

## Article I: Scope of the Handbook

### 700.1 DISCLAIMER

#### **IMPORTANT – READ CAREFULLY**

The City of Greeley is an "at will" employer and, as such, neither the City's policies nor this employee handbook should be construed by any employee as an express or implied contract guaranteeing the rights of any employee permanently. The City reserves the right, without notice to employees, to unilaterally modify, add to, suspend, interpret, or cancel any of the provisions of this employee handbook and City policies and procedures if it is in the best interests of the City and its workforce. Accordingly, unless the employee has an executed written contract with the City, employment with the City is terminable at the will of either the employee or the City, at any time, without notice, cause, or any specific disciplinary procedures.

If there are any questions concerning any policy or benefit explained in this handbook, please contact the Human Resources Department (HR Dept.) HRHelp@greeleygov.com.

### 700.2 SCOPE OF THE HANDBOOK

This employee handbook is provided to explain practices, policies, and benefits in effect at the time of publication and supersedes all previously published handbooks. The handbook does not constitute a contractual arrangement or agreement of any kind between the City of Greeley and its employees, including, but not limited to, the duration of the employment relationship or terms and conditions of employment.

Differences may be noted between this handbook and the Greeley Municipal Code, employment contracts for certain employees, Civil Service Rules and Regulations for certain employees, and administrative rules of the City as authorized by the City Manager. In the event such differences exist, the Greeley Municipal Code, employment contract, Civil Service Rules and Regulations, or administrative rules of the City shall govern, respectively, over the terms of this handbook unless such document specifically states that it is subordinate to this handbook. Department policies, standard operating procedures, or general orders are subordinate to this handbook unless otherwise approved in writing by the City Manager. This handbook sets forth personnel rules and policies for:

- City of Greeley regular employees unless otherwise stated.
- Subject to the provisions of the Greeley Municipal Charter and Code, the City Manager and City Attorney serve at the discretion of the City Council. The Municipal Judge(s) is appointed by City Council and may be removed according to provisions of the Greeley Municipal Charter and Code. Sections of this handbook related to introductory period, performance evaluation, counseling, discipline and appeal do not apply to employees in these positions.
- Wherever the words "City Manager" are used, they apply to the City Manager or the City Manager's designee.

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## City Policy Manual

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- Wherever the words "Department Director" are used, they apply to the Department Director or the Department Director's designee.
- Wherever the words "Human Resources Director" are used, they apply to the Human Resources Director or the Human Resources Director's designee.
- The following positions serve at the discretion of the City Manager. Sections of this handbook related to introductory period, performance evaluations, counseling, discipline and appeal do not apply to employees in these positions:
  - Assistant City Managers
  - Assistant to the City Manager
  - Strategic Services Senior Manager
  - Deputy City Managers
  - Chief Officers of a shared services team, including but not limited to Human Resources, Information Technology, and Finance
  - Department Directors and Special Office Directors
  - Intergovernmental Relations Officer/ Governmental Affairs Officer
- All attorneys in the City Attorney's Office serve at the discretion of the City Attorney. Sections of this handbook related to introductory period, performance evaluation, counseling, discipline and appeal do not apply to attorneys in the City Attorney's Office

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## Article II: Responsibilities

### 701.1 CITY COUNCIL

The City Council is the policy-making authority of the City of Greeley. The Council has the authority to set policy on pay rates and employee benefits as they find to be in the public interest.

### 701.2 CITY MANAGER

The City Manager is responsible for the effective administration of all City policies and rules and may delegate such functions as deemed necessary. The City Manager may adopt, amend or rescind administrative procedures to implement the provisions of these policies and procedures.

The City Manager also has the authority to make changes, additions, or exceptions to the policies contained in this handbook. Subject to applicable charter provisions, ordinances and resolutions for regulations and policies of the City Council, the City Manager has and retains all rights to administer the affairs of the City.

### 701.3 CHIEF PEOPLE OFFICE AND HUMAN RESOURCES DIRECTOR

The Chief People Officer and the Human Resources Director, under the direction of the City Manager, are responsible for administering and coordinating the personnel activities of the City.

### 701.4 DEPARTMENTS DIRECTORS, MANAGERS AND SUPERVISORS

Department Directors, managers and supervisors of the City of Greeley are responsible for the day-to-day administration of the provisions of this handbook.

A Department Director may make department rules and regulations, consistent with the provisions of this handbook, governing the conduct and performance of employees. The Human Resources Director may review department rules for consistency with provisions of this handbook and the City Attorney's office may review department rules for legal content. Department rules and regulations shall be distributed to affected employees, shall have the force and effect of rules of that department, and disciplinary action, as outlined in the "Counseling and Discipline" section of this handbook, may be based on violation of any such rules and regulations.

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## Article III: Employee Ethics Code

### 702.1 EMPLOYEE ETHICS CODE

City of Greeley employment carries with it a special obligation of trust that imposes the responsibility to conserve and protect public resources, funds and materials. City employment also requires adherence to high moral and ethical standards in order to gain and maintain the confidence and respect of the community.

### 702.2 PURPOSE

This code is intended to be a general statement of the ethical standards that govern the conduct of all City employees in fulfilling their obligation of trust to the community. Additional details related to these standards are provided in City personnel policies and procedures, City purchasing procedures, City ordinances, and departmental guidelines.

### 702.3 STANDARDS OF CONDUCT

All City employees shall adhere to the standards listed below, and in addition shall not engage in any conduct, on or off duty, which, if brought to the attention of the public, could result in justified unfavorable criticism of that employee or the City of Greeley. General standards of conduct are as follows:

#### 702.3.1 ADHERENCE TO LAWS AND DIRECTIVES

City employees shall not violate any federal or state laws, City ordinances, City personnel policies, or departmental directives in the performance of their official duties.

#### 702.3.2 OBLIGATIONS TO CITIZENS

City employees shall not grant special consideration, treatment, or advantage to any citizen beyond what is available to every other citizen.

#### 702.3.3 APPEARANCE OF IMPROPRIETY

Public trust and respect often depend on perceptions. Employees must exercise prudent restraint to avoid even the appearance of wrongdoing, as this erodes confidence in both the individual and City government.

#### 702.3.4 USE OF PUBLIC PROPERTY

City employees shall not use or permit the use of, for personal purposes, City-owned or leased property or facilities, vehicles, equipment, materials, or City personnel or City contractors. The use of equipment by employees to improve occupational skills may be approved in advance by the appropriate Department Director.

Except as provided by law, systems, procedures, reports, equipment and information developed by or on behalf of the City, whether by its employees or by other persons are the sole property of the City and shall not be given, loaned to, or shared with any other person, company, or organization without the permission of the appropriate Department Director.

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#### 702.3.5 GIFTS AND GRATUITIES

City employees shall not solicit or accept anything of economic value as a gift, gratuity, or favor from any person, firm, or corporation.

The prohibition against gifts shall not apply to:

- an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item.
- admission to, and the cost of food and beverages at, a reception, meal, or meeting by an organization to whom the recipient will be speaking or will be present to answer questions as part of a scheduled program.
- an unsolicited item of trivial value less than \$75 (as of 2/22/2023) such as a pen, calendar, plant, book, note pad or other similar item.
- gifts given by an individual who is a relative or personal friend of the recipient on a special occasion; and,
- any gift which would have been offered or given to the individual if the individual was not a City employee.

