Title: Resolution 25-2020: A Resolution Amending the Employee Handbook

Disposition: Discussion and possible action

Staff Presenter: Dani Guerrero, HR Director

Attachment(s):
   - Amended Employee Handbook

Recommended Motion:
I move to adopt the “Resolution 25-2020 Approving the Amended Employee Handbook”

Background/Summary:

The Employee Handbook has been restructured to be more user friendly and comprehensive. The Employee Handbook was last updated December 2016.

This revision has 16 major changes:

1. **Meal Per Diem** – Clarifies rates.
   
   The daily meal per diem is as follows:
   
   a. Travel requiring less than eight hours - $13.00
   b. Travel requiring eight to twelve hours - $30.00
   c. Travel requiring more than twelve hours - $50.00

2. **Compensatory Time** – Establishes an annual cap.

   As allowed by federal and state law, employees may use compensatory hours in lieu of overtime pay. Compensatory hours may be accrued to a maximum of 100 hours per fiscal year. Once an employee reaches the 100-hour annual max, the employee will then be paid at time and a half for all overtime hours worked for the remainder of the fiscal year.
3. **Compensation Management Plan** – Modifies the pay for performance scale, lowering the max pay increase from 5% to 3%.

<table>
<thead>
<tr>
<th>Performance Score</th>
<th>&lt;3</th>
<th>3-3.5</th>
<th>3.5-4</th>
<th>4.1-4.5</th>
<th>&gt;4.5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Performance Adjustment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee pay rate falls below midpoint. Increases are added to the Base Pay.</td>
<td>0.00%</td>
<td>1.50%</td>
<td>2.00%</td>
<td>2.50%</td>
<td>3.00%</td>
</tr>
<tr>
<td><strong>Performance Incentive</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee pay rate falls at or above midpoint. Increases are added to the Base Pay.</td>
<td>0.00%</td>
<td>1.00%</td>
<td>1.00%</td>
<td>1.00%</td>
<td>1.00%</td>
</tr>
<tr>
<td>Employee pay rate falls at or above midpoint. Award treated as a onetime bonus.</td>
<td>0.00%</td>
<td>0.00%</td>
<td>1.50%</td>
<td>2.00%</td>
<td>2.50%</td>
</tr>
</tbody>
</table>

4. **Acting Positions** – Adds the 16-day rule before employees are eligible for additional pay and limits that additional pay to 3%.

An employee is eligible for extra duty pay whenever they are requested in writing by the Department Head to temporarily perform the duties of a position that is vacant or in which the regular worker is on a leave of absence other than vacation or compensatory time off beyond 16 calendar days and the position is of a higher classification than that in which the extra-duty employee is currently working. The employee shall receive the salary rate of the higher classification for the time spent performing the extra duties. In such cases, the employee will be paid at an appropriate salary schedule of the higher classification to ensure an increase of not less than three (3%) of the employee’s current salary.

5. **Longevity** – Clarifies that Longevity is not guaranteed.

Classified employees, statutory appointees and contractual employees may receive longevity pay after completion of five (5) years of employment. Longevity pay, will be reviewed annually by the City Manager/Personnel Officer during the budget process and is subject to the City’s financial situation. Longevity pay will only be available if approved during the budget process and is not a guaranteed pay.
6. **Clothing Allowance** – Incorporates the current Public Works Uniform Policy, Changes the way reimbursements are done and Incorporates the current Police Uniform Policy.

Public Works Department - Each employee who is determined by their supervisor to be involved in work which requires or warrants protective clothing, will be provided clean coveralls and other proper safety gear/wear as determined by their supervisor. In lieu of a clothing allowance, the department will annually provide shirts and up to a $160.00 reimbursement for purchased safety-toed boots. To receive a steel-toed boot reimbursement, employees must submit proof of purchase including vendor and purchase price to Accounts Payable.

All new Public Works Employees will receive at the time of hire, the following equipment items:

1. Five (5) Work Shirts
2. One (1) Retro Reflective Coat
3. One (1) Coveralls
4. Boots (up to $160) Any amount in excess of the $160 will be the personal responsibility of the employee as an upfront cost. Payroll deductions are not available for personal expenses.

Public Works Employees will receive a replacement Retro Reflective Coat and Coveralls every other year of employment.

All Moab City Police Officers who receive a uniform allowance will receive the total distribution of their designated allowance on or about the first pay cycle of each fiscal year. Employees hired after July 1st will have their uniform allowance prorated based on their hire date. All uniform allowance distributions will be non-tax as these funds are provided specifically for the purpose and maintenance of official Moab City Police Department uniforms and/or equipment.

