

CITY OF HERREID

PERSONNEL POLICY

Full-Time/Permanent Employees

(Updated: Dec. 2017)

INDEX

1. General Provisions..... Page 3

2. Recruitment and Selection..... Page 3

3. Probation and Certifications..... Page 4

4. Work Week and Workday..... Page 4
Rest Periods (page 5)
Overtime (page 5)

5. Compensation..... Page 5
Pay Period (page 5)
Rate of Pay (page 5)
Payroll Deductions (page 5)
Insurance (page 6)
SD Retirement System (page 6)
Worker’s Compensation (page 6)

6. Travel Page 6
Travel Expenses and Use of City Vehicles (page 6)
Motor Vehicle Driving History (page 6)
Operating Personal Vehicles on City Business (page 6)
Driving Record Acceptability (page 6)

7. Longevity Pay..... Page 7

8. Leave and Vacations..... Page 7
Vacation (page 7)
Sick Leave (page 8)
Holidays (page 8)
Administrative Leave (page 8)
Family and Medical Leave Act (page 9)
Extended Leave for Illness or Temporary Disability (page 9)
Outside Employment (page 9)
Emergency Leave Provisions (page 9)
Maternity Leave (page 10)
Jury Duty (page 10)
Emergency Volunteers (page 9)
Military Leave (page 10)
Leave Without Pay (page 10)

9. Telephone and Computer Usage..... Page 10

10. Drug and Alcohol Abuse..... Page 11

11. Media Policy..... Page 11

12. Discipline..... Page 13

CITY OF HERREID PERSONNEL POLICY

This personnel policy shall be effective December 1, 2015 and replaces previous personnel policy manuals of the City of Herreid.

1. General Provisions

The Herreid City Council adopts this personnel policy and shall be the final authority over its interpretation. The purpose of this personnel policy is to establish an efficient and equitable system of personnel administration based on employee merit, free from personal or political consideration. This policy is intended to govern all conditions of employment by the City of Herreid and may be amended as the need arises.

State and Federal laws applying to municipal employees shall supercede the provisions of this policy.

At-Will Employment

The City recognizes that South Dakota is an employment at-will state and the intent of this City is to maintain that employment at-will status of all employees. This manual does not confer a contract of employment. These policies are provided as a reference of present policies and not a guarantee of employment or specific employment benefits. No at-will employee has any due process rights relative to any termination proceeding.

Applicability to Appointed and Elected Officials

All elected and appointed officials shall comply with all laws, including but not limited to discrimination, harassment and non-retaliation.

The Mayor is responsible for the administration of this policy, and the practices and procedures stated herein shall be the established personnel policy for all full-time employees of the City of Herreid. Nothing in this personnel policy shall act or be construed to act to deprive the City or any of its officials of any of the rights, responsibilities and privileges granted by state or federal law, nor shall any provision of this document act or be construed so to act, to deny any employee any right inherent under the law.

All buildings owned by the City will be smoke free.

City Employees will be classified as follows;

Regular Full-Time Employee; An employee who is employed by the municipality to work a predetermined schedule of at least 40 hours per week and has completed their training period. Benefits include: vacation leave, sick leave, holiday pay, a stipend in lieu of health insurance, SD Retirement, SDRS Supplemental Retirement and personal emergency leave.

Temporary or Seasonal Employee: An employee who is employed by the City to work for less than 20 hours per week or less than 6 months. No benefits.

2. Recruitment and Selection

Residency within the municipality shall be a condition of employment for full-time, essential employees. Employees must reside within the city limits of Herreid so as to not interfere or hamper the employee from fulfilling the duties of his/her position or cause the employee to miss work often.

If in the best interest of the City, promotions or transfers of individuals already employed with the City shall be given first consideration. This consideration, however, does not entitle the individual to an automatic promotion or transfer to a higher level of employment.

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA) provides rights and protection to individuals with disabilities in the

areas of employment. The City is committed to the fair and equal employment of individuals with disabilities under the ADA and ADAAA. It is also the City's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the organization. The employee or employment applicant shall inform the Mayor or head of the department of the need for an accommodation, and the City shall engage in an interactive process regarding the request. The City may request documentation of the functional limitations to support the request.

