

CITY OF GREENSBURG HANDBOOK

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PURPOSE OF THE HANDBOOK

The policies contained in this City of Greensburg Handbook (“Handbook”) apply to all City of Greensburg (the “City”) employees, except when in direct conflict with special employment conditions set forth by various statutes governing employment relationships or unless otherwise specified in your Department’s addendum or specified in Lexipol which is incorporated by reference.

This Handbook is designed to provide you with information about working conditions, employee benefits, policies, practices, rules, and other information about the City and your privileges and responsibilities as a City of Greensburg employee. 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 of Greensburg to benefit our employees.

WHILE THIS HANDBOOK IS INTENDED TO BE A HELPFUL GUIDE, IT IS NOT, AND SHOULD NOT BE CONSTRUED TO BE, AN EXPRESS OR IMPLIED CONTRACT OF CONTINUED EMPLOYMENT BETWEEN THE CITY AND ANY EMPLOYEE. Nothing in this Handbook is intended to, in any sense, constitute a contract of employment. The City of Greensburg is an "At-Will" employer which refers to the nature of the employment relationship which means that the employee may resign at any time and the employer may discharge an employee at any time with or without cause. No officer, agent, representative, or employee of the City, except the Mayor, has the authority to enter into any agreement regarding the term of your employment or that modifies the “at will” relationship. Nothing in this Handbook or any City of Greensburg policy, procedure, practice, benefit or rule shall create an express or implied contract with you or modify your “at-will” employment agreement.

This Handbook cannot anticipate every circumstance that may arise in the workplace or to provide information that answers every possible question. As the City continues to grow, the need may arise to change policies described in this Handbook. The City therefore reserves the right to revise, supplement, or rescind any policies or portion of the Handbook from time to time as it deems appropriate, in its sole and absolute discretion. These policies and procedures apply to all City employees, except when in conflict with special employment conditions imposed by appropriate authorities.

While the City believes these policies are accurate, they are only summaries, and any discrepancies between these summaries (such as insurance policies) shall be governed by the actual terms of the underlying, more detailed plan documents. While we believe this Handbook complies with all federal, state, and local laws, to the extent there is a conflict between the terms of this Handbook and requirements imposed by any applicable law or ordinance, the City will fully comply with the law or ordinance. Should any provision in this Handbook be found to be invalid, such finding does not invalidate the entire Handbook, but only the subject provision.

Please read the Handbook carefully and keep it available for future use. Should you have any

questions about this Handbook, or regarding any other employment matters, please ask your supervisor or any member of management. It is very important that you have a full and complete understanding of the City’s policies, practices, benefits, and rules.

DEFINITIONS

The following definitions apply throughout the text of the Handbook. Any questions about the interpretation of these definitions should be directed to the Human Resources Department.

“**City of Greensburg**” (hereinafter the “City”) refers to all departments and/or divisions of the City of Greensburg, including the Greensburg City Mayor, City Council, the elected officials of Greensburg, and Department Heads acting individually or in conjunction with each other within the areas of responsibility assigned to said individuals or as defined by applicable statute, constitutional provision, ordinance, case law, or resolution.

“**Employee**” refers to a person employed by the City, including an appointed Department Head and elected official, who is actively carried on City payroll records and who receives wages and/or employee benefits from the City. *See also* the Employee Classification section.

“**Department Head**” means an employee who is appointed by the Mayor to the position of Fire Chief, Police Chief, Street Commissioner, Building Commissioner, Utility Manager, Water Superintendent, and Wastewater Superintendent.

“**Elected Official**” means the City’s elected Mayor, City Clerk Treasurer and Common Council members.

BOARD OF PUBLIC WORKS AND SAFETY

The City of Greensburg Board of Public Works and Safety facilitates the implementation of the policies and procedures herein established. They shall meet as deemed necessary to review the application of City personnel policies, such as monitoring personnel policies and procedures and making revisions, additions and deletions as deemed necessary.

Department heads have responsibility for the day-to-day supervision and operation of their respective departments as prescribed by statute.

EQUAL EMPLOYMENT OPPORTUNITY

The City of Greensburg prohibits, forbids, and does not tolerate discrimination on the basis of race, color, gender, national origin, religion, age, veteran status, sex, sexual orientation or gender identity, disability, pregnancy, or any other protected classification as established by federal, state, or local law.

This policy applies to all terms, conditions, and privileges of employment, including hiring, job assignment, training, promotion, transfer, compensation, benefits, assistance, layoff, recall,

employee facilities, discipline, discharge, and retirement. All employment and personnel-related decisions are based solely upon legitimate, job-related factors, such as skill, ability, past performance, and length of service with the City.

The City's strong commitment to equal employment opportunity requires a commitment by each individual employee. Compliance with the letter and spirit of this policy is required of all employees. Violations of this policy should be immediately reported to your Department Head or to the Human Resource Department under the Complaint Procedure provided below. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

ANTI-HARASSMENT POLICY

The City is committed to providing a work environment that is free from all forms of discrimination and harassment. Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon or derisive of a person's race, color, religion, sex, sexual orientation, gender identity, pregnancy, national origin, ancestry, age, genetic information, disability, citizen status, veteran status, military service, marital status or any other legally protected category as established by federal, state, or local law, where the unwelcome conduct affects tangible job benefits, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive working environment. All employees have a personal responsibility to keep the workplace free of any such harassment. This policy applies to any relationship or dealings that a City employee has in the workplace or in connection with the performance of job duties. Therefore, the prohibition against harassment applies to employees, customers, vendors, and others with whom the City does business with or services.

Sexual Harassment. While all forms of harassment are strictly prohibited, the City emphasizes its prohibition of sexual harassment. Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations.

- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Other Unlawful Harassment. Harassment on the basis of any other protected characteristic is also prohibited. More specifically, this policy prohibits verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity, pregnancy, national origin, ancestry, age, genetic information, disability, citizen status, veteran status, military service, marital status or any other legally protected category as established by federal, state, or local law. Harassing conduct includes, but is not limited to, the following conduct: making epithets or slurs; negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion and that is placed on walls or elsewhere on City premises or circulated in the workplace.

Violations of this policy should be immediately reported to your Department Head or to the Human Resource Department under the Complaint Procedure provided below. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

COMPLAINT PROCEDURE

If you experience or witness harassment or discrimination in the workplace, report it immediately to your Department Head or to the Human Resource Department. If your Department Head is unavailable or if you are uncomfortable contacting that person, you should immediately report the harassment or discrimination to the Mayor.

Complaints will be investigated by the City Attorney or designee retained by the City as determined by the Mayor. If the complaint is filed against the Mayor, the City Council shall appoint the investigator. In addition, other individuals may be included in reviewing the investigation and outcome at the discretion of the appointed investigator.

All allegations of harassment or discrimination will be quickly and discreetly investigated. The investigation may include interviews with the person making the complaint, the person against whom the complaint is made, any potential witnesses identified by either person, or any person whom the City believes has relevant information. To the extent possible, your confidentiality and that of any witnesses and the alleged perpetrator will be protected against unnecessary disclosure. The results of the investigation will be discussed with the person involved, and appropriate disciplinary action, if any, will be taken, up to and including termination.

Any supervisor who has witnessed or becomes aware of the alleged occurrence of sexual harassment or retaliation or receives a complaint of sexual harassment involving a person within

that supervisor's purview is required to take prompt corrective action and to report the incident to the City Attorney. Failure of a supervisor to immediately take corrective action or to report the incident shall constitute misconduct subject to disciplinary action.

The City recognizes that making false, bad faith accusations can have serious consequences for those who are wrongly accused. The City prohibits knowingly making false and/or malicious misconduct allegations, as well as deliberately providing false information during an investigation.

NON-RETALIATION POLICY

The City does not tolerate retaliation against anyone who complains or participates in the investigation. If an individual attempts to retaliate, severe discipline, up to and including termination, will be imposed, regardless of the outcome of the investigation. If any employee believes that he or she has been retaliated against for exercising his or her rights under the Anti-Harassment or Equal Opportunity Policies, the employee should report such conduct using the Complaint Procedure set forth above.

ACCOMMODATING INDIVIDUALS WITH DISABILITIES

It is the policy of the City that qualified individuals with disabilities not be excluded from participation in or benefit from the services, programs or activities of the City. It is the policy of the City not to discriminate against a qualified individual with a disability in: job application procedures; the hiring, advancement or discharge of employees; employee compensation; job training, and other terms, conditions and privileges of employment. It is the intent of this City to comply with all applicable requirements of the Americans with Disabilities Act (ADA).

If you have a disability and need an accommodation to allow you to perform the essential functions of your position, you should bring this to the attention of your Department Head immediately. Employee requests for an accommodation under the City's ADA shall be submitted in writing on ADA forms (Reasonable Accommodation Request form) available in the Clerk-Treasurer's office. Medical information obtained as a result of this process will be maintained in a separate and confidential file.

If you experience concerns or issues with this policy, report it immediately to your Department Head or to the Human Resource Department. If your Department Head is unavailable or if you are uncomfortable contacting that person, you should immediately report the harassment or discrimination to the Mayor.

PERSONNEL POLICIES AND OTHER MATTERS

MANAGEMENT RIGHTS

The City retains the responsibility and authority to manage and direct on behalf of the public, the operations and activities of the City to the full extent authorized by law. Such responsibility and authority shall include but not be limited to:

1. The right to direct the work of its employees.
2. The right to establish policy.
3. The right to maintain the efficiency of public operations.
4. The right to design and implement safety programs for employees.
5. The right to design and implement job training for employees.
6. The right to determine what services shall be rendered to the public.
7. The right to determine job content and job descriptions.
8. The right to determine, effectuate and implement the objectives and goals of the City.
9. The right to establish, allocate, schedule, assign, modify, change and discontinue City operations, work shifts and working hours.
10. The right to establish, modify, change and discontinue work standards.
11. The right to hire, examine, classify, train, transfer, assign and retain employees; suspend, discharge or take other disciplinary action against employees in accordance with applicable law and to relieve employees from duties due to disciplinary reasons or other legitimate reasons, and make promotions and demotions.
12. The right to change, modify and alter the composition of the work force.
13. The right to determine, establish, set and implement policies for the selection, training and promotion of employees; in accordance with applicable law.
14. The right to establish, implement, modify and change procedures and policies for the safety, health and protection of the City property and personnel.
15. The right to adopt, modify, change, enforce or discontinue any existing rules, regulations, procedures and policies which are not in direct conflict with any provisions of this agreement.
16. The right to establish, select, modify, change or discontinue equipment, materials and the layout and arrangement of equipment.
17. The right to determine the size and character of inventories and their disposal.
18. The right to control the use of property, machinery inventories, and equipment owned, leased or borrowed by the City.
19. The location, establishment, and organization of new departments, divisions, subdivisions, or facilities thereof, and the relocations of departments, subdivisions, locations and the closing and discontinuance of same.

The above enumeration of management rights is not inclusive of all such rights and all rights granted the City by constitution, statute, charter, ordinance or in any manner are retained by the City.

EMPLOYMENT ELIGIBILITY VERIFICATION

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the

past three (3) years, or if their previous I-9 is no longer retained or valid. All applicants must cooperate with the City in its compliance with the Immigration Reform and Control Act of 1986. Applicants who refuse to supply the documentation necessary to prove that they are American Citizens or aliens authorized to work in this country will be dropped from consideration for the position. All employees must file an I-9 Form with the City Clerk-Treasurer. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

The Clerk-Treasurer's office shall administer the e-verify enrollment of all City new-hires; and shall ensure that appropriate forms are properly completed and retained as required by law.

ELIGIBILITY FOR LOCAL PUBLIC BENEFITS

All City employees shall complete a Verification of Eligibility for Local Public Benefits Form to ensure entitlement to a Federal public benefit as defined by IC 12-32-1-2 and State or Local public benefits as defined by IC 12-32-1-3. This form shall be administered and retained by the Clerk-Treasurer's office as required by law.

CONFIDENTIAL HEALTH INFORMATION

The City is committed to safeguarding the right of all employees to privacy in the use and disclosure of confidential health information, including genetic information. Each employee's protected health information is confidential. It will be safeguarded in accordance with Company policy and all applicable legal requirements.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the City is asking that employees refrain from providing any genetic information when responding to a request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Any medical information obtained about employees is kept in separate and confidential files with limited access to the information.

RECRUITMENT

Authorization to recruit and hire to fill a vacancy in an existing or newly created position rests solely with the Mayor, the Clerk-Treasurer, for those employees under his/her hiring authority, and the Board of Public Works and Safety. Department heads normally make hiring recommendations.

Basic qualifications of formal education, background and experience shall be determined before recruiting begins and shall be based upon job requirements as well as dictates of applicable federal, state and local laws.

Open and new job opportunities, insofar as practicable, shall be afforded employees in line with seniority principles subject to ability and job qualifications to be reasonably determined by management. Except for Police Officer and Firefighter positions, and insofar as practicable, open and new jobs shall be posted on City workdays, during which time any employee may make application in writing.

Whenever vacancies occur or new positions are created, the Mayor shall be notified of the vacancy, and this information shall be publicly posted within City facilities or another platform until the position is filled. Bulletin boards located in City government buildings will be used for posting job openings. The City encourages internal promotion and transfer whenever possible and based on employee qualifications.

At the discretion of management and based upon the urgency and specialization of the job requirements, newspaper and trade journal advertising may be used in recruiting employees. Advertisements shall describe the position, basic qualifications and state that the City is "An Equal Opportunity Employer."

The City policy is to hire, promote, and transfer employees on the basis of individual merit and to avoid favoritism or discrimination in making such decisions.

APPLICATIONS

All applicants are required to complete an employment application form. The City's standardized job application form shall be maintained in the Mayor's office and made available to department supervisors and applicants for use. Applications for City employment shall request only that information necessary for rational decision making. Only questions specifically related to occupational standards shall be asked. Applicants must account for periods of employment and unemployment.

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the City's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Applications will be retained in active files for one hundred eighty (180) days or as required by law. Applications shall be returned to Clerk-Treasurer prior to hiring or being placed on the City payroll.

APPLICANT TESTING

Applicant tests including, but not limited to, basic written skills tests, mechanical or physical agility, and psychological evaluations may be used by the City in the selection process for certain positions. Such tests are to be related to the requirements of the position.

PRE-EMPLOYMENT INTERVIEWS

Pre-employment interviews may be used to gather information and screen applicants for City employment. Initial interviews may be conducted by the officer receiving the application, although the final interview is reserved for the administrative officer making the employment decision.

CONDITIONAL OFFER OF EMPLOYMENT

Applicants may receive a conditional offer of employment conditioned on the successful completion of all established prerequisite requirements of the position, which may include passing medical, physical, and mental examinations or requirements, reference and criminal background checks, and driving record requirements. Applicants who receive a conditional offer of employment are not employees of the City unless they receive an official letter of employment. The City may withdraw the conditional offer of employment at any time for any reason, except as otherwise prohibited by law.

OFFER OF EMPLOYMENT

Applicants who receive a Conditional Offer of Employment are not employees of the City unless they receive an official Offer of Employment. The Offer of Employment may outline:

- Position/Department;
- Employment Status;
- Work Schedule;
- Pay Rate;
- Probationary Period;
- FLSA status;
- Benefits Eligibility; and
- Required Position Certifications.

The Offer of Employment is contingent on satisfactory proof of employment eligibility verification, and the receipt of satisfactory references. The Offer of Employment shall be signed by the applicant and authorized official and submitted to the Clerk-Treasurer before the applicant is considered an employee of the City of Greensburg. The Offer of Employment form will be maintained in the Clerk-Treasurer's Office.

MEDICAL EXAMINATIONS

To help ensure that employees are able to perform their duties safely, medical examinations may be required. After a conditional offer of employment has been extended during the hiring process, applicants may be required to undergo a pre-employment medical examination by a health professional of the City's choice, at the City's expense. Employees may be required to submit to fitness for duty medical or psychological evaluations prior to returning from military leave or employee illness or injury leave under FMLA, or to meet terms and conditions associated with performing job duties. Applicants may be required to submit to a drug test prior to being hired by the City. Information on an employee's medical condition or history shall be kept in a confidential file that is separate from other employee information and maintained by the Clerk-Treasurer. Access to this information will be limited to the employee, Department Head of the employee and persons designated by the Mayor on a need-to-know basis. Any medical information obtained about employees is kept in separate and confidential files with limited access to the information.

EMPLOYEE CLASSIFICATIONS

It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. **Any changes in employment classification shall be conveyed in writing. No change in employment classification is to be construed or inferred without written notification from the hiring authority.** The Employee classification descriptions are as follows (categories are not mutually exclusive):

PROBATIONARY: There is an introductory period as determined by the Department Head, during which new employees are on a probationary status to determine whether or not the association is mutually advantageous. Near the end of the introductory period, your Department Head will meet with you to discuss your continued employment. If an Introductory Employee successfully completes the introductory period, he/she enters the “regular” employment classification.

REGULAR, FULL-TIME: An employee who is regularly scheduled to work *at least* thirty five (35) hours per week, and who maintains employment on a year-round basis. Generally, regular, full-time employees are eligible to receive all of the benefits, leaves, and paid time off described in this Handbook, subject to the terms, conditions, and limitations of each benefit program. An employee who works a full-time schedule on a temporary/seasonal basis is not a full-time employee.

For health insurance purposes only, a full-time employee is one who averages thirty (30) hours or more per week throughout the calendar year.

REGULAR, PART-TIME: An employee who is regularly scheduled to work fewer than thirty-five (35) hours per week. Although, part-time employees may be required to work additional hours based on staffing and business needs of the City, all exceptions must be approved in advance by the Department Head. While they do receive all legally mandated benefits (such as worker's compensation and Social Security benefits), they are ineligible for all of the City's other benefit

programs.

