

CITY OF KENNETT EMPLOYEE HANDBOOK
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ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

Origination Date: 12-20-16

Updated: 9-2-20

I understand the information contained in the City of Kennett Employee Handbook represents guidelines only, and the City reserves the right to modify this Employee Handbook or amend or terminate any policies, procedures, employee benefit program, or any other guidelines contained herein, at any time, with or without advance notice.

I understand that I am an at-will employee, and I therefore understand that my employment may be terminated at any time, with or without notice, and with or without cause by either the City or myself. No employee, agent or representative of the City other than the City Council has any authority to enter into any agreement guaranteeing employment for any specified period of time, or to make any assertions, promises or agreements relating to compensation or any other aspect of my employment, contrary to the foregoing. I further understand that any such agreement authorized by the City Council shall not be enforceable unless it is writing and signed by both myself and the City Council.

I understand this Employee Handbook is not a contract of employment between the City of Kennett and me, and I shall not view it as such.

I hereby acknowledge that I have received a copy of the City's Employee Handbook and/or will view it on the City's website, **cityofkennettmo.com**, originally dated December 20, 2016, and updated September 1, 2020, and agree to abide by it as well as other rules and regulations of the City including the policy prohibiting harassment set forth herein, I understand that it is my responsibility to read and understand this Handbook and keep up-to-date on the City's policies.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

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1-101 WELCOME TO ALL EMPLOYEES:

Updated: 9-1-20

When we accepted employment with the City of Kennett we became, in the most favorable interpretation of the term, "Public Servants."

As municipal employees, we should always be conscious of the fact that we represent the City of Kennett. As public servants, we should consider ourselves good will ambassadors for our City.

In considering the public, let us remember that they are human beings. They have troubles, problems, difficulties and sorrows. They vary from day to day and even from minute to minute. Human beings often react more in accord with their emotions than with their reason. Always treat the public with respect and always be courteous. Remember that revenue from the public pays our bills and our salaries.

Vehicle drivers can do much to build good will. Our vehicles are clearly marked and the public quickly forms impressions based on the conduct of the drivers. Drivers must observe all traffic laws, drive courteously, signal properly, not crowd other vehicles, or rush pedestrians. Keep vehicles clean and good state of repair.

Working crews must be courteous and tactful. Friendly workmen who are willing to answer a question if they can, who work carefully and conscientiously, and who are considerate can do much to create a reservoir of good will.

Those employees working directly with the public on a daily basis, such as the City Clerk's office and Police Dispatchers, should have a patient and courteous nature. They should demonstrate a friendly and polite attitude and always strive to accommodate the public's needs.

This Employee Handbook only contains a portion of the City of Kennett's Personnel Manual. A complete copy of the manual is available by request from your supervisor.

If you have any questions about the Employee Handbook, please talk to your supervisor.

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1-102 INTRODUCTION TO EMPLOYEE HANDBOOK

Updated 9-1-20

The purpose of the Employee Handbook is to provide an overview of the policies for all employees of the City of Kennett. It was developed to describe some of our expectations and many of your responsibilities as a City employee. It will provide you with information about working conditions and benefits available to eligible employees and some of the policies affecting your employment.

You should read and familiarize yourself with the contents of this Handbook as soon as possible, since it will answer many questions about employment with the City. You are responsible for understanding and complying with all provisions outlined in the contents of this Handbook. If you should have questions about this Handbook or any aspects of your employment with the City, your supervisor will be happy to discuss them with you.

The relationship between you and the City of Kennett is **at will**. Either the employee or the City, in its sole discretion, may end the employment at will relationship at any time during or after the introductory period, with or without cause or advance notice. The Employee Handbook is not a contract. While containing general statements of the City's policy, the Handbook does not operate to form in any way an employment for any specified period of time. You entered into employment with the City voluntarily, and you are free to resign at will at any time, with or without cause. This Handbook does not alter the employment-at-will relationship in any way, and is not so intended. No entity or individual other than the Council is authorized to modify this Handbook or to enter into any agreement, oral or written, contrary to the policies and procedures contained herein. This Handbook supersedes any previous Employee Handbook, application, memoranda, or materials provided.

No Employee Handbook can anticipate every circumstance or question about policy. The provisions of the Handbook have been developed at the discretion of management and, except for the policy of employment-at-will, may be amended or cancelled at any time, at the sole discretion of the City.

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1-103 Equal Employment Opportunity

Updated: 9-1-20

The City of Kennett is an equal opportunity employer.

The City does not make employment decisions based on age, race, color, religion, sex or gender, pregnancy, national origin, disability, citizenship, ethnic status or any other basis protected by law. This policy applies to all aspects of the employment relationship, including, but not limited to, hiring, transfer, promotion, discipline, termination, performance evaluation, training, compensation and all benefits.

The City prohibits any form of discrimination in terms and conditions of employment, as well as workplace conduct directed at employees based on their age, race, color, religion, sex or gender, pregnancy, national origin, disability, citizenship, ethnic status or any other basis protected by law.

The City does not tolerate retaliation of any kind against an employee who has made a report of discrimination either internally or externally, formally or informally, or who has participated in an investigation.

Requests for accommodation of a disability or bona fide religious belief may be submitted to the City Clerk. The City will make reasonable accommodation of disabilities or religious beliefs of qualified individuals, to the extent required by law and unless undue hardship to the City would result.

Any employee who believes discrimination has occurred should immediately report it to his/her supervisor. If the complaint involves your supervisor or Department Head or if you are dissatisfied with the handling of the matter, bring the matter to the Human resource Committee of the City Council by delivering the complaint to the City Clerk. Any questions about this policy should also be brought to the attention of the same persons. Allegations of violations of this policy will be promptly investigated in as confidential a manner as possible and appropriate corrective action will be taken if, and where, warranted. Employees may raise concerns without fear of reprisal.

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1-104 DISABILITY ACCOMMODATIONS

Updated: 9-1-20

The City is committed to complying with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a nondiscriminatory basis.

The City has reviewed hiring procedures to provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential functions of the position. All employment decisions are based on merit in accordance with defined job performance criteria, not the disability of the individual.

Additionally, the City will not discriminate against any qualified employees or applicants because they are related to or associated with a person with a disability.

This policy is neither exhaustive nor exclusive. The City is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

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1-105 HARASSMENT

Updated: 9-1-20

The City is committed to providing a work environment free of discrimination and harassment. It is the City of Kennett's policy that all employees have a right to work in an environment free of harassment based on sex/gender, race, color, national origin, ethnicity, religion, age, disability or any other characteristic protected by law. The City prohibits harassment of its employees in any form - by supervisors, coworkers, citizens, elected officials or suppliers.

Unlawful harassment is any unwelcome conduct based on a protected category, that is severe or pervasive in nature and when:

- Submission to the conduct is made either an explicit or implicit condition of employment;
- Submission to or rejection of the conduct is used as a basis for an employment decision; or
- The harassment substantially interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

No supervisor or other employee shall engage in such conduct nor state, or even imply, that one's refusal to submit to such conduct will adversely affect that person's employment, work status evaluation, wages, advancement, assigned duties, shifts or any other condition of employment or career development. Similarly, no employee shall promise, imply or grant preferential treatment in connection with another employee or applicant engaging in sexual conduct.

Neither does the City tolerate harassment of any kind by employees when dealing with the citizens of Kennett. No employee dealing with the citizens of Kennett shall engage in such conduct or even imply that engaging or refusal to submit to such conduct will positively or adversely affect decisions about law enforcement actions relating to citizen violation of City laws and ordinances.

The City prohibits sexual harassment. It is not possible to define all actions or words that could be considered harassment. It may include a wide range of verbal, physical and visual behaviors and may be sexual or non-sexual in nature. Sometimes, one incident will be enough to constitute harassment. In other cases, a pattern or series of incidents may be necessary.

Examples of behavior that might constitute sexual harassment include but are not limited to unwelcome sexual advances, propositions, pressure for sexual favors, physical contact of a sexual nature and sexually explicit language, gestures, pictures, jokes or objects or any other verbal, visual or physical conduct of a sexual nature. This can include making comments about appearance, even if complimentary, and singling out an individual and calling unwelcome attention them.

The following conduct is not an exhaustive list but could be examples of unlawful harassment if it is based on the employee's protected class. Conduct that is included, but not limited to, persistent offensive derogatory comments, jokes, threats or intimidation, physical assault, sabotaging the employee's work, making false accusations, slurs, epithets, negative labeling or stereotyping, or any behavior that is offensive and shows hostility toward an employee because of his/her race, color, national origin, ethnicity, religion, age, disability or any other protected category.

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Any employee who feels that he or she is a victim of sexual or any other form of harassment, including but not limited to, that conduct listed above, by a supervisor, department head, co-worker, customer, citizen, elected official, or any other person in connection with employment with the City should bring the matter to the immediate attention of his or her supervisor.

Any employee who is uncomfortable for any reason in bringing such a matter to the attention of the immediate supervisor, or who is not satisfied that bringing the matter to the attention of such person will resolve it, should report the matter to the Mayor. Any questions about this policy or potential sexual harassment should also be brought to the attention of the same persons. The City will promptly investigate all allegations of sexual harassment in as confidential a manner as possible and take appropriate corrective and/or disciplinary action if, and where, warranted, up to and including termination of employment.

The City will take all complaints seriously and does not condone retaliation of any kind against an employee who reports harassment in good faith or participates in an investigation. Any form of retaliation against any individual for filing a bona fide complaint under this policy or for assisting in the investigation of a complaint is expressly prohibited and is subject to discipline up to and including termination of employment. Any employee who feels he or she is being subjected to retaliation should contact the person(s) referenced above immediately.

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1-106 Immigration Law Compliance

Updated: 9-1-20

The City of Kennett is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with CTA within the past three years, if their previous I-9 is no longer on file, or if their previous I-9 is no longer valid.

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2-201 Employment Categories

Updated: 9-1-20

All employee jobs are classified as **EXEMPT OR NON-EXEMPT** from the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are paid on a salary basis and are not eligible for overtime pay. Non-exempt employees are paid on an hourly basis and are eligible for overtime pay.

In addition to the exempt or non-exempt classification, each employee will belong to one of the following categories:

REGULAR FULL-TIME employees are those employed on a regular basis, and regularly scheduled to work 40 hours each week, or 36 or more hours for 6 consecutive weeks or more, or working a full-time schedule as defined in Police and Fire departments. Generally, they are eligible for the City's benefit package, subject to terms, conditions and limitations of each benefit program.

