

**DUBOIS CITY**  
**EMPLOYEE HANDBOOK**

**Approved (Date)**

**Effective (Date)**

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## **DUBOIS CITY EMPLOYEE HANDBOOK**

Welcome to DuBois City! Whether you have just joined us or have been with us for a while, we want you to know that we are dedicated to recruiting and retaining loyal, honest employees. We welcome you and hope you will enjoy being a part of our successful and growing team!

### **ABOUT THIS HANDBOOK**

The DuBois City Employee Handbook attempts to review in a clear, concise manner, policies that affect your employment. The information contained in this Handbook is not intended to be a condition of employment or a promise by DuBois City of continued employment or employment of a specific duration, and the language is not intended to create, or imply a contract between DuBois City and its employees. Unless otherwise specified, these policies apply to new and existing employees, including all full-time, part-time and temporary employees.

Employees covered by the terms and conditions of collective bargaining agreements are to follow their respective collective bargaining agreement provisions where applicable. This Handbook applies to employees covered by collective bargaining agreements in those areas that are not subject to bargaining.

This Handbook will help guide and answer questions concerning your employment with DuBois City. It is not possible to answer in these pages every question which might arise regarding employment with the City. When questions arise that cannot be answered by consulting this Handbook, they should be referred to your Department Supervisor or City Manager. Further, interpretations of this Handbook are restricted to the City Manager and City Council. Other employees are not authorized to interpret this Handbook.

The Handbook is not intended to be an all-encompassing statement of the City's policies or procedures. The Handbook is subject to change or modification of policies and procedures by the City Council. The City Council reserves the right to implement, modify, terminate, revoke, rescind, suspend or change any or all of the provisions of this Handbook at any time, and without prior notice.

All changes to the Handbook will be circulated among the employees in a timely manner.

This Handbook is not intended to be, nor does it represent, a contract of employment, and its content is subject to change at any time at the sole discretion of the City Council. Absent a

Collective Bargaining Agreement, or other contract signed by the City Council and the employee, all employees of the City are employees at-will. As an employee at-will, either you or the City may terminate your employment at any time, for any reason, with or without cause.

## **SECTION I PERSONNEL POLICIES**

DuBois City subscribes to the following personnel policies. These shall be in effect for all employees of the City. However, these policies do not supersede any obligation the City has under any collect bargaining agreement. Therefore, to the extent that an area covered in this handbook is already covered by a collective bargaining agreement, the collective bargaining agreement shall take precedence for those employees covered by the collective bargaining agreement, if necessary to promote public interest.

### **A. GENERAL POLICIES**

The recruitment, selection and hiring of employees by the City shall be undertaken to provide equal employment opportunities.

No person will be denied selection or employment or otherwise be subject to discrimination in employment practices on the grounds of race, color, national origin, ancestry, gender, age, mental or physical handicap, military status, sexual orientation, religious creed or political affiliation.

All employees must treat all citizens with impartiality, fairness and equality under the law and avoid both actual and potential conflicts between his/her private self-interest and the public interest.

All employees are subject to the provisions of all applicable local, state and federal law.

#### **1. Chain of Command**

The City Manager is authorized to direct the day-to-day activities of the City, to assign and schedule the work and to establish internal work rules and procedures that are not in conflict with this policy.

If an employee is asked to do something that is outside their authority, they should explain this to the requester and ask them to take the matter to the Manager.

By the same token, employees should not request elected Officials to resolve work-related problems without first attempting to resolve them in accordance with their Department Head, City Manager, and/or grievance process stated in this policy.

If there is a work-related problem with the City Manager, Department Heads should report this to the elected Supervisors.

The City Council may, when the Manager will be absent, appoint an employee as crew leader. This employee will remain at their same rate of pay.

## **2. Hiring**

All regular, part-time and temporary employees shall be hired by the DuBois City Council. Employees shall be hired on the basis of qualifications and not on partisan influence.

If operating a motor vehicle is part of an employee's job, then maintenance of a valid Pennsylvania operator's license for the class of vehicle operated shall be a necessary condition of employment. Operating any vehicle without the require license shall be considered gross negligence.

To ensure that individuals who join DuBois City are well qualified and have a strong potential to be productive and successful, it is the policy of DuBois City to conduct background checks of all applicants. The background checks may include but are not limited to a criminal history records check, drug test, Sexual Offender Registry Information (SORI) check, credit report check, verification of professional license and/or certification, driver's license and record, professional references and fingerprinting. Applicants for a position at DuBois City will be asked to provide written authorization to allow for these background checks. The applicant will need to supply requested information in order to conduct a thorough background check. All information is kept in strict confidence by the Manager and elected Officials.

## **B. AMERICANS WITH DISABILITIES ACT OF 1990**

The City is committed to providing equal employment opportunities to qualified individuals with disabilities. This may include providing reasonable accommodations where appropriate in order for an otherwise qualified individual to perform the essential functions of the job, so long as the same does not impose an undue burden or hardship on the City. It is the employee's responsibility to notify the City of the need for an accommodation. Upon doing so, the City may ask the employee for input on the type of accommodation believed to be necessary to accommodate the functional limitations caused by the disability. Also, when appropriate, the City may need the employee's permission to obtain additional information from the employee's



physician or other medical or rehabilitation professionals. The City will not seek genetic information in connection with requests for accommodation. All medical information received by the City in connection with a request for accommodation will be treated as confidential.

### **C. SEXUAL HARASSMENT**

The City is committed to a policy of equal employment opportunity, which includes a commitment to maintaining a work environment which is free of sexual harassment. This policy applies to all employees and all candidates for employment by the City, as well as persons not directly related to the City, such as a visitor, consultant, client, vendor or customer. The City will take all steps that are necessary to enforce its policy prohibiting sexual harassment.

Sexual harassment is illegal under federal, state and local laws, rules and regulations. Sexual harassment is a form of sex discrimination under Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission, which administers Title VII, defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) submission to the conduct is requested either explicitly or implicitly as a term or condition of an individual's employment;
- (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The types of behaviors that may constitute sexual harassment include, but are not limited to:

- unwelcome sexual flirtations, advances or propositions;
- direct or subtle pressure or requests for dates or sexual activities;
- derogatory, vulgar or graphic written or oral statements regarding one's sexuality, gender, body or sexual experience;
- unnecessary or unwelcome touching, or attention to an individual's body;
- physical assaults of a sexual nature;
- unwelcome sexual compliments, innuendoes, suggestions or jokes; or
- the display of sexually suggestive pictures or objects.

Any employee (or candidate for employment) who feels that he or she is or has been subjected to sexual harassment by a supervisor, co-worker, visitor, customer or other person, should immediately bring the matter to the attention of the City Manager. The complaint will be promptly, impartially and thoroughly investigated in a professional manner. The investigation may include interviews with the parties involved in the alleged incident, and if necessary, with individuals who may have observed the alleged incident or conduct or who have other relevant knowledge. By signing the receipt at the end of this handbook, the employee acknowledges reading this policy and is aware that the City cannot be aware and cannot do anything to prevent or correct any sexual harassment unless the employee makes the same known to the City.

Actions taken internally to investigate and resolve sexual harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. It will likely be necessary to inform the person accused of such conduct as to the name of the accuser. However, the City will take steps to ensure the most limited disclosure of such information as possible.

Moreover, discrimination or retaliation against any individual who makes a good-faith sexual harassment complaint, or against any other individual who participates in the investigation of a complaint, is strictly prohibited, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action, up to and including discharge, will be taken.

#### **D. OTHER HARASSMENT**

Sexual harassment is not the only form of harassment that is prohibited. Other prohibited harassment includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, or that of his or her relatives, friends, or associates, and that (a) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (b) has the purpose or effect of unreasonably interfering with an individual's work performance; or (c) otherwise adversely affects an individual's employment opportunities. These can include but are not limited to such acts as racial or ethnic epithets, slurs and threats, displaying or circulating objects, pictures or material, telling jokes that insult or denigrate persons of a particular race, color, religion, gender, national origin, ancestry, age or those who are physically or mentally challenged.

As with the City's policy against sexual harassment, because the City can only take action if it is aware of the problem, any employee (or candidate for employment) who feels that he or she is or has been subjected to illegal harassment by a supervisor, co-worker, visitor, customer or other person, or who witnesses such harassment, must immediately bring the matter to the attention of the City Manager so that the incident(s) can be investigated. By signing the receipt at the end of this handbook, you acknowledge that you have read this policy and are aware that the City cannot be aware and cannot do anything to prevent or correct any harassment unless you make the same known to the City.

The City will take all complaints seriously. The complaint will be promptly, impartially and thoroughly investigated in a professional manner. The investigation may include interviews with the parties involved in the alleged incident, and if necessary, with individuals who may have observed the alleged incident or conduct or who have other relevant knowledge.

Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. It will likely be necessary to inform the person accused of such conduct as to the name of the accuser. However, the City will take steps to ensure the most limited disclosure of such information as possible.

Discrimination or retaliation against any individual who makes a good-faith harassment complaint, or against any other individual who participates in the investigation of a complaint, is strictly prohibited, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action, up to and including discharge, will be taken.

#### **E. VETERANS' PREFERENCE**

The City fully complies with the Veterans' Preference Act as that Act has been interpreted and applied by the courts of the competent jurisdiction in the Commonwealth of Pennsylvania.

### **SECTION II: WORK HOURS AND SALARY ADMINISTRATION**

#### **A. WORK WEEK AND WORKDAY**

The standard work week for the City shall be 12:00 a.m. Sunday through Saturday 11:59 p.m.

The standard business hours of Administrative employees for the City shall be 8:00 a.m. to 4:00 p.m., with a 30-minute lunch break; or 7:30 a.m. to 4:00 p.m. with an hour lunch break; or 8:00 a.m. to 4:30 p.m. with an hour lunch break. Exceptions to the standard business hours must be approved by the City Manager. Certain employees are required to attend Board, Commission, and Special meetings as needed.

