

# CITY OF HERREID PERSONNEL POLICY MANUAL

This personnel policy manual shall be effective December 2, 2025 and replaces previous personnel policy manuals of the City of Herreid.

Revised and Updated: December 2025

*This institution is an equal opportunity provider*

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# 1. General Provisions

## 1.1 Authority and Purpose

The Herreid City Council adopts this personnel policy as the governing document for employment conditions. The Council, in consultation with the City Attorney, retains final authority over the interpretation and application of this policy. The purpose of this policy is to ensure a transparent, efficient, and equitable system of personnel administration that encourages professionalism and compliance with applicable laws. This policy is intended to govern all conditions of employment by the City of Herreid and may be amended by the City Council as needed to reflect evolving employment practices or legal requirements.

## 1.2 Compliance with State and Federal Law

This personnel policy complies with all applicable state and federal laws, including but not limited to the Americans with Disabilities Act (ADA), Family and Medical Leave Act (FMLA), and other relevant employment statutes. Additionally, the City will ensure compliance with applicable whistleblower protections. In the event of any conflict between this policy and state or federal law, the law shall supersede the provisions of this policy.

## 1.3 At-Will Employment

The City of Herreid recognizes that South Dakota is an at-will employment state, and this personnel policy is designed to maintain the at-will status of all employees. This handbook does not confer a contract of employment, and its contents are provided as guidelines for current policies, not as guarantees of continued employment or specific employment benefits. Changes to this handbook do not modify the at-will nature of employment. While disciplinary procedures may be followed, they do not modify the at-will nature of employment, and at-will employees do not have due process rights related to termination proceedings.

## 1.4 Applicability to Appointed and Elected Officials

All elected and appointed officials of the City of Herreid are expected to comply with applicable federal and state laws, including those governing discrimination, harassment, and retaliation. The Mayor shall be responsible for the administration of this personnel policy, which applies to all full-time City employees.

## 1.5 Employee Classifications

City employees will be classified as follows:

- **Regular Full-Time Employee:** An individual employed by the City to work a predetermined schedule of at least 40 hours per week who has successfully completed a training or probationary period of six (6) months. Full-time employees are eligible for benefits, including vacation leave, sick leave, holiday pay, a stipend in lieu of health insurance, South Dakota Retirement System (SDRS), SDRS Supplemental Retirement, and personal emergency leave.
- **Part-Time Employee:** An individual employed by the City to work more than 20 hours per week but fewer than 40 hours. Part-time employees are generally not eligible for benefits. Eligibility for certain benefits, such as SDRS participation, may depend on the number of hours worked per week.
- **Temporary or Seasonal Employee:** An individual employed by the City for fewer than 20 hours per week or for a period of fewer than six (6) consecutive months. Temporary and seasonal employees are not eligible for benefits.

## 1.6 Smoke-Free Workplace

All City-owned buildings and facilities are designated as smoke-free environments. This includes the use of tobacco products, vaping devices, or e-cigarettes.

## 1.7 Employee Responsibility

It is the responsibility of each employee to read, understand, and comply with the policies outlined in this handbook including any updates communicated by the City. If any clarification is needed, employees should consult with their supervisors or the Human Resources Department. Failure to comply with these policies may result in disciplinary action, up to and including termination.

## 1.8 Conflict of Interest

The City of Herreid is committed to ensuring that all employees uphold the highest standards of ethical conduct. Employees are expected to perform their duties free from any actual or perceived conflicts of interest that could affect their judgment or objectivity.

**Definition:** A conflict of interest occurs when an employee's personal, financial, or other outside interests could improperly influence the performance of their official duties for the City of Herreid.

### Guidelines:

**Disclosure:** Employees must disclose any actual, potential, or perceived conflicts of interest to the Mayor or Council. This includes situations where an employee, or a member of their immediate family, has a personal or financial interest in decisions or contracts made by the City of Herreid.

**Recusal:** Employees should not participate in any discussions, decisions, or contracts where they, or their family members, may have a vested interest. If such a situation arises, the employee must recuse themselves to avoid any appearance of impropriety.

**Outside Employment:** Employees **MUST** notify the Mayor and Council of any outside employment to ensure there is no conflict with their official duties. Employees should not engage in any outside employment that conflicts with the interests of the City or impairs their ability to perform their job duties.

**Gifts and Favors:** Employees are prohibited from accepting any gifts, favors, or services from individuals or entities that do business with, or seek to influence, the City's decisions.

**Enforcement:** Failure to disclose a conflict of interest or engaging in behavior that constitutes a conflict may result in disciplinary action, up to and including termination of employment.

## 1.9 Grievance Procedures

The City of Herreid is committed to resolving workplace concerns in a prompt, fair, and transparent manner. Employees who feel they have been treated unfairly or have concerns about workplace conditions or violations of policy are encouraged to follow this procedure to ensure their concerns are heard and addressed.

### Steps for Filing a Grievance:

1. **Informal Resolution:** Employees should first attempt to resolve issues by discussing them with their immediate supervisor (if applicable). If the matter can be resolved at this level, it may avoid the need for a formal grievance.
2. **Formal Grievance Submission:** If the issue is not resolved informally or involves individuals who the employee feels uncomfortable addressing directly, the employee may submit a formal written grievance. The grievance should outline the nature of the complaint, relevant facts, and the desired resolution. Employees are encouraged to file grievances within 30 days of the incident or awareness of the issue.
3. **Special Cases - Grievances Involving the Mayor or City Council:** If the grievance concerns the Mayor or a City Council member, the employee may submit the formal grievance to the City Attorney. This ensures that the grievance is reviewed impartially and without conflict of interest.
4. **Investigation and Review:** The individual or committee reviewing the grievance will conduct a fair investigation by gathering relevant information and speaking with all parties involved. A written decision will be provided to the employee within a reasonable time frame, generally within 30 days of the grievance submission.
5. **Appeal Process:** If the employee is dissatisfied with the decision, they may appeal to the full City Council or a specially appointed review panel if the grievance involves Council members. The panel will consist of neutral individuals, and their decision will be final.

**Confidentiality:** All grievances will be handled confidentially, with information shared only as necessary to investigate and resolve the issue.

**No Retaliation:** Employees are protected from retaliation when filing a grievance in good faith. Any form of retaliation should be reported immediately and will be addressed separately under the disciplinary procedures.

### 1.10 Whistleblower Protection

The City of Herreid is committed to maintaining an ethical and transparent work environment. Employees are encouraged to report any suspected violations of law, fraud, waste, abuse of authority, or unethical conduct without fear of retaliation.