REGULAR PART-TIME employees are those employed on a regular basis, and regularly scheduled to work fewer than 36 hours each week. While they do receive all legally mandated benefits (such as Social Security and worker's compensation insurance), they are not eligible for the City's benefit program.

TEMPORARY/SEASONAL employees are those assigned to part-time or full-time duty with no expectation of employment beyond a short-time or finite period of time. While these employees receive all legally mandated benefits (such as Social Security and worker's compensation insurance), they are not eligible for the City's benefit programs.

Temporary employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Seasonal employees are hired to temporarily supplement the work force during our busy seasons. Employment assignments in this category are limited to certain times of the year. Employees in this category may, at the City's sole discretion, be asked to return to work during our busy seasons. Employment beyond any initially stated period does not in any way imply a change in employment status.

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INTRODUCTORY employees are those whose performance is being evaluated to determine whether further employment in a specific position with the City is appropriate. This introductory period applies to new, rehired, transferred or promoted employees.

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2-202 EMPLOYMENT APPLICATIONS

Updated: 9-1-20

A completed Employment Application is required for any person seeking employment, with the City of Kennett, including a former employee who seeks to be rehired. The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsification, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Missouri Intergovernmental Risk Management Association (MIRMA) requires and it is the policy of the City to check the employment references and do background screening of all applicants, including former employees applying to be rehired.

All applicants that have met our requirements in all other areas and have been provided a conditional offer of employment will be required to submit to drug and alcohol screening, and a physical if required for that position, before beginning work. Anyone who tests positive, refuses the test, attempts to alter the findings, or fails the test will not be hired.

The City of Kennett does not make employment decisions based on race, color, religion, sex or gender, pregnancy, national origin, ethnic status, age, marital status, veteran status, or the presence of a medical condition or disability that does not impact the ability to do the job for which the applicant is applying, or any other status protected by law.

The minimum age for employment for most positions is eighteen (18) years of age with the following exceptions. The minimum age for fire apparatus operators and commissioned officers or those performing the duties of commissioned police officers is twenty-one (21) years of age. The minimum age for seasonal employment is sixteen (16) years of age.

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2-203 EMPLOYMENT REFERENCE CHECKS / BACKGROUND SCREENING

Updated: 9-1-20

To ensure that individuals who become employed by the City are well qualified and have strong potential to be productive and successful, Missouri Intergovernmental Risk Management Association (MIRMA) requires and it is the policy of the City to check the employment references and do background screening of all applicants. Failure to provide complete and accurate information in the application and hiring process may result in exclusion from the hiring process. In the event an applicant has already been hired, immediate termination of employment may result.

To ensure that we provide consistent, legal and nondiscriminatory information on all employees, all reference information requests from outside organizations or individuals on current or previous employees should be directed to the City Clerk. Responses to all written reference check inquiries from other employers' inquiries will confirm dates of employment, wage rates, and position(s) held. We will verify wage rates with the express written permission of the employees.

Rehiring Former Employees

Former employees seeking to be rehired will be subject to the same reference and background screening as applicants who have not previously worked for the City. Failure to provide complete and accurate information in the application and hiring process may result in exclusion from the hiring process. In the event an applicant has already been hired, immediate termination of employment may result.

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2-204 INTRODUCTORY PERIOD FOR NEW / REHIRED EMPLOYEES

Updated 9-1-20

New Employees

All new or rehired employees are subject to an Introductory Period of six (6) months after their date of hire. The introductory period benefits both the employee and the City of Kennett. The Introductory Period provides an opportunity for the supervisor to closely observe and evaluate employee capabilities, work habits and overall performance, and to train and assist the employee in the adjustment to the new position. The employee has an opportunity to determine whether the new position is a good fit and meets his or her expectations.

Exception: part-time probationary fire personnel shall serve a probationary period during the length of his/her fire certification training program and attain certification before his/her appointment shall be considered established.

Either the employee or the City, in its sole discretion, may end the employment at will relationship at any time during or after the Introductory Period, with or without cause or advance notice. Successful completion of the Introductory Period does not change an employee's at will status.

Employees are generally not eligible for transfer or promotion during the Introductory Period. Employees who are disciplined or dismissed during the Introductory Period are not eligible for grievance or appeal.

During the initial Introductory Period, new employees are not eligible for employee benefits such as sick leave or vacation, but will earn credit for those to be taken at a later date. New employees will receive pay for legal holidays falling within their Introductory Period. They are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. After their first six (6) months of employment, they may also be eligible for other City-provided benefits, subject to the terms and conditions of each benefit program. Employees should read the information for each specific benefit program for the details on eligibility requirements. If probationary period is extended eligibility for benefits is also extended.

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2-205 EMPLOYEE PERSONNEL FILES

Updated 9-1-20

Employee information pertaining to performance, disciplinary actions, reprimands and all other personnel records are confidential records and are prohibited from being copied or distributed without express authorization from the City Clerk for specifically identified reasons.

Department heads may have limited access to personnel records of employees under their supervision. This access will be limited to information necessary for supervision of the performance of the employee. No one may make copies of, obtain, or use the personnel records of any other employee for their personal use or for any purpose other than in direct connection with their responsibilities as a City employee. No information from an Employee Personnel file may be communicated to any outside individual or organization without written authorization from the employee.

Employees may review their own official personnel records by appointment with the City Clerk. The official Employee Personnel files are located in the administrative area of the City Clerk's Office.

PERSONNEL DATA CHANGES

Updated: 9-1-20

Employees are required to notify the City Clerk's office and the department head promptly of any changes in personal data. The City needs accurate, up-to-date records of employee mailing addresses, telephone numbers, number and names of dependents, educational accomplishments, individuals to be contacted in the event of an emergency, and other related personal data. This information will be kept confidential.

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3-301 BUSINESS ETHICS AND CONDUCT

Updated: 9-1-20

The City of Kennett is dedicated to maintaining a reputation for integrity and excellence. All Employees are expected to ensure that the City's business is conducted within the highest ethical standards and legal principals as follows:

- Conduct all City business within applicable laws;
- Do not tolerate discrimination or harassment;
- Treat others internally and externally with respect;
- Aim to be a responsible partner with our citizens and co-workers;
- Personally, demonstrate the highest standards of personal integrity, truthfulness and honesty in every communication exchange, in every relationship, and in every transaction in order to inspire confidence and trust in our citizens and co-workers

We will maintain an atmosphere where all employees feel respected and valued and where all employees understand the significant contribution, they have in making the City a better, more effective work environment. As we work together to make this value a reality, we will keep and grow the trust that our citizens and co-workers have a placed in us.

Therefore, we expect each employee to carefully observe both the spirit and the letter of all applicable laws and regulations. Above and beyond this, we expect each employee to demonstrate the highest standards of ethical conduct and personal integrity.

Confidential information regarding the property, government, personal, or affairs of the City shall not be disclosed without the approval of the appropriate department head. The employee shall maintain confidentiality of information when required and avoid discussing City business in outside situations. Under no circumstances shall such information be used to advance the financial or private interest of an employee or official.

As a City employee, you have the responsibility for complying with this policy. If you disregard it or fail to comply with the standards stated above, the City can take disciplinary action, up to and including termination of employment.

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3-302 DRUG-FREE AND ALCOHOL-FREE WORKPLACE

Updated: 9-1-20

The City of Kennett expects all employees to maintain a high standard for conduct and performance. Our future success depends in large measure upon the safety and health of our employees. Furthermore, the federal government has enacted the Drug Free Workplace Act of 1988 and encourages the City to establish a drug policy and impose discipline for all violations.

Therefore, the City prohibits the use, manufacture, distribution and possession of alcohol, nonprescription drugs, or controlled substances in the workplace, in City vehicles, or while engaged in City business. **Reporting to work or driving a City vehicle under the influence of alcohol, non-prescription drugs or controlled substances is prohibited and will be cause for disciplinary action up to and including termination.**

In keeping with the City's intent to provide a safe and healthful work environment, we prohibit smoking and use of other tobacco products, including smokeless products and E-cigarettes, on City property or in vehicles except in designated areas outside City buildings.

To ensure a Drug- and Alcohol-Free Workplace, a three-part program of testing will be implemented.

1. **Pre-employment offer.** All applicants that have met our requirements in all other areas and have been provided a conditional offer of employment will be required to submit to a test for these substances before beginning work. Anyone who refuses the test, attempts to alter the findings, or fails the test will not be hired. Anyone testing positive by the City will be sent to a third-party testing facility.
2. **Impaired work performance.** The City reserves the right to require any employee to submit to a drug and/or alcohol test whenever a supervisor/co-worker notifies us that there is reasonable suspicion of either use of or being under the influence of alcohol, drugs, and/or controlled substances. Reasonable suspicion depends upon the individual facts of each situation. Without limiting, but by way of explanation, reasonable suspicion may be deemed to include situations whereby employees are observed in activity that is regarded as suspicious in nature and consistent with drug or alcohol use. Examples of this type activity would include unexplainable coordination problems or repeated failure to follow proper procedures in work tasks.
3. **Accident. Drug and alcohol testing** will be done in the case of every accident whereby an employee suffers or experiences a work-related or occupational injury or causes another employee or a citizen to suffer said injury, as defined by OSHA as a medical recordable injury. Also considered as sufficient evidence are situations whereby significant damage is caused to City property that results in the loss of \$100.00 or more.
4. **Random quarterly testing** will be done.

In the event of suspected drug or alcohol use, the supervisor should immediately contact the City Clerk during business hours to discuss the situation. After hours the supervisor should contact the City Safety Officer. (573-888-4622). The employee immediately will be escorted to the collection facility for the drug/alcohol screen. **Failure to fully cooperate during all phases of the testing procedure, refusal to**

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take a requested test, refusal to complete all documents necessary for release of the test results, or alteration or tampering with a test shall result in immediate suspension of employment.

In accordance with Missouri law, suspension of employment for these causes may affect an employee's entitlement to either workers' compensation benefits (in the event of injury), R.S.Mo. § 287.120.6, and/or unemployment compensation benefits, R.S.Mo. § 288.050.2.