The standard business hours of work for Public Works and Police Department employees will be determined by the Department Head, or the collective bargaining agreement where applicable.

Employees that have work assignments delegated to them on a daily basis shall make every effort to start their assigned job in a timely fashion after the assignment is delegated at the beginning of the day, after break-time, and after lunch break.

## **B. TIMEKEEPING**

All exempt and non-exempt employees are required to keep track of their hours worked, using whatever system for doing so as shall be in effect for the City at that time.

For administrative employees this shall include signing in each day upon arrival and out when leaving work for the day. Additionally, employees must sign in and out when leaving the office throughout the day with a specified location or purpose (i.e. lunch, inspections, meeting).

It is critical that your time worked be accurate. Employees must therefore be current in recording their time and the time indicated must be 100% accurate.

Employees may not track the time of any other employee. It is the responsibility of each employee to track his or her time and to do so accurate.

Employees may not falsify, in any way, the time records for themselves or any other employee.

## **C. MEAL BREAKS**

Administrative employees receive either a 30 minute or one-hour lunch break dependent upon work schedule, unless otherwise provided for by a collective bargaining agreement. Lunch breaks must be taken between 11:00 am – 2:00 pm. Temporary exceptions to the lunch break period may be approved by the City Manager. The break is your personal time and doing any work during your lunch break is strictly prohibited (this includes reviewing reports, making or

receiving business phone calls or sending or reading work related emails). Public Works and Police Department employee lunch break periods are determined by the applicable Department Head or the Collective bargaining agreement where applicable.

#### **D. OVERTIME**

Overtime, which is defined as exceeding forty (40) hours in a given work week, is strictly prohibited for all non-exempt employees without the express permission of your supervisor.

Under no circumstances are any non-exempt employees to work any overtime (including working prior to the scheduled start of your work day, after the scheduled end of your work day, during your meal period, or otherwise over forty (40) hours in a work week) without the approval of your supervisor.

There are times when it will be necessary for non-exempt employees to work overtime. Therefore, you may be requested to work overtime by the City.

If you do work overtime, non-exempt employees will be paid at the rate of one and one-half times their regular hourly rate of pay or receive compensatory time at the rate of one and one half times the number of overtime hours worked for all time worked in excess of 40 hours in any workweek.

No unauthorized overtime hours are to be worked under any circumstances. Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

Employees who are subject to a collective bargaining agreement will have all overtime calculated and paid pursuant to the terms of the agreement.

#### **E. EXPENSE REIMBURSEMENT**

To ensure that all proper business-related expenses incurred by employees are reimbursed, the following procedure has been established:

1. All expenditures are to be approved in advance by the City unless circumstances prevent advance approval.

2. A receipt or evidence of expenditure must accompany all business-related expenditures in order to receive reimbursement.
3. All items purchased or charged by the employee are to be itemized on the approved City expense report. All portions of the report must be filled out and marked "N/A" [not applicable], and the necessity and purpose of the expenditure must be explained in sufficient detail.
4. Expense reports must be signed and dated by the employee and initialed by their supervisor showing approval. Reports are due within 30 days of the expenditure.

### **SECTION III: EMPLOYEE TRAINING & DEVELOPMENT**

#### **GENERAL STATEMENT**

It is the policy of the City to support and provide, where possible, training and educational programs designed to build applicable skills and enable employees to perform his/her job more effectively.

#### **A. PROFESSIONAL ASSOCIATIONS**

All employees in the Administrative classification are encouraged and permitted to join professional associations that are reasonably related to their position with the City with prior or advanced approval from the Department Head. Dues are payable in full by the City if the money has been so budgeted (Department Heads must provide for such costs in their annual budget requests).

Membership dues or fees may be paid on behalf of employees other than Administrative personnel if it can be shown that the benefit from such membership cannot be derived from the Department Head's membership in the same association or that the particular organization in question is unique to that employee's position.

#### **B. LOCAL CONFERENCES AND TRAINING SESSIONS**

The City encourages participation in local/regional associations and training programs that are of benefit to the employee's effectiveness in the City service. Regulations in this section refer to Local Conferences & Training Sessions as being those which are reasonably accessible by automobile and do not require overnight accommodations.

Department Heads are expected to provide a reasonable allocation for local conference attendance in their annual budget requests. Local/Regional Conference attendance that is provided for in the department's budget does not require the prior approval of the City. However, the City Manager may, from time to time, request justification for attendance of sessions which do not obviously relate to the employee's career improvement.

The following guidelines should be followed for attendance at Local/Regional Training Sessions:

1. Conference fees, registration costs should be paid in advance by City check, whenever

possible.

2. Requests for advanced payment to cover meals, mileage, parking fees and other expenses not covered by the prepaid registration fee should be made at least two weeks in advance. Employees are required to obtain receipts for all expenses. Employees will not be paid for expenses in excess of the federal per diem rates set for the travel destination.

3. Employees shall make arrangements in advance for the use of a City vehicle in attending local programs. If a City vehicle is not available, the use of personal vehicles will be permitted and reimbursement for such use will then be made at the prevailing IRS rate per mile. Two or more persons attending the same session shall use the same vehicle, whenever practical.

Department Heads have the responsibility to plan and approve local conference attendance for their employees within budget constraints, provided that such attendance does not adversely affect or impede the department's performance.

### **C. NON-LOCAL CONFERENCES AND TRAINING PROGRAMS**

The City supports the attendance at non-local conferences that have particular technical benefit to an employee's performance in his/her job and that are not available locally. However, it is also recognized that such sessions normally cost considerably more than those sponsored locally, and as such, are subject to closer scrutiny and more rigid budgetary constraints.

Non-local conferences and training programs, as used in this section, refer to such programs that may not be accessible by automobile and/or require overnight accommodations.

Attendance at all non-local conferences or training sessions require the prior approval of the Department Head or City Manager. Requests for attendance must be in writing and must include, at least, the following information:

1. The name of the session and host organization;
2. A description of the program, location and session dates;
3. The names of all persons to be considered for attendance;
4. The intended dates of departure and return;
5. A complete breakdown of costs expected to be incurred.



#### **D. PERFORMANCE REVIEWS**

Performance reviews provide valuable feedback to employees by measuring job performance against job expectations. Performance reviews also provide employees with an opportunity to discuss both positive and negative operational issues. Reviews shall be based on performance and not the personality of the individual. Different type of reviews and varying employment milestones can result in multiple formal and informal opportunities for Performance reviews. The following are the various types of Performance reviews that normally should be conducted:

**Initial Reviews:** Initial reviews must be conducted within the first week of an employee joining DuBois City's workforce. These reviews should cover job duties, performance standards and expectations, and administrative rules and procedures.

**Progress Reviews:** Progress reviews should be conducted once per year for all employees approximately halfway through a rating period. These reviews can be informal unless an employee performance is unsatisfactory. In cases of unsatisfactory employee performance, a documented formal Progress review must be conducted to provide a permanent record of proceedings describing the unsatisfactory performance. A formal Progress review must be conducted at any time during the rating period when unsatisfactory performance is identified. In addition to the Progress review, the supervisor must develop an Employee Development Plan which specifies the unsatisfactory performance and identifies corrective actions, with an implementation schedule, to achieve satisfactory performance.

**Annual Reviews:** Annual reviews must be formal and documented on the City Employee Review Form for all employees to provide a permanent record of proceedings, and completed annually, before November 1 each year. The Annual reviews are integral to providing information for pay rates, employee training and promotions. The Annual review must also identify any unsatisfactory performance and progress on an Employee Development Plan if applicable.

#### **F. POSITION DESCRIPTIONS**

Existing job descriptions shall be maintained and updated as necessary.

Management will be responsible for conducting an annual review of all of their direct reports job descriptions. These shall be updated as necessary.

## **SECTION IV: EMPLOYEE BENEFITS**

### **A. MEDICAL INSURANCE**

All full-time employees shall be eligible for coverage under the plan provided by the City. Employees should refer to the plan documents for the specifics of any such coverage.

Any medical insurance coverage provided by the City is subject to change at any time at the City's sole discretion, except as provided in collective bargaining agreements.

All non-union employees receiving medical insurance benefits shall be required to pay a portion of the premium in an amount to be determined by the City Council. Payment shall be made in the form of a payroll deduction each pay period.

Union employees receiving medical insurance benefits shall be required to pay a portion of the premium in an amount contained in their current collective bargaining agreement.

Employees can only make changes to their medical insurance coverage during the open enrollment period, or within 30 days of a qualifying major life event (birth of a child, marriage, etc.). If an employee fails to make changes to their medical insurance coverage within 30 days of a qualifying life event, they will have to wait until the open enrollment period to make any changes.

### **B. WORKMEN'S COMPENSATION**

All City employees and volunteer firemen shall be covered by workmen's compensation benefits as provided by the appropriate applicable law.

DuBois City is committed to ensuring that employees who are injured during the course of performing their assigned responsibilities are assigned meaningful work which is consistent with any physical restrictions defined by the treating physician. DuBois City will attempt to return injured employees to work utilizing transitional and modified duty assignments whenever possible. Transitional duty assignments will generally continue until a physician determines that either the employee has reached maximum medical improvement, or it is determined that the employee will continue to improve but will never recover capability to perform the essential functions of his/her former job.

While attempts will be made to accommodate all employees for the length of their work-related injuries, it is important to note that there is no obligation to create a position for an individual who has physical restrictions which preclude performance of the essential functions

of his/her job or to maintain a transitional duty position for extended periods of time. It is also important to realize that under the majority of worker's compensation statutes, benefits are dependent on the employee's acceptance of a Transitional Duty offer. Refusal to report to work may lead to termination of benefits.