#### **Reporting:**

**What to Report:** Employees should report any activity they reasonably believe to be a violation of federal, state, or local law, fraudulent behavior, misuse of public funds or property, abuse of authority, or any other unethical conduct that may harm the City or its citizens.

**How to Report:** Employees may report concerns directly to their immediate supervisor, the Mayor, or a designated City Council member. If the concern involves these individuals or they fail to address the concern, employees may bring the issue directly to the full City Council or an external authority if necessary.

**Confidentiality:** All reports will be handled confidentially to the extent possible, and the identity of the whistleblower will be protected. Disclosures may only be made as necessary to investigate or address the concern.

#### **Protection from Retaliation:**

**No Retaliation:** The City of Herreid strictly prohibits retaliation against any employee who, in good faith, reports misconduct or unethical behavior. Retaliation may include termination, demotion, harassment, or any other form of adverse employment action.

**Complaint Process:** If an employee believes they have been retaliated against, they should report the retaliation to the Mayor or the City Council. Retaliation claims will be investigated promptly, and any form of retaliation will result in disciplinary action.

**False Claims:** Employees are protected when they report concerns in good faith. However, employees who knowingly make false claims or allegations may face disciplinary action.

### 1.11 Personnel Records

Personnel files are confidential and maintained by the Finance Officer. Files include employment history, performance reviews, and disciplinary records. Employees may review their file upon request (SDCL 1-27-1.1). Changes to name, address, telephone, or withholding status must be reported in writing within 5 days. Records retained per SD state guidelines.

### 1.12 Political Activity

Employees may engage in political activities off duty but must not use City resources or imply City endorsement. On-duty political activity is prohibited (SDCL 12-13-9).

### 1.13 Public Relations

Employees represent the City in public interactions and must conduct themselves professionally. Complaints or issues should be escalated to the Mayor for resolution.

## 2. Recruitment and Selection

### 2.1 Residency Requirement

Residency within Campbell County, SD, is a condition of employment for full-time, essential employees. Employees must reside within the county to ensure they are able to fulfill the duties of their position without disruption or excessive absenteeism. Failure to maintain residency within the county may result in disciplinary action, up to and including termination. Exceptions to this policy may be granted at the discretion of the City Council, based on individual circumstances and the best interests of the City.

### 2.2 Promotion and Transfer Policy

The City of Herreid values the growth and development of its employees. Therefore, employees already employed by the City shall be given first consideration for promotions or transfers when vacancies arise. However, this consideration does not guarantee an automatic promotion or transfer. Decisions will be based on merit, qualifications, and the needs of the City. All internal candidates must meet the qualifications for the position, and final decisions will be made in accordance with established hiring procedures.

## **2.3 Equal Opportunity Employment**

The City of Herreid is an Equal Opportunity Employer, committed to ensuring fair treatment and equal employment opportunities for all individuals. No applicant or employee shall be favored or discriminated against based on race, color, political or religious affiliation, national origin, sex, age, disability status, or other non-merit factors. The City is dedicated to creating a workplace free from discrimination and harassment.

## **2.4 Americans with Disabilities Act (ADA) Compliance**

The City of Herreid adheres to the requirements of the Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA), which provide rights and protections to individuals with disabilities. It is the City's policy to provide reasonable accommodations to qualified individuals with disabilities unless doing so would impose an undue hardship on the City. Employees or applicants needing accommodation should notify the Mayor or department head, and the City will engage in an interactive process to assess the request. The City may request documentation of functional limitations to support the accommodation request. Any individual who believes they have been subjected to unlawful discrimination based on disability may file a complaint with the City, state, or federal authorities.

## **2.5 Harassment-Free Workplace**

The City of Herreid is committed to maintaining a work environment free from harassment and discrimination, including sexual harassment. Harassment of any form will not be tolerated. Sexual harassment is defined as unwelcome behavior of a sexual nature that is personally offensive to the recipient. It is a form of employee misconduct that undermines the integrity of the employment relationship. Employees who experience harassment are encouraged to report the issue to their supervisor. If the complaint involves the supervisor, employees should bring the matter to the attention of the City Council, where it will be addressed in an executive session. Prompt and appropriate action will be taken to address any valid complaints.

## **2.6 Employment of Relatives (Nepotism)**

Relatives may not supervise each other or be involved in hiring decisions involving family members (SDCL 9-14-2).

# **3. Probation Periods, Certifications, and Performance Reviews**

## **3.1 Probationary Period**

All full-time and part-time employees hired by the City of Herreid are required to complete a six-month probationary period, during which the employees' performance and ability to fulfill their assigned duties will be assessed. Either the City or the employee may terminate employment during this period without cause, notice, or due process. This at-will termination during the probationary period reflects the employee's status as being in a trial phase of employment.

During the probationary period, employees will accrue sick and vacation leave at the standard rate. Sick leave may be used as necessary, but employees are not eligible to use accrued vacation leave until the successful completion of the probationary period. Employees are entitled to observe paid holidays recognized by the City during this time.

## **3.2 Extension of Probationary Period**

At the discretion of the City, the probationary period may be extended for an additional three months if further assessment is deemed necessary. The decision to extend the probationary period will be based on the employees' progress and performance during the initial six months. Employees will be notified of any extension in writing, and the terms and conditions of the probation will remain in effect for the extended period.

## **3.3 Certifications and Training**

Certain positions may require employees to obtain certifications, licenses, or specific training as a condition of employment. These requirements will be clearly outlined during the hiring process. Employees are responsible for maintaining any certifications or licenses required for their position and must provide proof of certification to the City when requested. The City may offer financial assistance or time off for employees to complete required certifications, at the employer's discretion. Failure to obtain or maintain the necessary certifications or licenses may result in disciplinary action, up to and including termination.

### 3.4 Performance Reviews

Full-time employees will have an annual performance review. Part-time and seasonal employees may receive performance evaluations at the discretion of their supervisors, typically at the end of their employment period or upon contract renewal.

## 4. Work Week and Workday

### 4.1 Standard Work Periods

The standard workday is 8 hours, with adjustments for daylight savings time per FLSA. The standard work week for full-time City of Herreid employees is 40 hours, with the pay period running from 12:01 A.M. Sunday to 12:00 Midnight the following Saturday, unless otherwise designated by the City Council. This standard applies to all full-time employees unless exceptions are specifically approved by the City Council.

### 4.2 Attendance and Punctuality

All employees are expected to be present at work on time and during their regularly scheduled hours. If an employee is unable to report for work on time, they must notify a co-worker or the Mayor prior to their absence, except in cases of emergency. In an emergency, the employee must notify the appropriate authority as soon as reasonably possible.