Any individual who believes that (s)he or a specific class of individuals with disabilities has been subjected to unlawful discrimination on the basis of that disability by the City may, by himself or herself or by any authorized representative, file a complaint with the City or with the state or federal commissions.

The City of Herreid is an Equal Opportunity Employer. No applicant for employment with the City shall be favored or discriminated against because of race, color, political or religious affiliations, national origins, sex, age, handicapped status or other non-merit factors. Employees of this City shall be free to join or refrain from joining any employee union or association.

The City of Herreid is committed to providing a work environment that is free from discrimination and harassment. To maintain this commitment, the municipality will not tolerate any form of harassment, including sexual harassment. If an employee has a complaint relating to sexual harassment, the complaint should be made to the employee's supervisor. If the complaint centers on the conduct of the employee's supervisor, the employee should make an appointment to meet with the City Council and the matter will be discussed in executive session.

Under this policy, sexual harassment is defined as behavior of a sexual nature which is unwelcome and personally offensive to its recipient. It is a form of employee misconduct which is demeaning to another person and undermines the integrity of the employment relationship.

3. Probation and Certifications

Every full-time employee hired by the City must complete a 6-month training period for the purpose of assessing the individual's ability to perform their assigned duties. Such employment may be terminated if either the City or the employee feels this is the appropriate action. There is no notice required of either party for such termination and no due process procedure will be held by the City for any disciplinary action during this time period. During this training period an employee shall accrue both sick and vacation leave at the regularly scheduled rate. Sick leave may be used as necessary at this time; however, the employee is not entitled to use accrued vacation leave until completion of their 6-months employee-in-training. Employees will be entitled to paid holidays as observed by the City during the training period. At the discretion of the employer, the training period may be extended by an additional 3 months.

4. Work Week and Workday

The normal work week is 40 hours per week and the period used for computation of pay is from 12:01 A. M. Sunday to 12:00 Midnight the following Saturday, except as otherwise designated by the City Council.

All City employees are expected to be at work on time and during their regularly scheduled hours. Employees who are unable to report for work on time are required to notify a co-worker or the mayor prior to their being absent, unless an emergency exists. If an emergency exists, the employee is expected to notify the proper authority as soon as reasonably possible.

Except in cases of an emergency, if an employee is absent for a workday or part of a workday that is not authorized shall be without pay and shall be grounds for disciplinary action.

All employees are expected to exercise discretion and good taste in the matter of dress. Cleanliness and good grooming are expected of all personnel. Employees are expected to report to work each day in clean clothing.

Rest Periods

All employees shall receive a paid fifteen-minute rest period during each one-half shift.

Lunch break

Unpaid lunch break (duration of break to be determined by council)

Overtime

Eligible employees may be required to work overtime. Overtime is defined as time that is worked in excess of the first 40 hours within the standard work week and does NOT include hours paid but not worked such as holidays or vacation days.

Insofar as possible, the opportunity to work overtime shall be distributed as equally as practicable by the municipality among the employees in each department. Accrual of overtime shall be recorded and included with timesheet.

Overtime compensation for all overtime eligible employees shall be at the rate of one and one-half of the employee's regular hourly rate. As stated above, time paid for but not worked does not count toward hours worked for the purpose of calculating overtime hours.

5. Compensation

The City Council shall have the authority to establish municipal salaries and fringe benefits.

Pay Period

Seasonal and Part Time Employees shall be paid monthly, and timecards must be turned into the finance office by the scheduled date. Payroll checks will be distributed by the 25th of that month. Full Time Employees shall be paid semi-monthly, and timecards must be turned into the finance office by the scheduled date. Semi-monthly payroll checks will be distributed by the 10th and 25th of that month. (Nov. 2018, Semi-monthly payroll for FT employees added)

Rate of Pay

Employees shall be paid at the regular rate of pay for all hours worked.