This policy does not limit the rights of employees covered by the Americans with Disabilities Act (ADA) to seek reasonable accommodations as provided under that law.

#### **C. GROUP TERM LIFE INSURANCE**

Employees may be provided with Group Term Life Insurance, the terms of which are provided for by either the collective bargaining agreements or the City Council. Employees should refer to the plan documents for the specifics of any such coverage.

#### **D. RETIREMENT PLANS**

Upon employment, full time employees who meet the requirements specified by each plan shall participate in the DuBois City Pension Plan applicable to his/her department.

Employees may be required to contribute to the plan.

A copy of each plan document is available for employee review from the City Manager.

## **SECTION V: PAID AND UNPAID LEAVE**

### **GENERAL STATEMENT**

This section (Section V: Paid and Unpaid Leave) covers all non-union personnel. All paid and unpaid leave of union personal will be administered as provided for in their respective collective bargaining agreement. Some employees may have contractual agreements in place that supersede the leave policies outlined in this section.

#### **A. VACATION LEAVE**

##### **1. Policy**

All full-time employees not covered by a collective bargaining agreement shall be eligible for annual vacation leave according to the schedule established for each group of employment classifications and each individual employee's seniority.

Vacation time is earned on a monthly basis.

Up to one week of vacation leave earned during one leave year may be carried over to the next leave year. Exceptions must be approved by the City Manager.

##### **2. Payment for Accumulated Vacation Leave**

The City will pay employees for accrued, but unused, vacation time if the employee's employment is terminated either voluntarily or involuntarily other than for cause provided that sufficient resignation notification is provided in accordance with Paragraph V of this handbook.

##### **3. Vacation Eligibility**

The City currently provides paid vacation time for non-union, administrative employees, as follows:

Years 1 through 3 – 3.33 hours/month earned

Years 4 through 15 – 6.67 hours/month earned

After 15 Years – 10 hours/month earned

The above is not a right and is subject to change by the City at its sole discretion.

## **B. SICK LEAVE**

### **1. Policy**

Sick leave is provided to full time employees that are not subject to a collective bargaining agreement as outlined below to protect them against financial hardship due to loss of wages during illness. As such, sick leave is considered to be an insurance against hardship rather than a benefit to which an employee is automatically entitled.

### **2. Accumulation of Sick Leave**

Employees shall be granted twelve (12) sick leave days per year, earned at the rate of 10 hours per month. Sick leave may be used in increments of one (1) hour intervals.

Employees may only use sick leave that has been accumulated. The employer may, upon request, consider special extensions of sick leave for employees who have used all the sick leave to which they have become entitled. Such extensions of sick leave may be considered only in the case of extended employee illness or injury.

Employees may carry over sick leave from year to year, but only up to 120 hours. After the employee reaches the 120-hour maximum accumulation, said employee can exchange 24 hours of sick leave for 8 hours of vacation up to a maximum of 72 hours sick leave exchanged.

There will be a 55% buy-out of sick leave at retirement, 100% buy-out if an employee dies of a job-related injury, and 50% buy-out if an employee dies of a non-job-related injury.

### **3. Use of Sick Leave**

Sick leave shall be allowed only in case of actual illness or non-work-related injury of an employee or a member of his/her immediate family. Any other use of sick leave will be considered an abuse of the sick leave benefit.

Except where covered under a collective bargaining agreement, for any usage of sick leave in excess of three (3) consecutive days, the employee shall be required to present a doctor's certificate indicating that the employee is fit for return to duty.

Where the City has reason to suspect an abuse of sick leave, it can require the employee to provide a doctor's certificate to support the need for sick leave. In addition, if the City Manager suspects that there has been an abuse of sick leave by an employee, that employee may be required to present a physician's excuse for any future absences.

Each scheduled workday during the period of the employee's illness shall constitute the use of one sick day. Scheduled days off and holidays shall not be considered sick days.

Abuse of sick leave may be considered grounds for disciplinary action or dismissal.

Effective on the 31<sup>st</sup> day after the occurrence of a non-occupational major illness or injury that results in such employee being completely prevented from performing the duties of his/her occupation or modified occupation, each such employee will be eligible for a disability income benefit of sixty (60%) of the respective employee's monthly base salary for a maximum period of 52 weeks. Said benefit will be paid only after an employee has used up all accumulated sick leave days and accrued vacation.

## **C. BEREAVEMENT LEAVE**

### **1. Policy**

Bereavement leave is provided to full-time employees that are not subject to a collective bargaining agreement as outlined below in order to protect the employees against financial hardship due to the death of a member of the employee's family. As such, bereavement leave is considered to be an insurance against hardship rather than a benefit to which an employee is automatically entitled.

### **2. Bereavement Eligibility**

Employees shall receive up to three (3) days of paid bereavement leave for the death of an immediate family member including a spouse, child, step-child, mother, father, mother-in-law and father-in-law.

Employees shall receive one (1) day of paid bereavement leave for the death of the following family members: brother, sister, stepparents, grandparents, grandchild, and all similar in-laws.

Employees shall receive one (1) day of paid bereavement leave to attend the funeral for the death of an aunt, uncle, niece, or nephew of employee or spouse if the funeral falls on a scheduled working day.

Exceptions to this policy may be granted by the City Manager.

## **D. HOLIDAY LEAVE**

### **1. Holiday Observance**

The City currently recognizes and observes the following holidays:

- New Year's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day
- Sixteen (16) Hours of Personal Leave

This list of observed holidays is subject to change by the City in its sole discretion.

Holidays shall normally be observed on the nationally recognized holiday or that day on which the federal government observes such holiday, unless altered by a union contract or agreement.

When a holiday falls on a Sunday, the following Monday shall be observed as the holiday. When a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.

## **2. Holiday During Annual Leave**

If a holiday occurs during an employee's scheduled vacation leave, the day shall be counted as a paid day off for the holiday and will not count as a vacation day.

## **E. FAMILY AND MEDICAL LEAVE ACT**

### **1. Family and Medical Leave Act**

Eligible employees may be entitled to unpaid family or medical leave pursuant to this policy. Eligible employees are those (1) who have been employed by the City for at least 12 months, (2) who have completed at least 1,250 hours of service during the 12 months immediately preceding the leave, and (3) who are assigned to a work site where 50 or more employees are employed by the City within 75 miles.

### **2. Basic FMLA Entitlement**

Eligible employees are entitled to a total of up to 12 weeks of unpaid, job-protected leave during any 12-month period for the following reasons:

- a. For incapacity due to pregnancy, prenatal medical care or childbirth;
- b. To care for the employee's child after birth, or placement for adoption or foster care;
- c. To care for the employee's spouse, son or daughter, or parent with a serious health condition; or
- d. For a serious health condition that makes the employee unable to perform the functions of his/her job.

The City will calculate the 12-month period by measuring backward from the date an employee uses FMLA leave (i.e., leave is limited to the balance of 12 weeks not used during the prior 12 months).

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of his or her job, or prevents a qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy or incapacity due to a chronic condition.

In cases where both spouses are employed by DuBois City and are otherwise eligible for FMLA leave, they are limited to a combined total of 12 weeks of FMLA leave because of the birth, adoption or foster care placement of a child, or to care for a parent with a serious health condition. If the spouses both use a portion of the total 12-week FMLA leave entitlement for the birth of a child, for placement for adoption or foster care of a child, or to care for a parent, each spouse is entitled to the difference between the amount he/she has taken individually and the 12 weeks for FMLA leave for other purposes.

Employees are required to first utilize any accrued vacation time and personal days during FMLA leave. Once all accrued paid leave has been exhausted, the remainder of any FMLA leave shall be unpaid.

When using paid leave during FMLA leave, employees must comply with the City's paid leave policies.

During any period of FMLA leave, DuBois City will continue to make premium payments to maintain an employee's health care coverage under the same terms and conditions as if the employee was on active duty. However, this does not eliminate the requirement of employee co-payments for those employees who normally have copayments towards their insurance coverage while on FMLA leave. Provisions for employee co-payments will be made at the time of leave request. If any co-payment is more than thirty (30) days past due, DuBois City will terminate health care coverage for the duration of the leave period. Coverage will be restored upon return to work.



Except under certain specific circumstances, an employee returning from FMLA leave will be reinstated to the employee's former position or to a position with equivalent pay, benefits, and other employment terms and conditions. Highly salaried "key" employees may have limited reinstatement rights. Any "key" employees will be notified of their specific rights and obligations prior to beginning a FMLA leave.

FMLA leave can be taken all at once or, when medically necessary or for a qualifying emergency, on an intermittent or reduced leave schedule. Intermittent leave is leave taken in separate blocks of time for a single FMLA-qualifying reason. An FMLA reduced leave schedule is a work schedule that reduces the employee's usual number of working hours per workday or workweek. Employees will be informed whether they are eligible for intermittent leave or a reduced leave schedule when they apply for FMLA leave.

#### **F. JURY DUTY**

A full-time employee who is required to serve on a jury shall receive paid leave for any time missed from work by reason of such jury duty (or as required by any collective bargaining agreement). Employees requesting such leave shall submit to the City Manager a copy of the notice of jury duty. At the conclusion of such jury duty, employees are required to return to work and turn over to the City any juror fees or compensation received. Employees shall be entitled to keep any per diem benefits for lodging, transportation, fuel, and food.

#### **G. MILITARY LEAVE**

1. Any employee who is a member of the Pennsylvania National Guard or a member of any reserve component of the armed forces of the United States, who is engaged in training or other duty under orders by Federal or State law, shall be entitled to 120 hours (3 weeks) of paid military leave and unpaid time off for all days in excess of 120 hours up to the maximum permitted by law. Such leave shall be subject to the following:

- a. A copy of the "Official Orders" shall be provided, in advance to the Municipal Manager.
- b. Health insurance benefits for the employee and his/her family will continue for a minimum of 30 days, or through the end of the month in which the 30<sup>th</sup> day occurs, after which time the employee(s) options will be available to them.
- c. Life insurance benefits will be suspended upon entering military leave and will be activated during reinstatement with the City.