All newly sworn Moab City Police Officers will receive, at the time of hire, the following equipment items:

<table>
<thead>
<tr>
<th>Duty Belt</th>
<th>Ballistic Vest Outer Carrier with MOLLE Pockets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belt Keepers</td>
<td>Uniform Shirts (2)</td>
</tr>
<tr>
<td>Magazine Pouch</td>
<td>Class A Uniform Pants</td>
</tr>
<tr>
<td>Radio Holster</td>
<td>Class A Tie</td>
</tr>
<tr>
<td>ASP</td>
<td>Class A Boots</td>
</tr>
<tr>
<td>ASP Holster</td>
<td>Class A Basket Weave Cuff Case</td>
</tr>
<tr>
<td>Uniform Pants (2)</td>
<td>Class A Uniform Shirt</td>
</tr>
<tr>
<td>Duty Boots</td>
<td>Class A Tie Bar</td>
</tr>
<tr>
<td>Inner Belt</td>
<td>Class A Basket Weave Belt</td>
</tr>
<tr>
<td>Holster</td>
<td>Class A Basket Weave Magazine Pouch</td>
</tr>
</tbody>
</table>
Handcuffs (2) | Class A Belt Keeper
Cuff Case (2) | Class A Holster
Flashlight | Class A Name Tag, Silver
Flashlight Holster | Moab Police Badge
Ballistic Vest with 2 Inner Carriers

Moab City Police Officers will be provided replacement ballistic vests on or near the expiration of their existing vests.

7. **Holidays** – Modifies the paid holiday schedule to include December 26th-January 2nd and clarifies that holidays are not guaranteed and may change each year during the budget process.

Full-time employees may be paid for the following holidays:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Holiday</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year's Day</td>
<td>Columbus Day</td>
</tr>
<tr>
<td>Martin Luther King, Jr. Day</td>
<td>Veterans’ Day</td>
</tr>
<tr>
<td>President’s Day</td>
<td>Thanksgiving Day</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Day After Thanksgiving</td>
</tr>
<tr>
<td>Independence Day</td>
<td>Christmas Eve</td>
</tr>
<tr>
<td>Pioneer Day</td>
<td>Christmas Day</td>
</tr>
<tr>
<td>Labor Day</td>
<td>December 26th-January 2nd</td>
</tr>
</tbody>
</table>

Paid Holidays will be reviewed annually by the City Manager/Personnel Officer during the budget process. The City Manager will present the proposed holiday schedule to the City Council each year during the budget process for approval. Holidays are subject to change at the discretion of the City Manager/Personnel Officer and with the approval of the City Council.

8. **Vacation Leave** – Changes the way vacation is accrued, removes annual cash outs and limits the amount of compensable hours upon favorable termination.

Classified employees, statutory appointees, and contractual employees earn vacation based upon the following accrual schedule:

<table>
<thead>
<tr>
<th>Hours/Pay Period</th>
<th>Exempt</th>
<th>Non-Exempt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upon Hire</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Completion of 5th Year</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Completion of 10th Year</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Completion of 15th Year</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>Completion of 20th Year</td>
<td>8</td>
<td>7</td>
</tr>
</tbody>
</table>

Accrual
A maximum of 240 hours shall be allowed to be accrued and carried forward from one year to the next. Accrual balances cannot be in excess of 240 hours, additional accruals will be forfeited.

Payment
Payment for accrued vacation, up to 100 hours, shall be made upon favorable retirement, favorable termination of employment or death, and only if the employee has successfully completed their probationary period.

9. **Sick Leave** – Makes unused sick leave not compensable

Unused sick leave is not compensable.

10. **Bereavement Leave** – Establishes policy.

    Full-time employees working 40 hours per work week and qualified three-quarter employees working a minimum of 32 hours per week are eligible for bereavement leave. Qualified three-quarter employees receive bereavement leave on a prorated basis. Employees working a 40-hour work week will receive a maximum of three (3) days bereavement leave with the availability of an additional two (2) days as needed for travel or family responsibilities dealing with the funeral services upon approval by the Department Head.

11. **Cell Phone** – Incorporates the current policy.

    The purpose of this Cell Phone Policy is to describe:
    
    1. The positions in the City that are eligible for or required to have a cell phone and/or data card (“Cell Services”),
    2. The level of Cell Services available to each position,
    3. The purpose or reason such positions receive Cell Services
    4. How the City will cover the costs of Cell Services including:

       a. Upfront equipment costs,
       b. Monthly service charges,
       c. Reimbursements for use of personal devices, and
       d. End of service/replacement costs.

12. **Employee Gun Use** – Establishes policy.

    Some employees may wish to carry a gun for personal protection. If you do so, you must have the concealed carry permit as required by law. You must understand the following: with regard to using a gun, Police Officers are the only individuals authorized to use deadly force while acting for and on behalf of City. Under no circumstances will any other employee use deadly force as a function
of their job with the City. If an employee who is not a Police Officer uses deadly force, they will not have the immunities or be entitled to the same indemnity afforded police officers.