This guideline is not intended to isolate employees from normal social practices where gifts among friends, associates, and relatives are appropriate for certain occasions.

#### 702.3.6 OUTSIDE EMPLOYMENT AND BUSINESS INTERESTS

No employee shall engage in any outside employment whether as an employee, officer, shareholder, principal, or agent:

- that interferes with or influences the performance of the employee's duties as a City employee, or
- appears to others that the employee is acting on behalf of the City of Greeley.

The City of Greeley encourages employees to become involved in volunteer activities. The Department Director should be consulted if it appears that the volunteer activity conflicts with City employment.

Unless approved in advance by the City Manager, no department shall contract with a former employee, either directly or as an employee of a business organization or entity, to perform duties of the same or similar nature to those performed by the former employee while employed with the City for 12 months following termination of employment.

#### 702.3.7 CONFIDENTIALITY

City employees shall not disclose, nor use for their economic benefit or that of any other person, confidential information which is not available to the public that is acquired by reason of their employment with the City. Confidential information includes personally identifiable information; trade secrets or other sensitive information provided by a current or potential contractor, vendor, grantee, customer, lessee, or lessor of the City; trade secrets or other sensitive information provided by a purchaser or seller of property that is engaged in negotiations or under

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contract with the City; trade secrets or other sensitive information provided as part of a public-private partnership; information bearing on the specialized details of security arrangements or criminal investigations including for elected officials or other individuals, physical infrastructure, or cybersecurity; information related to potential or pending legal or administrative action; discussions that occur in an executive session authorized by C.R.S. § 24-6-402; and all information and records not subject to disclosure under the "Colorado Open Records Act".

#### 702.3.8 CONFLICT OF INTEREST

City employees shall not be involved in a conflict of interest. A conflict of interest occurs when employees use their position to secure advantage or favor for themselves, their family, or friends; or where an employee's private interests interfere or could be perceived to interfere with the employee's duties and responsibilities as an employee of the City.

In addition to the prohibitions set forth in the Greeley Municipal Code, an employee is deemed to have a conflict of interest if the employee:

- influences the selection of or the conduct of business with a corporation, person or firm having business with the City if the employee or the employee's immediate family has a financial interest in or with the corporation, person, or firm.
- accepts or seeks for others any service, information, or thing of value on more favorable terms than those granted to the general public, or from any person, firm, or corporation having dealings with the City.
- directly or indirectly possesses a substantial or controlling interest in any business entity which conducts business or contracts with the City, or in the sale of real estate, materials, supplies, or services to the City, without disclosing such interest.
- is an employee, officer, partner, director or consultant of any corporation, person, or firm having business with the City, unless the employee has disclosed such relationship as required by City ordinance.

To avoid a real or perceived conflict of interest, employees are prohibited from applying to or serving on any of the City Council appointed boards or commissions unless approved by the City Manager and Director of Human Resources. This prohibition applies even in situations when the board/commission is not directly related to an employee's job duties and responsibilities.

#### 702.3.9 ENDORSEMENTS

Employees acting in an official capacity shall not endorse commercial products or services by agreeing to use their photograph, endorsement, or quotation in paid or other commercial advertisements whether or not for compensation. They may agree to endorse the following provided they do not receive any compensation:

- books or other professional publications.
- professional development or educational services provided by nonprofit membership organizations or recognized educational institutions; or
- products and/or services in which the City of Greeley has a direct economic interest

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#### 702.3.10 POLITICAL ACTIVITIES

Employees are encouraged to participate in the electoral process and support the political candidates and ballot measures of their choice. Employees are free to engage in political activity associated with city, county, state, and federal campaigns, but need to do so on personal time, with personal resources, while not in uniform, and without giving the impression that their activity is being endorsed by the City. This is because it is important that the City's operations and deliberations are impartial and that efforts are made to eliminate improper influence.

Except as authorized by law, while on work time an employee may not publicly support any candidate for office or ballot measure, circulate any petitions for such office or ballot measure, distribute campaign literature, or display campaign buttons, placards and so on. In addition, employees are expected to refrain from efforts to convert others to a political cause during working hours.

Employees who are principally employed in departments or in connection with programs financed in whole or in part by loans or grants made by the United States or a federal agency may not continue to be employed while running for political office in a partisan election. Employees who are not covered by the preceding sentence and who choose to run for political office must do so on their own time and the City's premises cannot be used for political campaigning unless said premises are determined to be a public forum. If an employee wishes to be a candidate for Greeley City Council, the employee must submit a request for a leave of absence commencing on the date of the filing and ending on the day following the election. If elected to City Council, it will be deemed a resignation from the employee's current position with the City.

#### 702.3.11 WORKPLACE BEHAVIOR

Employees must always ensure that, during the performance of job duties whether working remotely or while on City property:

- (a) the employee's conduct, language and dress meet acceptable social standards.
- (b) the employee treats all persons with courtesy, respect and dignity.
- (c) the employee practices discretion when making calls of a personal nature during work hours. Only occasional and incidental personal cell phone usage is allowed; and,
- (d) the employee does not engage in any activity which would be construed as sexual or personal harassment, including, but not limited to:
  - i. verbal, electronic, or physical abuse or threats,
  - ii. offensive remarks about any individual's or group's personal characteristics,
  - iii. displaying lewd or offensive materials,
  - iv. unsolicited and unnecessary physical contact, and
  - v. Unsolicited and/or unnecessary electronic contact as, for example, through social media, email, text messages.

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#### **702.4 CLARIFICATION**

It is recognized that employees will be confronted with ethical considerations not falling within clearly defined standards. In such incidents, employees should contact their immediate supervisor or their Department Director to resolve their concerns. If deemed necessary, the request for an opinion can be made to any City of Greeley supervisor, your HR Business Partner or directly to the City Manager.

#### **702.5 REPORTING VIOLATIONS**

It shall be the duty of all City employees to take corrective action as appropriate to report observed or reported violations of this policy to their immediate supervisor or Department Director. If deemed necessary, the report can be made to any City of Greeley supervisor or directly to the City Manager.

#### **702.6 PENALTIES**

Any employee who fails to comply with any of the provisions of this policy will be subject to appropriate disciplinary action, up to and including termination from employment.



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## Article IV: General Employment Policies

### 703.1 EQUAL EMPLOYMENT OPPORTUNITY AND REASONABLE ACCOMMODATION

Equal employment opportunity has been and will continue to be a fundamental principle at the City. In accordance with local, state and federal law, the City makes all employment decisions including, but not limited to, recruiting, hiring, selection for training, compensation, promoting, transferring, demoting, layoff, and termination of all job applicants and employees without regard to race, color, ancestry, religion, sex (including pregnancy, sexual orientation, or gender identity), age (40 or older), national origin, citizenship, veteran status, disability, marital status, genetic information (including family medical history), or any other protected characteristic established by law.

The City provides reasonable accommodation to enable qualified applicants or employees to perform the essential functions of the job they are seeking or currently hold. Although the City provides reasonable accommodation, it will not make an accommodation in those situations that would impose an undue hardship on operations. Accommodation requests are coordinated by the HR Dept. on a case-by-case basis.