Any test result indicating the presence of alcohol or prohibited drugs in an employee's system will result in discipline, up to and including termination of employment, **for a first offense**. Any employee that has received a positive result may contest or explain in writing the results within five (5) working days after notification of the positive test results. The test results will be kept confidential and will be disclosed only to those individuals that have a legitimate need to know. This may be in order to implement or apply the terms of this program or to respond to any claim or dispute arising from any positive test result or discipline imposed as a result.

Family Counseling Center is available for employees to address drug and alcohol problems. See the City Clerk for more information on a confidential basis.

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3-303 FIREARMS AND OTHER WEAPONS

Updated: 9-1-20

To ensure a safe environment for employees and citizens, the City will allow the following:

City Personnel who have a current valid Concealed Carry Permit (CCP) will be allowed to carry a firearm and/or other non-lethal weapon on themselves while on duty or store a firearm in their personal vehicle on city property, with Department Supervisor approval.

Any employee brandishing a firearm or other weapon in a threatening manner while in City buildings or while conducting work for the City in any location, may face disciplinary action up to and including termination of employment, unless in accordance with State and Local Laws.

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3-304 USE OF CITY OWNED EQUIPMENT AND VEHICLES

Updated: 9-1-20

City owned equipment and vehicles used to accomplish assigned job duties are expensive and may be difficult to replace. Employees are expected to use the highest possible degree of care in the operation of equipment and vehicles, perform required maintenance and follow all operating instructions, safety standards and guidelines.

All employees who drive City owned vehicles must have a valid driver's license. It is the employee's responsibility to notify their supervisor if their license is suspended or if they receive a moving violation citation. The improper, careless, negligent, destructive or unsafe use or operation of equipment or vehicles, as well as excessive traffic and parking violations may result in disciplinary action, up to and including termination of employment.

City owned vehicles and equipment are to be used for City business only and not personal use. Only authorized personnel are permitted to operate City equipment and vehicles. There should be **no riders allowed in City owned vehicles** unless authorized by the supervisor or designee. This creates greater liability risk on the City. Employees violating this policy will be disciplined. (Ordinance No. 2903 approved by City Council 10/2/12.)

It is the responsibility of the operator to report any and all maintenance problems to his/her immediate supervisor and fill out the appropriate forms. Under no circumstances may an employee loan out or permit unauthorized personnel to operate City equipment or vehicles.

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3-305 PERSONAL RELATIONSHIPS IN THE WORKPLACE AND EMPLOYMENT OF RELATIVES

Updated: 9-1-20

The City strives to protect itself and its employee from unfair advantage or disadvantage, or the appearance thereof, arising from personal relationships between employees. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships. These same issues can arise when individuals involved in a personal relationship work in the same area of an organization. In order to avoid these potential problems, the City has established the following policies. For purposes of this policy, a relative is defined as any person who is related to by blood or marriage, or kinship which reaches as far as first cousins (4th degree relative per Missouri Ethics Commission).

A supervisor may not date an employee or have a personal relationship with someone who works directly for him or her. Neither may an employee date or have a personal relationship with anyone who supervises him or her. A dating or personal relationship is defined as a relationship that may be reasonably expected to lead to the formation of consensual romantic or sexual relationship.

The City reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a personal relationship in the same line of authority who occupy positions at any level (higher or lower) in the same line of authority.

If two people in a reporting relationship like any of those described above begin a personal relationship or become legally related, the person in the relationship who is the supervisor is responsible and obligated to disclose the existence of the relationship to his or her next level of management on a timely basis. If the personal relationship becomes known or is reported, then appropriate action will be taken by the City to prevent either the conflict of interest, favoritism, harassment, or the appearance thereof, and/or other problems associated with such relationships. In such instances the supervisory position may end.

If a conflict or potential for conflict arises between employees in a personal relationship or relatives at work, the employees may be separated by reassignment or terminated from employment. This applies to all employees regardless of their gender or sexual orientation. If employees are in a close personal relationship, they shall refrain from public displays of affection or excessive personal conversations while at work.

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3-306 EMPLOYEE CONDUCT

Updated: 9-1-20

To ensure orderly operations and provide the best possible work environment, we expect employees to perform their job responsibilities and represent the City in a professional, responsible, moral and legal manner and follow rules of conduct that will protect the interests and safety of all employees, citizens and the City.

The following is meant to be a summary of the general standards of conduct expected of city employees. It is not an all-inclusive list and situations may be considered on a case-by-case basis to determine acceptability of behavior.

Employees will treat others with dignity and respect at all times and generally behave in a manner consistent with, and that promotes, the values of the City:

- Safeguard the assets of the city at all times and in every way
- Provide and promote excellent customer service for citizens
- Comply with all applicable laws, policies, rules, procedures and carry out instruction as directed by supervision
- Come to work prepared physically and emotionally able to carry out responsibilities in an effective and productive manner
- Demonstrate initiative and engage in activities to promote continuous learning and improvement
- Treat city property and information with care and protect it from damage, loss or misrepresentation
- Work diligently, efficiently and with care not to waste or misuse time, money or property
- Be timely and reliable in attendance and the delivery of work performed
- Provide information as requested and maintain confidentiality of information when required
- **Dress, grooming and overall personal appearance** should be professional and appropriate for assigned duties and responsibilities as required by departmental work situations
- Use good judgment and avoid any situations that would compromise the reputation for integrity of the City, including **personal relationships** at work and possible conflicts of interest

**CITY OF KENNETT
EMPLOYEE HANDBOOK**

3-307 WORKPLACE VIOLENCE PREVENTION

Updated: 9-1-20

The City is committed to and requires all employees' participation in preventing acts of violence in the workplace. The City always expects all employees to treat one another with courtesy and respect .

The City encourages employees to first discuss their concerns directly with the other employee(s) involved. If that does not resolve the problem, employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisors before a situation escalates to the point of potential violence. The City is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

The City prohibits not only acts of physical violence, but also verbal intimidation, harassment, threats of violence and other disruptive or aggressive behavior that obstructs any workplace activity or endangers the health or safety of any individual.

The following list is not intended to be all inclusive but provides examples of aggressive behavior prohibited under this policy:

Any behavior that disturbs, interferes with, or prevents normal work functions, such as yelling, cursing, verbally abusing others, waving arms or fists, and refusing reasonable request form others. Threatening behavior, such as aggressively moving closer into another's personal space, pointing a finger at another in anger, explicit or implicit threats to people or property is forbidden. Violent behavior that includes physical assault, with or without a weapon, "horseplay," behavior interpreted as potentially violent, such as throwing things or pounding on a desk or door, specific threats to inflict harm, or other conduct that may be dangerous or threatening to others. Stalking behaviors which include unwanted or obsessive attention by an individual or group toward another person. These behaviors are related to harassment and intimidation and may include following the victim in person or monitoring them. In some legal jurisdictions stalking may be a criminal offense.

Employee behavior in violation of this policy will be subject to prompt disciplinary action up to and including termination of employment. The City will promptly and thoroughly investigate all reports of violence and threats of violence and of suspicious individuals or activities. So far as possible, the City will make every effort to protect the identity of any person making a report. The City may suspend employees accused or suspected of violence or of threatening violence., either with or without pay, pending investigation in order to maintain workplace safety and the integrity of its investigation.

If you are a victim or witness of aggressive behavior from a coworker or an outside person, you are responsible for immediately reporting the incident to your supervisor or other person in authority. This includes threats by other employees, as well as threats by citizens or other members of the public.

Please report any and all suspicious individuals or activities to a supervisor of law enforcement personnel as soon as possible. Never place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intervene. Do not move closer to see what is happening. Leave the area immediately and report the disturbance to your supervisor of law enforcement. Be a specific and detailed as possible in your report to your supervisor or law enforcement.

**CITY OF KENNETT
EMPLOYEE HANDBOOK**

3-308 CONFLICTS OF INTEREST

Updated: 9-1-20

Employees of the City of Kennett have an obligation to avoid conflicts of interest, potential conflicts of interest, and “unusual gains” that might derive from employment with the City.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for an employee or for a relative as a result of that decision or business dealing.

Personal gain may result, for instance, if an employee or relative has a significant ownership in a firm with which the City does business. Personal gain may likewise result when an employee or relative receives any gift, kickback, bribe or any other special consideration as a result of any transaction or business deal involving the City.

No official or employee shall accept any gift, whether in the form of service, loan, thing of value or promise from any person, firm or corporation which to his/her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor shall any such official or employee:

1. Accept any gift, favor or thing of value that may tend to influence him/her in the discharge of his/her duties, or
2. Grant in the discharge of his/her duties any improper favor, service, or thing of value.

Items in the category of advertising novelties (i.e., matches, pencils, calendars) having wide distribution may be retained by the employee. Also, any gift which will be made available to all or many employees may be retained.

For any questions about specific situations or further clarification, contact your immediate supervisor or the City Clerk for more information.

**CITY OF KENNETT
EMPLOYEE HANDBOOK**

3-309 PERSONAL APPEARANCE

Updated: 9-1-20

Personal appearance can influence what citizens and other visitors think about the City and can impact the morale of co-workers. Personal appearance includes dress, neatness, grooming and cleanliness.

During business hours and when representing the City to the public, employees are always expected to present a professional image . Employees are expected to be clean, well groomed, neat, and wearing clothing appropriate to the requirements of the job and accepted social standards.

Where uniforms are provided, the employee is responsible for cleaning, pressing and properly maintaining the uniform for appropriate wear at work.

With the exception of earring, pierced jewelry and tattoos must be removed or covered while at work.

Personal appearance is considered an issue of performance and may be evaluated accordingly. The supervisor is responsible for establishing a reasonable dress code appropriate to the job performed within the guidelines of this policy. If a supervisor feels an employee's personal appearance is inappropriate, the employee may be asked to leave the workplace and return properly dressed and groomed. Under such circumstances, time away from work will not be compensated.

Exemptions: Proper attire for employees working in areas of streets and parks will be determined and communicated by the supervisor over that are.

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EMPLOYEE HANDBOOK**

3-310 OUTSIDE EMPLOYMENT

Updated: 9-1-20

Full-time employees shall not accept outside employment, whether part-time, temporary or regular employment, without prior written approval from the department head. Approval shall not be granted when such outside employment conflicts or interferes, or is likely to conflict or interfere, with the employee's municipal service. Employees may not engage in any private business or activity while on duty. No employee shall engage in or accept private employment or render any service for private interest when such employment or service is incompatible or creates a conflict of interest with their official duties.

