease when attendance at duty, in the opinion of the department head, would jeopardize the health of other employees;
 - d. illness of a member of the employee's immediate family (defined Art. 409); or
 - e. in compliance with the City's Family Medical Leave Act policy.

The employee is expected to report to his/her department head immediately if he/she is unable to come to work. Sick leave will be allowed only if reported in a timely manner.

In cases of absences of more than two (2) days, a physician's report and the release for full duty must be received before the employee is allowed to return to work. The City reserves the right to require the returning employee to submit to a fitness for duty examination by a physician selected by the City, which examination will be paid for by the City. If all accrued annual leave, compensatory time or sick leave is exhausted, and the employee is unable to return to work, the employee may be granted "leave without pay" in accordance with the City's FMLA policy. If the employee is still unable to return to work, he may be separated from employment. Such separation shall be considered a resignation in good standing. Employees may take only the amount of sick leave earned. Sick leave is a benefit and shall not be used for normal annual leave and NOT be abused.

1. Absences on the day before or following days off, or before or following holidays and/or vacation days will be treated as either vacation leave or comp time taken unless the absence is adequately documented as a medical absence.
2. Sick leave must be charged at a minimum of four (4) hours. Excessive sick leave usage or continued illness may be cause for an employee to be placed on "Physical Report Status." Further, the Supervisor/department head may require a physician's release at any time should an illness be in question or if the employee's performance is hindered because of illness. Any employee discovered abusing sick leave privileges will be subject to disciplinary action. An employee consuming all sick leave benefits, vacation and comp time for which he is eligible shall be placed on inactive status without pay.
3. Any sick leave used by the employee shall be claimed on each pay period time card, and approved by the employee's supervisor. The calculation of the eligible sick leave time shall be the sole responsibility of the Payroll Clerk or Finance Director.
4. An employee out on sick leave will not be authorized to engage in any other secondary employment without the expressed written permission of the City Manager.

All leave taken by an employee for purposes other than sick leave as outlined above will be charged against his/her vacation. If no vacation days are available, the time missing will result in reduced pay. Sick leave benefits are basically an insurance against termination of salary. In no case shall an employee's accumulated sick leave be paid out upon termination, resignation, dismissal or retirement.

Any employee who uses no sick leave within a calendar year will be awarded an additional sixteen (16) hours of vacation time for the following year. An employee using only one (1) day of sick leave (8 hours) will receive eight (8) hours of additional vacation time.

- B. Medical Leave of Absence – It shall be the responsibility of the employee to submit information to the supervisor and the Human Resources indicating the date sick leave or disability commences and the expected date of return to work.

Each employee will keep his/her department head and Human Resources updated and apprised on continuing status of any disability whether on or off the job. An employee who fails to follow these procedures will be subject to denial of paid leave benefits and/or discipline.

While an employee is off-duty due to a disability, the employee will communicate with the supervisor on a frequent basis. If necessary, the supervisor may also communicate with the employee's physician to ensure that the physician is aware of the job requirements of the employee's position and to verify that continued medical treatment is warranted. No employee off work as a result of any injury shall be engaged in any off-duty employment, gainful or otherwise, or any physical activity that would in any way prolong the employee's chance of a speedy recovery. Violations of the above may be cause for a denial of paid leave benefits and/or discipline.

An employee, who is unable to return to full-duty after forty-five (45) calendar days, from any injury, may have his/her job replaced by another employee. Prior to separating an employee who fails to return after being gone forty-five (45) days due to any disability, the City Manager may grant a thirty (30) day extension based on supportive medical information, prognosis for recovery, work record of the employee, work restructuring, and other relevant information. An employee's right to return to City employment, after this period, will be based on a physical examination, an open position, and other reasonable accommodation requirements.

- C. Non-job related disabilities - Time off from work for non-job related disabilities (for example – broken bones, pregnancy, strains, surgeries, etc.) must be documented by the appropriate medical statement(s) and may not exceed sixty (60) days.

Upon notification to the department head of an employee's illness or disability, accrued sick leave may be allowed for the time of the actual disability. The department head, with the City Manager's approval, shall grant an employee the use of vacation leave when all sick leave has been exhausted, because of extended illness. When all sick leave and vacation leave have been exhausted, the department head, with approval of the City Manager, may grant compensatory time, if available, or leave without pay for a period not to exceed sixty (60) days from the last workday.

If an interruption in service occurs as a result of a medical leave of absence, the time lapse during the interruption shall not be included as part of the introductory period.

- D. Return to Work after Medical Leave of Absence

1. The employee shall give the department supervisor one (1) week notice of his/her intentions to return to work.
2. The employee must present the department supervisor a medical release from the attending physician upon reporting back to work.
3. If any employee does not return to work at the end of his/her medical leave or when released to return to work by the attending physician, the employee will

be considered as terminated without notice effective the original date the leave was granted unless otherwise stated by the City Manager.

4. The City of Blanchard shall have the right to request a second medical opinion from a physician selected by the City of Blanchard.

507 RETIREMENT

A. Regular, non-uniformed, full-time employees (except police officers and fire fighters) are covered under a retirement plan(s). All employee contributions to the retirement systems are handled through payroll deduction.

1. The City of Blanchard offers participation in a (Section 457) deferred compensation program to all regular, full-time employees. The City allows the employee to elect the amount he/she contributes monthly. The City agrees to match one-half ($\frac{1}{2}$) of the contribution, up to \$25.00, per pay period, maximum per employee. Participation is voluntary.
2. The City also participates in a full-time employee pension plan, whereby the City five (5%) percent of the employee's salary to a 401-A pension plan for the benefit of the employee. Vesting of contributions occurs over a period of seven (7) years. Please refer to the plan document for detailed explanations. Participation is mandatory.

These programs are subject to change by the City Council at any time.

B. Firefighters – The City of Blanchard participates in a statewide cost-sharing plan through the Oklahoma Firefighter's Pension and Retirement System (OFPRS). OFPRS members are required by state law to contribute nine (9%) percent to the Plan. The City is required by state law to contribute fourteen (14%) per year of covered payroll per paid firefighter.