This policy of equal employment opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination, and all other terms and conditions of employment.

The HR Dept. has overall administrative responsibility for this policy, although each Department Director is responsible for ensuring the application of this policy in their department. Employees' questions or concerns will be referred to the Human Resources Director.

### 703.2 HARASSMENT PREVENTION

All City employees have a right to work in an environment free from all forms of discrimination and conduct which can be considered harassing. Consistent with the City's respect for the rights and dignity of each employee, harassment based on race, color, ancestry, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability, citizenship, veteran status, marital status, genetic information (including family medical history), or any characteristic protected by law, will not be tolerated. Harassment is any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual or group because of that individual's or group's membership in, or perceived membership in, a protected class identified above, which conduct, or communication is subjectively offensive to the individual alleging harassment and is objectively offensive to a reasonable individual who is a member of the same protected class.

#### Sexual Harassment

Sexual harassment is a form of sex discrimination and is unlawful under the Colorado Anti-Discrimination Act and Title VII of the 1964 Civil Rights Act. Sexual harassment is harassing conduct or communication, as defined above, based on an individual's or group's sex (including pregnancy, sexual orientation, or gender identity). Sexual advances, requests for sexual favors,

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and other verbal or physical conduct may constitute sexual harassment when submission to or rejection of such conduct is used to make employment decisions (for example: hiring, firing, salary, promotion or job assignment). Sexual harassment may also occur when such conduct interferes with the employee's work performance by creating an intimidating, hostile, or offensive work environment.

- Examples of potential inappropriate or illegal behaviors include, but aren't limited to:
- Offensive comments, jokes, or suggestions about another employee's sex, gender or sexuality.
- Obscene or lewd sexual comments, jokes, suggestions, or innuendoes.
- Slang, names, or labels such as "honey," "sweetie," "boy" or "girl."
- Talking about or calling attention to bodily or sexual characteristics.
- Laughing at, ignoring, or not taking seriously an employee who experiences sexual harassment.
- Continuing certain behaviors after a co-worker has objected to the behavior.
- E-mailing or otherwise sending harassing pictures, comments, jokes, or suggestions.
- Displaying nude, sexual, or suggestive pictures, including but not limited to cartoons, tattoos or calendars on or while on City property

#### Procedures for Reporting Harassment

It is critical that a supervisor, Department Director or HR Dept. representative is contacted if the employee believes that they have been the subject of sexual or any other form of harassment by anyone at the City or by any person who does business with the City.

The employee is encouraged to identify the offensive behavior to the harasser and request that it stop. If the employee does not feel comfortable talking to the harasser or to their immediate supervisor, the employee should notify a leader in another department, contact their HR Business Partner, an HR representative with whom they are comfortable, the Human Resources Director, or the City Manager.

Isolated incidents of offensive conduct may not necessarily constitute harassment but may still be inappropriate behavior. For example, a person who tells a joke that offends someone may not be harassing that person, nonetheless, the behavior may not be acceptable in the workplace. If an employee is ever offended by another employee's behavior, it is important that the employee bring the behavior to the attention of the offending employee, a supervisor, Department Director or HR Dept. representative so the behavior can be identified, evaluated and corrected.

Supervisors are responsible for assuring that no employee is subjected to conduct that constitutes sexual or any other form of harassment. When a supervisor is notified of alleged harassment, the supervisor must immediately notify Human Resources.

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Any individual found to have engaged in sexual or any other form of harassment will be disciplined as appropriate, up to and including termination. Not every incident of inappropriate conduct constitutes harassment in violation of this policy or federal or state law. In addition, conduct that may violate this policy may not also violate federal or state law.

A prompt and thorough investigation of the alleged incident will be conducted to the extent possible, and appropriate corrective action will be taken if warranted. To the extent possible, any complaints of harassment will be treated as confidential. An employee filing a complaint of harassment will receive a verbal or written response to the complaint.

The City will take all appropriate steps to enforce this policy.

#### **703.3 RETALIATION**

It is the City's policy not to allow retaliation against an employee, potential employee or former employee who, in good faith, makes a complaint or report of discrimination, harassment, or conduct contrary to any City policy, including this Handbook, participates in the investigation of such a complaint or report, refuses to participate in suspected improper or wrongful activity, or otherwise exercises workplace rights protected by law (in each case a "Protected Activity"). Retaliation against any individual for engaging in a Protected Activity will not be tolerated and will itself be subject to appropriate discipline up to and including termination. The City prohibits retaliation for a Protected Activity even if the concerns raised in good faith are not confirmed following an investigation.

This anti-retaliation policy does not exempt employees from the consequences of their own misconduct or inadequate performance. This policy also does not prevent the City from managing employee performance and addressing conduct issues after an employee has engaged in a Protected Activity, so long as the Protected Activity is not the reason for the performance management.

#### **703.4 THREATS AND VIOLENCE**

The City strives to provide a workplace that is free from violence. In doing so, the City is complying with applicable state and federal laws that prohibit violence in the workplace. To enforce this policy, there are procedures to prevent workplace violence and to respond to incidents of workplace violence.

It will be a violation of this policy to threaten, intimidate, physically attack, or cause or attempt to cause property damage, each defined as follows:

- Threats are the expression of intent to cause physical or mental harm. An expression constitutes a threat regardless of whether the party communicating the threat can carry it out or whether the expression is possible, based on specific conditions or something that could occur in the future. Examples of threats include, "You better be careful when checking your mail", "I know where you park", "It all ends here", or "I don't know what I'm capable of doing".
- Intimidation includes, but is not limited to, stalking or engaging in actions intended to frighten, coerce or induce duress.

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- A physical attack is an unwanted or hostile physical contact such as hitting, fighting, punching, shoving, or throwing objects
- Property damage is intentional damage to property and includes property owned by the City, employees, visitors or vendors.

Further violations of this policy include:

- Possession of any weapon while at work that does not comply with Colorado Revised Statute (CRS) section 18-12-214. If an employee plans to carry a concealed weapon in accordance with CRS 18-12-214 while at work or within the scope of employment, the supervisor and Department Director should be informed of such in writing
- CRS section 18-12-105.3 currently prohibits all individuals from carrying a firearm in buildings, including the adjacent parking areas, containing Council Chambers and gallery, Municipal Court, and the City Manager's office. As of publication these areas include City Center South, City Hall, and their adjacent parking areas. The City retains the right to restrict the carrying of concealed weapons into buildings or portions of buildings that are not open to the public.
- Failing to report a threat of workplace violence or an incident of workplace violence as defined in this policy

A violation of this policy will be considered unacceptable personal conduct and will subject the employee to disciplinary action up to and including termination.

#### Procedures for Reporting Violence

All supervisors and employees of the City of Greeley share the responsibility of creating and maintaining a work environment free from all forms of threatening behavior. In order for the City to take appropriate action as soon as possible, employees will report any violations of this policy to their supervisor, Department Director or HR Dept. as soon as possible but at least within 24 hours of the occurrence of the policy violation(s). The employee may report concerns verbally or in writing. However, if the report is verbal, the employee may be requested to follow up in writing. Following a report of a policy violation, the employee will be expected to cooperate fully during the internal investigation of the policy violation.

