



JONESBORO
ARKANSAS

EMPLOYEE HANDBOOK

PEOPLE. PRIDE. PROGRESS.

Revised December 2024

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CITY OF JONESBORO

INTRODUCTION

This Handbook is designed to acquaint you with the City and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the City to benefit employees. One of our objectives is to provide an opportunity for employees to fully develop their potential and find job satisfaction, which will benefit the community greatly since it results in better service and higher productivity.

This Handbook is not a contract or a statement of rights and does not change your "At-Will" employment status. No supervisor has the authority to make changes to the Handbook. All changes must be approved by the City Council of the City of Jonesboro.

DEPARTMENTAL GUIDELINES

Policies, such as this Handbook, are approved by council.

Management is authorized to adopt lawful written guidelines governing the day-to-day operations of their department. All departmental guidelines must be approved the Human Resources (HR) Director before they are considered effective. Departmental guidelines, if in conflict with the policies and procedures contained in this Handbook, will be superseded by the Handbook's provisions.

SECTION I EMPLOYMENT POLICIES

DRAFT

EQUAL EMPLOYMENT EMPLOYER

It is the continuing policy of the City of Jonesboro to ensure equal employment opportunity in all personnel actions taken. Our policy is stated as follows:

1. The City will comply with Title VII of the Civil Rights Act of 1964 in regard to recruiting, hiring, training, and promoting for all jobs, and will conform with all applicable laws and regulations.
2. Decisions on employment will be based solely on the individual's qualifications for the position being filled.
3. Any promotional decisions will be based solely on the individual's qualifications as related to the requirements of the position for which the individual is being considered.
4. All other personnel actions, such as compensation, benefits, transfers, terminations, and layoffs, return from layoff, and training programs will be administered in accordance with Title VII of the Civil Rights Act of 1964, and will conform with all applicable laws and regulations.
5. The HR Director is responsible for this policy and for the necessary reporting and monitoring procedures associated with it. Any complaints should be directed to his or her attention. This policy may be periodically reviewed.

AMERICANS WITH DISABILITIES ACT

The City of Jonesboro abides by the requirements of the Americans with Disabilities Act, the ADA Amendments Act, and state laws governing employment of individuals with disabilities. Qualified individuals with disabilities may be entitled to an accommodation in the application process and/or in the workplace. Any qualified individual with a disability who requires reasonable accommodation in the employment process and/or in the workplace shall notify the Human Resources Director.

EMPLOYMENT AT-WILL – NON-CIVIL SERVICE EMPLOYEES

Other than Civil Service employees of the Fire Department and employees of the Police Department, all other City employees are employed at will. Employment with the City of Jonesboro is voluntarily entered into, and the employee is free to terminate the employment relationship at any time, with or without notice and for any reason or no reason at all, with or without cause. Similarly, the City of Jonesboro may terminate the employment relationship at any time, with or without notice and for any lawful reason or no reason at all, with or without cause.

Policies set forth in this Employee Handbook are not intended to create a contract, nor are they to be construed to constitute a contractual obligation of any kind or a contract of employment between the City of Jonesboro and any of its employees. No employee, supervisor, manager, or any other City of Jonesboro representative is authorized to represent to any employee that they are employed by the City of Jonesboro on any other basis, and each employee should never interpret any such person's remarks, or anything written in this Employee Handbook, as a guarantee of continued employment. The provisions of the Employee Handbook have been developed at the discretion of management and, except for its policy of employment at will, may be amended or canceled at any time, at the City of Jonesboro's sole discretion.

VACANCIES, PROMOTIONS, JOB POSTINGS, and ADVERTISEMENT

Applications for city employment will not be accepted from anyone under 18 years old except for certain youth program positions.

Individuals seeking employment with the City may pick up an application at the HR Department or apply on-line on the website, www.jonesboro.org. Applications will only be accepted when the City is currently seeking to fill a vacancy or when a job opening is posted.

Applicants shall be disqualified from consideration for employment for any of the following reasons:

1. Falsification or misrepresentation of information on the application form or any employment related forms or documents.
2. Failure to submit by the closing date for applications any required application documents as described in the job announcement.
3. Improper influence; an attempt by the applicant or through others, with his/her knowledge, to influence a member of the hiring process.
4. Conviction of or pleading Nolo contendere to any felony and/or any misdemeanor, which, at the discretion of the Mayor, compromises the employee's position or reflects negatively upon the integrity of the City. Conviction is not an automatic bar to employment; all circumstances will be considered on a case-by-case basis.

It is the policy of the City of Jonesboro to hire and promote the most qualified applicant for all positions.

Vacancies open to external applicants will be announced and posted on the City's website, www.jonesboro.org and at other City Facilities at least 5 days before the deadline for applications. Copies of the job announcement will be sent to City Departments, to public and private employment agencies, local news media and other recruiting sources as needed.

The City may fill any vacancy by promoting an existing worker within the department without advertising the position outside the department. At the hiring manager's discretion, job openings may be restricted to current City employees only. Then the announcement will be posted for 3 days within City facilities. The final approval regarding filling positions will be made by the HR Director upon recommendation by the Hiring Manager. In emergent situations, where vital city services are at stake, any part of the normal hiring process may be waived upon approval by the HR Director.

PERSONNEL FILES

The City maintains an official personnel file on each employee in Human Resources. The file includes information that is needed by the City in conducting its business or as required by federal, state, or local law. Personnel files are the property of the City, and access is limited. You may view your own personnel file during normal business hours by contacting Human Resources.

To keep personnel files up to date, employees are responsible to notify HR in writing of any changes in name, address, telephone number, and marital status, number of dependents, beneficiary designations, W-4 changes, and emergency contact. Family status changes affecting insurance coverage must be made within 31 calendar days of a change in status or it may not qualify.

NEPOTISM AND PERSONAL DATING RELATIONSHIPS

The City welcomes the opportunity to hire and retain qualified employees who are related to one another by blood or marriage. However, since such relationships sometimes can create problems in the workplace, including suspicions of favoritism if the related employees are in a supervisor-subordinate relationship, it is the policy of the City that:

1. Any employee of the city who has or acquires a familial relationship (as defined below) with another employee shall not have any direct or indirect administrative or operational authority over the other person. This prohibition means not only that a person cannot supervise a family member but also that the family member cannot be in that person's chain of command; for example, a family member cannot work in a department in which a family member is their supervisor.
2. An employee of the city cannot use his/her authority or position with the city to benefit or to disadvantage another employee in a familial relationship. Although all such potential misuses of authority cannot be listed here, examples include an employee signing an evaluation for a family member or signing/approving a check payable to a family member.
3. Employees are required to notify the city's Human Resources Department of (a) any existing familial relationships; (b) any familial relationships that are created among employees (for example, by the marriage of two employees); and (c) the potential employment by the city of a family member.
4. The city will refuse to hire a job applicant who is in a familial relationship with a current employee if the applicant would be in a supervisory or subordinate position to the existing employee. City employees who marry one another during their employment will be allowed to remain with the city unless they are in a superior-subordinate relationship and there is no open position to which one of them may be moved.
5. "Familial relationship" within the meaning of this policy means two employees (or an employee and a job applicant) in the relationship of husband, wife, father, mother, brother, sister, son, daughter, uncle, aunt, nephew, niece, grandfather, grandmother, grandson or granddaughter, or any of those relationships arising as a result of marriage (for example, brother-in-law).

All hires and active employment that may be considered nepotism will require the Mayor's or the Mayor's designee's approval. Failure of obtaining the Mayor's or Mayor's designee's approval will be subject to disciplinary action, up to and including termination. It's important that any relationship that may cause a conflict of interest be reported to Human Resources for the necessary approvals.

The City realizes that personal relations of a romantic nature may develop between co-workers, and while the City does not wish to ban all such relationships outright, those who choose to engage in such relationships do so at their own risk, with knowledge their employment may be affected if the relationship results in inappropriate or unprofessional behavior, negatively impacts the common good or morale of other employees, or creates conflicts of interest. If such relationships exist between employees, then employees must report it to their supervisor(s) and HR. The City reserves the right to take the appropriate action it deems necessary. Dating relationships, in which one of the employees is the direct supervisor, are prohibited.

If you plan on entering into a dating relationship with another employee in your department, and one of you is in a direct supervisory position, the following actions must be taken.

1. You must notify your supervisor and the Human Resource Director immediately.
2. One of you will be required to resign or transfer to another department, if there is a position available, within 30 calendar days.
3. You may mutually agree on which one of you will transfer or resign.
4. If you cannot agree, the employee with the lower classification will be required to transfer or resign.

DRUG-FREE WORK PLACE POLICY

Section 1. Purpose of Policy

The City has a vital interest in providing for the safety and well-being of all employees and the public and maintaining efficiency and productivity in all of its operations. In fulfillment of its responsibilities, the City is committed to the maintenance of a drug and alcohol-free workplace. The City and certain employees who drive commercial motor vehicles are subject to the requirements of federal statutes and implementing regulations issued by the Federal Highway Administration of the U.S. Department of Transportation. However, certain city employees who perform safety and security sensitive functions are not covered by the foregoing provisions. In addition, the City has an interest in maintaining the efficiency, productivity and well-being of employees who do not perform safety or security-sensitive functions. In order to further provide a safe environment for city employees and the public, the City has adopted the following Drug-Free Workplace Policy for those employees who are not covered by federal law. This policy does not govern or apply to employees who are subject to testing as commercial motor vehicle operators under the foregoing federal law and regulations. They are governed by a separate policy enacted pursuant to that legislation. However, such employees may be tested as authorized by this policy if the circumstances giving rise to such testing do not arise from the employee's operation of a commercial motor vehicle.

Section 2. Policy Statement

(a) All employees must be free from the effects of illegal drugs and alcohol during scheduled working hours as a condition of employment. Drinking alcoholic beverages or using drugs while on duty, on City property, in City vehicles, during breaks or at lunch, or working or reporting for work when impaired by or under the influence of alcohol, or when drugs and/or drug metabolites are present in the employee's system, is strictly prohibited and grounds for disciplinary action up to and including immediate discharge. In addition, employees are subject to disciplinary action up to and including immediate discharge for the unlawful manufacture, distribution, dispensation, possession, concealment or sale of alcohol or drugs while on duty, on City property, in City vehicles, during breaks or at lunch.

(b) The City reserves the right to require employees to submit to urine drug testing and Breathalyzer alcohol testing to determine usage of drugs and/or alcohol as provided below. Employees must submit to all required tests. Any employee who refuses to submit to any required test without a valid medical explanation will be subject to immediate discharge. Refusal to execute any required consent forms, refusal to cooperate regarding the collection of samples, or submission or attempted submission of an adulterated or substituted urine sample shall be deemed refusal to submit to a required test.

(c) The City also reserves the right to require return to duty and follow-up testing as a result of a condition of reinstatement or continued employment in conjunction with or following completion of an approved drug and/or alcohol treatment, counseling or rehabilitation program.

Section 3. Medical Marijuana

Medical Marijuana usage under the Arkansas Medical Marijuana Amendment (AMMA) is subject to Act 593 of 2017, which restricts employees in safety or security sensitive positions from performing those duties if a positive test occurs. For positions designated as safety or security sensitive define by Act 593 or the City, a positive test constitutes a violation of this policy, and appropriate action will be taken in accordance with this policy. Likewise, if the City has a "good faith belief," as defined in Act 593, that an employee is under the influence of marijuana or has ingested marijuana during working hours - even if taken in accordance with the AMMA - that employee will be required to submit to a drug test for marijuana.

For positions that are not safety or security sensitive, the determination of whether an employee is under the influence of medical marijuana will not be based solely on the results of a positive drug test. Specific observations may include appearance, behavior, speech, walking, standing, physical dexterity, agility, coordination, actions, movements, demeanor, clothing, odor or irrational or unusual behavior that is inconsistent with the employee's usual conduct. Additional factors will be considered in making a determination, including observed lawfully recorded video surveillance; statements from the employee or other persons; printed materials that may accompany medical marijuana; information from a physician, medical review officer, or dispensary; records of government agencies, law enforcement; information from reputable reference sources in print or on the Internet; and any other information reasonably believed to be reliable or accurate, including information obtained as a result of a workers compensation injury or accident of any type.

Employees shall not possess, smoke, or otherwise use medical marijuana while on City premises or while on duty. The use may impair the employee's ability to safely perform any job-related function, resulting in a direct threat to the employee or others. For the purposes of this policy, a "direct threat" is a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. Any employee who exhibits behavior while taking a prescription medication temporarily that will affect the employee's ability to perform safety or security sensitive job functions, may be required to remain off work until they can safely perform such job functions. To properly evaluate the risk posed by an employee performing safety sensitive job functions, the employee may be asked to provide a statement from a health care provider with a recommendation as to the employee's ability to continue to work without posing a direct threat.

Any employee who is about to become or who is a current user of medical marijuana and whose job is classified as safety or security sensitive for purposes of this policy must disclose his or her upcoming or current use immediately to the Human Resources. The employee need not disclose the reason why he or she was issued a medical marijuana card or anything about his or her medical condition, unless required for other reasons. The employee must also provide his or her medical marijuana card to the Human Resources in order that a copy be made for the employee's file. If feasible, the City of Jonesboro will attempt to accommodate employees in safety or security sensitive roles who are about to become or who are current users of medical marijuana. If an accommodation is not feasible, employees may be terminated, although they will be considered eligible for rehire.

