



City of River Falls Employment Policy Handbook

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CITY OF RIVER FALLS WISCONSIN

EMPLOYMENT POLICY HANDBOOK

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INTRODUCTORY MATTERS (Section 1)

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PURPOSE

This handbook sets forth City of River Falls employment policies. Its purpose is to establish a consistent system of personnel administration that meets the needs of the City of River Falls, Wisconsin, hereinafter referred to as the City. These policies discuss the expectations of the City and the employees to each other and to the public. Their purpose is to ensure consistent personnel practices designed to utilize most effectively the human resources of the City in the achievement of its goals and objectives.

All employees are considered "at-will" employees. Nothing contained in this document is to be construed by any employee as establishing, creating or constituting a written, oral or implied contract of employment. Furthermore, nothing herein will be construed as a guarantee of continued employment or as a guarantee of any benefits or conditions of employment.

The provisions set forth in this handbook supersede all prior personnel policies and procedures whether written or established by past practice. Because this Employment Policy Handbook is based on City operational policies and procedures, federal and state mandated policies and procedures and present employee fringe benefit programs which are all to some degree subject to change, this manual is also subject to change. The City reserves the right to revise, add, subtract, correct, delete or update any part or all of the materials in this Handbook. This handbook is not all inclusive, and only a set of guidelines.

Any future changes made in this handbook will be brought to the attention of all employees by one or more of the following: employee meetings, e-mail notification and/or posting on the intranet site (sharepoint). All new employees will be given instructions on how to familiarize themselves with contents of the handbook along with the Receipt and Acknowledgement form to complete.

POLICY DEVELOPMENT AND ADMINISTRATION

ADOPTION AND AMENDMENT OF POLICIES

These policies were prepared and developed by the City Administrator with Human Resources and can be amended or replaced as needed. Sections of these policies were approved by the City Council and can be amended as needed. Where these policies differ from state or federal law, the applicable law will be followed.

ADMINISTRATION

The City Administrator is directly accountable to the City Council, and is responsible for administering the personnel policies. The City Administrator may establish administrative policies and rules as may be appropriate to administer the employment practices of the City. The City Administrator and Human Resources Director are responsible for administration and clarification of intent regarding personnel policies adopted by Council.

SAVINGS CLAUSE

If a personnel policy is held invalid by judicial or legislative action, the remainder of these policies will not be affected.

DEPARTMENT RULES

In accordance with these policies, departmental rules of procedure and/or policy that do not conflict with these policies may be established. The City Administrator must approve departmental rules and/or policy prior to implementation.

EMPLOYMENT GUIDELINES

These policies are guidelines for the City and its employees regarding city employment. It does not constitute an employment contract. The City reserves the right to change any personnel policy at any time at its discretion.

Each employee of the City will be provided with instructions on how to access the most recent copy of the Employment Policy Handbook. Employees will be instructed to read the document and acknowledge by signature that they have read the document. At any time, an employee may request an opportunity to discuss with the Administrator or designee any questions the employee may have regarding the City's Employment Policy Handbook.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City of River Falls to provide equal opportunity in employment to all qualified employees and applicants for employment. Positive action is required from all employees to help insure that the City complies with its obligations under state and federal law.

The City of River Falls will not discriminate on any protected classes which would include race, color, religion, sex, national origin, age, disability, creed, marital status, sexual orientation, ancestry, arrest and conviction record, use or non-use of lawful products outside work and genetic information or any other characteristic protected by law. Equal consideration to all qualified persons includes, but is not limited to, the following functions:

- Hiring, placement, promotion, transfer or demotion
- Recruitment
- Compensation for employment
- Condition of employment
- Training, and
- Involuntary layoff or separation from employment

Our policy objective is to employ individuals who are qualified for specific work by such job-related standards as experience, demonstrated attitude and skill, education, training, overall ability and other relevant considerations.

EMPLOYMENT DEFINITIONS

This list of definitions is provided to acquaint you with some terms as they are used in this handbook.

Regular Full-Time: Employees who work a regular schedule (40 hours per week). The work they perform is of an on-going nature. These are budgeted positions including full-time benefits.

Regular Part-Time 30+ (more than 30 hours): Employees who work less than 40 hours per week. The work they perform is of an on-going nature. These are budgeted positions including full-time benefits.

Regular Part-Time 20+ (employees working 20 to 29 hours): The work they perform is of an on-going nature. Limited Benefits.

Limited Part-Time: Employees who work a regular schedule with less than 20 hours per week. (i.e. Library Page) Not benefit eligible.

Paid Per call Volunteers: Volunteers that provide a paid per-call service to the Fire Department and EMS/Ambulance Department. Volunteers are waiting to be engaged. These positions receive pay that is nominal.

Casual Employment: Employees that may work on a sporadic, irregular or intermittent basis (i.e. Police Reserves and Election Inspectors)

Volunteers: Citizens that offer a service of their time, help and assistance to a particular department or project. The person is not compensated for their service. The assistance provided is predominately for the person's own interest and benefit and at their request.

Temporary Employment: Employees who work specific regular hours for a pre-designated time period. Not benefit eligible. If work averages 30+ hours in any 12 month period, under ACA guidelines the employee would be eligible for health insurance. (i.e. Mayor, Council Members, Municipal Judge, Interns) May be eligible for Wisconsin Retirement System based on WRS guidelines.

Seasonal Employment: Those employees who work specific regular hours for a designated period of 3 to 6 months. Cannot work more than 1040 hours in any 1 year period. Not benefit eligible.

Fair Labor Standards Act (FLSA): A federal law regarding minimum wage and overtime compensation, classifying positions as exempt or non-exempt.

FLSA Exempt: Employees specifically exempt from the overtime compensation provisions (not eligible for overtime) of applicable FLSA (Fair Labor Standards Act) legislation as defined and limited by administrative rules and regulations.

FLSA Non-Exempt: Employees who are entitled to a minimum wage and overtime compensation pursuant to applicable Fair Labor Standards Act (FLSA) legislation and regulations.

Reclassification: A change in classification of an individual position by raising it to a higher job class, reducing it to a lower job class, or moving it to another job class approved by the City Administrator.

Retiree: An individual who, at the time of termination of employment with the City of River Falls is eligible to receive an immediate full or reduced WRS annuity or is receiving WRS disability benefit.

Termination: The separation of an employee from the municipal service as a result of discharge, resignation, retirement or death.

City of River Falls

Receipt and Acknowledgement of Employment Policy Handbook

I have been given instructions on accessing the current electronic copy of the City of River Falls Employment Policy Handbook. I understand that I am responsible for being informed on the policies, procedures and information contained in the Employment Policy Handbook. If I have any questions related to the information received, it is my responsibility to bring it to the attention of my supervisor or a Human Resources representative.

I understand that the purpose of the Employment Policy Handbook is to give me a general understanding of the City of River Falls' policies as they exist and is not intended to be an employment contract.

I understand that the City of River Falls reserves the right to modify, amend or delete any provisions of the Employment Policy Handbook at any time. I will receive notification of any such modifications, amendments via email and understand that an updated copy of the most current policy handbook will be on the intranet (sharepoint).

I understand that this Employment Policy Handbook supersedes all previous manuals, handbooks and personnel policies that I have received or have been advised of by the City of River Falls. If applicable, for employees who are covered under a collective bargaining agreement (Police Officers), the terms of the bargaining agreement supersede the terms of the Handbook.

Employee's Name (Please PRINT)

**Employee's Signature Acknowledging
Notice of Employment Policy Handbook:**

Department: _____

Date: _____

Please return completed form to Human Resources

cc: Personnel file

EMPLOYMENT PRACTICES (Section 2)

2-1	Nepotism
2-2	Performance Evaluations
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NEPOTISM

In order to avoid situations that create potential or perceived favoritism, or perceived or actual conflict of interest, the City prohibits having an employee supervise a person to whom they are “related” in a regular full-time or regular part-time position.

Definition of “related”

For purposes of this policy, related persons will mean spouse, mother, father, son, daughter, sister, brother, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepchild, stepparent, grandchild and grandparent or other relatives of the employee or the employee’s spouse who are residing in the household of the employee.

Human Resources Review

While the above-definition identifies relationships that are likely to be perceived as a conflict of interest in an immediate superior-subordinate relationship, employees should also guard against other superior-subordinate relationships that could be perceived as creating a conflict of interest. In order to safeguard the interests of both employees and the City, Human Resources should be alerted to any employee relationships that pose, or potentially pose, a conflict of interest.

Recruitment and Hiring

No employee may participate in the recruitment or hiring process if a “related” person is an applicant under consideration.

We do not prohibit employing relatives of other employees, or persons involved in dating relationships with other employees. However, we monitor situations in which such individuals may work in the same area. Generally, relatives and persons involved in dating relationships will not be allowed to report to one another or otherwise work in a position that has control or influence over the other person’s hiring, advancement, performance evaluation, discipline, or termination. In case of actual or potential problems, we will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved.

PERFORMANCE EVALUATION

The City of River Falls has established a performance evaluation system for all regular full-time and regular part-time employees. The performance evaluation system is designed to:

- Facilitate continuous two-way communication between employee and supervisor
- Review employee performance in relation to City goals and objectives and department expectations.
- Recognize the achievements, accomplishments and contributions of employees
- Identify areas for employee training and development
- Provide a basis for planning future performance
- Identify and correct performance problems

Performance feedback is an ongoing process. It provides for communication between the employee and supervisor, planning and goal setting and evaluation of the employee's performance.

Annual Evaluation Process

An annual performance evaluation will typically be conducted for all employees on or around their anniversary hire date or promotion date to a new position. At the beginning of each year, supervisors will receive a list of the annual evaluation dates for each employee they supervise. This evaluation provides an opportunity to review job responsibilities, performance and to review and update department and employee goals. The employee should be a participant in the evaluation process to ensure that two-way communication is taking place.

SEPARATION FROM EMPLOYMENT

(General, Voluntary and Involuntary Termination, Retirement,
and Reduction in Workforce)

General:

Notice:

- If an employee decides to terminate employment or retire from the City, we request that at least two weeks written advance notice is provided.
- Department and Division Heads who decide to terminate employment or retire from the City, are requested to provide at least 30 days advance written notice and will be effective upon receipt by the appointing authority or upon the date specified.
- If an employee fails to give the required notice, the employee will be considered not to have resigned in good standing, unless the City Administrator determines that acceptable reasons for a shorter notice period exist.

Separation Procedures:

- Upon any separation from employment, compensation and benefits which have been earned and accrued will be credited pursuant to written policies and law.
- Resigning employees should make an appointment with Human Resources for an exit interview.

Discharge:

- Involuntary termination of employment (discharge) may be initiated by the City Administrator for any reason not prohibited by law.
- An employee discharged by the City for malfeasance or conduct inconsistent with the principles of the City as described in these policies will be terminated immediately. A temporary employee may be discharged at any time without notice.
- Employees may have the ability to appeal a termination. Refer to policy 2-5 Grievance Procedures.

Discharges may be for these or other appropriate causes:

1. Failure of the employee to perform the duties as listed in the job description with competence and integrity.
2. Refusal or failure to obey legitimate orders from a supervisor, unwillingness to submit to the supervisor's authority or insulting behavior toward a supervisor.
3. Failure to respect confidentiality of records or other information or drawing salary for time not actually on duty
4. Frequent tardiness or absenteeism
5. Falsification of forms or expense vouchers

6. Deliberate misuse of equipment or abuse of keys or use of City equipment and/or supplies for personal benefit
7. Conviction of any violation of the law which impairs the employee's ability to perform job responsibilities
8. Use of bribery; acceptance of gifts or gratuities; violation of the Hatch Act;
9. Public conduct in violation of the philosophy and mandate of the City of River Falls;
10. Failure to abide by written City policy or activity in opposition to the stated aims or goals of the City (this differs from suspension in that there is no question the cause occurred);
11. Gross misconduct including but not limited to:
 - a. Use of alcoholic beverages, illegal drugs or misuse of prescription drugs on the premises of the City;
 - b. Appearing for work under the influence of alcoholic beverages, unprescribed habit forming drugs or hallucinogenic materials;
 - c. Exhibiting sexual indiscretions;
 - d. Fighting or attempting to injure others;
 - e. Falsifying or misusing records including applications
12. Failure to meet the terms of:
 - a. Performance Development Plan
 - b. Disciplinary action
13. Violations of the standards for employee conduct

Reduction in Force/Layoff:

The City maintains the right to lay off employees, reduce work hours or eliminate positions, regardless of their previous length of employment.

Payments to employees relating to salaries and wages shall be made to coincide with the City payroll schedules. All salaries and wages due and to become due (less authorized deductions) shall be paid in the final paycheck as regulated by Wisconsin State Statutes 109.03(2).

CORRECTIVE AND DISCIPLINARY ACTIONS

Corrective and disciplinary action may be taken for violations of standards of conduct, violations of policies and procedures or for unsatisfactory work performance. In most instances, corrective and disciplinary action will only be taken after a full investigation and after giving the employee an opportunity to respond to any and all allegations.

Definitions:

Corrective/Disciplinary Action: The level of corrective action imposed will take into consideration the seriousness of the infraction as well as the employee's performance record. At the employer's sole discretion, various types of corrective/disciplinary action may be imposed which include but are not limited to, verbal warnings, written reprimands and/or suspension. The measures are not required to be used before suspension or termination of employment occurs nor are the listed corrective actions required to be used in any specific order. The Employer may repeat corrective action. Problems related to an employee's inability to meet job expectations, not related to misconduct, may be addressed through performance evaluations.

Verbal Warning: An oral statement made to the employee indicating that conduct or performance fails to meet an acceptable level. Documentation of the oral statement is created and made part of the employee's personnel file.

Written Reprimand: A written statement to the employee indicating that conduct or performance fails to meet an acceptable level, which will be made a part of the employee's personnel file.

Suspension: The temporary removal for disciplinary reasons of an employee from his/her assignment with or without pay. Documentation of the suspension is created and made part of the employee's personnel file.

Documentation:

- The supervisor will give the employee a notice that documents any/all oral and written warnings, suspensions, terminations.
- Receipt of the notice will be acknowledged by the employee or witnessed. A copy of the notice will be furnished to the employee. The original Employee Warning Notice will be forwarded to HR for inclusion in the employee's personnel file.
- All corrective and disciplinary actions will be documented and placed in the employee's personnel file.

Appeal of a Disciplinary Action:

An employee may appeal the imposition of a disciplinary action through the grievance procedures set for in this policy manual.

GRIEVANCE PROCEDURE

This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This policy applies to all employees covered under Section 66.0509, Wis. Stats, other than police and fire employees subject to Section 62.13(5), Wis. Stats. An employee may appeal any level of discipline under this grievance procedure. For purposes of this policy, “workplace safety” is defined as conditions of employment affecting an employee’s physical health or safety, the safe operations of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence, and training related to same.

Employees should first discuss complaints or questions with their immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen before filing a grievance.

1. **Step 1** – Written Grievance Filed with River Falls City Administrator. The employee must prepare and file a written grievance with the River Falls City Administrator within five (5) business days of when the employee knows or should have known of the events giving rise to the grievance. The written grievance must contain the name and position of the employee filing it, a statement of the grievance, the issue involved, the relief sought, the date the event giving rise to the grievance took place, the employee’s steps or orally review the matter with the employee’s supervisor and the employee’s signature and the date. The River Falls City Administrator or his/her designee will investigate the facts giving rise to the grievance and inform the employee of his or her decision, if possible within ten (10) business days of receipt of the grievance. In the event the grievance involves the River Falls City Administrator, the grievance shall be filed with the City of River Falls Mayor and the River Falls Mayor or his/her designee shall conduct the Step 1 investigation.
2. **Step 2** – Impartial Hearing Officer. If the grievance is not settled at the first step, the employee may request in writing, within five (5) business days following receipt of the River Falls City Administrator’s decision, a request for written review by an impartial hearing officer. The hearing officer shall not be a City of River Falls employee. The impartial hearing officer will determine whether the River Falls City Administrator acted in an arbitrary and capricious manner. In all cases, the grievant shall have the burden of proof to support the grievance. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The impartial hearing officer shall prepare a written decision.
3. **Step 3** – Review by the Governing Body. If the grievance is not resolved after Step 2, the employee or the River Falls City Administrator shall request within five (5) business days of receipt of the written decision from the hearing officer a written review by the Governing Body. For Library employees, the appeal shall be filed with the Library Board. For all other employees, the appeal shall be filed with the Common Council of the City of River Falls. The Common Council of the City of River Falls will inform the employee of its findings and decision in writing

within ten (10) business days of the Common Council of the City of River Falls meeting. The Common Council of the City shall decide the matter by majority vote and this decision shall be final and binding.

If the employee fails to meet the deadlines set forth above, the grievance will be considered resolved.

EMPLOYMENT VERIFICATION AND REFERENCE CHECK PROCEDURES

Employment References: No City employee shall reply to an official reference check request from a potential employer, unless delegated by the Human Resources Director. Requests for reference checks should be forwarded to Human Resources and must be made in writing and include an authorization from the employee for the release of the requested information. In the event a reference check is not accompanied by an employee release, Human Resources will only provide:

- Dates of employment
- Position held
- Annual salary

No other data or information will be furnished unless (1) the City is required to release the information by law or (2) the employee or former employee authorizes the City in writing to furnish this information and releases the City from liability.

Payroll and salary verification requests may be completed by Human Resources or Payroll.

Personal References: Employees may serve as a “personal reference” which is construed to mean references that do not speak to the candidate’s work performance or specific service to the City, but rather the candidate’s personal characteristics, educational background and personal dealings with the referring employee. The referring employee assumes all liability for the content of the personal reference.

The City of River Falls has established these procedures in order to minimize legal risks such as lawsuits that claim defamation of character, infringement of privacy, or claims of negligent reference checks.

