RESOLUTION 05-048

RESOLUTION OF THE CITY OF KETCHUM CITY COUNCIL ADOPTING THE EMPLOYEE HANDBOOK AND REPEALING RESOLUTIONS 490, 494, 517, 783,820, 847 and 03-019

(Revised November 7, 2005)

WHEREAS, the existing Personnel Policy was adopted in 1992, and

WHEREAS, subsequently several federal and state laws were enacted, and

WHEREAS, in the ensuing years the City Council amended the Personnel Policy several times, as well as, adopted additional resolutions regarding employee policies, including a separate compensation policy, and

WHEREAS, the City Council directed the staff to incorporate all employee policies into one consolidated Employee Handbook, and

WHEREAS, the Employee Handbook reflects input from ICRMP, Department Heads and a committee consisting of representatives from every city department,

NOW THEREFORE BE IT RESOLVED, that the Ketchum City Council adopts the new Employee Handbook with an effective date of November 8, 2005, and repeals Council Resolutions 490, 494, 517, 783, 820, 847 and 03-019.

This Resolution with be in full force and effect upon its adoption this seventh (7th) day of November, 2005.

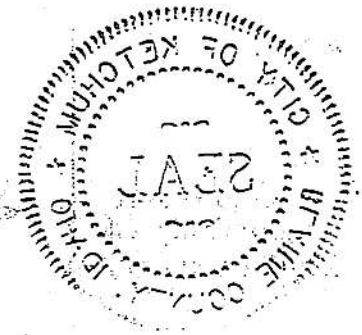
Edward Simon, Mayor

Attest:

Sandra Cady, CMC
City Treasurer/Clerk

Approved as to form and content:

Benjamin Worst, Esq.
City Attorney



CITY OF KETCHUM
EMPLOYEE HANDBOOK
NOVEMBER 7, 2005

CITY OF KETCHUM
EMPLOYEE HANDBOOK
NOVEMBER 7, 2005

1. GENERAL POLICIES

1.1. WELCOME TO THE CITY OF KETCHUM

This manual represents a collection of the City of Ketchum's employment policies as they have been issued, revised and amended over time. As Idaho is an "at-will" state, this is not an employment contract and does not guarantee any fixed terms and conditions of employment. This manual is intended for information and guidance.

One of our main objectives is to provide a work environment that supports personal and professional growth. The City of Ketchum is proud of its history and employees. At whatever time you joined us, you were selected because of your skill, experience and commitment to team work elements that are essential to our responsiveness and our ability to provide City of Ketchum residents with high quality service.

This manual is designed to acquaint you with the City and provide you with information about working conditions, employee benefits and some of the policies affecting your employment. You should read, understand and comply with all provisions of the manual. It describes many of your responsibilities as a City employee and outlines the programs developed by the City to benefit employees.

The practices, policies, plans and benefits in this manual apply to all employees, however, no Personnel Policy Manual can anticipate every circumstance or question about policy. As the City continues to evolve, the need may arise at any time to amend or terminate the practices, policies, plans and benefits described in this document. Any subsequent changes approved by the City Council will supersede the contents of this document.

Employees have a duty to familiarize themselves with the contents of the Personnel Policy Manual as soon as possible, for it will answer many questions about employment with the City of Ketchum. It is also suggested that you keep a copy of this manual handy for future reference. Your supervisor will also be available to address any questions not answered in this manual.

As City Administrator, I am responsible for the Human Resources function of the organization. As such, I function as the *de facto* Human Resources Director and you can bring items to my attention in this regard.

Sincerely,

Ron

Ron LeBlanc, City Administrator

1.2. CODE OF ETHICS AND VALUES

The proper operation of representative government requires that decision-makers be independent, impartial, and accountable to the people they serve. The City of Ketchum has adopted a Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All City employees, volunteers, and others who participate in the City's government are required to subscribe to the Code, understand how it applies to their specific responsibilities, and practice its eight (8) core values in their work. Because we seek public confidence in the City's services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this code.

1.2.1. Ethics

As a representative of the City of Ketchum I will be ethical.

In practice this value looks like:

- I am trustworthy, acting with the utmost integrity and moral courage.
- I am truthful, do what I say I will do, and am dependable.
- I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.
- I am fair, distributing benefits and burdens according to consistent and equitable criteria.
- I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions.
- I show respect for persons, confidences and information designated as "confidential".
- I use my title only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.

1.2.2. Professionalism

As a representative of the City of Ketchum, I will be professional.

In practice this value looks like:

- I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.
- I approach my job and work-related relationships with a positive attitude.
- I keep my professional knowledge and skills current and growing

1.2.3. Service – Oriented

As a representative of the City of Ketchum, I will be service-oriented.

In practice this value looks like:

- I provide friendly, receptive, courteous service to everyone.
- I am attuned to, and care about, the needs and issues of citizens, public officials, and City workers.
- In my interactions with constituents, I am interested, engaged, and responsive.

1.2.4. Fiscal Responsibility

As a representative of the City of Ketchum, I will be fiscally responsible.
In practice this value looks like:

- I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.
- I will comply with guidelines and oversight associated with revenues (i.e. grants, forfeitures, donations, etc).
- I demonstrate concern for the proper use of City assets (e.g., human resources, time, property, equipment, funds) and follow established procedures.
- I make good financial decisions that seek to enhance programs and services for City residents.

1.2.5. Organization

As a representative of the City of Ketchum, I will be organized.
In practice this value looks like:

- I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals.
- I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
- I am respectful of established City processes and guidelines, while seeking to be creative and innovative.

1.2.6. Communication

As a representative of the City of Ketchum, I will be communicative.
In practice this value looks like:

- I convey the City's care for and commitment to its citizens.
- I communicate directly and professionally in an up front manner.
- I communicate in a "fact-based" fashion using organizational channels to clarify information, avoid rumors, innuendos and gossip.
- I communicate in various ways that I am approachable, open-minded, and willing to participate in dialog.
- I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.

1.2.7. Collaboration

As a representative of the City of Ketchum, I will be collaborative.
In practice this value looks like:

- I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.
- I work towards consensus building and gain value from diverse opinions.
- I accomplish the goals and responsibilities of my individual position, while respecting my role as a team member.
- I consider the broader regional and state-wide implications of the City's decisions and issues.

1.2.8. Progressive

As a representative of the City of Ketchum, I will be progressive.
In practice this value looks like:

- I exhibit a proactive, innovative approach to setting goals and conducting the City's business.
- I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary.
- I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services.

1.3. MANAGEMENT TEAM

The Management Team for the City of Ketchum shall consist of the City Administrator, City Attorney, City Treasurer/Clerk and all other department heads. Meetings of the Management Team shall be called by the City Administrator, who shall also serve as chairperson for the meetings. The Management Team shall address the following objectives:

- To build work relationships among key managers and employees of the City of Ketchum.
- To further develop management processes throughout the organization and within specific departments.
- To provide an opportunity and structure to solve intra-departmental issues and problems.
- To address the goals and priorities established by the Mayor and City Council.
- To provide a forum to address compensation issues and to foster consistent interpretations of the personnel handbook.
- To increase trust and openness among team members and City employees.

1.4. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

All selection of City of Ketchum employees and all employment decisions, including classification, transfer, discipline, and discharge, will be made without regard to race, religion, gender, sexual orientation, age, national origin, or non-job-related disability. It is the policy of the City of Ketchum to comply in all respects with the Americans with Disabilities Act. All objections to application of the City of Ketchum's policy in this regard shall be brought to the attention of the City Administrator, or in the case of objection to actions undertaken by the City Administrator, to the Mayor.

1.5. CONFLICT OF INTEREST

No person shall be employed by the City of Ketchum when said employment would result in a violation of the anti-nepotism provisions found in Idaho Code § 59-701, §18-1359 or their successors. Any such appointment may be void. Refer to the consanguinity chart developed by the Attorney General's Office. (See Addendum A)

2. EMPLOYEE STARTUP

2.1. EMPLOYEE FORMS TO BE COMPLETED

The Payroll Clerk will distribute the following relevant forms and the employee should return the completed forms within three (3) working days:

- Employment application form.
- Acknowledgement of receipt of Personnel Handbook.
- Insurance forms.
- Immigration Form (I-9).
- W4 – Tax withholding forms.
- Insurance information about dependents.
- Any other benefit forms necessary for employee information.

2.2. PAYROLL REPORTING SYSTEMS

The City of Ketchum reports of hours worked and time on and off the job must be completed in a timely manner on forms and procedures established by the Payroll Clerk. Department Heads will coordinate, collect forms and present to Payroll Clerk for every pay period. Each report of employee time must be signed by both the supervisor and by the employee and shall contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered.

2.3. DISTRIBUTION OF POLICY

At time of employment each employee shall receive a copy of this personnel handbook. It is the responsibility of the employee to familiarize him or herself with the contents of the personnel policy and to acknowledge its receipt. A signed copy of this acknowledgement will be placed in the employee's personnel file by the Payroll Clerk.

2.4. INTRODUCTORY PERIOD

New employees to the City of Ketchum are subject to a twelve (12) month introductory period during which employees must demonstrate their ability to handle the responsibilities of their position. The City of Ketchum uses this twelve (12) month period to determine if the employee meets the expectations for the position for which the employee was hired. During this twelve (12) month introductory period either the employee or the City of Ketchum may end the employment relationship with or without cause, notice or application of the procedures and criteria set forth in Section 10 herein below.

A Department Head may extend the introductory period if substantially demonstrated and set forth in writing. All extensions will have prior approval by the City Administrator.

Employees who transfer or promote to another position within the City of Ketchum will be subject to a six (6) month introductory period for the new position they hold.

3. RULES OF EMPLOYEE CONDUCT

3.1. PERSONAL PERFORMANCE AND BEHAVIOR

Each employee of the City of Ketchum is expected to conduct him or herself in a manner which does not reflect adversely upon the City of Ketchum. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of the City of Ketchum as a public institution, each employee is expected to scrupulously avoid personal behaviors which would bring unfavorable public impressions of the City of Ketchum. In order to accomplish this, each employee:

- Shall be prompt and regular in attendance at work or other required employee functions.
- Shall comply with dress standards established in a department for which the employee works. Dress standards shall be clean and modest and set by the department head.
- Each full-time employee shall dedicate primary efforts to the City of Ketchum employment with secondary employment subject to approval by the department head. Individual department rules may spell out permissible examples of "moonlighting" wherein employees may hold additional positions.
- Shall avoid conflicts in appointments and working relationships with other employees in the City of Ketchum and related agencies. No employee shall engage in conduct which violates Idaho Code § 18-1356 conflict of interest laws.
- Shall not accept gifts or gratuities in any personal or professional capacity which could create the impression that the giver was seeking favor from the employee or official.
- Shall not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of said official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.
- Shall not release personnel information or any other public record without the express authority of the public official responsible for custody of the record or without an order from a court of competent jurisdiction.
- Shall not use substances, unlawful or otherwise, which will impair the employee's ability to function as a valued and competent part of the City of Ketchum workforce.
- Shall not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the Mayor and City Council, the Department Head, or department for whom he or she works, or reflects in any manner adversely upon the City of Ketchum or its officials.

3.2. WORKPLACE CONDUCT

Each employee will be expected to conduct him or herself in the workplace in accordance with the following rules. These rules are not all-inclusive of conduct expected of the City of Ketchum employees. Each employee of the City of Ketchum shall:

- Give his/her best efforts to accomplish the work of the City of Ketchum for public benefit in accordance with policies and procedures adopted by the City Council. Each employee shall be subject to the administrative authority or the department head where the employee works.
- Adhere to the applicable code of ethics, if any, in his/her profession, and avoid conflicts of interest or using his/her public position for personal gain.
- Follow all rules for care and use of public property to assure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
- Abide by all departmental rules whether they be written or issued verbally by the designated supervisor. No employee shall follow the directive of a supervisor which violates applicable local, state, or federal law or professional codes of ethics.
- Abide by all applicable laws, statutes, rules and regulations concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records which are not open to public scrutiny in accordance with the direction of the responsible official.
- Adhere to the defined work schedule and procedures for an exception from normal work schedules. Each employee shall follow the rules regarding the reporting of work hours and the approval that must be given for pay record submittal. Failure to follow such rules may be grounds for delayed payment of wages, salaries, or reimbursements or for imposition of appropriate disciplinary penalties.
- Follow rules regarding breaks and lunch periods, including provisions granting supervisors authority to adjust them. Timing of breaks or lunch periods may be changed to accommodate the completion of necessary work.
- Follow all rules for reporting accidents on the job. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated and that proper consideration can be accorded to injured workers and the public.
- Report any accidents observed to have happened on entity property or involving entity property. Each employee shall provide as much information as he or she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's immediate supervisor as soon as physically possible and reasonable efforts should be made to assist those in need.
- Follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.

- Maintain a current driver's license when necessary in the conduct of work for the City of Ketchum. Each employee must report any state-imposed driving restrictions to his/her immediate supervisor. Each employee is also obligated to notify his/her supervisor in the event that his/her driving abilities are impaired by anything other than state restrictions.
- Perform such obligations as are necessary to carry out the work of the City of Ketchum in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.