Applicants (internal or external) for safety or security sensitive jobs who are current users of medical marijuana must disclose their status only if they receive a conditional offer of employment. Current users of medical marijuana who are applicants will be disqualified from any safety or security sensitive jobs and/or duties but will be considered eligible to apply for available non-safety or non-security sensitive jobs or accommodated in some other reasonable fashion if possible. Further, these applicants will not be considered ineligible for safety or security sensitive jobs or duties in the future when they are no longer a current user of medical marijuana.

Any applicant for a non-safety or non-security sensitive job who tests positive for marijuana/THC must provide the Medical Review Officer with his or her medical marijuana card. City of Jonesboro will consider a positive drug test that is the result of medical marijuana use consistent with Arkansas law to be a "negative" test for applicants for non-safety or non-security sensitive jobs, unless there are one or more indications of being under the influence.

Section 4. Safety and Security-Sensitive Positions Defined

(A) A **safety-sensitive** position is one in which a momentary lapse of attention may result in grave and immediate danger to the public. The following positions are considered safety sensitive:

(1) Law enforcement officers who carry firearms.

(2) Motor vehicle operators who carry passengers including, but not limited to, ambulance drivers, bus or jitney drivers, and drivers who transport other city employees where the operation of a motor vehicle is not incidental to the employee's occupation. For the purposes of this section, a "motor vehicle" is defined as every vehicle which is self-propelled and every vehicle which is propelled by electric motor obtained from overhead trolley wires but not operated upon rails.

(3) Fire department employees and volunteer firefighters who directly participate in fire-fighting activities.

(4) Mechanics, welders and sheet metal workers who work on vehicles designed to carry passengers such as buses, ambulances, police cruisers, vans, aircraft, and the like.

(6) Lifeguards, emergency medical technicians, emergency services dispatchers, and rescue workers.

(7) Operators of heavy equipment, including front-end loaders, trucks, and riding lawn mowers, or other similar equipment, where the equipment is used around individuals, alongside the public right of way, or on public roads.

(8) Other employees whose duties meet the definition of safety or security sensitive after consultation with and approval by the Human Resources Director, and where the operation of a motor vehicle is not incidental to the employee's occupation.

(B) A **security sensitive** position includes:

(1) any police officer, police dispatcher and police department employee, including animal service employees, code enforcement officers, and clerical workers, employees of the I.T. Department, having access to information concerning ongoing criminal investigations and criminal cases, which information could, if revealed, compromise, hinder or prejudice the investigation or prosecution of the case.

(2) the City also considers law enforcement officers as holding security-sensitive positions by reason of their duty to enforce the laws pertaining to the use of illegal substances. Officers who themselves use such substances may be unsympathetic to the enforcement of the law and subject to blackmail and bribery.

Section 5. Drug-Free Awareness Program/Education and Training

The City will establish a Drug-Free Awareness Program to assist employees to understand and avoid the perils of drug and alcohol abuse. The City will use this program in an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace.

The City's Drug-Free Awareness Program will inform employees about: (1) the dangers of drug and alcohol abuse in the workplace; (2) the City's policy of maintaining a drug and alcohol-free workplace; (3) the availability of drug and alcohol treatment, counseling and rehabilitation programs; and (4) the penalties that may be imposed upon employees for drug and alcohol abuse violations.

As part of the Drug-Free Awareness Program, the City shall provide educational materials that explain the City's policies and procedures. Employees shall be provided with information concerning the effects of alcohol and drug use on an individual's health, work and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation and/or referral to management.

Supervisors who may be asked to determine whether reasonable suspicion exists to require an employee to undergo drug and/or alcohol testing shall receive at least 60 minutes of training on alcohol misuse and 60 minutes of training on drug use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.

Section 6. Prohibited Substances/Legal Drugs/Unauthorized Items

(a) Prohibited Substances. Alcoholic beverages and drugs are considered to be prohibited substances in the workplace. For purposes of this policy, the term "drugs" includes controlled substances (as identified in Schedules I through V of Section 202 of the Controlled Substances Act, 21 USC § 812, and the regulations promulgated thereunder, as defined in the Uniform Controlled Substances Act, Ark. Code Ann. § 5-64-201 et seq., or as defined by federal and state law), including synthetic narcotics, designer drugs, and prescription drugs, excepting: prescription drugs approved by and used in accordance with the directions of the employee's physician.

(b) The abuse, overmedication, inappropriate consumption, or mistreatment of prescription drugs approved by the employee's physician is considered to be the abuse of "drugs" as stated in § 5(a) of this Ordinance.

(c) Legal Drugs. The appropriate use of prescription drugs and over-the-counter medications is not prohibited. Any employee using a prescription drug should consult with his/her physician and pharmacist regarding the effects of the drug. Employees should read all labels carefully.

(d) Unauthorized Items. Employees may not have any unauthorized items in their possession or in any area used by them or under their control. Unauthorized items include, but are not limited to, alcoholic beverage containers and drug paraphernalia.

Section 7. Use of Alcohol and Drugs/Prohibited Conduct

All employees covered under this policy are subject to the following prohibitions regarding the use of alcohol and drugs (controlled substances):

(1) Employees shall not report for duty or remain on duty while impaired by the consumption of alcohol. An employee will be deemed to be impaired by alcohol if that employee has a blood alcohol concentration of 0.04% or greater.

(2) Employees shall not consume alcohol while on duty.

(3) Employees required to undergo post-accident testing shall not use alcohol for 8 hours following the accident, or until they undergo a post-accident alcohol test.

(4) Employees shall submit to all authorized drug or alcohol tests.

(5) Employees shall not report for duty or remain on duty while under the influence of any controlled substance, except when the use thereof is pursuant to the instructions of a licensed physician who has advised the employee that the effect of the substance on the employee does not pose a significant risk of substantial harm to the employee or others in light of his/her normal job duties.

(6) Employees shall not abuse, knowingly overmedicate, inappropriately consume, or otherwise mistreat any prescription drugs approved by the employee's physician.

(7) Employees shall not possess, smoke, or otherwise use medical marijuana while on city premises or while on duty.

In addition, subject to disciplinary rules set forth below, employees who are found to have an alcohol concentration of 0.02% or greater, but less than 0.04%, in any authorized alcohol test shall be removed from duty and may not return to duty until the start of the employee's next regularly scheduled shift, but not less than 24 hours following administration of the test.

The foregoing rules shall apply to all employees and shall apply while on duty, during periods when they are on breaks or at lunch, or not performing safety or security sensitive functions.

Section 8. When Drug and Alcohol Testing May Be Required of All Employees

Employees (and applicants) covered by this policy shall be required to submit to urine testing for use of prohibited drugs and/or Breathalyzer alcohol testing in the following circumstances:

(a) When the city has reasonable suspicion that an employee has violated any of the above prohibitions regarding use of alcohol or drugs. For purposes of this rule, reasonable suspicion shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The required observations must be made by two (2) of the following: a supervisor or city official or employee who is trained in detecting the signs and symptoms of misuse of alcohol and drug use.

(b) Return to duty testing is required after an employee has engaged in any of the above prohibitions concerning use of alcohol or drugs, unless the violation results in termination.

(c) As part of a pre-employment physical examination after a conditional job offer has been made, a fitness for duty physical examination, or any other lawful required periodic physical examination. Non-safety and non-security sensitive positions will not be required to undergo a pre-employment drug or alcohol test unless the applicant is otherwise required to undergo a pre-employment physical

examination after a conditional job offer has been extended to the employee.

(d) When the City management has a reasonable suspicion based on observations or credible information submitted to the City, that the employee is currently using, impaired by or under the influence of drugs or alcohol.

(e) When an employee suffers an on-the-job injury or following a serious or potentially serious accident or incident in which safety precautions were violated, equipment or property was damaged, an employee or other person was injured, or careless acts were performed by the employee. Such testing will be required of non-safety sensitive employees only when such factors, when taken alone or in combination with other factors, give rise to reasonable suspicion that the employee may be under the influence of drugs or alcohol.

(f) As part of a return to duty or follow-up drug and/or alcohol test required under an agreement allowing an employee to return to duty following disciplinary action for a positive drug and/or alcohol test, or as the result of a condition of continued employment or reinstatement in conjunction with or following completion of an approved drug and/or alcohol treatment, counseling or rehabilitation program. In order to return to duty, an employee who has a positive drug or alcohol test (i.e. a verified positive drug test or an alcohol test indicating an alcohol concentration of 0.04 or greater) must have a verified negative drug test and/or an alcohol test indicating an alcohol concentration of less than 0.02 and be evaluated and released by a substance abuse professional (SAP). In addition, the employee shall be subject to follow-up testing for a period not to exceed 24 months from the date of the employee's return to duty, in accordance with an SAP's recommendations. (The City also reserves the right to require return to duty and follow-up testing of an employee who has an alcohol test indicating an alcohol concentration of 0.02 or greater, but less than 0.04, based on an SAP's recommendations.)

(g) When any prohibited drug or alcoholic beverage, is found in an employee's possession.

(h) When the laboratory values in any authorized drug test indicated the need for additional testing, as determined by the Medical Review Officer (MRO), or where any authorized drug test must be canceled due to a collection, chain of custody or other procedural problem.

Section 9. When Drug and Alcohol Testing May Be Required of Employees Holding Safety and Security-Sensitive Positions

Employees in (and applicants for) safety and security-sensitive positions shall be required to submit to urine testing for use of prohibited drugs and/or Breathalyzer alcohol testing in the foregoing and in the following circumstances:

(a) When a safety-sensitive employee is involved in an accident involving a motor vehicle on a public road, and the employee's position is safety-sensitive because it involves driving a motor vehicle.

(b) Pre-employment testing for drugs (but not alcohol) when applicants position is safety sensitive.

(c) Random testing for drugs (but not alcohol) will be conducted. In order to treat all employees as equally as possible, and to maintain consistency in the administration of its efforts to maintain a drug-free workplace, random testing under this policy will be governed by 49 U.S.C. § 31306 and implementing regulations to the extent that it is lawful and feasible to do so. Further guidance

must be found in The Omnibus Transportation Employee Testing Act of 1991 - Steps to Compliance for Arkansas Municipalities, published by the Arkansas Municipal League.

Section 10. Disciplinary Action Under Drug-Free Workplace Policy

(a) Employees may be subject to disciplinary action, up to and including discharge, for any of the following infractions:

(1) Refusal to submit to an authorized drug or alcohol test. Refusal to submit to testing means that the employee fails to provide an adequate urine or breath sample for testing without a valid medical explanation after he/she has received notice of the requirement to be tested or engages in conduct that clearly obstructs the testing process. Refusal to submit to testing includes, but is not limited to, refusal to execute any required consent forms, refusal to cooperate regarding the collection of samples, and/or submission or attempted submission of an adulterated or substituted urine sample.

(2) Drinking alcoholic beverages or using drugs while on duty, on City property, in City vehicles, during breaks or at lunch.

(3) Unlawful manufacture, distribution, dispensation, possession, concealment or sale of any prohibited substance, including an alcoholic beverage, while on duty, on City property, in City vehicles, during breaks or at lunch.

(4) Any criminal drug statute conviction and/or failure to notify the City of such conviction within five [5] days.

(5) Refusal to cooperate in a search.

(6) Having an alcohol concentration of 0.04% or greater in any authorized alcohol test.

(7) Testing positive for drugs and/or their metabolites in any authorized drug test. Except, employees authorized to use medical marijuana under the Arkansas Medical Marijuana Amendment are not subject to discipline solely because of a positive test for marijuana.

Although the foregoing infractions will ordinarily result in discharge regardless of the employee's position, the City reserves the right to consider extenuating circumstances and impose lesser discipline when such action is deemed appropriate.

Section 11. Employment Status Pending Receipt of Test Results

In addition to appropriate disciplinary measures, including suspension, which may be taken in response to the incident or course of conduct which gave rise to the test, the City reserves the right to decide whether the incident or course of conduct prompting the test is of such a nature that the employee should not be put back to work until the test results are received. If such a decision is made, the employee will be suspended without pay. Where the test result is negative, the employee will be reinstated with back pay, provided the employee has not been given an appropriate disciplinary suspension for violation of another work rule which also covers the time missed waiting for the test results.

USE OF TOBACCO

The Arkansas Clean Indoor Act of 2006 (Act) prohibits smoking in all enclosed areas within places of employment and public places. Smoking is not allowed in any building or vehicle owned or leased by the City. Additionally, the use of e-cigarettes, vape pens or a similar device is also prohibited. Smokers should use the designated smoking areas. The City will not discriminate or retaliate against any individual for making a complaint regarding a violation of the Act or this Use of Tobacco Policy, or for cooperating with an investigation regarding a violation of the Act or this Policy. A violation of this policy may result in disciplinary action up to and including termination of employment.

REFUSAL TO WORK

We are committed to public service. If you take part in any work stoppage, slowdown, strike or other intentional work interruption you may be terminated. If you have a concern, you should discuss the matter with your supervisor or HR. (Refer to page 51: Open Door Policy).

FAMILY AND MEDICAL LEAVE POLICY (FMLA)

Employees who have worked for the City for at least one (1) year in the past seven (7) years; who have worked at least 1,250 hours during the previous twelve (12) months (unless the employee is classified as an "exempt" employee under the Fair Labor Standards Act; an employee should consult with Human Resources to determine whether the employee is classified as exempt or non-exempt); and work at location where at least 50 employees are employed by the City within 75 miles of that work site are eligible for leave under the Family and Medical Leave Act (FMLA). The FMLA provides eligible persons with up to twelve (12) weeks unpaid leave during a twelve (12) month period for certain qualified family and medical situations.