Any absence or tardiness without prior authorization or a valid reason may result in the time being unpaid and could lead to disciplinary action, up to and including termination. Regular attendance is a critical component of job performance, and repeated unexcused absences may result in further disciplinary measures.

### 4.3 Dress Code and Grooming

All employees are expected to exercise good judgment in their choice of work attire. Cleanliness, proper grooming, and neat appearance are required at all times. Employees must report to work each day in clean, presentable clothing that is appropriate for the nature of their job and workplace. Employees who do not adhere to these standards may be subject to disciplinary action.

### 4.4 Rest Periods

All employees are entitled to a paid 15-minute rest period during each one-half shift (i.e., one rest period for every four hours worked). Rest periods should be taken at times that do not disrupt the operation of the department and must be coordinated with supervisors as needed.

### 4.5 Lunch Break

Employees are entitled to an unpaid lunch break, the duration of which shall be determined by the City Council. Employees are expected to take their lunch break at designated times to ensure continuous coverage and workflow within the department. Lunch breaks may not be used to shorten the workday or accumulate overtime unless explicitly approved by a supervisor.

### 4.6 Overtime/Comp Time

Eligible employees may be required to work overtime based on the needs of the City. Overtime is defined as any hours worked beyond 40 hours within the designated work week. Overtime does not include hours paid but not worked, such as holidays, sick leave, or vacation days.

The City will strive to distribute overtime opportunities as equitably as possible among employees within each department. All overtime worked must be recorded on the employee's timesheet and approved by a supervisor or Mayor.

**Overtime Compensation** - Will be paid at a rate of one and one-half (1.5) times the employee's regular hourly rate. As noted, only actual hours worked (excluding paid time off) will be counted toward the 40-hour threshold for overtime eligibility.

**Comp Time Compensation** – Employees who work overtime hours have the option to convert those hours into compensation time (Comp Time). The conversion rate for overtime to comp time hours is calculated at a rate of 1.5 hours of comp time for every hour of overtime worked.



Comp Time must be approved in advance by a supervisor or the Mayor and should be used within a reasonable time frame as determined by management. Part-Time and Seasonal employees are not eligible for Comp Time.

## **5. Compensation**

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

### **5.1 Employee Pay & Payroll Procedures**

**a. Pay Schedule** - All City of Herreid employees will be paid on a monthly basis. For employees who have chosen to receive paper checks, timesheets must be submitted by the close of business on the last working day of each month. Payroll checks and direct deposits will be issued and distributed between the 1st and 5th of the following month.

**b. Late Submission of Timesheets** - For employees receiving paper checks, failure to submit a timesheet by the deadline may result in a delay in payment. Employees who anticipate any issues with submitting their timesheet on time should inform the Finance Office as soon as possible to avoid delays.

**c. Payment Options** - Employees have the option to receive their pay via paper check or through direct deposit. Employees enrolled in direct deposit are not required to submit time sheets unless instructed otherwise by their supervisor. Employees wishing to enroll in direct deposit must complete the necessary paperwork and provide the required banking information to the Finance Office. Direct deposit is encouraged for convenience and security.

### **5.2 Rate of Pay**

Employees will be compensated at their regular hourly or salaried rate for all hours worked. Any changes to an employee's rate of pay must be approved by the City Council and will take effect following such approval.

### **5.3 Clothing Allowance (Full-Time Employees Only)**

At the discretion of the City Council, employees in maintenance and other designated roles may be eligible to receive an annual clothing allowance, currently set at \$300, to cover the cost of uniforms or work-related attire. The City Council may modify the amount of the clothing allowance at its discretion based on budgetary considerations or other needs.

### **5.4 Cell Phone Stipend (Full-Time Employees Only)**

Employees who are required to use their personal cell phones for City business, both during and after working hours, may receive a monthly stipend. The stipend is currently set at \$50 per month and is available to full-time employees in maintenance positions and the Finance Officer position. The City Council reserves the right to adjust the stipend amount, terminate the stipend, or expand eligibility to other positions as deemed necessary.

### **5.5 Health Insurance Stipend**

Full-time employees who provide proof of qualifying health insurance coverage may receive a taxable stipend in lieu of such benefits. The stipend amount, eligibility requirements, and payment terms shall be determined by the City and communicated annually.

### **5.5 South Dakota Retirement System (SDRS)**

Participation in the South Dakota Retirement System (SDRS) is mandatory for all eligible employees, defined as those working 20 or more hours per week for more than six months. Employees contribute 6% of their monthly salary to SDRS (or 8% for Class B Public Safety employees). The City matches this contribution to fund the employee's retirement.

### **5.6 SDRS Supplemental Retirement (Optional)**

The City of Herreid participates in the SDRS Supplemental Retirement Plan. However, participation in this plan is voluntary, and contributions are solely funded through employee payroll deductions. The City does not match employee contributions to the Supplemental Retirement Plan.

### **5.7 Worker's Compensation**

All work-related injuries or accidents must be reported immediately to both the employee's supervisor and the Finance Officer. Incidents must be reported within three (3) days of the accident. If an employee is injured on the job, the City will cover all work-related medical expenses. Additionally, the employee will

receive compensation for lost wages at the rate set by the State of South Dakota. Employees are not required to use accrued sick leave or vacation time when absent due to an approved worker's compensation claim.

## **6. Travel**

### **6.1 Travel Expenses and Use of City Vehicles**

The City of Herreid will cover the actual cost of lodging for approved job-related travel expenses. Lodging must be reasonable and documented with receipts.

For meal expenses, the City follows the most current state rates. These rates are subject to change, and employees will be reimbursed based on the applicable rates in effect at the time of travel. Meal allowances will be reviewed and adjusted annually to reflect any changes in state guidelines.

When an employee must use their personal vehicle for approved work-related travel, mileage will be reimbursed at the current rate established by the state. The mileage rate will also be reviewed annually to ensure alignment with state guidelines.

### **6.2 Use of City Vehicles**

City vehicles are to be used for official business only. Ride-along passengers are not allowed unless specifically authorized by the Mayor. Contractors, hired labor, and City officials such as the Mayor or Council members may be allowed to ride in City vehicles as part of official City business.

Exceptions to this policy may be made by the Mayor, allowing City personnel from other communities attending training sessions to accompany a City of Herreid driver. The City is not responsible for any loss or injury to the employee or a third party resulting from unauthorized ride-along passengers.

### **6.3 Motor Vehicle Driving History**

A motor vehicle driving history check will be conducted on all new employees and annually on each existing employee if driving is a requirement of their job. This driving history provides the City insight into the driving habits and potential risks posed by both new and existing employees.