- d. Vacation and sick leave will not be earned during military leave. Previously accrued leave will remain in your bank and become available during reinstatement with the City.
- e. Except as provided under Act 600 (The Municipal Police Pension law), the employee is entitled to earn pension credit during military leave provided that the employee pays the required pension contribution based upon the base rate of pay of the employee.
- f. The employee shall be reinstated without loss of service continuity to his/her former position or benefits, provided that he/she applies for reinstatement to the City Secretary within the time period required under State and Federal law.

## **SECTION VI: ATTENDANCE AND ABSENTEEISM**

### **A. POLICY ON REPORTING OFF WORK**

It is the responsibility of all employees to meet standards of attendance. In order to serve the public, the punctuality and regular attendance of each employee is of utmost importance. Therefore, all employees are expected to be at their work area on time. If an illness or emergency is likely to cause tardiness or absenteeism, an employee must phone his/her supervisor, and give the expected time of arrival or length of the absence and the reason for the same.

Leave must be requested and approved by the employee's supervisor. A leave request form should be completed as far in advance of the leave as possible.

Any Employee failing to report off or leaving the job site or regular working place during working hours without authorization, except for lunch and rest periods, shall be subject to disciplinary action.

### **B. UNPAID LEAVES OF ABSENCE**

The purpose of this policy is to state the City's administration of employee unpaid leaves of absence and to establish conditions under which unpaid absences of stated duration may be granted to regular full-time employees without loss of seniority or related employment benefits.

#### **1. Leaves of Absence of One Week or Less**

- a. Leaves of absence create inequities in that all employees cannot be granted a comparable privilege. Such requests will be granted only under extreme and unusual circumstances.
- b. The City Manager may, at his or her discretion and in conformance with the provisions of this policy, grant employees up to 1 week (5 workdays) of unpaid absence (other than for military service).

#### **2. Leave Of Absence of More than One Week**

- a. Except in unusual circumstances, no requests for unpaid absence in excess of 5 working days will be given favorable consideration unless the employee has completed 1 year of

continuous, full time employment.

- b. Requests for unpaid leave will be granted only after all sick leave and personal and vacation times have been used.
- c. The employee requesting such leave will pay all their own health care, life insurance and other hard costs of benefits during the unpaid leave.
- d. Unpaid leave may be granted for a maximum of 1 year subject to quarterly review.
- e. If the emergency ceases, the employee is expected to return to work.
- f. Requests must be submitted in writing and approved by the City Manager.

## **SECTION VII: SAFETY**

Maintaining a safe work environment requires the continuous cooperation of all Municipal employees. The City encourages all employees to learn, accept and obey all safety regulations and to comply with safe work practices. Proper lifting, wearing safety equipment when appropriate and watching out for others are but a few of the responsibilities of the City employee. Good housekeeping is also a part of everyone's job; it is a part of running a safe and efficient City. Keeping the work area in a safe condition through proper maintenance of property and equipment is also important. A neat and orderly work area helps prevent unnecessary accidents and assures a more pleasant place in which to work.

### **A. REPORTING OF ACCIDENTS**

#### **Accident, Injury and Incident Reporting**

Employees are to perform all assigned tasks in the safest possible manner and report unsafe conditions to their immediate supervisor so corrective action can take place. If an accident or emergency should occur, employees must report the incident immediately to their immediate supervisor/Department Head and/or dial 911. This includes any fatalities occurring on City property, accident or injury to a City employee, injury to a citizen by City operations or damage to property related to City operations. Immediate notification is vital to the proper management of the incident, as well as to cause the necessary procedural steps to be taken.

#### **On-The-Job Injury Procedures**

If any employee suffers a work-related injury, the following procedures apply to all employees, both full-time and part-time.

If the injury is of a serious nature and requires the assistance of ambulance or rescue personnel, the appropriate emergency service providers should be contacted immediately. If the injury is of a less serious nature the Employee must report their injury to their supervisor immediately.

Any employee who is involved in an accident or emergency while on Municipal premises or while on Municipal business must immediately report the accident and/or injury. The Employee must complete the "Employee Report of Occupational Injury or Disease" form and submit it to the City Administrative office as soon as possible. If the injury occurs after hours or

over the weekend the paperwork is to be submitted to the Administrative office the next business day.

Any employee who is a witness should immediately notify the injured employee's Supervisor of the injury. The Supervisor or Department Head should complete the "Employee Report of Occupational Injury or Disease" form and submit it to the City Administrative office as soon as possible on behalf of the injured employee. If a police report was completed in reference to the accident and/or injury, a copy of the report must be provided to City Administration.

If an employee is injured on the job, the City provides coverage and protection in accordance with the Workers' Compensation Law. When an injury is sustained while at work, it must be reported as soon as possible to the employee's supervisor or Department Head, and no later than 24 hours after the injury occurs.

Failure to report work-related injuries or accidents is a serious matter, as it may preclude an employee's coverage under Workers' Compensation Insurance, which may result in a loss of workers' compensation benefits. If in doubt, notify your supervisor or Department Head immediately.

In the event of a work-related injury or illness, it is required that you treat with one of the City's designated health care providers during the first 90 days of treatment following the date of the injury or illness. The names, addresses, and phone numbers of the City's designated providers may be obtained from the City Administrative office. Payment for unauthorized, non-emergency treatment with a non-panel health care provider during this 90-day period may be denied by the City and/or its workers' compensation carrier and will be the responsibility of the employee. If you choose to treat outside the list of the panel health care providers after the initial 90 days of treatment, you must notify the City within five (5) days of treatment with the non-panel health care provider.

### **Procedures for Reporting Vehicular or Equipment Accidents**

In the event of a vehicular accident involving one of the City's owned/leased vehicles or while on City business, the employee must report all information immediately to his or her supervisor. In the event an operator of a City vehicle is involved in a reportable accident, the City Police Department should be called to the scene and is required to prepare a report. If the accident takes place outside the City's borders, a police office or that jurisdiction should be contacted. In no instance should responsibility for an accident be expressed to anyone, except

the police, until the proper person in the City has been notified and permission has been obtained to make statements.

If a City vehicle is disabled as the result of the accident, the driver must notify his Department Head as soon as possible. The operator of the vehicle or equipment must complete and submit to the City Administrative office an accident report no later than the end of the workday or shift on which the accident occurred, except when they are unable to do so by reason of hospitalization or some other circumstances, in which case it shall be the responsibility of the employee's immediate supervisor.

### **Safety Equipment / Seat Belt Usage**

All drivers of City vehicles and their passengers are required to wear safety belts in accordance with the laws of the Commonwealth of Pennsylvania.

#### Safety Glasses Usage

Safety glasses must be worn when performing any activity that poses a potential for foreign objects to enter the eye, including but not limited to, operation of a chainsaw, paver, jackhammer, weed eater, belt machine, chop saw, cutting torches, cementing, hammer, etc.

#### Safety Vest

Safety vests must be worn at all times when conducting labor work or working alongside a roadway, except when cutting grass in a City Park. Exceptions to this policy may be granted by an employee's supervisor for specific tasks.

#### Safety Hard Hats

Safety Hard Hats must be worn at all times when performing an activity that poses a potential for being struck in the head from an object, except when inside of a vehicle with a covered roof. Exceptions to this policy may be granted by an employee's supervisor for a specific task.

#### Footwear

Proper footwear shall be worn at all times.

## **B. HAZARDOUS MATERIALS COMMUNICATION STANDARDS**

In accordance with the passage of the Pennsylvania Worker and Community Right to Know Act of 1984, employees of the City should be made aware of certain properties of potentially harmful materials which they may encounter during the course of their work activities. The City maintains Hazardous Material Safety Data Sheets (MSDS) on a number of hazardous materials utilized by City departments.

Employees should be familiar with the types of potentially hazardous materials typically used in their department. It is the right and duty of each employee to inquire about materials encountered on the job. Concerns about a particular hazard should be directed to an employee's immediate supervisor or Department Head. Employees may see pertinent Material Safety Data Sheets upon request. If an employee feels the situation has not been handled in a satisfactory manner, they maintain the right to stop work until the issue has been properly addressed.

Employees must make sure the transfer and storage of potentially hazardous materials is conducted in a safe manner. All containers must be properly marked to indicate their contents. Further information regarding the Right to Know Act may be obtained by contacting your Department Head or Municipal Manager.

## **C. SAFETY COMMITTEE**

The City established a Safety Committee to ensure that every reasonable effort is made in the interest of safe working conditions, safe premises, and the prevention of accidental injuries and illnesses.

The Committee meets regularly and if any City employee has a safety concern, they are encouraged to submit their concern to the Safety Committee for review.



## **SECTION VIII: WORK PRACTICES AND CONDUCT RULES**

### **A. SMOKING POLICY**

In order for the City to be an advocate of good health and because the City recognizes the ill effects of secondhand smoke, the City has prohibited smoking in all indoor areas of any municipal building and in any City vehicle.