This program is subject to change by the Oklahoma Legislature.

C. Police Officers – The City of Blanchard participates in a statewide cost-sharing multiple employer defined benefit pension plan through the Oklahoma Police Pension and Retirement System (OPPRS). The City is required by state law to contribute thirteen (13%) percent of covered payroll per year per police officer. The employee is required by state law to contribute eight (8%) percent of covered payroll.

This program is subject to change by the Oklahoma Legislature.

D. Social Security - All employees (except firefighters) are subject to Social Security FICA deductions. City and employee contributions are made in accordance with the law.

E. Medicare - All employees are subject to Medicare deductions. City and employee contributions are made in accordance with the law.

508 OTHER LEAVE PROVISIONS

A. Military Leaves of Absence and Restoration of Position - A full-time employee who is a member of the reserve component of any branch of the Armed Forces and who is either ordered to active duty or is required to attend annual training tours of duty is entitled to the benefits pursuant to applicable state and federal laws as amended from time to time.

1. A maximum of twenty (20) calendar days leave, with pay, for the purpose of active duty, training, or call-ups (the employee must give at least a two (2) week notice of the call-up unless is of an emergency nature).

3. An employee returning from military leave is entitled to re-employment to his former position in accordance with State and Federal Laws.

3. A copy of the employee's orders must accompany any request for time off.

B. Leave of Absence Without Pay - A leave without pay may be requested by a regular full time employee following one full year of service. Exceptions to the time in service requirement may be made at the discretion of the City Manager in unusual circumstances. The leave request must be submitted in writing to the Human Resources Director for consideration by the City Manager stating the reason for the leave and the approximate time. A leave of absence must not interfere with the normal operations of the Department. Any leave shall not exceed six (6) months. An extension of leave time may be requested due to an emergency or extenuating circumstances. Benefits will not accrue during this period. Except as provided in the City's FMLA policy, health insurance benefits will only continue upon payment of full premiums by the Employee.

C. Voting - Any employee will be allowed a reasonable amount of time off up to the maximum required by state law in order to vote should the employee be unable to vote at any time other than working hours due to requirements of the City. The employee must request time off to vote at least one (1) day prior to the election.

D. Absence Without Leave - Absence without leave means any absence of an employee from duty without specific authorization. Whenever an employee is absent from work without prior authorization, the employee shall not receive pay for such absence and may be subject to disciplinary action.

- E. Abandonment of Position - An employee who is absent from work for two (2) consecutive working days without prior authorization shall be deemed to have abandoned and resigned his position effective at the beginning of the first day of unauthorized absence. The employee's separation will be reported as a resignation by abandonment of position.
- F. Civil Leave - An employee will be given time off with pay when performing jury duty or when required to serve as a witness in any criminal or civil proceeding as a result of his/her duties for the City not to exceed thirty (30) days in any twelve (12) month period. This does not apply to testimony in non-city related business. The compensation paid by the Court to the employee for such duty is to be deposited to the General Fund of the City. Employees shall be entitled to keep any jury fees earned on their regular days off or while on vacation leave. If an employee is involved in a personal court action, he may be granted leave to attend to his business; however, the time off will be charged to his vacation leave or compensatory time and, thereafter, will be leave without pay.
- G. Bereavement Leave - An employee may be granted up to a maximum of three (3) days off with pay for funeral leave per year, chargeable against sick leave, vacation or comp time, upon the recommendation of the department head and approval of the City Manager or his designee. Such leave will be allowed for an employee to attend the funeral, make arrangements for or to perform related activities involving an immediate family member defined as spouse, children, parents, grandparents, grandchildren, brother or sister (all to include step, half or foster relationships). Funeral leave may also be used by an employee for situations involving an employee's spouse's immediate family.

All other bereavement leave involving employee's or spouse's other family members or friends, etc. shall be taken as vacation or comp time off.

509 TUITION REIMBURSEMENT

Training is an important part of the success and efficiency of the City's services and is instrumental to employee development. It is viewed as a shared responsibility between the employee and management. The goal is to broaden the knowledge and skills of the employee in areas related to his job performance, to provide skills for enhanced career development and to ensure the best possible service to the public. Because degrees of training may differ between departments, the responsibility for the development of employee training programs is assigned to the Supervisors/Department heads. They will review training needs at regular intervals to assure that effective training is accomplished within the department.

The City is committed to providing a safe and healthy workplace for all employees. Responsibility for observance of safe work practices is shared by each employee. Therefore,

employees are required to attend safety training and apply the information provided by any in-service safety training manual. An employee is to immediately notify the Supervisor/department head of any unsafe condition in the workplace.

- A. Tuition assistance for city employees will be provided for those who have enrolled in an accredited college, university, or technical training center approved courses. Tuition is limited to and reimbursed at one-half of the tuition cost not to exceed \$500 per individual in any one year, with a maximum reimbursement of \$300 per course. The city must approve course work to ensure the benefit to the City. Approval must be obtained from the Department head and the City Manager prior to enrollment.

- B. To be acceptable for reimbursement of tuition, each course taken must provide training which will tend to improve the services which the employee was hired to perform or may be reasonably expected to perform and said course must be completed with a grade of "C" or higher. When a letter grade is not awarded, a "Satisfactory" level is acceptable. Correspondence needed towards a degree must be attached to the individual's request for reimbursement. The request must be approved by the Department head and the City Manager and filed in the individual's personnel file.

Upon successful completion of an approved course or courses, the applicant will initiate a claim on a purchase order for reimbursement of tuition as follows:

- 1. The employee must present a receipt from the university or college reflecting the amount paid for the tuition.

- 2. The employee must present a grade report from the university or college reflecting a grade of "C" or higher, or "Satisfactory".

- 3. The above items must be attached to a completed purchase order.

- 4. Any employee using the City's funds to obtain a degree, must upon obtaining said degree, sign a statement stating they will stay employed with the City of Blanchard for an additional four (4) years. If the City terminated the employment, the employee is no longer held to signed statement. If employee resigns from position within the four (4) years, employee will be required to reimburse the city at the following prorated schedule:
 - a. 100% up to one (1) year;

 - b. 75% greater than one (1) year but less than two (2) years;

 - c. 50% greater than two (2) years but less than three (3) years; and

- d. 25% greater than three (3) years but less than four (4) years.
5. The City Manager will be responsible for determining which fund the monies for this benefit is budgeted.