PERSONNEL RECORDS

Reasonable access to personnel records will be authorized in accordance with public records laws and regulations. Any/all personal medical information will be in a secured file separate from the personnel records with strictly controlled and limited access in order to protect confidentiality.

Procedure

- Employees and other authorized viewers of records will have the authority to review and copy, but not to remove or alter personnel records. If an employee disagrees with any information in his/her personnel file, the employee may submit a written statement explaining his/her position which will be included in the file.
- Employees may set up an appointment with HR to review their own personnel file.
- Supervisors should not have access to protected class data and other information not related to job performance.

PAYROLL AND OTHER FORMS OF COMPENSATION (Section 3)

3-1	Compensation
3-2	Payroll periods and paycheck distribution
3-3	Overtime
3-4	Cell Phones
3-5	Safety Glasses
3-6	Training and Development
3-7	Vehicle operation, travel, and mileage reimbursement
3-8	Election Pay
3-9	Uniform Policy

COMPENSATION

The City's compensation program is designed to achieve the following objectives:

- To establish and maintain pay opportunities that enable River Falls to attract and retain qualified, reliable, and motivated personnel who are committed to quality and excellence for those we serve.
- To work towards developing a total compensation package which places employees at the mid-range of the City's identified public and private sector market.
- To follow the principles of equal pay for equal work and comparable worth in establishing and maintaining pay relationships among positions based on skill, effort, responsibility, and working conditions.
- To establish performance expectations and requirements for each position in the City, communicate those expectations and requirements, and identify how they will be developed, applied, and audited in the overall performance management process.
- To provide regular, ongoing opportunities for employee growth and development in a manner which helps each individual achieve and maintain service excellence and enhance the image of River Falls as a well-managed, effective organization.
- To ensure program flexibility necessary to meet changing economic, competitive, technological, and regulatory conditions.
- To balance compensation and benefit needs with available resources.

Position Classification

All positions at the City have a written position description. Position descriptions should be reviewed on an annual basis during the annual employee evaluation process. All City positions are grouped in classifications and grades that were established based on a comprehensive classification and compensation study.

Maintenance Review

The City will conduct periodic market reviews in order to make sure our pay structure is still competitive. If an employee and/or supervisor feel a position has changed substantially in responsibility and job scope, they can request a formal review of that position. See Human Resources for specific process to follow on review.

PAYROLL PERIODS AND PAYCHECK DISTRIBUTION

Payday

The regular payday will be determined by the City. A payroll calendar is available on the City's Intranet (Sharepoint). If the payday falls on a holiday, direct deposit advices will be distributed (via email notice) on the closest working day previous to the holiday.

Direct Deposit

Employees are required to have their paychecks automatically deposited into an account of their choice. If you have any banking changes such as new bank, new account numbers, new amount you want deposited, etc, you can make those changes directly through Employee Self Service (ESS). If you are not on ESS, direct deposit forms are available on sharepoint.

Recording of Time

All employees must turn in a pay record according to a set payroll schedule (bi-weekly or monthly).

For non-exempt employees, time must be entered to the nearest one-quarter (1/4) hour. All non-exempt employees shall record all hours worked in excess of forty (40) hours per week (see overtime policy).

Exempt employees are salaried and paid 80 hours per pay period. Exempt employees enter leave time only through ESS.

OVERTIME

Without advance consent of the employee's immediate supervisor, no hourly employee shall be authorized to work over forty (40) hours per week.

Employees shall be required to work overtime as the necessities of the City and position demand. Employees that refuse to work overtime may be subject to disciplinary measures.

If a non-exempt employee covered by the Fair Labor Standards Act, and amendments thereto, work more than forty (40) hours in a work week, he/she is entitled to payment at one and one-half (1 ½) times the regular rate of pay for all hours worked in excess of 40. Paid Time Off (PTO) is not considered as hours worked for purposes of calculating overtime. Overtime payments must be made not later than the pay period immediately following the pay period in which the overtime work was performed.

Exception: Non-exempt employees performing emergency City services shall not be required to seek advance consent for overtime if said employee is in the process of performing the emergency services when the overtime begins to accrue. Overtime pay is subject to all applicable provisions of state and federal wage and hour laws.

CELL PHONES

City Provided Cell Phones: These are to be used for City business. Staff may use City Cell phones for incidental personal use, but said personal use shall not substitute for an employee's personal cell phone. Employees shall have no expectation of privacy related to the use of City provided cell phones or any features with said use (e.g. text messaging, email, etc)

Cell Phone Reimbursement: Certain positions require a cell phone based on the following:

- The need to contact the employee at all times for either emergency or other work-related matters.
- Require the employee be available to speak with people in the community outside the employee's normal work schedule.
- Functions or employees who have a critical need to maintain accessibility with other department managers, City staff, or public officials in order to insure uninterrupted customer service and/or the integrity of the City.

Under these specific circumstances, a designated monthly reimbursement allowance may be granted by the City Administrator.

Use of Cell Phone While Driving: For the safety of our staff and the public, use of either City or personal cell phones while operating a motor vehicle on City business is discouraged. Cell phones should be turned off or not answered while driving. If a call needs to be answered, staff should stop their vehicle in a safe location and park while using the cell phone. General exceptions will be allowed where staff is equipped with legal headsets or hands free answering equipment.

SAFETY GLASSES

The City of River Falls will provide one pair of prescription safety eye wear every (2) years for employees that are in a position where exposure to eye injuries are high.

- The City will cover the cost for frame, lenses and scratch guard only up to a maximum of \$200. This includes prescriptions for bi-focals and tri-focals.
- The employee will be required to pay for any enhancements to the basic eye wear unit such as tinting, transition and progressive lenses, etc.
- The employee will also be required to pay for the eye examination, if such examination is not paid for by insurance coverage.
- The employee will be responsible for total replacement costs if City provided eye wear is lost or damaged due to employee negligence.
- All employees provided safety eye wear shall wear such eye wear during the duty hours as duty assignment requires. Employees not using such eye wear while on duty, as required, shall be subject to disciplinary action.

Please complete Safety Eyewear Reimbursement Request form from Human Resources.

TRAINING AND DEVELOPMENT

The City is committed to a program of staff development based on a goal of creating a climate of and opportunities for employee growth which will benefit the organization and the individual.

Training – Ongoing/General

The City will provide staff members with internal and external opportunities for job and career development through: training sessions which are pertinent to the jobs of the employees and the needs of the City sponsored by federal and state agencies; educational or study leaves, conferences, seminars and classes offered by other agencies. Employer required education and training may occur during scheduled working hours and such employee time will be paid by the employer.

Certificate and Degree Program Reimbursement

With concurrence from their supervisor, regular part-time and full-time employees may request tuition assistance for the pursuit of training at an accredited institution for the completion of a certificate or degree program which will improve their work performance in their current position or another position within the organization. Based on budget availability, the City will provide reimbursement of 75% for tuition and fees up to a maximum of \$3000 per semester for regular full-time employees. Reimbursement amount will be pro-rated for employees working less than 40 hours/week.

Is tuition reimbursement taxable to the employee? IRS guidelines state, if your employer pays more than \$5,250 in educational assistance benefits for you during the year, you must generally pay tax on the amount over \$5,250.

For specific classes or programs that will have an immediate and direct benefit to the City, up to 100% may be reimbursed (example of this would be a GIS program for Engineering or Community Development staff).

Process for Requesting Reimbursement

1. Discuss education plans with your direct supervisor so they can plan accordingly with their budget.
2. Direct a memo to the Human Resources Director and copy the Supervisor on your intent/request.
3. Human Resources Director will follow up with a memo to the employee and copy to the Supervisor acknowledging what has been approved along with the process for submitting reimbursement claims.
 - The employee is required to submit appropriate records of attendance, completion of training and grades along with a check request form to their supervisor for approval.
 - A grade of B or better is required in order to be reimbursed.
 - Typically, the time used to complete the degree is not considered work time and not reimbursed.
 - Books are not eligible for reimbursement, only tuition and required fees.

VEHICLE OPERATION, TRAVEL AND MILEAGE REIMBURSEMENT

The City of River Falls recognizes that occasional travel for employee development, participation in off-site meetings, conferences, individual job satisfaction, training programs and similar events are an important part of doing business.

Approved transportation expenses for employees and appointed or elected personnel authorized to travel on City business shall be reimbursed according to the following guidelines.

Requirements:

- All travel requires approval in advance by the employee's immediate supervisor.
- The standard method of travel shall be by City pool vehicle. In City pool vehicles, passengers will be restricted to City employees, authorized family members, City appointed or elected personnel or other persons on City business. If exceptions are necessary, the Department Head must grant approval in writing prior to using the vehicle. All occupants of the City vehicles shall use seat belts and obey all traffic regulations. Costs for violation of traffic and/or parking regulations are the responsibility of the individual and will not be reimbursed. Any accident, regardless of the extent of injury or damage, must be reported immediately to the City Administrator's office, and follow the procedures as outlined in the accident kit in each vehicle.
- All employees and appointed or elected personnel who drive, while on City business, must have a valid driver's license and personal vehicles must be properly insured.
- The City will reimburse employees for parking fees upon submission of proper documentation.
- The City will reimburse registration fees upon submission of proper documentation.
- Other reimbursable expenses may include taxis, internet connection charges, facsimiles, copies or similar items incidental to the performance of official business.

Meals (overnight travel): Following IRS guidelines, reimbursement for meals not provided as part of the program or meeting shall be at a Per Diem amount up to the federal allowed amount. This amount is reviewed annually. Please refer to the employee expense report for current Per Diem amounts. No receipts are required for Per Diem meal reimbursement.

Meals (same day travel): Employees that are attending a full or ½ day conference would follow "same day travel" guidelines. Employees that schedule a business purpose meeting for breakfast, lunch or dinner would also follow "same day travel" guidelines. When a meal isn't provided as part of the training or conference (breakfast, lunch or dinner) and travel is required over the meal period, employees should charge their meal on their PCard and submit receipts along with business purpose documentation listed on the expense report form. If you do not have a PCard, you should obtain one from your department administrator prior to travel. Meal reimbursement will not be taxable to the employee. Reimbursement requests without proper documentation will not be reimbursed. Supervisor discretion regarding meal reimbursement submittal will be based on factors such as location of training, conference or meeting in addition to departure and arrival times for session. **Note:** Expenditures for alcoholic beverages are not reimbursable.

Same Day Travel - Guidelines for Employees and Supervisors
Breakfast included for departures prior to 7:00 a.m.
Lunch included for departures around 12:00 p.m.
Dinner included for arrivals after 6:00 p.m.

Mileage: If a City pool vehicle is not available and you are traveling by private vehicle, total reimbursement supported by detailed mileage records shall be at the current IRS business mileage rate (check with Finance department for current rate). If two or more persons travel in the same private vehicle, mileage reimbursement shall be limited to one person.

Driver Licensing:

Every employee who is assigned, or who uses, City owned or leased vehicles must immediately report any suspension, revocation, or restrictions of their driver's license to their supervisor and Human Resources. The City will attempt to reasonably accommodate an employee who has lost their license or has received restrictions that impact their ability to do their job. The City will determine appropriate action on a case by case basis.

Commercial Driver's License (CDL) Requirement:

The employer will reimburse all regular full time employees who are required to obtain a CDL for their current position (determined solely at discretion of City). The City will reimburse the full cost of a valid CDL license. We will cover the full renewal fee and card issuance fee (if applicable). All additional license fees not related to CDL are the employees responsibility. The City will not reimburse the cost for a medical card because this is not a requirement of the City to carry one.

Employees having a CDL, but are not required to for their current position, are not eligible for reimbursement.

Use of Private Vehicle:

If an employee chooses to use a personal vehicle when a pool car or rental vehicle is available, the reimbursement rate will be the IRS medical or moving purposes rate (check with Finance department for current rate).

Employee using a private vehicle will be reimbursed for mileage beyond the daily commute at the prevailing mileage rate as determined by the City over the most reasonable direct route (i.e. Employees traveling to a different location for training would subtract the miles from their normal daily commute and would be reimbursed for the remaining mileage). Employees will not be reimbursed for mileage incurred while traveling from home to the workplace, including return trips to work.

According to standard insurance requirements, any employees receiving reimbursement for personal vehicle use will assume liability through their own vehicle insurance in the event of an accident.

Lodging: Overnight lodging shall be limited to reasonable per day costs. In all cases, the employee must present detailed records for reimbursement.

Claims for reimbursement of travel costs shall be filed in writing immediately upon return from the trip. Official receipts for the cost of lodging, travel, registration, parking, and for any other official expense shall be attached to the claim form in support of reimbursement. In the event a traveler is accompanied by family member(s), care must be exercised to include only those costs attributed to the travelers, (single rate for lodging as compared to double occupancy)

ELECTION PAY

Employees are encouraged to participate in the election process by working at the polls on election day. Employees who wish to serve as an election judge or election inspector must provide the employer with a minimum of seven days' notice in order to be granted approval.

Provided proper notice is given, employees will be granted leave without loss of pay or benefits. Employees who work at the polls on election day will be paid their regular wage.

Non-exempt employees: Hours worked in excess of regularly scheduled hours will be paid at the employee's regular hourly rate and may be paid overtime for hours worked over 40 following employment policy handbook and FLSA rules.

Exempt employees: Employees will be paid their regular wage for 8 hours and will be paid the approved election judge/inspector rate for hours worked over 8 on election day.

Processing Pay: Employees will include all time worked on their normal pay record. Costs associated with the election may be reimbursed to the appropriate fund. Election pay is considered taxable wages for employees.

UNIFORM POLICY

The purpose of this policy is to promote a positive professional image to the general public, an established organization goal of the City of River Falls. As employees of the City of River Falls, there is much exposure to the general public. The purpose of this policy is to outline regulations and procedures regarding the eligibility, wearing of uniform, uniform items, issue and replacement, and uniform turn-in requirements.

The intent of this policy is not to cover public safety personnel. Public Safety includes: Police, Fire, and EMS. These entities have established their own standard operating procedures to guide their department's uniform needs and requirements.

I. Eligibility

Required Uniform Personnel:

All job title classifications listed below are referred to as "required uniform personnel" for the purposes of this policy: Public Works Maintenance Lead; Public Works Maintenance; Lead WWTP Operator; WWTP Operator – Certified; Lead Water Works Operator; Water Works Operator Certified; Water Meter Mechanic Certified; Mechanic – Lead; Mechanic; Lead Journeyman Lineperson; Journeyman Lineperson; Journeyman Electric Meter Technician; and Electric Meter Technician.

Dual Office and Field Personnel:

All job title classifications listed below are referred to as "dual office and field personnel" for the purposes of this policy: Building Inspector/Code Enforcement Officer; City Planner; Engineering Technician; and Civil Engineer.

Office Personnel:

All job title classifications that work daily out of a City building and primarily work inside are referred to as "office personnel" for the purpose of this policy.

City of River Falls Volunteers:

City of River Falls volunteers may be provided, at the expense of the City, a garment that clearly displays the City's official logo. The decision to supply a volunteer with an official City of River Falls garment is at the discretion of the volunteer coordinator. Not all City volunteers will be issued a City garment.

Temporary/Seasonal Personnel:

All temporary/seasonal personnel hired by the City of River Falls may be furnished with a City garment appropriate for their area of work. These garments will be provided at the City's expense. Temporary/seasonal employees shall be required to wear City issued uniform items while on the job.

Superintendents and Supervisors are encouraged to participate in the uniform policy and program at their own discretion.

II. Wearing of Uniform (Guidelines)

When uniforms are worn, care should be taken that they fit properly. Uniforms should be clean and properly maintained.

Employees should not report to work wearing soiled, torn, or unserviceable uniforms.

The City issued uniform garments may be worn back and forth to work as a convenience to the employee. It is reasonable for an employee to wear their City issued uniform garments while pursuing normal life activities such as (but not limited to): going out to lunch or dinner, going to a retail store, etc. Employees are asked to use good judgment and discretion as to which life activities are appropriate to pursue while wearing a City issues uniform garment. Inappropriate personal use of work uniforms will be subject to disciplinary action.

Uniform garments that are rented by the City and some purchased uniform items shall be professionally cleaned at the expense of the City. A cleaning schedule will be established based on the uniform garment and its expected need for cleaning.

All employees that are classified under the eligibility section of this policy as “required uniform personnel” will be expected to begin their workday in uniform. City-issued uniform garments outlined in the “uniform guidelines and items” section of this policy shall be provided to personnel at the expense of the City.

Under special circumstances, such as attending training or meetings, a required uniform employee may not be required to wear their City issued uniform garments to work. Special circumstances will be determined by the employee’s supervisor or the Division Head. When these special circumstances arise the employee will be required to wear a City issued safety vest while performing work in the field during the course of that particular day.

All employees that are classified under the eligibility section of this policy as “dual office and field personnel” will be expected to wear their uniform items, or a City logo garment, when conducting business in the field. Business in the field is defined as any work being conducted outside of your primary place of work.

All employees that are classified under the eligibility section of this policy as “office personnel” will be expected to wear their uniform items when the City deems appropriate. Office personnel are encouraged to wear their City garments when they deem appropriate. Appropriate situations to wear a City issued garment include, but are not limited to, City sponsored events and Casual days.

III. Uniform Items

All garments:

All provided uniform garments shall bear the general City logo.

Garments produced for field staff may include patches or specific identification components to reflect specialized training or certificates related to work being provided by that individual employee or department.

Garments may bear a department’s individual logo.

Existing safety vests or other City issued items on hand on the effective date of this policy, that do not have a City logo, can continue to be assigned and worn until deemed worn or unsafe for use by a Supervisor.

Required Uniform Personnel Job Classification:

It is understood that the job duties of required uniformed personnel have been determined as appropriate and necessary to have full uniform provided to them by the City. A uniform is essential to the safety and wellness of these job classifications. Employees who work in positions that have potential exposure to an electric arc are required to wear and maintain FR clothing compliant with NESC, Section 41.