### **B. CITY VEHICLES AND EQUIPMENT**

Employees who drive or ride in a City vehicle must abide by the following rules:

1. They must obey all rules of the road, including all posted speed limits.
2. No passengers are permitted in a City vehicle other than local, state, or federal employees, passengers that are transported as part of an employee's job duties, or other passengers approved by the Department Head or City Manager. These restrictions do not apply if you are issued a City vehicle for personal use.
3. No smoking is permitted in City vehicles at any time.
4. No consumption of alcoholic beverages is permitted in City vehicles at any time or when an employee is operating his or her own vehicle on City time and as part of their duties.
5. Employees may not operate a City vehicle while under the influence of drugs or alcohol or where they are otherwise impaired in any way or when they are operating their own vehicle on City time and as part of their duties.
6. The use of cell phones for texting or emailing, while driving a City vehicle, is prohibited. In the interests of public safety, and the safety of City employees, if an employee who is operating a City vehicle must send or read a text message or email, he or she must pull over to a safe location off the road and then do so.
7. Employees must be courteous to other drivers and pedestrians.
8. Employees must have a current, valid driver's license that is not under any type of suspension to drive a City vehicle.
9. Employees must keep assigned vehicles clean and presentable to the satisfaction of their immediate supervisor.

10. Employees shall properly maintain and clean City Equipment to the satisfaction of their immediate supervisor.

### **C. DRUG AND ALCOHOL POLICY**

The City endeavors to ensure that its employees are free from current substance abuse and alcohol abuse. The goal of this policy is to maintain a drug and alcohol-free environment and to reduce the potential for unnecessary accidents, injuries, and fatalities. We have an obligation to our employees and the public at large to take the necessary and reasonable steps to assure safety in the workplace. The use of alcohol and drugs poses a serious threat, and we intend to do all that we can to maintain a safe, healthful, and productive working environment. Therefore, we have adopted the following policies. Accordingly, the City has adopted this policy, which is applicable to all applicants and employees.

#### **Prohibited Conduct**

Under this policy, the following conduct is prohibited:

- Employees may not use alcohol in City vehicles (either owned by or leased to the City).
- Employees may not consume alcohol on or off City property during working hours, lunch periods, or break or relief periods.
- Employees may not manufacture, possess, use, purchase, sell, or transfer illegal drugs or controlled substances of any amount on City property (including parking lots), or in City vehicles (either owned by or leased to the City), or while on City business. Illegal drugs and controlled substances are those which cannot be legally obtained, including controlled dangerous substances and controlled substance analogues, as well as those drugs which, although legal, have been illegally obtained (i.e., prescribed drugs not being used for prescribed purposes, including amphetamines and barbiturates). Examples of illegal drugs include marijuana, cocaine, "crack", heroin, morphine, phencyclidine (PCP), hallucinogens, methamphetamine, and other narcotics.
- Employees may not report to work under the influence of alcohol or illegal drugs or controlled substances.
- "Under the influence" means that the employee is affected by alcohol or drugs or the

combination of both in any detectable manner. This may be established by professional opinion or a scientifically valid test. With respect to alcohol, an employee is under the influence if the employee's blood alcohol level is above the legal limit.

- Employees may not use or consume illegal drugs or substances on or off City property during working hours, lunch periods, or break or relief periods.
- Employees are prohibited from bringing drug paraphernalia onto City property (including parking lots) at any time, unless required as part of official job duties.
- Employees are prohibited from refusing to submit to any alcohol or drug test conducted under this Policy.
- Any employee who tests positive for any illegal drug on a drug test is in violation of this Policy.

### **Prescription Medication and Legal Drugs**

The City recognizes that on occasion employees must use prescription or over-the-counter drugs for medical purposes. Any employee taking a prescription or over-the-counter drug that is known or advertised as possibly affecting or impairing judgment, coordination or other senses (including dizziness or drowsiness), or that may adversely affect the employee's physical or mental ability to perform work in a safe and productive manner, must obtain written certification from the prescribing physician or a pharmacist that the drug will not interfere with safe and productive job performance. This certification should be maintained by the employee and should not be provided to the City, except upon request. If the physician or pharmacist suggests work restrictions, those restrictions must immediately be made known to the City.

### **Pre-Employment Drug and Alcohol Testing**

The City will conduct pre-employment drug and alcohol testing as a condition of employment. Presence of illegal drugs, alcohol, or controlled substances, without adequate explanation, will eliminate the applicant from being considered for employment. Applicants who refuse to be tested for illegal drugs and alcohol will be removed from consideration of employment.

### **Drug and Alcohol Testing**

When an employee is involved in a vehicle or workplace accident; the City will require the employee(s) to submit to drug and alcohol testing. If the vehicle or workplace accident is minor in nature, the Department Head or City Manager may exempt an employee from the drug and alcohol testing.

### **Refusal to Test**

Refusal to submit to the types of drug and alcohol tests employed by the City will be grounds for refusal to hire applicants, and for termination of employment of existing employees. A "refusal to test" is defined as any conduct that would obstruct the proper administration of a test. If an individual cannot provide a sufficient urine specimen or adequate breath and refuses to submit for a blood test, he or she will be evaluated by a physician, or appropriate testing or medical facility of the City's choice. If the physician, or appropriate testing or medical facility cannot find a legitimate medical explanation for the inability to provide a specimen (either urine or breath), the individual will be considered to have refused to test.

### **Reporting Violations**

Each employee is required to immediately report any violation of this policy to the City Manager. An employee who fails to report such a violation is subject to disciplinary action, up to and including discharge. All employees must notify the City Manager of any criminal conviction or arrest for the use of drugs and/or alcohol within five (5) days of such conviction or arrest. The term "use" includes but is not limited to consumption, possession, distribution, possession with intent to distribute, and driving under the influence.

### **Inspection of Work Areas, Possessions, and Vehicles**

Where the City has reason to believe that an employee is in violation of this policy, he or she may be asked to submit immediately to a search of his or her person and/or to make his or her work areas, lunch box, briefcase, purse, packages, personal belongings, desk, work vehicles, or any other receptacle he or she uses or has access to, available for inspection. Such search or inspection typically will be conducted in the presence of at least one witness other than the City representative performing the search or inspection. Entry onto City premises (including parking lots) constitutes consent to search and inspection. Refusal to consent to search or inspection shall be considered grounds for which an employee may be disciplined, up to and including termination of employment.

## **Consequences of Policy Violation**

Any employee who engages in prohibited conduct as set forth herein will be subject to disciplinary action, up to and including termination of employment.

The City will consider any convictions, as set forth above, and will determine the appropriate disciplinary action. In doing so the City will consider the severity of the offense, whether any part of the conduct occurred in the workplace, the position of the employee, the effect of the conviction on the employee's ability to conduct business.

An employee who is disciplined, but not terminated, may be required to satisfactorily participate in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency. Furthermore, an employee who is not subject to mandatory termination may, as a condition precedent to returning to work, be required to certify that he/she has enrolled in and/or completed such drug abuse assistance or rehabilitation program. The employee shall provide documentation in a frequency determined by the City Manager that they are complying with any drug abuse assistance or rehabilitation program. The employee shall also be subject to random drug and/or alcohol testing as a condition of continued employment.

The employment of any individual who tests positive for alcohol and/or illegal drugs, or who refuses a test under this policy, may be terminated.

Employees who voluntarily reveal that they have a drug or alcohol problem, before it is discovered by the City, may be permitted to participate in a rehabilitation program under the medical insurance and will not be subjected to discipline.

## **D. OUTSIDE EMPLOYMENT**

Employees are permitted to work jobs outside of the City that do not conflict with City related job roles and responsibilities. However, that employment may not interfere with the Employee's responsibilities at the City. Employees also may not do any outside work during his

or her workday at the City. Employees must seek approval from their Department Head for outside employment. Permission for outside employment will not be unreasonably withheld.

#### **E. PERSONAL PHONE CALLS AND TEXT MESSAGES**

Except as authorized by an employee's supervisor for work purposes or family emergencies, cell phone usage including texting shall be limited to break periods.

The City provides cell phones to some employees as a business tool and requires that issued phones be activated throughout the workday and in some cases on a 24-hour basis. The phones are to be used to keep the employee in contact with the office, vendors and others with whom they may conduct business. Use of City provided cell phones must comply with the Electronic Communications and Access Policy. Any employee who violates this policy may be subject to disciplinary action, up to and including termination.

#### **F. MEDIA, SOCIAL MEDIA, AND PUBLIC AFFAIRS**

No employee may make any public statement or commentary on behalf of the City without first obtaining prior authorization from their Department Head or City Manager.

When representing oneself as a City employee, or on City business, no employee shall make statements that are disruptive to the operations of the City.

If an employee is contacted by the media and asked to comment about any matter involving the City, the employee should refer the individual to the City Manager or the appropriate Department Head.

The goal of all City Social Media accounts are to efficiently and effectively disseminate information regarding City current events, emergency notifications, program promotion, and other time sensitive notifications. All postings are to represent DuBois City in a positive, non-adversarial light.

#### **Establishment of Municipal Accounts:**

All City Social Media accounts must be approved by the Department Head or City Manager. All logins/account names, passwords and assigned staff publishers must be approved by the Department Head or City Manager in advance. Staff must notify the Department Head or City

Manager of any changes to account information immediately upon making such changes (i.e. changes to account name/publishers/passwords).

#### **City Content/Interaction via Social Media:**

The approved publishers may upload images, text and video with information that will serve to inform, protect and/or publicize important City events. All publishers must strictly adhere to the established policies for the publication of photos and videos.

Department Head(s) who are assigned responsibility for social media accounts shall be responsible for all content and must ensure that all posts are in accordance with established City policies. Publishers can only delete comments on posts that include obscene, abusive, threatening, profane, illegal, or advertising language.

City Social Media accounts are to contain information regarding City current events, emergency notifications, program promotion, and other time sensitive notifications (i.e. closings/refuse delays).

City Social Media accounts are not to be utilized by City personnel for personal editorial purposes concerning City policies, occurrences, or events.

The administrator may not respond to any comments placed on a Social Media account other than to correct matters of fact regarding time/place/location of City Events or information; subscribers will be encouraged to direct any non-general inquiries or comments to an established email account.