SECTION 600

SAFETY

It is the policy of the City of Blanchard to provide an effective safety program for all employees. This is accomplished through a formal program of preventative safety measures, on-going safety education and the use of safety equipment on the job. Employees are expected to do their part to work safely, wear required safety equipment, observe all posted safety rules and regulations and keep their work area neat and clean.

Safety is important to the City, you and your family. Should you be injured while on the job, it must be reported immediately to your supervisor even if the injury is minor in nature. If the injury requires medical emergency care, the supervisor must be contacted when the injured employee reaches an emergency care facility. If you are involved in an accident while operating or riding in a City-owned vehicle or machinery, notify 9-1-1 immediately. Insist all parties involved in the accident remain at the scene of the accident until the appropriate emergency personnel can assist and investigate. All accidents are reported to the City Manager's office promptly.

Personal protective equipment and gear is provided and its continued use, while on the job is mandatory. Employees who fail to wear proper safety equipment or fail to follow proper safety procedures are subject to disciplinary action up to and including termination.

601 JOB RELATED INJURIES

For injuries that are recognized by the Oklahoma Workers' Compensation Court, the employee may be entitled to temporary disability pay as provided by the Court. This temporary disability pay usually does not continue past forty-five (45) days, except as provided by the Court. An employee may not use sick leave or vacation leave to supplement any workers' compensation temporary disability payment.

An accident involving injury arising out of and in the course of employment shall be reported as follows:

A. Reporting Injuries:

1. An employee shall report within two (2) hours to his supervisor, department head, or to the Human Resources Manager any on-the-job injury regardless of the extent of the injury. Without good cause, failure to report an injury immediately is a violation of City policy and the employee may and will be subject to disciplinary action.

2. The supervisor/department head shall secure first aid and determine if the employee needs further medical attention. If any reasonable doubt exists, the employee should be examined by a medical doctor/medical facility selected by the City.
 3. Injured employee will be treated by physician selected by the City.
 4. The City Manager and the Human Resources Director must receive a full report of any injury, signed by the employee, if possible, and the immediate supervisor within three (3) working days. Employees will also be supplied with a copy of a form to be completed by the attending physician/health care provider in order for payment to be made to the physician and/or hospital.
 5. The City will, in most circumstances, pay for services by a physician of the employee's choice. The employee is allowed only one choice of physician. If the employee seeks care from a second physician without authorization by the City, the claim will be evaluated before payment is made for this treatment.
- B. Employees on injury leave must return to duty at the earliest practical date. Employees on injury leave may be required to submit proof of continuing disability to the City Manager and the Human Resources Director. Employees returning to regular, non-restricted duty must submit a "Release to Work Without Restrictions" form from the attending or City's physician to the Human Resources Director. If an employee does not return to work after receiving a "return to work" form by a licensed physician he/she will be deemed to have resigned from the City.
- C. Fitness for Duty Exam: An employee may be required to undergo a fitness for duty examination by the City's physician to determine whether the employee is able to perform the essential functions of the position with or without accommodation. If an accommodation is not possible without an undue hardship to the City, the employee's services may be separated.
- D. Nothing in this section shall be construed, deemed or interpreted as abridging or interfering with an employee's rights under the Oklahoma Workers' Compensation Act, nor shall any provision of such laws abridge or interfere with the benefits provided under this section or the rights of the City reserved herein.
- E. Employees unable to work due to a job related injury are not authorized to work any secondary job for compensation. If an employee must be separated from the City due to a disability, he/she will be eligible for re-hire considerations and may be given preference to open positions for which he/she is otherwise qualified and medically capable of performing.

- F. Each department will identify positions or assignments that may be available to accommodate light duty work to assist injured employees. If a light/modified duty assignment is identified, and approved by the City Manager, and if the City's or treating physician determines that the injured employee can do the assignment, the employee may be offered the assignment. Such assignment is only for a temporary period of time and no employee can expect the City to permanently modify essential job functions or to make temporary assignments permanent. Failure to accept the assignment, if offered, will be cause to stop any temporary disability pay.

602 WORKERS' COMPENSATION

Injuries occurring in the course of employment are paid for by workers' compensation insurance.

Workers' compensation insurance pays all medical costs, without a deductible provision, and is paid for exclusively by the City of Blanchard. There are well-defined provisions that must be met to ensure that employees qualify for workers' compensation benefits.

Any work-related injury or illness must be immediately reported in writing to the employee's supervisor. The workers' compensation insurer will investigate all late reported claims. Where facts cannot be verified, the claim will be denied. Any claim for an injury or illness caused by an employee's willful misconduct, alcohol or drug usage, or that occurs during the employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City of Blanchard, will not be compensable. Workers' compensation fraud is a felony, punishable by fines and/or jail time. The City will prosecute any individual found to be claiming a work-related illness or injury fraudulently.

An approved physician must treat the injured employee. Specialist will be assigned by the City in certain cases. Any treatment other than that approved by the City or its insurer will not be compensable.

There are two (2) types of workers' compensation benefits paid to an employee with a work-related injury or illness. These are medical and wage replacement benefits.

Medical benefits include the following:

- ◆ Physician's Fees (or health care provider fees) – The approved physician (or health care provider) who provides treatment is paid through the workers' compensation insurer;
- ◆ Hospital Fees – Paid in full;
- ◆ Pharmacy Costs – Paid in full if prescribed by an approved physician; and

- ◆ Special Costs – Any other medical costs including but not limited to braces, crutches, physical therapy, and rehabilitation therapy, if deemed necessary by an approved physician (or health care provider), will be paid in full according to state law.

Wage replacement benefits are paid during the time employees are temporarily disabled because of work-related injury or illness. Employees receive a percentage of their salary as set by state law.

The workers' compensation laws provide for a waiting period before the injured employee becomes eligible for wage replacement benefits.