Reasons for Taking Leave

1. For the care of the employee's child (birth or placement for adoption or foster care);
2. For the care of the employee's spouse, dependent child, or parent who has a serious health condition; or
3. For the employee's own serious health condition.
4. For a "qualifying exigency" resulting from the active-duty military service of the employee's spouse, son, daughter or parent who is currently serving in a reserve branch of the armed forces. A qualifying exigency includes: (1) Short-notice deployment; (2) Military events and related activities; (3) Childcare and school activities; (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; and (8) any other leave for which the employer and employee have both agreed shall qualify as an exigency.
5. For the care of the employee's spouse, son, daughter, parent, or next of kin, who is a service member with a serious illness or injury incurred in the line of duty. Employees eligible for this type of leave may be eligible for up to twenty-six (26) workweeks of leave, rather than the usual twelve (12).

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regiment of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Eligibility for Military FMLA Leave

When electing to take FMLA leave for purposes of caring for an injured service member, the following definitions apply:

Covered service members are current members of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard, or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. This provision does not apply to former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

Serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

Next of kin means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

Duration of Military FMLA Leave

Leave to care for an injured or ill active-duty military member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. Military FMLA leave runs concurrently with other leave entitlements provided under federal, state, and local law.

Leave Year

Except for purposes of leave to care for an injured service member, the leave year (the 12-month period), under this policy shall be calculated on a "rolling 12 month period" measured backward from the date a service member uses any family leave.

Substitution of Paid Leave for Unpaid Leave

If the employee has available accrued paid leave, the employee must use the paid leave first and take the remainder of his or her FMLA leave as unpaid leave.

An employee who is taking leave because of the employee's own serious health condition or the serious condition of a family member must use all accrued paid sick, comp time, or vacation leave prior to being eligible for unpaid leave.

An employee taking leave for the birth of a child must use paid sick leave for the employee's medically necessary leave following childbirth. The employee shall then use all comp time and vacation leave, and then will be eligible for unpaid leave for the remainder of the 12 weeks.

An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

Employees who request FMLA leave should consult with the HR Director for details on the availability of sick, comp time, and vacation.

FMLA and Workers' Compensation

When an employee is on leave due to an on-the-job injury or illness which is a serious health condition under the FMLA, the workers' compensation absence and FMLA leave will run concurrently.

Advance Notice and Medical Certification

If the leave is to be covered completely through the use of sick or vacation leave, then the employee should provide notice as required under those policies where possible. However, where the need for the leave is foreseeable, and if some or all of the leave will not be covered through the use of vacation, **the City requires that written notice be provided to the HR Director thirty (30) days in advance of the leave.** If leave is not foreseeable, then the employee must provide notice to the City as soon as practicable.

Employees must provide the HR Director with sufficient information to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform their job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the HR Director if the requested leave is for a reason for which FMLA leave was previously taken or certified.

An employee requesting FMLA leave must furnish the City with a medical certificate to support the need for a leave due to the employee's serious health condition or that of the family member. The employee will also be required to provide periodic reports of the employee's status while on leave. Further, the employee will be required to furnish recertification from a health care provider if he or she requests an extension of FMLA leave, if circumstances described by the previous certification have changed significantly, or if the City has information that casts doubt on the need for continued leave. At the end of the leave, the employee will be asked to present a doctor's certificate of fitness to return to work. If an employee is unable to return from leave because of a serious health condition, medical certification may be required.

Intermittent or Reduced Leave

Employees do not need to use FMLA leave in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary or specifically approved by the City. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employment and Benefits Status

During FMLA Leave, the City will maintain employees' health coverage under any "group health plan" on the same terms as if the employee's had continued to work. In most circumstances, employees returning from FMLA leave will be restored to their original or equivalent pay, benefits, and other employment terms. The City may find it necessary to deny reinstatement to certain highly compensated employees, but only if it is found necessary to avoid substantial and grievous economic injury to the operation of the City.

Employees who take advantage of FMLA leave will be eligible for any employment benefit that accrued prior to the start of the leave.

Medical Insurance Coverage

During FMLA leave, employees may continue to participate in the City's group health plan under the same conditions as if they continued to work. The City will make arrangements with employees requesting leave for the continued payment of the employee's share of the medical premium. If an employee fails to make premium payments as arranged and becomes in arrears for more than thirty (30) days, coverage will terminate. The employee may resume coverage when he or she returns from leave without having to re-qualify for insurance coverage.

Other Rights and Obligations

The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the City will notify them of their rights and responsibilities. If they are not eligible for leave, the City will provide a reason for the ineligibility.

The City will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA-protected, then it will notify the employee.

The FMLA makes it unlawful, and the City will not:

- (i) Interfere with, restrain, or deny the exercise of any right provided under the Family and Medical Leave Act.
- (ii) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

We have posted and will continue to display the poster entitled:

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT
WH Publication 1420

For more information about our Family Medical Leave Policy, please contact the Human Resources Director or see the "Employee Rights and Responsibilities" form attached to this handbook.

USE OF CITY ASSETS AND RESOURCES

TELEPHONES

City telephones are to be used to conduct city business. Long distance, toll calls, or any calls that incurs a cost to the city that are of a personal nature are prohibited unless prior approval is received in writing from your supervisor. Although occasional, limited personal telephone calls are permitted, they should be kept to a minimum in time and frequency and should not interfere with work performance of the employee or the employee's colleagues. Discretion should be used in discussing confidential information using cellular communication. Employees are responsible for taking reasonable precautions to prevent theft and/or vandalism of cellular equipment.

City-issued cellular, mobile telephones or SMART phones should be used for city business-related purposes. Personal calls are to be minimized so the city doesn't incur any cost. The city reserves the right to monitor the billing and use of all city-issued cellular/mobile telephones and has the authority to withhold any unauthorized amounts from the employee's wages. By accepting the use of city-issued cellular telephones, employees agree to promptly reimburse the city for all personal calls made which are deemed by the city to be excessive in frequency or duration.

All employees must follow the City's policies regarding harassment prevention when using city phones. No smart phones may be used to display or distribute sexually offensive, racist, or derogatory materials. This includes, but is not limited to, derogatory pictures, videos, sounds, words, drawings, or cartoons. Any employee who violates the conditions of these policies relating to cellular/mobile or SMART phone usage is subject to having the use of the employee's city-issued cellular/mobile phone terminated.

COMPUTERS AND OTHER TECHNOLOGICAL RESOURCES

To help maximize its employees' efficiency in carrying out their respective job duties, the City of Jonesboro provides various information and technology resources such as email, computers, software/computer applications, networks, the Internet, the intranet, facsimile machines, cell phones, pagers, and other wireless communication devices and voicemail systems. Please remember that these tools are city property and must be used in a manner that reflects positively on the city and all who work here. Occasional, limited personal use of these resources is permitted, but should not interfere with your work performance, or the work performance of your colleagues. Employees, however, should have no expectation of privacy as to their use of city property. The city has the right to access and monitor any and all messages and files on electronic equipment owned by it and will do so as deemed necessary and appropriate. Employees will be held accountable for all usage of their systems and shall keep their keywords and passwords confidential to protect their assigned equipment and their files from misuse. Employees shall not access or copy software of data belonging to others or to the city. Reading another employee's files is prohibited unless authorized by the department head. Employees shall not transport software or data provided by the city to another computer site without prior authorization from the department responsible for the data.

The city will not tolerate inappropriate or illegal use of these assets and reserves the right to take appropriate disciplinary actions, as needed, up to and including termination of employment. Such inappropriate use of these resources can include, but is not limited to, the following:

- Hacking.
- Pirating software or audio/video files.
- Soliciting.
- Distributing literature for outside entities.
- Sending inappropriate emails.
- Accessing, viewing, or downloading inappropriate websites, i.e., sites advocating hate, violence, sexually explicit material, or promoting illegal activities.
- Distributing confidential information to persons/entities who are not entitled to such information.
- Storing or placing unlawful information on a computer or the network.
- Copying system files without proper authorization.
- Copying copyrighted materials without proper authorization.
- Use of abusive or otherwise objectionable language in either public or private messages.
- Sending messages that are likely to result in the loss of the recipient's work or systems use.
- Sending "chain-letters," jokes, lists, or any other types of use that would cause congestion or disrupt the operation of the networks or otherwise interfere with the work of others.
- Decryption of system or user passwords.

Only software which has been purchased or approved by the City of Jonesboro may be loaded or used on any of its computers. All software, programs, applications, templates, data, and data files stored in, residing on, or developed with city computers, networks, or storage media are property of the city and shall not be removed from the workplace without proper authorization. The city's software and software manuals should not be duplicated or reproduced in any manner which would violate the license agreements which pertain to usage of the software.

Computer equipment, including software, should not be removed from city premises without prior written approval from the Department's Director and the City's Director of Information Systems.

The city reserves the right to monitor and inspect, without notice, the use of its information and technology resources.

INTERNET ACCESS

Internet access is provided to employees to conduct city business. Employees accessing the Internet are to do so for business-related purposes only. The city reserves the right to monitor Internet use to assure that Internet use is for legitimate business purposes and that access to the Internet is not abused by any one employee.

Downloading files should be for business use only and should not be downloaded using any peer-to-peer network.

ELECTRONIC MAIL AND CONFIDENTIALITY

The City of Jonesboro provides electronic mail for business purposes. The city maintains the ability to access any messages left on or transmitted over the system. Employees should not assume that such messages are confidential or that access by the city or its designated representative will not occur. Therefore, any personal use of the city's electronic mail system shall be kept to a minimum.

The electronic mail system shall not be used to solicit or further commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations; to create any unwelcome, offensive, or otherwise disruptive messages including sexual innuendo, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability; or to send or receive copyrighted materials, trade secrets, proprietary or financial information, or similar materials without prior written authorization from the owner of the material.

REMOVAL OF CITY PROPERTY

No city owned, leased, or licensed computer equipment or documents may be removed from city premises without prior approval from the Director and the Department of Information Systems.

USE OF PRIVATELY OWNED ELECTRONIC COMMUNICATIONS EQUIPMENT FOR PUBLIC JOB RELATED PURPOSES

Employees with personal privacy concerns should be aware that there may be consequences to using privately owned electronic communications equipment (including privately owned cell phones) for work related purposes. If an employee uses privately owned equipment for work related purposes, such as

work-related text messages or emails, the records of the privately owned equipment might be subject to disclosure to the public by the Arkansas Freedom of Information Act. Employees are therefore encouraged to use city-owned communications equipment and city-owned software (such as city email) when communicating for job related purposes.

WAIVER OF PRIVACY

Employees waive their right to privacy in anything created, stored, sent, or received on the city's computer or telecommunications system. The city reserves the right to inspect any data, emails, social media content, files, settings, or any other aspect of access made by a city-owned computer or related system and will do so on an as-needed basis as determined by the Director of Information Systems. Employees understand that any information created, stored, sent, or received on the city's computer or telecommunications system may be subject to the provisions of the Freedom of Information Act, regardless of whether the information is business-related or personal to the employee. Therefore, any such information may be accessed and/or inspected at any time by any member of the public unless it is exempted by law from disclosure.

SOCIAL MEDIA POLICY

Purpose of Policy for City of Jonesboro Social Media Site(s)

This policy establishes guidelines for the establishment and use by the City of Jonesboro of social media sites (including but not limited to Facebook and Twitter) as a means of conveying City of Jonesboro ("City") information to its citizens.

The intended purpose behind establishing City of Jonesboro social media sites is to disseminate information from the City, about the City, to its citizens.

The City of Jonesboro has an overriding interest and expectation in deciding what is spoken on behalf of the City-on-City social media sites.

For purposes of this policy, social media is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media include, but are not limited to, Facebook, blogs, Myspace, RSS, YouTube, Second Life, Twitter, LinkedIn, Delicious, Snapchat, Instagram, Pinterest, and Flickr. **For purposes of this policy, "comments" include information, articles, pictures, videos, or any other form of communicative content posted on a City of Jonesboro social media site.**

General Policy

The establishment and use by any City department of City social media sites are subject to approval by the Mayor or his/her designees. All City of Jonesboro social media sites shall be administered by City of Jonesboro Information Technology ("IT") staff.

1. City social media sites should make clear that they are maintained by the City of Jonesboro and that they follow the City's Social Media Policy.
2. Wherever possible, City social media sites should link back to the official City of Jonesboro website for forms, documents, online services and other information necessary to conduct business with the City of Jonesboro.

3. The Communications department will monitor content on City social media sites to ensure adherence to both the City's Social Media Policy and the interest and goals of the City of Jonesboro.
4. 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. Any content removed based on these guidelines must be retained by the Communications department for a reasonable period of time, including the time, date and identity of the person posting, when available.
5. These guidelines must be displayed to users or made available by hyperlink.
6. The City will approach the use of social media tools as consistently as possible, enterprise wide.
7. The City of Jonesboro's website at <http://www.jonesboro.org/> will remain the City's primary and predominant internet presence.
8. All City social media sites shall adhere to applicable federal, state and local laws, regulations, and policies.
9. City social media sites are subject to the Arkansas Freedom of Information Act. Any content maintained in a social media format that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
10. Comments on topics or issues not within the jurisdictional purview of the City of Jonesboro may be removed.
11. Employees representing the City government via City social media sites must conduct themselves at all times as a representative of the City and in accordance with all City policies.
12. City employees who post information on social media sites are expected to conduct themselves in accordance with all City policies, specifically including, but not limited to, the Harassment Prevention Policy, the Conduct towards the Public Policy, the Workplace Violence Policy, and the Conduct Guidelines Policy.
13. City Employees are to refrain from posting on social personal networking sites or media, photographs of City personnel wearing City distinguishable uniforms, logos, shields, badges, weapons, or writings that readily identify one as an employee of the City. City personnel are permitted to "share" or link to postings by the City on their personal networking sites or media. Otherwise, when representing the City in an official capacity, City personnel may request that the Communications department post on the official City website and/or social media, photographs of the City personnel wearing City distinguished uniforms, logos, shields, badges, weapons, or writings that readily identify one as an employee of the City.
14. This Social Media Policy may be revised at any time.