3.3. PROHIBITED WORKPLACE CONDUCT

Within the workplace, employees of the City of Ketchum shall not:

- Be present in the workplace under the influence of drugs, alcohol, illegal substances or other substances which would impair the ability of the employee to perform his/her work competently or which would threaten the safety or well-being of other workers or the public
- Engage in abusive conduct to fellow employees or to the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.
- Sleep or be absent from the employee's workstation when on duty. Employees shall be attentive to their work at all times, unless authorized by the Department Head.
- Engage in malicious gossip and or/spreading rumors; engaging in behavior designed to create discord and lack of harmony; willfully interfering with another employees work output or encouraging others to do the same.
- Use work time for personal business including, without limitation, selling of goods or services to the general public and employees, or expressing or exercising religious views or political views
- Engage in political activities. Employees shall enjoy full political rights at all times other than work time.
- Provide false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.
- Discriminate in the treatment of co-workers or members of the public on the basis of race, religion, gender, sexual orientation, age, disability or national origin.
- Smoking inside any city buildings, vehicles, or other equipment. Smoking shall be permitted in outside designated smoking areas.
- Violate state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of any public records required by law to be kept by the entity or by other public officials.
- Abuse employee benefit offerings by taking unjustified sick leave, unearned vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with the City of Ketchum policy.
- Violate rules concerning absence from the workplace without proper authorization. Employees must obtain prior permission as required by the City of Ketchum policy for use of vacation, compensatory time, sick, bereavement, or other types of leave granted by this personnel policy.
- Engage in prolonged visits with co-workers, children, friends, or family members that interfere with the course of work in the office or department in which the employee serves.

- Use telephones or computers in the office or workplace in a manner that violates policy or which disrupts the work or work flow; nor shall workplace telephones be used for non-local, personal calls or calls relating to the employee's business or other personal interests.
- Engage in criminal conduct of any kind while on duty or off.
- Violate any lawful written rule established by the Department Head.
- Shall not harass a fellow worker or member of the public at any time, as outlined below.
- Shall not gamble or participate in games of chance while on City property or while conducting City business.

3.4. PROFESSIONAL ETHICS

In addition to the Code of Ethics and Values that apply to all City of Ketchum employees, some employees are also bound to follow national professional standards and codes of ethics. The City of Ketchum recognizes and supports the professional ethics and standards of its employees. For example, it is expected that the City Attorney follows the State of Idaho Bar Rules of Professional Conduct, that the City Administrator follows the ICMA Code of Ethics, the Fire Chief follow the Fire Chief Code of Ethics, and so forth. Other professional employees with similar ethical codes and standards are expected to follow those as well. Conversely, the City of Ketchum will not discipline employees for following established codes of ethics as the City recognizes the freedom of expression codified in these established codes and protected as free speech under the First Amendment.

3.5. CONTRIBUTIONS AND HONORARIUMS

Speeches and presentations which are related to City services delivered by City employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the City, not the individual employee.

An honorarium or contribution for a speech or other presentation made by a City employee to a group outside the City, either during working time or for which the City provided travel expenses, will also be made to the City.

Such honorarium or contribution for a speech shall be turned over to the City Clerk for disposition.

Employees may, on their own time (vacation, comp time, etc.), accept invitations to give speeches, serve on panels or some other professional capacity and keep the honorarium or contribution. Some employees may be governed by contractual arrangements.

3.6. *GIFTS*

A gift is anything of value you receive without giving anything in return. A gift may include meals, tickets to events, travel expenses, honoraria (gifts or money paid in exchange for you to speak or train others at a conference), services, loans, rebates, and discounts (unless offered to the public, or to all City employees and officers on the same terms and conditions).

3.6.1. Gifts that must be refused

You or your immediate family members cannot accept a gift if:

- You asked for the gift for any reason.
- The gift is related to your position as an employee or official.
- The giver expects (or someone could assume they expect) to influence your vote, action or judgment.
- The gift has a value which exceeds $50.
- The gift has a value of less than $50, but there is a risk that the gift would undermine (or seem to undermine) your impartiality.
- The gift is in cash in any amount.
- Gifts from friends or family are excluded, but you need to be careful if that friend or family member does business with the City.

3.6.2. Gifts that can be accepted

You and members of your immediate family may accept a gift if:

- You did not ask for the gift.
- The gift has a value of less than $50.
- The giver doesn't expect to undermine your impartiality.
- A reasonable person would not assume that it would undermine your impartiality as defined in Idaho Code 18-1359.
- The gift is from a friend or family member and has nothing to do with your position.
- The gift is from an individual with whom you had a pre-existing relationship not related to your position with the City.

3.7. *PERSONAL TELEPHONE/CELL PHONE CALLS*

Telephone calls received during business hours must be held to both a minimum number and time limit and must not interfere with the employee's work.

When a toll call must be placed, the call is to be billed to a pre-paid calling card, the employee's home number or collect.

It is the employee's responsibility that no cost to the City results from personal telephone calls.

Violation of this policy will minimally result in cost reimbursement to the City and may subject the employee to disciplinary action.

Use of personal cell phones during business hours will be limited as to not disrupt the office environment, work productivity of the employee or co-workers, and should be restricted to calls of utmost importance.

3.8. ELECTRONIC MAIL (EMAIL) AND INTERNET USAGE

3.8.1. E-mail

E-mail is intended for business related purposes only. All e-mail communications are the property of the City. The City reserves the right to retrieve and make proper and lawful use of any and all communications transmitted through the e-mail system. The City respects the individual privacy of its employees; however, an employee cannot expect privacy rights to extend to work-related conduct or the use of City-owned equipment or supplies. Consequently, e-mail users shall have no reasonable expectation of privacy in communications sent over the e-mail network as e-mail communications are not confidential, even for those E-mail communications that may require a separate password. For purposes of this policy, e-Mail shall also include all messages transmitted on the Internet. Employees may be granted an exemption by their respective Department Heads.

3.8.1.1. Proper Use of E-mail

- Communications transmitted over the e-mail system shall involve City business activities or contain information related to the accomplishment of City business, administration, or practices.
- Users of e-mail are responsible for the management of their mailbox and its associated folders. e-mail documents will remain in a folder until deleted. The City does not maintain backup of e-mail communications, unless otherwise designated by the City's retention schedule.
- e-mail requires extensive network capacity. Users shall exercise restraint when sending very large files or messages to a large number of recipients.

3.8.1.2. Prohibited use of E-mail

- Messages that disrupt or threaten to disrupt the efficient operation of City business or administration are prohibited. Messages prohibited in this section include, but are not limited to:
    - Messages that publicize a personal dispute other than according to an approved grievance or complaint procedure.
    - Messages that constitute or counsel insubordination.
    - Message that may harm close working relationships.
    - Messages that contain abusive or profane language.
    - Messages that may take employees away from their assigned tasks.
    - Messages that may undermine the City's ability to provide public services through its employees.
    - Messages that harm the integrity of the system or network.
    - Messages that include confidential City materials or information.
    - Messages sent anonymously or under a fictitious name.

- Messages that violate the law, violate individual rights, create potential liability for the City or that violate public policy of the State of Idaho are prohibited. These prohibited messages include but are not limited to:
    - Messages which are pornographic or obscene.
    - Messages in conflict with the City's Sexual Harassment Policy or any other policy prohibiting discrimination, including harassment, on the basis of race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability, medical condition, veteran status, marital status, sexual orientation, or any other status protected by local, state, or federal law.
    - Messages involving the use of racial, religious or ethnic slurs.
    - Messages intended to harass or annoy.
    - Messages involving a threat that implicates personal safety.
- E-mail shall not be used to solicit or proselytize others for non-job related commercial ventures, religious or political causes, outside organizations or other non-job related activities.
- E-mail shall not be used for communication that is unrelated to official City business; personal messages and non-work communications are prohibited.

3.8.1.3. Status of E-mail Communications

- E-mail communications are not confidential and are subject to review by City management and disclosure to the public.
- E-mail communications may be subpoenaed or requested under the Public Records Act and/or may be used as evidence in court or as part of an investigation. The content of e-mail may be disclosed within or outside of the City without employee permission or knowledge.
- City management has the authority to access communications in the e-mail system at any time for any lawful City business-related reason.
- The City has unlimited access to protect system security or the City's property rights. However, the City expects that employees will voluntarily abide by this policy.

3.8.2. Internet

Internet access is for business related purposes only. Internet e-mail and information accessed via the Internet is the property of the City. The City reserves the right to retrieve and make proper and lawful use of any and all communications transmitted via the Internet. The City respects the individual privacy of its employees; however, an employee cannot expect privacy rights to extend to work-related conduct or the use of City-owned equipment or supplies. Consequently, Internet users shall have no reasonable expectation of privacy when accessing the Internet even if access requires a password.

3.8.2.1. Proper use of the Internet

- Internet users sending e-mail via the Internet shall abide by the same regulations required for e-mail used.
- Communications transmitted over the Internet or information accessed via the Internet shall involve City business activities or contain information related to the accomplishment of City's business, administration or practices.
- Public safety employees may be granted an exemption by their respective Department Heads.
- Accessing the Internet requires extensive network capacity. Users shall exercise restraint when sending very large files via the Internet or downloading information.

3.8.2.2. Prohibited Use of the Internet

Types of Internet access which are prohibited include but are not limited to the following:

- Knowingly entering Internet sites containing information not relevant to City business such as adult forums, pornography, or chat rooms.
- Unauthorized downloading or installation of software or applications.
- Unauthorized participation in web surveys representing the City of Ketchum.
- Unauthorized use of City subscription based materials.

3.8.3. Unauthorized Monitoring of E-Mail and Internet Usage

It is a violation of City policy for any employee, including system administrators, contractors, supervisors, or programmers to use the electronic mail and computer systems for purposes of satisfying idle curiosity about the affairs of others, or for obtaining access to the files or communication of others with no substantial business purpose or legal authority. Abuse of authority by accessing e-mail for such purposes. Only the City Administrator, or his designee, can authorize monitoring or retrieval of e-mail or Internet usage.

3.9. PERSONAL USE OF CITY FAX AND POSTAGE

Fax machines are to be used for municipal business, and may be used for local personal business on a very limited basis only as determined by the City Clerk.

The use of City-paid postage for personal correspondence is not permitted.

3.10. VISITORS IN THE WORKPLACE

To provide for the safety and security of both visitors and employees, only authorized visitors are permitted inside the workplace. Restricting unauthorized visitors assists the City of Ketchum to maintain safety standards, protects against theft, assures security of equipment, helps secure confidential information, preserves employee welfare, and avoids potential disruptions and intrusions. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on City of Ketchum premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the public lobby.

3.11. DRUG FREE WORK PLACE

The City may discipline or terminate an employee possessing, consuming, controlling, selling or using alcohol, drugs or other controlled substances during work hours. The City may also discipline or terminate an employee who exhibits an on-going dependence on alcohol, drugs or other controlled substances which, in the City's opinion, impairs the employee's work performance, poses a threat to the public confidence, or is a safety risk to the City or others. The City is committed to supporting employees who undergo treatment and rehabilitation for alcohol or other chemical dependency.

The manufacturing, distribution, dispensation, possession and use of unlawful drugs or alcohol on City premises or during work hours by City employees is strictly prohibited.

Employees must notify the City Administrator (HR Director) within five (5) days of any drug or alcohol arrest.

Violation of this policy can result in disciplinary action, including termination. Continued poor performance or failure to successfully complete and assigned rehabilitation program is grounds for termination.

Employees who are required to maintain a Commercial Driver's License (CDL) are subject to random drug testing as required by the Federal government in conformance with adopted City policy.

Nothing in this handbook shall restrict or prevent the City of Ketchum from becoming a member of Drug Free Idaho, Inc. As part of the requirements for membership in this organization, The City of Ketchum may adopt a separate Drug testing policy.

3.12. POLITICAL ACTIVITES

City employees may participate in political or partisan activities of their choosing provided that City resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on City time or in a City uniform or while representing the City in any way.

Employees shall not solicit, on City property or City time, a contribution for a partisan political cause.

Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendment Rights.

3.13. LOBBYING BEFORE STATE LEGISLATURE OR OTHER GOVERNMENTAL AGENCY

In order to assure that the official policies of the City are expressed during appearances before state or federal legislative bodies, or other state or federal governmental bodies, the following policies will apply:

- All testimony or statements, written or oral, given by an employee of the City before any governmental legislative body or other governmental agency shall strictly comply with the policies set forth by the City Council, action by a motion, resolution or ordinance.
- When there is a lack of formal action by the Council, written authorization must be obtained from the Mayor or City Administrator prior to any such activity by any employee of the City.
- The policies expressed above shall also apply to any correspondence written on City or department stationery and to any verbal conversation when the speaker represents him/herself as an employee of the City.
- The above items apply to all employees during normal working hours except that any written statement on City or departmental stationery applies at all times. Any employee who appears before any governmental legislative body or any agency during hours other than working hours will not represent themselves as employees of the City unless all information given is in compliance with this policy. If during the course of an appearance or verbal interchange, the fact emerges that the person is an employee of the City, then a disclaimer will be issued that the information or testimony given represents the views of the employee and not that of the City. If information or testimony is given that is contrary to official policies of the City, then a statement to that effect will be given if the person has been identified as an employee of the City.