Employees will be covered for the period of disability to the limit allowed under the state's workers' compensation law. The workers' compensation insurer will pay the employee. The check will be mailed to the employee's home address.

Employees who decline temporary modified duty in order to return to work from a leave of absence due to a workers' compensation injury will be considered to have resigned and will be terminated. If employees are eligible for family and medical leave because of the employees' personal health condition, they will have their workers' compensation benefits terminated if they refuse temporary modified duty for which the employee is qualified.

Any employee who fails to return to work after being released by an approved physician will be considered to have resigned and will be terminated.

The above provisions and benefits are subject to change by the Oklahoma Legislature.

603 TEMPORARY MODIFIED DUTY

The City of Blanchard is committed to providing work, when possible, for employees who have been restricted by a physician (or health care provider) due to a work-related injury or illness. Such work will be provided subject to availability. Work will be assigned according to the nature of the injury or illness and the limitations set forth by the treating physician (or health care provider). Every effort will be made to place employees in positions within their own department. If necessary, an employee will be placed wherever an appropriate position is available.

While on temporary modified duty, employees will continue to receive their regular rate of pay. Employees who are placed outside their department will continue to have their salary charged to their regular department.

Employees on temporary modified duty must furnish a written update of their medical condition to the City Manager or Human Resources from the treating physician (or health care provider) after each visit in order to remain in the assigned job. Temporary modified-duty

assignments are limited to a period of ninety (90) days, subject to review. Being placed on a temporary modified-duty assignment does not excuse an employee from following all rules and regulations.

604 BLOOD AND BODILY FLUIDS EXPOSURE

The City of Blanchard is concerned about employees who may be exposed to blood and other bodily fluids when rendering first aid to other employees or the general public. The following procedures are to be used when administering first aid:

- ◆ Always use the protective gloves that are provided by the City.
- ◆ In the event CPR becomes necessary, a CPR Micro-Shield should be used. These are provided to all CPR-certified employees by the City. Only those employees who are certified to perform CPR should perform CPR.

- ◆ Any materials, including protective gloves and CPR Micro-Shields, used in administering first aid, should be discarded in a red biohazard bags located in the First-Aid Kit. The red biohazard bags will be picked up by special arrangement with a local waste management company on a regular basis.

- ◆ Hands should be thoroughly washed following any first-aid procedure.

605 LICENSED EQUIPMENT OPERATORS

In order to provide a safe working environment, equipment operators shall be properly trained and licensed. All equipment operators must be at least eighteen (18) years of age and have a valid driver's license. On a regular basis, each operator must successfully complete the City of Blanchard's instructional course and a drug screening for certification to operate equipment.

Any unsafe actions by a licensed operator will lead to corrective action up to and including termination. Any employee choosing to operate equipment without proper training, license, and the consent of their supervisor or department head will be subject to corrective action up to and including termination.

606 SECURITY AND LOSS PREVENTION

The City of Blanchard will install and maintain an elaborate security system to protect the premises from fire, unlawful entry, and theft. Employees will be given the details of the system if it is determined that such knowledge is necessary to perform their job duties. Employees are encouraged to assist management in ensuring that the system is not compromised in any way. Tampering with the system, violating procedures, or revealing any details about the security system to others may result in immediate termination.

607 HAZARDOUS MATERIALS COMMUNICATIONS

In order to protect the safety and health of all employees and contractors, all containers of hazardous materials must be labeled, tagged, or marked with the appropriate hazard warning, and appropriate training must be provided to all employees and contractors working on the premises.

All manufacturers, importers, suppliers, and/or distributors of hazardous materials shall supply the Blanchard Fire Department with material safety data sheets (MSDS) as a part of the purchasing process. Contractors working on-site are required to provide MSDSs for all hazardous materials brought on-site and must remove all unused materials and empty containers from the City premises. The City will keep all MSDSs on file in the Safety Office or the Blanchard Fire Department and will provide copies to any employee who requests this information. Former associates requesting this information will be charged for the time and expense of copying and providing the information requested.

The City will provide information and training on hazardous materials to all employees who may be exposed to hazardous materials in their work areas. The information and training will take place at the beginning of any employee's initial assignment that puts him/her into a work area with hazardous materials. A review training session will be given each year. Additional training and instruction will be provided whenever chemicals or processes change or newly acquired information indicates the need for additional education or protective measures.

608 TOOLS, SUPPLIES AND/OR EQUIPMENT

The City believes that employees must have adequate equipment, tools, and supplies with which to perform their jobs. The City will supply any special tools, goggles, plain safety glasses, and other special equipment it deems necessary for the efficiency and safety of all employees. Employees are responsible for such equipment, tools and supplies issued to them. If these City-supplied materials are damaged or lost (with the exception of normal expected wear and tear), employees will be responsible for replacing the equipment and/or supplies issued to them at their own expense less any depreciation.

SECTION 700
CONCLUSION

These policies shall apply to all employees of the City of Blanchard and the Blanchard Municipal Improvement Authority. The City Council and the City Manager shall make revisions from time to time as may be needed. Employee suggestions for changes or revisions are welcomed and should be made to the City Manager. It is understood that every situation that arises will not be covered specifically by this Personnel Manual. Employees are expected to use good judgment and to consult higher level personnel when specific questions arise. The Personnel Policy Manual is a general guide for orientation of City Employees and is NOT a contract of employment, implied or expressed. It must be read by each employee, and any changes or amendments shall be distributed to and read by each affected employee. Each employee shall be required to acknowledge by written receipt that he/she has received and read a copy of the Personnel Policy. The employee shall be required to receive a copy of such and a signed receipt by the employee placed in the employee's personnel folder.

Nothing contained herein shall constitute an admission or statement by the City of Blanchard or the Blanchard Municipal Improvement Authority that an employee has any property interest in continued employment with this City or its Authority. Employees of the City or its Authority are **employed at will**. Both the employee and the City or its Authority have the right to terminate their employment relationship at any time, for any reason or for no reason, as long as the termination does not violate any State or Federal Laws.