### **6.4 Operating Personal Vehicles on City Business**

Any employee who operates a personal vehicle for City business must submit a signed statement to the Finance Officer, confirming that they maintain automobile liability insurance for bodily injury and property damage. The insurance coverage must meet or exceed the minimum requirements set by the State of South Dakota.

### **6.5 Driving Record Acceptability**

Any employee driving a City of Herreid or personal vehicle for City business must maintain an acceptable driving record. An employee will be considered to have an unacceptable driving record and will not be permitted to drive on behalf of the City if their record meets any of the following criteria:

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-owned vehicle, resulting in property damage of \$2,500 or more.
3. More than three moving violations in the last two years, 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 (DWI)
- Driving under the influence of drugs (DUI)
- 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

- Participating in a speed contest
- Hit and run driving

Employees with an unacceptable driving record will not be permitted to drive for the City until their record is cleared of any violations or accidents that render it unacceptable.

#### 6.6 Seatbelt Policy

All employees must wear seat belts while operating or riding in City vehicles or personal vehicles on City business. Failure to comply may result in disciplinary action. Supervisors shall enforce this policy to promote safety and compliance with SDCL 32-38 (seat belt laws).

### 7. Longevity Pay (Full-Time Employees Only)

The City of Herreid values the contributions of long-term, well-trained, efficient, and loyal employees who demonstrate a continuous commitment to the operation and welfare of the City. To recognize these employees, the Mayor and City Council shall award longevity pay to employees who have completed at least five years of continuous employment.

#### 7.1 Eligibility for Longevity Pay

Employees hired with benefits are eligible for longevity pay. Longevity pay will be awarded at the end of the calendar year of the employee's anniversary.

#### 7.2 Service Recognition Gifts

In addition to longevity pay, the City will present eligible employees with a gift in recognition of their loyalty, cooperation, understanding, and long-term service. The gifts, which are presented at the end of the employee's anniversary year, will be awarded 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, and so on.

#### 7.3 Longevity Pay Structure

Longevity pay is awarded as monetary recognition for years of service to the City of Herreid. This pay is based on total years of service, whether continuous or non-continuous, and increases incrementally:

- **Years 7 through 10:** Employees receive \$100 longevity pay annually.
- **Years 11 through 14:** Employees receive a longevity payment equal to \$10 multiplied by their total years of service. For example, an employee with 14 years of service will receive \$140 (14 years x \$10).
- **Years 15 through 19:** Employees receive a longevity payment equal to \$15 multiplied by their total years of service.
- **Years 20 and beyond:** The longevity pay increases by \$5 per five-year increment. For example, an employee with 22 years of service will receive \$440 (22 years x \$20).

**\*\* All longevity payments are subject to applicable deductions.**

### 8. Leave and Vacations (Full-Time Employees Only)

#### 8.1 Vacation

All permanent, full-time City employees are entitled to annual vacation leave with full pay. Vacation leave is accrued based on years of continuous service as follows:

- **6 months to 10 years of employment:** Two working weeks of paid vacation (10 days)
- **11 to 15 years of employment:** Three working weeks of paid vacation (15 days)
- **16 years and over:** Four working weeks of paid vacation (20 days)

Employees are not eligible to use accrued vacation leave until they have completed six months of employment. If time off is granted before the six-month period, it will be unpaid. No vacation pay will be provided if an employee is terminated prior to six months of employment.

All vacation requests for periods of four or more days must be submitted to the Finance Officer for prior approval by the City Council. The Council may deny the vacation request and ask for rescheduling. Employees are encouraged to avoid scheduling vacations during peak workload periods.

Employees may carry over up to fifteen (15) days (120 hours) of vacation time from one year to the next. Vacation time in excess of 120 hours will be forfeited after December 31. If the workload prevents an employee from using vacation time at the end of the year, they may carry over additional hours, but these must be used by May 1st of the following year.

Upon resignation, retirement, or death, accrued vacation time may be taken as leave or paid in a lump sum. No additional vacation will accrue after notification of separation or death.

## 8.2 Sick Leave

Full-time City employees are granted sick leave with full pay. Sick leave is accrued at the rate of 8 hours per month (12 days per year) and may be used as accrued. Employees may not accrue more than 120 days of sick leave.

Sick leave may be granted for the following reasons:

- Personal illness or disability
- Pregnancy
- Exposure to a contagious disease that endangers co-workers
- Eye or dental care
- Required medical examinations for the employee or a family member

Family members include a spouse, children, stepchildren, parents, parents-in-law, siblings, and siblings-in-law.

If more than three consecutive days of sick leave are needed, additional approval will be required, such as a doctor's certificate or City Council approval. If an employee cannot provide requested proof, sick leave will not be granted. Sick leave must be noted on timecards, and unapproved leave may result in leave without pay.

Upon termination by the City Council, all accrued sick leave will be canceled. Upon retirement, resignation, or death, unused sick leave will be paid out based on years of service:

- **10 years of service:** 20% of the sick leave balance
- **15 years of service:** 35%
- **20 years of service:** 50%
- **25 years or more:** 60% of the sick leave balance

## 8.3 Comp Time

Compensatory time (Comp Time) is granted in lieu of overtime pay for eligible employees. Comp time may be accrued and used according to the following rules:

- Comp time may be accrued in place of overtime worked, calculated at one and a half (1.5) times the actual overtime hours worked.
- Employees may use accrued comp time in the same manner as vacation or sick leave, with prior approval required from the Mayor or City Council. Leave requests must be submitted in advance and properly noted on timecards.
- Comp time requests may be denied or rescheduled based on workload and operational needs, similar to vacation and sick leave.
- Employees are encouraged to use comp time in a timely manner. Any accrued comp time that exceeds 40 hours shall be forfeited unless an extension is approved by the City Council.

At the time of resignation, retirement, or termination, any accrued comp time may be paid out or taken as leave, subject to City Council approval.

## 8.4 Use of Sick Leave for the Birth or Adoption of a Child

A parent is allowed to use up to 12 weeks of accumulated sick leave for the birth of a child and bonding period with a newborn, or for the adoption or foster placement of a child within the first year after the birth or placement.

For employees who are eligible for FMLA leave, the use of sick leave will coincide with FMLA leave. Likewise, for employees eligible for paid family leave, the use of sick leave will coincide with the paid family leave.

### **8.5 Use of FMLA Leave When Both Parents Are Employees**

If both parents are employed by the City and are FMLA-eligible, each parent is entitled to up to 12 weeks of FMLA leave. This leave may be taken concurrently or consecutively. The Mayor's approval is required to use intermittent leave.