TEMPORARY OR SEASONAL: An employee whose services are seasonal or related to special projects or assignments. There are no limits on the number of hours per week a temporary/seasonal employee may be scheduled to work, except as dictated by budgetary constraints or as required by law. Temporary/seasonal employees are not eligible for City benefits, leave or paid time off, except as required by law. Employment assignments in this category are of a limited duration.

Employment beyond any initially stated period or in excess of initially projected work hours does not in any way imply a change in employment status. Full-time, part-time, temporary and seasonal employees retain that status unless and until notified of a change.

INDEPENDENT CONTRACTOR: An individual who independently contracts to provide services to the City is not a City employee and is not eligible to receive City benefits. An independent contractor's total compensation is determined by the terms of his or her contract with the City.

EXEMPT/NONEXEMPT: All employees are classified as either "exempt" or "non-exempt" under the Fair Labor Standards Act ("FLSA"). Non-exempt employees, as defined under the FLSA, are entitled to overtime pay for all hours worked over forty (40) hours in a standard work week at a rate of one and a half (1½) times regular hourly rate. Exempt employees are not entitled to overtime pay.

AT-WILL STATUS. All employment relationships, regardless of classification, with the City are considered "at-will" arrangements, and either party is free to terminate the relationship at any time for whatever reason. These classifications do not guarantee employment for any specific period of time. The "at-will" arrangement may not be varied except in writing by the Mayor.

EMPLOYMENT REFERENCE AND CRIMINAL BACKGROUND CHECKS

To ensure that individuals who are employed by the City are well qualified and have a strong potential to be productive and successful, it is the policy of the City to check the employment references of all applicants.

For employment reference checks requested by outside employers of past or current City employees, the City will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No additional employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

At the discretion of the Mayor and/or Department Heads, applicants may be subject to criminal background checks. Requests by the Mayor and/or Department Heads for reference, background, and/or credit checks on applicants should be directed to the Clerk-Treasurer.

APPLICANT/PERSONNEL FILES

The employment selection procedure shall be documented and recorded. Accurate personnel records shall be documented and recorded. Accurate personnel records should be kept on file for each employee for a period of not less than seven (7) years and should be used to substantiate and support the employment decision in the event of inquiry.

The City shall maintain five (5) separate personnel records concerning the employee's employment history.

- 1. Personnel File:** The employee's personnel file shall contain the employee's employment application, emergency information sheet, retirement forms, educational accomplishments, change of address forms, records of training, personnel policies handbook acknowledgment form, signed Offer of Employment form, job description, e-verify enrollment form, eligibility for local public benefits form, and resume. This file shall be maintained by the **Clerk-Treasurer**. Certain documents in this file shall be deemed confidential, and released only to persons on a need-to-know basis.
- 2. Administrative File:** This file shall contain documentation of performance such as performance evaluations, disciplinary records, and other documentation concerning disciplinary actions including employee complaints, absences, tardiness, administrative leaves, copies of valid driver's license for employees required to drive a vehicle in the performance of job duties, and other related information. This confidential file shall be deemed as exempt under the Indiana Public Records Law. This file shall be maintained by the **Clerk-Treasurer** and released only to persons on a need-to-know basis.
- 3. Medical File:** The employee's medical file shall contain all medical information, including health insurance enrollment and beneficiary forms, disability information, FMLA files, ADA accommodations, worker's compensation documents, results of alcohol and drug tests and other medically related information. This confidential file shall be deemed as exempt under the Indiana Public Records Law. This file shall be maintained by the **Clerk-Treasurer** and released only to persons on a need-to-know basis.
- 4. Commercial Drivers' License File:** CDL files will be maintained as a separate file for CDL employees by the Department Head. This file shall be verified through BMV testing each calendar year.
- 5. I-9 File:** The I-9 file shall contain the I-9 form. This file shall be maintained by the **Clerk-Treasurer**.

ACCESS TO PERSONNEL FILES

Personnel files are property of the City, and access to the information they contain is restricted consistent with state and federal law. Generally, only officials and representatives of the City who have a legitimate reason to review information in a file are allowed to do so. With reasonable advance notice, an employee may review material in his or her file. Upon request the City will provide employee copies of any documents contained in his or her personnel file.

The City will not provide personnel information to any person concerning the employment of the employee other than job title, department, date of hire, date of termination, and wages. The Clerk-Treasurer shall not provide any information pursuant to a subpoena or court order sooner than ten (10) calendar days after the date of receipt of subpoena or court order. Within five (5) calendar days of the receipt of the subpoena, the City Attorney shall notify the affected employee(s) of receipt of the subpoena to permit the employee(s) to seek any appropriate judicial relief from that subpoena.

PERSONAL INFORMATION CHANGES

It is the responsibility of each employee to promptly notify the Clerk-Treasurer of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, marital status, individuals to be contacted in the event of an emergency, educational accomplishments, driver's license status and proof of insurance (where applicable), and other such status reports should be accurate and current at all times. Any unreported changes in personal status may impact eligibility under the City's benefits plans.

ORIENTATION/EXIT INTERVIEWS

Once employed by the City, the Department Head or designee shall conduct an informal orientation to familiarize the new employee with the City. The Clerk-Treasurer or designee shall provide the new employee with a copy of the City of Greensburg Employee Handbook upon request.

Upon termination of the employment relationship with an employee, exit interviews should be scheduled with the Department Head. The purposes of the exit interview will include:

1. Verification of the return of all equipment, keys, uniforms, etc.;
2. Assurance of proper payment of unused benefit time according to City policy, any days of work, etc.;
3. Continuation of any benefits the employee may be eligible for; and
4. Verification of reason for leaving for unemployment compensation purposes.

PROBATIONARY PERIOD

The probationary period is intended to give new employees the opportunity to demonstrate their ability 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.

All new and rehired employees work on a probationary basis as determined by the Department Head. Any significant absence will automatically extend a probationary period by the length of the absence. If the City determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period.

Employees who satisfactorily complete the probationary period will be notified of their new employment classification. Successful completion of the probationary period does not guarantee continued employment with the City or change the at-will status of employment with the City.

During the probationary period, new employees are eligible for those benefits that are required by law and provided for in the City's plan documents, such as worker's compensation insurance and Social Security.

They may also be eligible for other employer-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefit program for the details on eligibility requirements. Questions regarding benefits should be directed to the Clerk-Treasurer's Office.

SUPERVISION AND PERFORMANCE EVALUATION

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis.

Additional formal performance reviews may be conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. Performance evaluations will be conducted at the discretion of the Department Head to determine successful completion of the probationary period, and on an annual basis.

OUTSIDE EMPLOYMENT

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the City. All employees will be judged by the same performance standards and will be subject to the employer's scheduling demands, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with performance or the ability

to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the City.

Outside employment will present a conflict of interest if it has an actual or potential adverse impact on the City. City employees are encouraged to file a conflict of interest statement with the County Clerk, State Board of Accounts, and Clerk-Treasurer whenever an employee's outside business activities are directly or indirectly linked to the City in a business relationship such as vendor, supplier, contractor, or independent sub-contractor.

Employees who are provided Family and Medical Leave under the City's FMLA policy for their own serious illness or injury shall not be employed by outside employers when on FMLA.

CONFLICT OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes the business to operate.

The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the City of Greensburg Board of Public Works and Safety for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the City's business dealings. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the City of Greensburg Board of Public Works and Safety as soon as possible the existence of any actual or potential conflict of interest; therefore, safeguards can be established to protect all parties. Employees who have a conflict of interest are to file a conflict of interest form with the Clerk-Treasurer, and State Board of Accounts.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business, but also when an employee or relatives receives any type of kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealing involving the City.

REQUESTS FOR INFORMATION

Occasionally, employees of the City are contacted by outsiders for information about current or former employees, or about the organization's policies, practices or projects. All such requests

must be referred to the Department Heads. Nothing in this policy is intended to interfere with an employee's rights under Section 7 of the National Labor Relations Act.

LAYOFF AND RECALL

The City maintains the right to reduce its workforce. Examples of reasons when a reduction might occur include, but are not limited to:

1. Lack of work;
2. Lack of funds or projected lack of funds;
3. Transfer of work load responsibilities;
4. Job abolishment; and/or
5. Reorganization.

Any such reduction will be finalized by each Department Head who will select the employees for separation based upon seniority and ability with ability prevailing.

FULL-TIME TO ELECTED OFFICIAL EMPLOYMENT

In the event that a full-time employee is elected to a full-time City of Greensburg elective office, he/she shall be compensated on a pro rata basis for any unused PTO or compensatory time earned as a regular full-time employee. Such employee's sick days will be frozen and available for use in the event the elected official returns to a non-elected full-time position without any interruption in City employment. Also, if such elected official returns to a non-elective full-time position his/her time in elective office shall count as years of service for the purpose of determining the amount of eligible PTO time or other benefits based on years of service with the City.

NEPOTISM

Pursuant to IC 36-1-20.2, relatives may not be employed by the City in positions that result in one relative being in the direct line of supervision of the other relative. An employee who is employed by the City as of June 30, 2012, is not subject to the nepotism provision unless the employee has a break in employment with this City in the future.

Direct line of supervision is defined as an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. Indiana Code defines relative to include a spouse; a parent or step-parent; a child or step-child; a brother, sister, step-brother, or step-sister; a niece or nephew; an aunt or uncle; a daughter-in-law or son-in-law; an adopted child; and a brother or sister by half blood.

The Clerk-Treasurer and each City Department Head shall annually certify in writing that the office or department is in compliance with the nepotism policy under IC 36-1-20.2. Such certification must be submitted to the Mayor not later than December 31 of each year.

An elected official or Department Head that is in violation of this policy may be subject to penalties for perjury which is a Class D felony with up to three (3) years prison sentence. The City's failure to adopt policies under Indiana Code 36.1.20.2 (Nepotism) will result in the Department of Local Government Finance not approving the City's budget or any additional appropriations for the ensuing calendar year until the State Board of Accounts certifies the City is in compliance.

ELECTIVE OFFICER AND CITY EMPLOYMENT RESTRICTED

Pursuant to IC 3-5-9, a City employee is considered to have resigned from employment with the City if the employee assumes the elected executive office of the City or becomes an elected member of the City's legislative or fiscal body.

A volunteer firefighter may not assume or hold a position on the executive, legislative, or fiscal body of the City if the City receives fire protection services from the department in which the volunteer firefighter serves. Fire protection services provided under mutual aid agreements are excluded. An employee or volunteer who assumes or holds an elected office on January 1, 2013, may continue to hold the office and be employed by the City or serve as a volunteer firefighter until the expiration of the term of office.

CONTRACTING WITH THE CITY

Pursuant to IC 36-1-21, that the City may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works. If a contract is entered into with a relative, the appropriate agency of the City shall make a certified statement that the contract amount or purchase price was the lowest amount or price offered or make a certified statement of the reasons why the vendor or contractor was selected. Contracts in existence prior to July 1, 2012, are excepted.

An elected official that is in violation of this policy may be subject to penalties for perjury which is a class D felony with up to three (3) years prison sentence. The City's failure to adopt policies or failure to include a statement in the R-100 Personnel Report under Indiana Code 36-11-21 (Contracting with a Unit) will result in the Department of Local Government Finance not approving the City's budget or any additional appropriations for the ensuing calendar year.

WAGE AND HOUR ADMINISTRATION

JOB CLASSIFICATION/PAY SYSTEM MAINTENANCE

Any change in job classifications must be approved by the City Council. The Board of Public Works and Safety is established to oversee maintenance of the job classification and pay plan. The Board of Public Works and Safety serves in an advisory capacity. The Board of Public Works and Safety shall have the authority to recommend a change in position classification of jobs, including job descriptions, filed for review.

In the event that a Department Head wishes to create a new position not currently classified or reorganize jobs within a department, review seniority, abolish a position, or if an employee desires to have a job classification review made of his/her position, the Department Head shall make a written request to the Mayor.

COMPENSATION

The City Council adopts an annual Salary Ordinance that establishes salaries for all City elected offices, appointed officers, and employees of the City of Greensburg. The City may use the FES job classification system to establish compensation rates and pay policies. Approved pay rates generally become effective at the beginning of the next budget year, unless otherwise indicated. All appropriate City documentation must be provided to the Clerk-Treasurer prior to an employee being compensated.

WAGE POLICY

Employee's wages shall be docked for violations of the sick leave and/or the PTO policy of the City, consistent with Indiana law, as follows:

- (a) Unauthorized time away from work shall be subtracted from existing leave time in the following order: earned compensatory time, paid time off.
- (b) An employee's wages shall be docked computed on an hourly basis for the unauthorized time away from work.
- (c) The penalty for employees paid on an hourly wage shall be the amount of the gross hourly wage.
- (d) The penalty for employees paid at a salary rate shall be computed by the normal work hours in a week divided into the gross weekly salary to determine the hourly rate of pay.
- (e) The wages of an elected official cannot be docked, as set by law.

TIMEKEEPING

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Every employee is responsible for accurately recording their time worked on City forms or time keeping machines. It is the responsibility of those employees who are required to maintain a timesheet to properly record the time that he/she has worked during a payroll period. Any used earned paid time off, sick leave, compensatory time, or any other approved leave must be listed

where indicated. At the end of the reporting period, the employee may be required to sign the timesheet, verifying its accuracy.

The supervisor may also be required to counter-sign the timesheet, indicating that the hours claimed were actually worked. Failure by an employee to submit a timesheet when required or submitting a falsified timesheet may result in disciplinary action. For detailed instructions on how and when to complete timesheets, employees should consult with their Department Head.

Employees should accurately record the time they begin and end their work and the time they begin and end each meal period. Employees should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved by the Department Head before it is performed.

No employee, except an employee in a supervisory position, may record the time of any other employee. Any omissions of starting and stopping times, as well as any deviation from regularly scheduled hours, must be approved, in advance, by the employee's supervisor. Falsifying time sheets may be cause for disciplinary action, up to and including immediate termination. Any employee directed or encouraged by a supervisor to make an inaccurate entry on a time record shall immediately report this to the Director of Human Resources.

Tampering, altering, or falsifying time records, or recording time on another employee's time record shall result in disciplinary action, including discharge.

Exempt employees are required to keep track of the hours they work, using the same method as nonexempt employees. Although exempt employees are paid on a salaried basis, pay for personal absences must be deducted from an established leave bank, pursuant to principles of public accountability. An exempt employee who believes an improper deduction has been made to his or her salary should bring the deduction to the attention of his or her direct supervisor or the Director of Human Resources. All reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee shall be promptly reimbursed for the full amount of such improper deduction and the City will take whatever action it deems necessary to ensure future compliance with deduction rules for non-exempt employees.

ROUNDING

Time is to be recorded to the quarter hour, using the seven (7) minute rule i.e. (leeway of seven (7) minutes before and seven (7) minutes after scheduled start and stop times). All employee work commenced more than seven (7) minutes before the start time work hour will be paid on a quarter hour schedule; all employee work continued more than seven (7) minutes after the end of last work hour will be paid on a quarter hour schedule.

MULTIPLE POSITIONS

Non-exempt employees working in more than one City position shall count the combined hours worked in more than one position in determining overtime obligations under the FLSA.

TIME RECORDS

Time records on all part-time and full-time City employees, excluding Water/Sewer employees, shall be kept by the supervisor in charge and submitted to the City Clerk-Treasurer's Office each pay period. Time records for Water/Sewer employees shall be submitted to the Water Office.

PAYDAYS

All employees are paid weekly on Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a day off (e.g., a holiday), employees will be paid on the last day of work before the regularly scheduled payday.

PAY CORRECTIONS

The City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event there is an error in the amount of pay, the Department Head should promptly bring the discrepancy to the attention of the **Clerk-Treasurer** so corrections can be made as quickly as possible.

PAY DEDUCTIONS/GARNISHMENTS

No payroll deductions will be made from an employee paycheck unless authorized by the employee or required by law. When decreed by court order or state law, including past due taxes, the City will deduct an amount determined by the court or the state from the gross wages of the employee. Employees are required to report changes in family status, address, or other information that could affect amount of deductions withheld.

The City of Greensburg is legally required to make certain deductions from each employee's paycheck, including federal, state and local income taxes. The City must also deduct social security taxes on each employee's earnings.

The City offers programs and benefits authorized by the Mayor. Eligible employees may voluntarily authorize deductions from their paychecks to cover costs to participate in these programs.

When the City is served a writ of garnishment requiring payment of a portion of the employee's compensation a processing fee as allowed by law may be deducted from the employee's pay and retained by the City.

Questions concerning paycheck deductions and/or methods of calculation should be directed to the **Clerk-Treasurer**.

SEPARATION

Since City employees are at-will employees, their employment may be terminated at any time by either the City or the employee. Subject to the at-will provision, following are conditions relating to different types of employee separation:

Resignation: Voluntary employment termination initiated by the employee. Although advance notice is not required, the City requests at least two (2) weeks' notice from the employee. Prior to an employee's departure, an exit interview may be scheduled with the Department Head to discuss the reasons for resignation and the effect of the resignation on benefits.

Termination: Employee is discharged for failure to meet job requirements, for violation of the City's employment policies or work rules, or for any other lawful reason.

Layoff: Involuntary employment termination initiated by the City for non-disciplinary reasons. A layoff period shall not exceed twenty-four (24) months, exceptions must be approved by the Mayor.

Retirement: Voluntary employment termination initiated by the employee meeting state and/or City retirement criteria, such as age and length of service. Employees will receive their final pay in accordance with applicable state law.

Abandonment of Position: Employee is absent from work for three (3) consecutive scheduled workdays without giving required notice, or fails to return from leave within three (3) days of scheduled return. This is treated as a voluntary resignation.