All employees lobbying for the City before the state legislature and who extend any funds, which include wages, will file reports of all such activity.

A violation of this policy procedure could result in disciplinary action.

"Lobby" or "lobbying" each mean attempting to influence the passage or defeat of any legislation on the adoptions or rejection of any rule, standard, rate or other legislative enactment that will or could have any impact on the City.

3.14. SOLICITATIONS

Peddling or soliciting for sale or donation of any kind on City premises during normal working business hours is not allowed. Exceptions may be granted by the City Administrator.

Working hours include the working time of both the employee doing the soliciting or distribution and the employee to whom such activity is directed.

Employees are free to discuss these matters before or after normal working hours, and during lunch or rest periods in non-work areas.

3.15. NO SMOKING POLICY

For health and safety considerations, the City prohibits smoking by employees in all City facilities, including City-owned or operated buildings, vehicles, equipment and offices or other facilities rented or leased by the City, including individual employee offices.

3.16. BULLETIN BOARDS

Information of special interest to all employees is posted regularly on the designated City bulletin boards. Employees may not post any information on these bulletin boards without the authorization of the City Administrator.

3.17. CONTACT WITH NEWS MEDIA

The City Administrator or designated department heads shall be responsible for all official contacts with the news media during working hours, including answering of questions from the media. The City Administrator or department head may designate specific employees to give out procedural, factual or historical information on particular subjects.

3.18. COMMUNICATIONS DURING PENDING OR POTENTIAL LITIGATION

Any time that the City is engaged in litigation or there is a reasonable possibility that the City might be involved in litigation, City employees shall not communicate in any manner with any person or entity regarding the subject matter of such litigation without first notifying the City Attorney and the City Administrator and obtaining their prior approval for such communication. For the purposes of this paragraph, "litigation" shall include, without limitation, any action, motion or proceeding of any kind whatsoever in any court of law, before any agency, in any arbitration, or in any mediation. This limitation on communication shall extend to all forms of communication whether written or verbal and shall include, without limitation, tangible and electronic evidence. This limitation shall not abridge any City Employee's right to free speech.

3.19. DISCLOSURE OF CONFIDENTIAL INFORMATION

City Employees should not disclose any confidential information concerning the property, government or affairs of the City of Ketchum without prior approval of the City Attorney or City Administrator. Under no circumstances should you use such information to advance the financial or private interests of yourself or others.

3.20. SEAT BELT POLICY

Anyone operating or riding in City vehicles must wear seat belts at all times, with the exception of performing medical treatment in an ambulance.

3.21. DRIVER'S LICENSE REQUIREMENTS

As part of the requirements for certain City positions, an employee may be required to hold a valid State of Idaho Driver's license, or the equivalent.

If an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall immediately notify the Department Head and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to the Department Head.

Depending on the duration of license suspension, revocation, or other inability to drive, an employee may be subject to disciplinary action, including termination.

3.22. SAFETY

Every employee is responsible for maintaining a safe work environment and following the City's safety rules. Negligence in adherence to on-the-job safety standards will be considered grounds for discipline and/or termination. Each employee shall immediately report all unsafe or potentially hazardous conditions to the Department Head. The City will make every effort to remedy problems as quickly as possible.

In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their department head and the City Administrator.

3.23. RECYCLING

The City of Ketchum supports conservation of scarce resources by encouraging recycling and waste reduction in its business practices and operating procedures. This commitment and support includes the purchase, use, and disposal of products and materials in a manner that will appropriately utilize natural resources and minimize any adverse impact on the natural environment.

Recycling containers have been set up to promote the disposal, source separation and collection of recyclable materials.

Employees are authorized and directed to discontinue the use of unnecessary products and materials which are harmful to the environment, and to reduce the use of disposable products such as paper and tape. Conservation can be promoted through the use of:

- Communication through computers.
- Two – sided photocopying.
- Routing slips for reports.
- Minimum packaging.
- Eliminating unnecessary fax cover sheets.
- Reusing paper clips, folders and binders.
- Reusing packaging material.
- Turning off lights when not in use.
- Use of recycling bins for disposable products.
- Carpooling and use of public transportation.
- Employees should be conscious of excessive idling of vehicles and equipment.

Whenever cost-effective, employees of the City of Ketchum are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Questions or suggestions regarding recycling should be directed to your supervisor or City Administrator.

3.24. PERSONAL APPEARANCE AND HYGIENE

City employees should always be well-groomed and dressed in a manner suitable for the public service environment and to reflect favorably the City's image.

The Department Head will discuss the subject of personal appearance and personal hygiene with an employee if an employee does not positively reflect the image of the City.

4. DISCRIMINATORY HARRASSMENT POLICY

The City of Ketchum is committed to providing all of its employees with a work place free of discrimination or harassment. The City of Ketchum maintains a strict policy prohibiting harassment on the basis of race, color, national origin, religion, sex, sexual orientation, physical or mental disability, age, veteran status, or any other characteristic protected by applicable law.

This prohibition applies to all employees, vendors, or members of the public. No employee of the City of Ketchum is expected to tolerate any conduct prohibited by this policy from anyone at any time.

4.1. SEXUAL HARRASSMENT DEFINED

Sexual harassment prohibited by this policy includes, without limitation, any unwanted sexual advances, requests for sexual favors, or visual and verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or
- Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive environment.

The following is a partial list of conduct which would be considered sexual harassment:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening retaliation after a negative response to sexual advances.
- Visual conduct such as leering, making sexual gestures, or displaying or possessing sexually suggestive objects or pictures, cartoons, calendars or posters.
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about an employee's body or dress.

- Written communications of a sexual nature distributed in hard copy or via a computer network.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, and notes or invitations.
- Physical conduct such as touching, assault, impeding or blocking movements.
- Retaliation for making harassment reports or threatening to report harassment.
- Sexual harassment can occur between employees of the same sex. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.
- Repeatedly asking for dates after being told "no".

4.2. OTHER TYPES OF UNLAWFUL HARRASSMENT

The City of Ketchum also prohibits harassment on the basis of race, color, national origin, religion, gender, sexual orientation, physical or mental disability, age, veteran status, or any other characteristic protected by applicable law. Such prohibited harassment includes but is not limited to the following examples of offensive conduct:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs.
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures.
- Written communications containing statements, which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures.
- Physical conduct such as assault, unwanted touching, or blocking normal movement.
- Retaliation for making or threatening to make harassment reports to the City of Ketchum, or for participating in an investigation into harassment allegations.

4.3. THE CITY OF KETCHUM COMPLAINT PROCEDURE

Any employee who believes he or she has been subjected to unlawful harassment prohibited by this policy should immediately tell the harasser to stop his/her unwanted behavior and shall immediately report that behavior, preferably in writing, to the City Administrator; or, in the alternative, to the Idaho Human Rights Commission, the Equal Employment Opportunity Commission, or other appropriate state or federal agency.

If an employee becomes aware of harassing conduct engaged in or suffered by a City of Ketchum employee, regardless of whether such harassment directly affects that employee, the employee shall immediately report that information, preferably in writing, to the City Administrator; or, in the alternative, to the Idaho Human Rights Commission, the Equal Employment Opportunity Commission, or other appropriate state or federal agency.

Whether any City employee elects to notify the City Administrator as set forth above or go directly to an appropriate state or federal agency, all City Employees shall also have the right to contact the Idaho Human Rights Commission (208) 334-2873, the Equal Employment Opportunity Commission, any appropriate state or federal agency, or a private lawyer to discuss their legal rights. Employees shall use the procedures set forth in this policy to address any sexual harassment problems as quickly as possible.

Whenever the City of Ketchum is made aware of a situation which may violate this policy, the City Administrator will conduct an immediate, thorough and objective investigation of any harassment claims. If the City Administrator determines that harassment has occurred, he will take appropriate action against a person found to have engaged in such harassment. A determination regarding the alleged discriminatory harassment will be made and communicated to the person claiming harassment as soon as practical. The type of discipline administered will be dependent upon the severity of the conduct, as well as any other factors presented in the particular circumstances. Employees violating the policy, however, are subject to discipline up to and including termination.

The City of Ketchum strictly prohibits retaliation against any person by another employee or by the City of Ketchum for using this complaint procedure, reporting harassment, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding, or hearing conducted by the Department Head. Prohibited retaliation includes, but is not limited to: termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

The City of Ketchum does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of the employee.

PROHIBITION OF WORKPLACE VIOLENCE

5.1. PROHIBITION OF WORKPLACE VIOLENCE

The City of Ketchum is committed to providing a safe environment for its employees and those who conduct business with the City. The City will not tolerate acts of violence committed by or against City employees, or members of the public while on City of Ketchum property or while performing City of Ketchum business at other locations.

"*Workplace Violence*" shall mean an act or behavior that:

- Consists of threats or violence.
- Consists of an assault or battery.
- Is an attempt at a physical violence.
- A reasonable person would perceive as obsessively directed, e.g., intensely focused on a grudge, grievance, or romantic interest in another person and likely to result in harm or threats of harm to people or property.
- Consists of a communicated or perceived threat to harm another individual or in any way endanger the safety of an individual.
- Would be interpreted as carrying potential for physical harm to the individual.
- A reasonable person would perceive as menacing.
- Involves carrying or displaying weapons, destroying property, or throwing objects in a manner perceived to be threatening.
- Consists of a communicated or perceived threat to destroy property.

Workplace violence on City property, in City facilities or while on City business will not be tolerated or ignored. Any unlawful, violent actions committed by employees or members of the public while on City property or while using City facilities will be prosecuted as appropriate. The City will use any and all legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and to protect employees and members of the public.

5.2. POSSESSION AND USE OF DANGEROUS WEAPONS BY EMPLOYEES

Prohibition:
In the interest of maintaining a workplace that is safe and free of violence, possession or use of a dangerous weapon is prohibited on City property, in City vehicles or in any personal vehicle which is used for City business, other than sworn law enforcement officers engaged in lawful activities.
A dangerous weapon is defined as:

- Any firearm.
- Any illegal device or weapon.
- Any instrument capable of producing bodily harm in a manner under circumstances and at a time and place that manifests intent to harm or intimidate another person, or that warrants alarm for the safety of another person.
- Employees are permitted to possess firearms on City property if locked and properly stored in personal vehicles. Firearms are not to be removed from the vehicle while on City premises.
- No personal vehicle shall be used for city business if it contains a firearm.

5.3. EMPLOYEE RESPONSIBILITES

All employees must:

- Refrain from acts of violence and seek assistance to resolve personal issues that may lead to acts of violence in the workplace.
- Report to managers and supervisors any dangerous or threatening situations that occur in the workplace.

Employees are encouraged to report to their supervisors, the Police Chief, or the City Administrator, situations that occur outside of the workplace which may affect workplace safety, i.e. instances where protection orders have been issued.

Employees are encouraged to contact the Employee Assistance Program (EAP) for help with anger management, or to seek advice in how to approach someone in the workplace who may have anger management issues.

5.4. SUPERVISOR RESPONSIBILITIES

Supervisors are responsible for assessing situations, making judgments on the appropriate response and then responding to reports of or knowledge of violence and for initiating the investigation process. Supervisors have a duty to report to the City Administrator.

5.5. CITY ADMINISTRATOR OR DESIGNEE RESPONSIBILITIES

The City Administrator, or the City Administrator's designee, is responsible for:

- Prompt and appropriate response to any act of violence.
- Accountability among employees for acts of violence committed in the workplace.
- Establishment of oversight of investigations of violence.
- Establishment of a team to provide immediate response to:
    - Serious incidents.
    - Establishment of avenues of support for employees who experience violence.
    - Communication of this policy.

5.6. PROCEDURES FOR DEALING WITH ACTS OF VIOLENCE

- If the act or altercation constitutes an emergency, CALL 911. After 911 has been contacted, immediately contact your supervisor or Department Head.
- In situations that are not emergencies, contact your immediate supervisor. If possible, separate the parties involved in the violent altercation. If the parties cannot be separated, or if it would be dangerous to any employee to separate the parties, CALL 911.
- Contact the Department Head immediately, if not successful in making that contact, then contact the City Administrator.
- The Department Head will ensure the City Administrator has been contacted.
- The City Administrator will take responsibility for coordinating a response to the incident.
- In instances that involve emergencies or criminal activities the City Administrator will contact the Police Department.
- In instances when it is not appropriate to refer an incident to the Police Department, the City Administrator will evaluate the situation and make a recommendation regarding the need for an investigation. If an internal investigation is recommended, the City Administrator or the City Administrator's designee, will coordinate the investigation process.

5.7. CITY RESPONSIBILITIES

To achieve the goals and objectives of this policy the City of Ketchum will:

- Establish procedures and methods for implementing policies and for addressing violence in the workplace.
- Provide training for managers, supervisors, and all other employees.
- Evaluate the physical environment for safety and consider modifications.

6. WHISTLEBLOWER POLICY

6.1. PURPOSE

- Encourage reporting by City employees of improper governmental action taken by City officers or employees.
- Protect City Employees who have reported improper, unethical, illegal, or unsafe governmental actions in accordance with City policies and procedures.
- Act as a safeguard for legitimate employer interests.
- Provide for speedy dispute resolution.