Clothing Allowance

At the discretion of the council, employees may receive an annual clothing allowance (\$300 in 2017, maintenance only)

Cell phone

At the discretion of the council, employees may receive a monthly stipend for use of their personal cell phone for city business during and after hours (\$50 in 2017, maintenance only. Jan. 2018, FO included)

Holiday Pay (full-time employees only)

Any and all work on a holiday must be authorized by the Mayor and shall be compensated at the rate of double time and a half. (Paid 8-hours Holiday pay at regular rate, and actual hours worked are at time and a half)

Payroll Deductions

The Finance Officer is authorized to make established deductions from an employee's gross pay to cover Federal Income Taxes. Subject to authorization of the employee, the Finance Officer may also make payroll deductions for other purposes as approved or ordered by the City

Council or a Court of Law for such things as, but not limited to, child support.

Insurance

The City offers full-time employees a stipend in lieu of health insurance.

South Dakota Retirement System (SDRS)

For eligible employees (those who work 20 or more hours per week for more than 6 months) participation in the South Dakota Retirement System is mandatory. A deduction of 6% (8% for Class B Public Safety) of the monthly salary is made in each payroll period of which is matched by the municipality toward the retirement of the employee.

SDRS Supplemental Retirement

The City is part of the SDRS Supplemental Retirement plan, but participation is voluntary, and sole paid through and employee deduction, with no match from the City.

Worker's Compensation

Claims must be reported immediately to the supervisor and Finance Officer. All incidents must be reported within 3 days of the accident.

If an employee is injured on the job, all work-related medical costs will be paid as well as the compensation rate for salary loss as set by the State of South Dakota. Employee will not be forced to use accrued sick leave/vacation hours when out due to a valid work comp claim.

6. Travel

Travel Expenses and Use of City Vehicles

The actual cost of lodging per day will be paid by the city for all approved job-related travel expenses. Also, an allowance for meals will follow State Rates, subject to change, currently: \$6.00 for breakfast, \$11.00 for lunch and \$15.00 for dinner will be reimbursed the following meeting. When employees must use their private vehicles for approved travel, mileage shall be paid at the current rate of .45 per mile. These rates will be reviewed annually.

The City does not allow ride-a-longs in City vehicles. Contractors, hired labor, mayor & council members can ride along. Exceptions may be made if approved by the Mayor to allow City personnel from other communities attending training sessions to accompany the City of Herreid driver. The City will not be responsible for losses or injuries to the employee or third person resulting from a violation of this policy.

Motor Vehicle Driving History

A motor vehicle driving history will be run on all new employees and on each existing employee annually, if driving is a job requirement. A driving history is important and will give the City insight into the driving habits of potential and existing employees.

Operating Personal Vehicles on City Business

Any employee operating a personal vehicle while on business shall sign and submit a statement to the Finance Officer. This statement should include that they have automobile liability insurance for bodily injury and property damage for at least the minimums required by the State of SD.

Driving Record Acceptability

Any employee who drives a City of Herreid or personal vehicle while in the employ of the City of Herreid whose driving record shows any one of the following conditions will be considered to have an unacceptable driving record and will not be permitted to drive until his/her record no longer exhibits one of the criteria listed below:

1. One or more serious violation(s) in the last two years.
2. Two or more at-fault accidents in the last year involving a City of Herreid owned vehicle where the accident results in property damage of \$2,500.00.

3. More than three moving violations in the last two-year period, including traffic citations received as a result of an accident.
4. Any combination of traffic accidents and/or moving violations equaling five or more in the last two years.

Serious violations include, but are not limited to, Driving while intoxicated; Driving while under the influence of drugs; Negligent homicide arising out of the use of a motor vehicle(gross negligence); Operating a vehicle without a license; Using a motor vehicle during the commission of a felony; Aggravated assault with a vehicle; Operating a vehicle without the owner's authority (Grand theft); Permitting an unlicensed person to drive; Reckless driving; Speed contest; and Hit and Run driving.

7. Longevity Pay (Full-time employees)

Realizing the value of long term, well trained, efficient and loyal employees who are continuously interested in the operation and welfare of the city, the Mayor and Council Members shall recognize employees with 5 years of continuous employment. Employees hired with benefits will be eligible for longevity pay. Will be paid out at end of calendar year of anniversary.

A gift will be presented to the employee in appreciation for the loyalty, cooperation, understanding and service longevity, so necessary for an organization to succeed. Will be given at the end of employee(s) anniversary year. Gifts for years of service shall be as follows:

1. Five years-\$50.00
2. Ten years-\$100.00
3. Fifteen years \$150.00
4. Twenty years \$200.00
5. Twenty-five years \$250.00
6. Thirty years \$300.00
7. Thirty-five years \$350.00
8. Forty years \$400.00, etc.