All employees will be judged by the same performance standards and will be subject to the City's scheduling demands. Employees must continue to meet the performance standards of their job with the City, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with that person's performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the City.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the City for materials produced or services rendered while performing their job as an employee of the City.

**CITY OF KENNETT
EMPLOYEE HANDBOOK**

3-311 EMPLOYEE RELATIONS / WORK STOPPAGE / STRIKE

Updated: 9-1-20

The City strongly encourages employees to speak openly and directly with the supervisor or department head regarding any concerns about work conditions or compensation.

Since the public health, safety and welfare may be adversely affected, unless otherwise provided by law, no City employee shall the right to engage in or encourage any form of sit down, slow down or any manner of work stoppage or strike for any reason against the City. Any employee engaging in this type of work interference could face disciplinary action, to include termination.

The City wants to maintain direct employer-employee communications and protect every employee's right to speak for him or herself, the City will resist organization, within the limits of the law. Direct employer-employee communications provide optimal conditions for the understanding of and prompt solutions to problems, and the City looks forward to preserving those communications.

**CITY OF KENNETT
EMPLOYEE HANDBOOK**

3-312 POLITICAL ACTIVITIES

Updated: 9-1-20

City employees shall not take part in political campaigns, advocate or oppose the candidacy of any individual for nomination or election to any office, or participate in the campaign of any individual while the employee is performing paid services for the city or identifies himself or herself as an employee of the City.

Examples of political activities which are not prohibited by this policy are the display of campaign signs in the employee's yard, bumper stickers on the employee's private vehicle, wearing of campaign buttons while off duty and out of uniform, and personally contributing to a candidate's campaign.

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EMPLOYEE HANDBOOK**

3-313 CELL PHONE USE

Updated: 9-1-20

Employees whose job responsibilities include driving for City business are not to use a cellular device while driving. Safety must come before all other concerns. Regardless of the circumstances, employees are strongly encouraged to pull off to a reasonably safe location and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are required to use hands-free options and are expected to keep the call short, refrain from discussion of complicated or emotional issues and keep their eyes on the road.

Special care should be taken in situations where there is traffic, inclement weather or while driving in an unfamiliar area. Under no circumstances are employees allowed or expected to place themselves at risk to fulfill business needs.

Operators of authorized emergency vehicles are to comply with the hands-free requirement while driving, with the exception of emergency situations.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by these policy provisions.

Text messaging, reading or writing emails, or accessing the internet while driving is not allowed under any circumstance.

Employees who are charged with traffic violations resulting from the use of a cell phone while driving on duty may be subject to disciplinary action and personal liability resulting from traffic violations and are responsible for paying the cost of a citation.

Employees whose job responsibilities do not include driving who are using a personal cell phone should, whenever possible, make any necessary personal calls during break periods. Such calls should be infrequent and brief. Show common courtesy to others by moving to an area where the call can be accomplished without disturbing co-workers. Use a quiet tone of voice both to maintain personal privacy and avoid disrupting the concentration of others.

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EMPLOYEE HANDBOOK**

4-401 PAY PERIODS / REPORTING TIME

Updated: 9-1-20

Employees are paid every two weeks. Payday shall be on Friday except when these Fridays fall on holidays. In this event, payday shall be the last working day prior to the holiday.

Time sheets shall be filed with the City Clerk's office on Wednesday for the prior two weeks. All employees complete a time sheet each week for the supervisor's approval including department heads and office workers.

Time sheets shall indicate absences for vacation, sick leave, bereavement leave, and other reasons for absences. Time sheets shall be signed by the employee and the supervisor of the respective departments.

Employees are expected to always provide complete and accurate information when reporting their or another's time, and in no case should false or inaccurate information regarding time for work performed be reported.

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EMPLOYEE HANDBOOK**

4-402 OVERTIME

Updated: 9-1-20

The standard work week for City employees shall be forty (40) hours.

The department head shall assign to each employee regular work duties and responsibilities which can normally be accomplished within the established work day or shift and/or work week cycle. However, occasionally some overtime work may be necessary for proper performance of work duties and responsibilities.

In every case, the Department Head shall approve overtime **in advance** of an employee working it. Employees who are not authorized to work should not be in the workplace. When regular or shift employees are required to work extra or prolonged shifts the department head shall authorize overtime pay based on one and one-half times (1 1/2) the employee's regular pay scale calculated on an hourly rate. Fire Department employees follow a separate overtime pay schedule.

For department heads, any additional time over their normal work hours required to accomplish proper performance of work duties and responsibilities is considered part of their job responsibility and does not justify overtime pay.

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4-403 PAY DEDUCTIONS/GARNISHMENTS AND COLLECTIONS

Updated: 9-1-20

Deductions from employee paychecks will be restricted to those required by statute, ordinance, regulation, court order or other rule of law. Insurance premium deductions will be limited to City sponsored insurance and AFLAC for participating employees.

Garnishments and Collections

Employees shall arrange and conduct their personal financial affairs so that creditors and collection agencies will not have to make use of the office of the City for the purpose of making collections from employees.

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4-404 BUSINESS TRAVEL AND OTHER EXPENSES

Updated: 9-1-20

It is the policy of the City to provide necessary technical, supervisory and/organizational development training for City employees when it is determined that such training will improve the performance of duties and responsibilities and/or personal safety and welfare. Training may take the form of departmental or in-service training, trade school courses, or seminars conducted by professional associations, colleges or universities. Enrollment in any training course or seminar must be authorized in advance by the department head. The City will pay associated costs of training and class time when required to accomplish job responsibilities and to make employees more productive.

If a business reason requires employee to travel out of town and remain overnight, the City will reimburse business expenses such as travel, meals, lodging and other expenses as long as they were necessary to meet the objectives of the business trip. Employees are expected to keep expenses within reasonable limits.

If the use of a personal automobile for City business is required, reimbursement will be at a rate per mile allowable by the Internal Revenue Service guidelines for vehicle expense deduction when appropriate documentation is provided. Employees traveling out of town on City business who are accompanied by spouses and/or family members will be required to take a personal vehicle. Only costs associated with the employee's training and travel will be reimbursed.

All business travel must be approved in advance by the appropriate department head. The department head will make travel arrangements.

Cash advances to cover reasonable anticipated expenses may be made to employees after travel has been approved. Employees should submit a written request to their supervisor when travel advances are needed. Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

Employees who are involved in an accident or sustain an injury or illness while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by the City may not be used for personal use without express consent of the supervisor.

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4-405 REIMBURSEMENT FOR PERSONAL BELONGINGS

Updated: 9-1-20

When an employee suffers the damage or loss of personal belongings such as clothing, eyeglasses, etc., in the performance of job duties, it shall be reported immediately to the department head.

Determination regarding payment for costs incurred as a result of such incident shall be made by the City Clerk, with the recommendation of the department head.

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4-406 PROMOTIONS AND TRANSFERS

Updated: 9-1-20

BASIS OF PROMOTIONS

Promotions shall be solely based on the basis of merit, which shall be determined by evaluation of the applicant's (1) training, education, experience and physical fitness, (2) oral interview, and (3) a written test, skills demonstration or physical examination may be required. For the Police Department, a psychological examination may be required.

Promotions and Transfers

All job vacancies shall, whenever possible, be filled by promotion of a qualified employee within the City. However, the City Council may recruit applicants from outside the City service whenever they believe that better qualified applicants are available externally. Promotions shall be based on the qualifications, education, skills, past work performance, and training/certification of internal candidates. Written and oral examinations may be required of internal candidates seeking promotion appointment.

Transfer between departments within the same position classification will be considered when a vacancy occurs.

Pay increases as a result of promotion shall be made on the effective date of the promotion by direction of the City Council.

Employees who are promoted or transferred within the City must complete a secondary introductory period of six (6) months with each reassignment to a new position. If the City determines that the designated Introductory Period does not allow enough time to evaluate the employee's performance thoroughly, the introductory period may be extended for a specified period, not to exceed 60 days.

In cases of promotions or transfers within the City, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during that position's Introductory Period. If this occurs, at the sole discretion of the City, and depending on the availability of such positions and the City's needs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, or may be terminated from the City's employment.

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EMPLOYEE HANDBOOK**

5-501 HOLIDAYS

Updated: 9-1-20

The City recognizes twelve (12) legal holidays listed below and any other day or part of a day during which the public offices of the City are closed by special proclamation of the Mayor with the approval of the City Council. All regular full-time employees will receive normal compensation. If the holiday falls on Saturday, employees will receive Friday off with pay. If the holiday falls on Sunday, employees will receive Monday off with pay. Legal holidays to be observed are:

- New Year's Day
- Martin Luther King Day
- Presidents Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Public Safety employees (Police and Fire) will work holidays, if scheduled, without additional hourly pay as approved by the City Council. As compensation Public Safety employees will receive one extra shift pay each month to equal 12 in one year.

Employees on leave without City pay, such as maternity leave, worker's comp or family leave (FMLA) are not eligible for holiday pay.

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5-502 VACATION

Updated: 1-5-22

The City provides vacation time off with pay to eligible employees for rest, relaxation and personal pursuits. Employees holding a regular full-time position and having occupied such position for a period of twelve (12) consecutive calendar months shall be allowed annual vacation leave with pay.

- Employees with one (1) full year but less than five (5) years of continuous full-time service shall be allowed vacation leave of two (2) weeks per year.
- Employees with five (5) but less than fifteen (15) years of continuous full-time service shall be allowed vacation leave of three (3) weeks per year.
- Employees with fifteen (15) but less than twenty-five years (25) of continuous service shall be allowed annual vacation leave of four (4) weeks per year.
- Employees with twenty-five (25) or more years of continuous full-time service shall be allowed annual vacation leave of five (5) weeks per year.

Vacation days will not be allowed to accumulate from year to year. In the unusual event that, due to work requirements, vacation cannot be taken in the year accumulated, carryover vacation credit must be documented in advance by the supervisor with prior approval by the department head. Request for approval should state very specific reason for carryover.

Absence on account of sickness, injury or disability in excess of time off authorized for such purposes may, at the request of the employee and within the discretion of the department head be charged against vacation leave allowance.

Vacation leave should be scheduled with the department head thirty (30) days in advance of the planned time off if possible. Each department head shall keep records of vacation leave allowance and use. The supervisor will review vacation requests based on a number of factors, including operating requirements, years of service, and where possible, requests of employees.

For Shift Employees in accordance with the Fair Labor Standards Act, example: Fire Department Personnel.