Examples:

1. Both parents may take 12 weeks of leave at the same time after the birth or adoption.
2. One parent may take 12 weeks of leave, followed by the other parent taking 12 weeks.
3. With the Mayor's approval, intermittent leave may be arranged (e.g., one parent takes partial leave over an extended period)

### **8.6 Paid Family Leave**

Permanent employees who have completed six months of continuous service are entitled to up to 24 hours of paid family leave per week, for up to eight weeks, following the birth or placement of a child for adoption. The leave must be taken within one year of the birth or placement of the child.

For permanent part-time employees, paid family leave will be prorated based on hours worked. Any unused hours during a week in which paid family leave is taken will be forfeited. Paid family leave must be taken in full week increments and may be used intermittently with the Mayor's approval.

Employees may use vacation or sick leave to supplement their workweek, up to 40 hours. For employees eligible for FMLA, paid family leave will coincide with FMLA leave.

If both parents are City employees, each is eligible for paid family leave, and it may be taken concurrently or consecutively. Any paid family leave taken must align with the City's policy and applicable state laws. Please see <https://bhr.sd.gov/PaidFamilyLeaveFAQ.html> for additional information on paid family leave.

### **8.7 Holidays**

The following calendar days and any additional days designated by the City Council are recognized as holidays for full-time City employees:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Good Friday
- Memorial Day
- Juneteenth (June 19<sup>th</sup>)
- Independence Day
- Labor Day
- Columbus Day / Native American Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving
- Christmas Day
- One half day on Christmas Eve, with City Council approval (if Christmas Eve falls on a weekday). If Christmas Eve falls on a Saturday or Sunday, no holiday time will be granted for that day.

#### **Holiday Observance**

When a recognized holiday falls on a Saturday, the preceding Friday will be observed as the holiday. When a recognized holiday falls on a Sunday, the following Monday will be observed as the holiday. In addition to these holidays, employees will receive time off for any holidays proclaimed by the Governor of South Dakota or the President of the United States. Employees will receive holiday pay if the holiday falls on a regular day off. Employees working on a holiday will receive 1.5x pay or comp time.

## 8.8 Outside Employment

The City does not forbid employees from engaging in outside employment during off hours, provided that such employment does not interfere with or negatively impact the employee's performance of their duties for the City, nor result in a conflict of interest. Employees must notify the Mayor and Council of any outside employment to ensure there is no conflict with their official duties, as outlined in the City's Conflict of Interest policy (1.8).

No appointed officer or employee shall be granted sick leave for any injuries or illnesses resulting from outside employment, unless they are officially assigned to special duty by the City. Additionally, worker's compensation insurance coverage will not extend to any employment outside of the employee's assigned duties for the City.

## 8.9 Emergency Leave Provisions

Qualified City employees may use accrued sick leave for personal emergency leave under the following circumstances:

- **Death in the immediate family:** Immediate family includes an employee's spouse, parents, stepparents, children, stepchildren, siblings, step siblings, grandparents, and grandchildren. This also extends to a spouse's equivalent family members.
- **Emergency illness or scheduled surgery:** This applies to immediate family members as defined above.

In the event of the death of a City employee or Council member, remaining employees will be entitled to one-half day of administrative leave, which will not be charged against their annual leave or deducted from their pay.

## 8.10 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 employees to respond to emergency calls during regular work hours, provided that the workload permits. Although volunteer work is outside the scope of their duties for the City, employees will be paid for their normal work hours while performing volunteer police, fire, or emergency rescue squad work.

## 8.11 Maternity Leave

Paid maternity leave, using accrued sick leave, will be granted for up to twenty working days. Additional accrued sick leave may be used beyond this period with certification from a doctor stating that the employee is unable to return to work, and with approval from the City Council.

Employees may use annual leave or take unpaid leave in lieu of sick leave. Maternity leave is granted solely for childbirth and recovery and will not be extended for child-rearing purposes.

## 8.12 Jury Duty

Employees summoned for jury duty or subpoenaed to testify in court will receive their regular salary, less any compensation received from the court. Employees may also choose to use vacation time for jury duty, in which case they may keep the full compensation received from jury service.

## 8.13 Military Leave

Employees who are members of the military service must apply for a leave of absence from the Department Head before attending service school, annual field training, or any other required military service.

Employees have two options for managing their military leave:

1. **Use of Vacation Time:** Employees may use accumulated vacation time to take military leave with pay.
2. **Unpaid Leave of Absence:** Alternatively, employees may take a leave of absence without pay to preserve their accrued vacation time.

If the employee's military pay is less than their regular City salary, the City will pay the difference to ensure the employee receives equivalent compensation during their military service.

## 8.14 Leave Without Pay

Employees may request leave without pay in extenuating circumstances. Approval of such leave is at the sole discretion of the City Council and Mayor. Before leave without pay is granted, employees are required

to fully use any accrued vacation and/or comp time. During leave without pay, no additional leave or other benefits will accrue.

#### **8.15 Flexibility**

The governing board reserves the right to authorize flexible work hours within the standard 40-hour workweek when deemed appropriate or necessary. However, employees must adhere to the standard 40-hour workweek unless flex time or overtime has been specifically approved.

#### **8.16 Extended Leave for Illness and Temporary Disability**

Up to 6 months of unpaid leave may be granted after sick leave is exhausted, subject to FMLA eligibility if applicable.

#### **8.17 Voting Leave**

Up to 2 hours of paid leave will be provided if polls are inaccessible during non-work hours (SDCL 12-3-5).

#### **8.18 FMLA Leave Details**

**While on Leave:** Benefits will be maintained during FMLA leave.

**Intermittent and Reduced Scheduled Leave:** Allowed with prior notice and medical certification.

**Medical and Other Benefits:** Continued as required by law.

**Returning from Leave:** Employees return to an equivalent position.

#### **8.19 Leave Approval**

All leave requests must be submitted to the Finance Officer for approval by the Mayor. Any leave taken without prior approval will result in leave without pay.

### **9. Phone and Computer Usage Policy**

#### **9.1 Personal Phone Calls and Messaging**

While personal phone calls and messaging (e.g., texting, WhatsApp, etc.) are not prohibited, their frequency, duration, and volume should not interfere with ongoing work or distract fellow employees. Excessive personal communications during the workday, regardless of the device used, can negatively impact productivity and be distracting to others. Employees are encouraged to make personal calls and messages during non-work hours whenever possible and to ensure that friends and family are aware of the City's policy. Flexibility will be provided in circumstances that demand immediate attention.

Employees are not permitted to make personal long-distance telephone calls using City phones, except in emergencies. Personal long-distance calls may be placed using a personal calling card or by calling collect.