8. Leave and Vacations (Full-time employees)

Vacation

All permanent, full-time municipal employees shall be allowed annual vacation leave with full pay. After 6 months to 10 years of employment - Two working weeks of paid vacation (10 days); Eleven to Fifteen years of employment - Three working weeks of paid vacation (15 days); Sixteen years of employment and over – Four working weeks of paid vacation (20 days). The employee is not entitled to use accrued vacation leave until completion of 6 months of employment. If time off is granted prior to 6 months of continuous employment by mayor or council, it will be unpaid. No vacation time will be paid if employment is terminated before end of 6 months. All vacation periods of four or more days shall be submitted to the Finance Officer for prior approval of the City Council. The Council may deny the vacation request and ask you to reschedule at another time. If possible, vacations should not be scheduled around periods of peak workloads in your department.

Employees will be allowed to carry over Fifteen (15) days of vacation. Carry over hours in excess of 120 will be lost after Dec. 31. Depending on the pay period (currently ends on the 15th) and the workload at the end of the year, some employees may not be able to take time off. In those instances, they can carry over additional hours, but those will have to be used up by May 1st of the following year.

All leave must be requested by the employee and approved by the mayor. Leave shall be properly & clearly noted on timecards. Any leave without prior approval, shall result in leave without pay. At the time of resignation, retirement or death, accrued vacation time may be taken as vacation or paid in a lump sum. No additional vacation will accrue after notification of separation or death.

Sick Leave

Full-Time municipal employees shall be granted sick leave with full pay. Sick leave will be accrued at the rate of 8 hours per month (12 days per year) Sick leave may be used as accrued. Employees may not accrue more than 120 days of sick leave. Additional personal emergency leave may be granted with no pay in case of an emergency or serious illness or scheduled surgery involving an employee's spouse or child or member of the immediate family where attention of the employee is required if approved by the Mayor or Board President.

Sick leave may be granted for personal illness or disability, pregnancy, exposure to a contagious disease that would endanger the health of co-workers, eye or dental care, and required medical examinations for employee or *family member. (*Family members include: spouse, children, step-children, parents, parents-in-law, siblings, sibling-in-laws)

If more than three days are required for sick leave, further approval will be required, such as a doctor's certificate or approval by City Council. If an employee requests sick leave time and does not provide such proof upon request, sick leave will not be granted. All sick leave shall be noted on timecard. Unapproved leave may result in leave without pay. In the event employment is terminated by the City Council, then all accrued sick leave shall be canceled. Upon retirement, resignation or death, unused sick leave will be paid out as follows: At least 10 years of continuous employment, 20% of sick leave balance; 15 years, 35%; 20 years, 50%; 25 years or more, 60% of unused sick leave balance.

Holidays

The following calendar days and such other days as the City Council may fix are deemed holidays for full-time municipal employees: New Year's Day; Martin Luther King, Jr. Day; Presidents' Day; Good Friday; Memorial Day; July 4th; Labor Day; Veterans Day; Thanksgiving & Friday following; Christmas Day. One half day Christmas Eve, with council approval, if it falls on a weekday. Years when Christmas Eve is on a Saturday or Sunday, no holiday time will be paid. When any of the above cited Holidays falls on a Saturday, the preceding Friday shall be observed as the holiday, and when any of the above holidays falls on Sunday, the following Monday is considered the holiday.

Administrative Leave

In the event of an emergency (storm, power outage, unsafe work environment, etc.) The Mayor and/or council may determine that a full-time employee is unable to perform their duties in a safe and healthy environment, or for some other reason deem it not essential for employees to be at work. If an employee is sent home early or unable to perform their duties, through no fault of their own, they will be paid for a normal 8-hour day, regardless of how many hours

worked. For overtime calculation purposes, hours granted for “administrative leave” will NOT be counted as hours worked and not eligible for overtime.