- One (1) year but less than five (5) years of continuous full-time service will receive five (5) 24 hour shifts per year.
- Five (5) years but less than fifteen (15) years of continuous full-time service will receive seven (7) 24 hour shifts per year.
- Fifteen (15) years but less than twenty-five (25) years of continuous full-time service will receive nine (9) 24 hour shifts per year.
- Twenty-five (25) or more years of continuous full-time service will receive eleven (11) 24 hour shifts per year.

Vacation days will be earned and allotted as of the anniversary month of hire. Any days not taken by the last day of the month previous to the anniversary month will be forfeited.

Upon termination of employment, employees will be paid for unused vacation time that has been accumulated through the last day of work.

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5-503 SICK LEAVE

Updated: 1-5-22

Regular full-time City employees working at least forty (40) hours per week earn sick leave at the rate of one day for each calendar month of service. Sick leave accrues from the date of employment, but may not be taken until the successful completion of the six (6) month introductory period. After six (6) months the employee will have 6 sick days and will accrue one (1) day per month until the January following their one-year anniversary. All employees with 1 year or more seniority will be granted 12 sick days on January 1st of each year. Paid sick leave may never be taken in advance of earning the time. Sick leave for eligible employees may be accumulated up to and not exceeding sixty (60) working days, or ninety (90) working days for employees with 15 years or more seniority.

Sick leave with pay in excess of five (5) working days within a twelve (12) month period shall be allowed only after presenting a legitimate written statement by a physician certifying that the employee's condition prevented the employee from appearing for work.

Employees shall not claim sick leave under false pretense to obtain a day off with pay.

An employee may be eligible for sick leave for the following reasons:

- Personal illness or physical incapacity, including pregnancy (this also extends to the employee's significant other)
- Quarantine of an employee by a physician
- Illness of an immediate family requiring the employee to be absent from work. An immediate family member is usually defined as a spouse, parent or child

Absences related to pregnancy are handled like any other illness or physical incapacity and will be granted the same considerations. For example, a male with a broken ankle will be treated in the same way as a female with pregnancy related issues. See the Family and Medical Leave Act policy for more information.

An employee who is unable to report for work due to the above reasons must report the reason for their absence to their supervisor prior to the employee's scheduled work time. The immediate supervisor must also be contacted before the beginning of each additional shift of absence. Sick Leave with pay shall not be allowed unless timely reports are made as specified.

An employee who has a perfect attendance sick leave record shall be allowed one (1) day personal leave, scheduled and approved by the department head. This personal day may not be carried from one year to the next.

For Shift Employees in accordance with the Fair Labor Standards Act, example: Fire Department personnel:

- All full-time city employees working 24 hour shifts, shall earn sick leave at the rate of one half shift (12 hours) per month for a total of six (6) shifts per year accrual.

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- Sick leave for shift employees may be accumulated up to and not exceeding thirty (30) working shifts.
- Sick leave with pay in excess of three (3) work shifts (72 hours) shall be allowed only after presenting a legitimate written statement by a physician certifying that the employee's condition prevented the employee from appearing for work.

A shift employee who has perfect attendance sick leave record shall be allowed one (1) shift (24 hours) personal leave, scheduled and approved by the department head. This personal day may not be carried from one year to the next.

Employees will not be paid for any unused sick leave at termination, voluntary resignation or retirement.

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5-504 BEREAVEMENT LEAVE

Updated: 9-1-20

Regular full-time employees are eligible to receive paid time off in the event of the death of an immediate family member. Bereavement Leave is normally granted for up to three consecutive days in the event of the death of an immediate family member including spouse, child, parents, siblings, grandparents, parents-in-law, and son or daughter-in-law.

Additional time off for bereavement may be taken using available vacation time off or without pay. Absences due to the death of an individual other than those listed in this policy will be charged to vacation or may be taken without pay.

Notification of the intent to take off work due to bereavement should be made to the supervisor as soon as possible.

For Shift employees in accordance with the Fair Labor Standards Act. Example: Fire Department Personnel: A shift employee is eligible to receive up to two (2) 24-hour shift leave, pending supervisor approval.

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5-505 VOTING LEAVE

Updated: 9-1-20

The City encourages employees to exercise their right to vote in all elections. In Missouri, polling places are open from 6 am to 7 pm and employers are required to provide employees with adequate time in which to vote. Department supervisors shall have the discretion to schedule time-off for employees desiring to vote based on the needs of the department.

It is important to note that if an employee wants to take time off to vote, the employee must request time off to vote prior to Election Day.

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5-506 BIRTHDAY LEAVE

Updated: 9-1-20

All regular full-time employees are granted one (1) day annual leave on their respective birthdays which may be taken after completing the Introductory Period. If the birthday falls during the Introductory Period, credit is earned and the time off may be taken after the end of the Introductory Period. If the day falls on a weekend or holiday he or she may take it at a later date with the approval of the department head.

For shift employees in accordance with the Fair Labor Standards Act. For example, Fire Department Personnel:

All shift employees of the City are authorized one (1) 24 hour shift annual leave on their respective birthdays. If the day falls on a holiday or period between shifts, he or she may take it at a later date with the approval of the department head.

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5-507 MILITARY LEAVE AND ANNUAL TRAINING

Updated: 9-1-20

MILITARY LEAVE

Military leaves of absences without pay are granted to regular full-time employees for the period of active military service, in accordance with applicable federal and state laws. They are entitled to all of the reemployment rights and benefits provided by federal and state laws.

If an employee is called to active military duty or volunteers for the same, he or she must submit a request for leave of absence in writing with a copy of their official military orders to the department head as soon as possible and prior to reporting for active duty. The department head will notify the City Clerk immediately regarding the leave.

Upon completion of active duty under honorable conditions, the former employee must be reinstated with the same seniority, status, pay and other benefits as would have accumulated if employee had remained continuously on the job. The City will comply with the current "Military Leave law."

In the event the employee sustains a disabling injury during military duty, which precludes the performance of his or her previous civilian position, he or she shall be reinstated to another position which the injuries sustained permit him or her to perform and which is closest in seniority, status, pay and benefits to the previous position held, provided that such a position exists.

An employee covered under the group medical insurance plan will be terminated from the plan upon being called to active duty. He or she may apply for medical coverage on his/her dependents ONLY under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) by completing the necessary application with the full cost of the premium to be paid by the employee or his or her dependents.

NATIONAL GUARD/RESERVE ANNUAL TRAINING

Regular full-time employees may receive a paid leave of absence, not to exceed thirty (30) calendar days annually, for participation in required military training for the National Guard or Reserve Armed Forces.

Requests for military training leave must submit a copy of official military orders requiring such training to the department head, who will provide a copy with the employee's time sheet for the payroll period to the City Clerk. Employees will receive their regular compensation for the period of the military leave. The time off will not be deducted from the annual vacation leave.

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5-508 LEAVE WITHOUT PAY

Updated: 9-1-20

Leave without Pay is available for employees during a qualified FMLA event, only after all paid leave benefits have been exhausted. Non-FMLA absence where no paid time benefit is available is considered unexcused and subject to disciplinary action.

Exception: The appropriate department head at his/her discretion, may grant non-FMLA leave without pay to an employee for a designated time period under extraordinary circumstances.

A leave without pay will not be granted for an employee to go to work at another job except in the case of military or reserve leave. A copy of orders must be provided to the supervisor and attached to the Leave of Absence form.

Employee contribution for individual and/or family health, dental or vision insurance must be paid by the employee through the City during an extended leave of absence to retain coverage.

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5-509 LEAVE WITHOUT NOTICE

Updated: 9-1-20

Employees who must be absent without prior arrangement, must notify the supervisor before the start of the shift. Failure to notify the supervisor before the start of the shift will be considered unexcused and subject to disciplinary action.

Failure to notify the supervisor within 24 hours of an unexcused absence will generally be considered a voluntary resignation unless unusual circumstances provide a satisfactory explanation for such absence.

For Shift Employees in accordance with the Fair Labor Standards Act, for example: Fire Department personnel:

When a 24 hour shift employee is absent from his/her position for one (1) 24 hour shift without specific approval from the department head, the absence will generally be considered a voluntary resignation unless unusual circumstances provide a satisfactory explanation for such absence.

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5-510 JURY DUTY

Updated: 9-1-20

The City encourages employees to fulfill their civic responsibilities by serving jury or witness duty when required. Regular full-time employees qualify for paid jury or witness duty leave. Employees who are required to serve on jury duty during normal work hours will receive paid leave to do so. Employees who are normally scheduled to work the night shift will receive paid leave for the duration of required jury service.

Employees must show the jury duty summons to the immediate supervisor as soon as possible so that arrangements can be made to accommodate their absence.

Upon completion of jury duty, employees must submit a voucher from the court detailing proof of jury duty service dates and release. The City will pay employee's full salary upon receipt of jury duty documentation.

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5-511 TEMPORARY TRANSITIONAL DUTY

Updated: 9-1-20

Regular full-time employees who are involved in an accident, injury, illness, or condition that prevents him/her from performing the regular duties of the job, must notify the supervisor immediately. When an employee's health care provider places him or her under work restrictions that do not conflict with the core duties of the employee's job, the employee will be permitted to work in his or her regular position, under the restrictions. This provision applies equally for work-related and non-work-related injuries and illness. The City reserves the right to assign work as necessary to accomplish the operation of City business.

When an employee is recovering from a work-related injury or illness, covered under Workers' Compensation, and the treating physician releases the employee to restricted duty, the employee will work in his or her regular position if the restrictions do not interfere with the employee's ability to perform the core duties of his or her job. If the work restrictions would interfere with the employee's ability to perform the core duties of the employee's regular job, the City will make every effort to provide light duty work for the employee, consistent with the work restrictions. This may include essentially "creating" a position tailored to the employee's restrictions, whenever such work may reasonably be found.

Transitional duty assignments are strictly temporary and normally should not exceed six (6) months in duration. After six months, personnel on temporary transitional duty who are not capable of returning to work in their original assignment may request an extension of temporary transitional duty with supporting documentation to the immediate supervisor; or pursue other options provided by employment provisions of the City and federal and state law. Extensions of temporary transitional duty assignments are solely and completely the decision of the City.

If a temporary transitional duty position is not available, the employee may pursue medical, disability or family leave (FMLA) as provided by the City and state or federal law. This policy in no way affects the privileges of employees under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act or other federal or state law.