Comment Policy

1. As a public entity, the City must abide by certain standards to serve all its constituents in a civil and unbiased manner.
2. The intended purpose behind establishing City of Jonesboro social media sites is to disseminate information from the City, about the City, to its citizens.

3. Comments containing any of the following inappropriate forms of content shall not be permitted on City of Jonesboro social media sites and are subject to removal and/or restriction by the Public Information Coordinator or his/her designees:
 - a. Comments not related to the original topic, including random or unintelligible comments.
 - b. Profane, obscene, violent, or pornographic content and/or language.
 - c. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin.
 - d. Defamatory or personal attacks.
 - e. Threats to any person or organization.
 - f. Comments in support of, or in opposition to, any political campaigns or ballot measures.
 - g. Solicitation of commerce, including but not limited to advertising of any business or product for sale.
 - h. Conduct in violation of any federal, state, or local law.
 - i. Encouragement of illegal activity.
 - j. Information that may tend to compromise the safety or security of the public or public systems; or
 - k. Content that violates a legal ownership interest, such as a copyright, of any party.
4. A comment posted by a member of the public on any City of Jonesboro social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Jonesboro, nor do such comments necessarily reflect the opinions or policies of the City of Jonesboro.
5. The City of Jonesboro reserves the right to deny access to City of Jonesboro social media sites for any individual, who violates the City of Jonesboro's Social Media Policy, at any time and without prior notice.
6. Departments shall monitor their social media sites for comments requesting responses from the City and for comments in violation of this policy.
7. When a City of Jonesboro employee responds to a comment, in his/her capacity as a City of Jonesboro employee, the employee's name and title should be made available, and the employee shall not share personal information about himself or herself, or other City employees.
8. All comments posted to any City of Jonesboro Facebook site are bound by Facebook's Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the City of Jonesboro reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.

Purpose of Policy for Employees Personal Social Media Site(s)

The City of Jonesboro recognizes that employees may use social media websites or similar media including, but not limited to, blogs, chat rooms, online journals, personal websites, Facebook, Instagram, Twitter, LinkedIn, etc. (hereinafter referred to as "personal websites").

Employees are reminded that information posted on personal websites can be viewed by members of the public and by other employees (including management). Employees should remember that almost all input online is archived, so even posts that have been deleted may be uncovered or recovered by someone. Social media content may also be reposted and shared and may reach individuals the user had not intended to reach.

Social media use on non-work time

Employees should also be aware that their actions outside of work, including those on social media sites could affect the workplace. The same principles and guidelines found in City of Jonesboro's policies apply to employees' activities online.

Employees that violate city policies while on social media may face discipline. Threats of violence, harassment, or discriminatory behavior will not be tolerated by the City of Jonesboro, no matter the medium, and no matter when such posts are made (whether during or outside of work hours).

Social media use on work time

Employees should refrain from using social media while on work time unless they are specifically authorized to do so by a supervisor or other authorized city official. Do not use your City of Jonesboro email address to register on personal websites.

Nothing in this section should be construed to limit an employee's right as a private citizen to discuss a matter of public concern during non-work time. Employees may always utilize the City's Open Door Policy to resolve work-related issues. (Refer to page 51).

TRAVEL POLICY

This policy establishes the rule governing the eligibility for payment of expenses incurred by City employees, elected and appointed officials during travel directly related to official business. These rules provide for the payment of travel funds and for the reimbursement of out-of-pocket expenses.

Responsibility

The authority for promulgation of rules defining the rates of allowable mileage, food and lodging and similar travel expenses rest with the City Council based on the recommendation of the Finance Committee.

The Finance Department ensures conformity to the procedures in this guideline. Normal audit rules will be applied to establish conformance among city departments.

Supervisors are responsible for the dissemination of these procedures to all employees, and for verification and submission of all Requisitions, Request for travel forms, travel expense forms, and receipts and/or requests for reimbursement to Finance.

The individual employee traveling on official business is responsible for making sure he/she understands this policy and complies with it. Any unusual circumstances or exceptions must be clarified in advance and any deviations must be approved in writing in advance by his or her supervisor.

NOTE* Reimburse or reimbursement as it appears anywhere in this procedure, references the fact that detailed documentation must be provided with the Final Travel Expense Report.

In order to afford employees, elected and appointed, maximum flexibility in the accomplishment of their assigned tasks, the City of Jonesboro will pay travel expenses directly related to official business in accordance with amounts authorized herein. Travel expenses for official business may include the cost of out-of-town conferences involving professional associations, intensive training of the short course nature and meetings with state and federal authorities on program-related topics. All travel expenses for employees shall be approved by their Director within their approved travel budget. Travel expenses for Department Heads shall be approved by the Mayor. Travel by elected or appointed officials shall not require approval subject to prior budget approval.

Travel Procedures

Transportation

An employee may choose to extend travel beyond the time required to conduct the business purpose of the travel. Time and expense incurred in excess of the business purpose are the responsibility of the traveler. These arrangements must be approved in advance, in writing, by the traveler's supervisor.

Airline ticket payment will be made for actual coach costs. The traveler has the option of using their own resources (cash, credit card, etc.) to purchase reimbursable tickets, or the following procedure may be utilized for the City to purchase tickets. A Purchase Requisition payable to the Credit Card Company, Airline Itinerary, and Confirmation Locator Number (supplied by the airline for tickets placed on 24-hour hold) must be submitted to Finance Department as soon as possible after reservations are made. Transferring tickets is not allowed. FAA regulations state that tickets must be issued in the traveling employee's name.

Mileage reimbursement for use of a private vehicle is allowable in the event a City-owned vehicle is not available. Mileage shall be based on the current IRS per mile rate. Trip distances shall be computed (and printed) using Map Quest or similar software. However, personal vehicle mileage reimbursement shall not exceed the lowest coach airfare available at the time of the travel request (documentation must be provided); nor shall food and lodging expense be for more than one additional day of travel time to and/or from the destination city. Any exceptions to this must have prior approval in writing from the Department Director. Reimbursement for use of personal vehicles to travel to and from the airport will be one round trip if utilizing airport parking, or two round trips if not utilizing airport parking. Mileage is paid from City Hall or the travelers normal work location to the airport and back. If travel is mandated by the manager's written directive on a non-regularly scheduled workday, round trip mileage from the traveler's home of record is authorized.

Taxi fare and similar public transportation is reimbursable for all necessary City business related trips.

Rental vehicles require prior written approval from the Department Director. Written justification for renting vehicles as well as cost estimates for the rental of the vehicle and collision insurance, if you plan to purchase insurance, must accompany all requests for travel. Actual costs of mid-sized or smaller vehicles rented from recognized car rental agencies (Avis, Hertz, National Budget, Dollar etc.) are

reimbursable. When more than four (4) employees are traveling to the same destination, reimbursement for actual costs of renting vans shall be allowed.

Fuel for City-owned vehicles is reimbursable. Use of City-owned vehicles outside City limits requires written justification from the traveler's manager.

PAY FOR TRAVEL FOR NON-EXEMPT EMPLOYEES

Travel time as working time

In most cases, travel time counts as working time. When travel is considered, hours worked, the time must also be counted to calculate overtime as follows:

During a normal workday

A normal commute to work and back is not typically considered work time. However, travel during the workday is work. For example, if an employee normally works 8:00 to 5:00, and must drive 15 miles for a meeting at 3:00, the travel time counts as work (it takes place within normal work hours). However, if the meeting ends at 5:00 and the employee goes straight home, this is probably a normal commute and does not count as hours worked, assuming the travel is not much farther than a normal commute (usually, within the same city or community).

To another city in the same day

Travel time to another city is working time. However, travel from home to an airport or other terminal can be considered a commute that is unpaid. For example, an employee might drive from home to the airport, take a flight to another city for a conference, and return to the airport before driving home (all in the same day). Time spent driving to and from the airport can be considered a normal commute (assuming it is within the same community) and would not have to be paid working time. However, all other travel time (on the plane and at the destination) counts as hours worked that must be paid, even if those hours are outside the normally scheduled hours (i.e., the train leaves at 7:00 a.m. and returns at 6:00 p.m.). Of course, normal meal breaks do not count as hours worked.

Overnight travel to another city

In most cases, all travel time to another city for an overnight trip count as paid working time. To use the above example, suppose the employee took a flight to another city and stayed overnight. If travel to another city occurs during normal work hours on a non-workday (i.e., the employee takes the 11:00 a.m. flight on a Sunday) it also counts as hours worked. **Note: If the travel time is required by the manager for work related purposes, then it counts as working time. If the employee chooses to travel outside of business hours, when they could have traveled during business hours, then it would not count as working time.**

Work time while staying overnight for travel purposes the employee will be paid for a normal workday or for any hours of actual time worked. For example, if employee's normal workday is from 8:00 a.m. – 5:00 p.m. with one hour for lunch, and the employee has a meeting or training in another town that is also the same as the employee's workday, the employee would be paid as normal. The employee would not be paid after 5:00 pm for time at the hotel or time spent at dinner. If the employee is required to meet for a dinner meeting, then it would be considered time worked.

Food

Full day travel shall be defined as an initial departure time prior to 7:00 A.M. and return of at least 7:00 P.M. Allowances for travel within Arkansas shall be up to **\$60.00** for all meals with tips included. Allowances for meals out of state shall be based on the General Services Administration (GSA) travel rates and shall not exceed the total daily amount. Receipts must be turned in with travel forms.

Meals for partial day travel shall be paid on a per diem rate depending on departure and arrival time. Partial day travel shall be defined as an initial departure time later than 8:00 A.M. and/or return time of earlier than 6:00 P.M. The maximum allowable reimbursement shall be for **the total of two meals**. The per meal allowance in Arkansas, including tip, shall be Breakfast-**\$12.00**; Lunch-**\$18.00**; Dinner-**\$30.00**. In cases where a meal is provided by the attended function, unless the employee's supervisor provides prior written approval, the allowance will not be paid for the meal. **Receipts must be turned in with travel forms.**

Reimbursement of meals for other purposes for official city business must state the name of the guest(s), nature of business, and be approved by the Director of the department based on prior budget approval. The City shall not reimburse the costs of alcoholic beverages.

Lodging

The City will reimburse charges for room rate, taxes, and work-related expenses where it is reasonably expected that a prudent traveler could not return to their residence.

Tips

Employees may include a tip up to **20%** of the cost of business related to meals and parking.

Parking

Expenses incurred for parking are reimbursable. Any airport parking shall be reimbursed at the long-term parking rate.

Submission of Actual Expenses shall be as Follows:

The traveler must submit a completed copy of the Travel Expense Report (with receipts and/or request for reimbursements) to the Accounts Payable section of the Finance Department **within 5 days** of return. After 5 days, all follow-ups will be addressed through the appropriate Department Head to the traveler.

NOTE* Reimbursement as it appears anywhere in this procedure, references the fact that detailed documentation must be the expenses and explain the business purposes (who, what, when, where, and why) for the expense. Lodging expenses must be itemized by day and show all miscellaneous expenses. Expenses will not be reimbursed without detailed, supporting receipts.

COMPENSATION POLICY

No form of compensation is allowed outside this Policy and the City's Salary Administration Plan unless prior approval by the HR Director and the Mayor or Mayor's Designee; and kept on file with Payroll and HR. Any non-authorized form of compensation will be subject to disciplinary action, up to and including termination.

TIME RECORDS - NON-EXEMPT EMPLOYEES

Accounting requirements necessitate the documentation of attendance as well as overtime hours. All non-exempt employees **are responsible to monitor and** record all hours worked, including arrival at the office, departure for lunch, return from lunch, and departure at the end of the workday. After your supervisor has approved your completed time **record**, the time **record** must be submitted to payroll at the appropriate designated time. Any falsification of your time record is subject to disciplinary action, up to and including termination.

OVERTIME PAY – NON-EXEMPT EMPLOYEES

You may be required to work overtime. Overtime must be approved by your supervisor prior to being worked. **The approving manager of your time record must approve the overtime hours on your time record in order for the time to be considered approved overtime.** Non-exempt employees who work non-authorized overtime hours will be paid, but will be subject to disciplinary action, up to and including termination.

Except for when compensatory time is provided to non-exempt employees in lieu of overtime pay, all non-exempt employees will be paid overtime a rate of 1.5 times the regular rate of pay when they exceed the number of hours allowed by FLSA in the approved work period, as approved by the Human Resources Director and the Mayor or Mayor's designee.

Note: **Paid leave does not count towards the calculation of overtime.**

ON-CALL PAY

You must refer to your departmental guidelines on how to handle pay for work after your regular scheduled hours. All departmental guidelines must be approved by the Director of Human Resources and the Mayor or Mayor's designee; and kept on file with Payroll and HR.