Family and Medical Leave Act

Those employees that have been employed for at least 12 months and have worked 1250 hours in the prior 12 months are entitled to a total of 12 work weeks of leave during a 12 month period for one or more of these reasons: 1. Birth of a child; 2. Receiving a child through adoption or foster care; 3. To care for a spouse, child or parent who has a serious health condition; and 4. An employee’s own serious health condition. All eligible accrued leave is to be used prior to using unpaid discretionary leave. Doctor statements will also be required to support the leave requests. No additional leave or other benefits shall accrue during such leaves without pay. FMLA time off starts with the use of sick leave and vacation/comp time.

Extended Leave for Illness or Temporary Disability

Employees may request approval to use accumulated sick leave and vacation leave for the purpose of paid release time to recover from an extended illness or temporary disability which may interfere with proper job performance or that continued performance of duties endangers the health of the employee. Upon depletion of all accumulated sick leave, vacation, and comp time, an employee may request an unpaid leave of absence of up to one (1) year for extended disability. No additional leave or other benefits shall accrue during such leaves without pay. For extended periods of illness or temporary disability, a medical doctor’s certification of illness shall be required each two (2) weeks. Employees must present a signed physician’s “release to return to work” form in order to return to work. Failure of the employee to abide by the arrangements made with the City Council pertaining to the leave of absence shall be grounds for dismissal. Neither this policy nor any other policy takes precedence over the FMLA or ADA should either of those acts otherwise apply to the employees of the City.

Outside Employment

Although the City does not forbid off hour’s employment by employees (unless such employment interferes or negatively impacts the performance of their duties with the City or results in a conflict of interest) no appointive officer or employee, unless officially assigned to special duty, shall be granted sick leave for any injuries or illness resulting from any employment other than that required in the course of his/her assigned duties. Also, worker’s compensation insurance coverage will not be extended to outside employment.

Emergency Leave Provisions

If necessary, qualified City employees may use accrued sick leave for personal emergency leave. This leave may be used for the following:

- Death in the immediate family. (Immediate family is defined as an employee’s spouse, parents, stepparents, children, stepchildren, brothers, sisters, step-brothers, step-sisters, grandparents & grandchildren. The term also includes a spouse’s equivalent of the above)
- Emergency illness or scheduled surgery in the immediate family.

In the event of the death of any City employee or council member, the remaining employees shall be entitled to one-half day of administrative leave, which shall not be charged against their annual leave, nor deducted from their payment.

Volunteer police, fire or Emergency Rescue Squad work

The City of Herreid recognizes the importance of volunteer emergency workers, and

supports their efforts by allowing them to go on calls during regular work hours, if work load permits. Although employee's volunteer work is outside the scope of their duties and employment for the City of Herreid, the City will pay employees for their normal work hours while employees perform volunteer police, fire or emergency rescue squad work.

Maternity Leave

Paid maternity leave, using accrued sick leave, will be granted to the extent of twenty working days. Use of additional accrued sick leave will be granted upon certification from her doctor stating she is unable to return to work, and upon official action of the City Council. Annual leave or leave without pay may be used in lieu of sick leave. Maternity leave will be granted only for childbirth and recovery. Such leave will not be granted for child rearing.

Jury Duty

Employees summoned to serve on a jury or subpoenaed to testify in court shall receive their regular salary less the amount of compensation received from the court. Employees may use vacation time for jury duty, and if they so choose, they may keep the pay they receive from jury service.

Military Leave

Military service personnel must apply for a leave of absence from the Department Head before attending service school, annual field training or any other attendance required by their military service. Employees must use accumulated vacation time to take such leave with pay. Employees shall have the option of taking a leave of absence without pay in order to save their vacation time. If military pay is less than the employee's salary, the City will pay the difference.

Leave Without Pay

Employees may request leave without pay in extenuating circumstances. Such leave is at the sole discretion of the City Council and Mayor. It is the policy of the City that in circumstances such as these, vacation and/or comp time leave will be used in full before such leave without pay is granted. No additional leave or other benefits shall accrue during such leaves without pay.

The governing board reserves the right to authorize flexible work hours within the 40-hour work week in situations where it is appropriate or necessary. Employees must still adhere to the standard 40-hour work week unless flex time or overtime has been approved.