When an employee who is recovering from an injury or illness that is not covered under Workers' Compensation is placed under work restrictions that would interfere with the employee's ability to perform the core duties of his or her job, the City ordinarily will not provide a light duty work assignment for the employee. The does not "create" light duty positions for non-work-related illness and injuries. Employees with work restrictions arising from such illnesses or injuries, that are inconsistent with performance of the core duties of the employee's job, should expect to be placed on leave until the restrictions are either lifted or reduced sufficiently for the employee to perform the essential functions of his or her job.

See also Loss Prevention Manual.

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6-601 FAMILY AND MEDICAL LEAVE ACT

Updated: 9-1-20

Leave Entitlement

Under the Family and Medical Leave Act (FMLA), those employees who have been employed for at least twelve (12) months and for at least 1,250 hours during the previous twelve (12) month period may be entitled to up to twelve (12) weeks leave (usually unpaid) during a rolling twelve (12) month period, commencing on the day leave begins, provided certain requirements are met, under the following circumstances:

1. For birth and care of a child, provided leave is taken within twelve (12) months following birth
2. For placement of a child through adoption or foster care, provided leave is taken within twelve (12) months following placement
3. For care of a spouse, child (18 years of age or younger), dependent or parent suffering from a serious health condition, where the employee is needed to care for such person (the FMLA defines spouse as a husband or wife as recognized in the state where employee was married and includes individuals in a same-sex marriage or common law marriage)
4. For the employee's own care, provided the employee suffers from a serious health condition that renders the employee unable to perform any essential functions of his/her position
5. For "any qualifying exigency" arising out of the spouse, son, daughter, or parent of the employee being on active duty, or has been notified of an impending call to active duty status in support of a contingency operation
6. For care of a servicemember who is recovering from a serious illness or injury sustained in the line of duty while on active duty (entitlement is up to 26 weeks of leave in a 12 month period) The military caregiver is an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember.

The twelve (12) month period during which an employee may take up to twelve (12) workweeks of FMLA leave is calculated on a rolling basis, measured backward from the date an employee uses any FMLA leave. All leave granted under this policy, including intermittent and/or reduced leave, will be applied against the twelve (12) week maximum.

Notice Requirements

Eligible employees are required to provide at least thirty (30) days advance notice of the need for leave when foreseeable under (1) and (2) above, or for planned medical treatment pursuant to (3) and (4) above. When unforeseen events occur that require leave under this policy, notice must be given as soon as practical, ordinarily not later than three working days before the leave is to begin. An employee who fails to give appropriate advance notice as outlined above may have his/her leave delayed or be subject to disciplinary action.

An employee who requires leave under (3) or (4) above must, within fifteen (15) calendar days after providing notice of the need for leave, submit the prescribed written certification form, signed by the appropriate health care provider, verifying, among other things, the data on the prescribed form. Failure of the employee to submit the prescribed form within fifteen (15) days after providing notice of the

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need for leave will result in delay of leave until certification is submitted and if the certification is not provided, the leave is not FMLA-qualifying. An employee may be required to obtain a second medical opinion, in the City's discretion and at the City's cost. If the two opinions differ, the City and the employee will select another health care provider for a third opinion, at the City's expense, and that opinion shall be final and binding. Subsequent recertification may be required in accord with law.

Any employee who believes he/she is entitled or would like to request leave under this policy, or who has any questions about this policy, should speak with the City Clerk for further details.

Intermittent Leave

Intermittent leave requests or requests for a reduced leave schedule under (3) and (4) above are subject to the same rules as stated above and therefore, a health care provider's certification of medical necessity and the expected duration and schedule of the leave must be submitted on the prescribed form. Employee must call the appropriate supervisor prior to the normal start time each day he/she must be absent, stating the precise reason for the absence and identifying the absence as FMLA leave if applicable.

The employee must make a reasonable effort to schedule medical treatment outside normal work hours whenever possible so as to not unduly disrupt business operations. If an appointment must occur during normal work hours requiring the employee to be absent, arrangements must be made with the supervisor as far in advance as possible.

Further, if the need for leave is foreseeable based on planned medical treatment, the City reserves its right to transfer the affected employee temporarily to an alternate position with equivalent pay and benefits for which the employee is qualified, if the transfer better accommodates the requested leave.

Spousal Entitlement

Eligible employees who are husband and wife are limited to a combined total of twelve (12) weeks of leave during any twelve-month period, if the leave is taken (1) for birth and care of a child; (2) for placement and care of a child; or (3) to care for a parent or parent-in-law with a serious health condition. Where the husband and wife both have used a portion of the twelve (12) week entitlement for one of the above purposes, each are entitled to the difference between the amount he/she has taken individually and twelve (12) weeks to care for a child with a serious health condition or to care for their own serious health condition.

Substitution of Paid Time Off

Determinations as to eligibility for FMLA leave and/or for workers' compensation, short-term or long-term disability benefits are separate and independent. To the extent an employee's serious health condition renders the employee eligible for such other benefits, such paid time off shall nonetheless run concurrently with an employee's FMLA leave entitlement and shall be applied against the employee's twelve (12) week maximum. In the event the leave, or a portion thereof, is unpaid, employees are required to substitute and exhaust accrued vacation pay and sick leave for FMLA leave, and such

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substituted paid time will be applied against the twelve (12) week maximum. When the available paid leave is exhausted, the remaining FMLA time is unpaid.

Servicemember Family Leave

FMLA protection (Servicemember Family Leave) is also available for up to 12 weeks in a twelve month period for the spouse, son or daughter of a covered servicemember of the National Guard, Reserves or Armed Forces due to urgent need arising out of the servicemember's current tour of active duty or because the servicemember is notified of a call to active duty.

The spouse, son, daughter, parent or next of kin to a covered service member is eligible for up to 26 weeks of FMLA protection (Servicemember Caregiver Leave) in a twelve month period to care for a servicemember due to an injury or illness incurred in the line of active duty.

Maintenance of Health Benefits

During the twelve (12) week maximum leave period, coverage under the group health insurance plan, if any, will be maintained at the level and under the conditions coverage would have been provided had leave not been taken. Employees will be required to continue to pay their portion of premiums as if they had not taken leave and failure to do so may result in a loss of coverage pursuant to law. See the City Clerk to make payment arrangements.

If an employee fails to return to work for at least thirty (30) days after expiration of the leave, the City reserves its right to recover premiums paid, if any, to maintain employee coverage during the leave period under circumstances provided by law.

Return to Work

As a condition of returning to work from a leave granted pursuant to (4) above, the employee must present a certification from his/her health care provider in a timely manner, that the employee is able to resume work. Restoration will be denied until the certification is presented. An employee returning from leave under this policy, who has complied with its terms, generally will be restored to the same (or equivalent) position the employee held prior to leave. A returning employee does not, however, have a greater right to restoration or other benefits than if the employee had been continuously employed during the leave period. Employees are to notify the City Clerk of their intent to return to work at least two (2) weeks prior to the anticipated date of return.

An employee who, within the calendar year, has exhausted his/her twelve (12) week maximum and fails to return to work, shall be considered to have resigned with notice and his/her employment will be terminated unless he/she applies for, and has been granted, leave under another City policy.

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Prohibited Activities During FMLA Leave

An employee may not seek or engage in other employment or self-employment during a FMLA leave. An employee is expected to refrain from engaging in any activities outside of work that may aggravate the medical condition or contribute to the need to be absent, or in any way hinder treatment, recovery and ability to work.

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7-701 GROUP INSURANCE, UNEMPLOYMENT, SOCIAL SECURITY, TUITION

Updated: 9-1-20

Salary alone cannot be used to measure the value of employment with the City. The City provides a competitive package of benefits for employees. The benefits provided for employees of the City are twelve (12) paid holidays, birthday leave, sick pay, retirement plan, annual vacation, group insurance and benefits required by law such as Workers' Compensation and unemployment insurance.

The cost of health and dental insurance is shared by the City and the employee at a rate determined by the City Council. A brief summary of these benefits is included below. More details can be obtained from the City Clerk or in the formal plan document for each benefit.

MEDICAL INSURANCE

Regular full-time employees may enroll in the City's employee medical benefits program. The effective date of coverage is the first day of the calendar month following the first month of employment. Employees may obtain medical benefits for dependents at their expense.

LIFE INSURANCE

All regular full-time employees will be enrolled in a group Life Insurance program provided by the City in an insured amount according to current plan. Additional life insurance for the employee above the group level or for family members may be purchased at the employee's expense and according to certain qualifications.

SHORT-TERM DISABILITY INSURANCE

A full-time employee who has been disabled due to a non-job related illness or injury (as defined under the provisions of the disability insurance policy), and has exhausted all accumulated paid sick days will be provided compensation in accordance with the terms of the disability plan. More information can be obtained from the City Clerk or in the formal plan document.

DENTAL

All regular full-time employees may enroll in the City's employee dental benefits program. The effective date of coverage is the first day of the calendar month following the first month of employment. Employees may obtain dental benefits for dependents at their expense. Currently the City pays 25% of the cost of dental insurance.

VISION

Employees are offered a vision coverage plan through the City at a discounted rate. The cost of the plan is not shared by the City.

VOLUNTARY SUPPLEMENTAL BENEFITS

Regular full-time employees and their dependents are eligible to purchase supplemental insurance at the employee's own expense through AFLAC. Coverage is available for dental and vision coverage. Enrollment forms are available in the City Clerk's office.

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UNEMPLOYMENT INSURANCE

The City pays the entire cost of unemployment insurance benefits for all employees. Payments are provided for those who are terminated through no fault of their own and who are otherwise qualified.

SOCIAL SECURITY

The City makes a contribution to each employee's social security account in keeping with Federal Social Security Laws. This money together with an equal contribution by the employee is deposited with the Social Security Administration. When the employee reaches retirement age, is disabled or dies, his social security becomes available. Such income supplements benefits under the Missouri Local Government Employees Retirement System. (LAGERS).

TUTION REIMBURSEMENT—POLICE

Newly hired police officers and current employees of the City and who are newly graduated from an in-state Missouri POST training facility shall be eligible for tuition reimbursement for said training facility as follows:

- 1/3 at the end of the first year of employment (Anniversary Date)
- 1/3 at the end of the second year of employment (Anniversary Date)
- 1/3 at the end of the third year of employment (Anniversary Date)

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7-702 RETIREMENT PLAN

Updated: 9-1-20

All regular full-time employees in the municipal service will be enrolled as participating members of the Missouri Local Government Employees Retirement System (LAGERS), which is a state wide retirement system for employees of local governments. The entire contribution to the retirement system is made by the City and begins for each employee after six (6) full months of continuous service.