Full-Uniform Personnel City Issued Garments: Full-uniform personnel for the City of River Falls will wear a version of a button-down uniformed shirt (short-sleeve or long-sleeve depending on weather and season), a high-visibility tee shirt and an industrial-style pant as their official uniform. Seasonal jackets and a safety vest will be provided to the employee. The following items shall be provided to employees at the expense of the City:

- Flame-Resistant (FR) Required Personnel:
 - Button-down-shirts: Employees shall be issued at the City's expense long-sleeve button-down shirts
 - Long-sleeve Henley shirts: Employees shall be permitted to rent FR long-sleeve Henley shirts
 - Pants- Employees shall be permitted to rent FR industrial-style pants
 - Winter Jackets: Employees shall be permitted to rent FR winter jackets
 - Safety Vests
 - Tee shirts: The City will issue FR tee-shirts to employees. No tank tops and sleeveless tee shirts will be permitted. Employees will be issued replacement tee shirts once a year or when a shirt is deemed unserviceable by a supervisor.
- Other Personnel (non-FR):
 - Button-down-shirts: Employees shall be permitted to rent short and long sleeve, button-down shirts
 - High-visibility tee-shirts: Employees shall be permitted to rent short sleeve high-visibility tee-shirts
 - Pants- Employees shall be permitted to rent industrial-style pants
 - Winter Jacket: Employees shall be permitted to rent winter jackets
 - Lightweight-jacket: The City will issue lightweight-jacket to employees. OSHA compliant lightweight coats will be provided as an option to employees wishing to wear this item as a part of their city-issued uniform garments.
 - Safety Vests

Dual Office and Field Personnel Job Classification:

The following items may be provided to employees at the expense of the City:

- Safety Vest
- Winter Jacket

Some dual office and field personnel may choose to receive city logo garments, such as polo's, to wear while out in the field. These city logo garments shall be provided to these employees at the expense of the city.

Office Personnel Job Classification:

The City will purchase and provide an official city logo garment to office personnel as deemed appropriate by City leadership. These items include, but are not limited to: Polo shirts, dress shirts, blouses, and sweaters.

Shorts Policy:

The purpose of this section of the Uniform Policy is to establish criteria and applicable tasks for which summer shorts will be allowed as an alternative to conventional uniform pants outlined in this policy. Each Department or Division will be responsible for identifying tasks and enforcing circumstances for which summer shorts will be allowed. Special circumstances can included, but are not limited to, River Falls Days and other City sponsored special events.

All employees must be prepared to respond to a change in task assignment by having long pants with them at all times. There will be no exception to this condition. Employees not prepared to address a change in tasks will lose their privileges to wear shorts.

Criteria for Shorts: acceptable length will be 2 inches above the kneecap, all shorts must have hemmed bottoms, and shorts must be a durable type material comparable to jeans or uniform rental material. Khaki would be an acceptable short material.

IV. City Footwear Reimbursement

The City of River Falls may issue a footwear reimbursement for various positions. Eligibility of employees for a City issued footwear reimbursement shall be determined by department heads and supervisors. The footwear reimbursement is intended to assist employees with the purchase of "safety" footwear required by their particular job duties. Employees may choose footwear styles and vendors of their choice provided they comply with OSHA standards.

General Requirements: The employer shall ensure that each affected employee uses protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole and where such employee's feet are exposed to electrical hazards.

The City will provide an annual footwear reimbursement of up to \$150 to eligible employees. The City Administrator has authority to change/update this amount as necessary. Annual for the purpose of this policy means January 1st to December 31st of a calendar year. A "Safety Shoe Reimbursement" form must be completed along with a store receipt and the OSHA compliance tag found on the work boot or shoe.

Footwear purchased with the assistance of this reimbursement is expected to be worn during working hours.

V. Issue and Replacement

Issuance at time of hire

At the time of initial employment, employees will be eligible for an uniform as classified in this policy will be properly outfitted with the necessary uniform garments required for their job duties and classification.

Replacement schedule

An appropriate replacement schedule will be created and implemented upon the passage of this policy. The replacement schedule will be determined based on factors such as the specific garments and its typical lifespan. The replacement schedule may also be determined by the City's selected uniform vendor.

Replacement of all uniforms, outside of general replacement schedule, shall take place once a determination has been made that they are no longer serviceable.

Replacement requests will be processed by the Supervisor and records maintained.

Unserviceable uniforms are defined as:

Torn, ripped or soiled beyond reasonable repair or cleaning. Small tears or rips shall be repaired promptly.

Worn out by normal wear and washing to the they are disintegrating

Uniforms that do not fit due to change in body dimensions

VI. Uniform Turn-in Requirements

All rental uniform and safety issued items will be required to be returned to the City upon termination, resignation, or retirement, of an employee. City purchased items may be required by the Supervisor, Department Head, or Division Head to be turned in by the last day of employment, upon termination, resignation, or retirement, of an employee. It is the discretion of the Department or Division Head which City issued uniform items may be retained by an employee upon their departure from the organization.

VII. Department Issued Safety equipment

Outside the scope of this policy is the requirement for some departments to provide various job/task specific safety equipment. These items include, but are not limited to: Gloves, safety glasses, coveralls, and footwear protection from chemicals. These items are intended to be purchased and supplied to employee's separate of the Uniform Policy. The River Falls Safety Committee is expected to provide guidance and recommendations for the purchase of these safety related items.

VIII. Uniform Committee

A Uniform Committee will be established to perform a regular assessment of the uniform program and to make suggestions of improvements to the policy. The Uniform Committee shall have equal representation of job classifications affect by this policy. The Committee shall meet annually. The committee may meet regularly, if deemed necessary by City leadership or if uniform issues arise that prompt a review of the policy.

TIME AT WORK AND TIME AWAY FROM WORK (Section 4)

4-1	Hours of Work
4-2	Holidays
	Leaves
4-3	Paid Time Off - PTO
4-4	Family and Medical Leave Act - FMLA
4-5	Unpaid
4-6	Bereavement
4-7	Jury Duty
4-8	Donor Leave
4-9	Military Leave
4-10	Voting
4-11	Emergency Closings

HOURS OF WORK

Business Hours: City Hall is open from 8 a.m. to 5 p.m. Monday through Friday except for established holidays or as determined by City Council. Each department is required to be staffed to serve the public during these times. Normal work hours are 8 a.m. to 5 p.m., however, scheduling may be adjusted according to operational needs within a given department. Each operating location sets hours for public and department service hours so these may differ from City Hall depending on which facility you work at.

Tardiness is not acceptable and should be documented by the supervisor and addressed with the employee the consequences of employees reporting late to work. Employees are expected to work until their designated quitting time each working day. Employees who need to leave work early must make arrangements with their supervisor prior to their leaving.

Breaks: Lunch period – minimum 30 minutes, 1 hour standard. Employees are eligible for a (15) minute break for every 4 hours worked. Rest periods not taken during the eight (8) hour work period will be forfeited. Rest periods cannot be combined and taken as one break, nor can rest breaks or lunch breaks be used to shorten or extend the normal work day or extend the lunch period.

The City follows the Department of Labor recommended standard, ½ hour meal period after 6 consecutive hours.

The City break time requirement for nursing mothers in the Patient Protection and Affordable Care Act provides “reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child’s birth each time such employee has need to express the milk.” The designated area for this purpose is the dressing room in the exercise area on the lower level of City Hall. If you are located in another building, please contact Human Resources.

Flexible Schedules:

The purpose of a flexible schedule is to enhance the ability of the City to fulfill its responsibilities, to render services to the public, and to enhance employee morale. A flexible schedule may be worked out ONLY with prior approval of the Department Manager.

Employees with flex-time arrangements may need to adjust their schedules periodically to accommodate vacations or other vacancies within the department.

The purpose of the Flexible Workplace Program is to provide a formal method to accommodate the individual and unique needs of employees in certain situations. This program is intended to foster a positive, flexible work environment by meeting the needs of the employee and reinforcing and recognizing positive communication and working relationships between employees and management.

Alternative schedules are not appropriate for every position or employee at the City. Based upon position requirements and employee performance and conduct, some employees may not be eligible for participation in a flexible work arrangement.

HOLIDAYS

Regular full-time and part-time (20 hours or greater) employees are eligible to receive compensation for holidays. Employees will receive 8 hours of holiday or pro-rated calculation based on full-time equivalency (fte) for regular part-time employees.

There are (8) officially observed holidays:

New Year's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Eve Day
Labor Day	Christmas Day

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

Holiday hours will not be considered as hours worked for purposes of calculating overtime.

The City Administrator or designee, may excuse a staff member from work for other special observances at the City Administrator's discretion.

Note: Excluded from this policy are Police Sergeants and FT/PT Paramedics/EMT's (Positions are required to work holidays, therefore, are under separate agreements).

Police Sergeants: Receive 64 hours of holiday pay each Jan 1st to use. If these hours are not used by Dec 31st they will be forfeited.

FT Paramedics (on 24-hour shift schedule):

If scheduled to work on a holiday, in addition to regular wage, a \$720 holiday bonus will be paid. If not scheduled to work on a holiday, employee will receive 8 hours of straight time.

PT EMTs (24/hours per week):

If scheduled to work on a holiday, in addition to regular wage, a \$360 holiday bonus will be paid. If not scheduled to work on a holiday, employee will receive 4.8 hours of straight time.

CITY OF RIVER FALLS
Paid Time Off (PTO) Policy

Paid Time Off (PTO) will provide flexibility to employees, support work-life balance and income protection for “no fault” time away from work. PTO is intended to be used for a variety of traditional types of time away from work, including vacation, personal illness, personal business, doctor appointments, family time, and personal voluntary community service.

Eligibility

The policy is for “Regular, Benefit Eligible” full-time and part-time employees working 20 hours or more. This policy excludes Police Officers under Wisconsin Professional Police Association and FT and PT Paramedics/EMTs.

PTO Schedule

- PTO hours will be front-loaded every June 1st or upon hire date.
- For employees hired during the year, the hours will be pro-rated based on hire date.
- For those employees working less than 40 hours a week, hours are pro-rated based on fte.

YEARS OF SERVICE	PTO ELIGIBILITY	MAXIMUM TERMINATION PAYOUT
1 + years	30 DAYS/240 HOURS **	80 HOURS **

** pro-rated for less than 1.0 fte and pro-rated for new hires based on hire date

Usage Of PTO

The scheduling of time off is dependent upon the judgment and discretion of the employee's supervisor. Supervisors will consider factors such as minimum staffing and customer service levels when considering requests while attempting to accommodate most requests.

Advance requests for PTO is desirable for department planning and coverage. However, if you must request PTO on short notice, it would be advisable to share a reasonable amount of information with your supervisor to help explain the short notice since they can deny your request and/or require a physicians’ note if the reason is due to an illness.

PTO can be requested to be taken in half hour, hourly or daily increments as deemed necessary and desirable by the employee with supervisor approval. All PTO will be paid at the employee’s regular rate of pay.

The City appreciates employees with service to the United States military. In consideration for your service, veterans seeking to use PTO for Veterans' Day will not be denied such a request if made in accordance to department practice for notice in advance.

PTO will not count as hours worked for calculating overtime (excluding emergency call out or other designated supplemental pay categories such as snow removal).

If employees exhaust their PTO balance during the year and have an unforeseen medical illness that is not WFMLA/FMLA approved, it will follow the unpaid leave policy (4-5). Any unpaid leave requests will require City Administrator approval so it is important employees plan accordingly. Employees should be planning out their PTO usage to cover unexpected circumstances that may come up throughout the year such as illness, death of friend, school snow days, etc.

- Special Exception for Unforeseen Circumstances: 10 working days prior to May 31st each year, employees who have exhausted their PTO may take additional time off of no more than 10 workdays' (80 hours), in case of special unforeseen circumstances. This allotment must be approved by the department head and HR Director. On June 1, any hours taken under this provision will be deducted from employees' new allotment of 240 hours or from final paycheck should the employee separate from service prior to June 1st.

Reimbursement of Accumulated PTO Leave

Employees separating from service (retirement, voluntary and involuntary resignation) will be paid for up to 80 hours of their remaining PTO balance.

PTO balance/hours/days cannot be used to extend termination date. Employees are expected to be present on their last day of employment.

Extended Sick Leave

Any remaining PTO days on June 1st will automatically roll over into the extended sick leave bank up to 120 hours each year (pro-rated for part-time). There is no maximum amount for extended sick leave bank.

Extended Sick Leave Bank is not eligible for payout upon termination.

Extended Sick Leave Bank can only be used if the following conditions are met:

- FMLA/WFMLA approved conditions following state and federal guidelines.
- Approved FMLA/WFMLA conditions lasting over 7 calendar days or over 5 intermittent days.

Procedure

- Complete FMLA information packet with Human Resources.
- HR will determine whether leave is certified under state and federal guidelines.
- If leave is approved under state and federal guidelines, and the employee will be out more than 5 days, employee can use extended sick leave starting immediately.
- When an employee doesn't anticipate being out for more than 5 days, PTO will be used first. If the occurrence extends past the 5 calendar days, the employee can start the FMLA/WFMLA process.
- Extended Sick Leave will not count as hours worked for calculating overtime.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

A. General Provisions

It is the policy of the City of River Falls to grant up to 12 weeks (or 26 weeks, if leave is taken to provide care for wounded military personnel) of family and medical leave during any 12-month period to eligible employees, in accordance with the Family and Medical Leave Act (FMLA), and 2 and/or 6 weeks of leave under the Wisconsin Family and Medical Leave Act (WFMLA). In most cases, FMLA and WFMLA will run concurrently, so that employees will generally be limited to a maximum of 12 weeks of leave in any 12-month period.

B. Eligibility

Under the FMLA, the employee must meet all the following conditions:

1. The employee must have worked for the City of River Falls at least 12 months (these 12 months need not have been consecutive);
2. The employee must have worked at least 1250 hours during the 12-month period immediately before the date when the leave would begin (this calculation includes only actual hours worked, and will not include any holiday, PTO, or other forms of paid leave that may occur during the relevant 12-month review period, regardless of whether such time is counted as hours worked for overtime purposes); and
3. The employee must work in an office or worksite where 50 or more employees are employed within 75 miles of that office or worksite. (Remote employees with no fixed office or who work out of their home will be treated as though they work in the office to which they report.)

Under the WFMLA, in order to qualify to take family and medical leave the Wisconsin employee must meet all of the following conditions:

1. The employee must have worked for the City of River Falls for more than 52 consecutive weeks; and
2. The employee must have worked at least 1000 hours during the 52-week period immediately before the date when the leave would begin (this calculation includes holiday, PTO, or other forms of paid leave).

C. Reasons for Leave

In order to qualify as FMLA leave under this policy, the employee must be taking the leave for one of the reasons listed below:

1. The birth of a child; (also qualifies for WFMLA leave);
2. The adoption of a child, or the placement of a child with the employee for foster care; (adoption of a child also qualifies for WFMLA leave);
3. The employee's own serious health condition (a "serious health conditions" under the FMLA includes those requiring inpatient care, those involving a doctor's visit plus follow up treatment that results in more than 3 days of incapacity, or chronic health conditions

- accompanied by continuing care from a licensed health care provider); (also qualifies for WFMLA leave);
4. To care for a spouse, child or parent with a serious health condition; (also qualifies for WFMLA leave, and additionally the WFMLA allows leave to care for an in-law or stepparent with a serious health condition);
 5. To care for a registered domestic partner with a serious health condition; or to care for a domestic partner's parent with a serious health condition (only permitted under the two-week family leave allotment under WFMLA);
 6. Due to a "qualifying exigency" for the spouse, children or parents of individuals who are on, or are about to be on, "covered active duty";
 - i. (A "qualifying exigency" includes attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings as defined in applicable Department of Labor regulations)
 - ii. ("Covered active duty" means members of either the regular or reserve components of the Armed Forces who have been deployed to a foreign country)
 7. To provide care for a "covered service member" with a serious injury or illness incurred or exacerbated in the line of duty while on active duty (employees eligible to take caregiver leave include the spouse, children, parents and next of kin of military personnel).

Employees with questions about whether their leave needs may be covered under this policy are encouraged to consult with the Human Resource Department.

D. Duration of Leave

12 Weeks

Under the FMLA, eligible employees can take up to 12 weeks of leave under this policy during any 12-month period (except for leaves taken to provide care for wounded military personnel). The City of River Falls will use a calendar year as the 12-month period.

2 or 6 Weeks

Under the WFMLA, eligible employees can take up to 6 weeks of leave in a calendar year for the birth or adoption of a child, up to 2 weeks of leave in a calendar year for their own serious health condition, and up to 2 weeks of leave in a calendar year to care for a spouse, registered domestic partner, parent (including parents' in-law or your domestic partner's parents) or child with a serious health condition.

In most cases, absences under this policy will be covered by both the FMLA and the WFMLA. As a result, the FMLA leave and the WFMLA leave will run concurrently, i.e., the leave will be counted against the employee's leave allowances under both leave programs.

Registered same-sex domestic partners must meet the following requirements:

1. Be at least 18 years old and competent to consent to the relationship
2. Not married or in a domestic partnership with anyone else
3. Reside together
4. Not related closer than second cousins
5. Be members of the same-sex
6. Have registered their partnership with the Register of Deeds in the county in which they reside prior to April 1, 2018.

26 Weeks

For all FMLA covered leaves taken to provide care for wounded military personnel, eligible employees can take up to 26 weeks of leave under this policy during any single 12-month period. Leave under this provision of the FMLA is limited to a single 26-week leave period on a per covered service member, per injury basis (i.e., employees will not be eligible for anything more than 26 weeks of leave for any single injury that an individual service member may suffer).

As required by law, the 12-month period for determining whether an employee has exhausted his or her 26 weeks of leave will be on a looking forward basis that will begin on the first day that leave begins to provide care for wounded military personnel (this is true regardless of the 12-month period the City of River Falls uses for all other forms of FMLA leave). Leave taken to provide care for wounded military personnel is not exclusive of other forms of FMLA leave, and any leave taken for other FMLA purposes will count against the 26 weeks that may be available to provide care for wounded military personnel. Similarly, any leave taken to provide care for wounded military personnel will be applied against the 12 weeks available for other forms of FMLA leave.