Supervisors will initiate an investigation into reports of workplace violence, including reports of threats. The supervisor will contact the HR Dept. for assistance in conducting the investigation. The HR Dept. will be responsible for contacting appropriate management members, if warranted, and for advising and assisting supervisors with incidents relating to workplace violence. Supervisors may choose to remove the employee alleged to have made a threat or taken part in an act of violence from the work site during the investigation by placing the individual on leave. Such action shall be documented in writing providing the reasons for placing an employee on leave. In case of an emergency representing a threat of immediate harm, the appropriate law enforcement agency should be contacted immediately.

To the extent possible, any complaints of threats or violence will be treated as confidential.

An employee filing a complaint will receive a verbal or written response to the complaint.

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It is the City's policy not to allow retaliation against an employee, potential employee or former employee who, in good faith, makes a complaint or report of threats or violence, or participates in the investigation of such a complaint or report. Retaliation against any individual for reporting a claim of threats or violence or cooperating in the investigation of the same won't be tolerated and will itself be subject to appropriate discipline.

#### **703.5 CIVIL RIGHTS COMPLAINT PROCEDURE**

In cases where a person feels they have been discriminated against, harassed, or their civil rights have been violated on the basis of race, color, ancestry, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability, citizenship, veteran status, marital status, genetic information (including family medical history), or any other protected characteristic established by law, City employees should contact their immediate supervisor or Department Director. If deemed necessary, the report can be made to any City of Greeley supervisor, the Human Resources Director, or directly to the City Manager. If this process proves unsatisfactory, the complainant may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) or the Colorado Civil Rights Division (CCRD).

#### **703.6 EMPLOYMENT OF RELATIVES OF EMPLOYEES/NEPOTISM**

The City of Greeley's policy is to avoid real or apparent conflicts of interest, or situations that may suggest a conflict of interest, that could result in situations such as actual or perceived acts of favoritism, interpersonal conflicts, or jeopardizing confidentiality. As a result, direct or indirect supervision of an employee by a relative is prohibited. Employees shall also not be allowed to retain direct or indirect supervisory responsibilities over employees when they are or have previously been involved in a consensual romantic relationship. Direct supervision means supervision by the employee's immediate supervisor or lead worker. Indirect supervision means the supervisor's authority or supervision within the same chain of command. Other situations which suggest a conflict of interest may also prevent the employment situation from occurring.

Decisions in these situations will be reviewed and approved by the respective Department Director and the Human Resources Director. An employee may also not be in a position that checks, processes, audits, verifies or receives the work of a relative or partner in a consensual romantic relationship nor be entrusted with money received or handled by a relative or partner in a consensual romantic relationship.

In the event that two employees become related or enter into a consensual romantic relationship and one of the above situations occurs, one employee must resign or transfer to another position consistent with this policy within 30 calendar days after the occurrence of such change in status. The City will make reasonable efforts to assist the employee who requests a transfer with finding similar employment in another department, but there is no guarantee that a similar role or similar compensation will be available.

For the purpose of this section of the handbook, relative is defined as spouse, civil union partner, child, parent, grandparent, grandchild, brother, sister, niece, or nephew (this includes step, half,

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former and in-law relationships), aunt, uncle, and first cousin (this does not include step, half and in-law relationships).

#### **703.7 DRIVING RECORDS**

Many departments have employees who drive City or personal vehicles on a regular or occasional basis as part of their job. Supervisors will ensure that only qualified, licensed employees operate City or private vehicles while on the job and that the employee carries automobile insurance as required by the State of Colorado.

If, in the opinion of the City, an employee's driving record is marginal, the affected employee's driving record will be monitored, and the employee will be notified that if additional driving violations occur, disciplinary action may be taken and/or a driving restriction may be issued.

If, in the opinion of the City, an affected employee's driving record indicates a history of excessive tickets and/or accidents (such as loss of points that could result in revocation of a license or place the employee in a high-risk insurance category), or if the record shows that a license has been suspended or revoked, disciplinary action up to and including termination may be taken. In some instances, the City will restrict or remove the employee's driving privileges. Additionally, if a temporary license has been issued pending a driver's license hearing or during the time period before court proceedings are completed, a driving restriction may be imposed. This restriction is written documentation that is provided to the employee and the employee's department indicating that the employee won't be allowed to drive a City or personal vehicle for City business.

A driving restriction may be lifted if the employee has not received any moving violations for six (6) months after driver's license reinstatement or review. However, this time period may be reduced or extended based on the circumstances.

Employees who operate City equipment or operate a vehicle for City business on a frequent basis, or when such operation is an essential function of the job, must immediately notify their supervisor if their driver's license has been or could be suspended, revoked, or denied or if a temporary license has been issued pending a driver's license hearing. The City disciplinary process may be followed if the inability to drive prevents an employee from completing essential duties.

Employees will be required to authorize the City to obtain updated driving records on a periodic basis. Failure to maintain required driver's licenses may subject the employee to disciplinary action up to and including termination.

#### **703.8 DRUG AND ALCOHOL TESTING**

The City of Greeley's complete Drug and Alcohol policy is available in the City's Policy tool, Lexipol. The information provided here is a summary of the policy.

Applicants and employees are required to submit to testing in the following circumstances as a condition of their initial and continued employment.

##### Pre-Employment Drug Testing

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Pre-employment drug testing is required of all employees of the City of Greeley including full-time, part-time, seasonal, variable hour, and temporary employee candidates. Pre-employment drug testing will not screen for THC compounds (marijuana) for employee candidates applying for non-safety related positions.

Employee candidates whose positions fall under Federal Transportation Administration (FTA), Federal Motor Carrier Safety Administration (FMCSA), Police Department, or Fire Department drug and alcohol policies will be tested in accordance with those requirements, including for THC compounds. Pre-Employment drug screening is required of all volunteers whose duties include regular and frequent contact with sensitive information related to law enforcement and public safety activities, or whose positions require regular contact with at-risk populations including but not limited to children, or the elderly.

The City may, from time to time, exempt certain positions from pre-employment drug testing where such positions perform low-risk tasks, are temporary (less than 40 hours annually), and are necessary for City operations.

#### Post-Accident Testing

Employees will be required to submit to a drug and alcohol test if they are involved in an accident or sustain an injury as defined in this policy, and there is reasonable suspicion that prohibited substance(s) may have been involved. An accident is defined as an "occurrence" associated with the operation of a vehicle or any other incident in which ANY of the following occur:

- There is a human fatality.
- One or more individuals sustains an injury requiring immediate medical care away from the scene of an accident.
- Any involved vehicle sustains damage.
- Any involved property sustains damage.
- The supervisor, following reasonable suspicion guidelines, determines that testing is necessary.

#### Testing time frame

Following an accident where a test is required, the employee will be tested as soon as practical, but not to exceed 8 hours for alcohol testing and 32 hours for drug testing.

#### Post-Accident Work Status

Employees who are tested as a result of an accident may return to work and assigned to duties of a non-safety-sensitive nature until the results of the test are reviewed.

\*The employee shall not be permitted to operate a motor vehicle or any equipment or perform other job duties that could present a danger to the health, safety, or welfare of the public, co-workers, or the employee.