6.2. STATEMENT OF POLICY

The City strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state, and local laws. Accordingly, employees are encouraged to bring to the attention of the City any improper action of City officials and employees. The City will not retaliate against any employee who makes such a disclosure in good faith and in accordance with the procedures set forth in this policy.

Improper actions are undertaken by an officer or employee in the performance of his or her official duties which (a) are in violation of any federal, state, or local law, (b) constitute an abuse of authority, (c) create a substantial and specific danger to public health or safety, or (d) grossly waste public funds. Improper actions do not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, or firing, and other discipline.

6.3. PROCEDURES

- Misconduct can often be corrected most expeditiously if handled internally. Nonetheless, any City employee who has a good faith concern that improper action has occurred or is about to occur, may choose to either raise such concern with the City or report such concern to any appropriate federal, state, or local authority.
- If the employee chooses to report such concern directly to the City, the employee shall follow the following procedure.
    - The employee must submit his or her concerns and related information ("complaint") in writing to the City Administrator. In the event that the complaint concerns the City Administrator, the complaint shall be submitted to the Mayor. The identity of a reporting employee will be kept confidential to the fullest extent possible under law, unless the reporting employee provides written authorization for disclosure. The employee may report under this policy through a union business representative or attorney.
    - The City shall have ten (10) working days to address the complaint raised by the reporting employee and provide the reporting employee with a written response which identifies the alleged improper action at issue, describes the scope and finding of the investigation, states what, if any, action will be taken against the offending officer(s) and/or employee(s), and explains why such action is appropriate.
    - If the reporting employee is not satisfied with the investigation and/or resolution of the complaint, the reporting employee may request reconsideration in writing within five (5) working days of receipt of the City's written response.

- Written request for reconsideration must be submitted to the City Administrator or designee and must identify the specific elements of the City's investigation or written response which the reporting employee finds unsatisfactory.
- The City has three (3) working days to advise the reporting employee in writing whether reconsideration will be granted.
- Any reconsideration will be limited to examination of the specific issues raised by the reporting party in his or her written request.
- The City will have five (5) working days from the date reconsideration is granted to complete its additional investigation and provide the employee with a written response.

- Employees who comply with the policy shall not be subject to discipline or discharge for reporting, disclosure, or other activities.
- Deviation from the reporting and reconsideration policy is permitted only in those rare cases where the reporting employee can show that persons or property will be damaged if the alleged improper conduct is not immediately addressed.
- Reporting employees may, prior to reporting to the City or at any time during or after the procedure set forth above, choose to pursue their complaints and should consider contacting one or more of the following organizations:
  - Office of the Attorney General
  - Office of the State Auditor
  - Regional Office of the Department of Housing and Urban Development
  - Office of the County Prosecutor
- All City personnel are prohibited from taking any adverse employment action against an employee who registers a complaint with the City or with a public body in accordance with this policy. If an employee believes there has been retaliation for reporting improper actions in accordance with this policy, the employee may seek redress as follows:
  - The employee must provide written notice of the charge of retaliatory action to the City Administrator or designee within thirty (30) days of the date the alleged retaliatory action occurred. The notice must describe the alleged retaliatory action, the persons allegedly involved, and identify the relief requested.
  - The City Administrator or designee must respond in writing within thirty (30) days of its submission. The response must: Identify the alleged action and persons involved; identify the relief requested; describe the investigation conducted; state and explain the disposition of the charge; and identify the relief, if any, that is being granted and explain why the relief is appropriate.
- The charging party is entitled to a hearing if he or she so chooses. However, the hearing must be requested in writing within fifteen (15) days of delivery of the City's written response to the charge or, if the City fails to respond within the allotted thirty (30) day period, within fifteen (15) days of the last day upon which the City could have responded.
- Within five (5) working days of receipt of a timely request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.
- Unless the administrative law judge extends the period, the judge shall issue a final decision no later than forty-five (45) days after the date the timely request for hearing was delivered to the City. The administrative law judge's decision is subject to court review.

7. EMPLOYEE CLASSIFICATION

7.1. EMPLOYEE STATUS

Except as otherwise provided in this handbook, employees of the City of Ketchum will not be suspended without pay, or discharged from their positions except for cause related to performance of his/her job duties or other violations of City policy as set forth in this handbook. Cause shall be determined by the employee's Department Head and shall be communicated in writing to the employee when employee status is changed. This section does not apply to introductory employees who remain at-will throughout the introductory period.

Only suspension without pay or discharge for cause shall be subject to the appeal procedure set forth in this personnel policy. It is the duty of the appellant to show by clear and convincing evidence that the factual basis for the personnel action is incorrect, or that the reasons for the personnel action are arbitrary and capricious, contrary to the public interest, or violate existing law. Should the appellant establish such basis through the appeals process, the employee's back wages and benefits shall be restored as if the specified action had not been taken.

Changes in employment status which are the result of budgetary needs, reductions in force, reorganization of work duties through transfer or reassignment, or general changes in the terms or conditions of employment or of benefit offerings shall not be subject to the appeal procedure set forth herein. The City of Ketchum retains full authority, without prior notice, to modify the general terms and conditions of employment. Additional information may be obtained from the City Administrator.

7.2. EMPLOYMENT CLASSIFICATION FOR BENEFIT PURPOSES

The classification of the position you hold with the City of Ketchum may affect the status of obligations or benefits associated with your employment. The primary classes of employees and their respective status is outlined as follows:

7.2.1. Statutory Employees

The City of Ketchum finds that the offices referred to below are necessary for the efficient operation of the city and should be appointed officers along with the City Clerk, Treasurer and City Attorney. The following designated officers and officials of the City of Ketchum shall be appointed by the Mayor with the consent of the City Council, pursuant to Idaho Code § 50-204:

- Chief of Police
- Chief of Fire Services
- City Administrator
- Planning Director
- Utilities Manager
- Building Official
- Street Superintendent
- Parks and Recreation Director

7.2.2. Full Time Regular Employees

Employees whose typical work schedule calls for at least thirty-five (35) hours of scheduled work during each work week. Full-time regular employees shall receive all employee benefits provided by the City of Ketchum as such benefits now exist or may be subsequently changed

7.2.3. Part Time Regular Employees

Employees whose typical work schedule calls for at least twenty (20) hours of scheduled work during each week. Part-time regular employees shall receive reduced employee benefits in accordance with policies adopted by the City Council.

7.2.4. Paid On-Call Firefighters

The Ketchum Fire Department is a combined department comprised of full time professional staff and paid on-call employees. The paid on-call members of the Fire Department are not covered by this manual. A separate "Paid On-Call Firefighters" Handbook sets forth personnel rules for these employees.

7.2.5. Casual/Seasonal Employees

Employees who provide services for the City of Ketchum on an irregular or temporary basis or whose scheduled hours of employment for the City are typically fewer than forty (40) hours each week are classified as casual employees.

7.2.6. Light Duty Assignments

A light duty assignment is the temporary assignment of an employee to a position requiring a different level of physical activity than the employee's regular position. Assignments are made by the Department Head upon written advice of competent medical authority. Such assignments are subject to the approval of the Department Head which may be withheld for any reason.

Employees who are temporarily unable to perform the duties of their regular position should submit to their Department Head a doctor's release to modified duty showing appropriate physical restrictions. The Department Head reviews the doctor's release and identifies whether temporary light/modified duty work is available within the outline restrictions provided by the attending physician. Considerations will be given to flexible hours, reduced lifting, use of stool to eliminate standing, etc. All temporary light/modified duty positions must be approved by the Department Head and City Administrator and are subject to the City's needs.

During the period of modified work duty, the employee will receive all pay and benefits as though the employee continued in his or her normal assignment, less any premium payments for which the employee is no longer eligible because of duties he or she is not performing while on light/modified duty.

An employee injured off the job will not be given preference to a light duty assignment over an employee injured on the job.

7.2.7. Administrative Interns

Administrative Intern positions are created to provide upper-level undergraduate and graduate college and university students with exposure to and experience in public administration. These positions are temporary, and paid on an hourly basis with a one (1) year duration. Depending on the vacancies available and the number of Intern positions funded, assignments and hours (up to forty (40) hours/week) will vary. However, as a temporary employee, an administrative intern may work no more than one thousand (1,000) hours in a fiscal year.

In all cases, the Administrative Intern must be enrolled in an accredited college or university or recently graduated. No student may serve more that one (1) year as an Administrative Intern. Multiple assignments (in the same or other departments) may not cumulatively exceed the one (1) year limit. Interns will be involved in both the more routine as well as the project aspects of public administration.

Departments that have been given budget authorization to hire an Administrative Intern should follow these general procedures.

- Department Heads must prepare a description of the Administrative Intern position available, including qualifications, application procedure, application deadline and an overview of the selection process and submit it to the City Administrator.
- Arrange a wide recruitment selection process that focuses on objective criteria.
- Interns will be required to sign a confidentiality agreement.
- Use a job-related recruitment process that focuses on objective criteria.
- Complete Personnel/ Payroll Action Request Form (PAR) as you would for any other job appointment. (An Administrative Intern is a temporary appointment with an anticipated end-date that is not to exceed one (1) year).
- As with all temporary appointments, an Administrative Intern may be terminated at any point during employment, whether due to reduced funding or unsatisfactory performance.

7.3. SIGNIFICANCE OF EMPLOYEE CLASSIFICATIONS

Personnel actions (hiring, promotion, transfer and discipline) concerning part-time, paid-on-call, or casual employees are not subject to guidelines set forth herein unless the handbook provisions expressly provide therefore.

7.4. JOB TITLES

The Mayor and City Administrator are hereby authorized to change, consolidate, or abolish those titles as needed.

8. EMPLOYEE COMPENSATION

8.1. COMPENSATION POLICY

The City of Ketchum shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the public service. Compensation for all employees is established by action of the City of Ketchum. The annual budget of the City of Ketchum appropriates funds available for compensation of employees in various departments. The reason the City of Ketchum offers competitive salaries with benefits is to retain qualified, professional, skilled employees.

8.2. DEFINITIONS

This Section provides guidelines for consistent implementation and administration of the compensation program and movement of employees from position to position (i.e., promotion, transfer, demotion, etc.) and within their grade range.

A **demotion** is a reassignment to a position of a lower salary/wage range than the employee's prior position.

A **Personnel Action Form** is to be used when hiring or terminating an employee, changing an employee's classification, or making other changes to an employee's status. The purpose of this form is to create a paper trail reflecting proper approval of such personnel actions. This is part of our "Position Control System."

A **promotion** is a reassignment of an employee to a position in a higher salary/wage range or grade than the employee's prior position. The promotion may be to a new position (e.g., Clerk to Legal Secretary) or growth within a job family (e.g., Operator I to Operator II). Promotional increases are effective when the promotion takes place.

A **short-term** (less than one (1) calendar month) reassignment is not considered as a promotion, transfer, or demotion.

Moving to another shift is not considered a promotion/transfer unless meeting the above criteria.

Steps are incremental increases in wage/salary within a grade range. Movement from step to step is based on performance evaluation. Step increases can only be given on April 1 or October 1.

A position or group of positions is assigned to a **grade** based on internal equity (the amount positions are paid relative to one another with the organization) and a **range** is developed with a minimum and maximum wage/salary based on the desired level of external competitiveness (the amount other outside similar organizations are paying).

Range adjustment increases will be considered effective every October based on external competitiveness, budgetary demands, etc. If the ranges are adjusted, the steps within the grades will also be changed proportionately.

The mid-point of the range is halfway between the minimum and maximum of the range.

The City of Ketchum **Classification Plan** lists all positions by classification based on job factors, market conditions and internal equity.

The Official **Pay Plan** for the City of Ketchum is adopted annually by the City Council as part of the budget process. It contains the pay and salary ranges for each classification.

The **Cost of Living Allowance (COLA)** refers to an annual salary adjustment that may be granted by the City Council as part of the budget process. It is customarily granted on October 1 of each year.

8.3. STEP INCREASES FOR EMPLOYEES IN THE RANGE

Steps for the range will be published. If the increase is allowable given the approved budget, employees will move through the range by progressing from step-to-step based on their performance evaluations. Step increases can occur on April 1 or October 1 of each year.

8.4. FREEZE ON STEP INCREASES AFTER OVERALL PLAN REVUES

If an Overall Plan Review conducted pursuant to Section 8.8.1 indicates that the City is paying an employee at or above the maximum step within his or her pay grade, the City shall not decrease such employee's salary. However, the City shall not award such employee any additional step increases pursuant to Section 8.3. Such employee shall only be eligible for the COLA adjustment, if any, for two (2) additional years after which time the City shall not increase such employee's salary whatsoever.

In the event that a subsequent Overall Plan Review indicates that such employee is once again being paid less that the maximum step within his or her pay grade, such employee shall then be eligible for additional step increases pursuant to Section 8.3 until he or she reaches the maximum step within his or her pay grade at which time the provision of this Section 8.4 shall repeat allowing for two (2) additional COLA increases, if any, but not step increases.

8.5. PERFORMANCE REVIEW SCHEDULE

8.5.1. New Hires and Rehires

The performance review provides an opportunity for a one-on-one exchange of information between an employee and his/her supervisor for the purpose of communicating expected work standards of performance, establishing job objectives, and discussing work accomplishments, work progress, potential for advancement as well as performance problems and other job-related concerns.