Husband & Wife

Under the FMLA, if a husband and wife both work for the City of River Falls and each wish to take leave for the birth or adoption of a child, placement of a child in foster care, to care for a parent with a serious health condition, or to provide care for wounded military personnel, the husband and wife will be limited to a total 12-week duration of leave between the two of them (26 weeks for military caregiver).

E. Employee Benefits During Leave

While an employee is on approved FMLA leave under this policy, the City of River Falls will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If utilizing paid leave (extended sick or PTO), the City of River Falls will continue to make payroll deductions as normal to collect the employee's share of the premium.

If utilizing unpaid leave, employees will continue to be responsible for their share of the insurance premiums, and will be required to make payments while out on leave. The premium payments must be received in the Payroll Department by the date the scheduled payroll deduction would have occurred. If

payment is not received within the legal grace period of 45 days, benefits will be cancelled retro-actively to the original due date. Employee must meet with Human Resources to establish a payment plan.

F. Use of Paid and Unpaid Leave

Both FMLA and WFMLA leaves under this policy are unpaid. However, employees may choose to use any available PTO or extended sick leave time during any family and medical leave.

Leave that qualifies for workers' compensation, may still be covered by FMLA/WFMLA (even though the leave is paid), and will count against the employee's overall FMLA balance.

G. Intermittent Leave or a Reduced Work Schedule

Under the FMLA, in addition to taking leave in consecutive blocks of time, eligible employees may be allowed to take time off intermittently (i.e., reduced workweeks or reduced workdays) if needing leave for one of the following reasons:

1. The employee's serious health condition; (also qualifies for intermittent leave under the WFMLA);
2. The serious health condition of a spouse parent or child; (also qualifies for intermittent leave under the WFMLA);
3. To provide care for wounded military personnel; or
4. Due to a "qualifying exigency" for the spouses, children or parents of individuals who are on, or are about to be on, active military duty.

To qualify for intermittent leave, the employee must show that the intermittent leave is medically necessary (determined by a physician) or related to a "qualifying exigency." If leave is taken on an intermittent or reduced leave schedule due to foreseeable leave needs (other than qualifying exigencies), the City of River Falls may temporarily transfer an employee to an alternative position with equivalent pay and benefits. Intermittent leave may be available in other circumstances, as required by law.

Use of extended sick leave is available for intermittent after first 5 days out following PTO rules.

H. Certification of the Need for Leave

The City of River Falls may ask for certification to verify the need for leave for the reason requested by the employee. The employee must respond to such a request within 15 days of the request, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of the leave. The City of River Falls may also require recertification during the leave to verify the status of the need for leave.

The City of River Falls may directly contact the health care provider or other third-party to verify and clarify information contained in the certification. Employees are responsible for signing or obtaining any authorization necessary to permit the health care provider or other third party to provide The City of River Falls with the required information.

The City of River Falls has the right to ask for a second opinion of a certification of a serious health condition. Should we choose to do so, we will pay for the employee to get a certification from a second health care provider, which we will select. If it is necessary to resolve a conflict between the original

certification and the second opinion, we will require the opinion of a third health care provider. The City of River Falls and the employee will jointly select the third doctor, and we will pay for the opinion. This third opinion will be considered final.

I. Returning from Leave

Employees taking leave under this policy will be returned to the same jobs they held when their leaves began. If this is not feasible, employees will be returned to a position that entails substantially equivalent skill, effort, responsibility and authority as the position they had previously held. The only exceptions to this rule will be in circumstances of layoffs or reorganizations, where the employees' positions would have been eliminated even if they had not been on leave. Employees returning from a leave of absence for their own serious health condition may be required to provide a fitness for duty assessment.

J. Procedure for Requesting Leave

When an employee plans to take leave under this policy, the employee should give The City 30 days' notice. If it is not possible to give 30 days' notice, the employee should give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to The City of River Falls operations. If an employee fails to provide 30 days' notice of foreseeable leave, the leave request may be denied until at least 30 days from the date we received notice.

Employees should request a FMLA/WFMLA packet from HR prior to the planned leave in order to allow time for approvals and certifications. Included in this packet is a supervisor acknowledgement form. Where the need for leave is not foreseeable, employees must verbally notify their supervisors of the need for leave as soon possible, and follow the City's normal call-in procedures for unexpected absences. Failure to follow our normal call-in procedures under such circumstances will be treated like any other violation of our call-in procedures, and may result in discipline or termination, even though the leave itself would otherwise be covered by the WFLMA/FMLA. Employees may be required to confirm their need for WFLMA/FMLA leave in writing after giving verbal notice.

While on leave, employees may be required to periodically report to the Human Resources department regarding the status of their intent to return to work.

K. Rights, Remedies, and Additional Information

The City of River Falls fully complies with the provisions of the FMLA/WFMLA. Accordingly, any employee who has questions regarding this policy is encouraged to contact the Human Resources Department.

UNPAID LEAVE

Under special circumstances, a regular full-time, or part-time employee may be granted a leave of absence **without** pay at the City Administrator's discretion. Such leave may be used for personal or family reasons (that wouldn't qualify under FMLA), continuation of education or a special work experience that would benefit the City. Upon advance written request of an employee, leave of absence without pay may be granted considering good conduct, length of service, efficiency of the employee and the general good of the City. Length of leave will be based on circumstance and subject to City Administrator approval.

There are two categories of unpaid leave:

Limited Unpaid Leave - Unpaid leave of less than ten (10) consecutive working days. Requests for such leave should be made in writing at least seven (7) calendar days in advance, if foreseeable, to the City Administrator and Human Resources.

Extended Unpaid Leave - Unpaid leave of more than ten (10) consecutive working days. Requests for such leave should be made in writing at least thirty (30) calendar days in advance, if foreseeable. Written requests should be made to the City Administrator and Human Resources.

- The unpaid leave must have a minimal impact on City operations as determined by the City Administrator.
- If the insurance policy plan documents permit it, employees may continue to participate in group policies during unpaid leaves. However, employees must pay the entire premium during unpaid leaves of more than ten (10) consecutive working days. Employees will not receive any City contribution towards insurance while out on unpaid leave. Employees planning to be on extended unpaid leave of more than 30 days will have their health/dental/vision coverage cancelled and offered COBRA.
- Service time shall be retained during unpaid leave. All other benefits will follow plan documents.
- An employee will not be granted an unpaid leave of absence to take a new position with another organization on a temporary or trial basis. It is not in the best interest of the City to hold a position open for this purpose.

Any person who is unable to return to work following leave without pay must immediately notify the City Administrator or the Human Resources Director. Failure to report to work at the expiration of unpaid leave will be considered a resignation.

BEREAVEMENT LEAVE

Bereavement leave with pay may be taken by regular full-time and regular part-time employees to make necessary arrangements and attend the funeral in connection with a death according to the following schedule: five (5) days for immediate family and three (3) days for extended family.

- Immediate family for purposes of this policy is spouse, child or parent.
- Extended family for purposes of this policy is sibling, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, step-parent, step-child, grandparents and grandchildren.
- The leave must be taken within ten (10) calendar days of the death.

If additional time is required, PTO time may be requested.

Bereavement leave will not count as hours worked for calculating overtime.

JURY DUTY

Wisconsin State Statutes mandate that employees be allowed a leave of absence without restriction or sanction when called for jury duty. The purpose of this section is to define and clarify the City's policy with regard to employee jury duty.

- Any employee called upon to serve as a juror in a state, county/municipal, district, or federal court shall be granted a leave of absence by the City for that purpose and for those working hours the employee is required to be in court.
- An employee, who was scheduled to work, shall receive all pay and other benefits that would have accrued had they been performing services for the employer during the period of absence for jury duty. Per Diem allowances shall be retained by the employee to cover miscellaneous expenses such as meals, parking and mileage.
- The employee must notify his/her immediate supervisor as soon as the employee has knowledge of the request.
- Employees excused or released from jury duty during their regular work hours shall report to their supervisor immediately thereafter.

This policy also applies when an employee is legally served to be a witness in court in purposes of official capacity of the City.

DONOR LEAVE

Donor Leave

General Provisions

Effective 7/1/2016 Wisconsin's new donor leave law, called the Bone Marrow and Organ Donation Leave Act, requires that covered Wisconsin employers provide up to six weeks of leave to eligible employees for the purpose of donating bone marrow or an organ.

A. Eligibility

Regular full-time and regular part-time employees who have worked for more than 52 consecutive weeks and for at least 1,000 hours during the most recent 52-week period.

B. Employee Benefits During Leave

All benefits and accruals will continue for up to six weeks of leave following the current leave policy guidelines.

C. Is the Leave Paid

No. This is an unpaid leave, however, the employee may use accumulated paid leave (PTO or Extended Sick Leave) for any period of time during of the leave.

D. Documentation for Leave

The employee must provide the employer with written certification that the employee is to serve as a bone marrow or organ donor. This should generally verify that the donee has a serious health condition that necessitates a bone marrow or organ transplant. The employee is eligible and has agreed to serve as a bone marrow or organ donor for the donee, and the amount of time expected to be necessary for the employee to recover from the donation procedure. Leave under this law may be taken only for the period necessary for the employee to undergo the donation procedure and to recover from the procedure.

E. Procedure for Requesting Leave

Employees must make a reasonable effort to schedule the procedure so that it does not unduly disrupt the employer's operations, subject to the approval of the health care provider of the bone marrow or organ donee; and provide advance notice of the requested leave in a reasonable and practicable manner.

Contact the Human Resources Department for more information or questions about donor leave.

USERRA: MILITARY LEAVE

A. General Provisions

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

B. Eligibility

Regular full-time and regular part-time employees who have completed a minimum of 90 calendar days of service in an eligible classification may request up to two weeks or 80 hours of paid military leave over any calendar year (this amount will be pro-rated based on fte). Paid leave is not a requirement of the City, however, the City recognizes the importance of this service to our Country and has made a decision to pay for up to 80 hours. Military leave pay will be calculated on the employee's base pay rate.

Any military leaves of absence in excess of two weeks or 80 hours will be unpaid. However, employees may choose to use any available PTO for the absence but are not required to substitute for unpaid time off.

C. Employee Benefits During Leave

All benefits and accruals will continue for up to the two weeks or 80 hours of designated military leave. If the leave is in excess of two weeks or 80 hours, benefits will follow other applicable leave policies. Health insurance benefits will be terminated once the employee ceases to be eligible for benefits under the terms, conditions and limitations of the applicable plan. However, such employees and their dependents will be given the opportunity to elect to continue their health insurance benefit coverage through USERRA and/or COBRA at full cost.

When the employee returns from military leave, benefits will again be provided by the City according to the applicable plans.

D. Certification of the Need for Leave

The City of River Falls may ask for certification to verify the need for leave for the reason requested by the employee. The employee must respond to such a request within 15 days of the request, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of the leave. The City of River Falls may also require recertification during the leave to verify the status of the need for leave.

E. Returning From Leave

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must notify the City of their intent to return, in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

F. Procedure for Requesting Leave

Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. A memo should be sent to the direct supervisor as well as Human Resources with the military leave request which includes the dates with a minimum of 2 weeks advance notice, if possible.

Contact the Human Resources Department for more information or questions about military leave.

VOTING LEAVE

Every employee who is entitled to vote at any state or national election will be granted up to 3 hours of *unpaid* time off to vote. The employer can designate when the employee will be granted the time off.
Wis. Stat. 6.76

EMERGENCY CLOSINGS

Purpose: To provide a plan for employees in the event of an emergency closing due to inclement weather or other emergency situation.

As a general practice, the City of River Falls makes every effort to maintain its normal schedule of operations. The City will close all or part of its operations only in cases of extreme emergency caused by impassible roads, restricted visibility, violent weather, energy loss, or other conditions seriously endangering the health and safety of employees and the general public.

Reporting to Work:

- Each employee accepts the responsibility for reporting to work at the regularly scheduled time, regardless of prevailing weather conditions.
- Employees not reporting to work will not be paid, however, such employees may use Paid Time Off (PTO) to minimize or avoid a loss of wages as a result of absence.

Responsibility for the Decision to Close:

- In the event that the City of River Falls is forced to close, or delay the opening, the decision will be made by the City Administrator or designee.

Official Announcement:

- When the City Administrator determines that it is necessary to close or delay the opening of various operations, the close or starting time will be communicated to department heads and the following media outlets: City of River Falls Sharepoint, City of River Falls Facebook, and radio WEVR.

Delayed Starting Time:

- In the event that the City Administrator announces a delayed opening of various operations, all employees that report to work at their normal starting time or before the delayed starting time will be paid for the full day.
- In the event that the City Administrator closes City operations, employees will be paid for that day unless they had a scheduled PTO day off.

EMPLOYEE BENEFITS (Section 5)

5-1	Health, Dental, Life and Disability
5-2	Retirement/Deferred Compensation
5-3	Insurance Continuation/COBRA

EMPLOYEE INSURANCE BENEFITS

The City provides insurance benefits to regular full-time and regular part-time employees who are scheduled to work 30 hours per week or more. Plan design and cost sharing is determined by the City Administrator taking into consideration advisement from Human Resources and the Insurance Committee. The City Administrator has the discretion to change benefits which may include providers, plan design, co-pay structure and/or cafeteria benefit plans each year.

Open Enrollment: Employees covered by authorized plans may elect to change coverage levels or add or drop insurance coverage during the open enrollment period each year for an effective date of Jan 1st. Other changes throughout the year would be allowed due to a qualifying event as set forth in the insurance certificate. Please contact Human Resources if you have a qualifying event and would like to make changes.

HEALTH INSURANCE

The City provides health insurance at a shared cost for eligible employees (regular full-time and part-time working at least 30 hours).

DENTAL INSURANCE

The City offers dental insurance at a shared cost for eligible employees (regular full-time and part-time working at least 30 hours).

LIFE INSURANCE

The City provides basic life insurance for eligible employees (regular full-time and part-time working at least 30 hours).

Optional life insurance is also available for an employee to purchase for themselves, spouse or dependent child(ren). Depending on the life insurance volume requested, an employee or spouse may be required to complete an evidence of insurability form prior to approval.

LONG-TERM DISABILITY

The City provides long-term disability insurance for eligible employees (regular full-time and part-time working at least 30 hours). Approval to receive a long-term disability benefit is determined by the insurance provider. If an employee is approved to receive a benefit under long-term disability, employment status may be terminated from the City based on review of the City Administrator given the disability, position requirements and City needs.

For more information on employee insurance programs, plan design and cost sharing, contact the Human Resources Department.

RETIREMENT

All regular employees who meet enrollment standards shall participate in the retirement plan. The City participates in the Wisconsin Retirement System (WRS) plan. Employer and employees are required to contribute based on current law, WRS standards, guidelines and City policy.

In order to qualify for participation in the Wisconsin Retirement System, employees hired after July 1, 2011, must normally work at least 1,200 hours per year. Other specific criteria apply. See Wisconsin Retirement System's website for more information and current contribution rates

http://etf.wi.gov/members/benefits_wrs.htm

Deferred Compensation:

All eligible employees and elected officials will be afforded the opportunity to voluntarily participate in a deferred compensation plan pursuant to the rules, terms and conditions outlined in the plan. Deferred compensation is a plan that allows you to set aside a portion of your income and accumulate it on a tax-deferred basis; therefore the deferred amount is not subject to current income tax. These dollars and the interest you earn are not taxed until you start drawing money out—normally at retirement. The City offers one plan through ICMA. Participation is voluntary.

For more information on this benefit, please visit the ICMA website <http://www.icmarc.org/> or contact Human Resources.

INSURANCE CONTINUATION - COBRA

Under state law and the Federal Consolidated Omnibus Reconciliation Act of 1985 (“COBRA”) and subsequent amendments to the Act, employees covered under an employer’s group health care plan are eligible for continuation of health care coverage under the group plan upon the employee’s termination (except for gross misconduct) or reduction in hours. COBRA regulations also allow the employee’s spouse and covered dependents to elect continuation coverage upon the employee’s death, divorce or legal separation, an employee’s entitlement to Medicare, a dependent’s loss of dependent status under family coverage, or the employer’s filing of bankruptcy proceeding.

All employees, as well as their qualified dependents, will receive notice of mandated insurance continuation benefits at the time of hire or whenever the plan coverage for the employee begins. If a qualifying event occurs which entitles the employee and/or qualified dependents to continuation coverage, the plan administrator will notify the qualified beneficiaries of their right to elect continuation coverage. Unless otherwise agreed, continued participation is solely at the participant’s expense.

For additional details regarding coverage and premium contributions, contact Human Resources.

WORKPLACE CONDUCT (Section 6)

6-1	Political Activity
6-2	Gifts and Gratuities
6-3	Outside Employment
6-4	Use of Confidential Information
6-5	Harassment
6-6	Workplace Violence
6-7	Alcohol and Substance Abuse and Testing
6-8	Employee Conduct/Respectful Workplace
6-9	Personal Appearance, Dress and fragrances in the Workplace

POLITICAL ACTIVITY

Political Activity Restricted. Every employee has a civic responsibility to support good government by available means and in an appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of Wisconsin and the United States of America. However, no employee will:

1. Engage in any political or partisan activity while on duty.
2. Use his/her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
3. Be required as a duty of his/her office of employment or as a condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes.
4. Coerce or compel contributions for political or partisan purposes by another employee of the City.
5. Use any supplies or equipment of the City for political or partisan purposes.
6. Identify their City position with any public statement of personal opinion about any issue unrelated to their City work or activity and authorized by the City Administrator or City Council.