#### Reasonable Suspicion Testing

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An employee may be subject to drug or alcohol testing when there are reasons to believe that drug and/or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the documented observations concerning appearance, behavior, and speech or body odor of the employee which are consistent with the short-term effects of substance abuse and/or alcohol misuse.

Reasonable suspicion referrals may be made by a supervisor or other staff member who has personally observed the symptoms and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse and/or alcohol/substance misuse. When possible, this should be verified by a second staff member or supervisor to exclude any form of bias towards the suspected employee.

The employee should always be immediately escorted to the alcohol and drug screening collection site by appropriate supervisory personnel or other departmental authority. The employee should never be permitted to operate a vehicle or motorized equipment.

If the drug and alcohol reasonable suspicion screening is delayed for longer than two hours, the supervisor must document the reason for the delay. Additionally, if the procedure cannot be completed within eight hours, the supervisor will thoroughly document the reason why.

#### Reasonable Suspicion Work Status

Pending drug test results, an employee will be placed on paid administrative leave in accordance with the City's leave policy and as approved by the Director of Human Resources and the department Director.

#### Return to Duty and Follow-Up Testing

When a covered employee refuses to submit to a test, has a verified positive drug test or a confirmed alcohol test with a result of .04 or greater, the employee may be referred to a Substance Abuse Professional (SAP) in accordance with this policy. Any employee who undergoes prescribed treatment for substance abuse must submit to a drug and alcohol test and provide negative test results before returning to work. In addition, the employee may be subject to unannounced tests to be conducted for at least 12 but not more than 60 months following the employee's return to work.

### **703.9 MEDICAL AND PSYCHOLOGICAL TESTING**

At any time during employment and for reasonable cause, the City may require an employee to undergo a physical or psychological examination by a qualified designated professional to certify that they are able to perform the essential functions of the job. These examinations will be at the City's expense.

If the result of these examinations indicates that an employee is not capable of satisfactorily performing their job with or without reasonable accommodation, the employee may be demoted, transferred, or terminated at the discretion of the City.



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If there is a position available, an employee may be transferred, as provided by law. If, however, an employee is not chosen for an available position, they may be terminated. Other options may be available, such as leave and/or counseling.

#### **703.10 BACKGROUND CHECKS FOR APPLICANTS AND EMPLOYEES**

The City conducts background checks before placing employees into positions. All job applicants (excluding minors) offered positions must pass a background check. Current employees applying for a transfer to a position working with financial, sensitive or confidential information or serving a vulnerable population such as young people under 18, senior citizens, and people with disabilities must also pass a criminal background check. Additionally, the City will comply with the U.S. Department of Justice Criminal Justice Information Services (CJIS) Security Policy regarding fingerprint-based record checks for employees and applicants who have unescorted access to physically secure locations or controlled areas within the Police Department, City Attorney's Office, Information Technology, and Municipal Court facilities. Based on the results of a background check, the applicant may not be hired, or the employee may not be transferred if the City discovers unfavorable information that is relevant to the position for which the applicant or employee is being considered. All reports of criminal records belonging to the City of Greeley are treated as confidential information and are kept in a separate secured file within the HR Dept.

Current employees in positions working with financial, sensitive, or confidential information or serving a vulnerable population such as people under 18, senior citizens, and people with disabilities who have been convicted of a felony or misdemeanor must advise a HR Dept. representative of the conviction and a determination will be made regarding whether such conviction is relevant to the employee's job and what action, if any, will be taken by the City. If the City otherwise becomes aware that a current employee has been convicted of a felony or misdemeanor, a determination will be made regarding whether such conviction is relevant to the employee's job and what action, if any, will be taken by the City.

#### **703.11 WORKPLACE SEARCHES**

It is the City's goal to safeguard the life and property of employees and customers, as well as City property, and to help prevent the unauthorized possession, sale, and use of weapons, or the possession, sale, and use of illegal drugs on City premises. Employees should not bring highly personal items into the workplace because the City reserves the right to open and inspect offices, desks, lockers, file cabinets, computers, City vehicles and other work and storage spaces and to remove all items relating to City business and all personal items that are unlawful or inappropriate. The City provides offices, desks, lockers, file cabinets, computers, City vehicles and other work and storage spaces for various employees.

Although such spaces are available for employees while at work, employees should remember that all such work and storage spaces remain the sole property of the City. To the extent provided by law, inspections may be conducted at any time for reasonable cause as determined by the Department Director and reviewed by the Human Resources Director, with or without advance notice or consent.

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Employees who refuse to cooperate in an inspection, as well as employees who, after the inspection, are believed to be in possession of unauthorized weapons, stolen property, illegal drugs, or other inappropriate items, will be subject to disciplinary action up to and including termination.

#### **703.12 RECORDING CONVERSATIONS AT WORK**

Unauthorized electronic surveillance of employees or other parties interacting with employees (customers, vendors, etc.) is disruptive to employee morale and inconsistent with the respectful treatment required of our employees. For this reason, no employee may record a conversation with another employee, customer, or vendor without his or her full knowledge and consent except as required by law or otherwise authorized.

No employee may record, by any means, a conversation with another employee unless all of the following criteria are met:

1. A legitimate purpose exists for the recording.
2. The recording device is in plain view; or
3. It is a virtual meeting where participants are notified that a recording of the proceedings will take place

#### **703.13 SMOKING**

Employees are prohibited from smoking during working hours in all places where smoking is prohibited by the Greeley Municipal Code, Colorado State Statute, or other local, state, or federal laws. In addition, smoking in City facilities, City vehicles and motorized equipment is prohibited. "Smoking" as used herein includes any use of cigarettes, cigars, electronic cigarettes (and other vaping devices), pipes, and hookahs. Employees may not smoke within 25 feet of the front or main doorway leading into any City facility. Employees are also prohibited from using smokeless tobacco products such as snuff and chewing tobacco in City facilities, City vehicles and motorized equipment.

#### **703.14 UNIFORMS AND DRESS CODE**

Many employees are required to wear uniforms or specific items of clothing either for safety reasons or because they need to be easily identifiable. In these situations, uniforms may be issued to the employee, or the employee may be reimbursed for uniform costs when the uniform is obtained from an authorized outlet. Please refer the "Uniform Policy" administrative rule for additional information on uniform eligibility and guidelines.

As City employees, it is important that we establish a positive impression when interacting with our customers and business associates. Based on our appearance, impressions and credibility are formed regarding our ability to serve as capable stewards of the public interest. We are professionals in our chosen fields and appropriate dress helps ensure our effectiveness. Business casual is expected for employees working in City administrative offices. The City recognizes a more casual standard of dress on Fridays and jeans are acceptable attire on Fridays or other days as designated by the City Manager. However, even on Fridays, employees who will be attending

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external meetings representing the City, who will be in attendance at meetings in an office hosting on-site meetings or appearing at City Council or other formal meetings, will be expected to dress in business casual attire. With the Department Director's approval, jeans are also acceptable attire in administrative work offices located at remote sites that may be adjacent to equipment/building/grounds repair and are therefore prone to more dirt and dust. Managers and supervisors are responsible for setting standards for their employees and may make exceptions to business casual standards for special circumstances.

The ultimate goal is for all City staff members to look professional in order to build a positive impression with our citizens and coworkers. If you are uncertain about what is acceptable, please ask your supervisor. Those who report to work and are inappropriately dressed may be sent home to change clothes or asked not to wear the inappropriate item to work again. If the problem persists, appropriate progressive discipline will be followed.