APPENDIX "A"

VEHICLE OPERATION AND MAINTENANCE POLICY

Certain positions require the use of a City vehicle. Only employees assigned by a supervisor/department head to a vehicle are authorized to drive that vehicle. An employee using a City vehicle must maintain it in a clean and orderly condition and ensure that it is properly fueled at the end of each shift. If a vehicle becomes unsafe to drive for any reason, a written report must be prepared and delivered to the supervisor/department head and to the City Manager with department head's recommendation.

Certain positions may require that a City vehicle be assigned to an employee on a long term basis. The employee holding that position is responsible for ensuring that all licenses and inspections are kept current, and that necessary servicing and repairs are performed.

The following conditions shall apply to the use of any City vehicle:

1. All employees utilizing a City vehicle must hold a valid appropriate driver's license as required by State law.
2. Traffic citations received while operating a vehicle are the responsibility of the driver operating the vehicle.
3. Smoking or the use of any tobacco products are not permitted in City vehicles.
4. City vehicles will be operated at all times in conformance with state and local laws. The driver and all passengers shall wear safety restraints at all times.

A. Accidents:

1. All vehicular accidents must be reported immediately to the police department, the supervisor/department head and to the City Manager.
2. An "*Accident Reporting Form*," must be contained in the glove compartment of each City vehicle. This form must be completed by the driver at the scene of the accident or as soon thereafter as possible.

City employees may be transported in City vehicles while on duty or while engaged in City business. In addition, elected City officials, members of City Boards and Commissions, City volunteers, persons in police custody and persons designated by the City Manager may ride in City vehicles. All other persons may only be transported in a City vehicle in the case of an emergency or with permission of the City Manager.

The City Manager shall establish a Safety and Accident Review Board.

APPENDIX "B"

PROFESSIONAL CONDUCT/ANTI-HARASSMENT POLICY

The City is committed to establishing a professional and congenial work environment and will take reasonable steps to insure that the work environment is pleasant for all that work here. All employees are expected to treat others with courtesy, consideration and professionalism. The City will not tolerate the harassment of any employee or citizen by any other employee or supervisor. Employees may not use epithets, slurs or other terms or language designed to threaten, insult, intimidate or show hostility to another. Employees are prohibited from posting or circulating in the workplace any written or graphic materials or other objects that attack, defame, belittle, degrade or show hostility or aversion to any person or group of people.

In addition, harassment for any discriminatory reason, such as race, gender, national origin, disability, age, religion or veteran status is prohibited not only by state and federal laws but also by the policies of the City. The City prohibits not only unlawful harassment, but also other types of unprofessional and discourteous conduct. Accordingly, derogatory, racial, ethnic, religious, age, gender, sexual or other inappropriate remarks, slurs, "jokes", written material or actions will not be tolerated in the workplace.

Included in this prohibition is a prohibition against sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
3. The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or of creating an environment, which is intimidating, hostile or offensive to the employee.

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

1. **Verbal:** Repeated sexual innuendo, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;
2. **Visual/Non-Verbal:** Derogatory posters, cartoons, faxes, drawings, suggestive objects or pictures, graphic commentaries, leering or obscene gestures;
3. **Physical:** Unwanted physical contact including touching, interference with the

individual's normal work movements or threatening gestures; and

4. **Other:** Making or threatening reprisals as a result of a negative response to harassing action.

Any employee or applicant who feels that he/she has been subjected to harassment or otherwise has been discriminated against due to his/her race, color, religion, national origin, gender, sexual orientation, age, disability or veteran status or who witnesses such harassment of or discrimination against another employee, should promptly report the incident. The written complaint is to be given to the supervisor or department head with a copy given to the City's personnel department or to the City Manager. Although employees are encouraged to discuss issues of alleged harassment or discrimination with their immediate supervisor or department head, they may by-pass their immediate supervisor or department head and report the incident directly to Personnel. This is particularly true if the employee believes the supervisor or department head is involved in the alleged harassment. Further, any supervisor who gains information concerning allegations of harassment or discrimination is to immediately report the same to the **City's Human Resources**.

In the absence of a personnel director, the City Manager shall be considered the personnel director.

All complaints of harassment or discrimination will be investigated. In determining whether alleged conduct constitutes harassment or discrimination, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will be considered. Except as deemed necessary to investigate and remedy violations, management will keep any complaint and the information revealed in the investigation as confidential as possible.

All employees are strongly encouraged to use the complaint procedures set forth herein if they believe they have been subjected to discrimination or harassment. Before it becomes a serious problem and the conduct interferes with an individual's work performance or creates a hostile environment, employees are encouraged to notify management of conduct that may violate this policy. This will allow management to address the situation in a timely and appropriate manner.

The initiation of a complaint, in good faith, will not be grounds for discipline. It is a violation of the City's policy for an individual to be disciplined or otherwise disadvantaged as a result of a good faith resort to this complaint procedure. However, deliberately reporting false allegations may be considered as a form of harassment and may subject an employee to appropriate discipline.

If a person is determined to have violated this policy, the City will take appropriate action designed to prevent any further incidents of inappropriate behavior. If necessary, this could include disciplinary action up to and including termination. In addition, management and supervisory employees may face disciplinary action if they fail to take corrective action after becoming aware of the existence of harassment or discrimination, regardless of whether the victim has filed a formal complaint.

APPENDIX "C"

DRUG AND ALCOHOL POLICY

In an effort to maintain a drug free workplace in compliance with the Federal Drug Free Workplace Act of 1988, to enhance the health and safety of employees and to provide education on the ill effects of drugs and alcohol, the City hereby promulgates this drug and alcohol policy.

IMPORTANT: THE CONTENTS OF THESE DRUG AND ALCOHOL GUIDELINES ARE PRESENTED AS STATEMENTS OF THE CITY'S CURRENT POLICY AND MAY BE CHANGED AND UPDATED AT ANY TIME. THESE GUIDELINES ARE NOT INTENDED TO CREATE A CONTRACT BETWEEN THE CITY AND ANY EMPLOYEE. NOTHING IN THESE GUIDELINES BINDS THE CITY TO A SPECIFIC OR DEFINITE PERIOD OF EMPLOYMENT OR TO ANY SPECIFIC POLICIES, PROCEDURES, ACTIONS, RULES, OR TERMS AND CONDITIONS OF EMPLOYMENT.