COMPENSATORY (Comp) TIME – NON-EXEMPT EMPLOYEES

The Mayor may direct that compensation for overtime be made in the form of compensatory time, rather than overtime pay. Use of compensatory leave is provided and taken pursuant to applicable federal and state law. Department records will determine the number of compensatory leave hours you have earned. Compensatory leave must be taken within one year after it is earned and is scheduled the same way as vacation.

Compensatory time (comp time) off in lieu of monetary overtime compensation is provided at a rate of not less than one and one-half hours of compensatory time for each hour of overtime worked. No employee shall be allowed to accumulate more than a total of 40 hours of compensatory time unless

you are a public safety officer or an employee of Animal Services and E911. After reaching a total of 40 hours compensatory time, all overtime shall be paid in monetary compensation until the total hours of compensatory time drops below a total of 40.

Public Safety Officers are considered the Uniformed Police Officers. Public safety officers and employees of Animal Services and E911 are allowed to accumulate no more than a *total* of 100 hours of compensatory time, and all overtime shall be paid in monetary compensation until the total hours of compensatory time drops below a *total* of 100 hours. The procedure for scheduling compensatory time off is the same as scheduling vacation. (see **Code of Federal Regulations: §553.211 Law enforcement activities**)

In addition, due to the specific nature of the requirements of public safety officers assigned to positions as School Resource Officers, they will be allowed to accumulate the maximum amount of compensatory time allowed by federal and state law, currently 480 hours. Officers removed from such assignments will be required to expend any time accumulated over 100 hours before utilizing any other type of leave.

Supervisors shall be responsible for approving compensatory time in their department and providing records of compensatory time as it is earned and taken to the Payroll division of the HR department. **Note: Accrued compensatory time should be taken before vacation, and Compensatory time is only in lieu of overtime. No other form of time shall be considered compensatory time.**

Upon termination of employment, an employee will be paid for unused compensatory time figured at:
1) the average regular rate received by such employee during the last three years of employment; or
2) the final regular rate received by such employee, whichever is higher.

In the event a non-exempt employee moves into an exempt position, any accumulated compensatory time owed to them shall be taken within 3 months of becoming exempt and if not taken during the 3-month time frame it shall be paid to them at the end of three months at their non-exempt rate of pay.

RESIGNATION, TERMINATION, and RETIREMENT

Employees who wish to **resign** their employment with the City of Jonesboro are requested to **give proper notice by** notifying the City at least 2 weeks in advance. Notice should be given in writing to your Supervisor and HR. Proper notice should allow the City time to calculate all money you are due in your final paycheck. Without proper notice, you may have to wait until the next pay period to receive those payments. **Employees are expected to work during these 2 weeks and should not take comp, vacation, or sick time. Any request for time-off will need to be approved by Human Resources. The last day worked will be considered the last day of employment.**

Employees who plan to retire, **with a city retirement benefit**, are requested to give the City a minimum of 2 months' notice (60 days). This should allow time for processing appropriate forms to help ensure that your retirement benefits start on time. Without proper notice benefits could be delayed **or denied**. **Employees are expected to work during this notice period and should not take comp, vacation, or sick time. Any request for time-off, during the resignation period, will need to be approved by the Human Resources Director. The last day worked will be considered the last day of employment.**

Retirement, **with the City**, is defined as an employee who retires with 20 years of service with the city.

Eligible employees with 20 years of service may elect to continue the cities health care plan until the age of 65, as long as he or she pays the cities full premium amount. **Once retired a Retiree may only reduce coverage in plans** and when the plan has been terminated it may not be re-added.

When an employee retires from the City and begins receiving benefits under a city related retirement plan, and later accepts a new position with the City, he or she will be considered a new hire for all purposes of employment, including eligibility for benefits and paid leave. Note – some retirement plans may recognize prior years of service for vesting purposes. Consult with HR about your particular plan.

Employees who are absent for three consecutive days without being excused or have given proper notice will be considered as having voluntarily quit.

Employees, who leave the City and later accept a new position with the City, will be considered a new hire for all purposes of employment, including eligibility for benefits and paid leave.

Any employee who is terminated for disciplinary reasons will not be eligible for rehire with the City unless an override is approved by the HR Director and the Mayor.

SECTION II

EMPLOYEE BENEFITS

DRAFT

VACATION

Police Department

Full-time sworn Officers of the Police Department accrue vacation time at the rate of **120 hours annually**. After you have continuously worked **10** years for the City as a full-time employee, you will accrue vacation at the rate of **160 hours annually**. You will not accrue vacation unless you are in a pay status. You may accumulate more than 240 hours of vacation in any given year, but you will forfeit any amounts greater than 240 hours on **your anniversary date**. You may be paid for up to 240 hours of accumulated vacation when your employment is terminated for any reason. You may not take vacation time before it has been accumulated.

Fire Department

Full-time Civil Service employees of the Fire Department who work 24-hour shifts accrue vacation time at the rate of **168 hours annually**. After you have continuously worked **10** years for the City as a full-time employee, you will accrue vacation at the rate of **224 hours annually**. This is based on an 11.2-hour workday as recommended by the Arkansas Attorney General's Office. You will not accrue vacation unless you are in a pay status. You may accumulate more than 336 hours of vacation in any given year, **but you will forfeit any amounts greater than 336 hours on your anniversary date**. You may be paid for up to 336 hours of accumulated vacation when your employment is terminated for any reason. You may not take vacation time before it has been accumulated.

Full-time Civil Service employees of the Fire Department who work a 40-hour week accrue vacation time at the rate of **120 hours annually**. After you have continuously worked **10** years for the City as a full-time employee, you will accrue vacation at the rate of **160 hours annually**. You will not accrue vacation unless you are in a pay status. You may accumulate more than 240 hours of vacation in any given year, **but you will forfeit any amounts greater than 240 hours on your anniversary date**. You may be paid for up to 240 hours of accumulated vacation when your employment is terminated for any reason. You may not take vacation time before it has accumulated.

If you change from a 24-hour shift position to a 40 hour per week position, your vacation time will be converted by multiplying the total accumulation by 0.714. If you change from a 40 hour per week position to a 24-hour shift position, your vacation time will be converted by multiplying the total accumulation by 1.4.

Non-Civil service or non-sworn Officers

Full-time employees will accrue 80 hours of vacation annually until you reach your fifth anniversary date as a full-time employee. After you have continuously worked 5 years for the City as a full-time employee, you will accrue vacation at the rate of **120 hours annually**. After you have continuously worked **10** years for the City as a full-time employee, you will accrue vacation at the rate of **160 hours annually**. You will not accrue vacation unless you are in a pay status.

You may accumulate more than 240 hours of vacation in any given year, **but you will forfeit any amounts greater than 240 hours on your anniversary date**. You may be paid for up to 240 hours of accumulated vacation when your employment is terminated for any reason. You may not take vacation time before it has been accumulated.

All Employees

The number of employees off at any time will be decided by the supervisor based on department workloads. **You should follow your departmental guidelines for requesting time off and the request should be approved by your supervisor in advance.** Conflicts will be resolved according to departmental guidelines as approved by HR. Vacation time will be charged by the hour. An hour of vacation time will be charged for each hour that you are away from work. You will not be charged vacation for time that you would not normally work. Any absences not covered by an approved form of paid leave or not approved by the manager and HR will be considered unexcused and subject to disciplinary action up to and including termination.

Exempt employees who work a partial day will be paid for the full day but may be required to use vacation or sick time for the time the employee is absent from work, whether the absence is a partial day or a full day. Note: Exempt employees cannot be docked if they work a partial day. Exempt employees should consult with their supervisor **and HR. HR will manage leave time while exempt employee is on FMLA.**

PERSONAL LEAVE - UNPAID

The City recognizes that there are circumstances when an employee may need time away from work but does not have any accrued time to take off. For such cases you may request time off without pay. Request must be submitted in writing and approved by the Director and the Human Resources Director. Any time off not approved will be considered unexcused and subject to disciplinary action up to and including termination.

HOLIDAYS AND HOLIDAY PAY

Civil Service (Fire) employees and sworn full-time officers (Police) of the City of Jonesboro are paid for the 11 Holidays listed below. **Total annual Holiday Pay is divided equally and included with the base pay for each pay period (See Arkansas Code 14-52-105)**

New Year's Day	January 1 st
Dr. Martin Luther King Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veterans Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24 th
Christmas Day	December 25 th

Non-Civil service and non-sworn full-time employees are eligible for 11 holidays per year. If work schedules permit, full time employees may take the following 7 days off with pay.

New Year's Day	January 1 st
Memorial Day	Last Monday in May

Independence Day	4 th of July
Labor Day	1 st Monday in September
Thanksgiving Day and day after	4 th Thursday & Friday in November
Christmas Day	December 25 th

If you have to work on any of the above days, **exempt employees** will get another day off, and **non-exempt** will be paid holiday pay in addition to your regular pay for that day. **Both need Director's approval.** When a holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will be observed on the following Monday.

The following 4 days will normally be workdays, but full-time employees who are not Civil Service will be paid holiday pay for each of them.

Dr. Martin Luther King Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Veterans Day	November 11 th
Christmas Eve	December 24 th

If you work in the 911-Emergency Dispatch Center, you do not normally get time off for holidays. You will be paid holiday pay for all holidays **by the end of December**. Your holiday pay will be calculated in the same manner as other non-sworn employees.

Before you can be paid Holiday Pay, you must be a full-time employee, and you must be in a pay status on your last scheduled workday before and your next scheduled workday after the Holiday. **Pay Status is defined as an active employee in good standing; not being absent as unexcused or without pay due to disciplinary reasons or unpaid leave.** Holiday pay for current employees will be calculated at your current hourly rate and paid **by the end of December**. Employees who terminate employment during the year will be paid the applicable holiday hours with their last paycheck. If **the employee terminates in November or December and is not in a pay status for Veterans Day, Thanksgiving or Christmas holidays, after receiving holiday pay, then holiday pay will be paid back to the city with their last paycheck.**

SICK LEAVE

Police Department

Full-time sworn Officers of the Police Department accrue sick leave at the rate of **160 hours annually**. If unused, sick leave may be accumulated to a maximum of 720 hours. Sick leave will be charged by the quarter hour. You will not be charged sick leave for the time that you would not normally work. You may not take sick leave before it has been accumulated.

Upon death or pension-receiving retirement status **as stated in Arkansas Code 24-10-701**, you or your estate will be paid for any unused sick leave, up to a maximum of 480 hours. You will be paid at your rate of pay in effect at the time of payment.

Fire Department

Full time Civil Service employees of the Fire Department who work 24-hour shifts accrue sick leave at the rate of **240 hours annually**. This is based on a 12-hour workday. If unused, sick leave may be accumulated to a maximum of 1440 hours as stated in Arkansas Code 14-53-108. Sick leave will be

charged by the quarter hour. You will not be charged sick leave for time that you would not normally work. You may not take sick leave before it has been accumulated.

Upon death or pension-receiving retirement status **as stated in Arkansas Code 24-10-701**, you or your estate will be paid for any unused sick leave accrued by the while employed, up to a maximum of 720 hours. You will be paid at your rate of pay in effect at the time of payment.

Full time Civil Service Employees of the Fire Department who work a 40-hour week accrue sick leave at the rate or **160 hours annually**. This is based on an 8-hour workday. If unused, sick leave may be accumulated to a maximum of 1440 hours. Sick leave will be charged by the quarter hour. You may not take sick leave before it has been accumulated.

Upon death or pension-receiving retirement status **as stated in Arkansas Code 24-10-701**, you or your estate will be paid for any unused sick leave, up to a maximum of 720 hours. You will be paid at your rate of pay in effect at the time of payment.

If you change from a 24-hour shift position to a 40 hour per week position, your sick leave will convert by multiplying the total accumulation by 0.714. If you change from a 40 hour per-week position to a 24-hour shift position, your sick leave will be converted by multiplying the total accumulation by 1.4.

Non-Civil Service and Non-Sworn Full Time Employees

Non-Civil Service and non-sworn full-time employees shall accrue sick leave at the rate of **96 hours annually**. If unused, sick leave may be accumulated to a maximum of 720 hours. Sick leave will be charged by the quarter hour. You will not be charged sick leave for time that you would not normally work. You may not take sick leave before it has been accumulated.

After you have reached your 10th anniversary as a full-time employee, you will be paid for up to 360 hours of unused sick leave when your employment is terminated for any reason, including death. After you have reached your 15th anniversary as a full-time employee, you will be paid for up to 480 hours of unused sick leave when your employment is terminated for any reason, including death.

All Employees

Sick leave may be used for the following reasons:

Personal illness or physical incapacity, medical, dental and optical visits, you are quarantined by a physician or health officer, illness in your immediate family which requires you to take care of your family member(s).

For sick leave purposes, immediate family includes your spouse, child, stepchild, foster child, parents, or any family member who lives in your household.

If you cannot come to work due to a reason listed in this section, you must notify your supervisor, or someone acting for your supervisor, within one (1) hour of your work time. If you do not, you may not be paid sick leave.

SICK LEAVE IS NOT ENTITLEMENT LEAVE. Sick leave is only to be used when an employee or a member or his/her family is sick enough to prevent the employee from reporting to his/her work assignment. Any abuse is subject to disciplinary action, up to and including termination.