Failure to Return after Leave: Employee fails to return to work within the proper time frame after a voluntary or involuntary leave of absence.

Restructuring: Employee's position is eliminated or significantly changed due to a restructuring within the employee's department. If possible, Department Heads will give at least two (2) weeks' notice before a position is eliminated. The City will make every effort to place employees affected by a restructuring in other available positions, although the City makes no guarantee a suitable position will be available.

SEPARATION DATE

The official date of separation is always the last day actually worked, not including approved leaves, and benefits are calculated up to and including that date. If the employee is on leave when a resignation is tendered or an employee is involuntarily terminated, the effective date will be the date the City is notified of the intent to resign or the date of the termination. In no case can employment be extended by using paid or unpaid time off. The final paycheck(s) will be deposited into the former employee's bank account on the next regularly scheduled payday.

If an employee moves after employment is terminated, he or she should provide the City with current mailing and personal email addresses so that pertinent information can be provided to him

or her.

All earned, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Except for certain Police or Fire Department employees, eligible retirees who were full-time employees, with 20 years of City employment service and being at least 55 years of age, who are eligible for City retirement benefits, shall be allowed to continue insurance benefits at the full expense of the retiree until they are eligible for Medicare. All applicable Police and Fire pension funds shall prevail for eligible retirees.

RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. All property must be returned by employees on or before their last day of work. Where permitted by applicable laws, the City may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The City may also take all action deemed appropriate to recover or protect its property.

WORK TIME RESTRICTED

Non-exempt employees shall not commence any work activities on behalf of the City of Greensburg before seven (7) minutes preceding the start of the work shift, or continue work activities more than seven (7) minutes after completion of the work shift, unless specifically authorized by their Department Head.

LONGEVITY PAY

All full-time City employees shall be eligible for longevity pay as set forth by the annual salary ordinance adopted by the City Council.

EMERGENCY CLOSING

Periodic emergencies, such as severe weather or power failures, can disrupt City operations, sometimes requiring closing of a work facility. When such emergencies occur during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When a City of Greensburg work facility is officially closed by the Mayor for emergency conditions, before the beginning of the workday, the time off from scheduled work will be unpaid to full and part-time employees affected by the facility closing. However, full-time employees may receive compensation for the day by using paid time off days, compensatory time, or by making up this time within the pay period.

Any employee who reports to work and the facility is later closed due to an emergency after his/her arrival shall be paid for all hours actually worked that day, not the entire workday. However, full-time employees may receive compensation for the time by using paid time off days, compensatory time, or by making up this time within the pay period.

The Mayor/Department Head of those employees working in essential service departments will determine the work schedule of their employees during the period of time the closing is in effect. Employees, excluding Fire Department employees, who work during the closing will be compensated at their regular rate of pay and will receive time and a half for time exceeding forty (40) hours in the work week, as is customary. No bonus pay or compensatory time on top of actual time worked will be received by employees working during the closing.

EMPLOYEE BENEFITS

Eligible employees in the City are provided a wide range of benefits. A number of the programs (such as Social Security, worker's compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law. Benefit eligibility is dependent upon the employee's classification as an elected official or regular full-time employee.

Your Department Head can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook. Some benefit programs may require contributions from the employee, but most are fully paid by the City.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

This policy serves as a general description of employee's FMLA rights; therefore, in the event a conflict arises between this policy and applicable law, employees shall be granted all such rights allowed by law. If you have any questions, concerns or disputes with this policy, please contact the HR Department.

Eligibility

To be eligible for leave under this policy, employees must meet **all** of the following requirements:

- Have worked at least twelve (12) months for the City.
- Have worked at least 1,250 hours for the City over the twelve (12) months preceding the date the leave would commence.
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

Reasons for Leave

To qualify as FMLA leave under this policy, the leave must be for one of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.
- For any qualifying exigency arising out of the fact that a spouse, child or parent is a military member on covered active duty or on call to covered active duty status.
- To care for a covered service member with a serious injury or illness.

Amount of Leave

An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time. An eligible employee can take up to 26 weeks for the FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the City will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for the City may only take a combined total of 12 weeks of leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member).

Intermittent Leave or a Reduced Work Schedule

Employees may take FMLA leave in one consecutive block of time, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) in a 12-month period.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the company's operations.

Employee Notice Requirement

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to his or her Department Head or the Human Resources Department.

When the need for the leave is foreseeable, the employee must provide the City with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the City's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice, the HR Department will complete and provide the employee with a Notice of Eligibility and Rights and request a medical certification or other supporting documentation as necessary.

Designation of FMLA Leave

Within five business days after the employee has submitted the required certification or other documentation, the HR Department will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice.

Employee Status and Benefits During Leave

City will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.

While on paid leave, the City will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the accounting department by the designated day each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The City will provide 15 days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the company will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the City will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the City may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the City will discontinue coverage during the leave. If the City maintains coverage, the City may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider. This requirement will be included in the City's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The City may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Use of Paid and Unpaid Leave

An employee who is taking FMLA leave, regardless of the reason, must substitute all but 35 hours for all 35 hour/week employees; 40 hours for all 40 hour/week employees; and 53 hours for all 53 hour/week employees of accrued paid time off for unpaid FMLA leave. The term substitute means that the paid leave provided by the City, and accrued pursuant to established paid leave policies, will run concurrently with the unpaid FMLA leave. If an employee uses paid leave under circumstances which do not qualify as FMLA leave, the leave will not count against the employee's FMLA leave entitlement. For example, paid sick leave used for a medical condition which is not a serious health condition or serious injury or illness does not count against the employee's FMLA leave entitlement.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, when an employee takes six weeks of City pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee will then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid time off, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid time off prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid time off or sick leave (as long as the reason for the absence is covered by the company's sick leave policy) prior to being eligible for unpaid leave.

Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Definitions

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term or permanent periods of incapacity.

Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

Child means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents "in law."

Qualifying exigency includes short-notice deployment, military events and activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Covered active duty for members of a regular component of the Armed Forces, means duty during deployment of the member with the Armed Forces to a foreign country. For a member of the Reserve components of the Armed Forces, means duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The next of kin of a covered service member is the nearest blood relative, other than the covered service member's spouse, parent or child in the following order of priority: blood relatives who have been granted legal custody of the 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.

Covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation or therapy, or is in outpatient status or on the temporary disability retired list for a serious injury or illness.

Serious injury or illness is one that is incurred by a service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

MILITARY LEAVE

The City prohibits discrimination against employees on the basis of military duty, affiliation, or status and requires reinstatement of an employee following military leave to the same position or a position of like seniority, status and pay, as dictated by federal and state laws. Generally, an employee will be reinstated if he/she is still qualified to perform the job duties and circumstances do not make it impossible, unreasonable, or against public policy to place the employee back into the same or similar position.

Annual Training

A military leave of absence will be granted to all City employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U.S. armed services.

Employees who are members of a Reserve Unit or National Guard Unit will be granted leave for the annual training period, and are entitled to civilian (City) and military pay up to (15) days a year when on training duties pursuant to proper orders issued by appropriate military authority.

Required military leave will not be charged against an employee's paid time off.

Subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible, the employer will continue to provide health insurance benefits for the full term of the annual training period.

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time.

Active Duty/Enlistment

The Uniformed Services Employment and Re-employment Rights Act (USERRA) of 1994 grants special considerations and rights to employees that are either called to active military status or enlist in the armed forces. Active duty military leave will be unpaid.

USERRA requires employers to grant such employees reinstatement of the position held at the time of departure for military service, or in some cases to a position of equivalent or equal stature and pay provided the employee is discharged from service honorably. The cumulative length of service that causes an absence from a position may not exceed five (5) years, except where provided by law.

USERRA also requires that returning eligible employees be granted seniority and benefits at the same level as if the employee had not left employment for service. Benefit time will continue to accrue while an employee is on military leave. Additionally, service members are able (but are not required) to use earned paid time off or annual leave while performing military duty.

If an employee's health plan coverage would terminate because of an absence due to uniformed service, the person may elect at his/her own cost to continue the health plan coverage for up to 18 months after the absence begins, or the period of service, whichever is shorter.

Upon returning from military leave of absence an employee will be reinstated to a City of Greensburg position provided the employee is discharged from military status under honorable conditions, and makes a request for reinstatement within thirty (30) days after release from active duty, or one year after release from hospitalization due to military accident. The employee must also be qualified to perform the essential functions of the position for which he/she is being reinstated, and shall be required to undergo a medical examination by medical provider(s) paid for by the City.

Employees on such leave must notify the City of the intent to return to employment in accordance with all applicable state and federal laws.

Indiana Military Family Leave

Eligible employees that are a parent, spouse, grandparent, or sibling of a person who is ordered to active duty for a period exceeding eighty-nine (89) days may be allowed Military Family leave under qualifying circumstances.

In order for an employee to be eligible for Military Family leave, the employee must have worked for the City of Greensburg for the previous twelve (12) months and worked a minimum of fifteen hundred (1,500) hours during that period.

Eligible employees may take leave during either the thirty (30) days before active duty orders are in effect or during the period in which the person ordered to active duty has their orders terminated. Military Family leave may not exceed a total of ten (10) working days annually.

Employees must notify their Department Head thirty (30) days in advance of the days they intend

to take Military Family leave, unless the person ordered to active duty receives deployment orders less than thirty (30) days in advance. The City of Greensburg may require verification of the military orders in order to approve Military Family leave.

Military Family leave is unpaid and employees are responsible for paying their own benefits while on such leave.

An employee may choose to substitute any earned paid time off leave, or compensatory time available to the employee for any part of the ten (10) day period of Military Family leave.

Military Family leave runs concurrent with other leave entitlements provided under federal, state and local law, such as Military Family leave under FMLA.

RETURN TO WORK

It is the policy of the City to ensure that when employees return to work following any illness or injury, including FMLA, that employees can safely and efficiently perform their regular job duties.

Before an employee shall return to full duty following an illness or injury, the employee must be released from his/her medical provider to perform the full range of essential job duties of his/her position. The employee shall be required to have a fitness-for-duty examination by the doctor specified by the City and submit a certification form to the Clerk-Treasurer.

The employee shall provide all medical certifications related to the on duty illness or injury to the Clerk-Treasurer as requested. If the examination indicates that the employee is released to perform the full range of essential job duties, then the employee shall be directed to return to his/her regular job. If the evaluation indicates that the employee shall not return to full duty, but is able to perform limited duty, the Clerk-Treasurer shall explore limited duty options.

BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Bereavement for a death in the immediate family (defined as spouse, natural father, natural mother, child, and stepchild) shall be used in conjunction with the date of death or funeral visitation with pay as follows:

- City employees = maximum of five (5) workdays
- Firefighters = maximum of two (2) workdays
- Police Officers = maximum of forty (40) hours

If an employee wishes to take time off due to the death of an extended family member, the employee should notify his or her supervisor immediately. Bereavement for a death in the extended family (defined as current stepfather, current stepmother, brother, current stepbrother, sister, current stepsister, current mother-in-law or father-in-law, grandchildren, grandparents, and in-laws with a dependency relationship with the employee) shall be used in conjunction with the date of death or funeral visitation with pay as follows:

- City employees = maximum of three (3) workdays
- Firefighters = maximum of one (1) workday
- Police Officers = maximum of twenty (20) hours

At the discretion of the Department Head, absence for other funerals will be considered as paid time off or personal leave or granted without pay.

Bereavement leave pay will be calculated based on the employee's straight time pay rate (as of the date of the bereavement leave) times the number of hours the employee would otherwise have worked on that day. (For example: 7 hours, 8 hours, 10 hours, 12 hours) For example, an employee in the Clerk-Treasurer's Office would be granted seven (7) hours of pay for the bereavement leave; an employee in the Street Department would be granted eight (8) hours of pay.

CIVIC DUTY

The City encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees shall be paid the difference between his/her regular pay and the payment he/she receives for the service if less than his/her regular pay. Regular full-time employees qualify for paid jury duty leave.

Employees must show the jury duty summons to their Department Head as soon as possible so that the Department Head may make arrangements to accommodate the employee's absence. Of course, the employee is expected to report for work whenever the court schedule permits. If the employee is released from jury duty with more than half of his/her regularly scheduled shift remaining, he/she is required to report to work within one (1) hour after being released by the court.

Either the City or the employee may request an excuse from jury duty if, in the employer's judgment, the employee's absence would create serious operational difficulties. The employer will continue to provide all regular benefits for the full term of the jury duty absence. Regular part-time and temporary employees shall receive no wages for time spent on jury duty, but shall be entitled to retain any compensation received for such service.

WITNESS DUTY

Witness duty required because of legal action involving the City, resulting from employment by the City, will be compensated time. If an employee is issued a subpoena to testify in Court or provide a deposition involving City business, this time will be excused and time away from work will be paid. Any other witness duty for non-City court appearance or depositions will not be paid unless the employee uses available leave or compensatory time for pay.

LEAVE OF ABSENCE WITHOUT PAY

The City realizes that situations may arise that require an employee to take time off from work after other available paid or unpaid leave, such as FMLA, is exhausted or does not apply. An

unpaid, leave of absence must be approved by a committee appointed by the Mayor. The committee shall include two members of the Board of Public Works and Safety. The employee may appeal the decision of the committee to the Board of Public Works and Safety. Full-time employees may be granted, after one (1) year of service, a leave of absence without pay not to exceed 90 days during employee's tenure of employment. During such period, paid time off shall not accrue, and such employee shall not receive compensation for designated holidays. During such leave the employee's health insurance and PERF benefits shall continue at the City's expense.

If it is found that a leave is not actually being used for the purpose for which it was granted, the leave may be canceled, and the employee shall be given written notice by registered or certified mail to report to work. If the employee fails to report for work within five (5) workdays from the date of attempted delivery of the registered or certified letter to his/her last address on record with the City, the employee will be considered terminated as of the last day he or she actually worked for the City.

Upon returning to work after an approved leave of absence, employment will be made within the position that was vacated when possible to do so. If the vacated position was filled during the employee's absence, employment will be offered in a similar position or the next best position when the opening occurs, for which the employee is qualified.

An employee granted a leave must give written notice to the Department Head of intent to return to work at least (14) calendar days prior to his or her return or the expiration of the leave of absence period, whichever occurs first. If the employee fails to notify the Department Head, the employee will be considered terminated as of the last day he or she actually worked for the City.

WORKER'S COMPENSATION

The Workers' Compensation Act does not apply to employees if they are members of the Police or Fire Department and are members of the 1977 Pension Fund. When a compensable injury renders members of the Police or Fire Department unable to work, the City will provide compensation for lost wages up to four (4) weeks. Compensation for lost wages is paid starting on the eighth (8th) day. However, on the twenty-second (22nd) day of disability the employee will receive compensation for the first seven (7) days.

The City provides a comprehensive worker's compensation insurance program at no cost to eligible employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. **Workers compensation eligibility and benefits are determined by state law and by the vendor contract, as approved by the Board of Public Works and Safety.**

Subject to applicable legal requirements, worker's compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. While on worker's compensation disability, employee benefits shall accrue.

Any employee who sustains a work-related injury or illness should inform his or her supervisor immediately and the Clerk-Treasurer's office within 24 hours. No matter how minor an on-the-job

injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

If the employee has a life threatening condition, he/she should proceed directly to the nearest hospital or medical facility.

Employees should contact the Clerk-Treasurer's office to obtain information and forms regarding filing worker's compensation claims. Medical certifications are required. Once completed, all such forms are to be filed directly with the **Clerk-Treasurer's office**, NOT with the insurance carrier.

As specified by Indiana worker's compensation statutes, when a compensable injury renders an employee unable to work, compensation for lost wages is paid starting on the eighth (8th) day. However, on the twenty-second (22nd) day of disability the employee will receive compensation for the first seven (7) days.

The first weekly installment of compensation is due fourteen (14) days after the disability begins. Not later than fifteen (15) days from the date that the first installment is due, the employer/carrier must tender to the employee an Agreement of Compensation, along with compensation due.

If, however, the employer/carrier denies liability, a written notice of denial must be mailed within twenty-nine (29) days after the employer's knowledge of the alleged injury. The employer may obtain an additional thirty (30) day period if it establishes that the delay is due to an inability to obtain the medical information necessary to make a determination as to liability.

Certain injuries may be excluded from worker's compensation coverage (e.g., employee intoxication, self-inflicted injuries, failure to use safety appliances, committing a violation of work rules, failing to obey a reasonable written or printed safety rule, knowing failure to perform a statutory duty).

Neither the City or the insurance carrier will be liable for the payment of worker's compensation benefits or major illness/injury in-line-of-duty leave pay for off-duty injuries or illnesses that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity sponsored or not-sponsored by the City.

While an employee is on worker's compensation leave, he/she shall not be engaged in outside employment.

Holiday pay will not be paid in addition to major illness/injury in-line-of-duty leave pay.

During worker's compensation leave employees may be required to submit periodic medical certifications on their serious health condition. Before returning to work, the employee shall provide medical certification from a health care provider verifying that he/she may safely return to work.

Worker's compensation leave is designated as Family and Medical Leave Act (FMLA) leave

beginning with the first day of leave. All such leave time used counts against the employee's twelve (12) week FMLA entitlement.

HEALTH INSURANCE

Regular full-time City employees shall be eligible for the medical group insurance provided by the City. Employees holding the following positions shall not be eligible for participation in the employer's health insurance programs: City Council members, City Attorney, persons appointed to City Boards or Commissions.

Specific details of eligible coverage are contained in the City's insurance plan that is available in the Clerk-Treasurers' office.

Employees shall immediately notify the Clerk-Treasurer's Office of all changes in personal status for the purposes of insurance coverage (i.e., changes in marriage status or number of dependents).