Performance reviews for non-temporary employees are conducted at least once a year. Employees will be reviewed for increase at six (6), twelve (12), and every six (6) months thereafter until the employee's wage exceeds the mid-point of his/her range, or until the employee has completed three (3) years service in that position classification. After exceeding the mid-point or completing three (3) years service, reviews are scheduled to occur annually unless the employee experiences a date altering event as prescribed by policy (e.g. promotion) or has performance issues to address as noted by his/her supervisor.

Employees are allowed to see the results of the performance review, make comment, sign the evaluation form and receive a copy of it. The original performance review form shall be forwarded to the City Clerk's Office so that it may be placed in the employee's official personnel file.

8.5.2. Interim Step Adjustments

Department Heads may request early increases on an exception basis with the approval of the City Administrator.

8.5.3. Promoted Employees

The earliest a step adjustment can be considered is after one (1) year on April 1 or October 1, whichever is soonest.

8.5.4. Responsibility for Performance Reviews

The Department Head or designee will complete a Performance Evaluation form for each of his/her employees annually based on their review date (either March or September).

8.6. DIFFERENTIALS

Differentials (e.g., shift, etc.), if applicable, are additions to the base and will be given up when the specific condition is no longer required.

8.7. STARTING SALARY

8.7.1. New Hires

New hires will be placed at a grade range based on their knowledge, education and experience as determined by the Department Head with the approval of the City Administrator, at a rate up to the mid-point of the range providing it is within the approved appropriation for that department. New hires above the mid point require the Council's approval.

8.7.2. Rehires

Employees who leave in good standing may be considered for their previous position at their previous wage, or a new position as a new hire (see 8.5.1 for guidelines).

Employees returning from an approved leave of absence are not considered as rehires.

8.8. COMPENSATION PLAN

The City Council will annually approve salaries as part of the budget process.

8.8.1. Overall Plan Review

The City Council will conduct a compensation study at intervals not more frequent than every three (3) years, but not longer than every five (5) years. An annual adjustment to the range will be considered. When the ranges move, the steps in the range will be adjusted proportionately.

8.8.2. Specific Plan Adjustment

Nothing is to prevent the City from contracting with a professional human resource company to adjust compensation for class or position.

8.9. RECRUITMENT AND SELECTION

8.9.1. Determination of Vacancy

A Department Head shall notify the City Administrator in writing when a vacancy is anticipated or occurs in his/her department.

8.9.2. Posting of Positions

The open position will be posted:

- Internally – for a minimum of five (5) days, and if necessary,
- Externally – for a minimum of fourteen (14) days.

Postings can run concurrently.

8.9.3. Transfers at the City's Request

Transfers may be made at the City's request to satisfy management or operational needs.

8.9.4. Veteran's Preference

The City of Ketchum will accord a preference to employment of veterans of the U.S. Armed Services in accordance with provisions of Idaho Code § 65-502 or its successor. In the event of equal qualifications for an available position, a veteran who qualifies for preference pursuant to Idaho Code § 65-502 or its successor will be employed.

8.9.5. Preference for Promotions from Within

Qualified individuals who are already employees of the City of Ketchum may be given preference for hiring or promotion over outside applicants to fill vacancies in the work force.

8.10. STEP INCREASES FOR PERMANENT EMPLOYEES

8.10.1. Schedule

An employee must have at least one (1) acceptable performance review over a twelve (12) month time period to be considered for a step merit increase.

8.10.2. Disqualification from Merit

An employee with an overall "Below Expectations" rating in any category may be ineligible for a step merit increase, according to the progressive discipline policy (Section 10.3).

8.10.3. Disposition of Lost Merit Increase

Upon a favorable recommendation by the Department Head, an employee is eligible for a two (2) step increase after the employee completes two (2) consecutive favorable performance evaluations over a twenty-four (24) month time period following the year the merit increase was denied.

8.11. PAYROLL FOR SALARIED AND HOURLY EMPLOYEES

Employees are paid on either a salary (monthly) or hourly basis. Payrolls for salaried employees are computed for the calendar month; payrolls for hourly employees are computed for the period commencing on the first day of the month and ending on the last day of the month. The hourly rate is calculated by dividing the employee's annual salary by fifty-two (52) weeks and dividing the resulting amount by forty (40) hours.

Sworn firefighters are subject to the special exception for their profession (FLSA § 207 (k)) which allows establishment of their work period up to nineteen (19) days. Overtime compensation is to be paid for qualifying firefighter's hours beyond one-hundred and forty four (144) in a nineteen (19) day work period. For these special exception employees, payment of overtime compensation will be paid, or authorized compensatory time will accrue, on the paycheck that follows the conclusion of a nineteen (19) day work period by at least one (1) week. Questions about overtime and compensatory time should be directed to your supervisor or the personnel/payroll office.

8.12. WORKING OUT OF CLASSIFICATION PAY

Compensation for working out of classification is provided as monetary recognition to an employee for the assumption and performance of duties normally performed by an employee of higher classification.

The assumption and performance of the duties of the higher classification must encompass the full range of responsibilities of the higher classification. This shall not apply to temporary assignments which are made pursuant to prior mutual agreement between the employee and his or her immediate supervisor for the purpose of providing a training opportunity to the employee, for a mutually agreed upon period of time.

The performance of such duties must be for an extended period of time, wherein a need exists to fulfill the duties and responsibilities of the vacant position. An extended period of time is generally considered as an assumption of duties and responsibilities that will last in an excess of thirty (30) calendar days. Pay will be retroactive to the first day those duties were assumed.

Working out of classification compensation for employees shall be allowed only after written recommendation of the Department Head and concurrence by the City Administrator. For employees who are asked to work out of classification as a Department Head, the City Administrator shall recommend a proposed salary adjustment to the Mayor for approval. Recommendation and designation shall be accomplished prior to the assumption of higher classification responsibilities.

The employee's compensation will be increased to the starting salary of the higher classification in which the employee is substituting, or five percent (5%), whichever is higher.

When the temporary assignment is completed, the employee's salary will be readjusted to its previous level, or the level where it would have attained, including general salary adjustment and step increases, if the out of classification pay had not been made. The employee's date of hire and anniversary date will remain unchanged throughout the temporary assignment.

8.13. REPORTING AND VERIFYING TIME RECORDS

It is the responsibility of each employee to properly record time that he/she has worked during a payroll period. Each time sheet shall bear the signature of the employee with a statement verifying its accuracy and a counter signature by a supervisor indicating that the hours claimed were actually worked. These records shall be retained for at least five (5) years following a pay period or the conclusion of an employee's service. Time will be recorded according to FLSA guidelines.

8.14. PAY PERIODS

Each employee is paid every two (2) weeks, and the regular payday is every other Friday. If payday falls on a holiday, payday will occur on the first business day preceding the holiday.

8.15. METHOD OF PAYMENT

All employees are paid by checks, which are distributed by the Department Head, or by direct deposit.

8.16. WITHHOLDINGS

Mandatory payroll deductions include federal withholding tax, social security, Medicare, state withholding tax, and the employee's participation in PERSI. Withholding for hospitalization coverage for dependents, life insurance, and supplemental insurance will be made when authorized by the employee. In addition, qualified payroll deductions for benefits provided in the Cafeteria Plan authorized by the City Council are permitted.

8.17. GARNISHMENT

Any notice of garnishment will be received and signed for by the City Administrator. Garnishment is defined as a legal stoppage of a specific sum from wages to satisfy a creditor.

- Notice of garnishment will be forwarded immediately to the Payroll Clerk who shall notify the City Clerk and City Administrator.
- The Payroll Clerk will make the necessary deductions from the employee's wages and a check for the garnished amount will be written and forwarded to the Creditor as directed.
- The Payroll Clerk will notify the employee, in writing, that the garnishment has been processed.

8.18. WORK WEEK DEFINED

For employees except emergency service employees (including the communications center), a work week shall be defined as that period commencing at 12:01 a.m. on Saturday and ending at 11:59 p.m. the following Friday. For emergency services employees (including the communications center), a work week shall be defined by the Department Head. For purposes of this paragraph, time worked includes time on the job, vacations hours taken, compensatory hours taken, and holiday hours taken.

8.19. OVERTIME PAY

Except as otherwise provided, all employees not exempt from the provisions of the Federal Fair Labor Standards Act shall be entitled to overtime pay for work performed in excess of forty (40) hours per week at a rate of pay equal to one and one-half (1 ½) times his/her hourly rate. Firefighters shall be entitled to overtime pay for work performed in accordance with the Fair Labor Standards Act. All scheduled overtime must be authorized by the supervisor in advance. Overtime payments shall be made within thirty (30) days after submission to the City Clerk of time sheets documenting and approving such overtime. Time worked is defined to include vacation, holiday and Compensatory time taken during the work week. Sick time used is NOT considered time worked.

8.20. COMPENSATORY TIME

As an alternative to paid overtime, non-exempt employees may receive compensation with time off equal to overtime at one and one-half times (1 ½) the number of hours worked in excess of forty (40) hours per week. Compensatory time must be accumulated and taken in accordance with the limitations and procedures of the Fair Labor Standards Act. Employees can request compensatory time in lieu of overtime with the approval of the Department Head. All compensatory time taken must be approved by the employee's supervisor. Employees may carry over up to forty (40) hours of compensatory time into the following fiscal year.

8.21. SAME DAY OUT OF TOWN TRAVEL

Travel time to and from out of town training or meetings will be considered time worked. As a point of clarification, whenever an employee travels on City business, the employee will be entitled to equal hours of compensation.

8.22. OUT-OF-TOWN OVERNIGHT TRAVEL

For overnight travel, travel time is compensable. Therefore, if an employee will be away from home overnight, the travel should be planned and scheduled (whenever possible) to occur during the employee's normal work hours.

Employees shall use the most practical mode of travel from the standpoint of time and expense. When unusual circumstances preclude adhering to this procedure, Department Heads may allow an exception. Supporting documentation shall be attached to the travel expense voucher. The employee will be entitled to equal hours of compensation for time spent in transit.

Reimbursement for travel by common carrier shall be limited to the lowest cost means of travel unless it is impractical or not available. When for personal reasons a traveler is authorized by the Department Head to use a private conveyance in lieu of common carrier, reimbursement will be limited to an amount for travel, meals, lodging and miscellaneous expenses equal to the amount which would have been incurred had the travel been by common carrier. Authorized travel time shall be limited to that which would have been allowed had the employee traveled by common carrier. Unless the Department Head specifically authorized a leave of absence, excess travel time incurred by the authorized use of a private conveyance for personal reasons during working hours shall be charged to the traveler's accrued leave.

8.23. EXECUTIVE TIME

All employees exempt from the provisions of the Fair Labor Standards Act shall receive executive time equal to overtime worked. Executive time may not be carried over into the following fiscal year. All executive time taken must be approved by the Department Head or City Administrator.

8.24. ON CALL PAY

Non-exempt employees will be compensated for two (2) hours of pay at straight time for a twenty four (24) hour period. On call pay is not considered time worked.

8.25. EMERGENCY CALL BACK PAY

Non-exempt employees are guaranteed a minimum of two (2) hours pay at one and one half (1 ½) times the hourly rate for a call back. Firefighters will continue to receive one (1) hour for a call back at one and one half (1 ½) times the hourly rate. Time worked for employees called back for emergency circumstances will include holidays, vacation time and compensatory time, but not sick time to calculate overtime status.

8.26. CERTIFICATION STIPEND

Determined by the Department Head and approved by the City Administrator.

8.27. PROMOTIONS AND PAY ADJUSTMENTS

A promotion and pay adjustment may take place whenever an employee advances more than one (1) step within a grade or moves from one job classification into another job classification at a higher grade. Promotion shall be based on qualification and experience and upon the recommendation of an employee's supervisor. The City reserves the right to fill any vacancy by promotion, transfer or recruitment. When an employee is so promoted, he/she shall be entitled to the step in the higher grade that represents an increase over the salary range previously received in the lower grade. All promotions and pay adjustments must be submitted on the personnel action form.

8.28. DEMOTIONS

An employee who is demoted for other than disciplinary reasons to a lower salary range than the grade to which he/she was previously assigned shall have his/her salary reduced up to the highest step in the range for the new grade provided such step is less than the previous salary step.

8.29. COURT AND JURY LEAVE

When in connection with an official City duty, or when an employee is directed by proper authority to appear as a witness for the federal government, the State of Idaho, or for a political subdivision thereof, or to attend court in relation to the course and scope of employment, the employee shall not be considered absent from duty and will not require leave for this purpose. In this case, the employee shall not be entitled to receive compensation from the court. Necessary travel expenses (mileage, lodging, meals, and miscellaneous expenses) incurred by an employee in connection with this duty will be reimbursed by his/her respective department.

When an employee is summoned by proper judicial authority to serve on a jury, he/she shall be granted a leave of absence with pay for the time required. In this case, the employee shall be entitled to keep fees and mileage reimbursement paid him by the court in addition to his regular salary. Travel expenses in connection with this duty are not subject to reimbursement.

8.30. ELECTION LEAVE

When requested by the employee, the Department Head may grant an appropriate amount of time without charge against leave time for voting in primary, general, municipal, school, or special elections in those instances where the employee's assigned duties would interfere with his being able to vote.