Members are vested in the program after five years of service. Full retirement benefits are available at age 55 for law enforcement and firefighting service employees, and at age 60 for all other employees. Early retirement benefits are available five years earlier. The City Clerk will provide specific benefit information and forms for new employees.

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7-703 WORKERS' COMPENSATION PLAN

Updated: 9-1-20

The City provides a comprehensive Workers' Compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Workers' Compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

If an employee sustains a work-related injury or illness, the incident should be reported to the supervisor before the end of the work shift and to the City Clerk's office as soon as possible to draw Workers' Compensation. The report should include the date, time and place of the injury, the nature of the injury and the name of the person injured.

Regardless of how minor an on-the-job injury may appear, it is important to report it immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. A supervisor's investigative report shall also be filed with the City Clerk's office. If an employee goes to the emergency room as a result of the injury and is instructed to see another doctor as a follow-up on the injury, the employee shall contact the City Clerk's office for the name of the authorized City doctor for employee examinations and treatments. Failure to do so will result in the employee being responsible for the costs of medical service.

An employee is not to report back to work when on disability leave until the attending doctor releases the patient and furnishes a statement to the City of his/her release. If a part-time employee is injured on a job held with another employer, he/she shall not report for work at the City until a statement of release is furnished to the City by the doctor representing the other employer.

In accordance with the Workers' Compensation Act of the State of Missouri, no compensation shall be payable for the first three (3) days or less of disability unless the disability lasts longer than fourteen (14) days. If the disability lasts longer than fourteen (14) days, payment for the first three days will be made retroactively to the employee under Workers' Compensation. In the event the disability lasts less than fourteen (14) days, the City will pay the regular salary retroactively for the first three days of disability. When Workers' Compensation becomes effective, the City's payment of salary will stop until the attending doctor releases the employee to return to work and issues a statement of release to the City.

Employees who sustain work-related injuries or illnesses will be asked to complete Family and Medical Leave Act (FMLA) forms to determine whether or not the injury or illness qualifies as an FMLA absence. The City runs FMLA concurrently with Workers' Compensation absences.

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7-704 COBRA BENEFITS

Updated: 9-1-20

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue medical insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's medical insurance plan. The notice contains important information about the employee's rights and obligations.

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8-801 WORK SCHEDULES / HOURS OF WORK

Updated: 9-1-20

HOURS OF WORK

1. Police Department - Police officers shall work at least forty hours per week as scheduled.
2. Fire Department - Fire Department shift personnel shall work twenty-four (24) hour shifts with forty-eight (48) hours off. All other full time fire personnel shall work 40 hours per week.
3. Municipal Building Employees - Municipal Building employees shall work at least forty (40) hours per week. The work week shall consist of five (5) eight (8) hour shifts.
4. All Other City Employees - All other full-time employees of the City shall work at least forty (40) hours per week. The work week consists of five (5) eight (8) hour shifts.

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8-802 ELECTRONIC COMMUNICATIONS

Updated: 9-1-20

EQUIPMENT/HARDWARE/SOFTWARE

The City provides all electronic communications equipment, software and hardware solely for the employees' use in conducting City business. Electronic Communications includes but is not limited to telephones, fax, voice mail, internet, intranet, as well as all program and network files and software. All information written, sent or received through the City's equipment is considered property of the City. Employees are prohibited from installing personal software, hardware, or external devices to any computer or device owned by the City.

Employees may not visit websites containing pornographic or other inappropriate or discriminating content. Employees may not display, download, or email sexually explicit images, messages, or cartoons. The City's computers and email may not be used for ethnic slurs, racial comments, off-color jokes, or anything that another person might view as offensive or disrespectful. Examples of other prohibited email activity include but are not limited to the following:

- Using the City's time and resources for personal gain
- Copying, disseminating or printing copyrighted material
- Acquiring, using or disclosing another's code or password without authorization
- Sending or posting confidential material or proprietary information outside the City or to any unauthorized employee
- Sending or posting messages or material that could damage the City's reputation or image
- Sending or posting chain letters, solicitations, or advertisements not related to business
- Engaging in any illegal activity

The City provides and licenses all computer software used for business purposes, and prohibits illegal duplication or distribution of any software or software documentation.

To ensure compliance with this policy, the City reserves the right to monitor all Electronic Communications regardless of passwords or security devices that may be used by the employee. Violations to this policy should be reported to the supervisor, department head, and the City Clerk.

Employees should have no expectation of privacy when using the City's Electronic Communications.

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SOCIAL MEDIA

The City respects the legal rights of its employees and understands that employees' time outside of work is their own. However, employees shall be mindful that their social media activity, even if done off premises and while off-duty, could affect the City's legitimate business interests. For example, the information posted could be the City's confidential business information. In addition, some readers may mistakenly view a City employee posting information as a spokesperson for the City. Consequently, social media activity is a legitimate and proper focus of City policy.

This policy provides guidance on responsible social media activity by employees. This policy does not and cannot cover every possible social media activity. For purposes of this policy, "social media activity" includes all types of posts and other communications on the Internet, including but not limited to, posts on social networking or affinity sites (such as Facebook, LinkedIn, and Tumblr); blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogs, such as Twitter; and posts of video or audio on media-sharing sites, such as YouTube or Flickr. "Social media activity" also includes permitting, or failing to remove, posts by others where the employee can control the content of posts, such as on a personal page or blog.

Application: This policy applies to all employees. This policy applies to social media activity that relates in any way to City business, employees, citizens, City officials, or vendors, or that identifies an employee's affiliation with the City (other than as an incidental mention of place of employment in personal social media activity unrelated to the City).

Scope: This Policy applies to social media activity when on or off duty, while using the City's or personal electronic resources, and whether or not the employee posts anonymously or using a pseudonym.

Prohibited Activity

The City values its reputation and good will relationships. When an employee engages in social media activity that identifies him or her as a City employee, or in any way relates to the City, follow the guidelines listed below:

- Employee social media activity is subject to all pertinent City policies, including, but not limited to, Professional Ethics and Conduct, the Equal Opportunity Employer, Harassment, Electronic Communications, Workplace Violence Prevention, and Personnel Files policies, and relevant departmental policies.
- Unless prior authorization has been received from department head, an employee may not represent or suggest in any social media content that he or she is authorized to speak on the City's behalf, or that the City has reviewed or approved the content. If that will not be obvious from the content, he or she should specifically state, *"The views expressed in this post are my own. They have not been reviewed or approved by the City."*
- Employees may not post content about the City, City officials, co-workers or citizens that is vulgar, obscene, threatening, intimidating, defamatory, harassing, or a violation of the City's policies against discrimination, harassment, or aggressive behavior on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic. Employees may not disparage the City's services, or the products or services of its vendors.

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- Employees may not use the City's logo or proprietary graphics in a way which suggests that he or she is representing the City or while engaging in conduct that violates City policy. For example, an employee may not create a social media page with the City's logo placed in a way which might suggest to readers that the City is sponsoring the page.

- Employees may not disclose, or post images or video of any of the City's confidential information. Confidential business information may include internal reports, policies, procedures; health or financial information of the City's residents; any information contained in the City's personnel files; the City's attorney-client communications or other internal business-related confidential communications.
- Employees may not post images or video of the City's employees, residents, or vendors that would be discriminatory, harassing, threatening, vulgar, obscene or similarly inappropriate or offensive.
- To reduce the risk of identity theft, stalking, and similar criminal conduct, employees may not disclose personally identifying information (such as personal contact information contained in the City's files, Social Security numbers, credit or debit card numbers or financial account numbers) of the City's employees, residents or vendors.
- Employees may not use City-sponsored sites to solicit for or promote personal businesses or any organization, including but not limited to outside business ventures, charities, political campaigns, religious groups, or other membership organizations.
- Employees may not use their City e-mail address to register for any social media account or site, or as an identifier needed to participate in any social media activity, except to engage in social media activity authorized by the City and for the City's business purposes.

The following guidelines also apply to all social media activity:

- Any employee may reject, without fear of retaliation, any request from any other employee that, if accepted, would permit access to a restricted social media page — such as a friend or connection request.
- Employees should use only approved social media channels — and not personal social media sites or pages — to conduct City business. Without prior City approval, social media should not be used to arrange business meetings, communicate with others about specific transactions, or to search for information about current or prospective employees for purposes of making an employment decision. Employees may reference the City as their employer and include business contact information on social and professional networking sites only, such as LinkedIn and Facebook.
- To ensure that the City communicates with the media in a consistent, timely and professional manner about matters related to the City, employees should speak to the Department Head or the Public Information Officer before responding to any inquiry from a journalist or the news media about social media activity related to the City.
- Anyone concerned about social media activity relating to the City that may require a response may contact the Public Information Officer as a resource.

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Addressing Concerns

Experience demonstrates that people are more likely to resolve concerns about work by speaking directly with co-workers, supervisor or department head or by contacting the City Clerk, than by posting them on the Internet. Nevertheless, if employee decides to express concerns in social media, he or she should avoid using any content that reasonably could be viewed as malicious, obscene, threatening or intimidating; that disparages employees, citizens, City officials, or vendors; or that might constitute harassment or bullying.

Retaliation is Prohibited

The City prohibits taking adverse action against any employee for reporting a possible violation of this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action.

Enforcement

If clarification of any aspect of this policy is needed, contact the department head or City Clerk.

The City will, in its discretion, review social media activity to the fullest extent permitted by applicable law. If an employee engages in social media activity anonymously or using a pseudonym, which violates this policy, the City will, in appropriate circumstances, take steps to determine the employee's identity.

Employees are solely responsible for their social media activity and will be held accountable for violating this policy. Failure to comply with this policy may lead to discipline, up to and including termination of employment, and if appropriate, the City will pursue all available legal remedies. The City will report suspected unlawful conduct to appropriate law enforcement authorities.

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8-803 CITY RADIOS AND CITY FREQUENCIES

Updated: 9-1-20

Individuals authorized to operate on City assigned frequencies shall observe all rules and regulations pertaining to their operation. Each individual operating a privately owned portable, mobile or base radio shall have authorization to operate the radio on City assigned frequencies. Radios will be used at all times for conducting City business.