#### **Subscribers/Followers (of Municipal Social Media accounts):**

The Social Media accounts will be available for interested subscribers to “like” or “follow”, so that they may stay informed as the City posts pertinent, time sensitive information.

Subscribers are free to comment on posts and use it as an outlet for civil discourse. However, any postings that include obscene, abusive, threatening, profane, illegal, or advertising language will result in removal of the post and expulsion of the subscriber from further social media interaction with the City. The City’s policy for use of Social Media outlets will published on the individual Social Media accounts and on the City website.

#### **G. PERSONNEL FILES**

Personnel files are maintained as "confidential" by the City; and they are not accessible to review by anyone, except the employee, Department Head, or City Manager.

Employees may inspect their personnel file upon request to the City. The file will be made available within a reasonable period after the request, for inspection during the regular business hours of the City, at a location determined by the City.

During any file inspection, the employee is not permitted to take, change, or remove any of the documents in the file.

#### **H. CONFLICTS OF INTEREST**

Employees are prohibited from using their position or employment for personal or pecuniary gain or benefits for themselves or their immediate family and are bound by state ethics laws and regulations.

#### **I. COMPUTER AND ELECTRONIC RESOURCES POLICY**

The City's electronic resources, including but not limited to computers, laptops, telephones, handheld devices, networks, e-mail systems, facsimile, voicemail and communication hardware/software systems, were installed and are provided by the City to assist in carrying out the business and further the best interests of the City

These electronic resources are provided for business purposes. Limited personal use during break periods is permitted so long as it does not interfere with the performance of your job, consume significant resources, give rise to more than nominal additional costs, or interfere with the activities of other employees. Under no circumstances shall such facilities be used for personal financial gain or to solicit others for activities unrelated to the City's operations.

Email and other electronic communications, including communications sent via any of the City's electronic resources or communications systems will be referred to as "email" throughout this policy. The City considers the e-mail system to be for business use only, with limited personal use permitted as outlined above. While it is possible that employees may decide to send personal messages, the City assumes no responsibility for their content or for maintaining their privacy, and employees have no expectation that such privacy will be maintained.

In order to ensure that the system functions properly and that the City and/or its employees are not liable for improper use of Internet and other connections, the City considers all



messages sent, received or stored as business messages, and thus, property of the City. Conducting business unrelated to the City, other than incidental personal traffic, is expressly prohibited.

The City has installed virus protection software on each machine connecting to the Internet and will update it on a regular basis. It is the responsibility of the employee not to open unexpected attachments and/or email messages, even from someone you know. It may contain a virus and should be immediately discarded.

You are not permitted to alter, delete, encrypt or add programs or applications to any electronic resources, including the one on which you perform your work. Any alterations, deletions, encryptions or additions must be approved by the Systems Administrator. Only the Systems Administrator may load or authorize the loading of software on any City computer. Unauthorized software loaded on any City computer will be removed by the Systems Administrator. Anyone aware of unauthorized software on City computers is to notify the Systems Administrator, who will remove the software. Do not attempt to unload/remove unauthorized software yourself.

The City prohibits the use of any desktop information channels and music or video streaming running on City computers unless specifically authorized by the City Manager. These include, but are not limited to Pointcast, Weather Forecast, News, Sports, Lottery and Stock tickers. These types of programs run constantly and use network bandwidth that should be reserved for City business.

All information created, accessed or stored using the City's electronic resources and systems is the property of the City. City employees do not have an expectation of privacy in either sending or receiving electronic messages, user histories, or any other activity or information sent or accessed on the internet. The City can review, read, access or otherwise monitor all activities, including email and Internet activity, on its electronic resources or system, or on any other system accessed by the use of the City's electronic resources and system. Even when activity is erased, deleted, or password-protected, it is still possible to review and/or retrieve the activity or communication. Further the use of passwords for security does not guarantee confidentiality.

Should employees make incidental use of the e-mail system (including Internet email) for the purpose of transmitting or receiving personal messages, such messages will be treated no differently than other messages (i.e., the City reserves the right to access, review, copy, delete,

or disclose them for any purpose). Accordingly, authorized users should not use the e-mail system to send, receive, or store any messages that they wish to keep private.

Because of our intent to operate within the law, the City reserves the right to access, review, copy, or delete all e-mail messages for any purpose and to disclose them to any party (inside or outside the City) as it deems appropriate. This includes the right to install software that monitors e-mail and Internet usage. The City, however, bears no responsibility for the content of messages sent or received by its employees. The City does not and will not preview, edit or approve material on a routine basis in the e-mail system. All messages sent on the e-mail system are attributable solely to the individual users of the e-mail system, and the City is not a party to them. The City shall not be liable for, assume any legal responsibility for, or bear any costs arising out of e-mail communications flowing in or out of the City's computer system.

Employees may not use the City's electronic resources or systems, including email, in any manner that violates federal, state or local law and/or any City policy, including but not limited to the City's Policy Against Discriminatory Harassment (i.e., e-mail messages or information which may be intimidating, hostile, or offensive in nature or which is discriminatory on the basis of race, color, religion, sex, national origin, sexual orientation, disability, or any other basis that is unlawful under City policies or applicable state and federal law. Nor should any obscene, profane, abusive, or offensive language be transmitted. Any violation of this policy may be grounds for disciplinary action up to and including discharge. Employees must not hide their identity or represent the sender as someone else when using the City's electronic resources. The City bears no responsibility for any consequences resulting from any employee who uses the e-mail system for any fraudulent, or other illicit purpose, or contrary to the provisions of this policy.

Some of the messages sent, received or stored in the e-mail system may be privileged communications between the City and its attorneys, or other entities. Upon receipt of any such message, do not forward it or its contents to others inside the City without the authorization of all parties. Never forward such messages or contents to any outsiders. To the extent practicable, all efforts should be made to send such privileged communications in an encrypted form.

Moreover, as the City has not established an encryption standard for use, all encryption software, prior to sending any message, should be approved by the City Manager.

In order to guard further against dissemination and disclosure of Proprietary Information, employees should exercise caution when accessing their messages in the presence of others. E-

mail windows should not be left open on the screen when the computer is unattended. Users shall not allow any other person to use their name and password to gain access to an e-mail system. Passwords are required and should be changed regularly. The City reserves the right to impose guidelines requiring mandatory password changes and encryption measures to provide additional measures of security.

Employees should audit stored e-mail messages regularly and should delete any messages that are no longer needed.

Use of the e-mail system to copy and/or transmit any documents, software or other information protected by the copyright laws, without proper authorization by the copyright owner, is prohibited.

Copyright protection applies to any document, photo, software, or information unless it is specifically marked as public, not copyrighted, or freeware. In the absence of any specific copyright markings, material or information should be considered copyright protected. The City assumes no responsibility for reviewing, ascertaining or policing copyrighted material that may be transmitted to or from the e-mail system by employees.

Please bear in mind that your e-mail messages may be read by someone other than the addressee and may even have to be disclosed to outside parties including accounts in connection with litigation. Accordingly, please take care to ensure that your messages are courteous, professional, businesslike, and tasteful.

Employees are required to comply with applicable state, federal and local law when utilizing electronic resources, including personal electronic resources, when driving vehicles and operating equipment. This includes talking on City-issued or personal phones; viewing email, text messages, images and other content; using devices to communicate in any manner; and using devices to input, upload or download data and other content.

Employees are prohibited from using the City's electronic resources to:

- Run a personal business, or for personal gain or commercial activity unrelated to the City;
- Send widely distributed emails to offer to sell or give away any product or services;
- Download, upload, store, send, distribute, or display any content that is inappropriate to a professional business setting, including but not limited to content that:
  - may be considered obscene, lewd, lascivious, or pornographic;

- is reasonably likely to harass, intimidate, threaten, embarrass, humiliate, or degrade other individuals;
  - targets an individual or groups of individuals for purposes of harassing, intimidating, threatening, embarrassing, humiliating, degrading, or discriminating on the basis of ethnic origin, race, sex, age, disability, or other protected trait; and
  - contains defamatory references or depictions of other individuals.
- Load or download any software that has not been approved;
  - Duplicate copyrighted or licensed software, or use illegal copies of software (which are violations of federal law);
  - Initiate or forward electronic chain letters or pyramid schemes;
  - Send privileged or City-restricted information;
  - Gain or attempt to gain unauthorized access to, or make unauthorized use of, computer accounts, disks, files, equipment, networks, or facilities;
  - Violate the privacy of others by reading their files or computer mail or listening to their voice mail without consent;
  - Intentionally erase stored information or modify equipment, accounts, disks, or files, other than for business purposes;
  - Attempt to deceive other computer users through false representation or forgery;
  - Attempt to defeat any security mechanisms;
  - Intentionally introduce harmful software or release a virus, worm, or other program that damages or otherwise harms a system or network;
  - Interfere with any other person's use of computer systems;
  - Compromise any component of any network or the intellectual property stored therein by releasing privileged or sensitive information, including personal passwords;
  - Violate federal, state or local laws; and
  - Violate any City policy.

Internet use during work time and using the City's electronic resources is authorized for business purposes, with only limited personal use permissible as outlined above. Any employees who become aware of misuse of the City electronic resources or system should contact the City Manager immediately. Any employee who violates this policy or uses electronic resources for improper purposes will be subject to discipline, up to and including termination.

As indicated above, all policy provisions related to electronic resources or systems, including e-mail systems, shall apply to any voice mail, facsimile or EDI (Electronic Data Interchange) system owned by the City.

Restrictions on access of these systems by others will only apply where password-controlled access is established (i.e. it is permissible for someone to leave a message in your voice mailbox, but other persons should not be given password access to your voice mailbox). EDI is defined as any electronic exchange of data, including modem-to-modem transfers.