9. Telephone and Computer Usage Policy

While personal phone calls are not prohibited, their frequency, duration, and volume should not interfere with on-going work nor distract fellow employees. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of the company's policy. Flexibility will be provided in circumstances demanding immediate attention.

Employees are not permitted to make personal long-distance telephone calls using the company's telephones, except in emergencies. Employees may place personal long-distance calls if they use their personal calling card or call collect.

Personal Cell Phones

While at work, employees are expected to exercise the same discretion in using personal

cellular phones as is expected for the use of company phones. The City of Herreid will not be liable for the loss of personal cellular phones brought into the workplace. Employees may be paid a stipend for the use of their own personal cell phone to perform their duties.

Safety Issues for Cellular Phone Use

Employees shall refrain from using their phone while driving City vehicles or operating heavy equipment owned by the City. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees shall pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions and shall hold the City harmless there from. All camera equipped mobile devices must be turned off and put away in areas where employees have an expectation of privacy, such as restrooms, except in the case of emergencies. All picture taking and video taping is prohibited unless approved by management. Violations of this policy may lead to disciplinary action.

Computer Usage

The City may monitor computer, Internet and email usage, including retrieving and reading email messages and other computer files, and monitoring of Internet traffic. Therefore, email messages and other use of City computers are not confidential, and even though you may be issued a private password or other private access code to log in to the computer, you should have no expectation of privacy with regards to your use of City computer network system.

10. Drug and Alcohol Abuse

The City has a strong commitment to its employees to provide a safe, healthful, and productive work environment. It is not permitted for an employee to be under the influence of controlled drugs or substances or alcohol on the job. Any illegal controlled drug or substance possessed while on duty by employees will be turned over to the appropriate criminal justice agencies and may result in criminal prosecution. This does not apply to public safety officers who are in possession of an illegal controlled drug or substance while acting in the line of duty.

The City may request that the employee undergo drug and alcohol testing if there is a reasonable suspicion that the employee is under the influence of drugs or alcohol during work hours. The City also may use random testing of employees as conducted under the Federal Mandate. Any employee with a CDL Drivers License will be subject to random testing. A pre-employment urine drug screen, and physical will be scheduled by the City for all potential full-time employees.

11. Media Policy

When an incident occurs that could give rise to a claim against you or other employees, you may receive contact from the media. Refrain from commenting on any occurrence and refer the media to the designated individuals: The Mayor or the City attorney.

In addition to referring members of the media to one of the City's designated contacts, notify your supervisor immediately of any media contact.

Keep in mind that whatever you say will be viewed as an official statement on behalf of

your employer and your co-workers. This is yet another reason to follow the policy, make no comment, and direct the media to one of the following designated contacts: the Mayor or the City attorney.

Blogging and Social Networking:

The City recognizes that Social Networking (such as personal web sites, blogs, Facebook, Twitter, online group discussions, text messaging, message boards, chat rooms, etc.) can be used by employees for personal reasons as well as business purposes. The City also understands how the use of internet social network sites and blogs can shape the way the public views our products or services, employees, vendors, partners and clients. The City respects the right of any employee to maintain a blog or post a comment on social networking sites. However, the City is also committed to ensuring that the use of such communications serves the needs of our business by maintaining the City's identity, integrity, and reputation in a manner consistent with our values and policies. Therefore, the City has established the following rules and guidelines for communicating City-related information via Social Networking forums whether used in or outside the workplace:

Personal Blogging or Social Networking on City Time

Employees may not post on a personal blog or web page or participate in a personal social networking site during working time or at any time with City equipment or property. Working time is your scheduled time of work not including lunch time, breaks or time prior to or after your shift.

Disclaimer

If from your post in a blog or elsewhere in social media it is clear you are a City employee, or if you mention the City, or it is reasonably clear you are referring to the City or a position taken by the City, and also express a political opinion or an opinion regarding the City's positions or actions, the post must specifically note that the opinion expressed is your personal opinion and not the City's position. This is necessary to preserve the City's good will in the marketplace.

Restriction on Customers, Clients, Vendors, Products and Services

Employees are prohibited from soliciting City customers, vendors, or clients to be "friends" or contacts on any social or professional networking site except when the contact has also been divulged to the City or in cases where there is a pre-established relationship outside the City which has been disclosed to and approved by the City Council at the time of employment or institution of this policy. Employees are not to advertise or sell any of the City's products or services on any website or social network.