Full-time City employees may be eligible for continuance coverage of insurance for a designated period of time after leaving City employment by paying the full cost of the insurance through COBRA. Eligible employees must notify the City within thirty (30) days of leaving employment of their intent to continue benefit coverage to remain eligible. Employees should contact the Clerk-Treasurer's Office regarding eligibility for continuation of coverage.

HIPAA

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) has four major administrative requirements for private and government sponsored health plans: portability, nondiscrimination, fraud and abuse, and administration simplification.

The City is compliant with applicable HIPAA requirements and standards; and has established guidelines regarding the privacy of individually identifiable health information accordingly. The City has designated the **Clerk-Treasurer** as the City's privacy official who is responsible for developing and implementing privacy policies and procedures; and is the contact person who is responsible for receiving complaints regarding compliance.

All City HIPAA inquiries shall be directed to the **Clerk-Treasurer** located in City Hall.

BENEFITS CONTINUATION (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the employer's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal

separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the employer's group rates plus an administration fee.

The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the employer's health insurance plan. The notice contains important information about the employee's rights and obligations.

GROUP HEALTH INSURANCE FOR RETIRED EMPLOYEES

The City of Greensburg shall provide for all eligible retired employees group health insurance as required by statute. Specific details of eligible coverage are available in the Clerk-Treasurer's office.

GROUP TERM LIFE INSURANCE

The City provides term life insurance for regular full-time employees. Employees holding the following positions shall not be eligible for participation in the employer's life insurance programs: City Council members, City Attorney, persons appointed to City Boards or Commissions.

Specific details of eligible coverage are contained in the City's insurance plan that is available in the Clerk-Treasurer's office.

RETIREMENT FUND

All full-time City employees are required to participate in the Indiana Public Retirement System and must join according to INPRS rules, regulations, terms, and conditions set forth by the City. INPRS premiums cost to employees are determined by statute and collected in payroll deduction.

All full-time City employees are covered by INPRS, a retirement program established and maintained by the State of Indiana. INPRS pays benefits to covered workers or their dependents upon retirement, death, and in certain cases, serious illness or injury. The City contributes a percentage to the pension account. The amount the City contributes varies and is determined actuarially annually. The employee's contributions and accumulated interest credits are refundable when an employee terminates employment prior to being eligible for benefits. INPRS's Employer Financed Pension requires ten (10) years of service to become vested, and is paid by the City based on an employee's length of employment, average salary, retirement option selected and age at retirement.

Questions concerning the program should be directed to Clerk-Treasurer's office and/or the Indiana Public Retirement System.

SOCIAL SECURITY/INDIANA UNEMPLOYMENT INSURANCE

The City matches employee withholding for FICA and pays the full cost of Indiana Unemployment

Insurance.

WORKING CONDITIONS

SAFETY

Establishment and maintenance of a safe work environment is the shared responsibility of the City and employees from all levels of the organization. The City will take all reasonable steps to assure a safe environment and compliance with federal, state, and local safety regulations. All employees should report for work in an alert, fit condition and able to effectively perform assigned position duties.

Employees are expected to obey safety rules and to exercise caution in all their work activities. They are asked to immediately report any unsafe conditions to their supervisor. Employees need not fear retaliation for reporting safety hazards. Not only supervisors, but employees at all levels of the organization are expected to correct unsafe conditions as promptly as possible. Employees who engage in unsafe work habits or violate safety standards may be subject to disciplinary action, up to and including discharge. **ALL accidents that result in injury must be reported through their appropriate Department Head to the Mayor within twenty-four (24) hours regardless of how insignificant the injury may appear.** Such reports are necessary to comply with laws and initiate insurance and worker's compensation procedures.

LACTATION SUPPORT

The City provides reasonable paid breaks for employees to express breast milk for their infant child up to one (1) year after the child's birth each time such employee has need to express the milk.

The City shall provide a room or other location, other than a bathroom, in close proximity to the work area, where employees can express their breast milk in privacy during any period away from their assigned duties.

The City shall make reasonable efforts to provide a refrigerator or other cold storage space for storing breast milk; or allow employees to store their breast milk in their own portable storage device until the end of their workday.

Except in cases of willful misconduct, gross negligence, or bad faith, the City is not liable for any harm caused by or arising from either of the following that occur on the City's premises:

- a. The expressing of employees' breast milk; or
- b. The storage of expressed milk.

USE OF TELEPHONES AND CITY MAIL

Personal telephone calls should be limited in frequency and duration. Personal use of telephones and FAX machines for long distance and toll calls is not permitted, except for emergencies.

For any emergency personal use, employees shall reimburse the City for all long-distance and/or toll charges.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner.

The mail system is reserved for business purposes only. Employees should refrain from sending or receiving personal mail at the workplace.

USE OF PERSONAL CELLULAR PHONES

Personal cellular/mobile phones are disruptive in the workplace. The use of personal cellular/mobile phones during office hours is prohibited except for emergency purposes, such as injury or illness involving transport to hospital. Employees may use personal cellular/mobile phones during break periods, including meal breaks in locations that do not pose a disruption to others. Employees using cellular/mobile phones or pagers during office hours will be subject to appropriate disciplinary action.

Any cellular/mobile phones issued by the City to an employee for business purposes should be turned off during meetings and training courses, except in circumstances where it is absolutely necessary to take an urgent business phone call. In these circumstances, it is courteous to alert others in attendance to the fact that such a call is expected.

Employees shall reimburse the City for charges resulting from any personal use of City issued cell phones.

Use of Cellular/Mobile Phones and Electronic Devices While Driving

This policy applies to all City employees. The use of cellular/mobile phones and electronic devices while driving may present a hazard to the driver, other employees, and the general public.

This policy is meant to ensure the safe operation of City vehicles and equipment, and the safe operation of private vehicles while an employee is on work time conducting City business. This policy applies to all uses of cellular/mobile phones and communication devices, including but not limited to computers, text messaging, mail, electronic calendars, multi-media devices, and printers.

Employees shall adhere to all federal, state, and local rules and regulations regarding the use of cellular/mobile phones and electronic devices while driving. Accordingly, employees shall not use cellular/mobile phones if such conduct is prohibited by law, regulation, or other ordinance.

Employees should not use handheld cellular/mobile phones for business purposes while driving. Should an employee need to make or receive a business call while driving, he/she should locate a lawfully designated area to park and make or receive the call.

Employees may use hands-free cellular/mobile phones to make or receive business calls. Such calls should be kept short, and should the circumstances warrant (such as heavy traffic or inclement weather), the employee should locate a lawfully designated area to park to continue the call.

USE OF INFORMATION TECHNOLOGIES

Computers, computer files, the E-mail system, and software are City property, intended for business use. To retain privileges of network access, each user of City information technologies is expected to meet certain responsibilities and honor certain limitations. Additional responsibilities may be associated with specific networks. Any network traffic exiting the City is subject not only to provisions of this policy, but also to the acceptable use policies of any network through which or into which it flows. Employees should immediately report any violation of this policy to their Department Head and the Clerk-Treasurer's office. Questions concerning these policies should be directed to the employee's Department Head and/or the Clerk-Treasurer's office.

System Security

Employees are responsible for the use of their accounts and security of their passwords. As such, an employee may not give anyone else access to his/her account, or use a City computer account assigned to another user. A user must not attempt to obtain a password for another employee's computer account. If an employee suspects someone knows his/her password, the employee should contact the Clerk-Treasurer's office **immediately**. Employees must provide passwords to Department Heads upon request.

Employees shall not use the network resources of the City to gain or attempt to gain unauthorized access to remote computers, networks, or systems, nor shall they attempt to circumvent data protection schemes or exploit security loopholes. Employees may not place on any City-owned computer system any type of information or software that gives unauthorized access to another computer account or system.

Violations of this policy are subject to disciplinary action, up to and including termination.

Software Licenses

The City purchases and licenses the use of various computer software for business purposes and does not own the copyright to the software or its related documentation. Unless authorized by the software developer, the City does not have the right to reproduce such software for use on more than one (1) computer.

Employees may only use software on multiple machines according to software license agreements. The City prohibits the illegal duplication of software and its related documentation. No licensed or unlicensed software may be installed on City computers that have not been authorized by the City.

Employees should immediately report violations of this policy to their Department Head. City employees who make, acquire, or use unauthorized copies of computer software are violating

federal copyright law and are subject to disciplinary action, up to and including termination.

Data Backup

Users of personal computers are responsible for protecting their work by making regular backup copies of their work files and storing the copies in a safe location. They should set the frequency of backup based on their ability to recreate information added since the last backup.

Prohibited Uses of Information Technologies Resources

Employees shall not deliberately perform acts which are wasteful of computing resources or which unfairly monopolize resources to the exclusion of others. Conduct that presents a risk to the operating integrity of the information technologies systems is strictly prohibited.

Employees shall not deliberately perform acts that will impair the operation of computing equipment, peripherals, other devices, or networks. This includes, but is not limited to, tampering with components of a local area network (LAN) or the high-speed backbone network, otherwise blocking communication lines, or interfering with the operational readiness of a computer.

Employees shall not install on any of the computer systems of the City, or give to another user, a program that could result in the eventual damage to a file or computer system and/or the reproduction of itself.

This includes, but is not limited to, the classes of programs known as computer viruses, such as “Trojan horses” and “worms”.

Violations of this policy are subject to disciplinary action, up to and including termination.

USE OF INTERNET AND ELECTRONIC MAIL (E-MAIL)

Employees may be provided access to the internet and e-mail to assist them in the performance of their duties and such access is intended for business use. Violations of this policy may result in disciplinary action, up to and including termination. Violations of federal, state, or local laws resulting from the use of City information technologies will result in referral to the appropriate legal authorities. To ensure compliance with this policy, computer and e-mail use may be monitored.

The City strives to maintain a workplace that is free of harassment and is sensitive to the diversity of its employees. Therefore, the City prohibits the use of information technologies such as computers, e-mail, and the internet, in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually-explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, jokes, or anything that may be construed as harassment or showing disrespect to others.

Employees should immediately report any violation of this policy to their Department Head, the Mayor, City Attorney, or Board of Public Works and Safety. Questions concerning these policies

should be directed to the employee's Department Head and/or the Clerk-Treasurer's office.

Internet Access

Access to the internet is provided for business related purposes. Personal use of such equipment and software shall be limited in frequency and duration and shall not interfere with an employee's assigned duties.

The internet is a worldwide network of computers containing millions of pages of information and many diverse points of view. Due to its global nature, users of the internet may encounter material that is inappropriate, offensive, and in some instances, illegal. The City cannot control the availability of this information or completely restrict access to it.

Employees may only access the internet through an approved internet firewall. Accessing the internet directly, by modem or other connection device, is strictly prohibited unless such access is approved and installed by system managers designated by the City.

The City will not be responsible for any damages, direct or indirect, arising out of the use of its internet resources. City employees who violate this policy are subject to disciplinary action, up to and including termination.

Downloading From the Internet

All material downloaded from the internet or from computers or networks that do not belong to the City **MUST** be scanned for viruses and other destructive programs before being placed onto the computer system. All employees will be expected to follow the instructions from their Department Head and/or the Clerk-Treasurer's office for the proper scanning process. Any questions should be referred to the Department Head prior to being placed on the computer system or being used.

Employees are responsible for the material they review and download on the internet. Violations of this policy are subject to disciplinary action, up to and including termination.

Electronic Mail (E-Mail)

Employees should exercise the same care in drafting e-mail, communicating in chat groups and blogs, and posting items to news groups as they would for any other written communication. The City e-mail system is subject to public records laws and certain e-mails to and from City employees may be deemed public records.

The e-mail system may be monitored when the City deems it necessary to ensure its legitimate business interest in the proper utilization of its property and to ensure that this policy is being followed.

Violations of this policy are subject to disciplinary action, up to and including termination.

Prohibited Uses of the Internet

Sending, receiving, displaying, printing, or otherwise disseminating material that is fraudulent, harassing, illegal, embarrassing, sexually explicit, obscene, intimidating, or defamatory is prohibited. **Employees encountering such material should report it to their Department Head immediately.** Employees are responsible for the material they review and download on the internet.

Employees may not use City internet or e-mail resources for commercial or personal advertisements, solicitations, promotions, viruses, political material, or any other unauthorized personal use. City e-mail resources may not be used to forward chain letters. Employees may not disseminate City property or confidential information via the internet.

Due to export restrictions, programs or files containing encryption technology are not to be placed on the internet or transmitted in any way outside the United States without prior written authorization from the City. Employees must comply with all software licenses, copyrights, and all other federal, state, and local laws governing intellectual property and online activity.

The City maintains the right to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites employees visit on the internet, monitoring chat and news groups and blogs, reviewing material downloaded or uploaded by employees, and reviewing e-mail sent and received by employees. Employees do not retain any right to privacy in any documents, messages, or images they create, store, send, or receive on the computer or the internet under the Electronic Communications Privacy Act and any other federal, state, or local law regarding e-mail and internet use.

Violations of this policy are subject to disciplinary action, up to and including termination.

Any message or file created, stored, and/or sent using the City's computer or communications equipment is City's property. Employees should have no expectation of privacy in any message stored, received, or sent using City equipment.

SOCIAL MEDIA POLICY

Social media can take many different forms, including internet forums, blogs and micro-blogs, online profiles, wikis, podcasts, pictures and video, instant messaging, music-sharing, and voice over IP to name just a few. Examples of social media applications are LinkedIn, Twitter, Facebook, MySpace, YouTube, Wikipedia, Yelp, Flickr, Second Life, Yahoo groups, Wordpress, Zoominfo.

Guidelines

Ultimately employees are solely responsible for what they post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees, or

otherwise adversely affects the public, and people who work on behalf of the City, or the City's legitimate business interest may result in disciplinary action up to and including termination.

Discussion debate and sharing one's opinion occur in many forms and forums including online conversations. Social media is defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques.

Given the growing popularity of online media, the City has developed a series of guidelines to assist its employees when engaging in such forums and discussions. The guidelines are intended to assist employees both when participating personally as well as when acting on behalf of the City of Greensburg.

USE OF EQUIPMENT AND VEHICLES

The use of City vehicles is a privilege that is subject to revocation at any time in the City's sole discretion. The following policies are minimum standards prescribed for all employees who operate City vehicles. Employees driving City vehicles should check with their Department Heads for further guidelines unique to their departments.

City employees who operate a City vehicle are required to hold a valid Indiana driver's license and to secure, renew and maintain any other licenses required by law to operate the vehicle. Such employees shall keep their supervisors informed of any traffic ordinance, infraction, misdemeanor, or felony violation they receive as well as any license restrictions, suspensions or revocations.

Take-home vehicles may be assigned if an employee is on-call and has a reasonable expectation of being called in or must regularly attend meetings or visit job sites before work begins or after work ends. The purpose of a take-home vehicle is to enhance departmental operations; it is not intended as a personal convenience or an employment benefit.

Assignment/Usage

Department Heads shall determine which employees in their departments will have City vehicles assigned to them and which employees will have access to City vehicles. The following guidelines apply to City personnel using City vehicles:

- The employee assigned to the vehicle, or another employee within the same department and with Department Head approval, shall be the only person(s) to operate such vehicles.
- An employee using a department vehicle shall exercise good judgment in vehicle utilization, and shall assure that the operation of such vehicle conforms with all traffic laws. All personnel and passengers shall use lap/shoulder belts during the operation of the vehicle. The number of passengers in a City vehicle shall not exceed the number of lap/shoulder belts available.
- No driver or operator of a City vehicle shall cause or allow the vehicle to idle, unless the vehicle is standing in traffic or unless idling is required to operate auxiliary equipment that is required to accomplish the intended use of the vehicle.

- Any traffic or parking violation committed by an employee in a City vehicle is the responsibility of the employee. The City will not pay for traffic or parking tickets.
- Employees away from work for a period longer than three (3) calendar days (not including weekends) shall leave their assigned vehicles on City premises and turn the keys in to the supervisor or Department Head. Employees on extended leave or suspension of any kind shall not operate City vehicles.
- While conducting City business, employees may take their assigned City vehicle anywhere in Indiana. City business outside of Indiana must be authorized by an employee's supervisor.
- An employee provided with a take-home vehicle may not use the vehicle for personal purposes other than commuting or de minimis use, such as a stop for a personal errand at a store or to drop off or pick up children from school on the way to or from work.
- Any employee operating a City vehicle shall be drug-free and alcohol-free, and shall notify his or her supervisor of use of any prescription or non-prescription medication that could impair the employee's ability to operate such vehicle, pursuant to the City's Substance Abuse Policy. Employees shall not purchase or transport alcoholic beverages in a department vehicle.
- As outlined in the City's smoking and tobacco policy, employees shall not use tobacco or tobacco substitute products of any kind or any electronic nicotine delivery device while operating City vehicles.
- Except for official City business, or as provided in any special policies or procedures that supersede this policy, City owned vehicles shall not be driven out of Decatur County unless authorized by the Mayor.

Fuel

An employee who is assigned use of a City vehicle, whether on a temporary or long-term basis, is responsible for fueling the vehicle. The City will pay for the purchase of all fuel used by City vehicles in the course of City business. The City may set limits on gas used for commuting purposes.

Maintenance and Repair

Each City employee is responsible for obtaining preventive and breakdown maintenance on his or her assigned vehicle, and shall not operate any vehicle that he or she reasonably believes to be unsafe or in need of repair. Preventive maintenance includes oil changes and lubes, tune-ups, tire checks and fluid checks. Some departments have service mechanics on staff, while others use the City garage. If a City mechanic is not available, or is unable to perform the necessary service, an employee shall ask his or her supervisor for the name of an approved garage. An employee is also responsible for the overall condition of his or her assigned vehicle, including the cleanliness of its interior and exterior.