Supervisors have the discretion to ask for a doctor's excuse before the employee returns to work. If you are absent three (3) or more days in a row, you will be required to obtain a doctor's excuse. If you run out of sick leave, you will be charged comp time and vacation time accrued for missing work due to sick leave reasons. After you have used all your sick leave, comp time and/or vacation time, you will not be paid for days that you miss unless approved for the catastrophic sick bank leave. **Abuse of Sick Leave** or any absences not covered by an approved form of paid leave or not approved by the employee's supervisor and HR will be considered unexcused and subject to disciplinary action up to and including termination.

You may not donate sick time to another employee. In case of extreme hardship when you have used all of your sick leave, vacation, and comp time and if are a member of the Catastrophic Sick Leave Bank, you may request leave as outlined by the Catastrophic Sick Leave Bank Policy (refer to page 39).

FUNERAL OR BEREAVEMENT LEAVE

You may miss up to 24 hours of work for paid funeral leave in cases of death in your immediate family. For funeral leave purposes, "immediate family" may include your spouse, children, parents, brother, sister, grandparents, grandchildren, spouse's parent or sibling, sibling's spouse, parent, or any relative who lives in your house, including "step" and "foster" relatives.

Funeral leave is separate and apart from sick leave or vacation leave. Funeral leave is not cumulative and may not be carried over from one year to another.

In cases where 24 hours of work time is not enough, you may be granted additional time by your supervisor. Additional time will be charged to vacation time or unpaid leave.

CATASTROPHIC SICK LEAVE BANK

The City of Jonesboro's Catastrophic Sick Leave Bank (SLB) allows participating employees who have exhausted all available accrual balances to receive additional sick leave benefits for extended leave of absences, in the rolling calendar year, upon submission of proper documentation to Human Resources. Catastrophic leave, for the purpose of this Bank, shall be defined as sick leave required (1) for treatment or recovery of a non-job- related catastrophic injury or illness to the participating employee or (2) for treatment of or recovery from a catastrophic injury or illness to a participating employee's parent, spouse, or dependent child as defined in IRS Publication 501.

Regular full-time employees of the City with a minimum of one (1) year of service are eligible to participate. Enrollment in the SLB program may begin during the first annual open enrollment period after the employee's one year anniversary date. Employees that are currently on disciplinary action for poor attendance or do not have the minimum hours for initial membership are not eligible to enroll in the SLB program. An approved absence for illness will not be considered poor attendance.

All Participating employees, except 24-hour shift employees, shall donate sixteen (16) hours for initial membership in the SLB program. Firefighters who work 24-hour shifts shall donate forty-eight (48) hours for initial membership. Such donations must be paid during the annual open enrollment period.

If an employee does not join within this period, they will not be eligible to join again until the next annual open enrollment period.

Following the initial donation, eight (8) hours per non-uniform and police employees and twenty-four (24) hours per firefighter who works a twenty-hour (24) shift, shall be required yearly to maintain membership. Hours must be paid to the SLB during the annual open enrollment period to maintain membership in the SLB. No employee shall be advanced hours from the bank until the appropriate initial donation has been met. An employee may not donate hours for another employee for their initial membership donation nor for the required yearly donation of hours.

Hours contributed to the SLB may not be restored to the contributing employee under any circumstances.

The annual benefits open enrollment period will be in November of each year. The effective date of those signing up during annual open enrollment shall be January 1st, of the following year. To be eligible for leave in the SLB program, the employee must have not received a written warning for verified misuse of sick leave during the past two years.

To request hours from the SLB, a member must make a written request using the SLB form and include supporting medical documentation to the Human Resources Director. No catastrophic leave shall be approved until all leave (inclusive of sick leave, comp, and vacation time) has been exhausted.

The Human Resources Department will be responsible for the administration and record keeping of the SLB.

A member may request to open a SLB case anytime within the calendar year. The Human Resources Director shall have the authority to grant leave from the SLB for an initial period of up to eight (8) weeks providing submission of proper FMLA documentation to Human Resources. Up to an additional eight (8) weeks of time may be granted by the decision of the Board with the submission of proper documentation from the treating physician. **The city reserves the right to request a second opinion of a doctor provided by the city.** An additional 8-week period (now totaling 24 weeks) may be granted by the Board in cases of extreme hardship to an employee with a minimum of fifteen (15) years of service with the City. Any appeal of a decision, denying sick leave from the SLB may be appealed to the Mayor within seven (7) calendar days of the leave being denied. The decision of the Mayor shall be final.

All leave from the SLB shall run concurrently with Family Medical Leave and shall be taken in 8, 10, or 24-hour increments depending on the shift of the employee unless approval for an intermittent leave under the FMLA has been granted. Intermittent leave may be granted in cases where a regimen of continuing treatment must be submitted with the request for intermittent catastrophic leave.

A reoccurrence of the medical problem for which a leave was granted, beyond thirty (30) calendar days of return to active status, will be treated as a new case and will require submission of a new request form with medical documentation.

Employees on a catastrophic leave will be considered to be in a pay status but **shall not** continue to accrue sick leave and vacation while receiving hours from the Bank. Any leave granted but not used shall be returned to the Bank.

Definition of Terms

Board - is comprised of the employee's **Director or Department Head, Human Resource Director, Chief Administrations Officer, and the Chief Operations Officer.**

Catastrophic Injury or Illness - A serious health condition (as defined by the FMLA) which requires an employee's absence from duty for a prolonged period of time due to hospitalization or confinement to the home for recovery, except for necessary doctor's appointments, and which results in a substantial loss of income because of the exhaustion of all earned sick, vacation, holiday, and compensatory leave time.

Catastrophic Sick Leave - paid leave in a rolling calendar year which is transferred to a leave recipient from the City of Jonesboro catastrophic leave bank. Catastrophic leave may be granted in 8, 10 or 24-hour increments. While a leave recipient is on catastrophic leave, he or she will receive normal benefits such as city contributions to insurance and retirement.

Catastrophic Sick Leave Bank - a pool of accrued sick leave donated by employees that has been approved for use by other employees.

Catastrophic Sick Leave Bank Donor - an employee whose voluntary written request to donate accrued sick leave to the city's catastrophic leave bank has been approved. No employee shall be allowed to be a leave donor if such donation will reduce that employee's accrued sick to less than zero hours.

Catastrophic Sick Leave Bank Program - a program approved by the City and operated by the Department of Human Resources in concert with the Board to provide for the orderly authorization and administration of catastrophic leave.

Catastrophic Sick Leave Bank Recipient - a current employee whose application to receive catastrophic sick leave has been approved.

Employee - a person who is a uniform or non-uniform employee who is compensated on a full-time basis and been employed at least one (1) year. Part-time, seasonal or temporary employees are excluded from this definition and are not eligible to participate as a donor or recipient in the Catastrophic Sick Leave Bank Program.

Serious Health Condition - Illness, injury, impairment, or physical or mental condition that involves; 1) Inpatient care in a hospital, hospice, or residential care facility or 2) Continuing treatment by a healthcare provider. Normal childbirth or disabilities resulting from elective surgery do not qualify.

Medical Documentation - documentation by a physician certifying that the employee is incapacitated and the period of incapacitation. The medical form for requesting Family Medical Leave may be used to request time from the Catastrophic Sick Leave Bank.

Prolonged Period of Time - a continuous period of time whereby a medical condition prevents the employee from performing the employee's duties. A prolonged period of time is interpreted to be a minimum of two (2) weeks.

Substantial Loss of Income - a continuous period of time when the employee will not have otherwise been compensated by the city due to a medical condition and the exhaustion of all earned sick, vacation, and compensatory leave, and such medical condition is not covered and compensated by Worker's Compensation.

MILITARY LEAVE

The City recognizes the commitment and responsibility of our employees to serve in the armed forces. Accordingly, The City complies with all applicable laws concerning military leave.

The City complies with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), which protects applicants and employees who serve in the military from discrimination in the areas of hiring, job retention, and advancement. USERRA provides job and benefit protection for employees who serve in the military, and it provides certain reemployment rights to any employee who has been absent from work due to service in the United States uniformed services.

The City will grant a military leave of absence to employees who are required to miss work because of service in the United States uniformed services in accordance with USERRA. You must notify the City if you receive notice that you will require a military leave of absence unless providing such notice is precluded by military necessity, impossible, or unreasonable, and you should provide the City with a copy of your official orders. When you receive notice that you will need a military leave of absence, please contact HR for further information regarding your rights and responsibilities under USERRA.

USERRA defines "uniformed services" to include the Army, Navy, Marine Corps, Air Force, and Coast Guard, as well as the Reserves for these branches of the military. Uniformed services also include the Army National Guard, Air National Guard, commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency. USERRA defines "service" to include active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty, and the time required for examination to determine a person's fitness for any of these types of services.

If you are a non-uniform employee and you are a member of the Armed Forces Reserve or the National Guard, you are eligible for annual paid military leave of **120 hours** for training each year with pay, plus necessary travel time. Military leave will be in addition to any **other leave time**. See Ark. Code Ann.24-1-212 (a)(3).

If you are called to duty in emergency situations by the Governor or by the President, you will be granted leave with pay not to exceed **240 hours**, after which leave without pay will be granted. This leave will be granted in addition to all other leave that you are entitled too.

Police officers: A paid, full-time municipal police officer who is a member of the armed forces of this state or any other state, including without limitation the National Guard or a reserve component or auxiliary of the United States Armed Forces, shall be granted leave at the rate of one hundred sixty-eight (168) hours per calendar year plus necessary travel time for annual training requirements or other duties performed in an official duty status. Unused leave time may roll over to a maximum three hundred thirty-six (336) hours in a single year. Ark. Code Ann. § 14-52-114.

Fire Fighters: A paid, full-time firefighter who is a member of the armed forces of this state or any other state, including without limitation the National Guard or a reserve component or auxiliary of the

United States Armed Forces, shall be granted leave at the rate of one hundred sixty-eight (168) hours per calendar year plus necessary travel time for annual training requirements or other duties performed in an official duty status. Unused leave time may roll over to a maximum three hundred thirty-six (336) hours in a single year. Ark. Code Ann. § 14-53-114.

To receive military leave of either type, you must submit a copy of your orders. You may also be required to show proof of attendance after you return from military leave.

COURT DUTY LEAVE

You will be granted leave with pay for witness or jury duty. You may also keep your allowance from the court for that service. To qualify for court duty, leave, you must give your supervisor a copy of the summons or other court related paperwork as soon as possible after you get it. Also, proof of service must be given to your supervisor when your period of jury or witness duty is over.

EMPLOYEE HEALTH AND DENTAL BENEFITS

Medical and Dental Plans

The City of Jonesboro provides a group health plan and a group dental plan for employees in an established City full-time position. You were offered detailed information on the policies coverage when you were hired. You may get additional information from Human Resources.

Continuation of Group Health and Dental Coverage

Federal Law (Public Law 99-272, Title X) requires that most employers who sponsor group health and dental plans offer employees and their families the opportunity for a temporary extension of health or dental coverage (called "Continuation Coverage") at group rates in certain instances where coverage would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligation under the continuation coverage provisions of the law.

If you are an employee of the City of Jonesboro, covered by its Group Health Plan or Dental Plan, you have a right to choose this continuation coverage if you lose your coverage because of a reduction of your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part.)

Under the law, the employee or a family member is responsible for informing the City of Jonesboro of a divorce, legal separation, or a child losing dependent status under the plan. This notification must be made within 60 days of the date of the qualifying event, which would cause a loss of coverage.

WORKERS' COMPENSATION/OCCUPATIONAL INJURIES AND ILLNESSES

An employee who suffers an occupational injury in the performance of his or her duty may receive workers' compensation benefits. In order for an employee to qualify for workers' compensation, the employee, unless rendered physically or mentally unable by the injury, must:

1. Report the injury to his or her supervisor immediately after it occurs, if possible. Otherwise, no later than the end of the working day in which the injury occurred.

2. Report the injury to the Human Resource Department within 72 hours after the accident or injury.

Rules and regulations concerning Workers' Compensation have been posted on department bulletin boards.

You are **not** to use emergency treatment facilities for on-the-job injuries unless the injury is a **true emergency**, or unless you are injured outside of normal city office hours. For medical treatment of all non-emergency workplace injuries, you or your supervisor should contact the Human Resource Department for a doctor's appointment.

If you are injured on the job and are unable to work, you may be eligible to continue to draw regular salary using your accrued sick leave and/or vacation time. If you choose this option, you **must** report to Human Resources any temporary disability checks you get from our Workers' Compensation Insurer. Payroll will then reduce your next pay checks(s) by the amount of pay you received from the carrier and restore the equivalent amount of the sick and vacation time used.

If you do not want to use your sick leave or vacation time or if you do not have enough leave time to continue your salary, then you **will not** receive a paycheck from the city and you will keep any temporary disability checks you get from our Workers' Compensation Insurer.

EMPLOYEE RETIREMENT PLANS

All full-time non-uniform employees may choose to join the City's Employee Retirement Plan.

Sworn Police Officers and Firefighters are required to join the Arkansas Local Police and Fire Retirement System (LOPFI).

For information on these plans, you should contact the Human Resource Department.

SUPPLEMENTAL BENEFITS

The City strives to offer its employees a wide variety of benefits. Note that all insurance agents wanting to do business with the city or city employee, while on duty, must be directed to Human Resources. Agents are not allowed to solicit city employees during working time and on city property without the approval of the HR Director.