Employees in certain federally-aided programs may be covered by the Hatch Act, as amended in 1975 (see letter from State of Wisconsin, Department of Employment Relations, dated July 10, 1978, Exh. 1a and Exh. 1b). This federal act, in addition to prohibiting (2), (3) and (4) above, also prohibits candidacy for elective office in a partisan election. If any individual who is also engaged in some other employment or occupation has any doubt as to his/her status under the Hatch Act, he/she may present the matter in writing to the United States Civil Service Commission for a ruling.

GIFTS AND GRATUITIES

The City of River Falls prohibits all employees, including public officials, from accepting a gift or gratuity from an “interested person”. “Interested person” means a person or association that has a direct financial interest in a decision that the employee is authorized to make. Businesses, vendors, organizations and residents could all have some type of financial interest with the City at any point in time. For this reason employees should refrain from accepting a gift or gratuity from anyone in association with your employment at the City of River Falls. Even a perception of special treatment or a conflict of interest needs to be avoided.

You must disclose actual or potential conflicts or any relationships that may create the appearance of a conflict of interest to your supervisor as soon as you become aware of them so that safeguards can be established to protect all parties. The City of River Falls will determine whether an actual conflict exists. Failure to make required disclosures or resolve conflicts of interest satisfactorily can result in discipline up to and including termination of employment. The citizens of River Falls expect a high standard of conduct from public employees and the City strives to meet that goal.

Among the kind of gifts which are prohibited are items such as lunches, holiday gifts or tickets to athletic events. If an employee is aware of individuals or companies that have historically given gifts to City employees please contact them and graciously decline. If gifts are still received they should be donated to an appropriate charity if possible. If food is received which cannot be donated it should be shared with others in the City so the gift is not benefiting any individual employee.

The gift law does not apply if the gift or gratuity includes the following:

- Services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation and services to constituents.
- Services, trinket or memento of insignificant monetary value (\$5.00 or less)
- A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause.
- Informational material of unexceptional value
- Meritorious awards from civic organizations.
- Donations of money, equipment, etc. to a department or City as a whole. Items of substantial monetary value will be officially accepted by the City Council at a Council meeting.
- This policy is not meant to exclude City employees from accepting gifts when the interested person is a member of the employees’ family and the gift is of a personal nature.
- Meals may be accepted as part of an official event.

OUTSIDE EMPLOYMENT

Outside employment is allowed under certain conditions and must not conflict with the duties and responsibilities of the employee's job with the city. Employment with the City must be the first professional obligation of City employees. Therefore, the following restrictions shall apply to regular full-time and part-time (30 hours or more) employees seeking or holding outside employment.

1. Outside employment shall not
 - a. Hinder employee performance of duties in any way, or
 - b. Create a conflict of interest or the appearance of a conflict of interest.

2. Employees must remember that they are subject to call at any time for emergencies or overtime, and no outside employment shall infringe upon this obligation.

3. All outside employment requires approval of the Division Head or designee. Employees applying for outside employment shall supply the following information to their Division Head
 - a. Name, address, and phone number of outside employer
 - b. Position held with outside employer, and description of duties and responsibilities
 - c. Hours worked and work schedule for outside job.

If the City determines that outside employment adversely affects the employee's work at the City or the outside employment creates a conflict of interest with the employee's work for the City, the employee will be asked to make a decision as to what position he or she would like to retain.

USE OF CONFIDENTIAL INFORMATION

An employee may not use any confidential information gained through the course of or by reason of their official position or activities for any purpose other than the discharge of official duties. Employees who violate this section may be subject to corrective action up to and including termination from employment with the City. They may also be held personally liable by the parties that the infraction pertained to.

HARASSMENT

Anti-Harassment Statement: The City is committed to maintaining a work environment that is free of illegal harassment. The City will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

This policy applies to all elected officials, and to all employees, including regular, limited term, volunteers or contracted personnel. It also includes others who do business with the City such as outside contractors, vendors or customers.

Definitions:

- a. Harassment. Unwelcome conduct, whether verbal, physical, or visual, that is based on a person's protected status as defined by law.
- b. Unwelcome or Unwanted Sexual Advances. Any physical contact normally considered unacceptable, unwelcome, or inappropriate by another individual.
- c. Requests or Demands for Sexual Favors. Requests for any type of sexual favor which may be accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment, career or salary status.
- d. Verbal Abuse. Teasing or joking that is sexually oriented and usually considered unacceptable by another individual. This includes comments about an individual's body or appearance when such comments go beyond mere courtesy; telling 'dirty jokes' that are clearly unwanted or considered offensive by others; rumor-mongering and gossiping, engaging in conduct that may be construed as "bullying" or any tasteless, sexually-oriented comments, innuendoes, questions or actions which may offend other reasonable people.
- e. Sexually Oriented Conduct. Engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work performance. This includes extending unwanted sexual attentions to someone, which, in turn, reduces productivity or time available to work at assigned tasks.
- f. Hostile Work Environment. Creating a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted harassing or sexually oriented conversations, suggestions, requests, remarks, demands, physical contacts or attentions. Such items as explicit or exposing posters, calendars, pictures, cartoons, or leers, gestures or comments are also included.

Complaint Procedure:

Any employee who believes they are being harassed by another person subject to this policy shall promptly take the following steps:

- a. If at all possible, the employee shall politely but firmly inform the harasser how she or he feels about the actions and request that the person cease the harassment.
- b. If the harassment continues, or if the employee believes some employment consequence may result from such a confrontation, the employee shall report it to their immediate supervisor, or Division Head. Regardless of the outcome at this step, the supervisor or Division Head shall provide a report to the Human Resources Director regarding the complaint.
- c. If the employee feels a resolution has not been reached in the previous steps, or if the employee believes some employment consequence may result from making such a complaint, the employee shall ask the Human Resources Director, or designee, to investigate the complaint.
- d. If the complaint is against the City Administrator, or Common Council, designee will arrange for an outside, independent investigator.

Reporting:

All employees shall notify their supervisor whenever they have witnessed, experienced, or become aware of any act or threat of harassment. As an alternative, an employee may report such incidents of harassment to their Division Head, a supervisory employee in any other City department, to the City Administrator or to the Human Resources Director.

Supervisors receiving employee reports of harassment, or who have knowledge of a situation, shall report such information to their Division Head. The Division Head shall verbally inform the Human Resources Director, complete a confidential memorandum and submit the memorandum to the HR Director. The memorandum should include:

1. Identity of persons engaging in workplace harassment.
2. Detailed description of what happened, where it happened, and when it happened.
3. Identity of persons reporting or witnessing the incident/harassment.
4. How matter was resolved, or if it is ongoing.
5. Suggestions for minimizing the reoccurrence of this incident/harassment.

Confidentiality: Confidentiality will be maintained to the greatest extent possible in order to protect the reporting person's identity as well as potential defamation of a wrongfully accused person. However, in most instances it will be necessary, at some point, to identify the reporting person so a thorough investigation can be completed. Only persons with a need to know will be informed.

Non-Retaliation: There will be no retaliatory action taken against any employee who, in good faith, raises or reports a legitimate issue of sexual harassment, or other harassment, or other discriminatory practice.

Investigation::

- a. All harassment claims shall be investigated as promptly and as thoroughly as possible by those conducting the investigation.
- b. Accurate and complete records of all interviews shall be maintained.
- c. Normally, interviews shall be conducted with the reporting employee, alleged harasser, and witnesses.
- d. The reporting employee and accused harasser shall be notified in writing of the decisions reached.
- e. Employees are expected to cooperate with any investigation.

WORKPLACE VIOLENCE

The City does not tolerate acts of workplace violence committed by or against employees and strictly prohibits employees from making threats (whether vague, direct or indirect), possession, use, or threat of use of any weapon in the workplace, or engaging in violent acts. This is a zero-tolerance policy, meaning that the City will discipline or terminate any employee found to have violated this policy. Workplace violence does not include the use of reasonable force in the defense of oneself or others.

Restraining orders: Employees who are seeking or have obtained restraining orders or injunctions against abusive persons should notify their supervisor so that appropriate measures can be taken. When an injunction or restraining order lists City facilities as being protected areas, employees must provide their supervisor with a copy of any injunction or restraining order which is granted and a copy of any injunction or restraining order which is made permanent.

Weapon Defined: Weapon means any device which is designed, used or intended to be used in a manner that is calculated or likely to produce property damage, personal injury or death.

- a. Exceptions to Weapons Prohibition. The weapons prohibition policy does not apply to individuals who, within the normal scope of the individual's employment, is required to use a device that is, or would be considered a weapon and who is authorized to use such a device by the employee's Division Head.

Reporting:

- a. All employees shall notify their supervisor whenever they have witnessed, experienced, or become aware of any act or threat of workplace violence. As an alternative means of reporting acts or threats of violence, an employee may report such incidents of workplace violence to their Division Head, a supervisory employee in another department, the City Administrator or to the Human Resources Director.
- b. Supervisors receiving employee reports of workplace violence, or who have knowledge of a situation, shall report such information to their Division Head. The Division Head shall verbally inform the Human Resources Director, complete a confidential memorandum and submit the memorandum to the HR Director. The memorandum should include:
 1. Detailed description of what happened, where it happened, and when it happened.
 2. Identity of persons reporting or witnessing the incident.
 3. How matter was resolved.
 4. Suggestions for minimizing the reoccurrence of this incident.
 5. While every effort will be made to keep reports and records made pursuant to this policy confidential, such reports and records may be subject to public disclosure under the Open Records Law.

Investigation of Reports:

The City Administrator will receive, evaluate, intervene, and respond to reports of workplace violence with the assistance of the appropriate parties.

Privacy rights will be observed in the investigation of workplace violence incidents. Only those individuals with a clear need to know of the potential risk will be notified in cases where a person is, or is perceived to be a threat to others. Anonymity of employees reporting violence or threats of violence will be maintained during the investigation to the greatest extent possible by those investigating and resolving the complaint. However, there is no right or guarantee of anonymity since it is often necessary to make the employee or customer against whom the allegation has been made aware of the complaint in order to ascertain the facts.

ALCOHOL AND SUBSTANCE ABUSE AND TESTING

The City of River Falls (hereinafter referred to as the "City") has developed this Alcohol and Substance Abuse and Testing Policy to meet our obligations to provide a safe workplace and to comply with current laws. Each day our employees are entrusted to safely operate vehicles, tools, and other City equipment, as well as interact with citizens. The City understands that the employee's ability to perform these duties safely is compromised when employees use controlled substances and/or alcohol. This policy balances our respect for our employees while maintaining an alcohol and drug-free environment to promote the safety and well being of each individual and the general public. Therefore, compliance with this policy is to the benefit of all City employees.

At the same time, this policy complies with and promotes the requirements of Federal and State laws, including but not limited to OSHA standards, Wisconsin Department of Transportation regulations, Wisconsin Department Safety and Professional Services standards, safe work place requirements, and our legal duty to the public.

If any conflict occurs between State and local laws and any requirement of the Federal regulations, the Federal regulations prevail. However, Federal regulations do not preempt provisions of State criminal laws that impose sanctions for reckless conduct attributed to prohibited drug use or alcohol misuse; whether the provisions apply specifically to transportation employees, employers, or the public in general.

For the purposes of this policy, the following activities are exempted from this policy;

- The use, possession, concealment, transportation, promotion, or sale of controlled substances and/or alcohol by a sworn law enforcement employee when that employee has written authorization under department authority and is participating in law enforcement activities.
- The possession and/or transportation of controlled substances by a sworn law enforcement employee while carrying out duties as set forth by department policy to secure controlled substances and/or alcohol as evidence.
- The use, possession, and transportation of controlled substances by fire/EMS paramedics while carrying out duties set forth by department policy to provide patient care under the direction of Medical Control.

Employees Subject to Testing (Note: Two different category's of employees – DOT and non DOT)

The protocols detailed in this policy apply to all employees. To ensure accuracy and fairness, the City's Non-DOT testing program, policy and protocol will mirror that of the DOT's, unless otherwise noted.

"All employees" refers to both safety sensitive and non-safety sensitive employees.

"Non-safety sensitive employees or non DOT" are those employees **not covered by the DOT regulations**, but subject to the City's drug and alcohol testing policies.

"Safety sensitive employees or DOT" are those **employees subject to the Department of Transportation's (DOT) drug and alcohol testing regulations**. This applies to any employee who operates a commercial motor vehicle subject to the DOT's drug and alcohol testing regulations.

This includes any employee who may be subject to the commercial driver’s license requirements of Part 383.

Commercial motor vehicle means a motor vehicle or combination of motor vehicles used to transport passengers or property if the vehicle—

- Has a gross combination weight rating of 11,794 or more kilograms (26,001 or more pounds) inclusive of a towed unit with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); OR
- Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds); OR
- Is designed to transport 16 or more passengers, including the driver; OR
- Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

Participation in the anti-drug and alcohol program is a requirement of all employees and therefore, a condition of employment. Employees will have deemed to have implied their consent to cooperate in the City’s effort to maintain a workplace free from the effects of alcohol, illegal drugs and controlled substances through the use and enforcement of this and related City policies and procedures.

All employees are subject to the City’s Non-DOT drug and alcohol testing policy as described.

DESIGNATED EMPLOYER REPRESENTATIVE(S)

Questions pertaining to these policies or procedures should be directed to the Designated Employer Representative (“DER”) who is responsible for managing this program in compliance of federal regulations, state laws, and the provisions of this policy.

Name Karen Bergstrom, Human Resources Director

Alternate Jaime Isaac, Human Resources Coordinator

Prescription Medications

The appropriate use of legally prescribed drugs is not prohibited. A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. Legally prescribed drugs must include documentation of the patient’s name, the substance name, the quantity to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business and at any other time is prohibited.

Employees who need to use prescription legal drugs while at work must report this requirement to the immediate supervisor if the use might impair their ability to safely and effectively perform their job. Depending on the circumstances, employees may be reassigned, prohibited from performing certain tasks, or prohibited from working if they are determined to be unable to perform their jobs safely and properly while taking the prescription or nonprescription legal drugs. For example, if the use of any substance which carries a warning label indicating that mental function, motor skills, or judgment will be adversely affected; this must be reported prior to

performing any duties. If the employee uses a prescription legal drug that will not adversely affect the safety of the employee, co-workers, or the public in the course of their work, then the usage does not need to be disclosed to the immediate supervisor.

It is the responsibility of employees to remove themselves from service if they are experiencing any adverse effects from medication or the use of a medication could compromise the safety of the employee, fellow employees or the public. It is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

The Medical Review Officer will not verify a drug test as negative based upon information that a physician recommended that the employee use "medical marijuana." Please note that marijuana remains a drug listed in Schedule I of the Controlled Substances Act. It remains unacceptable for any employee subject to drug testing under this policy and the Department of Transportation's drug testing regulations to use marijuana.

Testing Rules and Procedures

All City employees are subject to testing for alcohol and/or controlled substances as identified under "Test Events".

The City shall pay all costs associated with the administration of alcohol and controlled substance testing, except in situations when the employee will be responsible for costs associated with

- An employee's request for "split specimen" testing;
- Return to duty testing;
- Follow-up testing.

If the result of a split specimen test is negative, the City shall reimburse the employee for said test.

Applicants and employees are required to sign a *Consent and Release Form* for Non-DOT testing circumstances that covers the test events covered under this policy. This consent and release form authorizes

- The collection site to obtain a urine specimen for drug testing purposes and/or a breath sample for alcohol testing purposes, and to release the urine specimen to the laboratory for testing;
- The laboratory to release the results of a urine drug test to the Medical Review Officer (MRO);
- The MRO to release drug test results to the City's Designated Employer Representative; and
- The collection site personnel to release breath alcohol test results.

The applicant's/employee's refusal to provide the signed *Consent and Release Form* precludes an applicant from employment and subjects an employee to termination.

Prohibited Behavior

All employees are subject to the following prohibited behavior, which incorporates by reference, those prescribed by the DOT regulations.

- A. Engaging in the use of illegal, “legal” or unauthorized drugs (including controlled substances, look-a-like drugs and designer drugs), and drug paraphernalia in the possession of, or being used by, an employee on the job. This includes on- and off-duty use.
- B. Engaging in on- or off-the-job unlawful manufacture, distribution, dispensing, possession or use of prohibited substances while on City premises, using or in City vehicles, in uniform, or while on City business. Law enforcement shall be notified whenever illegal drugs are found or determined to be present in the workplace;
- C. Having a drug or alcohol test that is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body at or above the minimum thresholds consistent with those defined in 49 CFR Part 40;
- D. Tampering, substituting or adulterating urine specimens;
- E. Unauthorized use or possession of alcohol while on the job or conducting City business;
- F. Reporting for work or working when the employee’s ability to perform assigned duties are adversely affected by alcohol or when his/her breath alcohol concentration is 0.02 or greater;
- G. Working with an alcohol concentration level of 0.02 or greater, or within 24 hours of being tested with an alcohol concentration level of at least 0.02 but less than 0.04;
- H. Consuming alcohol while on duty, while working, or just before performing any functions;
- I. Consuming alcohol to a prohibitive concentration within four (4) hours before reporting to work, or during the hours you are on paid to be on call;
- J. Consuming alcohol within eight (8) hours following an accident or until the post accident test has been administered, whichever occurs first;
- K. Refusing to submit to an alcohol or drug test, which includes the following:
 - 1. Failing to appear for any test within a reasonable time after being directed to do so. This includes the failure of a employee to appear for a test when called by a Consortium/Third Party Administrator (C/TPA);
 - 2. Failing to remain at the testing site once the process has started;
 - 3. In the case of a pre-employment drug test, the applicant is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
 - 4. In the case of a directly observed or monitored collection in a drug test, the applicant/employee fails to permit the observation or monitoring of the specimen;
 - 5. Failing to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
 - 6. Failing to provide a sufficient amount of breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
 - 7. Failing or declining to take a second test the employer or collector has directed the employee to take;
 - 8. Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER
 - 9. Failing to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process, etc.);
 - 10. Having a verified adulterated or substituted test result reported by the MRO

Privacy, Integrity and Confidentiality

The drug and alcohol collection testing processes are established to ensure accuracy, reliability, and confidentiality by ensuring the employee's privacy is protected, the integrity of the test process is maintained, and the test results are attributed to the correct employee. All standards of confidentiality will be strictly adhered to which will ensure that all testing records and results will be released only to those authorized to receive such information.