Any alterations or modifications to City vehicles from original equipment must be approved in

writing by the employee's supervisor prior to the alteration or modification. In the event a City vehicle becomes inoperable due to a breakdown, the employee shall do the following:

- If the breakdown occurs in Decatur County, the employee shall notify his or her supervisor and have the vehicle serviced at an approved garage. If the vehicle is in need of a tow, the employee shall contact his or her supervisor for the name of an approved towing service.
- If the breakdown occurs outside of regular working hours, the employee shall contact his or her Department Head for assistance. A local wrecker service may be called at the Department Head's discretion.
- If the breakdown occurs outside Decatur County, the employee shall immediately attempt to notify his or her Department Head to report the problem. If contact cannot be made, the employee shall secure necessary service for the vehicle at a competitive price.

Accidents

An employee must verify that there is an insurance information card in a City vehicle before operating it. In addition to the other instructions provided on this card, the employee must have an accident report filled out by the appropriate police department for the jurisdiction, whether the accident occurs on public or private property.

A copy of the report shall immediately be given to the employee's Department Head.

Employees involved in accidents while driving City vehicles may be subject to drug and alcohol testing, as described in the City's Drug and Alcohol Testing Policy.

TAKE HOME VEHICLES

The Internal Revenue Code (IRC) requires the taxable value for the use of employer provided vehicles and City issued cell phones be reported as additional compensation to employees. The employer and employee must timely report personal use as a wage. Such reports are processed by the Clerk-Treasurer's Office. Public safety vehicles are considered non-personal use vehicles. Public safety employees are required to use the vehicle for commuting and personal use is incidental to use for law-enforcement purposes.

Personal use of City vehicles, other than commuting, for travel outside of Decatur County is prohibited (e.g., PTO use).

PERSONAL USE OF ORGANIZATION FACILITIES

To minimize unnecessary expenses, prevent the loss of valuable work time, and prevent lowered morale of cooperative employees, personal use of City facilities, vehicles and equipment is prohibited. This policy applies to all employees and restricts the personal use of organization facilities, including bulletin boards, vehicles and equipment, computers, and fax machines. Requests for use of City facilities for events and community services must be approved by the Mayor in advance.

DRUG-FREE WORKPLACE

The City is firmly committed to maintaining the highest level of public confidence, respect and safety. In order to protect the integrity of its personnel and operations, the City demands a drug-free and alcohol-free workplace. Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. In accordance with The Drug-Free Work place Act of 1988, and the State of Indiana Drug-Free Workplace Executive Order No. 90-5 of 1990 the City must maintain a drug free work place.

SUBSTANCE ABUSE POLICY

The City prohibits any City employee from using, being under the influence of or possessing alcohol or non-prescribed controlled substances ("Prohibited Substances") during working hours and at ALL times when operating a vehicle or equipment owned or leased by the City or when conducting City business.

The only allowable exception to this policy as it would apply to Prohibited Substances is the use of a controlled substance at work when prescribed by a physician or dentist in the treatment of an employee. When controlled substances are prescribed and so used, the employee shall immediately notify his or her Department Head of any such prescribed medications that may impair the employee's ability to operate vehicles, heavy machinery or equipment, or to perform the essential functions of the employee's job. Such disclosure is also required for non-prescription drugs, such as cough medicine or cold medicine, that contain alcohol or other substances that may affect job performance. The intent of this disclosure requirement is to protect an employee from injuring himself or herself or others when the prescribed or non-prescribed medications could impair the ability to function safely.

Failure to comply with this policy could jeopardize government funds this organization receives. The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on the City's property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by the City is strictly prohibited and will result in termination of employment. When appropriate, the City may refer the employee to approved counseling or rehabilitation programs.

While on official business or when an employee may be deemed a representative of the City, he or she must comply with this policy as a condition of employment. Should an employee be convicted of a drug-related crime that occurred in the work place, he or she must notify the City within twenty-four (24) hours of the conviction.

The City is required to notify the appropriate government agency within ten days of the conviction. Appropriate personnel action, including possible discipline and/or participation in a drug abuse assistance or rehabilitation program, may result after notice of the conviction is received.

Drug and Alcohol Testing Policy

The following is a **summary** of the City's Drug and Alcohol Testing policy. The policy may be obtained from the employee's Department Head or the Human Resources Department.

As part of the City's effort to maintain the quality of City services and to ensure that the City is a safe and healthy place to work, a drug and alcohol testing program has been developed to detect the use of illegal substances and misuse of alcohol, to ensure that employees with substance abuse problems are referred to appropriate professional help, and to outline disciplinary procedures for those who fail to comply with the City's Substance Abuse Policy.

The United States Department of Transportation ("DOT") mandates drug and alcohol testing for employees whose job duties require a commercial driver's license ("CDL"). The City also tests applicants who have been offered employment, and those employees who hold positions that impact public safety or the safety of co-workers. In addition, all City employees will be subject to testing on the basis of reasonable suspicion and after certain accidents. If an employee tests positive under such conditions, he or she will also be subject to appropriate disciplinary action and follow-up testing.

As a condition of employment, all City employees are required to agree in writing to be tested for drugs and/or alcohol as outlined in this policy.

The following conduct is strictly prohibited during working hours and at all times while on City property, in City vehicles or conducting City business: (i) using, being under the influence of, or possessing illegal drugs; (ii) using or being under the influence of legal drugs that are being used in a manner other than prescribed; (iii) using or being under the influence of legal drugs whose use can adversely affect the ability of the employee to perform his or her job safely, without disclosing such to a supervisor prior to being detected; (iv) selling, buying, soliciting to buy or sell, transporting, or possessing illegal drugs; (v) using alcohol within four (4) hours before performing a Safety Sensitive Function or performing in a Safety Impact Position; (vi) using or being under the influence of alcohol at any time while driving or performing any other Safety-Sensitive Function; (vii) consuming any amount of alcohol while on duty, while driving a City vehicle, or while conducting City business; (viii) testing positive for illegal drugs and/or alcohol in circumstances that violate this policy; (ix) refusing to consent to be tested for drugs and alcohol; (x) failing to submit to a drug and/or alcohol test as directed by the City; (xi) failing to stay in contact with the City and its Medical Review Officer ("MRO") while awaiting the results of a drug test; (xii) violating any applicable federal, state or local requirements governing the use of drugs or alcohol; (xiii) doing anything to obstruct the City's goals with respect to drugs and alcohol; (xiv) failing to report another employee who violates this policy when the employee who fails to report has reasonable suspicion to believe the policy has been violated; and (xv) falsely reporting a violation of this policy, if the report is intentionally false or is made with a reckless disregard for the truth.

The City will conduct tests under the following conditions:

- after an offer of employment but before an applicant is hired for any City job (drug test only);
- on a random basis for employees required to have a Commercial Driver's License (drug and alcohol test) and for employees in positions that may have a discernible effect on public safety or on the safety of co-workers (drug test only);
- following certain accidents (drug and alcohol test);
- when reasonable suspicion exists that the employee is under the influence of drugs and/or alcohol (drug and/or alcohol test); and
- as a follow up to a positive test conducted for any of the aforementioned reasons (drug and/or alcohol test).

To ensure the integrity and accuracy of each test, all specimen collection, analysis and laboratory procedures will be conducted in accordance with DOT protocols. This includes, among other things: (i) procedures to ensure the correct identity of each covered employee at the time of testing; (ii) a chain-of-custody procedure to ensure that the specimen is not mishandled, contaminated or tampered with; (iii) the use of a trained Breath Alcohol Technician ("BAT") and DOT-approved testing devices for conducting alcohol tests; (iv) use of a laboratory that has been certified by the National Institute for Drug Abuse ("NIDA") for drug tests; (v) confirmation of an initial positive drug screen by a second analysis using gas chromatography/mass spectrometry ("GCMS"); (vi) confirmation of an initial positive alcohol screen by a second analysis; (vii) appointment of a qualified Medical Review Officer ("MRO") to review drug tests results before they are reported to the City's designated Drug and Alcohol Testing Administrator ("DATA").

Drug tests will require the employee to provide a specimen of his or her urine. The collection process may be monitored by a person of the same gender as the employee to prevent specimen tampering. Alcohol tests will require a breath specimen.

Positive drug and alcohol tests and other violations of the Drug and Alcohol Testing Policy will result in disciplinary action, up to and including immediate termination.

The City may place an employee on a paid, administrative leave pending the results of the drug or alcohol test at its sole discretion.

The City will pay for all initial and confirmatory drug and alcohol tests required by this policy, as well as for the services of an approved Substance Abuse Professional ("SAP") and for all drug and alcohol counseling provided through the City's Employee Assistance Program ("EAP"). Fees for counseling/rehabilitation/testing services supplied by other providers shall be the sole responsibility of the employee to the extent that such services are not covered by the City's health insurance plan.

The results of all individual drug and alcohol tests will be considered confidential and will be kept in a secured location with controlled access. The release of an individual employee's results will be made only in accordance with the employee's written authorization or as otherwise permitted or required by applicable laws, orders, regulations or ordinances.

APPEARANCE OF WORK AREAS

The City expects the work areas of all employees to be well organized, clean, and attractive. These qualities promote health, productivity, safety, good morale, and customer respect. Employees are responsible for maintaining the cleanliness of non-work areas that are used by employees, such as meal and break areas. This policy applies to all employees.

BUSINESS TRAVEL

The City is responsible for authorizing employee business travel and reimbursement of travel expenses including overnight lodging, and per day meal allowances as set by the State Board of Accounts. All employees must obtain authorization from the appointing authority Department Head before business travel or reimbursement of expenses.

Whenever practicable, travel will be accomplished in a City vehicle or via common carrier. If a personal vehicle must be used for authorized travel, the employees shall be reimbursed at prevailing rates authorized by the Board of Public Works and Safety.

Employee pay for travel time shall be determined according to applicable provisions of the Fair Labor Standards Act.

State Called Meetings

The City will reimburse City employees for a state called meeting specified by statute or the State Board of Accounts. Reimbursement for state called meetings will be for:

1. Reasonable hotel/motel accommodations;
2. Mileage rate is set per local ordinance; and
3. The City Council shall establish meal allowance rates for individuals attending a meeting. Employees shall submit a claim to the Clerk-Treasurer's Office for reimbursement of meal expenses subject to Board of Public Works and Safety approval.

Other Meetings/Job-Related Training

An employee on authorized official City business requiring overnight accommodations will be reimbursed for:

1. Reasonable hotel/motel accommodations;
2. Bus, taxi, and airport transportation;
3. Air, rail, or bus tickets as lowest possible fare;
4. Mileage rate is set per local ordinance; and
5. The City Council shall establish meal allowance rates for individuals attending a meeting. Employees shall submit a claim to the Clerk-Treasurer's Office for reimbursement of meal expenses subject to Board of Public Works and Safety approval.

An employee on authorized official City business attending a meeting not requiring overnight accommodations will be reimbursed for:

1. Bus, taxi, and airport transportation;
2. Air, rail, or bus tickets as lowest possible fare;
3. Mileage rate is set per local ordinance;
4. Necessary parking and storage fees; and
5. The City Council shall establish meal allowance rates for individuals attending a meeting. Employees shall submit a claim to the Clerk-Treasurer's Office for reimbursement of meal expenses subject to Board of Public Works and Safety approval.

POLITICAL ACTIVITY

City employees are not required to participate, financially or otherwise, in any political campaign or party activity. This policy includes any threats or coercion by Department Heads or political party officials.

City facilities shall not be used to display campaign signs or literature. City owned equipment shall not be used to generate, copy, or reproduce campaign materials. City vehicles shall not be used to distribute campaign materials. City telephones or facsimile machines shall not be used for campaign purposes.

BLOODBORNE PATHOGENS

Employees working in high risk jobs will be offered Bloodborne Pathogen training and a series of Hepatitis B vaccinations for their protection. The City will provide this service free of charge for those employees wishing to participate in this program.

The Occupational Safety and Health Administration has determined that certain employees in the workplace face a significant risk to bloodborne pathogens due to their job duties. To ensure that City employees are aware of occupational exposure to bloodborne pathogens the City has developed an exposure control plan to minimize or eliminate employee contact with human blood or other bodily fluid which may contain bloodborne pathogens such as Hepatitis B virus and HIV. Control plans are available in City departments.

SMOKING

In keeping with the City's intent to provide a safe and healthful work environment for City employees and citizens, the City has instituted a tobacco free workplace. This policy prohibits smoking within eight (8) feet of City facilities and vehicles.

This policy applies equally to all employees, citizens, and visitors. Signs are posted in City facilities.

FUEL CARD POLICY

The City issues fuel cards to designated departments for the purpose of fueling City vehicles. City fuel cards are for business use only and shall not be used for personal purchases. Each vehicle has a fuel card with an assigned personal identification number (PIN). The fuel card shall remain in the vehicle or with the assigned employee at all times. Receipts are required for all fuel purchases and shall be submitted to the Department Head. The Department Head shall maintain a log of fuel for each vehicle along with receipts for fuel purchases.

City issued fuel cards are the property of the City of Greensburg and employees are required to return such cards and all supporting documentation upon request. If a card is lost or stolen, the employee should report the missing card immediately to his/her Department Head.

City employees violating this policy shall be subject to disciplinary action, up to and including termination.

INDIANA INTERNAL CONTROL STANDARDS POLICY

Indiana Code 5-11-1-27(e) provides that through the compliance guidelines authorized under IC 5-11-1-24 the State Board of Accounts (SBoA) shall define the acceptable minimum level of internal control standards for internal control systems of political subdivisions, including the following: (1) Control Environment. (2) Risk Assessment. (3) Control Activities. (4) Information and Communication. (5) Monitoring.

IC 5-11-1-27(g) requires that the City Council must adopt the minimum internal control standards as defined by SBoA. Additionally, the Council must ensure that employees receive training concerning the internal control standards and procedures adopted by the City.

The City Council has adopted the internal control standards as defined by SBoA under IC 5-11-1-27(e). Personnel training of employees shall be evidenced through a certification process. The Mayor will be responsible for developing and overseeing the administration of the internal control standards policy, training, and certifications.

At the time of submission of the annual report, the Clerk-Treasurer must certify that the minimum internal control standards have been adopted and that personnel who are not otherwise on leave status have received training regarding these standards and procedures.

Apart from the required certification to be filed by the Clerk-Treasurer, elected officials, appointees, and employees must sign the Internal Control Training Certification form for Elected Officials, Appointees, and Employees as evidence for their training. These certifications are to be maintained by the City on-site.

WHISTLEBLOWER POLICY

A whistleblower as defined by this policy is an employee of the City of Greensburg who reports

an activity that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. The Board of Public Works and Safety is charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee shall submit those concerns in writing to the City Attorney. Such employee reports of wrongdoing will be investigated by investigators selected by the City Attorney. In addition, other individuals may be included in reviewing the investigation findings at the discretion of the City Attorney.

Employees should exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrong doing shall be subject to disciplinary action up to and including termination of employment.

Whistleblower protections are provided in two important areas – confidentiality and no retaliatory actions. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, confidentiality is not guaranteed, the identity of the reporting individual may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide the accused individuals their legal rights of defense.

The City will not retaliate against a whistleblower. This includes protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, and threats of physical harm.

Any whistleblower who believes he/she is being retaliated against should submit their concerns in writing to the City Attorney immediately. Any report of retaliation shall be made within thirty (30) days from the most recent incident. Any report of retaliation must state with particularity those actions that the employee making the report believes constitute retaliation. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All investigative reports of illegal and dishonest activities will be promptly submitted to the City of Greensburg Board of Public Works and Safety who will be responsible for determining any wrongdoing and coordinating corrective actions.

PERSONAL CONDUCT

EMPLOYEE CONDUCT AND WORK RULES

Employees are expected to maintain high standards of personal appearance, conduct, cooperation, efficiency and economy in their work. All employees should attempt to correct any faults in their performance which are called to their attention and should also avoid any behavior and actions which conflict with City rules and regulations.

Every employee must remember that the City of Greensburg is a tax-supported entity and the citizens of the City of Greensburg paying those taxes should receive the best possible quality and highest standard of service possible. Public employees should act in a professional manner, using good judgment and courtesy at all times, and should avoid any type of behavior that would even appear illegal or unethical. Employees should carry out their work efficiently, honestly, and with the intention of keeping good relationships with the public.

Individual employees must be responsible to their supervisor. Work directions and results, measurement of performance, and handling grievances are the responsibility of the supervisor.

Occasionally, someone may give employees directions other than their direct supervisor. In these instances, it is the employee's responsibility to inform the supervisor of the situation.

ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the City expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the City. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, including termination of employment.

In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify the Department Head at least one half (1/2) hour before the time the employee would normally begin the shift or work day.

Supervisors are to keep accurate records on City payroll forms of all employee absences, including designation of whether supervisor notification was provided by the employee.

Excessive lateness and absence shall be considered to be three (3) occurrences of unexcused absences in a six (6) month period; or three (3) occurrences of lateness in a three (3) month period; or any combination thereof.

An unexcused absence is defined as an absence for which the employee does not have any available earned benefit time to charge the absence against, or where applicable, the employee does not have the approval of the supervisor.

Employees with an absence of more than one (1) work day without notification of absence are subject to disciplinary action, up to and including termination.

PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image we present to our citizens and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire.

Under such circumstances, employees will not be compensated for the time away from work. Consult your Department Head if you have questions as to what constitutes appropriate attire.

COMMISSION OF A FELONY OR UNLAWFUL ACT

Any employee found guilty of a felony will be subject to immediate dismissal. An employee charged with a felony or found participating in felonious activity either during work hours or while off duty will be subject to an unpaid leave of absence from work until a court of law establishes innocence or guilt.