Purpose:

Employees are our most valuable resource, and for that reason, their safety and health are of paramount concern. The City maintains a strong commitment to its employees and to the community to provide a safe drug-free, alcohol-free workplace. Consistent with the spirit and intent of this commitment, the City expects its employees to report for work in proper condition to perform their duties. The intent of this policy is to prevent the use and the presence of drugs and alcohol in the working environment.

This policy outlines the procedures by which the City will implement its drug and alcohol program. In addition, it defines the consequences for failure to remain drug free. Finally, it specifies when rehabilitation will be permitted as a condition of continued employment. The City recognizes that alcoholism and drug dependence may be a treatable illness for which rehabilitation is an alternative course of action. However, usage of drugs or alcohol on duty or coming to work under the influence is grounds for discipline up to and including termination.

Scope of Drug Testing:

The City may administer the following drug testing:

- A. Reasonable suspicion/probable cause.
- B. Pre-employment examination for all full-time positions, or as determined by the City Manager. Notice of such testing will be properly posted prior to filling out an application. Employees who test positive for any drug not previously disclosed during the pre-examination phase or who test positive for any controlled substance will not be hired by the City.
- C. Random testing as part of a drug rehabilitation program. Employees required to attend a rehabilitation program as a condition of continued employment shall be required to test at

least once a month for twelve (12) months after entering the program. The City will pay for such testing.

- D. Random testing for law enforcement employees in the Police Department who carry a gun. If there is a recognized police bargaining agent, this will not go into effect until after the parties complete negotiations and said testing is part of the settlement.

Definitions:

- A. "Alcohol" shall be defined as any beverage as defined by Oklahoma State Law, Title 37; including non-intoxicating beverages (i.e., 3.2 beer) as well as intoxicating beverages.
- B. "Alcohol Testing" means testing the blood alcohol content by a breathalyzer or intoxilyzer, or by collecting a blood or serum sample and providing the laboratory analysis thereof.
- C. "City premises" includes all areas in which the City operates including, but not limited to its property, City-owned or leased equipment, privately owned vehicles entering or parked on the property (or in use on the property), lockers, desks, equipment, work space and storage facilities.
- D. "Controlled Substances" shall be defined as those substances whose dissemination is controlled by regulation or statute (Oklahoma State Law, Title 63/or Section 202. Schedules I through V of the Federal Controlled Substance Act), including, but not limited to, narcotics, depressants, stimulants, hallucinogens, and cannabis.
- E. "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug and/or alcohol statutes.
- F. "Criminal Drug Statute" means a criminal statute involving manufacturing, distribution, dispensation, use, or possession of any illegal drug or controlled substance.
- G. "Drug or Intoxicant" shall be defined as any substance which impairs an employee's ability to perform his/her job or poses a threat to the safety of others.
- H. "Drug Testing" shall normally be defined as the collection of a urine specimen by medical personnel and a laboratory analysis of that specimen. The initial drug screen will be a form of immunoassay identification with confirmation testing of any positive results with Gas Chromatography/Mass Spectrometry (GCIMS) or other reliable confirmation testing. For purpose of this policy, an employee is irrefutably presumed to be under the influence of drugs if urinalysis or other acceptable testing procedures show a forensically acceptable positive quantum of proof of drug or alcohol usage.
- I. "Reasonable Suspicion" shall be defined as the quantity of proof or evidence that is more

than a hunch, but less than probable cause. Reasonable suspicion must be based on specific, objective facts and any rationally derived inference from those facts about the conduct of an individual that would lead the reasonable person to suspect that an individual is or has been using drugs while on or off duty or alcoholic beverage while on duty or proximate to reporting to duty. The types of objective facts may include: (1) information obtained from a reliable informant; (2) a preventable accident of a serious nature where there appeared to be operator negligence or carelessness; (3) a flagrant violation of standard operating or safety procedures; and (4) any AWOL of two or more consecutive days. A WOL is defined here as an employee not calling in or showing up for work.

Such conduct or inability to perform may include, but is not limited to, a drop in employee's performance level, impaired judgment, reasoning, level of attention or behavioral change or decreased ability of the senses. Physical characteristics indicating reasonable suspicion may be a pattern of abnormal or erratic behavior; physical symptoms (i.e., glassy or bloodshot eyes, slurred speech, odor of alcohol or marijuana, unsteady gait, poor coordination of reflexes) or direct observation of drug or alcohol use.

- J. "Rehabilitation Program" shall be defined as a professional counseling program (medical as well as professionally certified and recognized counselors) designed to offer rehabilitative assistance to employees who need help in resolving their alcohol abuse or drug dependence problems. It will generally be voluntary for the employee. However, in cases of probable cause or for positive drug tests, it may be required by mandatory supervisory referral.

Supervisors may also invite an employee to participate in a rehabilitation program when performance would indicate the need for professional assistance to solve an attendance, alertness, or attitude problem. Such participation is optional if part of an invitation to participate, but if the employee refuses to attend, he/she shall not be able to use alcoholism or drug addiction as a defense in subsequent discipline for failure to perform.

- K. "Reliable Informant" shall be defined as someone who is known and trusted by the supervisor and who has firsthand knowledge of an employee's alcohol, drug, or controlled substance problem and who disclosed this to the supervisor.
- L. "Under the Influence" or "Impaired" shall be defined as behavior which may limit an employee's ability to safely and efficiently perform his/her job duties, or poses a threat to the safety of the employee or others.

Discipline and Other Sanctions:

Discipline for Drug and Alcohol Abuse or Problems:

- A. The sale, possession, manufacture, distribution, dispensation, use, or purchase of drugs or alcoholic beverages on the City's premises or during work hours is against the City's policy and is cause for immediate discharge.

Reporting to work impaired or under the influence of intoxicants such as alcohol or un-prescribed drugs, as well as prescribed drugs used improperly or which when used would induce an unsafe mental or physical state is against the City's policy. Violation of this policy will be grounds to discipline up to and including terminations. The determination of appropriate action rests solely with the City Manager.