Results will be maintained in confidence in a medical file separate from the official personnel file. If an employee wishes to obtain a copy of his/her drug or alcohol test results, that employee must make the request in writing. The requesting employee must sign the request and legibly print his/her full name and the date of the request below the signature. The employee must state in the request that once s/he has the test results in his/her possession; s/he absolves the City from any liability if the test results are made public. In cases where disciplinary action results from a positive test, such information is shared only with those who have a legitimate need to receive the information.

Drug and Alcohol Testing Methodologies

A. DRUG TESTING

The federal regulations require a split specimen collection process for all DOT collections. The specimen is sent to a DHHS certified laboratory (Department of Health and Human Services) where an initial drug screen is conducted on Specimen A to detect the presence of the following drugs or their metabolites: Marijuana metabolites, Cocaine metabolites, Amphetamines, Opiate metabolites, Phencyclidine (PCP). For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts present are at or above the minimum thresholds established in 49 CFR Part 40, as amended.

The laboratory will use the thresholds for initial and confirmation drug tests as defined in 49 CFR Part 40. Testing shall be conducted using techniques, equipment, and laboratory facilities that have been approved by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40 <https://www.transportation.gov/odapc/part40>

The City will utilize a Non-DOT traditional urine specimen collection kit. Testing processes and protocols are consistent with DOT protocols listed above, with the exception that there will be no split specimen collection.

If the result is positive, the MRO will conduct an interview with the employee to determine if there is a legitimate medical reason for the result. If a legitimate medical reason is established, the MRO will report the result to the DER as negative. If not, the MRO will report the result to the DER as positive.

If an employee refuses to discuss the results with the MRO and/or does not provide the MRO with acceptable medical documentation to explain non-negative results, then the MRO will report a positive test result to the DER.

Adulterated/Substituted Test Result: If the result is an adulterated or substituted test, the MRO will conduct an interview with the employee to determine if there is a legitimate medical reason for the result. If a legitimate medical reason is established, the MRO will report the result to the DER as cancelled. If not, the MRO will report the result to the DER as a refusal.

For DOT specimen collections only: When the MRO determines that an employee does not have a legitimate medical reason for a positive test result, the MRO will inform the employee that they have 72 hours from the time they are notified of the verified result to request his/her Specimen B bottle sent to another certified lab for analysis for the same substance or condition that was found in Specimen A.

B. ALCOHOL TESTING

All employees will be subject to breath and/or saliva alcohol testing under the following categories: random, post-accident, reasonable suspicion, return-to-duty, and follow-up.

Testing shall be conducted using techniques, equipment, and laboratory facilities that have been approved by the DOT. All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40. View the DOT procedures at the DOT's website http://www.dot.gov/ost/dapc/NEW_DOCS/part40.html?proc

Initial tests for alcohol concentration will be conducted utilizing a DOT approved Evidentiary Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT) or Saliva Screening Device (SSD) operated by a trained Screening Test Technician (STT). If the initial test indicates an alcohol concentration of 0.02 or greater, a second EBT test will be performed to confirm the results of the initial test. An alcohol concentration of 0.02 or greater will be considered a positive alcohol test.

Test Events

The DOT has prescribed six different test events. The City adopts these same test events for all employees as noted below. Each event is listed and described in this section.

A. PRE-EMPLOYMENT TESTING

For DOT positions and other identified positions (i.e. Paramedic, Police Officer) the applicant offered employment is required to take and pass a pre-employment drug screen. If a non-negative test result is obtained, any offer of employment will be rescinded. The applicant will not be considered qualified for employment with the City for a term of not less than 3 years. Police Officer recruitment procedures follow other established department guidelines.

An employee transferring to a position in which they will operate a commercial motor vehicle (CMV) is required to and must pass a Federal DOT pre-employment urine drug test as a condition of the transfer. A negative drug test result must be on file prior to the employee assuming that position.

For seasonal and temporary employment, pre-employment drug screening will be conducted at the City's discretion.

B. REASONABLE SUSPICION/PROBABLE CAUSE TESTING

The City requires its employees to submit to drug and/or alcohol testing whenever it has reasonable suspicion/probable cause to believe that an employee has used substances in violation of the City's policy. In such instances, the City's representative will complete a "*Supervisor's Reasonable Cause Observation Report*" within twenty-four (24) hours of observation.

All persons designated to supervise employees will receive a minimum two hours of training which includes alcohol misuse, controlled substances misuse, and identifies the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

The required observation must occur either during, just preceding, or just after the period of the work day in which the employee is prohibited from being under the influence. Such observations may relate, but are not limited to, the appearance, behavior, speech, and body odors.

All alcohol tests based on reasonable suspicion should be conducted within two hours but no later than eight hours following the determination to test has been made. If an alcohol test is not administered within two hours following the determination to test has been made, the supervisor shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. Following the eight hour time period, if the alcohol test could not be completed, all attempts shall cease and the supervisor must state in the record the reasons the test could not or was not administered.

Drug tests for reasonable suspicion should be collected as soon as possible following the determination. The collection and testing protocols follow those established under the DOT regulations.

The employee under suspicion is escorted by a City supervisor/manager to the collection site. When an employee is subject to drug testing and/or they have an alcohol test result of .020 or greater, arrangements will be made for a spouse, family member, or friend to safely escort the employee home. If none are available, the City will arrange for a taxicab to transport the employee to his/her home at the employee's expense. If the employee rejects the alternatives, the City will take such measures as deemed appropriate to prohibit the employee from driving his/her vehicle.

C. RANDOM TESTING

Random testing ONLY applies to DOT employees. Employees are subject to unannounced random drug and alcohol testing that incorporates a random selection process and ensures each employee has an equal chance to be selected and tested. Some employees may be tested more than once each year; some may not be tested at all depending on the random selection. Once an employee has been notified of his/her selection for testing, they must proceed immediately to the collection site to complete the testing. Failure to show for a test or interfering with the testing process can be considered a refusal to test.

1. DOT Employees: The Federal Motor Carrier Safety Act (FMCSA) regulations establish the number of drug and alcohol tests that must be completed annually. The FMCSA may change the percentages as they deem necessary.
2. Paid-on-Call Employees: Fire Department employees that are classified as “paid-on-call” are not included in the random testing provisions. The nature of their employment makes their inclusion in a “random” pool impractical due to the sporadic, unplanned, and infrequent hours worked.

D. POST-ACCIDENT TESTING

Applies to all employees (DOT, Non-DOT and Paid On-call Volunteers). Whenever any of the City’s vehicles are involved in a “DOT accident” the City is required to conduct drug and alcohol tests on each surviving driver and any other employee(s) which may have directly or indirectly contributed to the accident. While the term “DOT Accident” is used, the intent of this policy is that the DOT criteria will apply to all vehicle and equipment operators in the event of an accident.

Post-accident testing must be performed in the following instances:

- Fatal DOT accident: when the accident involves the *loss of a human life*, regardless of who is at fault;
- Non-fatal DOT accident: when the driver is *issued a citation* under state or local law for a *moving traffic violation* arising from a DOT accident involving an injury of any party involved requiring treatment away from the scene of the accident or towing required to remove any vehicle from the scene; and
- under any revision of this definition by the DOT.

Drug and alcohol testing have different time frames for specimen collection:

- Urine drug specimens must be collected within thirty-two (32) hours of the accident. A specimen may not be collected after the thirty-two (32) hour window.
- If a specimen cannot be collected within this time, the reasons and all attempts made must be documented and submitted to the Designated Employer Representative.

Breath alcohol specimens must be collected within eight (8) hours of the accident. These eight (8) hours are further broken down into the first two (2) hours and the next six (6) hours.

- If the specimen cannot be collected within the first two (2) hours, the reasons and all attempts made must be documented and submitted to the City. Attempts must be made to collect the specimen within the next six (6) hours.
- If the specimen cannot be collected within these six (6) hours, the reasons and all attempts made must be documented and submitted to the City. No further attempts may be made to obtain the specimen.

All employees must be educated to know beforehand that they may not drink any alcohol for the first eight (8) hours following an accident in which they may have directly or indirectly been a contributing factor.

Whether it is for urine drug or breath alcohol, the employee has the responsibility to make himself/herself available for specimen collection within the required time frames.

E. RETURN-TO-DUTY TESTING

Applies to all employees. When an employee violates the prohibited drug & alcohol rules and/or policies, they must be evaluated by a Substance Abuse Professional (SAP), participate in any treatment program prescribed, and pass a controlled substances and/or alcohol return-to-duty test. Employee is responsible for costs of testing.

F. FOLLOW-UP TESTING

Applies to all employees. After completing the return to duty test and returning to work, the employee is subject to unannounced follow-up testing at least 6 times in the first 12 months following their return to their position. The amount of follow-up testing an employee receives is determined by a SAP and may continue for up to five (5) years. The employee is only allowed this return-to-duty opportunity one time. Follow-up testing is separate from all other testing: it does not replace the regular random testing program required by the DOT. Employee is responsible for costs of testing.

Disciplinary Action

The City will take disciplinary actions, up to and including discharge, based on noncompliance with this policy by an employee and specifically for actions as follows:

- Refusal to submit to testing will result in discharge;
- Has a positive verified controlled substances test result;
- Has an alcohol test result of 0.02 or greater;
- Has a positive drug test result;
- Engaging in prohibited conduct under this policy;

Any employee who receives a positive alcohol test result of 0.02 to 0.039 will immediately be removed from their position for a minimum of a 24-hour period. The time away from work will be documented as an unpaid disciplinary suspension for making themselves unavailable for work.

Any employee who displays prohibitive behavior (including, but not limited to a refusal to test, a verified positive controlled substances test result, or has an alcohol concentration of 0.04 or greater) will immediately be removed from their position and referred to a SAP for evaluation consistent with the requirements defined in the Self-Identification Program section. If the employee successfully completes the substance abuse treatment program and returns to work, but incurs a second violation at anytime in the future, the employee will be terminated.

Employee Assistance Program

The City will refer the employee to its Employee Assistance Program (EAP), all costs of which the employee is liable for through his/her own insurance. The EAP for the City is:

Cigna
Life Assistance Program
<http://www.cignabehavioral.com/gcgi>
800-538-3543

If an employee requires a leave of absence associated with treatment, they should contact Human Resources to complete appropriate documentation.

Self-Identification Program

This policy encourages employees to seek help if they are concerned that they may have a drug and/or alcohol problem. We encourage employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

Treatment for alcohol and/or other drug use disorders may be covered by the employee's benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

The City will not take disciplinary action against any employee who makes a voluntary admission for using/misusing/abusing alcohol, illegal drugs or other controlled substances if:

- The employee does not self-identify in order to avoid testing;
- The employee makes the admission prior to performing any duties;
- The employee does not perform any duties until the City is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.

All employees will be removed from his/her position and referred to a SAP for an evaluation. The evaluation is to determine the level of assistance the employee needs in resolving problems with use/misuse/abuse of alcohol, illegal drugs and/or other controlled substances. The employee will be responsible for any and all costs associated with the counseling and testing requirements. The SAP is responsible for ensuring the employee completes an education or treatment program and certifying the employee's readiness to return to work.

The employee will be required to:

- Complete return-to-duty testing which provides negative drug and/or alcohol test results;
- Participate in follow-up testing. This consists of a minimum of six (6) tests during the first twelve (12) months following his/her return, and further testing for up to five (5) years. The dates, times, and conditions of the testing will be established by the City, in conjunction with any written follow-up testing programs and input from the SAP;
- Be subject to reasonable suspicion testing if the employee exhibits signs and symptoms of drug or alcohol use/misuse/abuse.

Within one (1) week of self-disclosure, the employee will be required to provide verification of enrollment and/or be actively participating in the education or treatment program. The education or treatment program must be completed no later than eight (8) weeks; any exceptions to this time frame will be considered and would require the approval of the Designated Employer Representative.

An employee will have deemed to have voluntarily resigned his/her position if they fail to timely complete the education or treatment program, fail to actively participate in the education or treatment program, or fail to comply with the SAP's follow-up instructions.

Available Positions

A circumstance may arise where an employee holding a safety sensitive position loses their privilege to hold a commercial employees license and to operate a commercial motor vehicle due to a drug and/or alcohol related offense. The City will determine if a vacant position exists for which the employee is qualified. If such a position exists, the employee may be offered this position, but at the same time, must complete the SATP requirements defined in the Self-Identification section. If no such position exists, the employee will be terminated.

Licensing

Employees who operate City vehicles or equipment on a public roadway shall have an acceptable (class and endorsements of license consistent with the type of vehicle being operated) operator's license. The license must be carried by the employee at all times during work hours.

In the event an employee is involved in a court action that may result in their driving privilege being suspended or revoked, he/she shall inform their immediate supervisor and Human Resources not later than the beginning of the next workday. Such employees are prohibited from using any vehicle or equipment until such time as their license is restored if their license, or any class of their license is suspended or revoked.

If operating a City vehicle is deemed an essential function of their current position, a determination will be made on whether other options are available or termination could result. That decision would be made by the City Administrator in consultation with the employee's Manager and Human Resources.

Miscellaneous

The employer retains the right to modify this policy to conform to changes in regulations or law.

This policy is not intended to alter the at-will nature of employee's employment with the City and shall not be construed to create any contract for, or promise of, continued employment.



City of River Falls Alcohol and Substance Abuse Policy Acknowledgement

All City personnel are required as a condition of employment to comply with procedures and practices established in the Alcohol and Substance Abuse Policy (herein referred to as the "Policy"). Failure to comply with the provisions of the City's Policy will result in a conditional offer of employment being rescinded for an applicant, or discipline up to and including termination of an existing employee.

As an employee (or applicant), I understand that I am (or will be upon employment) subject to pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up drug and/or alcohol testing as outlined in this Policy.

I, _____ acknowledge
(print employee name)

I have received a copy of this policy, and have fully read it. Effective immediately, I agree to follow all policies and procedures outlined in the policy and understand failure to do so will result in disciplinary action up to and including termination of my employment.

Employee/Applicant Signature

Employee's Job Title (or position applied for)

____/____/____
Date

EMPLOYEE CONDUCT/RESPECTFUL WORKPLACE

It is the City of River Falls policy that employees maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees, and is free from all forms of harassment, intimidation and violence.

To ensure orderly operations and provide the best possible work environment, the City expects employees to follow rules of conduct that will protect the interests and safety of all employees at the City.

Policy

Employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person.

Employees have a right to conduct their work without disorderly or undue interference from other employees. The City prohibits employees from violating this right of their co-workers. This prohibition includes, but it not limited to intentional acts such as:

- Unprovoked insolence or disrespect on the part of the employee toward fellow employees, City Council members, visitors or other members of the public.
- Boisterous or disruptive activity in the workplace or actions adversely and substantially affecting morale, production, or efficiency.
- Sexual or other unlawful or unwelcome harassment. (See harassment policy)
- Fighting with or provoking a disturbance among fellow employees, threatening violence in the workplace, or actions adversely and substantially affecting morale, production or efficiency.
- Discrimination against others because of race, color, creed, national origin, political preference, sexual preference, age, sex, disability or other protected classification.
- Making malicious, false and harmful statements about others.
- Publicly disclosing another's private information.

Unacceptable Conduct

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace; the following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment.

- Falsification of timekeeping or other City records.
- Theft or destruction of City equipment or property, or dishonesty.
- Insubordination, inclusive of, but not limited to, a willful refusal to obey lawful and reasonable directives.
- Negligence or improper conduct leading to damage of City-owned property.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.

- Unauthorized use of City-owned or leased equipment or property.
- Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace, while on duty, or while operating City-owned vehicles or equipment.
- Sleeping on the job.
- Smoking or using chewing tobacco in prohibited areas (this includes all City owned vehicles).
- Unauthorized disclosure of confidential information.
- Immoral or otherwise improper conduct which adversely and substantially injures or brings the City into disrepute; being convicted of a crime which is directly related to the job which the person was hired to perform; or unavailability for work due to incarceration.
- Excessive absenteeism or any absence without proper notice.
- Habitual tardiness or abuse of PTO privileges.

PERSONAL APPEARANCE, DRESS AND FRAGRANCES IN THE WORKPLACE

The City's image is a direct result of our staff both individually and collectively. Quality service, positive attitude, good customer relations, and a professional appearance are key factors in creating and maintaining a favorable image. Each employee represents the City in his or her daily contacts with residents, consultants, and members of the business community. The City expects employees to use good judgment in choosing their attire and in their grooming and personal hygiene.

Uniforms, which are provided to some City employees, are expected to be neat, fresh, and clean when reporting for the workday. Each department manager is responsible for overseeing that employees follow regulations regarding uniforms, related accessories, and equipment.

Identification badge showing the City of River Falls with your name should be worn during the work day and while conducting City business outside of typical work hours.

With the exception of the employees required to wear a uniform or work in the field, employees are to adhere to business/professional attire M-TH (No jeans, sweatshirts or tennis shoes).

Casual Day: Business casual wear may be allowed on Friday or other designated days (No sweatshirts or tennis shoes unless a designated clean-up day or other casual planned work or department event). Professional judgment should be followed.

When business needs of the day warrant it (e.g. meeting with clients, citizens, or outside business professionals), business/professional attire is appropriate and required even if it is a designated casual day.

Employees who report to work in unacceptable dress may be required to go home and change into acceptable clothing. Repeat offenders will be subject to the progressive discipline system, which may include suspension and/or termination.