#### **9.2 Personal Cell Phones and Confidentiality**

While at work, employees are expected to exercise discretion in the use of personal cellular phones, similar to the use of City phones. The City of Herreid will not be liable for the loss of personal cell phones brought into the workplace. Employees may be eligible for a stipend for the use of their personal cell phones in the performance of their duties.

If employees use personal cell phones for work-related matters, especially involving confidential information, they must take appropriate precautions to ensure that the information is protected and not shared with unauthorized individuals.

#### **9.3 Safety Issues for Cellular Phone Use**

Employees must refrain from using their phones while driving City vehicles or operating heavy equipment owned by the City. Safety is the top priority. Employees should pull over and safely stop the vehicle before placing or accepting a call, regardless of traffic conditions. Texting while driving is strictly prohibited, and employees are encouraged to use hands-free devices if phone communication is necessary while driving.

Employees who are charged with traffic violations resulting from phone use while driving will be solely responsible for all liabilities, and the City will not be held liable. Additionally, 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 emergencies. Picture taking and video recording is prohibited unless approved by management. Violations of this policy may lead to disciplinary action.

#### 9.4 Computer Usage, Cybersecurity, and Social Media

The City of Herreid reserves the right to monitor computer, Internet, and email usage, including retrieving and reading email messages, computer files, and tracking Internet activity. Employees should have no expectation of privacy when using City computers or the City's network, even if issued private passwords or access codes.

Employees must follow City cybersecurity protocols, which include using strong passwords, locking computers when not in use, and avoiding the download or installation of unauthorized software. Employees are expected to be vigilant against phishing attempts and other potential cybersecurity threats. Any security breach or suspicious activity should be reported to management immediately.

Use of social media on City computers or during work hours should not interfere with job responsibilities. Employees are reminded that posting content related to City business or representing themselves as City employees on personal social media accounts must comply with City policies and not violate confidentiality or professional conduct standards.

#### 9.5 Recordings

Audio/video recordings in the workplace require supervisor approval. Unauthorized recordings violate privacy and may lead to discipline (SDCL 23A-35A-20).

### 10. Drug and Alcohol Abuse

The City of Herreid is committed to providing a safe, healthy, and productive work environment for all employees. The use, possession, or influence of illegal controlled substances or alcohol on the job is strictly prohibited. Employees found to be under the influence of drugs or alcohol during work hours may face disciplinary action, up to and including immediate termination.

Any illegal controlled substance possessed by an employee while on duty will be turned over to the appropriate criminal justice authorities, and the employee may be subject to criminal prosecution. This policy does not apply to public safety officers who possess illegal controlled substances as part of their official duties.

#### 10.1 Drug and Alcohol Testing

The City may require an employee to undergo drug and alcohol testing if there is **reasonable suspicion** that the employee is under the influence during work hours. Reasonable suspicion includes, but is not limited to, observable signs of intoxication, erratic behavior, or unexplained decline in job performance.

Additionally, random drug and alcohol testing may be conducted for employees who are subject to federal mandates or hold a Commercial Driver's License (CDL), in accordance with Department of Transportation (DOT) regulations.

#### 10.2 Pre-Employment Drug Screening

A pre-employment urine drug screen and physical examination will be required for all potential full-time employees. Employment is contingent on passing these tests.

#### 10.3 Employee Assistance Program (EAP)

To support employees who may be struggling with substance abuse issues, the City encourages employees to seek help through an Employee Assistance Program (EAP). Employees who voluntarily disclose a drug or alcohol problem before it affects job performance will not be subject to disciplinary action for disclosure and may seek treatment confidentially.

#### 10.4 Prescription Medications

Employees who are taking prescription medications that may impair their ability to perform their duties safely must inform their supervisor. The City will assess whether the employee can perform their job safely while using the prescribed medication. Employees are prohibited from operating vehicles or heavy equipment while under the influence of any medication that impairs their ability to do so safely.

#### 10.5 Post-Accident Testing

Testing will occur if an accident results in injury or property damage, conducted within 8 hours.

#### 10.6 Drugs to be Tested For

Testing will include marijuana, cocaine, amphetamines, opiates, and PCP (DOT standard list).



## 10.7 Consequences to Employee Engaging in Prohibited Conduct

A positive test result will lead to suspension or termination, depending on severity.

## 10.8 Confidentiality

Test results will remain confidential, shared only with legal or medical necessities.

# 11. Media Policy

## 11.1 Media Inquiries

In the event of an incident that could give rise to a claim against you, other employees, or the City, you may receive inquiries from the media. Employees should refrain from commenting on any incidents or occurrences. Instead, all media inquiries should be directed to one of the designated contacts: **The Mayor** or the **City Attorney**.

Employees must notify a designated contact immediately if they are contacted by the media. It is important to remember that any comment made by an employee could be perceived as an official statement on behalf of the City. For this reason, follow the policy of not making any comment and direct all media inquiries to a designated contact.

## 11.2 Social Media and Blogging

The City of Herreid recognizes the impact of social media (e.g., personal websites, blogs, Facebook, Twitter, Instagram, LinkedIn, group discussions, text messaging, and chat rooms) on both personal and business communications. While employees have the right to engage in personal social media use, the City maintains specific guidelines to ensure that online activities do not negatively impact the City's reputation, integrity, or operations.

**Personal Blogging and Social Networking on City Time:** Employees are prohibited from engaging in personal blogging, posting on social media, or participating in online networking sites during working hours or using City equipment. Working hours are defined as the employee's scheduled work time, excluding breaks and lunch periods.

**Disclaimer Requirement:** If an employee's post on social media mentions the City, or it is reasonably clear that they are referring to the City or its actions, and the employee expresses an opinion (political or otherwise), the post must include a disclaimer. The disclaimer should specify that the opinions expressed are the employees' personal opinions and not the official position of the City. This helps to preserve the City's integrity in the public eye.

**Restrictions on Customer, Vendor, and Client Interactions:** Employees are prohibited from soliciting City customers, vendors, or clients to be "friends" or contacts on social or professional networking sites, unless the contact has been disclosed to the City or there was a pre-existing relationship prior to employment. This restriction also applies to advertising or selling City products or services on personal social media platforms.

**Use of City Social Media Accounts:** Employees who are authorized to manage or post on official City social media accounts must ensure that all posts are professional, accurate, and aligned with the City's values and policies. Any misuse of official City accounts may result in disciplinary action.