#### **703.15 POLYGRAPH EXAMINATION**

The use of polygraph examinations may be a condition of employment in limited circumstances. The polygraph may be used in pre-employment and/or internal investigation situations.

##### Pre-Employment Use

The use of the polygraph in pre-employment screening will be for selected Police Department positions or other City positions if the nature of the job is such that there is potential for serious financial or physical loss or harm to citizens.

##### Internal Investigation

With the written approval of the City Manager, the City may also use the polygraph in the investigation of allegations against City employees. The City will consider these investigations to be employment matters.

Once the decision to use the polygraph has been made, the following conditions will apply:

- Employees will be required to submit to a polygraph examination. An employee who refuses to submit to a polygraph examination or refuses to answer questions during the examination may be subject to discipline up to and including termination
- Based on the facts and circumstances of any individual situation and/or investigation, the employee may be issued an appropriate legal advisement informing the employee that the answers to the questions will not be used as a basis for a criminal charge against the employee. The decision of whether or not to administer legal advisement to an employee rest with the City Manager.
- Employees may be subject to discipline up to and including termination based on admissions obtained from the examination or the results of an investigation.
- Polygraph questions asked will relate specifically to the performance of official duties or an accounting of the employee's public trust.

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#### **703.16 INTRODUCTORY PERIOD**

With the exception of sworn or certified positions in the Fire and Police Departments and those positions outlined in Article I, every person hired in the service of the City shall be required to successfully complete an introductory period of six (6) months.

After 30 and 90 days of employment, and at the conclusion of the six-month introductory period, the employee will complete a self-evaluation, and the supervisor will complete an employee evaluation. During this introductory period, the supervisor shall closely observe and evaluate the work of all new employees and encourage their effective adjustment to the position by providing necessary training, coaching and orientation in order to determine the advisability of continued employment.

The introductory period may be extended as deemed necessary upon written notification by the supervisor and the HR Dept.

As Colorado is an at-will employment state, employees may be terminated at any time (during or after the introductory period). Employees who are terminated within this initial period are not entitled to the appeal process.

The successful completion of an introductory period should not be construed as creating a contract of employment or as guaranteeing employment for any specific duration or as establishing a "just cause" disciplinary or termination standard.

For sworn or certified positions in the Fire and Police Departments, in accordance with the Civil Service Rules and Regulations and Chapter 3.16 of the Code of Ordinances, all original appointments shall be introductory for a period of twelve (12) months. During the 12-month introductory period, the employee may be laid-off or terminated for any reason at the discretion of the City. Employees who are terminated within this original introductory period are not entitled to the appeal process. If the job changes significantly during the introductory period or for other reasons approved by the Fire Chief or Police Chief and reviewed by the Human Resources Director, the introductory period for firefighters or police officers can be extended for up to six (6) months.

When an employee transfers to a new position, the employee will be placed on a six (6) month introductory period and the supervisor will conduct performance evaluations at completion of 30 days, 90 days, and six months. During this time the employee will be learning new job duties, and the supervisor will review job performance and assess progress. If the supervisor determines that the employee is unable to perform the essential functions of the new position, the recommendation may be made to transfer the employee to another position, to terminate employment with the City, or for an alternative appropriate to the situation such as an extension of the introductory period, additional training or reduction in pay. If the former position is vacant and the recommendation is made to transfer the employee back to the former position, the transfer must be approved by the director of that department and the Director of Human Resources. Transferred employees are entitled to the appeal process upon request if the initial introductory period has ended. Introductory

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periods do not apply in situations of voluntary demotion transfers into a position an employee previously held.

Transferred employees are entitled to utilize the Appeal and Dispute Resolution Process outlined in this handbook to contest any employment action if the initial introductory period has ended. Employees who are transferred at the request of the City may have the introductory period waived at the discretion of the receiving supervisor and with HR Director approval.

#### **703.17 INTRODUCTORY PERFORMANCE APPRAISALS & GOAL SETTING**

An employee's performance will be reviewed regularly throughout their Introductory period and formally at the end of the first six (6) months of employment. Thereafter, a performance appraisal will typically be conducted at least every 12 months and not more than four times per year. The department director may delay the completion of a performance appraisal for reasons such as pending disciplinary review or if the employee hasn't been performing their normal job duties due to a leave of absence or participation in the Alternate Work Program. Leaves of absence or work assignments approved under the Family and Medical Leave policy will not delay the effective date of pay increases for which an employee is eligible. Please see the "Family and Medical Leave" section of this handbook under "Time Off Benefits" for additional information.

#### **703.18 TRANSFERS TO OTHER CITY POSITIONS**

Where appropriate, the City strives to fill vacancies from within the organization whenever qualified employees are available and in accordance with the City's responsibilities as an equal-opportunity employer.

To apply for a vacant position, employees should follow the recruiting guidelines and apply within the recruiting platform, to be considered with other applicants. Whenever possible, the employee should notify their supervisor that they intend to apply for a new role within the City.

Transfers include selection for a position in a higher pay range (promotion), movement to a position in the same pay range (lateral transfer), and elected movement to a position in a lower pay range (employees may elect to take a position in a lower pay range for a variety of reasons including life balance, ability to be successful in the role, interest in the duties of the role, to name just a few). Transfers can be in the same or a different department and are movement from a current position to a vacant position and generally do not include reorganizations or reclassifications.

When considering an employee for transfer, some of the things taken into consideration include job performance, work history, and all job-related skills, abilities, qualifications and talents needed to perform the desired job. Employees who are currently working through an active performance correction or discipline process may only transfer with the written permission of the Director of HR. Please see the "Pay Upon Transfer" Section of this handbook for additional information.

If an employee transfers to a new position, the employee must provide a two-week notification to their supervisor regarding the transfer and cooperate fully in completing an effective transition of their current duties. The employee can begin to work a normal schedule in the new position at the

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end of the two-week period unless notice is waived by the former Department Director, or another arrangement is agreed upon by the two Department Directors.

Employees must have a minimum of six months in their current position before being considered for a new role unless they receive written approval from their current department director. Employees should not transfer more than two times within a 12-month period without written approval from their current and receiving department directors.

#### **703.19 RESIGNATIONS AND RETIREMENTS**

If an employee resigns from the City, it is requested that a minimum of two weeks' notice is given so that the City has time to start the replacement process. The City reserves the right to release an employee prior to the resignation date provided by the employee. If resigning due to personal, spouse, civil union partner, or child's health, an employee should inform the City of the situation in writing so that the City has the opportunity to make a determination regarding the possibility of an accommodation.

In addition to verbal and/or written notification, it is the employee's responsibility to submit their resignation in the current HRIS system. If the employee fails to do so, the supervisor will be responsible for submitting the resignation in the system.

Resignation effective dates are the last day an employee actually works and can't be extended by any accrued leave without the prior written approval of the Department Director and review by the Human Resources Director. Resignation effective dates can't be on a holiday or weekend unless it is a normally scheduled workday.

Prior to the last date of employment, employees must:

- review and update their contact information, including forwarding address.
- return City property such as keys, uniforms, pagers, cell phones, calling cards, badges, supplies, and equipment.
- identify all websites and software applications to which they have access as a result of employment with the City and relinquish such rights.