Fragrances: The City of River Falls strives to maintain a workplace environment that is conducive to efficiency and productivity, while remaining free from unnecessary distractions and annoyances. This goal includes the elimination of strong fragrances and fragrances that might offend coworkers or visitors to our workplace who may have sensitivity or allergic reactions to various fragrant products. Good personal hygiene is necessary. The use of perfume and cologne should be minimal and considerate of potential sensitivity (allergies, illness) of others.

Other fragrant products, such as scented candles, potpourri, diffusers, and similar items, are not permitted in the workplace.

Employees with concerns about scents or odors should first try to resolve such concerns by speaking with the individual using the fragrant item. If such efforts do not resolve the issue, employees should bring their concerns to their manager, or the Human Resources Department.

Common agreements:

- The way a person dresses influences customer perception, self-esteem and job performance.
- Dress "norms" are influenced by generational and cultural factors. Since we provide service to customers across all demographics, staying somewhere in the middle and not at either extreme of age or cultural influence presents the best compromise. Professionalism is paramount.
- Perfumes and other chemical scents can negatively affect the health and well-being of customers or co-workers with allergies and chemical sensitivities. These impacts may be exacerbated in closed office spaces.
- Each of us should consider these factors and evaluate what is appropriate in a business setting when serving customers face-to-face.

This policy may be amended to accommodate requests based on cultural or religious beliefs.

TECHNOLOGY AND COMMUNICATIONS (Section 7)

7-1	Information and Communications
7-2	Social Media

INFORMATION/COMMUNICATION AND WORKPLACE MONITORING

This policy is intended to govern the use of City of River Falls information and communication systems and workplace monitoring. The City encourages its employees to use information and communication technology to its fullest potential in order to provide a service of the highest quality to its customers. The guidelines and prohibitions established in this policy are meant to protect the City of River Falls information and communication systems from damage caused by unauthorized user, access by third parties, and improper use of the system.

Information Systems –

- All City owned computer equipment, software and data entered, maintained or transmitted on this system.

Communication Systems –

- Telephone, voice mail, copy machines and fax devices
- Electronic mail (email) systems
- Voice and video recorders and players
- Radio and paging systems
- Bulletin boards, in-boxes and other places where documents, paper mail and messages are posted or stored

Any use of the City of River Falls information or communication systems by an employee constitutes a waiver of any right to privacy concerning such use, including any personal communication using these systems. Management may reserve the right and may exercise the right to review, audit, intercept and disclose all communications on these systems at any time without prior notice to employees.

Prohibited Activities –

Employees are responsible for preserving the integrity of the information and communication systems and are directed not to interfere with or disrupt such systems. Interference or disruption includes but is not limited to the following:

- The use of such systems to gain unauthorized access to remote systems.
- The use of such systems to copy unauthorized system files or copyright material such as third-party software.
- Potential attempts to “crash” systems or programs.
- Attempting to secure unauthorized higher-level privileges.
- Willful or negligent introduction of computer viruses or destructive programs that could damage or adversely affect these systems.
- Sharing password or password information with a person not authorized.
- Deleting, examining, or modifying files or work product belonging to other users without authorization or as part of standard operating procedures.

- Using any systems for personal gain, solicitation, to harass or threaten others or to send junk mail or “for profit” messages.

Employees must not engage in the following conduct on the information or communication systems –

- To use the network for unlawful activities.
- To use abusive or obscene language in any messages including any internal or external e-mail messages and Internet communication.
- To engage in behavior on the network that is a violation of any City of River Falls personnel policy, including but not limited to harassment.
- To engage in conduct that could cause unnecessary congestion or disruption of the system.
- To threaten or intimidate a person.
- To send images that contain nudity or to send images or words of a lewd or sexually suggestive nature, even if the recipient has consented to or requested such material.
- To send jokes or comments that tend to disparage a person or group because of race, color ethnic ancestry, national origin, religion, gender, sexual orientation, marital or parental status, age, verbal accent, source of income, physical appearance or agility, mental or physical disability or occupation.
- To disseminate classified, confidential, sensitive, proprietary or private information to unauthorized persons or organizations.

General System Guidelines

The City of River Falls establishes the following information and communication system guidelines.

Software – Only authorized software will be installed, downloaded or used on these systems.

Data – All data on these systems is the property of the City. Release of this data to third parties should be consistent with applicable laws, ordinances and policies of the City.

Security – Each employee is responsible for maintaining the security of the information and communication systems. If a breach of security is identified or suspected, the systems administrator or department head should be notified immediately for appropriate action.

E-mail – messages are public records and are subject to the open records law.

Workplace Monitoring

From time to time, the City of River Falls may conduct workplace monitoring to ensure quality control, employee safety, security and customer satisfaction.

We reserve the right to monitor your computer, internet and email usage as described above.

We reserve the right to conduct video surveillance of non-private workplace areas to identify safety concerns, maintain quality control, detect theft and misconduct and discourage or prevent acts of harassment and workplace violence. Any such video surveillance may include audio recording as well.

We reserve the right to use GPS units on vehicles to help us track the times, locations, and routes you may drive in connection with work, for safety, efficiency and compliance purposes.

Should the City of River Falls have a concern to monitor as described above, we would perform workplace monitoring in an ethical and respectful manner and the City is sensitive to the privacy concerns of employees and would only do so following legal compliance rules.

SOCIAL MEDIA

Networking/Websites:

Internet media communication tools facilitate interactive information sharing, interoperability, and collaboration. Commonly referred to as “social media” web sites, such as Facebook®, Twitter®, MySpace™, YouTube®, Flickr®, Blogger, Tumblr, and LinkedIn®, have large user bases and are, thus, increasingly useful outreach and communication tools for local governments. However, City of River Falls social networks and personal social networks of employees and affiliates must be kept separate at all times.

DEFINITIONS

Blog – A blog (short for web-log) is a personal outline journal, irrespective of length, that is frequently updated and intended for general public consumption. Blogs generally represent the personality and opinion of the author or reflect the purpose and opinion of the website that hosts the blogs. Blogs may also contain links to other web sites the author favors that support or reject a point being made on a post.

Chat Room – A way of communicating by sending text messages to people in the same chat room in real-time. The term can mean any technology ranging from real-time online chat over instant messaging and online forums to fully immersive graphical social environments.

Covered Personnel - “Covered Personnel” shall include any City officer or employee (but shall specifically exclude any elected official), whether appointed, paid or unpaid, full or part time, any member of any City Board, Committee, Commission or Authority, any approved volunteer, and any employee of the Library, Museum, Housing Authority, Water Utility and Storm Water Utility.

City Networking/Websites - “City Networking/Website” shall include any blog, chat room, forum, social networking site and/or website, under the direction and control of the City of River Falls, including all City departments, any City Board, Committee, Commission or Authority.

Forum – An online discussion group where users can post comments and thoughts, either anonymously or with personal identity.

Personal Networking/Websites – any blog, chat room, forum, social networking site and/or website created or configured by an individual for individual, social, or entertainment purposes.

Social Networking Site – A website or service that enables users to create public profiles within that website and form relationships with other users of the same website. Social networking sites can be used to describe community-based websites, online discussions forums, chat rooms and other social spaces online.

URL – Abbreviation of Uniform Resource Locator, the global address of documents and other resources on the World Wide Web. For example, <http://www.google.com> is the URL for Google.com. It is the address where the website Google can be found.

Website – Any computerized document, file, or menu accessible on the Internet and/or World Wide Web.

ACCEPTABLE USE

All City Networking/Websites shall be operated in conformance with, and be consistent with applicable state, federal, and local laws, regulations, and policies including all information technology security policies. This includes any applicable records retention time periods.

PROFESSIONAL USE

All City-related communication through internet media outlets should remain professional in nature and should always be conducted in accordance with the organization's communications policies, practices, and expectations. Covered Personnel must not use internet networking sites for political purposes, to conduct private commercial transactions, or to engage in private business activities. Covered Personnel should be mindful that inappropriate usage of City Networking/Websites can be grounds for disciplinary action up to and including termination.

APPROVAL PROCESS

City Networking/Websites should make clear that they are representative of the City and that the site follows the City's Internet Media Policy. Wherever possible, City internet media sites should link back to the official City website for forms, documents, online services and other information necessary to conduct business with the City.

Covered Personnel which wishes to install a City Networking/Website shall submit a request, in writing, to the Department Head and/or Division Head responsible for that specific department, group and/or organization. Each request shall contain information about which specific internet media site(s) will be used, the intended audience, and general goals of establishing the site. The application will identify the staff or volunteer(s) who will be responsible for creating and overseeing the social media site, and acknowledgment of the City's Social Media policy.

All City Networking/Websites shall display a contact individual responsible for maintaining and/or administering the site as well as a method to contact this individual. (Note: City Networking/Websites set up for the purpose of assisting Law Enforcement for criminal investigation work is exempt from this requirement.) Each site administrator shall be responsible for monitoring the City Networking/Website for conforming to the City's Social Media Policy.

The Department Head and/or Division Head will play an active role in the implementation and regulation of all City Networking/Websites under their area of responsibility as well as having the ultimate responsibility for adhering to all terms and conditions of the City's Social Media Policy. If the request is approved, the site administrator must submit the IP address of the City.

BRANDING

City Networking/Websites shall be branded, as practical, in order to communicate a clear association with the City. Clear association includes, but is not limited to, the display of the City Web logo, department/agency brands, City contact information and a hyperlink, as practical, to the City's official Website, www.rfcity.org.

TERMS OF SERVICE

Covered Personnel should be aware of the Terms of Service (TOS) of the particular form of media. Each form of internet "social" media has its own unique TOS that regulate how users interact using that particular form of media. Any person using a form of social media on behalf of the City should consult the most current TOS in order to avoid violations. If the TOS contradict the City's Internet Media policy, then a decision must be made about whether use of such media is appropriate. The Department Head and/or Division Head responsible for the proposed City Networking/Website who's TOS may conflict with the City's Social Media Policy shall meet with City Administration in order to determine the appropriateness of the site.

CONTENT OF POSTS AND COMMENTS

Covered Personnel using City Networking/Websites to communicate on behalf of the City should be mindful that any statements made are on behalf of the City; therefore, Covered Personnel should use discretion before posting or commenting. Once these comments or posts are made they can be seen by anyone and may not be able to be taken back. Consequently, communication should include no form of profanity, obscenity, sexual content, discrimination, statements that may compromise public safety, or registered trademark violations. Likewise, confidential or non-public information should not be shared.

Covered Personnel should always consider whether it is appropriate to post an opinion, commit oneself or the City to a course of action, or discuss areas outside of one's expertise. If there is any question or hesitation regarding the content of a potential comment or post, it is better not to post. There should be great care given to screening any social media communication made on behalf of the City as improper posting and use of social medial tools can result in disciplinary action. City departments, groups and/or organizations, who have received authorization to host a City Networking/Website, are responsible for managing and maintaining its content. Departments shall monitor their sites for comments requesting responses from the City and for comments in violation of this policy. The City reserves the right to restrict or remove any content that is deemed in violation of this Social Media policy or any applicable law or regulation. Like e-mail, communication via City Networking/Websites is a public record.

RECORDS MANAGEMENT AND PRESERVATION

All City Networking/Websites shall adhere to applicable state, federal and local laws, regulations and policies, including all Records Management policies of the City, as well as other applicable City policies. Freedom of Information Act and the Wisconsin Public Records Law apply to social media content and therefore, must be able to be managed, stored and retrieved to comply with these laws. City Site Administrators must assume responsibility for public records and comply with the record management policies of the City.

BREACH OF POLICY

Failure to comply with this Policy may result in disciplinary action. This disciplinary action may involve a verbal or written warning or depending on the seriousness of the act, could result in termination of employment.

HEALTH AND SAFETY (Section 8)

8-1	Safe Work Procedures
8-2	ADA Accommodations
8-3	Fitness for Duty
8-4	Workers Compensation
8-5	Liability/Property Insurance Program

SAFE WORK PROCEDURES

The City of River Falls “Safe Work Procedures” outlined in this manual are designed to give employees a broad look at the safest methods of performing many of the job functions required in City operations.

The Department Head/Supervisor may find that it is necessary to establish and enforce additional procedures that are more specific in nature for a certain City operation or department.

Employees are expected to follow both the general procedures listed in this manual and the additional procedures required by their own departments, which pertain to their own safety.

Most accidents are caused by the unsafe use of equipment, materials or tools and by neglecting to follow safe work procedures. Learn the safe work procedures for your job and remember that no hazard is too small for correction.

In case of Injury

See “Workers Compensation Policy” for specific detail and guidance

- Work-related injuries must be reported immediately to your supervisor.
- If an ambulance is needed, dial Emergency Services 911.
- If emergency medical attention is required, the employee should be sent to the nearest emergency hospital or clinic.
- Each employee is encouraged to learn emergency first aid. This knowledge may be used in an emergency until medical help arrives. Knowing what to do can save a life.

General – All Departments

- Maintain clean equipment and orderly work areas. They are important to accident and fire prevention.
- The use of illegal drugs or alcoholic beverages during working hours, or reporting to work under the influence is prohibited.
- Do not operate, adjust or repair machines or equipment unless authorized to do so.
- Smoking and smokeless tobacco use is prohibited in all City buildings/vehicles and where “No Smoking” signs are posted.
- Know the locations and proper usage of fire extinguishing equipment. Learn the emergency evacuation procedures for your work area.
- First aid kits are provided in certain work areas for your use. They are to be used until adequate medical attention can be obtained.
- Learn the location of fire extinguishers in your work area and how to sound the alarm.
- Never use water or foam on an electrical fire.
- Report accidents immediately to your department supervisor or department head.
- Employees working in streets and areas exposed to traffic hazards should wear high-visibility safety vests.

- Be alert to hazards when entering a building (stairs, ladders, rough floors, etc)
- Where there is an animal present, do not attempt to pet or handle the animal. If bitten, report this to the Police department.
- Be alert for slippery surfaces. Use handrails on the stairways.
- Report unsafe conditions such as loose floor tiles, stair treads, railings, etc to your immediate supervisor.
- Chairs, wastebaskets, extension cords, etc should not be placed where they will create a tripping hazard.
- Do not dispose of broken glass or sharp objects in wastebaskets. Set safely aside and mark for pick-up.
- Keep walking surfaces clear of debris.
- Never climb on chairs, boxes, file cabinets, etc. Use a ladder or step stool designed for that purpose.

First Aid

“First Aid” refers to the immediate and temporary care given the victim of an accident or sudden illness until the services of a trained medical professional can be obtained.

Immediate resources are available to assist you in case of emergency.

River Falls Ambulance 911

Poison Information Center, Poison Control – 1-800-222-1222

City Hall Public Access Defibrillation. One Lifepak 500 Automatic External Defibrillator (AED) will be maintained on the premises of City Hall. Located in the basement outside of Council Chambers. The AED shall be used in emergency situations warranting its use by individuals specifically trained on the use of the device.

The type of device, intended use area, plan for maintenance and testing and location of the device on the premises shall be confirmed in writing by: EMS Director and River Falls Medical Director.

Personal Protective Equipment

- Personal protective equipment will be used as directed by individual department policies.

Eye Protection

- Employees are required to wear eye protection for certain job functions as directed by the Wisconsin Department of Industry, Labor and Human Relations, Department Head/Supervisor of the department.

Head Protection

- Approved head protection should be worn whenever working in or visiting areas where there is a danger of being struck by falling objects, or of striking the head against objects or obstructions.

Hearing/Respiratory Protection

- Protective hearing and respiratory equipment should be worn as needed. (Proper protection devices shall be determined by the Department Head/Supervisor in accordance with State and Federal Standards).

Hazardous Material

Definition: Any substance (solid, liquid, gas) capable of causing harm to people, property and the environment.

- If an employee becomes aware of an incident which involves the actual or potential release of hazardous material the following action should be taken:
- The employee shall take action to protect his/her own well-being and safety.

Notification Process:

1. If the employee recognizes the hazardous material as having the potential to cause immediate danger, injury or death, without provocation call Emergency Services at 911. Notification to immediate supervisor shall be made after emergency services have been contacted.
2. If the employee is unfamiliar with the hazardous material involved and its effects but feels there is a potential for damage, injury or death, Emergency Services should be called followed by notification to the immediate supervisor.
3. If the employee is familiar with the hazardous material involved and is not aware of any potential for immediate damage, death or injury, notification shall be made to the immediate supervisor. If contact with the immediate supervisor cannot be made, contact with the following parties should be attempted.
 - Department Head
 - Fire Chief
 - Police Chief
 - City Administrator

Motor Vehicles

All operators of City vehicles must have the appropriate driver's license in his or her possession at all times.

Drivers are required to obey all State and City traffic regulations. Costs for traffic citations are the responsibility of the driver.

Walk around the vehicle prior to initial use to check for flat tires, fluid leaks, clearance, hazardous conditions and damage. Report any damage immediately.

Employees are required to report all vehicle accidents to the City Clerk. See Liability/Property Insurance Program policy 8-5.

ACCOMMODATING INDIVIDUALS WITH DISABILITIES

The City of River Falls is committed to complying with all applicable provisions of the Americans with Disabilities Act (“ADA”). It is our policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability. This includes, but is not limited to, discrimination with respect to hiring, promotion, discharge, compensation, benefits, training, and all other aspects of employment.

Procedure:

Step 1: If you believe you need a reasonable accommodation to perform the essential functions of your job, contact the Human Resources Department. HR will provide you with a voluntary ADA Reasonable Accommodation form to complete. Consistent with this policy of nondiscrimination, we will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, provided that such accommodation does not constitute an undue hardship on our organization. We encourage individuals with disabilities to come forward and request reasonable accommodations if needed.

Step 2: On receipt of an accommodation request, a member of the Human Resources Department will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that we might make to help you overcome those limitations. We may request reasonable medical documentation to help us better understand your limitations and necessary reasonable accommodations.

Step 3: The City will determine whether the requested accommodation constitutes an undue hardship by considering various factors, including, but not limited to the nature and cost of the accommodation in light of our financial resources and the accommodation’s impact on the operation of the City, including its impact on the ability of other employees to perform their duties and our ability to conduct business.