## 11.3 Right to Monitor

The City reserves the right to monitor all public blogs and social media platforms to protect its interests and ensure compliance with City policies. The City also reserves the right to access City-owned computers and electronic communication devices to monitor internet usage, blog posts, and social media activities conducted on City time or equipment. Employees should have no expectation of privacy when using City equipment or posting content that may be publicly available.

## 11.4 Reporting Violations

If an employee believes that a blog, social media post, or other online communication violates City policy, they should immediately report it to their supervisor. The City will investigate the matter, assess whether the communication violates City policies, and take appropriate action if necessary.

## 11.5 Employee Rights

This policy is not intended to restrict employees' rights to discuss wages, working conditions, or other matters with co-workers, nor does it limit employees' rights under the National Labor Relations Act (NLRA).

Employees may still engage in protected activities, including discussing terms and conditions of employment.

## 12. Discipline

### 12.1 Causes for Disciplinary Action

Disciplinary action may be taken for various offenses, including but not limited to the following:

1. Incompetence
2. Insubordination
3. Neglect of duties
4. Conviction of a felony
5. Violation of federal, state, or local laws, ordinances, or City rules while on duty
6. Offensive, inconsiderate conduct, or abusive language toward the public, City officials, or co-workers while on duty
7. Reporting for work under the influence of drugs or alcohol, using drugs or alcohol on the job, or being deemed unfit for work due to substance use
8. Absence without reasonable cause
9. Tardiness without reasonable cause
10. Failure to follow safety practices
11. Refusal or failure to perform job duties
12. Refusal or failure to follow supervisor's orders
13. Falsification of the City of Herreid records
14. Unauthorized possession of weapons at work
15. Misappropriation or damage to City property
16. Loitering during work hours
17. Engaging in horseplay during work hours
18. Fighting while on the job
19. Leaving work early without permission
20. Conduct unbecoming of a City employee
21. Accepting gifts or gratuities related to City of Herreid employment
22. Violation of the City's personnel policies
23. Unpaid bills owed to the City may be withheld from the paycheck
24. Use of City property for personal purposes
25. Unauthorized use of a City credit card, which may result in immediate dismissal

### 12.2 Disciplinary Action

The City of Herreid expects employees to exercise good judgment, responsibility, and professionalism. Employees are expected to provide services courteously, maintain high standards of conduct, protect confidentiality, and cooperate in performing their duties. The City reserves the right to suspend an employee with pay when necessary, though this is not considered disciplinary action.

Disciplinary measures outlined in this policy apply to all employee classifications, including full-time, part-time, and seasonal employees.

Disciplinary action will be taken only for good and just cause. The following forms of disciplinary action may be used:

**Oral Reprimand:** A Council member or the Mayor may issue an oral reprimand. No written record of the oral reprimand will be placed in the employee's file.

**Written Reprimand:** A Council member or the Mayor may issue a written reprimand. The Department Head will notify the employee in writing of the reason for the disciplinary action. The written notice will be dated, signed by the employee, and placed in the employee's personnel file. If the employee refuses to sign, a notation will be made by the Supervisor.

**Probation:** The City Council or Mayor may place an employee on probation for a period not to exceed thirty days. During probation, the employee must improve their performance or behavior to meet the required standards.

**Demotion:** For cause, the City Council or Mayor may demote an employee to a lower position. The employee will receive a written statement outlining the reasons for the demotion, and the employee's salary may be reduced accordingly.

**Dismissal:** The decision to dismiss an employee rests with the City Council or the Mayor. Dismissal proceedings will be initiated when an employee's work performance, conduct, or character is deemed unsatisfactory. The employee will receive a written notice of dismissal, including the reasons, unless the employee is on probation.

### 12.3 Progressive Discipline Policy

While the City reserves the right to determine appropriate disciplinary action, a progressive discipline approach is generally used, except in cases of severe misconduct. Progressive steps may include:

1. Verbal Warning
2. Written Warning
3. Suspension (with or without pay)
4. Termination

Each step may be skipped depending on the severity of the offense.

## 13. Termination Procedures

The City of Herreid ensures that all employee terminations, whether voluntary or involuntary, are handled in a fair, consistent, and respectful manner. The Mayor and City Council, as the governing body, will serve as the primary authorities in all termination-related decisions, ensuring compliance with City of Herreid policies and applicable laws.

### 13.1 Types of Termination

**Voluntary Termination:** Employees who choose to resign from their position are encouraged to provide written notice to the Mayor and City Council at least two weeks in advance. The Mayor and Council will work with the employee to ensure a smooth transition.

**Involuntary Termination:** The City may terminate an employee for reasons including poor performance, misconduct, violation of policies, or budgetary constraints. All involuntary terminations must follow the outlined process to ensure fairness and transparency.

### 13.2 Procedure for Voluntary Termination

1. **Notice of Resignation:** Employees should submit a formal written resignation to the Mayor and/or City Council. A minimum of two weeks' notice is requested, but additional notice may be required based on the employee's role and responsibilities. Un-notified absences for 3 or more consecutive days will be considered voluntary resignation.
2. **Exit Interview:** The City may offer the employee an exit interview conducted by a member of the City Council or an authorized representative. The exit interview allows the employee to provide feedback and address any concerns before departure.
3. **Final Paycheck and Benefits:** Upon voluntary termination, the employee will receive their final paycheck, including any unused vacation time, in accordance with City of Herreid policy and state law.

### 13.3 Procedure for Involuntary Termination

1. **Documentation and Review:** Before an involuntary termination, the Mayor and City Council must document the reasons for termination, including any previous warnings or disciplinary actions if applicable. This documentation will be reviewed by the Council as part of the decision-making process.
2. **Notice to Employee:** The employee will receive written notice of their termination from the Mayor or a designated Council member. The notice will include the reasons for termination and the effective date. A meeting may be held with the employee, Mayor, and/or Council to discuss the decision.
3. **Final Paycheck and Benefits:** The employee will receive their final paycheck, including any owed wages, unused vacation, or other entitlements, in accordance with City of Herreid policy and state law.

#### **13.4 Immediate Termination**

In cases of gross misconduct, illegal activity, or serious violations of City of Herreid policy, the Mayor and City Council have the authority to immediately terminate an employee without prior notice. Such cases will be handled with urgency, and the decision must be reviewed and confirmed by the City Council.

#### **13.5 Return of City of Herreid Property**

Upon termination (voluntary or involuntary), the employee must return all City owned property (e.g., keys, equipment, identification cards) to the City on or before their final day of employment. The final paycheck may be withheld until all property is returned.

#### **13.6 Appeal Process**

Employees who are involuntarily terminated have the right to appeal the decision to the City Council. An appeal must be submitted in writing within 10 business days of receiving the termination notice. The City Council will review the circumstances surrounding the termination and issue a final decision.