SECTION III

MATTERS AFFECTING EMPLOYEE STATUS

DRAFT

EMPLOYMENT CLASSIFICATIONS

All positions in the City of Jonesboro will fall into one of the following categories:

1. Full-Time – Those who work a minimum of 40 hours per week during the calendar year in an established City position. Full-time employees may take part in all benefits offered by the City of Jonesboro, subject to the rules and regulations of each benefit program.
2. Part-Time Regular – Those who work less than an average of 30 hours per week during the calendar year. Part-time employees are not eligible for City benefit programs, except workers compensation.
3. Temporary/Seasonal – Those who work in a position that is meant to be for a limited time (6 months or less). Temporary/Seasonal work may be for a specific project or for seasonal jobs. Temporary employees are not eligible for City benefit programs, except workers compensation.
4. Civil Service – Some positions in the Fire Department are also governed by Arkansas Civil Service Laws and the rules and regulations of the Jonesboro Civil Service Commission. Civil Service Policies will take precedence over this handbook.

Additionally, all employees are classified as exempt and non-exempt (hourly). Exempt employees are not required to be paid overtime or receive compensatory time, in accordance with applicable federal and state laws. Non-exempt employees are required to receive compensatory time or be paid overtime at the rate of time and one-half their regular rates of pay for all overtime hours, in accordance with applicable federal and state laws.

MANAGER or SUPERVISOR (exempt or non-exempt)—Employee who has been designated to oversee other employees in a department. This position will report to a manager or to a Director.

DIRECTOR and SUPERINTENDENT – Employee who has been designated to oversee the operations of the Department and have managers or supervisors reporting directly to them. This position reports to a Department Head.

DEPARTMENT HEAD – Employee who has been designated to oversee several Directors and their departments. This position is appointed by and reports directly to the Mayor, such as **Chief Administration Officer, Chief Operations Officer**, Police Chief and Fire Chief.

INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their abilities to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the City may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice. All newly hired or newly promoted employees work on an introductory basis for the first six (6) months after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the City determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period. Employees may accrue and use available leave during the introductory period. The introductory period within the Police Department is twelve (12) months and may be extended or re-instituted based on training needs or performance.

ATTENDANCE

Regular attendance is essential to the effective business operations, and the City of Jonesboro expects all of its employees to report to work on time and on a regular basis. Unnecessary absences and tardiness are expensive, disruptive, and place an unnecessary burden on fellow employees, supervisors, City government as a whole, and the taxpayers who receive City services. Should an employee be unable to report to work on time because of an illness or personal emergency, he/she should give proper notice to his or her supervisor.

“Proper notice” is defined by the City as notice in advance of the time an employee should report for work or no later than one (1) hour thereafter if advance notice is impossible.

Excessive absences or tardiness, unexcused absences or tardiness, falsification of reasons for any absences or tardiness, absences or tardiness which form unacceptable patterns, (i.e., regularly reporting late on Monday mornings or call in absent on Fridays) or failing to provide proper medical documentation to support absences/tardiness may result in disciplinary action, up to and including termination. The supervisor has the discretion to ask the employee for supporting documentation to approve the absence.

An absence of an employee from duty, including any absence of one (1) day or part thereof, (other than an absence authorized by this personnel handbook or law) that is not authorized in advance by the employee’s supervisor will be deemed absence without leave. Such absence shall be considered unexcused and without pay, where allowable by applicable federal and state law. An unexcused absence may result in disciplinary action, up to and including termination.

WORK HOURS

The established work-period for a non-uniform non-exempt employee and all uniform non-exempt police officers, other than the Patrol division, on a Seven (7) day period will begin each Saturday at 4:30 a.m. and the workweek will be 40 hours per week before over-time.

Non-exempt Firefighters are on a 27-day work period of 204 hours per period before over-time.

All non-exempt police officers working in the Patrol division work a 28-day work period of 160 hours per period before over-time.

The day and time for the beginning of your workweek will be decided by your supervisor. Supervisors have the right to change your hours of work, days of work, or your work schedule to carry out their duties to the public. Changes in work schedules will be announced as far in advance as possible. Refusal to work mandatory overtime may result in disciplinary action, up to and including termination.

Breaks and mealtimes are not guaranteed, but whenever possible, your work schedule will provide a 15-minute break in every 4 hours of work. Work schedules, breaks, and mealtimes will be set by your supervisor.

PERFORMANCE EVALUATIONS

The City of Jonesboro wants you to do your job to the best of your ability. It is important that you be recognized for good work and that you are given suggestions for improvement when necessary.

Your performance will be evaluated by your supervisor on an on-going basis.

All written performance evaluations will be based on your overall performance of your job duties and will take into account your conduct, behavior, and record of attendance. Any additional performance evaluations may be conducted by your supervisor at any time.

TRAINING

The City of Jonesboro is committed to on-going training for all employees. If you think you need additional training, you should notify your supervisor. Reasonable expenses of on-the-job training should be assumed by the City, if prior approval is obtained from the Director or Department Head.

JOB SAFETY

Safety is largely the use of good judgment and the practice of good work habits. You must use good judgment to know the safe way and good work habits to continue the safe way. If you are not sure which way to do a job is the safest, you should ask your supervisor.

Unsafe conduct is misconduct. You should always follow the following safety rules:

1. Follow all department safety rules
2. Use all safeguards for equipment, including seat belts in any City-owned vehicle or equipment
3. Immediately stop using faulty equipment and tell your Supervisor or Department Head
4. Immediately tell your Supervisor if you see any unsafe working condition or equipment
5. If corrections are not made, notify the Human Resource Department
6. Immediately report every accident to your Supervisor or Department Head

SECTION IV

Standards of Conduct

DRAFT

HARASSMENT PREVENTION POLICY

It is the policy of the City to treat all employees equally in the terms and conditions of their employment. The harassment of any employee is contrary to this policy and may be considered a violation of state and federal law and will be considered justification for disciplinary or other appropriate action. This policy applies to all employees, supervisors, agents, and non-employees who have contact with employees during working hours. This policy defines harassment and outlines the method by which it is reported.

Harassment is any annoying, persistent act or actions that single out an employee to that employee's objection or detriment, because of race, age, sex, disability, religion, national origin, genetic information, or any other legally protected characteristic (protected status). Harassment may include any of the following:

1. Verbal abuse or ridicule. This includes epithets, derogatory comments, slurs or unwanted advances, invitations, or comments based on protected status.
2. Interference with an employee's work. This includes physical contact such as assault, blocking normal movement or interference with work directed at an individual because of his or her sex or other protected status.
3. Displaying or distributing offensive materials based on protected status. This includes derogatory posters, cartoons, drawings, or gestures.
4. Discriminating against any employee in work assignment or job-related training.
5. Intimate, unwelcome physical contact.
6. Making offensive innuendoes based on protected status.
7. Demanding favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer, or any other term or condition of employment.
8. Retaliation for having reported harassment.

It is every employee's responsibility to ensure that his or her conduct does not include or imply harassment. If however, harassment or suspected harassment has or is taking place, the following will apply:

1. An employee should report the harassment or suspected harassment immediately to his or her supervisor. In the event of a conflict with the supervisor, the employee should report the harassment to their supervisor, Director, or Human Resources Director. If possible, this complaint should be in writing, setting forth all pertinent facts. However, the complaint does not have to be in writing.
2. Any employee who receives a report of or has knowledge of harassment shall promptly inform the supervisor, Director, or Human Resources Director in writing, if possible.
3. Each complaint will be investigated, and a determination of the facts will be made on a case-by-

case basis. Appropriate action up to and including termination will then be taken by the City.

4. The investigation files, including the complaint, will be maintained by the City. Any disciplinary action taken will also be documented in the offending employee's personnel file.

The City will not tolerate harassment or any form of retaliation against an employee who has either instigated or cooperated in an investigation of alleged harassment. Violation of this provision may result in discharge.

False accusations are considered serious and may result in disciplinary action up to and including termination of employment.

OPEN DOOR POLICY

The fair, prompt, and just treatment of all employee problems or complaints is of primary importance to the City. Open communication is a vital part of a successful organization. Providing an atmosphere conducive to open discussion among all staff, regardless of position, is stressed at all levels.

In view of this open-door policy, employees should be assured that they will not receive criticism or penalties or be subject to discrimination as a result of candid discussions with their supervisors, Directors, Department Heads, or the Human Resources Director.

CONDUCT TOWARDS THE PUBLIC

You should always be civil, orderly, and courteous in your conduct and behavior. You must be aware that every time you contact the public your appearance, actions, and status are taken for those of the City.

When dealing with the public, you should try to make your conduct create respect for both you and the City. This will help promote the cooperation and approval of the public.

Not everyone you meet in the course of your duties will be courteous. Even so, you should treat the public, as you would like to be treated: with courtesy, patience, respect, and understanding. This approach to public service is very important.

When you are not sure of the correct answer to a question from the public, refer the question to the person or the department that can give the best answer. It is better to admit not knowing than to give the wrong information.

TELEPHONE COURTESY

Your job is to give service to the citizens of Jonesboro. They expect you to perform efficiently and courteously. The way you answer the telephone can affect public relations. While you are on the telephone, you are an important source of good will for the city government. No matter where you work – at a desk, at a counter, or somewhere else – when you answer the telephone, your voice reflects your personality. You are expected to:

Answer the telephone promptly, on the first ring if possible; identify yourself and/or department; keep writing materials nearby to take notes; speak directly into the mouthpiece in a pleasant voice; have

the correct number when placing a call; be courteous at all times; and arrange to have someone answer calls when you are away from your phone.

Telephones provided by the City are for use in conducting City business. You should not use City telephones during business hours for personal calls, either outgoing or incoming, except in emergencies. You are not allowed to charge any long-distance or other toll calls of a personal nature to the City of Jonesboro.

UNIFORMS AND PERSONAL APPEARANCE

A reasonable dress code is necessary to ensure that all employees dress and groom themselves in a manner to promote a positive image of City Government. All employees are expected to report to work clean, neat, appropriately dressed and groomed.

If you are not required to wear uniforms, you should dress neatly, in clothing that is suited for your job. If you are not sure what appropriate dress is, you should ask your Supervisor or Department Head.

Examples of Unacceptable Attire:

- Any clothing that is worn, torn, frayed, has patches, or holes.
- Sweat clothing or work out attire such as sweatpants, leotards, and tights.
- Backless tops or dresses that expose any part of the midriff or back.
- Low cut blouses or dresses.
- Shorts above the knee.
- Tank tops, sleeveless or spaghetti straps with no cover-up or jacket.
- T-Shirts with inappropriate logos/offensive wording.
- Rubber thong shoes (flip-flops).
- Mini skirts/skirts split higher than three inches above the knee.
- Clothing that reveals undergarments.

Casual Fridays:

Standards shall be the same as other days of the week, but employees may wear jeans that are neat, not frayed and with no holes.

Management reserves the right to determine appropriate dress and grooming at all times. Employees reporting to work inappropriately dressed or groomed may be sent home. Any employee sent home for this purpose will be charged vacation leave. If no vacation leave is available to charge, employees will receive no pay for the time not worked.

Failure on the part of the employee to conform to this policy or departmental policies may result in disciplinary action up to and including termination.

WORKPLACE VIOLENCE

The City of Jonesboro observes a zero-tolerance policy regarding workplace violence. Fighting or other activities which may endanger the well-being of employees may result in immediate termination of

employment. Actions that create an environment that is threatening, violent, intimidating, hostile, abusive, or offensive will not be tolerated and must be immediately reported to a supervisor or Human Resources as soon as possible.

Conduct that interferes with operations, that discredits the City, or that is offensive to others will not be tolerated, whether such conduct be that of an employee, associate of an employee, or visitor. Any act of violence that impacts the workplace will be cause for investigation and subject to action by the City. Violence is any act of aggression or any statement, which could be perceived as intent to cause harm to the City or an individual, whether personal, such as physical, or emotional, or impersonal, such as property damage or theft.

General

Employees are expected at all times to conduct themselves in a positive manner to promote the best interests of the City. Such conduct includes:

1. Complying with all of the City's safety and security regulations and policies.
2. Complying with the City's harassment prevention policy.
3. Treating all visitors and co-workers in a courteous manner.
4. Refrain from behavior or conduct deemed offensive or undesirable, or which is contrary to the City's best interests.
5. Reporting to management any suspicious, unethical, or illegal conduct by co-workers, visitors, or suppliers without fear of retaliation.
6. Cooperating with City investigations.
7. Handling the property of the City and of individuals with care and respect to the owner.

The following conduct is prohibited and may subject the individual involved to disciplinary action, up to and including termination:

1. The use of profanity or abusive language.
2. The possession of firearms is prohibited in all municipal buildings, unless authorized to possess such items as a job requirement or approved by the Mayor. All other forms of weapons or explosives are prohibited.
3. Fighting or assault on another employee or visitor.
4. Threatening or intimidating co-workers or visitors.
5. Retaliation for having reported inappropriate conduct or for having cooperated in an investigation of inappropriate conduct.
6. Intentional interference with another employee's work.

7. Theft, destruction, defacement, or misuse of City property or of the property of an employee or visitor.

This listing is illustrative of the type of behavior that will not be permitted. It is not intended to be an all-inclusive list. Any violation of the City's policies or any conduct considered inappropriate or unsatisfactory may, at the City's discretion, subject the employee to disciplinary action, up to and including termination.