Simply the act of completing the Voluntary ADA Reasonable Accommodation form does not mean the City can or will accommodate the disability or medical condition nor does it mean this is the only information we will need to evaluate your request. However, it is the essential first step in determining whether the City can provide the employee or applicant with an accommodation.

The ADA does not require us to reallocate essential job functions or to provide personal use items such as eyeglasses, hearing aids, and wheelchairs. We retain sole discretion to determine the reasonableness of requested accommodations.

You must comply with safety rules at all times. We make every effort to place applicants and employees in positions for which they are qualified. However, in the event that you are placed in a position where, with or without a reasonable accommodation, you would create a direct threat to the safety or health of yourself or others, we may remove you from the position until we can obtain medical documentation regarding your ability to safely perform the essential functions of the position.

Information obtained or provided in connection with the existence of a disability, or the need for an accommodation, will be kept strictly confidential, and will only be disclosed to those individuals who have an actual need to know about them, and then, only to the degree necessary.

Step 4: If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the City, a decision will be made not to grant the request. Human Resources will provide a decision to the employee or applicant within a reasonable amount of time.

FITNESS FOR DUTY POLICY

The City of River Falls is committed to providing a safe and healthy environment for all employees, co-workers and the public. In order to uphold this commitment, the City has set forth policy guidelines to insure that all employees are medically, psychologically, physically and emotionally fit for duty.

POLICY:

It is the policy of the City to provide to management a tool to address extraordinary situations where an employee may pose a hazard or risk to themselves or others in the workplace and/or community. The policy is intended to address issues in a timely and confidential manner to ensure workplace operations are not disrupted. The policy will establish consistent procedures for ordering and implementing physical and psychological fitness for duty evaluations.

DEFINITIONS:

Fitness for Duty: physical and mental health status that facilitates the performance of essential job duties in an effective manner and protects the health and safety of oneself, others and property.

Fitness for Duty Exam: is an evaluation by a medical professional hired by the City of River Falls to determine if an employee is physically and mentally able to perform the essential functions of a position.

Independent Medical Exam (IME) occurs when a doctor/physical therapist/chiropractor who has not previously been involved in a person's care examines an individual. There is not a doctor/therapist patient relationship.

Functional Capacity Evaluation: systematic method of measuring an individual's ability to perform meaningful tasks on a safe and dependable basis.

Maximum Medical Improvement: is a treatment plateau in each person's healing process. A condition is at maximum medical improvement if it is not believed that the condition will improve.

PROCEDURES:

The Department and/or Human Resources may require an employee to be examined under this policy in the circumstances described below:

Triggering Events:

- Manager/supervisor observes or receives a reliable report of an employee's possible lack of fitness for duty. Observations may include, but are not limited to an employee's self-report, manual dexterity, coordination, alertness, speech, vision acuity, concentration, and response to criticism, interactions with co-workers and supervisors, suicidal or threatening statements, change in personal hygiene, presence of condition likely to lead to food borne disease transmission, memory and/or odor of alcohol or marijuana.
- Employee returning to work after a leave of absence from a serious illness, injury or medical condition.
- Employee requests leave of absence on more than one occasion for same illness or injury.
- Where an employee has been involved in a critical incident where the potential for physical or psychological trauma to the employee was significant.

Reporting:

Where there exists a reasonable cause that an employee may not be physically, medically, psychologically or emotionally fit to perform the essential functions of the position the manager should:

- Discuss concerns with the Human Resources Director
- Meet with the employee regarding the conduct, behavior or circumstances that give rise to the concerns.
- Where appropriate, the manager and employee may also discuss reasonable accommodations that may enable the employee to perform the essential functions of their position.

Fitness for Duty/Risk Evaluation Procedure:

Once a decision has been made to conduct a Fitness for Duty/Risk Evaluation, management shall use (a City selected medical provider) to coordinate and obtain the evaluation. Human Resources and Management will coordinate and provide the following information to the selected medical provider in advance of the referral:

- Precipitating events
- Documented performance and/or behavior concerns
- Pending or previous disciplinary action
- Employee's job description and essential job functions

HR/Management will communicate with the employee in person and shall provide the employee a letter outlining:

- Workplace concerns
- Specific reason(s) for the Fitness for Duty/Risk Evaluation and any other concerns that negatively impact the workplace
- Expectations for compliance in resolving the concern(s)
- Consequences for failure to accept all conditions of the referral

FINDINGS/OUTCOMES:

The evaluative summary findings will recommend one (1) of the following course of action.

- Fit to return to duty without specific recommendations. The evaluator has determined that the employee is fit for duty and does not pose a hazard or risk to self or others. The evaluator has determined the employee can do all essential functions of the position.
- Not fit to return to duty until specific recommendations have been met. The evaluator has determined that the employee is not fit for duty and may pose a hazard or risk to themselves or others. Management/HR shall consider the recommendations in the evaluative summary and shall state the terms and conditions that must be met before the employee shall be allowed to return to work.
- Not fit to return to duty. Employee has reached maximum medical improvement and cannot perform the essential duties of the position description.

WORKERS COMPENSATION

In accordance with the laws of the State of Wisconsin, the City provides coverage for medical expenses in the event of work related injury or illness, plus partial salary continuation, and additional benefits if the injury or illness causes partial or permanent disability or death.

Employees are automatically covered under workers' compensation plan as soon as employment begins. To be eligible for workers' compensation, the injury or illness must arise out of and occur during the course of employment.

The City pays the entire cost of this protection.

Wisconsin waiting period: Worker's compensation will not pay for the first three days of missed time unless the disability lasts more than 7 days, in which case the first three days will be paid retro-actively at 66 2/3%. If the disability does not last more than 7 days, the employee may substitute personal leave time (PTO) in place of unpaid leave but is not required to do so.

Wisconsin Retirement System: The City is required to report hours that you would have worked had you not been injured. See details in procedures.

It is the injured employee's responsibility to immediately report any work related injury, incident or disease exposure to the employee's supervisor as soon as possible after the incident occurs.

The immediate supervisor is responsible to see that the incident is reported to the Human Resources Department within 24 hours following or as soon as reasonably possible. If adequate information is not yet available to prepare the injury/incident report, the supervisor should provide Human Resources with enough basic information to file the claim. Failure to do so can result in fines assessed to the City.

INCIDENT REPORTING

Incidents fall generally into two main categories:

1. Work-related personal injury (report filed with the Human Resources Department)
2. Vehicle/Equipment and Property Damage Accidents - including damage or injury to other persons or property (report filed with the City Clerk)

Quick and accurate reporting of incidents is important to assure prompt payment of medical bills and proper follow-through from insurance companies.

PROCEDURE

Employees injured while working on the job and require medical attention should:

- Report the injury immediately to their supervisor – In the event of a medical emergency, the employee should seek treatment at the nearest medical facility or call 911 immediately and report to the supervisor as soon as possible.
- If an employee's injury requires medical attention, a Report of Workability form must be signed by the treating physician, thus allowing the employee to return to work.

- Employee must complete “Employee’s Report of Incident” form and Supervisor must complete “Supervisor’s Injury Report” form as soon as possible following the incident.
- If a witness was there, they should also complete the “Witness Statement Report”. All of these forms can be found on the intranet site under Human Resources, HR Documents, Personnel forms.
- Timecard completion. If you are injured and need to leave work to be seen by a physician, you must accurately report time not worked as PTO or unpaid leave on your time entry in ESS.

Once a claim is filed, you will be assigned a representative for your incident with contact information. You should provide your physician’s office with the contact information from the City’s Workers Compensation carrier.

Per WRS regulations, the City is required to report hours that you would have worked had you not been injured. The City is also required to pay both the Employer and Employee required contributions to WRS for time that you are being paid by Workers Compensation (or taking as unpaid during the 3-day waiting period). At the time that you return to full duty, we will begin to take back the employee portion of the WRS contributions that the City has paid on your behalf. We will take an additional 5% from each paycheck (in addition to the required contribution percentage) until the balance has been repaid.

Light Duty: Some departments are able to offer employees injured in work related incidents continued active employment that is within their medical restrictions. Light duty work is not always an option or a guarantee. Light duty options are based on approval and discretion of the Department Head. If the injury or illness is also approved under FMLA, the employee has the right to refuse light duty work.

PAYMENT PROCESS:

An employee who is injured on duty and absent from work may use paid time off (PTO) for the first 3 days, if the illness or injury doesn’t go beyond 7 days. If the illness or injury lasts more than 7 days, the first 3 days will be covered under workers compensation.

If an injury/illness is approved under workers compensation, an employee will receive 66 2/3 base pay (not taxed). The designated insurance company makes the determination on whether an injury/illness is approved under workers compensation. Workers Compensation checks are made out to the employee from the designated insurance company.

1. Employees on injury leave shall keep their Supervisor and Human Resources informed of their status on an established, regular basis.
2. The City may request physician confirmation of the injury at any time.
3. The employee shall submit written physician certification/workability form of fitness before returning to work.
4. If injury will require the employee to miss three or more shifts, that employee may be placed on WFMLA/FMLA (if eligible). The City reserves the right to consider the leave for WFMLA/FMLA.

LIABILITY/PROPERTY INSURANCE PROGRAM
ACCIDENT AND INCIDENT REPORTING AND INVESTIGATING

The purpose of this policy is to outline responsibilities and procedures for staff when involved in or a witness to an accident or incident which involves City property or a potential liability claim against the City of River Falls.

All claims against the City will be promptly investigated in order to ascertain what procedure is appropriate for a particular claim or incident.

PROCEDURE:

A. Witness to an Injury Related Incident

- a. Employees who witness or are on the scene of a *non-employee injury incident* shall ask the injured person if they want medical treatment (if appropriate call "911"). Be prepared to provide the 911 dispatcher with the exact location you are calling from, the location of the injured person, and a description of injuries.

EXAMPLE: "I'm calling from the Human Resources Department, City Hall 222 Lewis Street. A woman slipped and fell in the women's restroom and hit her head."

- b. **DO NOT** state that the City will pay for medical treatment or transportation. Refer all questions, comments and concerns about the incident to the City Clerk. If the City Clerk is not available, contact the Assistant City Administrator.
- c. Get the name, address, phone number and as many other details as possible about the person and circumstances. Take pictures of the accident scene and area around the scene. GET NAMES AND PHONE NUMBERS OF WITNESSES.
- d. Complete the City of River Falls Incident Report form (found on SharePoint) immediately, THE SAME DAY, while the details of the incident are fresh in your memory.
- e. Forward the completed form to the City Clerk within 24 hours of the incident.

B. Witness to a Non-Injury Related Incident with the Potential of a Liability to the City

- a. Complete the City of River Falls Incident Report immediately, THE SAME DAY, while the details of the incident are fresh in your memory. Take pictures of the accident scene and the area around the scene.
- b. Forward the completed form to the City Clerk within 24 hours of the incident.
- c. Refer all questions, comments and concerns about the incident to the City Clerk.

- C. Injuries to the Public or Damage to Non-City Property that resulted from a City employee or from City vehicles or equipment
 - a. All accidents resulting in an injury requiring emergency medical services to any person not employed by the City of River Falls or damage to property not owned by the City of River Falls should be immediately reported to 911, your Supervisor and City Clerk.
 - b. Employees should not admit liability, discuss City operations or comment on any incident or accident involving members of the public.
 - c. If a citizen wishes to file a claim against the City, they should be directed to the City Clerk's office. The Clerk's office will forward the claim to the City's insurance provider.

- D. Damage to City Property or City Equipment
 - a. City owned automobiles and property that is damaged by fire, theft, vandalism, etc. are considered property damage claims. All damage should be reported to the employee's Supervisor and City Clerk immediately.

WORKPLACE POLICIES – OTHER (Section 9)

9-1	Public Purpose Policy
9-2	Public Statements and Public Appearance
9-3	Volunteers

**PUBLIC PURPOSE EXPENDITURE POLICY
Relating to Employee Services**

Pursuant to the statutes and laws of the State of Wisconsin which permit and require the expenditure of public funds for public purposes, the City of River Falls believes it necessary and appropriate to provide assistance and guidance to the officials, employees and representatives of River Falls to aid in the determination of when public funds may be spent for a public purpose.

A public purpose means an activity that serves as a benefit to the community as a body and is directly related to the functions of government. The following items are deemed to meet the Council definition of public purpose expenditures. Under no circumstances shall public funds be used to pay for alcohol.

POLICY AND PROCEDURE

EMPLOYEE RECOGNITION PROGRAM

The City of River Falls recognizes the hard work and contributions of active employees through a formal Employee Recognition program. The Council recognizes the benefits of attracting, retaining, and motivating employees by recognizing their accomplishments and productivity. The Employee Recognition program is considered “additional compensation” for work performed by employees and includes the following:

- a. Annual Recognition Event - A recognition luncheon is held each year to recognize all regular full-time and part-time employees. Awards for length of service and recognition for other employee accomplishments may be given at this luncheon.

Employees reaching 5 year milestone years of service (5, 10, 15, 20 and greater) will be presented with an approved monetary gift certificate approved by the City Administrator.

- b. Fire and Ambulance Department – Annual recognition banquet and periodic performance awards.

RETIREMENT PROGRAMS

The City of River Falls will recognize all regular full-time and part-time employees when they officially retire from the City and are WRS eligible.

- a. Employee Retirement Open House - The City will provide cake, beverages, utensils, and appropriate decorations for each employee retirement open house. The open house is held at one of the City facilities and the employee’s family is invited. No retiring employee is required to have a celebration.
- b. Retirement Gift - A retiring employee is presented with a City Plaque and/or a gift certificate for a designated amount.
- c. Community/Governmental Retirements – Council members and staff are often invited to retirement events for leaders from the community and other governmental units. The City will cover the cost of attending any official retirement recognition event held at a work location during business hours. In addition, when official City representation is appropriate at an evening social event, the City may cover the cost of attendance. The City Administrator shall determine when official City attendance is appropriate at an event.

OTHER VOLUNTARY TERMINATIONS

For those employees that are terminating under voluntary termination with a minimum of two weeks notice provided may choose from the following departure options. No terminating employee is required to have a celebration.

- A. Gathering at City Hall with treats
- B. Small lunch gathering with their department (City funded)
- C. After hours celebration (not City funded)
- D. Gift Certificate per management discretion

MEALS/REFRESHMENTS

The City Council recognizes that situations in which City business needs to be discussed can and do occur during meal hours. In addition, there are public and employee meetings and events in which reasonable refreshments may add to the success of the meeting and/or event and create a more productive work force. The following items are deemed to meet the Council definition of public purpose expenditures in regards to meals and refreshments.

- a. Meals and refreshments are allowed at non-routine City meetings/events consisting primarily of City employees when the refreshments and/or meals are an integral part of the event and are necessary to ensure meaningful participation. This would include meetings/events such as:
 - Quarterly "All Employee" meetings.
 - New employee welcome/badge ceremony/promotions
 - Kick off of City programs (i.e. wellness programs)
 - Training sessions/interviews/retreats of three hours or more
- b. City Council meetings/activities:
 - Meals for required meetings prior to a Council meeting which occur over the dinner hour.
 - Refreshments following Council meetings with special guests or events.
 - Meals for any ½ day or full day work sessions occurring during the day.
- c. Breakfast/lunch/dinner meeting for official City business when it is the only practical time to meet.
- d. Refreshments are allowed during emergency response situations, elections, or other special circumstances when there is little control over the flow of work and employees are obligated to work for extended periods of time.
- e. Purchase of alcoholic beverages is not allowed in any situation.

MISCELLANEOUS EXPENSES

Flowers – The City of River Falls may purchase flowers and/or plants for employee and/or retirees when the following situations occur:

- Birth and or/adoption of a child to an employee or council member.
- Death of a retiree, employee, current or former board member and/or the immediate family member of a retiree, employee or current or former board member.
- Hospitalization of employee, council or board member.

A memorial (check) or comparable gift (not to exceed \$50) may be substituted for flowers/plants when warranted. If an event that is not covered by the policy occurs, the department may wish to send a card or an employee-funded gift.

PUBLIC STATEMENTS AND APPEARANCES

Public Statements by Employees

An employee may not speak to the press as an official spokesperson of the City without prior clearance by the City Administrator or designee. Division Heads are designees for their area of responsibility. All inquiries from the press should be referred to the City Administrator or designee. Any deviation from this policy may result in disciplinary action.

Public Appearances

Any employee asked by an outside agency or organization to appear as a guest speaker or invited program participant representing the City of River Falls must obtain prior approval from the City Administrator or Division Head if it is done so as an official representation of the City or if the appearance is during normal business hours.

VOLUNTEERS

Volunteering is generally intended to promote good or improve human quality of life. It is considered as serving the society through one's own interests, personal skills or learning, which in return produces a feeling of self-worth and respect, instead of money. Volunteering is also for skill development, socialization and fun.

As a public sector entity, the City of River Falls is able to use unpaid volunteers if they meet the DOL criteria to qualify:

- The services are entirely voluntary, with no coercion by the employer, no promise of advancement, and no penalty for not volunteering.
- The activities are predominately for the employee's own benefit.
- The employee does not replace another employee or impair the employment opportunities of others by performing work which would otherwise be performed by regular employees.
- The employee serves without contemplation of pay.
- If an employee volunteering during non-work hours, the activity does not take place during the employee's regular working hours or scheduled overtime hours.
- If an employee volunteering during non-work hours, the volunteer time is insubstantial in relation to the employee's regular hours.

If a request is received from a citizen to offer volunteer services at the City, please refer the request to your Division Head. The Division Head, in consultation with Human Resources, must verify the request follows DOL requirements and if so, a "Volunteer Waiver Form" must be completed and returned to Human Resources.

Exception: When a "Volunteer Waiver Form" would not apply (example - A girl scout, boy scout or school group that wanted to help clean up a park or help paint park benches or something of a one-time occurrence).