8.31. BEREAVEMENT LEAVE

At the request of an employee, bereavement leave shall be granted and charged to sick leave upon the death of a spouse, child, parent, brother, sister, step family or second level relative. Except in the case of shift work assigned firefighters, such leave shall be limited to five (5) working days for each funeral. Firefighters shall be limited to nine (9) calendar days. (See Consanguinity Chart – Addendum A)

8.32. MILITARY LEAVE

Paid leave of absence shall be granted for work days missed due to ordered and authorized field training and exercises. During extended deployments in excess of two (2) weeks the City of Ketchum will compensate the employee the difference in salary between his/her military pay and his/her normal salary with the City of Ketchum. The City of Ketchum will continue medical benefits throughout the term of deployment.

The City of Ketchum will comply with the provisions of Idaho Code § 46-224, et seq., or its successor, as those Code provisions govern leaves of absence for military service and Uniformed Services Employment and Reemployment Rights Act of 1994.

8.33. REDUCTION IN FORCE

Employee assignments may be affected by reductions in force due to economic conditions or to changes in staffing and workload. The Ketchum City Council reserves the right to make any changes in work force or assignment of resources that it deems to be in the organization's best interests. Employees are entitled to two (2) weeks notice The Ketchum City Council may also specify at the time reductions in force are made what reinstatement preferences may accompany the reductions. Said reinstatement preferences may be tied to the classification of the employee or to specialized skills possessed by the employee.

8.34. WORKER'S COMPENSATION

Reporting of all worker's compensation injuries will be made according to Idaho Code and Idaho State Fund rules and regulations without limitations. It is the employee's responsibility to complete the proper reporting forms. Salary paid for a period of sick leave resulting from a condition incurred on the job and also covered by worker's compensation shall be equal to the difference between the worker's compensation for lost time and the employee's regular salary rate. In such instances, pro-rated charges will be made against accrued sick leave. The method of computation of an employee's weekly salary shall be forty (40) times the hourly rate for the employee's grade and step. The City will compensate the employee from the date of injury up to five (5) days before worker's compensation kicks in. All on-the-job injuries shall be reported to the Department Head and the City Administrator as soon as practicable to allow filing of worker's compensation claims in the proper manner. In addition, fire, police, and utilities departments may have additional policies.

9. EMPLOYEE BENEFITS

The City of Ketchum offers a number of employee benefits for full-time employees. These benefit offerings are subject to change or termination at the sole discretion of the City Council. Each is subject to the specific terms of its respective insurance policy and/or official resolution of the City Council. The current list of benefits can be obtained at any time from the City Clerk.

9.1. VACATION LEAVE

The importance of vacation leave for physical and mental well being of employees has long been recognized. Vacations provide relief from the pressures and tensions of everyday work. Accordingly, vacations are to be encouraged in sufficient duration to accomplish this end. Department Heads are responsible for scheduling and mandating operational and budgeting goals.

9.1.1. Earning and Accrual

The Payroll Clerk shall maintain accurate records showing each employee's accrued vacation leave current at the end of each month, including any unused leave an employee transferred from another department.

An employee shall have been continuously employed for at least six (6) months before being eligible to take earned vacation leave. Supervisor shall permit each employee to take vacation leave at least to the extent such leave has accrued during each twelve (12) months of said employee's service.

The rate at which vacation leave for all employees is earned, except shift work assigned firefighters is as follows:

- Eight (8) hours for each full month of service during the first five (5) years of continuous employment; 1 to 5 years=12 days
- Ten (10) hours for each full month during the next five (5) years of continuous employment; 6 to 10 years=15 days
- Twelve (12) hours for each full month during the third consecutive five (5) years of continuous employment; 11 to 15 years=18 days
- Fourteen (14) hours for each full month of continuous employment; 16 to 20 years=21 days
- Sixteen (16) hours for each full month of continuous employment for: 21 to 25 years=24 days
- Eighteen (18) hours for each full month of continuous employment thereafter. Greater than 25 years=27 days

The Rate at which vacation leave for assigned firefighters shall accrue is as follows:

- Ten (10) hours for each full month of service during the first five (5) years of continuous employment; 1 to 5 years =5 - 24 hour shifts.
- Fourteen (14) hours for each full month of service during the next five (5) years of continuous employment; 6 to 10 years= 7 - 24 hour shifts.
- Sixteen (16) hours for each full month of service during the third consecutive five (5) years of continuous employment; 11-15 years = 8 – 24 hour shifts.
- Twenty (20) hours for each full month of service during the fourth consecutive five (5) years of continuous employment; 16-20 years = 10 – 24 hour shifts.
- Twenty-two (22) hours for each full month of service during the fifth consecutive five (5) years of continuous employment: 21-25 years = 11 – 24 hour shifts.
- Twenty- six (26) hours for each full month of continuous employment thereafter:

  Greater than 25 years = 13 – 24 hour shifts.

9.1.2. Maximum Accrual

The maximum accrual is as follows:

Monthly Accrual (Hours)	Maximum Accrual
8	240
10	260
12	280
14+	300

9.1.3. Past Service Calculation

For purposes of leave accrual, all past service of employees shall be included in ascertaining the number of years and months of employment of such employees, provided that such service is continuous with no separation longer than six (6) months, or for military service in the armed forces, or on written approved leave of absence or under conditions of reinstatement.

9.1.4. Maximum Vacation Accrual – No Exceptions

There are no exceptions to the maximum vacation accrual schedule.

9.1.5. Vacation Pay-out

Employees with excess vacation hours at the end of the fiscal year will be paid in cash or paid into a qualified deferred compensation program for those hours at the rate of pay in effect on September 30 to coincide with the last day of the fiscal year.

9.1.6. General Conditions

Application for vacation leave must be made in advance and may be used only when approved by the supervisor, who shall designate such time or times when it will least interfere with the efficient operation of the agency, taking into consideration the vacation preference of the employee.

Vacation leave shall not accrue to any employee on leave without pay, suspension, layoff, or educational leave.

Upon separation from employment, after six (6) months' continuous service, all employees shall receive a lump-sum payment for earned, but unused vacation leave and holiday leave at the hourly rate of pay for the employee's grade and step. Non-exempt employees also receive a lump sum payment for unused compensatory time. Where possible, such payment, in addition to the regular salary payment, shall be made to the employee on the regular payroll immediately following the employee's termination. In the event of an employee's death, payment for accrued vacation leave shall be made to his or her estate.

Regularly scheduled days off and officially designated holidays falling within a period of vacation leave shall not be counted against vacation leave.

Employees who are separated from service prior to completing six (6) months' continuous service shall not be entitled to any vacation leave benefits or compensation as provided under these rules and regulations. Any leave accrued during such a period of employment shall be forfeited.

For purposes of determining the rate of vacation leave accrual for employees who work nine (9) or more months in a year and are placed on leave of absence without pay for the remaining months of the year, total service, including both time worked and time served in leave without pay status, shall be credited as though the employee worked the entire year.

9.2. SICK LEAVE

9.2.1. Earning and Accrual

Sick leave for all employees, except shift work assigned firefighters, shall accrue at the rate of nine (9) hours for each full month of service. Sick leave shall accrue without limit.

Sick leave for shift work assigned firefighters shall accrue at the rate of thirteen (13) hours for each full month of service. Sick leave shall accrue without limit.

Sick leave shall not accrue during leave of absence without pay, suspension, layoff, or educational leave.

An employee who is transferred from one department to another shall be credited by the receiving department with the amount of sick leave accrued at time of transfer. The amount of such accrued leave shall be shown on the transaction documents affecting the transfer.

All sick leave shall be forfeited at the time of separation from service, and no employee shall be reimbursed for accrued sick leave at the time of separation; however, if the employee is reinstated to service within ninety (90) days after the date of separation, all sick leave credits accrued at the time of separation shall also be reinstated.

Notwithstanding the above, employees with a minimum of ten (10) years of service qualify for a payment for a portion of their accumulated sick leave at the time of separation. This payment is computed as follows:

- Retirement after ten (10) years of continuous employment:
  - Cap of 1,080 hours or fifty (50) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after fifteen (15) years of continuous employment:
  - Cap of 1,620 hours or seventy-five (75) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after twenty (20) years of continuous employment:
  - Cap of 2,200 hours or 100 (100) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.

At the election of the employee this payment can be either:

- A cash payment to the employee, or
- Used to pay for a continuation of the City's Medical/Dental Insurance coverage for that employee and/or his/her family as proscribed by COBRA, or
- Used to pay the premiums for some other Medical Insurance Plan for which that employee and /or his/her family qualify.

The City Clerk shall maintain accurate records showing each employee's accrued sick leave current at the end of each month, including any unused leave for employees transferred from other departments.

9.2.2. General Conditions

Sick leave shall be used only in cases of actual sickness or disability or other medical and health reasons, including appointments, necessitating the employee's absence from work, or in situations where the employee's personal attendance is required or desirable because of actual sickness, disability, or death in the immediate family. (See Consanguinity Chart – Addendum A) With Department Head's recommendation and prior approval by the City Administrator, vacation leave may be used in lieu of sick leave.

An employee must have worked one (1) full month before being eligible to take sick leave. Sick leave shall not be taken in advance of being earned. If all sick leave and vacation leave is used, the employee may be granted leave with pay by the Mayor and City Council.

Sick leave shall be taken on a workday basis. Regularly scheduled days off and official designated holidays falling within a period of sick leave shall not be counted against sick leave.

The Department Head may require verification by a physician or other authorized practitioner.

It is the responsibility of the employee to notify his or her Department Head immediately in the event of sickness, which prevents his reporting for duty.

9.3. HOLIDAYS

The following are Holidays legally recognized by the City

January 1	(New Year's Day)
Third Monday in January	(Martin Luther Kings' Birthday)
Third Monday in February	(President's Day)
Last Monday in May	(Memorial Day)
July 4	(Independence Day)
First Monday in September	(Labor Day)
November 11	(Veteran's Day)
Fourth Thursday in November	(Thanksgiving)
Fourth Friday in November	(Day After Thanksgiving)
December 24	(Christmas Eve)
December 25	(Christmas Day)

In the event that a holiday occurs on a normal or usual day off of an employee, the employee shall be granted compensatory time. In the event the holiday occurs on a Saturday, the preceding Friday shall be granted; if it falls on a Sunday, the following Monday shall be granted. Police officers, fire fighters, utility workers, street workers and park workers who must staff shifts regardless of holidays, shall be entitled to compensatory time off equal to holiday time. Holiday time off up to forty (40) hours may be carried over into the following fiscal year.

9.4. OTHER DISABILITY LEAVE

Disabilities not related to pregnancies, which are temporary in nature, shall be subject to the conditions and requirements provided for sick leave under section 9.2.2. of these rules. The employee may be required to provide reasonable verification of his or her disability. If the disability extends beyond all available sick leave, vacation leave and compensatory leave, the employee may be granted uncompensated administrative leave. If the employee's disability qualifies for long term disability under the City's insurance policy, that individual may be granted administrative leave pursuant to the above provisions or pursuant to the following Section 5, "Administrative Leave," and shall be available for a one (1) time benefit of up to $2,000 to be used for family legal planning.

9.5. ADMINISTRATIVE LEAVE

An employee holding a full-time position may be granted administrative leave by the Mayor with or without pay. Administrative leave shall be granted for a maximum of one (1) year and only when the City will materially benefit as a result of the leave. All requests for administrative leave shall be considered on a case-by-case basis. In recognition of the benefit to the City of long-term employees, each employee shall accrue one (1) week of paid administrative leave for each year he/she has held a full-time position. In the event an employee qualifies for long-term disability under the City's insurance policy, the employee may use any or all of the accrued paid administrative leave during the time that the disability continues.

9.6. LEAVE OF ABSENCE WITHOUT PAY

An employee may, at the discretion of the Mayor, be granted leave without pay for a specified length of time when such leave would not have an adverse effect upon the City. The request for leave of absence without pay must be in writing and must establish reasonable justification for the approval of the request. The Mayor approving the leave of absence without pay assumes full responsibility for providing for the employee's return to the same position or to one comparable in terms of pay, status, and responsibilities.

9.7. FMLA – FAMILY AND MEDICAL LEAVE ACT

Employees of the City of Ketchum may have rights for twelve (12) weeks of leave under the provisions of the Family and Medical Leave Act of 1993 if they meet the following eligibility requirements, from the Code of Federal Regulations (CFR) section 825.110. "An eligible employee" is an employee of a covered employer who:

- Has been employed by the employer for at least twelve (12) months, and
- Has been employed for at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave, and
- Is employed at a work site where fifty (50) or more employees are employed by the employer within seventy five (75) miles of that work site.
- The twelve (12) month period will be measured forward from the date of any employee's first FMLA leave.

Employees who work for an employer who employs less than fifty (50) employees within seventy five (75) miles of that work site are not eligible for FMLA leave.

If an employee meets these eligibility requirements he/she may request up to twelve (12) weeks of leave where the City of Ketchum will continue the employee's benefits (employer portion only) during the leave period. If the employee does not return to work for reasons other than his/her own continued serious health condition or that of an eligible family member, the City of Ketchum may recover from the employee the premium(s) that were paid for the employee's medical coverage.