Arrest and Conviction of a Drug and Alcohol Offense:

- A. To reduce the potential exposure of the City should an employee continue to operate vehicles or machinery while impaired or while initially going through some form of rehabilitation, employees arrested for a drug or alcohol related offense should notify the City Manager prior to going back to work. An arrest is not sufficient to terminate absent some other objective findings. Failure to notify about the arrest for someone in a public safety position or who operates any commercial or motorized vehicle for the City will result in immediate discharge.

Rehabilitation Programs:

- A. The policy of encouraging an employee to voluntarily enroll in a rehabilitation program for either alcohol or drugs before being discovered as impaired on the job, is not to be interpreted as conflicting with the City's rule concerning termination for the sale, purchase, use or possession of drugs or alcohol on City premises.
- B. Employees who are mandatorily referred to a rehabilitation program as a condition of employment must abide by those terms and conditions of the referral, must attend necessary AA or similar meeting, must remain drug/alcohol free while at work, must ensure that their job performance and productivity do not suffer, and must submit to a random program of drug screening for one year and not test positive for illegal drugs in their drug screens. Failure to abide by the conditions of the treatment plan or to maintain acceptable job performance will be cause for separation from the City.
- C. Employees who experience a recurrence of their drug or alcohol problem are not eligible for an additional rehabilitation period and will be terminated immediately, unless the time between said occurrences is sufficiently long to enable an employee another program. This will be determined on a case by case analysis by the City Manager based on the employee's job performance in the interim and other factors for the good of the City.

Procedures and Notifications:

Employees are to be notified that:

- A. City rules and policies prohibit the unlawful manufacture, distribution, dispensation, possession or use of controlled substances; the possession and use of drugs or alcohol while on duty or on City property or in a City vehicle and/or being at work while under the influence of a controlled substance, drug or alcohol. Any violation of these rules and

policies will subject the employees to discharge. In addition, any employee tampering with the results of a drug test shall also be terminated.

- B. Based on probable cause or reasonable suspicion, employees will be required to submit to drug or alcohol testing. Prior to requiring such testing, a supervisor shall articulate the basis for his suspicion to the employee. Whenever possible, the basis for the probable cause or reasonable suspicion will be communicated to either the City Manager or the City Attorney. The employee will be immediately transported by the supervisor or department head to an appropriate facility for the alcohol or drug test. Prior to testing, the employee will be required to sign a form consenting to testing.

Failure or refusal to sign the consent form and submit to testing will be cause for an adverse inference to be drawn relative to being under the influence and will also result in a charge of insubordination and the appropriate discipline up to and including termination will be administered based on the specific facts of the case

- C. An employee whose drug or alcohol test results in a positive finding, whose performance shows impairment, will be subject to disciplinary action, including discharge. Such action will occur after the results of the drug-alcohol tests and the predetermination meeting.

Supervisors and Employee Education and Training:

Supervisors will be trained:

- A. To recognize when employees appear unfit for duty because of controlled substances, drugs or alcohol and how to determine reasonable suspicion.
- B. To effectively and appropriately intervene in reasonable suspicion instances.
- C. To understand the methods of City drug and alcohol testing procedures.
- D. To effectively and appropriately document reasonable suspicion cases prior to the test and after the meeting with the employee.
- E. In issues relative to privacy, search and seizure, and employee representation rights during investigations.

APPENDIX "D"

EMPLOYEE EXPENSE AND REIMBURSEMENT POLICY

BUSINESS AND TRAVEL EXPENSES:

The City of Blanchard will reimburse employees or council members for reasonable business travel expenses incurred while on assignment away from the normal work location. All business travel must be approved in advance by the City Manager. The employee or council member shall submit an estimation of itemized cost prior to the City Manager approval. Individuals whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the City of Blanchard. Individuals are expected to limit expenses to reasonable amounts.

Any employee who is involved in an accident while traveling on business must promptly report the incident to the immediate supervisor. Vehicles owned, leased, or rented by the City of Blanchard may not be used for personal use without prior approval.

When travel is completed, employees/council members should submit completed travel expense reports within ten days. Reports should be accompanied by receipts for all individual expenses.

The amount allowable for mileage will be based on the IRS published schedule for allowable business mileage expense. Abuse of this policy including falsifying expense reports can be ground for disciplinary action, up to and including termination of employment, in the case of a council member failure to be reimburses for legitimate expenses.

NOTE:

The City will not reimburse for costs that are not directly associated with City business such as speeding tickets, liquor, etc.

APPENDIX "E"

AMERICANS WITH DISABILITIES ACT

PURPOSE:

The law prohibits discrimination against persons with disabilities and requires that an individual with disabilities should not be subjected to discrimination in employment, access to public facilities, services, programs and activities.

ADA CONTACT PERSON:

The personnel director (or city manager) has been designated the ADA contact person for any internal and external complaints or grievances. The grievance should be filed using the grievance form that can be obtained from the city clerk's office. The personnel director will review, investigate and otherwise dispose of such complaints in a manner that meets the good of the service and will provide a report of any ADA concern to the City Manager.

Any complaining party, grievant, may proceed to the city manager if the action taken by the personnel director does not satisfy the grieving party.

Nothing in this policy alters the right of the grieving party to address the elected body concerning a grievance; the policy is intended to provide an orderly, speedy resolution to concerns of the disabled citizens.

JOB RESTRUCTURING POLICY:

PURPOSE:

Title 1 of the Americans with Disability Act imposes an affirmative obligation upon employers to provide for job restructuring as a form of reasonable accommodation for those qualified individuals with disabilities. The definition of some important terms within the Act is briefly defined below.

DEFINITIONS:

"Disability" means a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having a substantially limiting impairment.

"Qualified individual with a disability" is someone who can do the essential functions of the job with or without reasonable accommodation.

"Essential job functions" include those duties and responsibilities that are contained in the job description, that are the reason for the job, that cannot be transferred to another employee, that

are highly specialized or critical to success, that occupy a considerable amount of time or of an emergency nature, and that are generally performed by current employees at some standardized performance level.