Procedures

It is every employee's responsibility to ensure that his or her conduct does not include or imply breach of this policy. Furthermore, it is every employee's responsibility to report suspicions of such behavior, whether by employee or non-employee, to an appropriate supervisor or Human Resources. If, however, violence, threats of violence or suspected violence to a person or property has taken place or is taking place, the following will apply:

1. Should an employee perceive a threat to be urgent, the employee may call 911 before reporting the threat to his or her Supervisor or Human Resources? An urgent threat is one where there is actual violent behavior, or where it appears that violent behavior is likely or imminent.
2. Should an employee receive a bomb threat, the employee should notify 911 of the Police Department immediately.
3. Any threats of violence or suspected violence to person or property should be reported to his or her Supervisor or Human Resources. An oral or written statement setting forth all pertinent facts may be required.
4. The City will investigate the report and will determine the appropriate action and/or discipline to be taken with the offender up to and including termination.
5. The City will work with employees who report that they have been subjected to violence to support efforts to reduce the harm, which has been or is being done.
6. Appropriate confidentiality and documentation of each report will be maintained.

CONDUCT POLICY

As a City employee you should accept certain responsibilities, follow acceptable standards of personal conduct, and display a high degree of personal integrity at all times. This requires a sincere respect for the rights and feelings of others. It also demands that while at work and in your personal life, you avoid behavior that might be harmful to yourself, your co-workers, the citizens, and/or the City. Whether you are on duty or off duty, your conduct reflects on the City. You should observe the highest standards of professionalism at all times.

Proper conduct and performance are requirements in any work environment. There are times when those standards are not being met, and the City's management may need to point out performance or behavioral problems, which require the employee's attention and improvement. In those instances, the City may rely upon various disciplinary measures ranging from verbal warnings up to and including

termination. Further, any violations of policies contained in this section and handbook may result in an unpaid suspension for City exempt and non-exempt employees. The specific disciplinary action utilized will depend upon various factors, including the nature of the violation. Employment with the City is voluntarily entered into, and both the employee and the employer are free to terminate the employment relationship at any time, with or without notice or cause, and for any reason or no reason at all. The following are examples of actions that may result in disciplinary action:

1. Falsification or misstatement of employment applications, time records, or other reports, records, or documents.
2. Performing transactions on city accounts or records to gain a personal interest, financial interest or potential gain in any City of Jonesboro transaction.
3. Violation of the City's equal employment opportunity, nondiscrimination, and harassment prevention policies.
4. Soliciting or accepting gratuities from citizens, entities, or vendors.
5. Excessive absenteeism or tardiness.
6. Unnecessary or unauthorized use of City property.
7. Violation of the City's Substance Abuse Policy.
8. Violation of the Workplace Violence Policy.
9. Theft and/or dishonesty, or any attempt thereof. This includes, but is not limited to, misappropriation of City property or merchandise, including unauthorized use of City telephones, facilities, equipment, materials, or property of a City employee or citizen.
10. Failure to follow or disregard of safety or security policies, requirements, or regulations.
11. Insubordination or deliberate disobedience of instructions from the City's management, including disrespectful conduct. This includes, but is not limited to, a refusal to obey the legitimate request of any member of management, the failure to follow instructions, or the failure to otherwise perform assigned work.
12. Intentional or negligent damage to or pilferage of materials, merchandise, property, or equipment belonging to the City or another person.
13. Intentional abuse of an employee's position of authority over the citizenry.
14. Knowingly or intentionally selectively enforcing the city codes or state law.
15. Misconduct of any nature adversely affecting the City's best interests and reputation. This may include, but is not limited to, rudeness, insolence, or other improper conduct, including vulgarity and excessive use of profane language, toward another employee, citizen, visitor, or vendor whether in person or on social media.
16. Willful or deliberate neglect of duties.
17. Divulging confidential information to any unauthorized person.
18. Violation of the smoking policy.

19. Violation of the City's Internet/Email Policy, including inappropriate internet use or the use of the City's computer systems to create or disseminate any discriminatory, defamatory, offensive, disruptive, or otherwise inappropriate or unprofessional communications.
20. Poor performance or nonperformance of duties.
21. Violation of any other rule, directive, policy or procedure, including, but not limited to, those set forth in these policies.
22. Violation of any and all state or federal regulations or laws.
23. The above list is not all-inclusive. The list provides only a partial explanation of some of the reasons disciplinary action may be taken.

If your performance, work habits, or actions become unsatisfactory or violate any of the above items or any other City policies, rules or regulations, you may be subject to disciplinary action, up to and including termination.

Code of Ethics and Business Conduct

The success of the City of Jonesboro is dependent on the trust and confidence we earn from the citizens that we serve. We gain credibility by adhering to our commitments, displaying honesty and integrity, and reaching goals solely through honorable conduct.

As an employee of the City of Jonesboro, you must avoid any relationship or activity that might impair, or even appear to impair, our ability to make objective and fair decisions when performing our jobs. At times, we may be faced with situations where the business actions we take on behalf of the City of Jonesboro may conflict with our own personal or family interests. We owe a duty to the City of Jonesboro to advance its legitimate interests when the opportunity to do so arises. We must never use the City of Jonesboro's property or information for personal gain or personally take for ourselves any opportunity that is discovered throughout position with the City of Jonesboro.

Following are some ways in which conflicts of interest could arise include but are not limited to:

1. Being employed (you or a close family member) by, or acting as a consultant to, a competitor, potential competitor, supplier or contractor, regardless of the nature of the employment, while you are employed with the City of Jonesboro.
2. Hiring or supervising family members or closely related persons.
3. Having a personal interest, financial interest or potential gain in any City of Jonesboro transaction.
4. Placing City business with a firm owned or controlled by a City of Jonesboro employee or his or her family.
5. Accepting gifts, discounts, favors or services from someone who does business with the City, such as a contractor, competitor or supplier.

Employees with a potential conflict of interest question should seek advice from their Department Head and the Director of Human Resources if there is any question. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from the HR Director and final approval by the Mayor or Mayor's designee.

CARE OF CITY PROPERTY

As a City employee, your job requires you to use supplies and usually some type of equipment, all of which are public property. You must be careful about using materials wisely and keeping the equipment in good condition. Carelessness can result in disciplinary action. Discipline records will become a part of your personnel file. You can help keep costs down by treating City property as you would your own. Using city property for personal use in most cases is prohibited. Prior approval by the employee's Director and HR Director is required.

USE OF CITY VEHICLES

If you are assigned the use of a City automobile or equipment, you should operate them with due care and follow all laws and rules of the road.

You should keep vehicles and equipment in a clean and sanitary condition at all times. If you are driving outside the Jonesboro area, you must get permission from your Supervisor before starting the trip. Any problems with your vehicle must be reported to your Supervisor or Department Head for immediate corrective action. The City stresses preventive maintenance, and every operator of City vehicles or equipment is expected to report problems at once.

If you are assigned or use a City vehicle the following rules will apply unless specifically altered or exempted by your Department Head and the Mayor or Mayor's designee.

1. No City vehicle will be allowed to travel outside the city limits of Jonesboro on other than official City business.
2. No City vehicle will be allowed to be used on weekends or any other time, either during or after work, for the purpose of traveling to and from church services or any other personal errands.
3. No employee who lives outside the city limits of Jonesboro will be allowed to take a City vehicle home without permission from the mayor.
4. No City vehicle will be used to transport anyone to or from a secondary job, nor will any City vehicle be used in the performance of a secondary job by any employee without advance written notice from the Department Head.
5. The Jonesboro Police Department (JPD) implemented a vehicle take home policy effective June 1, 2006. The JPD will operate its vehicle fleet in accordance with policy 322 in the JPD Directive Manual.
6. The Jonesboro Fire Department (JFD) implemented a vehicle take home policy effective October 1, 2010. The JFD will operate its vehicle fleet in accordance with Standard Operating Guidelines 112.03 "Take-home vehicles."
7. Certain administrative positions in the city, as determined by the Mayor, may have a take-home vehicle assigned as a fringe benefit of employment the value of such vehicle shall be added to the employee's annual compensation in accordance with current IRS regulations; withholdings and benefit amounts will be calculated on an annual basis and reflected on the employees W-2.

If you are authorized to operate a City vehicle and you are away from work due to any leave of absence or illness, you should park the vehicle at the appropriate City facility so it may be used for city business. If your position with the city requires you to operate a city vehicle, you must have a valid driver's license. If your driver's license is suspended, then you must notify your supervisor and HR immediately. The City reserves the right to take the appropriate action it deems necessary. Violations of any of the above rules may lead to disciplinary action, up to and including termination.

The City of Jonesboro provides Automatic Vehicle Location (AVL) as an option for all city-owned vehicles, assets, and heavy equipment to better manage these assets and enhance COJ ability to proactively manage vehicles and equipment. AVL utilizes GPS to provide real time and historical location information while telematics provides real time and historical vehicle diagnostic information and data. These devices connect to a vehicle computer that transmits telematics information such as mileage, fuel consumption, and vehicle diagnostics to assist staff with managing vehicles. These AVL devices are utilized to manage and optimize our City's Fleet by providing real-time information to the appropriate staff regarding vehicle maintenance.

AVL devices may be used during your employment to investigative complaints and to ensure compliance and safety. It will only be used for business purposes.

The AVL system will be managed and maintained by the COJ. Department Heads can request access to AVL for managers and supervisors to enable visibility into their individual Departments fleet operations. Employees shall not tamper with, override, or attempt to turn off or disable the telematics devices. Access to view vehicles, assets, or equipment within AVL must be approved by the appropriate Department Head as defined in the department's standard operating procedure. AVL data will be retained for 30 days. Data related to AVL/Telematics monitoring of City vehicles is confidential information and shall not be disclosed or otherwise disseminated to any person or entity outside of the City as required by law or requested by human resources.

TIME OFF TO VOTE

The City of Jonesboro encourages its employees to fulfil their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule or voting by mail. If employees are unable to vote in an election during non-working hours, the City will grant up to one hour paid time off so that employees may vote.

Employees should request time off to vote from their advisor at least [two to five] working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

POLITICAL ACTIVITY

You may not circulate or solicit signatures for any initiative or referendum petition in any City office, during usual City office hours, or while on duty for the City, or while in a City uniform.

You may not use any office or other room furnished at public expense for any political headquarters, or to send out or distribute any letters, pamphlets, or other campaign literature for the election of any public office.

You may not place any campaign banners, cards, or campaign literature on any car, truck, or tractor belonging to the City.

You may not devote any time or labor during the time you are on duty, or while you are in a City uniform, to the campaign of any person for any public office.

INCLEMENT WEATHER

When conditions are hazardous, you should contact your supervisor for instructions. If your department is open for business, you are expected to come to work. If you are unable to get to work due to weather, you must give your Supervisor proper notice. Proper notice means calling either before or no later than 1 hour after the time you are due at work. If you give proper notice, time off will be charged to available vacation time.

The mayor will determine when city offices are open or closed, or open late for inclement weather. If the mayor closes city offices or declares inclement weather, some non-uniform, non-exempt employees will be placed on administrative leave with pay and shall suffer no loss of wages or leave time for that time period. If non-uniform, non-exempt employees are required to work on an inclement weather day, they will **receive pay for an equivalent number of hours. Employees already on an extended leave of absence, such as FMLA, sick bank, and unpaid leave, are not eligible for inclement weather pay.**

OUTSIDE EMPLOYMENT

You are not encouraged to hold a second job while you are working full-time for the City. Emergencies can happen at any time, and every employee is subject to call. You should get written permission from your Director and Human Resources before taking a second job. Remember, your first obligation is to the City, and any other employment should not interfere.

If you have a second job, it must not interfere with the proper and effective performance of your job with the City. Your outside employment must not adversely affect the image of the City. It must not cause embarrassment or legitimate and reasonable criticism. If you have a second job, it must not be one that may be seen by the public as an official act of the City. Excluding the Fire and Police departments, you may not wear City uniforms or use City equipment on a second job unless approved in writing, in advance, by your Director.

OUTSIDE COMPENSATION

You may not accept any reward, gift, or other form of payment in addition to regular compensation, from any source, for the performance of your duties as a City employee.

DISCIPLINARY ACTION

If your performance, work habits, or actions become unsatisfactory, you may be subject to disciplinary action up to and including termination.

Disciplinary action may be any of the several forms listed below:

1. **Warning:** A warning is an action used to alert you that your performance is not satisfactory or to call attention to your violation of employment rules or regulations. A warning can be verbal or

written. Verbal warnings are informal and are usually not documented for the employee's personnel file. A written warning is a more formal notice and placed in your personnel file.

2. **Final Written Warning:** This written notice is the last chance before termination. A final written warning may include demotion or suspension and is placed in your personnel file.
 - a. **Suspension:** Suspension is usually for an employee's seriously unacceptable behavior or performance. You may be suspended with or without pay. A suspension must be in writing, must state the reason for such action, must state the period of time for the suspension, and the date the suspension is to begin, and end must be noted. Suspension with pay is normally used only while your involvement in a serious incident is under investigation.
 - b. **Demotion:** If you have committed an appropriate offense, or if your work record justifies it, you may be demoted. You will be given written notice of such action. A demotion is an action that places you in a position of less responsibility and less pay.
3. **Termination:** This type of disciplinary action is your removal from City employment.

While most situations involving disciplinary action will be dealt with in a progressive fashion, which should allow you to correct your performance; there are some offenses that may result in skipping some or all steps.

For disciplinary action all employees will be notified of the offense and be given an opportunity to respond prior to a final decision. Once the Director or Department Head and Human Resources have reviewed and considered all the facts, then the Director or Department Head will reach a decision. Their decision will be final.