Employees are required to use any accrued paid vacation and sick leave before utilizing leave without pay under this FMLA policy. If paid leave accruals are less than twelve (12) weeks, the employee may take the remainder of FMLA leave as unpaid leave. Employees will continue to accrue leave while utilizing their paid sick and vacation leave. They will cease to accrue vacation and sick leave during the unpaid portion of their leave.

Employees are required to give thirty (30) days advance notice or as much time as practical when the need for FMLA leave is foreseeable. The City of Ketchum reserves the right to request medical certification supporting any leave and may require second or third opinions (at the City of Ketchum's expense). The City of Ketchum may also require a doctor's fitness for duty report prior to your returning to work. Leave may be denied if these requirements are not met.

The decision to allow an employee to return to work will be solely the City of Ketchum's, in compliance with the provisions of the Family and Medical Leave Act. If the leave is related to the individual employee's health, the City of Ketchum may also require a doctor's fitness for duty report prior to returning to work.

Contact the City Administrator to discuss your rights and obligations for continuation of any current benefits you are receiving. Employees must make arrangements for payment of their portion of their benefit costs or discontinuation of those benefits will occur.

FMLA leave may be taken intermittently or on a reduced leave schedule in the circumstance of birth or placement of, a child for adoption or foster care, care for a sick family member, or for an employees own serious health condition with prior written approval from the City Administrator when "medically necessary."

Total FMLA leave for spouses both employed by the City of Ketchum is twelve (12) weeks each. Examples where employees of the City of Ketchum are entitled to leave under FMLA include:

- To care for a child following a birth or placement of a child with the employee for adoption or foster care.
- To care for a sick child, spouse or parent who has a "serious health condition."
- If the employee him/herself is unable to perform his or her own work responsibilities because of his/her own serious health condition.

To request FMLA leave please write a brief letter or memo to the City Administrator indicating the reason for requesting FMLA leave and the expected duration of leave. Note: Your supervisor or administrator may request that you provide certification by your physician or medical practitioner indicating the diagnosis and probable duration of your medical condition, or the medical condition of your family member.

The City of Ketchum will return the employee to the same or an equivalent position after returning from FMLA leave, subject to the terms of the Family and Medical Leave Act. The only exception may be for individuals who, under the provisions of the FMLA are considered to be a "key employee" whose extended absence would cause "substantial and grievous economic injury."

The City of Ketchum reserves the right to require periodic notices (determined by the City of Ketchum) of you or your family member's status and your intent to return to work.

The City of Ketchum reserves the right to designate any leave request as covered or not covered in compliance with the provisions of the Family and Medical Leave Act.

A Department Head will consult with the City Administrator in the event the employee is absent from work more than a calendar week and will determine whether an FMLA notification is necessary.

If you have any questions about your rights under FMLA please contact the City Administrator.

9.8. TRAINING AND DEVELOPMENT

Training includes all activities designed to develop and maintain job-related knowledge and skills of City of Ketchum employees. The program is divided into three parts:

- Training: This is a process to gain the skills and knowledge required to perform a job. It can take a variety of forms including, but not limited to: formal classroom training, on the job training, and computer-assisted training.
- Professional Development: This is a process of identifying future career goals and obtaining the knowledge and skills to meet those goals. This can lead to the certification of an employee, e.g. paramedic license, police academy, water & wastewater operators license.
- Tuition Reimbursement program: This is a program at the City whereby employees may take college courses and be reimbursed for tuition.

The City Administrator will budget funds for City-wide training programs. Costs for instructional fees, lodging, meals and travel will be paid by the City for approved training activities. Employees assigned to mandatory training activities will be paid at the regular rate or overtime rate, whichever is appropriate. Employees will receive no compensation for time spent outside regular work hours participating in voluntary training activities for which they receive tuition reimbursement.

Individual departments are responsible for budgeting funds for training specific to their department. Some examples of departmental budget costs include; on – the – job training, tuition reimbursement, conference attendance, and other scheduled department trainings.

Tuition reimbursement for college courses is guided by the following:

- Courses must directly relate to the employee's present or potential promotional assignment within the City.
- Department must have sufficient budgetary resources prior to approval. Absence of budgeted funds is reason for denial of request.
- The City shall reimburse for tuition expenses only. The reimbursement rate shall not exceed public institution charges for undergraduate courses. If graduate fees are charged, the City will reimburse at the undergraduate rate.
- To participate in the City's tuition reimbursement program, an employee must submit a request to his/her supervisor and obtain approval from the Department Head prior to enrolling in the course.
- Tuition reimbursement may be requested for only one (1) course during any one quarter.
- The employee receiving reimbursement from any other source will be considered for City reimbursement for the portion not covered.

- The employee must submit evidence of satisfactory completion of the course, a grade of "B" or better (or "pass" in the case of pass/fail class).
- The employee shall refund the City a proportional amount of the course if the employee terminates employment or is terminated for cause within two (2) calendar years of completion of the course. To determine the prorated amount, the cost of the course will be divided by twenty-four (24) months and the employee will be responsible for repaying the cost of the course less the prorated amounts for the months worked since completion of the course.

All employees who pursue professional certification (i.e. paramedic licenses, Police Academy, Water & Wastewater Operator's License, etc.) and who participate in the tuition reimbursement program, at the City's Expense, will be required to accept the following reimbursement schedule if the employee voluntarily leaves employment with the City of Ketchum.

Date of Separation	% of Reimbursement
Up to 12 months from receiving assistance	100%
12-18 months from receiving assistance	50%
18-24 months from receiving assistance	25 %

By signing the reimbursement agreement with the City of Ketchum, the employee is authorizing the City to withhold funds from the final paycheck.

9.9. REDUCTION IN BENEFITS

The City of Ketchum through its City Council, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires.

9.10. CLASSIFICATION OF EMPLOYEES FOR BENEFITS

Employees shall receive benefits in the following manner

9.10.1. Regular Full Time Employee

Full time employees shall receive all employee benefits provided by the City of Ketchum as such benefits now exist or may be subsequently changed.

9.10.2. Part Time Regular Employees

These are employees whose typical work schedule calls for at least twenty (20) hours, of scheduled work each week. Part-time regular employees may receive reduced employee benefits in accordance with policies adopted by the City Council. The scope of these benefits may vary proportionately with the number of hours typically scheduled for a part-time regular employee. The number of hours scheduled may also affect the employee's obligation to participate in certain mandatory state benefit programs. Certain benefits may not be available. According to PERSI Eligibility Rules, an employee working twenty (20) hours or more per week who is hired with the expectation of working less than five (5) consecutive months, becomes retroactively eligible for membership whenever it becomes evident the period of employment will be five (5) consecutive months or longer and the employee meets the other requirements of Section 59-1302(14), Idaho Code.

9.10.3. Casual/Seasonal Employees

These are employees who provide services on an irregular or temporary basis or whose scheduled hours of employment for the city are fewer than forty (40) hours each week are classified as casual/seasonal employees. Casual/seasonal employees will receive no benefits provided to regular employees, except those required by law and those provided by express written authorization of the City Council. According to Idaho Code §59-1302, (14) (B)(g) a person occupying a position that does not exceed eight (8) consecutive months in a calendar year with a city or county when the city or county has certified, in writing to the system, the position is (i) seasonal or casual; and (ii) affected by weather and the growing season, including parks and golf course positions. (Idaho Code §59-1302(14)(B)(9)).

9.11. INSURANCE COVERAGE AVAILABLE TO EMPLOYEES

The City of Ketchum provides comprehensive health and dental insurance to employees, offers family coverage at the employee's option, and provides long term disability to the employee only. Insurance coverage begins on the first day of the month following the month in which an employee's first paycheck is issued. All coverage is subject to policy terms and to change at any time. Continued health coverage is available to former employees at their own cost pursuant to federal law (COBRA). Information may be obtained from the payroll clerk.

Limited life insurance coverage and limited disability programs are available to full-time and part-time regular employees. The terms of these programs are contained in booklets and administrative policies available for inspection in the City Clerk's Office. Worker's compensation insurance covering job-related injuries is provided for all employees. Questions about worker's compensation issues should be directed to the City Administrator.

9.12. RETIREMENT

City Employees will participate in the State of Idaho Public Employee Retirement System (PERSI). All rules and procedures regarding retirement will be determined by PERSI. Employees who are within three (3) to five (5) years of retirement are encouraged to contact PERSI for information and assistance in planning for retirement.

9.13. LAYOFFS

A department head, with the concurrence of the City Administrator and Mayor, or the Mayor after having been requested to do so by the City Council, may lay off employees due to organizational changes, contracting for service with private or other public entities, lack of funds or curtailment of work. When layoffs are required, they shall be based on seniority within a classification within the effected department and the ability to perform the work. However, no regular employee in a classification will be laid off while there are temporary or hourly employees in that department performing similar duties in the same classification. The City will make every effort to give employees reasonable notice of intent to lay off.

9.14. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Ketchum is committed to assisting any employees with any problem affecting their life at work or at home. The EAP is a benefit which provides professional, confidential counseling for personal problems. The City will contract with a qualified provider for these services. Employees will receive information about the provider and how to make contact. The EAP is intended to assist employees with a variety of personal problems, including, but not limed to: alcohol/drugs, emotional issues, relationship problems, behavioral problems, parenting and children issues, stress, job related issues, anger management, adjusting to change, etc.

9.15. OUTSIDE EMPLOYMENT

Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in the City's opinion, with the best interests of the City or interfere with the employee's ability to perform the assigned City job. This policy excludes City of Ketchum paid-on call firefighters. Examples include, but are not limited to, outside employment which:

- Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job.
- Is conducted during the employee's work hours.
- Utilizes City telephones, computers, supplies, or any other resources, facilities, or equipment;
- Is employment with a firm which has contracts with or does business with the City.
- May reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

An employee who chooses to have an additional job, contractual commitment or self - employment, may do so provided the employee obtains prior approval from the Department Head.

9.16. SPECIAL LICENSES AND MEMBERSHIP FEES

The City will pay an annual lump sum payment equal to the current annual dues on fees to each employee who is required by contract, ordinance, or state and federal law to be a member of a professional organization, or who must maintain current a particular certification or license as a condition of employment. Payment will be made upon approval by the Department Head.

Employees who belong to professional organizations that promote individual professional growth, competence and effectiveness in functioning as City employees will be allowed time off with pay to attend local, state and national meetings as subject to the approval by the Department Head and budgetary limitations. Membership in outside organizations shall be in the name of the City, if possible.

9.17. SERVICE AWARDS

The Mayor, City Council and City Administrator demonstrate appreciation to employees who have completed landmark years of service by presenting them with a service award. All employees who have completed five (5) years of service as of December 31 receive a gift . Employees completing ten (10) years of service as of December 31st, and every five (5) years thereafter, receive a service award.

9.18. EMPLOYEE SUGGESTION AND AWARD PROGRAM

The purpose of The Employee Suggestion and Award Program is to reward City employees for their positive efforts in the form of suggestions to reduce City expenditures, to increase productivity and efficiency, and to improve departmental service and operation.

The Employee Suggestion and Awards program shall not be subject to any grievance or appeal procedure. The rewards provided in this program are not a right of the employee, rather a benefit granted by the City of Ketchum to its' employees and may be altered or discontinued by the City without notice.

9.18.1. Objective

The objectives of the employee suggestion program are:

- To improve service to the citizens of the City of Ketchum.
- To stimulate and reward employees for initiative and creative thinking that leads to a reduction in operating costs.
- To provide a means for recognizing individual ideas and contribution to the City government.
- To provide an opportunity to simplify work methods and operation and to improve services, safety and health.

9.18.2. Suggestion and Award Committee

The Management Team (MT) shall review all suggestions and designate awards for all acceptable suggestions made under the Suggestion and Award Program. The MT's function will be to evaluate all suggestions submitted fairly and objectively by using the general criteria established for this program. The MT committee shall also designate the award to be given for all acceptable suggestions worthy of adoption.

9.18.3. Criteria for Evaluating Suggestions

To be eligible for an award, each suggestion must meet one or more of the following criteria:

- Affect a savings in material, supplies or labor.
- Introduce a new or improved method, equipment or procedure.
- Eliminate unnecessary or redundant methods, procedures or equipment.

Ideas that would not be eligible for award include but are not limited to those:

- Where the cost exceeds the benefit.
- Where the present methods, practices, equipment and materials are more satisfactory than what is proposed.
- Where the idea concerns subjects relating to wages, working conditions, number of employees, or other items subject to any collective bargaining or to City personnel and safety policies or employee benefit plans.
- Where the idea relates to a request for supplies and services that is normally available upon request. For example: additional lights, telephone extensions, construction or routine signs, available tools, and normal maintenance and repairs.

- Where the ideas are in forms of complaints, criticisms or the simple statement of a problem without a constructive solution.
- Where the ideas outline conditions or changes already receiving management attention.
- Where a similar idea that was made by another employee at an earlier date accomplishes the same result.
- Where the idea was placed on trial and was not accepted.
- Where the idea, in the opinion of the MT Committee, has the potential to contribute towards violations of state or federal environmental laws.

9.18.4. Awards

The Management Team shall determine the exact amount of the award for any suggestion judged to be acceptable. Generally, the cash award will not exceed 10% for suggestions with one-time savings and 15% for suggestions with recurring savings, with no award to exceed a total of $500.