Any employee found guilty of a misdemeanor may be subject to suspension or discharge including not being legally qualified to operate assigned vehicles or equipment.

Misdemeanors that involve City vehicles/property, or in which the associate behavior reflects poorly upon the employee and/or the City will be treated similarly.

The City of Greensburg is committed to providing its citizens with qualified staff who possess good character and standards. This policy provides basic safeguards in maintaining a safe working environment for employees and citizens and in fulfilling this commitment.

Whenever an employee is cited for an infraction while on duty or arrested for any misdemeanor or felony while on duty, the employee shall report this matter, in writing, to their Department Head within twenty-four (24) hours of the arrest or citation. Failure to report in accordance with this policy shall be considered a violation of the personnel policies subject to disciplinary actions up to and including termination.

Citations for moving traffic violations or arrests for misdemeanors or felonies which occur during an employee's off-duty hours must be reported to the Department Head in writing within five (5) calendar days of receiving the citation or the arrest.

Unauthorized time away from work shall be subject to the City's attendance and wage policies. Time spent under arrest or in jail is not considered a valid excuse for missing work.

An employee who is cited for an infraction or arrested for any misdemeanor or felony, whether the citation or arrest happened while the employee was on duty or not, may be suspended without pay pending an administrative investigation and/or the disposition of any charges filed against the employee.

The investigation will be used to determine if the accused employee is in violation of the personnel policies and to determine if disciplinary action is warranted, up to and including termination.

The determination as to whether an employee shall be suspended will be based upon the nature and circumstances of the alleged offense and the impact the charges may have on the employee's

ability to adequately perform their job duties and/or remain in compliance with the City's personnel policies.

It is the responsibility of any employee with pending criminal charges to provide their Department Head written documentation such as a court record of the disposition of the charges within five (5) calendar days after receiving notification. Failure to do so will be considered a violation of this policy and may subject the employee to discipline, up to and including termination.

If the employee is on a leave of absence pending administrative investigation and/or the disposition of any charges, and the employee is not found to have been in violation of the personnel policies, he/she shall be returned from suspension.

Factors to be used in determining appropriate discipline, which may range from no disciplinary action up to termination of employment, will include the employee's assigned duties and responsibilities, the nature of the offense, sentences imposed, other convictions/infractions, relevant provisions of Indiana statutes, licensing requirements, risk of recidivism, reasonable inferences about problems with self-control, propensity for violence, honesty, and damage to the reputation of the employee, the employee's department, and/or City of Greensburg government.

Any employee found guilty, admitting guilt, or pleading no contest or *nolo contendere* of/to a felony will be subject to immediate dismissal.

GIFTS OR GRATUITIES

Employees are encouraged to maintain good relations with suppliers and others with whom the City may have business dealings. However, the practice of accepting gifts or gratuities may be contrary to the public interest.

Employees shall not accept gifts or gratuities from firms, organizations, agents, or other individuals soliciting business with the City in furnishing materials, goods, and services. A gift of nominal value shall not constitute a gift under this policy.

GHOST EMPLOYMENT

The City of Greensburg is committed to providing efficient and lawful services to its citizens and to maintaining public trust. Therefore, "ghost employment" is a violation of City policy and of Indiana Code 35-44-2-4. Ghost employment is a Class D felony.

A public servant who knowingly or intentionally hires an employee for a governmental entity and fails to assign the employee any duties, or assigns duties not related to the operation of the governmental entity, is committing ghost employment.

Additionally, a public servant employed by a governmental entity knowing that he/she has not been assigned any duties to perform for the entity and accepts property (compensation) from the entity, or a public servant who knowingly or intentionally accepts property (compensation) from

the entity for the performance of duties not related to the operation of the entity, commits ghost employment.

Examples of violations of this policy include, but are not limited to, performing work on public property that is not job related, authorizing or receiving payment for time not worked, and authorizing or receiving payment for leave time not authorized by City paid leave policies. Violations of this policy shall result in disciplinary action up to and including termination, in addition to potential prosecution under Indiana Code 35-44-2-4.

BUSINESS ETHICS/CONFLICT OF INTEREST

The City recognizes and respects the right of individual employees to engage in private activities outside of the organization that do not in any way conflict with or reflect poorly on the City of Greensburg.

The City also recognizes its right and obligation to determine when an employee's activities present a conflict of interest with the City. At such times the City must take whatever action is necessary to resolve the situation, including but not limited to, terminating employment. This policy applies to all employees, as well as to former employees, where applicable.

Employees having financial interest in a company or substantial investments in a corporation that might benefit from their dealings with the City must file a conflict of interest statement with the County Clerk of Decatur County and City Clerk-Treasurer. If deemed by said official to be in the best interest of the City, those employees shall either divest themselves of such interest or investments or be ineligible for continued employment with the City.

SOLICITATION/DISTRIBUTION

This policy is designed to protect the interests of the citizens of the City by ensuring that only official City business is transacted in work areas during employees' work time.

Employees shall not solicit other employees or non-employees during work time, excluding scheduled meal and rest breaks.

There shall be no solicitation or distribution of literature of any kind, including circulars or other printed materials, at any time in City facilities. This section does not apply to City vendors and/or charity organizations who have received the approval of the Mayor.

Employees violating this policy will be subject to disciplinary action, up to and including discharge.

SECURITY OF PREMISES

The City wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the City prohibits the control, possession,

transfer, sale or use of such materials on its premises. However, effective on July 1, 2010, I.C. 34-28-7 allows employees who may lawfully possess a firearm to bring firearms and ammunition onto City property as long as the firearm and ammunition are locked in a glove box or trunk or stored out of plain sight in the employee's personal locked vehicle. This exception does not apply to employees driving or riding in City-owned vehicles where firearms and ammunition are prohibited. Employees of a penal facility or other City facilities listed in I.C. 34-28-7-2(a) (2) do not have these rights.

Except for law enforcement officers who are authorized to carry firearms in the line of duty, employees shall not bring firearms or ammunition onto City property including in their personal vehicles.

The City prohibits the possession of firearms, ammunition, and the possession of other weapons by persons, other than City employees and the law enforcement officers on City property. The City requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of the City. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the City at any time, wither with or without prior notice.

WORKPLACE VIOLENCE

The safety and security of the City of Greensburg employees and customers is very important. It is the intent of the City to provide a workplace for all employees which is free of violence. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the organization's ability to execute its mission will not be tolerated.

Workplace violence includes, but is not limited to, intimidation, threats, physical attack or property damage. These terms are defined as follows:

- A. "Intimidation" includes, but is not limited to, stalking or engaging in actions intended to frighten, coerce, or induce duress.
- B. "Threat" is the expression of an intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the person communicating the threat has presented the ability to carry it out and without regard to whether expression is contingent, conditional, or future.
- C. "Physical attack" is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, throwing objects, firing a weapon, causing an explosion of hazardous materials, or discharge of hazardous substances.
- D. "Property damage" is intentional damage to property which includes property owned or leased by the City, employees, visitors, or vendors.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on City-owned or leased property may be removed from the premises. Additionally, illegal firearms, weapons, and other dangerous or hazardous devices or substances are strictly prohibited from the premises of the City without proper authorization as stated in *Security of Premises*.

Threats, threatening behavior, or acts of violence executed off City-owned or leased property but directed at City employees or members of the public while conducting official City business, is a violation of this policy. Off-site threats include, but are not limited to, threats made via the telephone, fax or electronic or conventional mail, or any other communication medium.

Violations of this policy will lead to disciplinary action that may include dismissal, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from City-owned or leased premises, termination of business relationships with the individual(s), arrest, and prosecution of the person(s) involved.

Employees are responsible for notifying their Department Head of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when the behavior is job related or might be carried out on City-owned or leased property or in connection with City employment.

Any employee who receives a protective or restraining order which lists City-owned or leased premises as a protected area is required to provide their Department Head with a copy of such order.

If an emergency exists, contact the police department at 911, and notify your supervisor.

If not an emergency, employees should inform their Department Head. If the Department Head is unavailable or if the nature of the complaint is such that the employee does not believe he/she can discuss it with the Department Head, the employee may bring concerns to the **Mayor**.

Employees who act in good faith by reporting real or implied violent behavior violations of this policy need not fear retaliation.

CONFIDENTIALITY

Employees are advised to consult with their supervisor before releasing information which is confidential or privileged by law. It is a violation of State law for a public servant to knowingly or intentionally disclose information classified as confidential. Nothing in this policy is intended to interfere with an employee's rights under Section 7 of the National Labor Relations Act.

EMPLOYEE CONDUCT/DISCIPLINE

The following work rules and principles of job performance are adopted as guidelines for monitoring behavior and exercising disciplinary actions. It is impossible to list all situations in which disciplinary action will be necessary. City employees are expected to follow procedures and guidelines set forth by the City and the employee's office/department policies and procedures. The City reserves the right to issue discipline as necessary and may impose more severe discipline for any offense dependent on the severity on the offense.

Behavior of Employees

In regulating the behavior of its employees, the City has classified offenses as first, second, and third, level offenses based upon their seriousness. These classifications are provided only to illustrate the procedures that will generally be followed in respect to such conduct. This classification system should not be construed to in any way limit the City's discretion in exercising discipline as it finds appropriate based on the severity of the misconduct or the totality of the circumstances.

The following conduct is prohibited and will subject the individual involved to disciplinary action up to and including termination. **This list of examples is merely illustrative of the kinds of conduct that will not be permitted. It is not intended to be all inclusive or to in any way limit rules, guidelines, and restrictions set out elsewhere in this manual.**

GROUP I OFFENSES.

(Examples of, but not limited to the following:)

1. Failure to report for duty within a reasonable time after call.
2. Reporting to work clothed or groomed in an unclean or inappropriate manner.
3. Discourteous treatment of the public.
4. Neglect or carelessness in signing in or out.
5. Failure to cooperate with other employees as required by job duties.
6. Distracting the attention of others, unnecessarily shouting, demonstrating or otherwise causing a disruption on the job.
7. Malicious mischief, horseplay, wrestling, or other undesirable conduct, including use of profane or abusive language.
8. Unauthorized use of telephone or mail for personal use.
9. Failure to report accidents, injury or equipment damage.
10. Unsatisfactory work or failure to maintain required standard of performance.
11. Unauthorized breaks.

GROUP I DISCIPLINE

First Offense	Verbal Reprimand
Second Offense	Written Reprimand
Third Offense	Three (3) Working Days Suspension Without Pay

Fourth Offense Ten (10) Working Days Suspension Without Pay
Fifth Offense Discharge

GROUP II OFFENSES

(Examples of, but not limited to the following:)

1. Leaving the job or work area during the regular working hours without authorization.
2. Threatening, intimidating, coercing, or interfering with subordinates or other employees.
3. Obligating the City of Greensburg for any expense, service, or performance without authorization.
4. Unauthorized sleeping during working hours.
5. Reporting for work or working while unfit for duty.
6. Unauthorized use of City property or equipment.
7. Performing private work on City time.
8. Failure to report for overtime work without good reason after being scheduled to work according to overtime policy.
9. Willful failure to make required reports.
10. The making or publishing of false, vicious or malicious statements concerning employees, supervisors, the City or its operations. Making threatening remarks to supervisors or others.
11. Refusing to provide testimony in court during an accident investigation, or during any type of public hearing.
12. Giving false testimony during a complaint or grievance investigation or hearing.
13. Unauthorized posting, removal, or alteration of notices or signs from bulletin boards.
14. Distributing or posting written or printed matter of any description on City premises unless authorized.
15. Unauthorized presence on City property.
16. Willful disregard of department rules.
17. Use of abusive or threatening language toward supervisors or other employees.
18. Excessive absenteeism.
19. Failure to give medical certifications and/or physician's excuse in a timely manner.
20. Failure to notify authorized personnel not later than one-half (1/2) hour before regular work starting time when unable to report to duty.

GROUP II - DISCIPLINE

First Offense Three (3) Working Days Suspension Without Pay
Second Offense Ten (10) Working Days Suspension Without Pay
Third Offense Discharge

GROUP III OFFENSES

(Examples of, but not limited to the following:)

1. Being in possession of, or drinking alcoholic beverages on the job.
2. Neglect in the performance of assigned duties or in the care, use or custody of any City Property or equipment. Abuse, or deliberate destruction in any manner of City property, tools, equipment, or the property of employees.
3. Punching, signing or altering other employees' timecards, time sheets or unauthorized altering of own time card or sheet.
4. Falsifying testimony when accidents are being investigated, falsifying or assisting in falsifying or destroying any City records, including work performance reports; or giving false information or withholding pertinent information called for in making application for employment.
5. Making false claims or misrepresentations in an attempt to obtain any City benefit.
6. Gambling as per Indiana law.
7. Stealing or similar conduct, including destroying, damaging or concealing any property of the City or of other employees.
8. The use of controlled substances or the sale of controlled substances.
9. Fighting or attempting to injure other employees, supervisors, or persons.
10. Carrying or possession of firearms on City property at any time without proper authorization.
11. Knowingly concealing a communicable disease, which may endanger other employees.
12. Misuse or removal of City records or information without prior authorization.
13. Instigating, leading, or participating in any illegal walkout, strike, sit down, stand-in, refusal to return to work at the scheduled time for the scheduled shift, or other concerted curtailment, restriction or interference with work in or about the City's work stations.
14. Dishonesty or any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are: Theft, pilfering, opening desks assigned to other employees without authorization, theft and pilfering through lunch boxes, tool kits, or other property of the City or other employees without authorization; inserting slugs in vending machines without paying the proper charge therein; making false statements to secure an excused absence or to justify an absence or tardiness; making or causing to be made, inaccurate or false reports concerning any absence from work. The foregoing are examples only and do not limit the terms "dishonesty" or "dishonest action."
15. Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of the supervisors.
16. An absence of more than one (1) workday without notification of absence.
17. Violating the City's sexual harassment policy.
18. Disclosure of confidential information.
19. Failure to disclose at time of employment the past conviction of a misdemeanor and/or felony, if reasonably related to the employee's duties or the public trust.

20. Failure to submit to a blood test, urinalysis, or breathalyzer examination, pursuant to the Drug-Free Workplace Policy.
21. Failure to maintain required certifications required of the position.
22. Failure to follow safety regulations when safety of an employee or others is affected.
23. Refusal to take or failure to pass any examination required for the job.

GROUP III DISCIPLINE

First Offense: Any appropriate discipline, up to and including discharge.

PROBLEM RESOLUTION

Employees and supervisors will benefit from a process that allows for the free discussion of matters of mutual concern and effectively addresses complaints on specific issues.

These procedures provide for open discussion and speedy resolution of issues of serious concern to any employee who thinks that the City of Greensburg's policies have been violated, or who believes that he or she has been treated unfairly. A complaint is an employee's expressed dissatisfaction with what that employee believes, rightly or wrongly, to be unfair treatment, or a mistake in the administration of a rule, plan, or City policy. This section does not apply to disciplinary actions.

When a complaint arises, it should be heard and resolved at the lowest organizational level. The employee has the following procedure available:

STEP 1: Department Head (Oral Complaint)

If an employee has a complaint, it should be first discussed with the supervisor. The employee should schedule a time to discuss the situation with the supervisor. Every effort should be expended to resolve the issue satisfactorily at this meeting.

STEP 2: Department Head (Written Complaint)

If the complaint cannot be solved satisfactorily by the employee and supervisor through discussion, or if the decision is not satisfactory, the employee may reduce the complaint to writing. The employee may take or send the written complaint to the supervisor. Supervisors are encouraged to give a written response to the complaint when warranted.

STEP 3: Mayor

If a satisfactory solution is not reached with the Department Head, a complaint may be referred to the Mayor who will conduct an investigation into the matter, meet with interested parties and make a decision. In the event that the complaint involves the conduct of a Department Head, the employee may submit a confidential letter to the Mayor. The Mayor will take appropriate action as deemed necessary to investigate the complaint including use of third party investigators.

PAID TIME OFF (“PTO”)

Purpose

The City recognizes that employees have diverse needs for time off from work and, as such, the City has established this paid time off (PTO) policy effective January 1, 2022. The benefits of PTO are that it promotes a flexible approach to time off by combining vacation, sick and personal leave. Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies, or other situations that require time off from work.

Eligibility

Eligible employees must be scheduled to work at least 35 hours per week on a regular basis. Employees working less than 35 hours per week on a regular basis, on-call and temporary employees are not eligible to accrue PTO.

Definitions

- **Benefit Year** means the period from the anniversary date of an employee’s full-time hire to the day preceding the anniversary date the following year (e.g., hire date is June 1st; benefit year is June 1st through May 31st). The Benefit Year will vary from employee to employee.
- **Paid Time Off (“PTO”)** means time off with pay that shall be used at an employee's discretion and with the approval of the employee's supervisor. PTO replaces vacation time, sick time, and personal days.
- **PTO Bank** means the amount of PTO, subject to a cap, that an employee has available to use.
- **Unscheduled PTO** means PTO taken with less than twenty-four (24) hours of notice.
- **Personal Sick Bank** means the amount of accrued sick leave time carried over from the employee’s PTO Bank, subject to a cap, that an employee has available to use.
- **Group Sick Bank** means the amount of donated sick leave that is available to assist employees who are eligible under the program.
- **Holiday** in general means the twenty-four (24) hour period from midnight to midnight of a day listed on the annual holiday schedule, unless otherwise specified. However, for pay calculation purposes, the holiday shall consist of those hours an employee would be scheduled to work on a given day if it were not a holiday. The calculation of holiday pay may therefore vary from employee to employee.

Recordkeeping

An employee’s PTO balance can be seen on the Civic System. Discrepancies should be immediately brought to the attention of the Payroll office.