### **Phone Calls**

All phone calls are to be answered promptly and in a courteous manner. The employee is to answer the caller's question(s) to the best of their ability; if the employee does not know the answer to the caller's question(s) they are to ask other employees for assistance or are to direct the caller to where they would be able to find the information. It is better to seek assistance when answering questions than to give a caller wrong information.

If the caller requests to speak with someone else in the office or requests that action be taken by the City the employee is to record the caller's:

1. Name
2. Number
3. Address
4. Relation to the City
5. Reason for calling

All callers asking to be transferred to a specific employee should be screened to ensure that they are asking for the correct employee and that there is a necessity for the call to be transferred.

If a caller becomes hostile or threatening the employee must tell the caller that they are not to speak in that manner and must tell the caller that they will hang up the phone if the caller continues in a hostile manner. If the caller's behavior does not improve the employee may hang up the phone. If the caller threatens action against any City employee or the City building the employee is to record their name and address and notify the police immediately.

All phone calls made by City employees to those outside the City are to be professional in nature. Employees should always identify themselves as City employees.

## **J. DRESS CODE**

The purpose of the City Dress Code is to establish and maintain a professional, comfortable

work environment. Proper attire is the first step in projecting a professional image to our residents, business partners and fellow employees. The City's dress code policy resembles what has come to be known as Business Casual. Business Casual attire presents a professional appearance with the added benefit of comfort and some flexibility. Employees who prefer formal business attire are welcome to dress accordingly.

All employees are expected to come to work with clean clothing that meets the requirements of the Dress Code Policy. In addition, it is expected that each employee shall maintain exceptional personal hygiene at all times. This policy is not all-inclusive and may be revised at the discretion of the City Manager. Employees who violate this policy may be sent home without pay. Continued violation of the Dress Code Policy may result in more serious disciplinary action.

Business Casual should not be confused with casual weekend or evening attire that may typically be worn at picnics, parties or entertainment establishments. Any clothing that has words, terms, or pictures that may be offensive to other employees is unacceptable; such attire would not project a professional image and therefore would be inappropriate for City employees to wear to the office.

#### Exceptions to the Policy:

When permitted by the City Manager, employees may wear jeans to work. Jeans should be clean and not torn or excessively worn. Sports team, university, and fashion brand names on clothing are generally acceptable but are to be reserved for days such as Friday when more casual attire (jeans) is permitted. Other exceptions may be granted based on an employee's work assignment (i.e. employees assigned to work on a job site) or as determined by the City Manager.

The following shall serve as a guide for determining appropriate attire.

#### 1. Fabric

All clothing fabric must be opaque in nature so as not to reveal undergarments. Spandex or other form fitting fabrics typically worn for exercise (i.e. biking or dance/yoga attire) may not be worn to work. Fabric may not be torn, excessively worn or adorned with lettering that may be offensive to others.

#### 2. Pants

Pants must have rise that does not reveal undergarments or an individual's skin, be it in the front, side or back. Appropriate attire includes pants similar in style to Levi's Dockers, business

suit pants or dress Carpi's, and jeans. Jeans should be clean and not torn or excessively worn. Sweatpants, loungewear, shorts or overalls are considered inappropriate.

3.      Skirts/Dresses

Skirts and dresses should be of a length equal to the tip of the individual's middle finger when their arm is fully extended on the side of their body. Mini-skirts, evening dresses, sundresses, beach dresses, and spaghetti-strap/halter top dresses are considered inappropriate and are not permitted.

4.      Shirts/Dress top/Neckties

Shirts (and the tops of dresses) may be sleeveless but must extend from the collarbone to the end of the shoulder (no muscle shirts, tank tops, halter-tops or spaghetti strap tops). Tops should cover the back to within three (3) inches of the nape of the neck. All tops/top of dress/shirts must provide full coverage of cleavage, chest, back and underarm hair.

5.      Shoes and Footwear

Loafers, clogs, dress boots (ankle, knee and calf high) and dress heels/sandals/flats are acceptable for work. Thongs, flip-flops and slippers are not acceptable in the office. Employees working out in the field should wear footwear appropriate for the conditions to ensure the employee's safety.

6.      Jewelry, Makeup, Perfume, and Cologne

Employees need to be mindful that fellow employees as well as the public we serve may be allergic to the chemicals in perfumes and colognes/aftershave and as such employees should wear these substances with restraint. Make up should be applied in a conservative/limited manner. Jewelry and body art should not be of a design that hinders work performance and must not express inappropriate, offensive ideas.

**K.      SOLICITATION POLICY**

In order to avoid interference with operations, disputes between employees, and unnecessary litter, the following rules have been adopted:

1. Employees are prohibited from soliciting for funds or distributing any materials or literature which interferes with City operations.

## **L. CITY FACILITIES AND EQUIPMENT**

It is the responsibility of all City employees to assure that all facilities and equipment are used with care. Care should also be taken to prevent theft, loss, destruction or deterioration of City property through appropriate security and maintenance procedures.

Under no circumstances will the City employee use City tools, equipment and supplies for their own personal use without permission from the appropriate supervisor.

It is the responsibility of all City employees to ensure that all doors and windows in their work area are closed and locked at the end of the workday.

## **M. WHISTLEBLOWER POLICY**

The City requires all employees to conduct City business in an ethical, honest and legal manner. It is the policy of the City to comply with all applicable federal, state and local laws in the conduct of City business. The purpose of this policy is to establish a procedure for employees to report illegal or dishonest activity or other misconduct involving the City's financial or business affairs (hereinafter referred to as "misconduct").

Such misconduct may involve an employee, supervisor, department head, or public official, or outside person or firm doing business with the City. Examples of misconduct includes, but is not limited to, violation of state, local or federal laws, billing for services not performed, theft or inappropriate use of City funds or property, fraudulent financial reporting, and other misconduct involving the City's financial and business affairs.

If an employee has knowledge of or concern about misconduct, the employee should report the concern or complaint to the employee's supervisor. In the event such a violation would involve the employee's supervisor, the employee should contact the City Manager, the City Solicitor or the City Council. An employee (whistleblower) who makes a complaint must exercise sound judgment and act without malice and in good faith to avoid baseless allegations or frivolous complaints.

Reports may be verbal or in writing. No particular format is necessary. However, all complaints should include as much information as possible to permit a thorough and complete evaluation of it. This includes material evidence, names of persons able to corroborate the accusation, if possible, and how to contact the complainant. The recipient of a complaint is responsible for ensuring that all information regarding the complaint is properly recorded and thus becomes



the formal record of the complaint. A copy of any written complaint will be provided to the complainant for confirmation of accuracy. (Note: Anonymity or an orally registered complaint may hinder the ability of the City to investigate the matter in a timely and effective manner.) The whistleblower is not responsible, nor is the whistleblower the appropriate party, for investigating the activity or for determining fault or corrective measures.

## **N. GREEN INITIATIVES**

In an effort to protect the environment, the City is striving to become more energy-efficient and environmentally friendly. All employees of the City are asked to play a part in the City's green initiatives.

The following are just a few ways that all City employees can go green:

- **Energy Savings**

Employees should turn off all lights, computers, copiers and other equipment at night or when leaving for extended periods of time.

- **Recycling**

Employees should recycle as many items as possible. This includes the recycling of all paper, bottles, cans, print cartridges and other office materials. Recycling bins/containers will be made available in appropriate areas.

- **Conservation**

Employees should eliminate waste, especially wasted paper and other office supplies. For example, paper waste can easily be reduced by printing papers double sided or by cutting back on the number of items printed. Documents provided in electronic format should be reviewed on the computer and only be printed out when required.

The City will continue to look for ways to become more environmentally friendly and encourages all employees to partner with the City in working to protect the environment. If

an employee notices an area where the City can improve its environmental practices, they are asked to inform their Department Head.

#### **O. RIGHT TO KNOW ACT**

All requests for information from the City are subject to the Pennsylvania Right-to-Know Act. Requests for documents from the City must be referred to the Open Records Officer. Some City records are not to be open to scrutiny by members of the public such as portions of personnel records and income tax records. Therefore, the Open Records Officer/City Manager should be kept informed in advance of dissemination of all information that is requested by the public so a decision can be rendered as to whether the information should be released. As noted above, if there is a question concerning the information, the party who is inquiring should be referred to the appropriate official or Open Records Officer.

#### **P. STAFF MEETINGS**

All Department Heads and Administrative staff are expected to attend a staff meeting under the direction of the City Manager. Staff meetings are also held within departments under the direction of the Department Head and are expected to be attended by all departmental staff.

Staff will be notified of the meetings in advance. Failure to attend the staff meetings may result in disciplinary action. Permission to be excused from the meeting must be granted by the City Manager or Department Head in advance.

#### **Q. SUSPECTED MISCONDUCT AND HONESTY**

Like all organizations, DuBois City is faced with risks from wrongdoing, misconduct, dishonesty and fraud. We must be prepared to reduce these risks and their potential impact in a professional manner.

The impact of misconduct and dishonesty may include:

- financial loss;
- damage to the reputation of the City and its employees;
- loss of public confidence;
- investigation and administrative resources;

- use of scarce resources;
- adverse impact on recruitment and retention of employees;
- damaged relationships with insurers, contractors, suppliers and other governmental entities;
- damaged employee morale; and
- loss of confidence of financial institutions essential to government.

Our goal is to establish and maintain an environment of fairness, ethics and honesty for employees, residents, suppliers, financial institutions and other governmental entities. To maintain such an environment requires the active assistance of every employee and supervisor every day.

The City is committed to the deterrence, detection and correction of misconduct and dishonesty. This Policy provides a sound foundation of discovery, reporting and documentation of prohibited acts to protect innocent parties. It provides for disciplinary action against offenders, including, if appropriate, dismissal. This Policy also provides for referral to law enforcement agencies if warranted and for recovery of assets.