In determining the amount of the award, the committee shall consider the significance and extent of the suggestion's applicability to other city departments. Those with general application to all or most city departments shall receive the maximum award. The minimum cash award shall be $25. In the case of intangible suggestions, when the value cannot be measured in actual dollar savings, the committee shall determine the amount of the award that shall not exceed $100.

At the discretion of the City Administrator, cash awards will normally be funded out of the budget of the department that will receive the benefit. If more than one department will benefit from a suggestion, the cash award will be funded from all affected departments on a *pro-rata* basis or from other budgetary source.

9.18.5. Patents

If an employee obtains a patent for a suggestion for which he/she has received a monetary reward, all benefits from the patent shall accrue to the employee. However, the City shall be entitled to use the patented idea, feature, device, product, apparatus, or design without charge.

9.18.6. Submitting a Suggestion

On the Employee Suggestion form that may be obtained from your Department Head or City Clerk complete the following information:

- Describe your suggestion as it currently exists. Proved specific information such as methods involved, function, location, time element, present cost, etc. Explain in detail why the current method is a problem.
- Describe the changes in the current method that are necessary to make your idea workable. Most important, describe how your idea can be put into practice and what is expected to accomplish. Include if possible, an estimate of any costs involved and any illustrations, photographs, or diagrams.
- Finally, describe how the City will benefit from implementation of your idea. Include, if possible, dollar savings, amount of time saved through efficient work methods, etc.
- Send the completed form along with any attachments to the City Administrator.

9.19. MISCELLANEOUS BENEFITS

In addition to the benefits listed on the previous pages, the following miscellaneous benefits are available to full-time regular employees:

The City of Ketchum offers the following miscellaneous benefits to its employees in accordance with the terms of specific resolutions approving any such programs, and in accordance with the policies or other documents which establish the programs. The following programs are offered at the time of this personnel policy manual's adoption. They are subject to change at the City Council's sole discretion at any time.

- Deferred compensation plans handled by payroll deduction.
- Credit union participation.
- Employee-requested deduction programs subject to entity policy.
- Membership to an Air Ambulance for City Employees and immediate family.

10. EMPLOYEE DISCIPLINE PROCEDURES AND PRINCIPLES

10.1. PURPOSE OF DISCIPLINE POLICY

The purpose underlying the discipline policy of the City of Ketchum is to establish a consistent procedure for maintaining suitable behavior and a productive working environment in the workplace. These procedures are directory in nature and minor variations of the processes set forth herein shall not affect the validity of any actions taken pursuant to this policy.

10.2. DISCIPLINARY SYSTEM FRAMEWORK

The City of Ketchum adopts the following framework for actions to be taken in the event that employment policies are violated by any employee subject to this manual. Progressive steps may be implemented in order to invoke disincentives to policy violations. The City of Ketchum reserves the right to take any of the prescribed steps in any order in the event that a supervisor deems a policy violation or action of the employee to be serious enough to warrant a certain step. Such steps shall be documented in the record of the disciplinary action. Progressive discipline shall be applied only where the supervisor believes that the potential for improvement and correcting the behavior is possible.

10.3. HIERARCHY OF DISCIPLINARY ACTIONS AVAILABLE

The following actions are among the progressive disciplinary steps that can be taken by the supervisor in response to personnel policy violations:

- Oral warning.
- Written warning or reprimand.
- Suspension with or without pay, denial of merit increases.
- Disciplinary probation.
- Dismissal.

10.4. DISCIPLINARY HEARING PROCESS

The personnel policy of the City of Ketchum establishes the right to a hearing only in the event of a suspension with or without pay, denial of merit increase, disciplinary probation or dismissal. If such hearing is waived in writing by the employee, then the Department Head and City Administrator will determine the course of action. If this hearing is not waived it shall include at a minimum, the following:

- The employee shall be provided notice of the charges against him/her and the time the hearing is to be conducted.
- The employee shall be heard before one or more members of the management team as selected by the City Administrator. The oral hearing shall last no longer than two (2) hours, unless otherwise approved by the department supervisor.
- There shall be a record maintained, including an audio recording of the hearing.
- The employee shall have a right to an explanation of the conduct complained of.
- The employee shall have an opportunity to be represented by legal counsel at his/her own expense and may consult with such attorney during the hearing; however, the employee, not the attorney, must answer all questions directed at the employee.
- The employee shall be provided an opportunity to present evidence and to rebut the information upon which his/her charged misconduct or inadequate performance is based.

The Department Head will then make a determination as to the charges and recommend discipline to the Mayor, if warranted. The Mayor's decision shall be in writing and shall set forth the reasons for the personnel action.

10.5. APPEALS OF DISCIPLINE

In the event that a City employee disagrees in good faith with any finding or descipline made in the Disciplinary Hearing Process set forth in section 10.4 above, such employee shall have the right to appeal such finding or decision as follows:

- Within fourteen (14) calendar days of receipt of the Mayor's written decision, the Employee shall deliver to the City Administrator a request in writing to appeal such decision. Such written request shall state the basis for the appeal in clear, concise terms. Failure to deliver such request to the City Administrator in writing within the time allowed shall constitute a waiver and the employee shall have no right to appeal the decision.
- Appeals will be heard and decided by an Administrative Hearing Officer. The Mayor shall recommend a list of three (3) qualified people to serve as Administrative Hearing Officers to the City Council for confirmation. The Mayor shall select, from among the names on this list, the Administrative Hearing Officer for each appeal. The list of Administrative Hearing Officers shall be confirmed annually by the City Council.
- Upon receipt of the request for appeal, the City shall, within a reasonable time, notify the employee in writing of the time and place that the Administrative Hearing Officer shall hear the appeal.
- Both the City and the employee may submit written arguments to the Administrative Hearing Officer at any time prior to one (1) week before the hearing and shall contemporaneously deliver complete copies thereof to the other party.
- There shall be a record maintained, including an audio tape recording of the hearing.

- The employee shall have an opportunity to be represented by legal counsel at his/her own expense and may consult with such attorney during the hearing; however, the employee, not the attorney, must answer all question directed at the employee.
- The employee shall be provided an opportunity to present evidence and to rebut the information upon which his/her charged misconduct or inadequate performance is based.
- The Administrative Hearing officer shall make a written decision within two (2) weeks of the hearing and such decision shall be final and binding.

10.6. REMOVAL OF STATUTORY EMPLOYEES

As defined in section 7.2.1, statutory employees may be removed (1) by the Mayor for cause, but such removal shall be by and with the affirmative vote of one-half (1/2) plus one (1) of the members of the full City Council, after notice and opportunity for a hearing as provided below; or, (2) by the unanimous vote, the City Council may upon their own initiative, remove for cause any statutory employee, after notice and opportunity for a hearing as provided below:

- The statutory employee shall be provided notice of all charges against him/her and the time the hearing is to be conducted.
- There shall be a record maintained, including an audio recording of the hearing.
- The employee shall have a right to an explanation of the conduct complained of.
- The employee shall have an opportunity to be represented by legal counsel at his/her own expense.

10.7. NOTICE OF TERMINATION FOR STATUTORY EMPLOYEES

Statutory employees shall be entitled to a thirty (30) day written notice of termination.

11. SEPARATION FROM EMPLOYMENT

11.1. REDUCTIONS IN FORCE (RIF)

When financial circumstances or changes of workload require, the City of Ketchum reserves the right to reduce forces in such manner as it deems necessary to maintain the effective functioning of the City of Ketchum services. Decisions about the functions to be reduced are not subject to the appeal procedure established by the City of Ketchum. The City will give two (2) weeks notice whenever possible.

11.2. REINSTATEMENT PREFERENCE

Employees who leave the City of Ketchum employment due to a reduction in force shall retain a first right to return in the event of work force rebuilding for one (1) year from the date of their separation. Employees shall retain a preference only for work for which they are fully qualified and for which available service requirements can be met.

11.3. RETIREMENT POLICY

The retirement policy of the City of Ketchum shall comply in all respects with federal and state requirements respecting mandatory retirement and the obligations established by the Public Employee's Retirement System of Idaho (PERSI). No employee shall be compelled to retire except in compliance with said acts.

11.4. COBRA BENEFITS

Employees of the City of Ketchum who currently receive medical benefits, who separate their employment may be eligible to continue those medical benefits at the employee's sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). If you have any questions regarding your right to continue your health coverage after separating from the City of Ketchum, please contact the Payroll Clerk.

11.5. EXIT INTERVIEW

Each full time employee who terminates employment with the City of Ketchum is encouraged to participate in an exit interview with the City Administrator. The employer shall notify the employee when certain benefits will terminate, when final pay will be issued and review the process to receive COBRA. The employee may inform the interviewer about his/her impressions of employment. An employee exit form may be completed at this point and will be retained in the employee's personnel file.

11.6. RESIGNATION POLICY

Voluntary resignations will only be accepted if made in writing. Any oral resignations will be treated as leave without approval, unless authorized by the Department Head. Written voluntary resignation will be considered binding upon delivery to the Department Head. Under leave without approval an employee may be terminated for reasons to include, but not limited to, "job abandonment" after three (3) days of leave that has not received prior written approval. If the employee wants his/her formal records to indicate "voluntary resignation", he/she must do so in writing fourteen (14) days in advance to his/her supervisor or the administrator. The fourteen (14) days can be waived at the discretion of the Department Head with the consent of the City Administrator.

11.7. ABANDONMENT

Employees who have an unexcused or unauthorized absence of three (3) working days or more may be terminated for job abandonment.

12. EMPLOYEE PERSONNEL FILES

12.1. PERSONNEL RECORDS

The official employee records for the City of Ketchum will be kept secure in the office of the City Clerk. The City Clerk shall maintain a log of all employees. Within these personnel files will be kept all records of payroll, employee performance evaluation, employee status, and other relevant materials related to the employee's service with the City of Ketchum. Any Department Head or the employee may contribute materials to the personnel files deemed relevant to the employee's performance and tenure. Each employee shall have the right to review materials prior to being placed in his or her

personnel file. Copies of materials in an individual's personnel file are available to current employees without charge. Personnel files shall not be removed from the premises. All personnel records will be maintained according to applicable State and Federal laws. Employees are encouraged to review their files annually.

12.2. ACCESS TO PERSONNEL FILES

It is the policy of the City of Ketchum to allow limited access to the personnel file for any employee. Those authorized to access a personnel file include the employee's supervisor, Department Head, the City Administrator, City Attorney ,City Clerk, and the Mayor. Information regarding personnel matters will only be provided to outside parties with a release from the employee, or in other circumstances where release is deemed appropriate or necessary by the City Administrator in consultation with the City Attorney. The City shall maintain a log of all access to the personnel files.

12.3. MANAGEMENT OF INFORMATION IN PERSONNEL FILES

Each employee shall be provided an opportunity to contest the contents of a personnel file at any time. This is to be done by filing of a written objection and explanation which will be included in the file along with the objectionable material. In the judgment of the Department Head and the City Administrator in consultation with the City Attorney, any offending material may be removed upon a showing by the employee that it is unsubstantiated, inaccurate or misleading. Personnel files are the property of the City and can be accessed only by current employees.

12.4. MANAGEMENT OF MEDICAL FILES

Employee medical records will be kept in the office of the City Clerk and shall not be removed from the premises. Those authorized to access a medical file shall be the sole judgment of the City Administrator in consultation with the City Attorney. Information regarding medical files will only be provided to outside parties with a release from the employee or in other circumstances where release is deemed appropriate or necessary by the City Administrator in consultation with the City Attorney. All medical records will be maintained according to HIPPA, and other applicable state and federal law.

APPENDIX

13.5. ADDENDUM A - CONSANGUINITY CHART

			4 GREAT GREAT GRANDPARENT
		4 GREAT GRAND UNCLE/AUNT	3 GREAT GRANDPARENT
	3 CHILD OF GREAT UNCLE/AUNT	3 GREAT UNCLE/AUNT	2 GRANDPARENT
	2 COUSIN	2 AUNT/UNCLE	1 PARENT
3 SECOND COUSIN	2 NEPHEW/NIECE	1 SIBLING	1 PERSON "A"
3 COUSIN'S CHILD			1 CHILD
3 GRAND NEPHEW/NIECE			2 GRANDCHILD
			3 GREAT GRANDCHILD

13.6. ACKNOWLEDGEMENT OF RECIEPT OF PERSONNEL MANUAL

ACKNOWLEDGMENT OF RECEIPT OF NEW CITY OF KETCHUM PERSONNEL POLICY MANUAL

I, _____acknowledge receipt of the new City of Ketchum Personnel Handbook.

[ ] I understand that I have fifteen (15) days to read and review this document and that I may provide input to the City of Ketchum on the same.

[ ] I understand that this manual is not a contract and cannot create a contract.

[ ] I understand that I am obligated to perform my duties of employment in conformance with the provisions of the new City of Ketchum Personnel Handbook and any additional rules, regulations, policies or procedures imposed by the department in which I work whether or not I choose to read the new Handbook.

DATED this _____ day of _____, 20__.

_____
City of Ketchum Employee

I, _____, provided a copy of the new City of
(Name-Title-Department)

Ketchum Personnel Handbook to_____, this ____day of _____, 20__.

_____
(Name - Title - Department)