If an employee resigns from the City, they should check with the HR Dept. regarding when benefits will end. Employees who resign are paid for eligible accrued leave and for all the time worked. Please see the "Vacation," "Paid Time Off", "Sick Leave," and "Holiday" sections under Benefits in this handbook for more information. Check with the HR Dept. for details

#### **703.20 BENEFITS AFTER RETIREMENT**

For retiring City employees, the City's health, dental, and vision insurance plans may continue until age 65 under the following conditions:

- The employee is 55 or older.
- The employee was a full-time and/or three-quarter time for 10 or more continuous years of service at retirement, and
- The employee enrollment form is completed on or before the date of retirement

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If the employee elects to continue the City's health, dental, and vision insurance plans after retirement, the employee will be responsible for paying the full cost of the benefits at the retiree rates in equal monthly installments made in advance of coverage.

For retiring City employees, life insurance can continue for the retired employee in the amount of \$5,000 and for the retired employee's spouse or civil union partner in the amount of \$1,000 if:

- The employee was hired prior to January 1, 1981, and their employment has continued without a break in service; and
- The employee is under the age of 70 on the date of retirement

Details about the termination and/or continuation of benefits upon retirement are available from Human Resources.

Whether resigning or retiring, a HR Dept. staff member will generally contact employees and arrange for a voluntary exit interview, which is an opportunity to express opinions about experiences at the City. Exit interviews also, over time, provide feedback to supervisors who may choose to make changes that improve the quality of work life for employees who remain in the department.

#### **703.21 REHIRE**

Former employees are eligible to apply for City positions following the process available to other applicants and, if hired, will be treated as newly hired Introductory employees. Employees who have been employed by the City previously in a full-time and/or three-quarter-time position will be eligible to have prior service credited toward the total length of service for benefits as follows:

- If the employee's absence was for a period of less than three (3) months, no break in service will be reflected as it pertains to leave accruals or pension vesting; however, leave will not accrue for the period of absence. If the employee returns to their former position, the six (6) month Introductory period is waived. If the employee returns to the City in a different position, the employee will be subject to an initial Introductory period.
- If the employee's absence was for a period greater than three (3) months but less than five (5) years, previous service in a full-time and/or three-quarter-time position will be credited after the employee has completed the initial Introductory period.
- No prior-service credit will be given to employees who were away from the City for five or more years. Employees absent for five or more years, like all new employees, are also subject to an introductory period, even if they are returning to a previously-held position.

#### **703.22 REDUCTIONS-IN-FORCE (RIF)**

The City, at its discretion, will determine whether a RIF is necessary as a result of lack of work, lack of funds, reorganization, curtailment of operations or programs or other circumstances in the City's best interests. The City Manager, in collaboration with the Department Director(s), will determine the size and scope of the reductions in force. Every reasonable effort will be made to consider and implement alternative measures such as furloughs and/or work adjustments in lieu of or in addition to a RIF.

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If it is determined that a RIF is necessary, employees will be laid off by department within each affected classification by layoff unit in the following order:

1. employees who haven't completed their initial introductory period
2. employees whose performance reviews document poor or inadequate performance
3. employees with the least time in service in that classification by department.

Within each category above, the length of continuous service in the respective classification will prevail if performance, experience, skill, ability, and qualifications of work are relatively equal. For purposes of this handbook, classification means positions that are similar in nature, have approximately the same level of difficulty and responsibility, require comparable skills, knowledge and abilities, and which are in the same pay range.

Under some circumstances, employees may be offered the opportunity to accept a separation agreement or to volunteer to be part of a RIF. This agreement, if approved by the department director and the Director of Human Resources, may supersede the RIF order outlined above.

When possible, employees will be given at least 14 calendar days' notice of layoff. Any employee in good standing whose employment is terminated through a RIF is eligible to apply for any open position with the City for which they are qualified.

Employees who are laid off will be paid for any accrued leave pursuant to the terms of this Handbook and for all time actually worked. Please see the "Vacation," "Paid Time Off", "Sick Leave," and "Holiday" sections under Benefits in this handbook for more information. Most benefits will end on the last day of work, or on the last day of the month in which their employment ended, unless an employee is eligible for and chooses to continue benefits coverage under the COBRA law. Details about the continuation of benefits upon layoff are available from the HR Dept. and will be included in any separation paperwork.

#### **703.23 REFERENCE CHECKS AND EMPLOYMENT VERIFICATION**

All reference checks and inquiries regarding current or former City employees should be referred to Human Resources. In response to a reference check, the City will not provide any information (either positive or negative) other than the information listed below unless the employee signs a waiver and release at the time of an exit interview or prior to the time a reference is given:

- Verification of the current or former employee's dates of employment
- Verification of the current or former employee's last job title

In general, managers and/or supervisors should not provide a letter of reference for a current or former City employee.

#### **703.24 INVOLUNTARY TERMINATION**

Colorado is an At-Will Employment state, and most City employees have no guarantee of ongoing employment with the City. During an employee's six (6) month period Introductory, or as it may be extended, employment can be terminated for any reason at the City's sole discretion and the employee is not entitled to the appeal process.



# City of Greeley

## City Policy Manual

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Employees past the introductory period may be terminated for various reasons or the good of the service at the City's sole discretion. Employees past the initial Introductory period, and any extension of the initial introductory period, may appeal a termination. If the terminated employee appeals the termination and the appeal process does not exceed 30 calendar days, and the employee is reinstated, benefits will be reinstated as if there was no disruption of service. If the appeal process exceeds 30 calendar days, through no fault of the employee, and the employee is reinstated, benefit coverage will begin the date the employee returns to full-time duty or as stipulated in the benefit plan documents. Refer to the "Appeal of Disciplinary Actions" section of this handbook for additional information.

Terminated employees will be paid for any accrued leave pursuant to the terms of this Handbook and for all time actually worked. Please see the "Vacation," "Paid Time Off", "Sick Leave," and "Holiday" sections under Benefits in this handbook for more information. Most benefits will end on the last day of work unless an employee is eligible for and chooses to continue benefits coverage under the COBRA law. Details about the continuation of benefits upon termination are available from the HR Dept.

## Article V: Work and Pay

### 704.1 EMPLOYMENT STATUS DEFINITIONS

Listed below are the employment status definitions for each type of position held by employees at the City of Greeley. If a department finds that a position needs to work beyond its employment status designation, the department must request an upgrade of the position through the budget process.

1. Full-Time Regular Employees are defined as follows:
  - (a) Non-exempt employees who are scheduled to work an average of 40 hours or more per work week on a year-round basis.
  - (b) Exempt employees who are scheduled to work 80 hours or more in a two-week period on a year-round basis.
2. Three-Quarter Regular Time Employees are defined as follows:
  - (a) Non-exempt employees who are scheduled to work an average of 30 to 39 hours per work week on a year-round basis.
  - (b) Exempt employees who work an average of 60 to 79 hours in a two-week period on a year-round basis, and who will be paid on a salary basis even when hours worked per week fluctuate.
3. Part-Time Regular Employees are defined as follows:
  - (a) Employees who are expected to work less than 29 hours on average per on a year-round or longer-term basis
4. Temporary Employees are defined as follows:
  - (a) Employees who work a specified number of hours per week for a limited period of time. Such positions may be eliminated after the expiration of the authorized period.
5. Seasonal Employees are defined as follows:
  - (a) Employees who work a specified number of hours per week during a specified work season. The need for such positions may recur on an annual basis. This period of time should not exceed six months or 1040 hours.
6. Contract Employees are defined as follows:
  - (a) Employees whose terms and length of employment are defined by a written and signed contract. This should not be confused with independent contractors who are not considered to be employees of the City of Greeley. (When determining whether an individual is a contract employee or an independent contractor, the department should consult with Human Resources and the City Attorney's Office).