### ***Purpose***

The purpose of this document is to communicate the City's policy regarding deterrence and investigation of suspected misconduct and dishonesty by employees and to provide specific direction regarding appropriate action in case of suspected violations.

### ***Definition of Misconduct and Dishonest***

For purposes of this policy, misconduct and dishonesty include, but are not limited, to:

- theft or other misappropriation of assets, including assets of the City, residents, suppliers or others with whom the City has a business relationship;
- misstatements and other irregularities in City records, including the intentional misstatement of the results of operations;
- wrongdoing;
- forgery or other alteration of documents;
- fraud and other unlawful acts; and
- any similar acts.

The City specifically prohibits these and any other illegal activities by its employees, administrators, executives, supervisors and others responsible for carrying out the City's responsibilities.

### ***Policy and Responsibilities***

#### **1. Reporting**

It is the responsibility of every employee, administrator, manager and executive to immediately report **suspected** misconduct or dishonesty to his or her supervisor. Supervisors, when made aware of such possible misconduct, must immediately report such acts to the Manager or other appropriate person. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Due to the important, yet sensitive nature of the suspected violations, effective professional follow up is critical. Supervisors, while appropriately concerned about "getting to the bottom" of such issues, should not perform investigative or other follow up steps on their own. All relevant matters, including suspected but unproven matters, should be referred immediately to the City Manager.

#### **2. Responsibility and Authority for Follow Up and Investigation**

The City Manager has the primary responsibility for all investigations involving the City. The City Manager may request the assistance of the City's Auditors in any investigation, including access to the City's Auditors periodic examinations and evaluations of internal controls.

Properly designated members of the investigative team will have:

- free and unrestricted access to all City records and premises, whether owned or rented; and
- the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and City procedures.

### **3. Additional Responsibilities of Supervisors**

Employees with supervisory responsibilities at any level should always be aware of the importance of deterrence and detection. If you have supervisory or review responsibility, in addition to reporting suspected violations as is required above, you have three additional responsibilities.

- Awareness of potential misconduct.
- Continued monitoring of your area.
- Implementation of City Procedures and Policies.

Authority to carry out these three additional responsibilities is often delegated to subordinates. However, accountability for their effectiveness cannot be delegated and will remain with the Manager.

Assistance in effectively carrying out these responsibilities is available through the Police Department, the Finance Officer, the City's Auditors and through other sources. All actions must first be approved by the City Manager.

Investigative or other follow up activity will be conducted without regard to the suspected individual's position or relationship with the City.

### **R. DRIVER'S LICENSE AND DRIVING RECORD**

When a valid driver's license is essential in accomplishing job duties, a valid license for the classification of work being performed must be maintained as a condition of continued employment. The loss of a driver's license may be grounds for suspension or termination.

In the event that an employee loses his/her driver's license by either suspension or revocation, he/she shall notify the City immediately but no more than 24 hours after the notification. Also, the City must be notified immediately if there is a citation/ticket issued when using City vehicles. The City must remain updated on the situation as well as but not limited to receiving any summons, copies of tickets and the final outcome.

The City reserves the right to request the driving record for all employees from the Pennsylvania Department of Transportation once yearly or as designated by the City. In the event that an employee refuses to sign the application, that will be grounds for immediate suspension or dismissal.

## **S. DISCIPLINE AND TERMINATION**

When an employee's personal conduct impairs performance on the job, affects another employee, or reflects adversely on the City, it is a matter of great concern to the City. To assure orderly operation and to provide a safe and productive work environment for all, certain general conduct rules have been established as guidelines for all employees. The City may impose discipline on any employee who violates the City standards for conduct, performance, or otherwise violates City policies or state and federal law. In all instances, the City strives to impose consistent discipline calculated to improve work performance or modify employee conduct. The City will attempt to employ a progressive form of discipline but will not be bound by any set scale of discipline and discipline will be administered as the violation requires. Discipline is subject to the provisions of applicable collective bargaining agreements. The following is a list of unacceptable conduct that may result in discipline. This list is not meant to be an exhaustive list, but contains examples of inappropriate conduct that may lead to disciplinary action, up to and including discharge:

- Violation of any of the City's policies, including but not limited the Equal Employment Opportunity policy, the Policy Against Discriminatory Harassment, Electronic Communications, Resources and Access Policy, and the Drugs, Alcohol and Controlled Substances Policy.
- Unauthorized use of, removal of, theft of, damage to or misappropriation of property or equipment belonging to the City or a fellow employee, or property of outside concerns servicing the City.
- Excessive or prohibited personal use of the City's property or resources, including but not limited to computers, equipment or any other City-provided resource.
- Threatened or actual violence while on City premises or on City business, including provoking, instigating or being involved in a fight on City property or carrying out acts of violence or threatening violence to an employee, Board member, City official or visitor.
- Dishonesty, false, fraudulent or misleading statements, actions or omissions involving another employee or any records or information provided to the City (whether oral or written), including but not limited to employment applications, personnel records, time and pay records, information or claims pertaining to absence from work, injuries

occurring on the City's premises, and any claims for any benefits provided by the City, or assisting in such falsification.

- Insubordination, including refusal or deliberate failure to carry out a work assignment or to comply with instructions.
- Abuse, inconsiderate treatment or inability to cooperate with co-workers, supervisors, employees or members of the public. This includes, but is not limited to, the use of profane, abusive or threatening language.
- Instigating or encouraging any work stoppage, interruption or impeding of work in violation of any collective bargaining agreement, if applicable.
- Engaging in horseplay, practical jokes, and/or participating in gambling or conducting any illegal lottery or any other game of chance on City property or on City business.
- Immoral or indecent conduct during the workday or on City premises.
- Failure to maintain a neat, well-groomed appearance and appropriate dress.
- Absence without notification.
- Insufficient, careless work performance, neglect of duties, repeated unsatisfactory work performance, or deliberately restricting output or encouraging another employee to do so.
- Sleeping on duty, without authorization from the City Manager or Department Head.
- Abuse of sick leave.
- Tardiness.
- Unapproved absences.
- Other behaviors that undermine the interest or safety of the City.

All employees are expected to know and understand the above guidelines. Failure to abide by these guidelines may result in disciplinary action, up to and including termination of employment. Disciplinary action should be memorialized in writing and placed in a disciplinary file, which shall be maintained for a period of seven years.

Disciplinary action shall occur as provided for in the Collective Bargaining Agreements, as applicable. For non-represented employees, disciplinary action is exclusively at the City's discretion and may call for any of four steps- verbal warning, written warning, suspension with or without pay, or termination of employment- depending on the severity of the problem and the number of occurrences. There may be circumstances where one, more or all steps prior to termination are bypassed.

The City recognizes that the above list is not exhaustive, and that other behaviors or circumstances may necessitate the need for disciplinary actions up to and including termination, or other corrective actions and documentation.

#### **T. GIFT POLICY**

The policy of the City is to not allow employees to accept gifts, excluding good will de minimis gifts (less than \$100 in value). Any unusual or unclear situation should be discussed with your supervisor prior to accepting the gift.

#### **U. GRIEVANCE PROCEDURE**

Employees covered by collective bargaining agreements may invoke the grievance and appeal process as defined in the applicable collective bargaining contract.

#### **V. RESIGNATION**

Employees have the right to resign at any time. If an employee resigns, the employee must provide notification in writing to their immediate supervisor. Employees are expected to provide a minimum of a two-week written notification. Professional employees are expected to provide a minimum of four-week written notification.

#### **W. VOLUNTEER FIREFIGHTERS**

Employees that are active members of a DuBois City Volunteer Firefighting Company may respond to fire calls during normal working hours with the permission of their Department Head, and if not available, the City Manager. Employees will continue to receive their regular pay during these calls but will not be granted overtime. The Department Head or City Manager will assess City needs prior to releasing an employee on a fire call.

Employees that are active members of a non-DuBois City Volunteer Firefighting Company may respond to fire calls during normal working hours with the permission of their Department Head, and if not available, the City Manager. The employee will not receive their regular pay during these calls, but can utilize accumulated compensatory leave, vacation leave, or make up the missed work time by mutual agreement of the Department Head or City Manager. The Department Head or City Manager will assess City needs prior to releasing an employee on a fire call.



**X. ANTI-NEPOTISM POLICY**

- A. A prospective employee shall not be appointed when that person is to supervise, or be supervised by, either directly or indirectly, a relative within the third degree, related either by blood or marriage.

For the purpose of this section, a relationship within the third degree includes all relatives up to and including great grandchildren, nephew, nieces, uncles and aunts.

- B. Two persons who are married shall not be employed within the same department. If two employees become married while both are employed in the same department, the department director and/or City Manager will consider the effect of such a situation on the management of the department.

At its discretion, the City Manager may require one of the employees to transfer to a different department within the City.

- C. This policy may be waived at the discretion of the City Council in extraordinary situations or circumstances, based upon the advice and recommendation of the City Manager and the appropriate department director. However, under no circumstance may an employee be evaluated for salary and performance considerations by their relative.

**RECEIPT SLIP**

I hereby acknowledge that I have received a copy of DuBois City's *Employee Handbook*, which generally describes my benefits and responsibilities as an employee of the City.

I agree that I will read the contents of this Handbook and if I do not understand any policy or procedure statement, that I will contact my supervisor or a member of management.

I understand that the policy statements and practices outlined in this Handbook, as interpreted and applied by the City, supersede any and all oral representations made to me by any other person and that no person has authority to make any representation or promise to me which is inconsistent with the statements in this Handbook.

I understand that this Handbook does not constitute an employment contract or a guarantee of continued employment. This Handbook and other benefits and other provisions contained in it may be cancelled or amended at any time.

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

Date: \_\_\_\_\_