Transition Year and Lump Sum to PTO Bank

The transition year to the accrual PTO policy will become effective January 1, 2022 through December 31, 2022. For all employees employed on January 1, 2022, the employee will be awarded a one-time lump sum of earned vacation time to the employee's PTO Bank, based upon the employee's years of service. At the end of the transition year, employees will not be awarded an additional lump sum.

Employees on an unpaid leave of absence prior to January 1, 2022, will receive a pro-rated amount of earned vacation time. For an employee with less than one year of service, the vacation time will be pro-rated based on the months in which vacation time was not yet awarded in the transition year.

For example: If a Police Officer was hired on February 15, 2021, the employee will be awarded PTO days in the employee's PTO Bank based upon the number of months in which no PTO accrual was provided (in this example, the second half of February, March, April, May, June, July, August, September, October, November and December = 10.5 months). Divide that number by total months = 10.5 months/ 12 months = 0.875. Then times that by the total amount of hours that an employee in his or her first year of service would be credited ($0.875 \times 80 = 70$ hours PTO Bank hours).

POLICE DEPARTMENT

YEARS OF SERVICE	VACATION TIME EARNED UNDER PRIOR POLICY	January 1, 2022 – December 31, 2022 PTO BANK
Less than 1 year	0	Prorated based on anniversary date
1-5 years	80 Hours	80 hours
6-13 years	120 Hours	120 hours
14-18 years	160 Hours	160 hours
19+ years	200 Hours	200 hours

FIRE DEPARTMENT

YEARS OF SERVICE	VACATION TIME EARNED UNDER PRIOR POLICY	January 1, 2022 – December 31, 2022 PTO BANK
Less than 1 year	0	Prorated based on anniversary date
1-5 years	2 weeks	106 hours
6-13 years	3 weeks	159 hours
14-18 years	4 weeks	212 hours
19+ years	5 weeks	265 hours

CITY DEPARTMENT

	VACATION TIME EARNED UNDER PRIOR POLICY		January 1, 2022 – December 31, 2022 PTO BANK	
YEARS OF ELIGIBLE SERVICE	UTILITY, SANITATION, STREET, WATER/SEWAGE PLANT, & ENGINEERING / PLAN	MAYOR'S OFFICE, CITY CLERK-TREASURER, & PLAN	UTILITY, SANITATION, STREET, WATER/SEWAGE PLANT, & ENGINEERING/ PLAN	MAYOR'S OFFICE, CITY CLERK-TREASURER, & PLAN
Less than 1 year	0	0	Prorated based on anniversary date	Prorated based on anniversary date
1-5 years	80 Hours	70 Hours	80 Hours	70 Hours
6-13 years	120 Hours	105 Hours	120 Hours	105 Hours
14-18 years	160 Hours	140 Hours	160 Hours	140 Hours
19+ years	200 hours	175 hours	200 hours	175 hours

PTO BANK PROCEDURES

Accruals and Payment of PTO

Employees Hired Before January 1, 2022

Employees employed prior to January 1, 2022, will begin accruing PTO time starting on January 1, 2022, pursuant to the PTO Bank Procedures outlined below.

Employees Hired On or After January 1, 2022

Beginning January 1, 2022, all new hires will begin accruing PTO on the employee's date of hire. PTO may not be taken until an employee has been continuously employed with the City for six (6) months.

PTO hours are available for use in the pay period following the pay period in which they are accrued. Accruals are based upon hours worked, excluding overtime, and earned on a prorated basis. Length of service determines the rate at which the employee will accrue PTO. PTO does not accrue on unpaid leaves of absence. An employee whose absence is due to a work-related injury or illness shall accrue PTO as long as he or she is receiving worker's compensation income replacement benefits. Employees become eligible for the higher accrual rate on the first day of the pay period in which the employee's anniversary date falls. An employee must work and/or be on paid leave an entire pay period in order to accrue PTO for that pay period.

PTO shall accrue at the rates indicated below for 35 hour/week employees:

Years of Service	Accrual Rate per Pay Period	Annual PTO Accrual
Less than one year	1.25	65 hours
1-5 years	2.5 hours per pay period	130 hours
6-13 years	3.0 hours per pay period	156 hours
14-18 years	3.75 hours per pay period	195 hours
19+ years	4.5 hours per pay period	234 hours

PTO shall accrue at the rates indicated below for 40 hour/week employees:

Years of Service	Accrual Rate per Pay Period	Annual PTO Accrual
Less than one year	1.5	78 hours
1-5 years	2.75 hours per pay period	143 hours
6-13 years	3.5 hours per pay period	182 hours
14-18 years	4.25 hours per pay period	221 hours
19+ years	5.0 hours per pay period	260 hours

PTO shall accrue at the rates indicated below for 53 hour/week employees:

Years of Service	Accrual Rate per Pay Period	Annual PTO Accrual
Less than one year	2.25	117 hours
1-5 years	4.25 hours per pay period	221 hours
6-13 years	5 hours per pay period	260 hours
14-18 years	6 hours per pay period	312 hours
19+ years	7 hours per pay period	364 hours

Reemployment

Should an employee separate from the City and then be re-employed within one hundred (100) or fewer calendar days, the employee shall be entitled to full credit for service prior to the separation. After a separation of more than one hundred (100) calendar days, a returning employee shall be treated as a new employee for purposes of calculating PTO accruals and shall not receive credit for prior service.

Transfer /Termination

The balance in an employee's PTO bank is transferable between any City departments. The employee's new department is responsible for all PTO time the employee brings with him or her.

An employee is eligible to be paid for accrued, unused PTO up to a max of 120 hours at the employer's regular rate upon leaving the City's employment. Employees who are terminated for cause shall not be entitled to pay for any accrued PTO. For cause includes any reason for separation that is not voluntary. An employee's termination date may not be extended to use up the PTO Bank balance. The employee's termination date shall always be the last day worked, which includes any pre-approved PTO or Sick Bank days.

Use of PTO Bank

Non-discretionary: Employees shall be required to use PTO time for any day they would be scheduled to work.

Discretionary: For all other PTO, Department Heads shall make a reasonable effort to honor the paid time off requests of employees, consistent with the needs of the department.

At a minimum, an employee shall request PTO as follows:

- For planned absences of three (3) or more workdays, at least two (2) weeks in advance;
- For planned absences of two (2) workdays or less, 24 hours in advance;
- For unplanned absences due to illness or emergency, prior to commencement of each workday or at the earliest opportunity.

All PTO requests and/or notifications must be made in a manner consistent with each department's documented reporting procedures. Failure to follow procedures may lead to disciplinary action. Use of PTO with less than twenty-four (24) hours of notice is referred to herein as unscheduled PTO. A Department Head may require proof of illness or emergency when an employee uses unscheduled PTO. An employee using unscheduled PTO shall not be paid for the absence unless he or she has provided any required notification before the commencement of each workday (or, in case of an emergency, as soon as reasonably possible). Failure to provide required notice for three (3) consecutive days will be considered job abandonment and will be treated as a voluntary resignation.

Subject to the minimum notification requirements listed above, each Department Head may establish a different policy regarding requests for PTO, including, but not limited to: how far in advance leave must be requested; whether requests must be in writing or on a particular form; who is authorized to grant requests for leave; how decisions will be made when multiple requests are made for the same time period; whether PTO may be used to make up for a late arrival or early departure. Such policy must be in writing, distributed to each employee, posted in the workplace and uniformly followed. Unless the department has established a different policy, time off requests shall be granted on a first-come, first-served basis.

An employee will be allowed to use only that PTO time credited to his or her PTO Bank. Time will be credited the day after the pay period for which it is accrued. It cannot be taken in advance of, or during, the pay period in which it is accrued. Final paychecks may include deductions for any negative balance upon termination consistent with state and federal law.

An employee cannot use PTO on any day in which he or she is not regularly scheduled to work. In other words, PTO cannot be cashed in.

An employee using PTO for his or her own illness, injury or health condition shall not engage in outside employment during the period of leave.

PTO must be used in increments of fifteen (15) minutes.

Minimum Staffing

Every department shall establish minimum staffing requirements for each of its operations. PTO shall not be granted, except in case of illness, approved FMLA leave or as otherwise required by law, when it will cause the staffing to fall below minimum requirements.

Employee Responsibilities

The City's goal in creating a PTO policy is to allow employees maximum flexibility in the scheduling and use of paid time off, while at the same time ensuring that City operations are not adversely affected by the use of the privilege.

Thus, the entitlement to paid time off under this policy carries a corresponding duty on the part of each employee to use his or her time responsibly. Such duty includes, but is not limited to:

- Scheduling time off in a manner that ensures a sufficient personal PTO balance to meet unanticipated leave requirements; and
- Giving sufficient and proper notice before using PTO (the notification guidelines stated above are merely minimums); and
- Taking all necessary steps to ensure the employee's job responsibilities can be covered during an absence, and avoiding the use of PTO at times when the employee's absence will be particularly detrimental to the department.

Using PTO in a manner that is detrimental to department operations will be considered a breach of the employee's duty and will be subject to disciplinary action.

Unscheduled PTO, in particular, has the potential to disrupt operations. Supervisors shall have the right to require proof of illness or other emergency, and to take disciplinary action if proof is not provided, in the following situations:

- When an employee requests unscheduled PTO more than six (6) times in any twelve (12) month period.
- When an employee uses unscheduled PTO on the last scheduled work day immediately preceding a holiday or the first scheduled work day immediately following a holiday.
- When an employee routinely uses unscheduled PTO on a Friday or Monday, or any other day that precedes or follows a workweek.
- When an employee uses unscheduled PTO in any amount on a day when the employee's absence is particularly detrimental to the department.
- When an employee's pattern of usage otherwise suggests a breach of his or her duty to use PTO responsibly in accordance with this policy.

Carryover

An employee will be allowed to carry over a maximum of PTO Bank hours from one benefit year to the next as follows:

- 140 hours for all 35 hour/week employees
- 160 hours for all 40 hour/week employees
- 212 hours for all 53 hour/week employees

Any excess time left in the PTO Bank at the end of the benefit year will be transferred to the employee's Personal Sick Bank, subject to maximum capped hours described below. If the employee's Personal Sick Bank reaches the maximum capped hours, any excess PTO time will be forfeited.

PERSONAL SICK BANK

Sick leave is built into the PTO accrual. An employee should always keep a sufficient PTO balance to cover minor illnesses. Some employees may have a Personal Sick Bank to cover longer medical absences.

Initial Funding

Sick leave accrued by an employee prior to January 1, 2022, will be maintained in the Personal Sick Bank and may only be used for the employee's own medical needs, or as otherwise allowed under the City's Family and Medical Leave policy.

Annual Deposits

At the end of each employee's benefit year, all time in excess of (140/160/212) hours remaining in an employee's Personal PTO Bank will be transferred to the employee's Personal Sick Bank, which is capped as follows:

- 280 hours for all 35 hour/week employees
- 320 hours for all 40 hour/week employees
- 424 hours for all 53 hour/week employees

Any transferred PTO time that would cause the Personal Sick Bank to exceed the above mentioned caps shall be forfeited. There is no other method of increasing the Personal Sick balance after January 1, 2022.

Use of Personal Sick Bank

The Personal Sick Bank is intended for use when:

- An employee is medically unable to work due to an illness, injury or health condition, and is not otherwise compensated by the City or by worker's compensation or disability benefits; or
- The employee has been approved for FMLA leave to care for a spouse, child or parent with a serious medical condition.

The notification requirements and employee responsibilities for using the Sick Leave Bank are the same as they are for PTO. The Personal Sick Bank must be used in increments of fifteen (15) minutes.

The Personal Sick Bank balance can be seen on the Civic System or system used at the time the policy is in effect. Discrepancies should be immediately brought to the attention of the employee's supervisor.

The Personal Sick Bank **cannot** be used:

- Until the balance in the employee's PTO Bank is (35 hours or less for all 35 hour/week employees; 40 hours or less for all 40 hour/week employees; and 53 hours or less for all 53 hour/week employees); or
- For illnesses of family members, unless such illnesses have been approved for leave under the FMLA policy.

An employee whose PTO balance reaches (35 hours or less for all 35 hour/week employees; 40 hours or less for all 40 hour/week employees; and 53 hours or less for all 53 hour/week employees) hours in the course of a workday may elect to split the day between his or her PTO and Personal Sick Bank; an employee may also choose to deplete his or her PTO Bank before using time from the Personal Sick Bank. An employee who accrues PTO while using time from his or her Personal

Sick Bank can continue to use sick time as long as the absence is continuous, even if his or her PTO Bank balance rises above (35 hours or less for all 35 hour/week employees; 40 hours or less for all 40 hour/week employees; and 53 hours or less for all 53 hour/week employees) hours during that absence.

An employee using time from his or her Personal Sick Bank for his or her own illness, injury or health condition shall not engage in outside employment during the period of leave.

Use of the Personal Sick Bank in circumstances other than those specified above may result in disciplinary action, up to and including immediate termination.

A supervisor may require a doctor's statement or other proof of illness or injury after an employee uses three (3) or more consecutive days from his or her Personal Sick Bank, or if an employee's use of the Personal Sick Bank indicates abuse, including:

- Frequent one-half (0.5) day or one (1) day absences; or
- Recurrent use of the Personal Sick Bank on the days before and/or after weekends or holidays or scheduled time off; or
- Repeated use of the Personal Sick Bank on days which the employee reasonably should know his or her absence would have a particularly negative effect on the department.

Repeated abuse of the Personal Sick Bank may be grounds for disciplinary action, up to and including immediate termination.

Maximum Accumulation

No employee can have more than 280 hours for all 35 hour/week employees; 320 hours for all 40 hour/week employees; and 424 hours for all 53 hour/week employees in his or her Personal Sick Bank at any time.

Transfer/Termination

The balance in the Personal Sick Bank is transferable between all City departments. The employee's new department is responsible for all sick time the employee brings with him or her.

The Personal Sick Bank balance will not be paid out upon termination of employment. However, after fifteen (15) years of continuous City employment, an employee is entitled to be compensated for up to (120) hours of unused Personal Sick Bank. After twenty (20) years of continuous City employment, an employee is entitled to be compensated for up to (240) hours of unused Personal Sick Bank. An employee's termination date may not be extended to use up the Personal Sick Bank balance. The employee's termination date shall always be the last day worked, inclusive of any authorized leave of absences.

Additional Leave

An employee who uses all the accrued time in his or her PTO Bank and Personal Sick Bank is not eligible for additional paid time off, unless the absence falls into another category of paid leave for which the employee is eligible.

An employee who is in need of additional extended leave may apply for unpaid leave as provided by the City's Leaves of Absence policy. Even if additional unpaid leave is granted, the employee may be subject to disciplinary action for misuse of the PTO program.

GROUP SICK BANK

Group Sick Leave Bank ("Group Sick Bank") is established for full-time employees who donate as follows:

- Police Department: A minimum of fourteen (14) hours or sixteen (16) hours per year.
- Fire Department: A minimum of 24 hours of unused Personal Sick Bank hours per year.
- City Department: A minimum of fourteen (14) hours or sixteen (16) hours per year.

Employees become eligible to join the Group Sick bank on their 2nd Employment Anniversary. The annual enrollment period to join the Group Sick Bank shall be during the month of the Employee's Anniversary Date. Employees who have exhausted all of their earned Personal Sick Bank hours may donate their Personal PTO Bank hours to meet the annual enrollment requirement.

If an employee wishes to join the Group Sick Bank, he/she must deposit the number of Personal Sick Bank hours which would have normally been deposited had the employee participated in the program from either the time of its inception or the employee's date of hire, whichever is less. For example: an employee employed with the City working a 7 hour day, will be required to donate hours for their 1st and 2nd year of employment, 14 hours for year one and 14 hours for year 2, equaling 28 hours total to enter on their 2nd anniversary. Each subsequent year they will donate 14 hours during the month of his/her Anniversary Date to remain in the sick bank.

The Group Sick Bank is intended to be available for those employees who have exhausted all of their earned PTO hours and are experiencing an extended illness or condition covered by the Family and Medical Leave Policy.

The Group Sick Board, comprised of three (3) members, is established by the Mayor to consider employee requests for use of Group Sick Banks hours.

Employees eligible to apply to the Group Sick Bank must have donated the required PTO days and exhausted all available Personal PTO Bank, Personal Sick Bank hours, and Compensatory Time. Such employee must be off work on sick leave for at least fifteen (15) consecutive working days and make application to the Board in person or by representative.

The maximum number of hours that may be granted per employee shall be capped as follows:

- Police Department:
 - 210 hours for all 35 hour/week employees and a max of 420 hours per year
 - 240 hours for all 40 hour/week employees and a max of 480 hours per year
- Fire Department:
 - 312 hours taken within a 42-calendar day period and a max of 624 hours per year.
- City Department:
 - 210 hours for all 35 hour/week employees and a max of 420 hours per year
 - 240 hours for all 40 hour/week employees and a max of 480 hours per year

From time to time, it may be necessary for the Board to replenish the number of Group Sick Bank hours, and it shall have the authority to assess members' additional PTO hour donations. At such time as the Group Sick Bank falls below the 400 hours, Group Sick Bank leave hours shall be made upon all current members of the Bank who have PTO or Personal Sick Bank hours.

- Police Department: obligatory assessment of 7 or 8 hours
- Fire Department: obligatory assessment of 24 hours
- City Department: obligatory assessment of 7 or 8 hours

Assessments will be made during the following January if employed with the City or deducted from the final paycheck upon termination pursuant to applicable law.