Professional conduct is expected at all times in the use of City radios and City frequencies.

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9-901 DISCIPLINARY ACTION

Updated: 9-1-20

The City will make every effort to work cooperatively and collaboratively with employees to achieve optimum performance. This includes providing necessary information, training and performance feedback and opportunities for improvement when performance or behaviors related to effective performance are not meeting expectations.

The major purpose of any disciplinary action is to communicate the performance or conduct deficiency, instruct the employee on what improvements must be made, and allow the employee the opportunity to make the necessary improvements for satisfactory performance in the future.

The City's best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform and impartial. The best disciplinary measure is the one that does not have to be used and comes from good leadership and fair supervision for all employees. It is the responsibility of every employee to attempt to correct any performance deficiencies when called to his or her attention and avoid conflict with City rules and regulations.

As with other policies in this Handbook, this Disciplinary Action policy does not constitute a contract. Thus, either the City or the employee may terminate the employment relationship at any time and for any reason.

Discipline shall be, whenever possible, of an increasingly progressive nature. The steps of progression are:

- **Verbal Warning**
- **Written Warning**
- **Suspension and/or Warning (could result in loss of time and/or pay)**
- **Termination**

The City reserves the right to impose such disciplinary action as it sees fit in its sole discretion. This includes the right to take immediate action without going through progressive steps or to skip one or more steps in any disciplinary action, to suspend the employee, or to terminate employment immediately.

An HR-1 Call shall be placed before suspension, termination or demotion of an employee.

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9-902 GRIEVANCE

Updated: 9-1-20

The City has a Grievance procedure to ensure that employees who have completed the Introductory Period have an opportunity to be heard regarding their concerns. The City will strive to make equitable adjustments of employee grievances. It is the desire of the City to adjust the cause of grievances informally. Both supervisors and employees are expected to make every effort to resolve problems as they arise.

An employee is expected to present his or her grievance in the following order:

1. The employee is encouraged to speak to the immediate supervisor first in an attempt to resolve the dispute at that level.
2. If the nature of the dispute prohibits discussion with the supervisor, the employee may submit the grievance in writing and speak with the department head. The grievance document should include:
 - a. The reason for the grievance,
 - b. Date and times of grievance,
 - c. Steps followed, including the date and result. For example, discussion with supervisor and outcome.
3. If the dispute cannot be resolved through a discussion with the supervisor, the employee must submit the written statement of grievance within five (5) working days to the City Clerk for submission to the Human Resources Committee for review. If the grievance is with the City Clerk, the statement of grievance shall be submitted to the Mayor.
4. The Human Resources Committee (or Mayor if grievance involves the City Clerk) shall provide a recommendation to the City Council for review. The City Council shall exercise due diligence in responding to the grievance and shall make all reasonable efforts to make initial contact with the aggrieved employee within thirty (30) days of the submission of the grievance to the City Council.

The decision of the City Council will be final.

No employee shall be disciplined or discriminated against in any way because of his or her proper use of the grievance procedure.

Employees in the Introductory Period of employment are not eligible for the Grievance procedure.

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10-1001 VOLUNTARY RESIGNATION

Updated: 9-1-20

Full time regular employees are expected to give at least ten (10) working days notice and other employees at least five (5) working days notice prior to the effective date of termination. In order to be considered in good standing and eligible for rehire, employees must submit written notification of voluntary resignation to the supervisor as soon as possible.

Absence of two (2) consecutive days (one 24 hour shift for Fire employees) without authorization will be considered a voluntary resignation.

The City will pay employees who comply with proper resignation procedures all unused vacation time as of the date of separation. Employees who resign shall not be paid for any accumulated sick leave.

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10-1002 DEATH OF AN EMPLOYEE / DESIGNATION OF BENEFICIARY

Updated: 9-1-20

In the event of the death of an employee, the termination check shall be made payable to the person whom he or she designated in writing as recipient in event of death. If no such designation has been made, the check will be direct deposited as usual.

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10-1003 INVOLUNTARY TERMINATION

Updated: 9-1-20

In the event it is necessary to dismiss an employee for performance issues or other reasons, the employee will be paid for all unused vacation as of the date of separation. No other compensation of any kind will be paid.

USE OF ALL ACCRUED TIME

In the event an employee has used all of their accrued sick leave, vacation time, birthday leave, and all Family Medical Leave Act time and is unable to return to their previous City employment due to a continuing illness or injury, he or she may be terminated due to inability to perform their job related duties. This does not include Worker's Compensation injuries occurring on the job with the City of Kennett.

If an employee reports he or she is ready to return to regular job duties, the City of Kennett reserves the right to have the individual certified as fit for performance of their job duties by the City's physician or a physician of the City's choice.

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10-1004 RETURN OF CITY PROPERTY

Updated: 9-1-20

Any employee leaving the City's employment, whether through voluntary resignation or involuntary termination is responsible for returning any City property which they may have in their possession. If equipment or other City property is not returned in ten (10) days after separation of employment, the City will consider it stolen and handle as such.

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11-1101 DISCIPLINARY ACTION POLICY FOR SUPERVISORS

Updated: 9-1-20

The City will make every effort to work cooperatively and collaboratively with employees to achieve optimum performance. This includes providing necessary information, training and performance feedback and opportunities for improvement when performance or behaviors related to effective performance are not meeting expectations.

The major purpose of any disciplinary action is to communicate the performance or conduct deficiency, instruct the employee on what improvements must be made, and allow the employee the opportunity to make the necessary improvements for satisfactory performance in the future.

The City's best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform and impartial. The best disciplinary measure is the one that does not have to be used and comes from good leadership and fair supervision for all employees. It is the responsibility of every employee to attempt to correct any performance deficiencies when called to his or her attention and avoid conflict with City rules and regulations.

As with other policies in this Handbook, this Disciplinary Action Policy does not constitute a contract. Thus, either the City or the employee may terminate the employment relationship at any time and for any reason.

With respect to most disciplinary problems, the progressive discipline process and documentation will include:

- **Description of the reason for disciplinary action.** For example, failure to accept or follow supervisor's direction, excessive tardiness or absenteeism, or failure to do the job satisfactorily.
- **Description of what is expected to resolve the performance issue.** Provide specific direction for employee, such as reporting to work at assigned time, consistently completing paperwork, consistently following supervisor's direction, working well with others, or other information related to performance or behavioral concerns.
- **Specified timeline for correction of the problem.** For example, immediately for some issues such as tardiness or absenteeism, perhaps 30 to 60 days for improvement in job performance where additional training or supervisory support is needed. Some performance improvements may need to be monitored for a longer period, for example up to twelve (12) months, to ensure behavioral improvement has occurred and is being maintained.
- **Description of the consequences of not improving** to the required level, for example, progression to more serious level of discipline or potentially termination of employment.

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Discipline shall be, whenever possible, of an increasingly progressive nature. The steps of progression are:

- **Verbal Warning:** A first offense may call for a verbal warning accompanied by a memo to the employee describing the reasons for the disciplinary action and changes required, with a copy to the City Clerk. Supervisor shall retain a copy in a separate file in a locked drawer for a period of six months. At the supervisor's discretion, documentation of a verbal warning may be kept for fifteen (15) months.
- **Written Warning:** A second offense may be followed by a written warning with a copy to the employee and his or her personnel file. Performance will be closely monitored for 60 to 90 days to ensure improvement is made and maintained in the future. A copy shall be forwarded to the City Clerk for retention for fifteen (15) months.
- **Final Warning:** A third offense or failure to improve may be followed by a final written warning with a copy to the employee, his or her personnel file and the City Clerk. The final warning states that further performance issues may result in termination. Performance will be monitored closely for a period of 12 months to ensure improvement is made and maintained in the future. Documentation of a final warning will be maintained permanently in the employee's personnel file.
- **Termination:** Another performance offense in the future may lead to immediate termination of employment without further warning or disciplinary action.

The City recognizes that there are certain types of employee problems that are serious enough to justify immediate action without going through the usual progressive steps. This action would require a recommendation from the Department Head and approval of the City Council.

- **Suspension with or without pay** for a serious offense may be appropriate while issues are investigated or to provide the employee an opportunity to reflect on the conduct that led to the Disciplinary Action Warning. At end of the suspension period, the employee will be reinstated or terminated. Determination of whether back pay will be granted will be based on recommendation from the appropriate committee to the City Council.
- **Demotion** may be appropriate in unusual circumstances where an employee has previously performed well in a lower level job and there is a job opening available.

If termination is determined to be appropriate, this action requires a recommendation from the Department Head and the approval of the City Council.

CITY OF KENNETT

DISCIPLINARY ACTION

Employee Name: _____ **Date:** _____

Position: _____ **Department:** _____

1st Warning (Verbal) **2nd Warning (written)** **3rd and Final Warning (written)**

Previous warnings: Date(s) _____ / _____ Warning # _____ Verbal _____ Written _____

Reason for this Warning:

<input type="checkbox"/> ATTENDANCE	<input type="checkbox"/> PERSONAL WORK HABITS	<input type="checkbox"/> UNAUTHORIZED ABSENCE
<input type="checkbox"/> WORK QUALITY	<input type="checkbox"/> REFUSAL TO WORK OVERTIME	<input type="checkbox"/> POLICY VIOLATION
<input type="checkbox"/> CONDUCT	<input type="checkbox"/> CUSTOMER RELATIONSHIPS	<input type="checkbox"/> PRODUCTIVITY
<input type="checkbox"/> TARDINESS/ABSENCE	<input type="checkbox"/> INSUBORDINATION (EXPLAIN)	<input type="checkbox"/> OTHER (EXPLAIN)

Description of problem requiring correction, including specific dates and examples. Identify specific changes that must occur and timeframe in which they must occur:

Date of follow-up review of problem and evaluation of progress: _____

FAILURE OF EMPLOYEE TO CORRECT PROBLEM MAY RESULT IN FURTHER DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

Employee Response: _____ I agree with Supervisor's statement _____ I do not agree with Supervisor's statement

Employee Comments or Reason for disagreement:

I have read this Warning Notice and understand it:

Employee signature: _____ **Date:** _____
(Supervisor must document if employee declines to comment or sign and obtain witness signature)

Additional supervisor comments: _____

Supervisor signature: _____ **Date:** _____

Department Head signature: _____ **Date:** _____

CC: Committee Chair
 City Clerk