"Job restructuring" includes part time or modified work schedules; reassignment to a vacant position, acquisition or modification of equipment or devices, examination, training materials, or policies; the provisions of qualified readers or interpreters, etc.

PROCEDURES FOR IMPLEMENTING JOB RESTRUCTURING:

- A. If the applicant is applying for a full time position, but cannot work full time due to a disability, the City Manager will consider, as part of reasonable accommodation, whether such arrangement is for the good of the service.
- B. If the employee is a full-time employee and desires to work less than full time due to a bonafide medical reason, the City Manager will determine whether such arrangement meets the good of the service. Such factors to be considered will be the length of time for the temporary reduction in hours, the ability to get assistance from temporary employees to do the duties remaining in the employee's absence, the ability to reassign the duties to existing staff for the temporary arrangement, and the final impact to the operation both from a service and budgetary standpoint. If such an accommodation is made, the city manager may adjust benefits including insurance benefits for the reduction in work hours.

Fringe benefits for part-time work accommodations may be adjusted for the actual work hours to the normal 40 hours workweek. For example, if the employee works 20 hours per week, he/she may receive 20/40 or 50% of the sick leave, vacation, holiday, or other paid leave benefits that are consistent with city policy and adjusted insurance benefits, if acceptable by the insurance carrier.

- C. Reassignment to a vacant position: When an employee is unable to return to his/her position (i.e.: unable to perform the essential functions of the job without direct threat or undue hardship) at the completion of the approved leave of absence, he/she will be eligible to be placed on an unpaid leave of absence, not to exceed forty-five (45) days, pending another vacant position. At the time of placement the employee will be given the option of resigning and being eligible for COBRA benefits or submitting application for retirement, if eligible. The employee on leave will be given preference over external candidates for the vacancy which the employee can physically perform without a direct threat and for which he/she meets the minimum qualifications. Such employee will be given preference over external candidates, provided that the position is not a promotion for the disabled employee on medical leave, provided that there is no language in a labor agreement that conflicts with the provision of preference.

Such medical leave shall generally not last longer than three (3) months. However, if the employee wishes to extend the leave past three months, he/she will need to update the medical record and show that he/she is acquiring additional education/training in other

areas that would be used by the City in the near future. The City Manager will consider these and other data in order to extend leave on a month-to-month basis. The final decision shall be based on the good of the service. The employees on medical leave can only return to a vacant position and may not displace an existing employee.

Other job restructuring issues include but are not limited to acquisition or modification of equipment or devices, examination, training materials, or policies; the provision of qualified readers or interpreters, etc. No individual can be forced to accept a reasonable accommodation. However, refusal to accept where the accommodation would make the work environment accessible may cause one to lose his/her status as a qualified person with a disability.

- D. Self identification of a Disability: The City of Blanchard will not ask an applicant or employee to disclose their specific physical or mental impairments during the application processing, initial interview, etc.

If an applicant or employee discloses to a supervisor or other management employee that he/she has a disability covered by the Act, he/she will be accorded such job restructuring rights under the act. Where the need for job restructuring is in question, the City Manager may request documentation to justify such request for accommodation.

APPENDIX "F"

FAMILY MEDICAL LEAVE POLICY

POLICY:

The Family and Medical Leave Act (FMLA) of 1993 went into effect August 5, 1993. This Act will cover all full-time employees who meet the following conditions:

- (1) Works for the City or its Authority:
- (2) Who has worked for the City for at least twelve (12) months; and
- (3) Who has worked at least 1,250 hours during that twelve (12) month period?
The City will grant to eligible employees a total of twelve (12) workweeks annually of unpaid leave during any twelve (12) month period for the following reasons:
 - (a) For the birth or placement of a child for adoption or foster care;
 - (b) To care for an immediate family member only (spouse, child, or parent) with a serious health condition; or
 - (c) To take medical leave when the employee is unable to work because of a serious health condition.

Spouses employed by the same employer are jointly entitled to a combined total of twelve (12) workweeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not a parent-in-law) who has a serious health condition.

Leave for birth or placement for adoption or foster care must conclude within twelve (12) months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently - which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- (d) If FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.
- (e) 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.

The City will require an employee who is taking leave qualifying under FMLA to use any paid leave, if available, with the remainder of the twelve weeks as unpaid leave. This shall include all

leaves, such as vacation, sick leave, personal leave or compensatory time.

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- (1) Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility;
- (2) Any period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- (3) Continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, and for prenatal care.

"Health care provider" means:

- (1) Doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctor practices.
- (2) Podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of their practice, under state law; or,
- (3) Nurse practitioners and nurse-midwives authorized to practice, and performing within the scope of their practice, as defined under state law; or
- (4) Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.

Maintenance of Health Benefits

A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Arrangements will need to be made for employees to pay their share of health insurance premiums while on leave.

The City will recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

Job Restoration

Upon return from FMLA leave, an employee will be restored to his/her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

In addition, an employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave.

Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, the City may refuse to reinstate certain highly-paid "key" employees after using FMLA leave during which health coverage was maintained. In order to do so, the City will:

- (1) Notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take FMLA leave.
- (2) Notify the employee as soon as the City decides it will deny job restoration and explain the reasons for this decision.
- (3) Offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice.
- (4) Make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

A "key" employee is a salaried "eligible" employee who is among the highest paid ten percent of employees.

Notice and Certification

Employees seeking to use FMLA leave will be required to provide:

- (1) 30-day advance notice of the need to take FMLA leave when the need is foreseeable.
- (2) Medical certifications supporting the need for leave due to a serious health condition affecting the employee or an immediate family member.
- (3) Second or third medical opinions and periodic re-certifications; and
- (4) Periodic reports during FMLA leave regarding the employee's status and intent to return to work.

When leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the City's operation.

The City will provide information to employees of their rights and responsibilities under FMLA, including giving specific information when an employee gives notice of FMLA leave on what is required of the employee and what might happen in certain circumstances, such as if the employee fails to return to work after FMLA leave.

Failure to comply with the above policy and/or failure to return when FMLA benefits cease will be cause for termination and repayment of employee benefits.

Policy Amendments

The city manager is authorized to amend this policy as may be deemed necessary.