HOLIDAYS

All regular full-time and part-time employees of the City who are normally scheduled to work on a day that the City is closed because of an observed holiday, with the exception of the Police Department and Fire Department employees and Water Plant Operators whose work schedules do not permit same, will observe the holiday with pay. Employees are not required to use PTO time for holiday hours that are declared City holidays.

An employee may be required to work on a holiday; however, this decision is at the discretion of the Department Head. Holiday Leave will not be "carried over" into the next calendar year unless approved by the Mayor.

Police Department

Full-time Police Officers shall be compensated for holidays by being given (13) Holiday Leave days per year in lieu of holiday hours that are declared City holidays. For purposes of this policy, one (1) Holiday Leave day is equal to a one (10) hour shift. Scheduling the use of Holiday Leave shall be subject to the Police Chief's approval and may be scheduled by the Police Chief. Holiday Leave days are paid at the Police Officer's straight time pay rate at the time the leave is taken off and may be used in increments of ten (10) hours. Police Officers do not receive additional compensation for working on a holiday observed by other City employees. Police administrative employees will follow the City Holiday schedule.

Fire Department

Full-time Firefighters are awarded thirteen (13) Holiday Leave days per year in lieu of holiday

hours as afforded to other City employees. For purposes of this policy, one (1) Holiday Leave day is equal to one (24) hour shift. No more than one (1) floating Holiday Leave day shall be used in any given twenty-eight (28) day pay period. Holiday Leave will be subject to the Fire Chief's approval and may be scheduled by the Fire Chief. Holiday Leave is paid at the Firefighters straight time pay rate at the time the leave is taken off and must be taken in full twenty-four (24) hour shifts. Firefighters do not receive additional compensation for working on a holiday observed by other City employees.

Water Plant Operators

Water Plant Operators shall receive holiday pay for each designated holiday. Holiday pay will be calculated based on an 8-hour day, at the employee's straight time pay rate (as of the date of the holiday). Holiday hours worked will count towards "hours worked" in that pay period for purposes of overtime.

SEVERABILITY

The policies and procedures contained in this Handbook are subject to all applicable federal and states laws, City of Greensburg, Indiana, rules and regulations, and shall be interpreted wherever possible so as to comply fully with such laws, provisions, or any judicial interpretations. If an article or section of this Handbook shall be held invalid by operation of law or tribunal or competent jurisdiction, or compliance with or enforcement of any article or section of this Handbook shall be restrained by such tribunal, the remainder of this and any amendments thereto shall not be affected and shall remain in full force and effect. The City of Greensburg, Indiana reserves the right to delete, modify, or amend the policies contained herein or allocate new policies as needed.

INDEMINIFCATION

In the event that a Department Head becomes a defendant, either in his/her representative capacity or individually in any litigation arising out of the administration to this policy, the City and/or its insurers shall defend the Department Head of that action and pay any judgment entered in the action provided by the City, so long as the Department Head has made a good faith effort to comply with the terms and conditions set out in this handbook.

ENABLING ORDINANCES

This personnel policies handbook shall be approved by ordinance by the Greensburg Common Council.

AMENDMENTS

This handbook may be amended from time to time in substantially the same form approved by the Greensburg Common Council. Any amendments shall be distributed to each department of the City and shall be conspicuously posted for at least ninety (90) days throughout the offices of the City after their passage.

HANDBOOK ADDENDUM — City¹

NORMAL WORK WEEK

Each Department's normal work week shall begin on 12:01 AM **Sunday** and end the following **Saturday** Midnight, unless otherwise designated by the Mayor.

WORK HOURS

City offices and departments shall observe the hours of work designated and established by the Mayor. The regular work hours may be changed by the Mayor upon one (1) weeks' notice to each Department Head. Certain departments may maintain varied work schedules under special employment conditions set forth by governing statutes.

Employees shall be relieved of all duties and be free to leave their posts during their lunch time, unless otherwise directed by the Department Head.

Department Heads will advise employees of the times their schedules will normally begin and end. Work hours may be temporarily altered to flex work schedules at the discretion of the Department Head. Any permanent change to work hours must be approved by the Mayor.

MAYOR'S OFFICE, AND PLAN DEPARTMENT: 8:00 a.m. – 4:00 p.m., Monday – Friday with a one (1) hour unpaid meal period per workday. A normal week's work shall consist of 35 hours. Work schedule changes shall be approved by the Mayor.

CITY CLERK-TREASURER: 8:00 a.m. – 4:00 p.m., Monday – Friday with a one (1) hour unpaid meal period per workday. A normal week's work shall consist of 35 hours. Work schedule changes shall be approved by the Clerk-Treasurer.

CITY ENGINEER, STREET DEPARTMENT, WASTEWATER DEPARTMENT, UTILITIES OFFICE, AND WATER PLANT: 7:00 am-4:00 pm, and (1) hour unpaid meal period per workday. A normal week's work shall consist of 40 hours. Work schedule changes shall be approved by the Mayor.

WATER PLANT OPERATORS: Operators shall work one of the following two shifts: 6:00 a.m. – 6:00 p.m., or 6:00 p.m. – 6:00 a.m. Employees shall work on a 28-day work schedule. Operators shall have a one (1) hour paid meal period per workday. Work schedule changes shall be approved by the Mayor.

¹ The policies in this Addendum apply only to employees employed with the City of Greensburg, excluding those employees employed with the Fire and Police Department. To the extent the policies in the Handbook conflict with the policies contained in this Addendum, please note that the Addendum policies control. Any applicable workplace rules or policies specified in Lexipol are also incorporated by reference. Employees with questions or concerns regarding any company policy should contact a representative of Human Resources.

OVERTIME AND COMPENSATORY TIME

Each City employee holds a position that is designated as either **NON-EXEMPT, EXEMPT, or EXCLUDED** from federal and state wage and hour laws.

NON-EXEMPT employees are entitled to overtime pay at the rate of 1 ½ or compensation time off at the rate of 1 ½ under the specific provisions of federal and state laws. Calculating overtime compensation is based on actual hours worked. Time off while using paid time off, compensatory time, and bereavement leave shall not be included as time worked for purposes of calculating overtime hours. Time off on holidays shall be counted as hours worked for the purpose of calculating overtime hours.

EXEMPT employees are exempt from specific provisions of federal and state wage and hour laws, and are not entitled to overtime compensation or compensatory time off under specific provisions of federal and state laws. Exempt employees must maintain time keeping records to satisfy Indiana statutes governing public employers. To be considered exempt, a position must comply with federal regulations and laws regarding exempt status.

EXCLUDED employees are specifically excluded from coverage under federal and state wage and hour laws (e.g., elected officials).

Calculating overtime compensation is based on actual hours worked. Overtime for non-exempt employees is defined as those hours actually worked over forty (40) hours in any given work week, except call-out time. Time off while using paid time off, compensatory time, and bereavement leave shall not be included as time worked for purposes of calculating overtime hours. Time off on holidays shall be counted as hours worked for the purpose of calculating overtime hours.

Overtime Pay

Overtime pay shall be figured at 1 ½ times the regular hourly pay rate which shall include the base rate plus any other pay above the base rate.

This policy applies to all non-exempt employees of the City as determined by the City Council's designation of jobs for compliance with the Fair Labor Standards Act.

Compensatory Time

Compensatory time may be substituted for overtime pay and will be awarded at the same rate as overtime pay. Compensatory time shall be requested and approved in advance with the Department Head. Use of comp-time in lieu of overtime pay must be determined in advance of working overtime.

Effective January 1, 2022, non-exempt employees may accrue use of one hundred and forty hours

(140) compensatory time hours. After one hundred and forty hours (140) compensatory time hours, mandatory compensation is paid for overtime.

Overtime Approved in Writing

All overtime compensation or compensatory time shall be approved in writing by the employee's supervisor at the time it is granted. A copy shall be maintained in the department of the employee with a copy provided to the Clerk-Treasurer's Office.

Failure to Work Scheduled Overtime or Overtime without Authorization

Failure to work scheduled overtime or overtime worked without prior authorization may result in disciplinary action, up to and including termination.

This policy applies to all non-exempt employees of the City as determined by the City's designation of jobs as "non-exempt" under the FLSA.

Call-Out Time

All non-exempt employees called out by a supervisor to return to the workplace and work unscheduled hours, shall be paid at 1 ½ times the regular hourly rate for all call-out hours worked. All "call-out" time shall be designated on payroll vouchers submitted to the Clerk-Treasurer.

HANDBOOK ADDENDUM — Fire Department²

NORMAL WORK WEEK

The Fire Department's normal work week shall begin on **Sunday** and end the following **Saturday**.

WORK HOURS

Fire Department shifts are designated by the Fire Chief. Work hours may be changed as designated by the Board of Public Works and Safety.

OVERTIME AND COMPENSATORY TIME

Each City employee holds a position that is designated as either **NON-EXEMPT, EXEMPT, or EXCLUDED** from federal and state wage and hour laws.

NON-EXEMPT employees are entitled to overtime pay at the rate of 1½ or compensation time off at the rate of 1½ under the specific provisions of federal and state laws. For purposes of calculation of overtime, only hours actually worked shall count toward overtime compensation; Paid time off, sick leave, compensatory time, and holidays shall not be included as time worked.

EXEMPT employees are exempt from specific provisions of federal and state wage and hour laws, and are not entitled to overtime compensation or compensatory time off under specific provisions of federal and state laws. Exempt employees must maintain time keeping records to satisfy Indiana statutes governing public employers. To be considered exempt, a position must comply with federal regulations and laws regarding exempt status.

EXCLUDED employees are specifically excluded from coverage under federal and state wage and hour laws (e.g., elected officials).

When overtime pay is computed for the work period for Firefighters, the following conditions will apply:

1. Scheduled and unscheduled overtime must be approved by the Chief. Failure to work scheduled overtime or overtime worked without prior authorization may result in disciplinary action, up to and including termination.
2. Overtime records must be kept on an approved payroll form.

² The policies in this Addendum apply only to Firefighters employed with the Fire Department of the City of Greensburg. To the extent the policies in the Handbook conflict with the policies contained in this Addendum, please note that the Addendum policies control. Any applicable workplace rules or policies specified in Lexipol are also incorporated by reference. Employees with questions or concerns regarding any company policy should contact a representative of Human Resources.

3. Firefighters will receive overtime compensation in the form of monetary payment or compensatory time off as approved by the Chief.
4. Authorized time off work shall not be counted as hours worked when calculating overtime, unless otherwise specified in this policy.

Overtime Pay

A work period is twenty-eight (28) consecutive days. Firefighters will receive overtime compensation for hours worked in excess of two hundred and twelve (212) hours per work period. Compensatory time may be substituted for overtime pay and will be awarded at the same rate as overtime pay. Only those hours actually worked shall count toward the total hours needed to begin receiving overtime compensation at a rate of one and one-half times the Firefighter's regular hourly pay rate.

Compensatory Time

Compensatory time may be substituted for overtime pay and will be awarded at the same rate as overtime pay. Compensatory time shall be requested and approved in advance with the Department Head. Use of comp-time in lieu of overtime pay must be determined in advance of working overtime.

Whenever a Firefighter is called into work from off-duty status, he/she will receive a minimum of three (3) hours of compensatory time. Call-out time will include but is not limited to required court appearances, investigations, fire suppression, or assistance in providing additional coverage within the City for an emergency. This three (3) hour minimum will count as hours worked when calculating overtime compensation.

Effective January 1, 2022, Firefighters may accrue use of one hundred and forty hours (140) compensatory time hours. After one hundred and forty hours (140) compensatory time hours, mandatory compensation is paid for overtime.

Overtime Approved in Writing

All overtime compensation or compensatory time shall be approved in writing by the employee's Department Head at the time it is granted. A copy shall be maintained in the department of the employee with a copy provided to the Clerk-Treasurer's Office.

Failure to Work Scheduled Overtime or Overtime without Authorization

Failure to work scheduled overtime or overtime worked without prior authorization may result in disciplinary action, up to and including termination.

HANDBOOK ADDENDUM — Police Department³

NORMAL WORK WEEK

Each Department's normal work week shall begin on 12:01 AM **Sunday** and end the following **Saturday** Midnight, unless otherwise designated by the Mayor.

WORK HOURS

Police Department shifts are designated by the Police Chief. Work hours may be changed as designated by the Board of Public Works and Safety.

OVERTIME AND COMPENSATORY TIME

Each City employee holds a position that is designated as either **NON-EXEMPT, EXEMPT, or EXCLUDED** from federal and state wage and hour laws.

NON-EXEMPT employees are entitled to overtime pay at the rate of 1½ or compensation time off at the rate of 1½ under the specific provisions of federal and state laws. Calculating overtime compensation is based on actual hours worked. Time off using paid time off, compensatory time, and bereavement leave shall not be included as time worked for purposes of calculating overtime hours.

EXEMPT employees are exempt from specific provisions of federal and state wage and hour laws, and are not entitled to overtime compensation or compensatory time off under specific provisions of federal and state laws. Exempt employees must maintain time keeping records to satisfy Indiana statutes governing public employers. To be considered exempt, a position must comply with federal regulations and laws regarding exempt status.

EXCLUDED employees are specifically excluded from coverage under federal and state wage and hour laws (e.g., elected officials).

When overtime pay is computed for the work period for Police Officers, the following conditions will apply:

1. Scheduled and unscheduled overtime must be approved by the Chief. Failure to work scheduled overtime or overtime worked without prior authorization may result in disciplinary action, up to and including termination.

³ The policies in this Addendum apply only to Police Officers employed with the Police Department of the City of Greensburg. To the extent the policies in the Handbook conflict with the policies contained in this Addendum, please note that the Addendum policies control. Any applicable workplace rules or policies specified in Lexipol are also incorporated by reference. Employees with questions or concerns regarding any company policy should contact a representative of Human Resources.

2. Overtime records must be kept on an approved payroll form.
3. Officers will receive overtime compensation in the form of monetary payment or compensatory time off as approved by the Chief.
4. Authorized time off work shall not be counted as hours worked when calculating overtime, unless otherwise specified in this policy.

Overtime Pay

City of Greensburg Police Officers will receive overtime compensation at the rate of time and a half (1½) of their regular hourly rate for all hours worked over forty (40) hours in a workweek. Only those hours actually worked shall count toward the total hours needed to begin receiving overtime compensation at a rate of one and one-half times the Officer's regular hourly pay rate.

Compensatory Time

In the event a Police Officer works overtime, such employee may earn comp time at 1½ times of the regular work period, which shall be scheduled and approved in advance with the Police Chief. Compensatory time may be substituted for overtime pay and will be awarded at the same rate as overtime pay. Compensatory time shall be requested and approved in advance with the Department Head. Attempts to accrue unauthorized overtime/comp time will result in disciplinary action.

Effective January 1, 2022, Police Officers may accrue use of one hundred and forty hours (140) compensatory time hours. After one hundred and forty hours (140) compensatory time hours, mandatory compensation is paid for overtime.

On-Call Pay

Whenever a Police Officer is called into work from off-duty status, he/she will be paid for the time worked or a minimum of three (3) hours, whichever is greater. Time worked while on call will be calculated at the employee's regular rate of pay. This three (3) hour minimum will count as hours worked when calculating overtime compensation. Call-out time will include, but is not limited to, required court appearances, investigations, fire suppression, or assistance in providing additional coverage within the City for an emergency.

If an on-call Police Officer is not called back, she/he will receive 1 hour of on-call pay at their regular rate for each shift of on-call status. If a Police Officer is called to come back to work while he or she is on-call, the Police Officer is paid for hours actually worked, subject to a minimum of 3-hours of call-back compensation for the on-call shift. This 3-hour of call-back pay counts as time worked for purposes of calculating overtime and is paid in addition to the 1-hour of on-call pay. Commuting time is not counted as hours worked if the Police Officer is on-call and called back to work. Work time begins upon arrival to work and ends upon clocking out and leaving work. If the Police Officer has an unplanned absence during his or her shift immediately prior to the on-call duty, the employee will forfeit the 1-hour of on-call pay for shift of on-call status.

The Police Officer is not required to restrict his or her activities while on-call, but the Police Officer must remain free of the influence of alcohol or illegal drugs. In addition, the Police Officer should not take any prescription drug that adversely affects his or her ability to safely and effectively perform his or her job duties. If a Police Officer has a medical condition and has concerns about complying with this requirement, the employee should consult with the Office of Human Resources.

Overtime Approved in Writing

All overtime compensation or compensatory time shall be approved in writing by the employee's supervisor at the time it is granted. A copy shall be maintained in the department of the employee with a copy provided to the Clerk-Treasurer's Office.

Failure to Work Scheduled Overtime or Overtime without Authorization

Failure to work scheduled overtime or overtime worked without prior authorization may result in disciplinary action, up to and including termination.

EMPLOYEE ACKNOWLEDGMENT FORM

The **City of Greensburg Personnel Policy Handbook** describes important information about employment with the City of Greensburg, and I understand that I should consult the Mayor regarding any question not answered in this Handbook.

Since the information, policies, rules, and benefits described here are necessarily subject to change, I acknowledge that revisions to this Handbook may occur from time to time without or without notice. I understand that revised information may supersede, modify, or eliminate existing policies.

I understand the descriptive materials contained in this Handbook are only summaries. Any discrepancies between these summaries and the terms of the actual plans will be governed by the terms of the underlying, more detailed policies and procedures. I understand that any questions regarding the Handbook policies and procedures and any discrepancies should be directed to the Human Resources Department or my Department Head.

Furthermore, I agree that the City's policies and practices do not create an express or implied contract or covenant of any type between the City and me, and that employment and compensation are for no fixed term and may be terminated by the City at any time with or without cause or notice. Likewise, I may resign at any time. This Handbook supersedes all previously issued handbooks or policies. I have received this Handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any subsequent revisions.

Employee's signature

Date

Employee's name (typed or printed)

Office/department