Right to Monitor

The City reserves the right to monitor all public blogs and social networking forums for the purpose of protecting its interests and monitoring compliance with City policies. The City reserves the right to access any City computers and electronic communication devices to monitor blogs and on-line websites. Employees should not maintain any expectation of privacy with respect to information transmitted over, received by, or posted on such sites.

Reporting

If an employee believes that a blog or other online communication violates any City policy, the employee should immediately report the blog or online communication to his or her supervisor. The City will investigate the matter, determine whether such blog, posting, website, or communication violates City policies, and take appropriate action.

Employee Rights

This policy is not intended to restrict an employee's rights to discuss wages and working conditions with co-workers or in any way limit employees' rights under the National Labor Relations Act.

12. Discipline

Discipline

Causes for Disciplinary Action, include but are not limited to the following:

1. Incompetence
2. Insubordination
3. Duty Neglect
4. Conviction of a felony
5. Knowing or willful violation, while on duty, of the laws of the United States, the State of South Dakota, the ordinances of the City, County or municipality of the State or any Council rules and regulations.
6. Offensive or inconsiderate conduct, or abusive language in public, or toward the public, City Officials or fellow employees while on duty.
7. Reporting for work under the influence of drugs or alcoholic beverages, use of alcoholic beverages or drugs while on the job, or considered by the Council or Mayor to be in an unsafe condition for work.
8. Absences without reasonable cause.
9. Tardiness without reasonable cause.
10. Failure to follow good safety practices while on the job.
11. Refusal or failure to perform job assignments.
12. Refusal or failure to follow the orders of a supervisor.
13. Falsification of municipal records.
14. Unauthorized possession of weapons on the job.
15. Misappropriation or willful damage of municipal property.
16. Loitering during working hours.
17. Engaging in horse play during working hours.
18. Fighting while on the job.
19. Leaving work early without permission.
20. Displaying conduct unbecoming of a municipal employee.
21. Accepting any gifts or gratuities that has any connection with municipal employment or performance of municipal duties.
22. Violation of any of the provisions of the City's personnel policy.
23. Any unpaid bill to the City may be withheld from paycheck.
24. Use of any city property for any personal use.
25. Unauthorized use of City credit card may result in immediate dismissal

Disciplinary Action

The City expects employees to use good judgment and exhibit a sense of responsibility. All employees are responsible for providing their particular City services to the public in a courteous, polite manner. Employees are expected to maintain high standards of conduct and cooperation in their duties for the City, and to conduct themselves in an appropriate manner and maintain a high level of job performance, and to not disclose confidential information learned in the course of employment. The City reserves the right to suspend an employee with pay, however, such action is not deemed to be a disciplinary action.

The municipality shall exercise its right to discipline any employee only for good and just cause. Disciplinary action will generally, take, but not be limited to, one of the following forms.

A. Oral Reprimand. A Council Person or Mayor may discipline an employee by oral reprimand at any time. No written record will go in the employee’s files.

B. Written Reprimand. A Council Person or Mayor may discipline an employee by written reprimand at any time. The Department Head will notify the employee in writing of the reason for the disciplinary action, and a copy of the written notice, initialed by employee, will be dated and placed in the employee’s personnel file. If the employee refuses to initial the notice, a notation to that effect shall be made by the Supervisor.

C. Probation. The Council or Mayor may place an employee on probation for a period not to exceed thirty days.

D. Demotion. The Council or Mayor may demote a status employee for cause at any time. The Mayor will furnish the employee and Council with a statement as to the specific cause for demotion. This can entail the rolling back of salary scale to the position to which that employee is demoted.

E. Dismissal. The decision to dismiss an employee is to be determined by the City Council or the Mayor. Dismissal proceedings will be taken when an employee’s work conduct or character are considered unsatisfactory. The employee is to be notified in writing of this dismissal and reasons therefore unless on probation.

PERSONNEL POLICY
City of Herreid, SD

I have read this policy, as updated in Dec. 2017 and agree to the terms of employment. I understand that this document in no way constitutes a contract for work with the City of Herreid.

Print Name

Sign

Date