#### **13.7 Unemployment Compensation**

The City complies with SDCL 61-6; disputes handled via the Department of Labor and Regulation.

### **14. Other**

#### **14.1 Restroom & Changing Room Access**

Employees shall not grant permission to individuals of the opposite sex to use restrooms or changing rooms designated for the other sex. Employees are expected to take reasonable steps to prevent such use. Exceptions may be made for parents or chaperones accompanying children under the age of ten (10), or individuals with disabilities who require assistance.

#### **14.2 Firearm Possession by Employees**

Unless otherwise authorized under South Dakota law, the possession of firearms or other weapons while at work or on municipal property, including buildings and vehicles, is strictly prohibited (with exception of law enforcement officers acting within the scope of their duties).

## Definitions of Key Terms

1. **At-Will Employment:**  
A legal doctrine under which either the employer or employee can terminate the employment relationship at any time, for any lawful reason, or for no reason, without prior notice, as long as the reason is not illegal (e.g., discrimination).
2. **Conflict of Interest:**  
A situation where an employee's personal, financial, or other outside interests could improperly influence their professional actions, decisions, or judgment in performing their duties for the City.
3. **Cybersecurity:**  
Practices and protocols that employees must follow to ensure the protection of sensitive information and City systems from cyber threats.
4. **Disciplinary Action:**  
Steps taken by the City to address an employee's failure to meet performance standards or violations of policies. This can include oral reprimands, written reprimands, probation, demotion, or dismissal.
5. **Employee Assistance Program (EAP):**  
A confidential program designed to help employees with personal or work-related problems that may impact job performance, health, or well-being. This may include support for issues like substance abuse, mental health, or financial concerns.
6. **Exempt Employee:**  
An employee who is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees typically hold professional, executive, or administrative roles and are paid a salary rather than an hourly wage.
7. **Full-Time Employee:**  
An employee who is regularly scheduled to work a minimum of 40 hours per week and who has successfully completed a probationary period. Full-time employees are eligible for benefits as outlined in the policy.
8. **Grievance:**  
A formal complaint raised by an employee regarding workplace conditions, treatment, or policy violations, including perceived unfair treatment or violations of the City's employment policies.
9. **Non-Exempt Employee:**  
An employee who is entitled to receive overtime pay at the rate of one and one-half times their regular rate of pay for hours worked over 40 in a workweek, in compliance with the Fair Labor Standards Act (FLSA).
10. **Probationary Period:**  
A defined period (generally six months) during which a new or promoted employee's performance is evaluated to determine whether they meet the necessary standards for continued employment in a full-time or part-time role.
11. **Reasonable Suspicion:**  
A belief based on specific facts or observations that an employee may be under the influence of drugs or alcohol or is otherwise impaired while at work. Reasonable suspicion may trigger drug or alcohol testing.
12. **Regular Employee:**  
An individual employed by the City on a full-time or part-time basis who has completed the required probationary period. Regular employees are entitled to the full range of benefits provided by the City.
13. **Social Media:**  
Online platforms (such as Facebook, Twitter, Instagram) where employees must follow specific guidelines when referencing the City to avoid conflicts of interest or violations of confidentiality.
14. **Supervisor:**  
An individual responsible for overseeing the performance, work assignments, and conduct of one or more employees. Supervisors may have the authority to issue disciplinary action and approve leave requests.
15. **Tardiness:**  
The failure to arrive at work or return from breaks at the scheduled time without reasonable cause or prior approval from a supervisor.
16. **Temporary Employee:**  
An individual employed by the City for a specified period of fewer than six months or fewer than 20 hours per week. Temporary employees are not eligible for benefits.
17. **Unpaid Leave:**  
A leave of absence taken by an employee during which no salary or wages are paid. Unpaid leave may be granted for various

reasons, including medical issues, personal emergencies, or extended illnesses, and must generally be approved by the City Council or Mayor.

18. **Vacation Leave:**

Paid time off that is earned by eligible employees and can be used for personal reasons, such as rest, travel, or recreation. Vacation leave accrual and use are governed by the City's personnel policies.

19. **Worker's Compensation:**

Insurance coverage provided to employees that compensates for medical expenses and lost wages when an employee is injured or becomes ill as a result of their work. Worker's compensation does not extend to injuries sustained outside the scope of City employment.

20. **Written Reprimand:**

A formal disciplinary action in which an employee is given a written statement documenting unacceptable performance or behavior. The reprimand is placed in the employee's personnel file and may be referenced for future disciplinary action.

21. **Work Week:**

The standard period of time within which an employee is expected to work, typically from Sunday at 12:01 a.m. to Saturday at 11:59 p.m. The work week is used to calculate pay and overtime.

22. **FMLA (Family and Medical Leave Act):**

A federal law that provides eligible employees with up to 12 weeks of unpaid, job-protected leave per year for specified family and medical reasons, including the birth or adoption of a child or the serious illness of the employee or a family member.

23. **ADA (Americans with Disabilities Act):**

A federal law that prohibits discrimination against individuals with disabilities and requires employers to provide reasonable accommodations to employees with disabilities unless doing so would cause undue hardship.

## Acknowledgment of Receipt and Understanding

### City of Herreid Personnel Policy Manual

I, \_\_\_\_\_, acknowledge that I have received, read, and understand the City of Herreid's Personnel Policy Manual. I understand that it is my responsibility to familiarize myself with the policies and procedures outlined in this manual and to adhere to these policies during my employment with the City of Herreid.

I further acknowledge the following:

1. **At-Will Employment:** I understand that this manual does not constitute a contract of employment and that my employment with the City of Herreid is at-will, meaning that either I or the City may terminate the employment relationship at any time, with or without cause or notice, unless otherwise specified by law.
2. **Policy Changes:** I understand that the policies and procedures in this manual may be updated, modified, or terminated at any time by the City of Herreid, and it is my responsibility to stay informed of any such changes. I understand that the Mayor and city Council have the authority to interpret and apply the policies as necessary.
3. **Compliance with Policies:** I agree to comply with all the policies, procedures, and guidelines outlined in the personnel policy manual, including any new or revised policies communicated to me by the City of Herreid.
4. **Reporting Obligations:** I understand my obligations to report any violations of City policies, workplace safety concerns, or ethical concerns.
5. **Receipt of Policies:** By signing below, I confirm that I have received access to a copy of the personnel policy manual, either in print or electronically, and that I have been provided with an opportunity to ask questions regarding its contents.

Employee's Signature: \_\_\_\_\_

Employee's Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

City of Herreid Representative's Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_