13. **Drug Free Workplace** – Establishes safety sensitive positions and criteria for random drug testing.

**Random Testing of Safety Sensitive Positions**

Safety sensitive positions shall be subject to the same random alcohol and drug testing, training requirements and prohibitions as CDL holders except that the percentage of employees tested shall be determined by the City Manager/Personnel Officer and may be changed from time to time. At present, 25% of safety sensitive positions will be random tested for alcohol and drugs each year. Safety sensitive positions will be pooled separately. Positions considered safety sensitive shall include, but not limited to:

- a. Chief of Police
- b. Assistant Police Chief
- c. Police Sergeant
- d. Sworn Police Officers
- e. School Crossing Guards
- f. Animal Control Officer
- g. Investigations/Evidence Clerk
- h. Recreation Complex & Aquatics Supervisor
- i. Sports and Recreation Manager
- j. Swimming Instructor
- k. Lifeguards
- l. Public Works Director
- m. Parks Superintendent
- n. Water Superintendent
- o. Sewer Superintendent
- p. WRF Superintendent
- q. Streets Superintendent
- r. Facilities Superintendent

Further any positions that meet the following criteria will also be classified as safety sensitive:

**Criteria**

Where the employee’s performance of assigned duties could create a safety hazard that could cause injury or harm to the employee, other employees or citizens, or cause damage to property. City Safety-Sensitive positions include, but are not limited to:
a. Those that require the operation of a vehicle and/or motorized equipment, such as cars, trucks of any size, tractors, mowers, weeders, trimmers, trash compactors, saws, and drills in order to perform their jobs;
b. Those who choose to drive a city vehicle;
b. Those whose duties involve the construction of facilities;
c. Those that are involved in the maintenance of facilities, streets, or vehicles;
d. Those that use and/or handle hazardous materials/chemicals; and
e. Those positions that include the care, custody, or control of children, actual or perceived.


In order to safeguard the property of our employees, our customers, and the City, and to help prevent the possession, use, and sale of illegal drugs on City premises, or possession of pornographic materials in the workplace, the City reserves the right to question employees based on reasonable suspicion and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes or any other possessions or articles carried to and from the City’s property. All offices, desks, computers, electronic files, hard files, lockers, etc., are the property of the City and are issued for the use of employees only during their employment. Inspections may be conducted at any time at the discretion of the City. No expectations of privacy exist regarding City-owned property. Any and all inspections will be conducted with due regard for Federal and State law, including 4th amendment protections as applicable.

15. **Grievance Procedure** – Updates policy, restructures the Employee Appeals Board to a Hearing Officer.

Hearing Officer: The appointed appeals authority shall consist of a hearing officer appointed by the mayor with the advice and consent of the City Council.

16. **Fleet Policy** – Establishes policy, limits personal use, restricts tobacco use, includes taxable fringe benefits provision – bringing us into compliance with the IRS.

**City Vehicle Use**
1. The on-call employee in the Water, Sewer, Streets, and Parks divisions are required to take a city vehicle home. This is to allow employees to respond more readily and to more quickly address emergency situations with proper equipment and tools during non-working hours. All vehicles/employees in this category shall be authorized by the City Manager/Personnel Officer upon recommendation of the Department Director.
2. City owned vehicles that are taken home are to be used only for commuting to and from work or when performing official city duty. City-owned vehicles are
not to be used for personal purposes of any kind, unless otherwise noted. When going to lunch, employees should use their personal vehicle if available. Any personal use of city vehicles including commuting to and from work will be reported as a taxable fringe benefit as required by the IRS.

3. Police officers living within Grand County boundaries may use their assigned police vehicle for off-duty personal use so long as that use is within Grand County. Non-police personnel may not accompany the officer in the police vehicle as passengers when it is operated off duty.

4. Unless otherwise noted no unauthorized personnel are allowed to be transported in a city vehicle at any time. City vehicles/employees are not to transport anyone other than city employees or people working with or for the city in an official capacity. No family members or other non-employee personnel are allowed in city owned vehicles.

5. Tobacco use is not allowed in city vehicles including cigarettes, smokeless tobacco (dip) and/or e-cigarettes.

6. Personal use of City vehicles - Taxable Fringe Benefits. Any authorized personal use of City vehicles will be reported as taxable fringe benefits for that employee as required by the IRS. Personal mileage must be tracked with daily beginning and ending odometer readings and verified daily by the Department Director. The mileage will be reported at the current IRS rate for business mileage to the IRS as a taxable fringe benefit annually and reflected on that employees W-2 wage and earning statement.