These definitions are not intended to indicate whether or not overtime is an aspect of the job. Employees of the City of Greeley, whether regular, temporary, or seasonal, may not at the same time be employed or classified as an independent contractor by the same or another department

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with the City if the work performed under contract is similar to the type of work performed in their capacity as an employee of the City. Classifications of independent contractors should be discussed with the Director of Human Resources or designee.

#### **704.2 CHANGES IN EMPLOYMENT STATUS**

Employees who request to work a reduced work schedule on an ongoing basis may do so when approved by the Department Director and reviewed by the Human Resources Director. Upon approval, the employee's employment status will be changed to accurately reflect the actual scheduled work hours. Benefit package eligibility and cost may be affected by a reduced schedule. Contact Human Resources for questions.

Employees whose scheduled work hours change, and the change is expected to last for 30 consecutive days or less, will not receive a change in employment status. If the change in scheduled work hours is expected to exceed 30 consecutive days, the employment status will be changed to reflect the appropriate status if there is a budgeted and approved position available.

#### **704.3 EXEMPT AND NON-EXEMPT STATUS**

In addition to each employee being placed in an employment status classification, the HR Dept. classifies all employees as either exempt or non-exempt in accordance with the Fair Labor Standards Act (FLSA).

The FLSA overtime provisions apply to non-exempt employees. Non-exempt employees receive either overtime pay at 1½ times the regular rate of pay or compensatory time off at the rate of 1½ hours for all time worked over 40 hours in a workweek. Compensatory time off hours can be accrued to a maximum of 40 hours. The supervisor will determine whether overtime hours will be paid or accrued as compensatory time off.

As with other types of authorized work, all time spent by non-exempt employees using electronic communications for work purposes will be considered hours worked and must be recorded; the time is compensable and will count toward overtime eligibility as required by law. Therefore, electronic communications should not be used outside regularly scheduled work hours by non-exempt employees unless required by the supervisor. This includes all types of work-related communication. Non-exempt employees should not check for, read, send or respond to work-related e-mails, chat messages or text messages outside their normal work schedules unless specifically authorized based on job duties or direction by their supervisor.

Exempt employees are not eligible for overtime compensation. The exemption from overtime is based on FLSA definitions for executive, administrative or professional status. It is the City's policy to comply with the salary basis requirements of the FLSA. Therefore, directors and managers are prohibited from making any improper reductions in the salaries of exempt employees. Employees should be aware of this policy and that the City does not allow deductions that violate the FLSA. Mistakes in calculating pay and deductions will be corrected and will not affect exempt status. Exempt employees must notify Human Resources when an improper deduction has occurred so that the error can be corrected.

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#### **704.4 HOLDING MORE THAN ONE JOB WITH THE CITY**

With the approval of the respective Department Directors, non-exempt employees may hold more than one position with the City. If the time worked in the positions totals more than 40 hours, the overtime policy will apply. The calculation of the pay rate for hours worked over 40 will comply with provisions of the FLSA.

With the approval of the respective Department Directors and the HR Dept., exempt employees may also hold more than one position with the City. The determination of whether the additional position is approved, and the rate of pay will be made by the HR Dept. and communicated to the employee prior to beginning work in the second job.

Hours worked in two or more different positions can't be combined to obtain eligibility for benefits that wouldn't be available otherwise.

#### **704.5 HOURS OF WORK**

The work week for all employees begins after midnight Wednesday and continues to and includes the following Wednesday midnight, except for shifts that overlap from one work week to the next. In the case of shift jobs not starting at midnight which would overlap into the next work week, the work week begins at the time the shift starts on Thursday (not Wednesday night).

Beginning and ending times of work periods vary within divisions based on business reasons set by management. Non-exempt employees are not permitted to work more than 40 hours in a workweek unless prior authorization is received from the employee's supervisor. Except for some firefighter employees, hours worked above 40 hours in the seven-day workweek by non-exempt employees require overtime payments or compensatory (comp) time accruals.

In compliance with the FLSA, exempt employees shall utilize any accrued personal/vacation/sick leave for a partial day absence pursuant to an established leave policy. If leave time is not available, hours for partial day absences must be charged to, and paid as, administrative leave.

Refer to the "Overtime and Compensation (Comp) Time" section of this handbook for additional information.

#### **704.6 MEAL AND WORK BREAKS**

At the discretion of the supervisor, employees may take a paid work break of 15 minutes within a consecutive four-hour period. The schedule of work breaks depends on the needs of the department and is determined by the supervisor. Break time may not be accrued by an employee to shorten the workday or to extend a lunch break.

With few exceptions based on work requirements, employees who work in excess of five (5) hours each day must take an unpaid meal break. The length of the break will normally be one hour but may be one-half hour in duration at the discretion of the supervisor due to scheduling and/or the nature of the work. Meal breaks shall not be skipped on a regular basis unless otherwise determined by the supervisor based on employee's position and work requirements. Meal breaks will, to the extent possible, be scheduled close to the middle of the work shift. Transportation to and from meal breaks begin and end during the unpaid meal break.

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#### 704.7 LACTATION BREAKS

The City of Greeley provides a supportive environment, with reasonable break time and appropriate facilities, to accommodate any employee desiring to express breast milk for the employee's nursing child. Employees who wish to breastfeed or express milk in the workplace need to keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the City.

The City will provide reasonable unpaid break time or permit an employee to use paid break time, mealtime, or both, each day to allow the employee to express breast milk for her nursing child for up to two years after birth. A nursing employee shall be allowed to use this allotted time at their discretion and with notification to their supervisor. A departmental policy may specify how notification is to be provided prior to taking such a break and that such breaks may be reasonably modified in order to maintain the continuity of department operations (e.g., public safety operations).

For time exceeding an employee's normal breaks and mealtime, the employee may make up the time as agreed upon with their supervisors or use accrued leave time, as appropriate. Before utilizing any accrued leave time, supervisors should contact the Director of Human Resources or their designee.

The City will also make reasonable efforts to provide a room or other location in close proximity to the work area, other than a bathroom, where an employee can express breast milk in private. If employees prefer, they may also breastfeed or express milk in their own private offices or in other comfortable locations agreed upon in consultation with the employee's supervisor and/or the HR Dept.

#### 704.8 RECORDING HOURS WORKED AND LEAVE TIME

A record of schedules or hours worked as well as paid and unpaid leave taken is required for all employees.

Process Requirements	Exempt Employees	Non-Exempt Employees
Submit leave requests	Yes	Yes
Record hours worked via time-tracking system	No	Yes - for designated positions determined by the HR director
Review and submit timesheet biweekly	No	Yes
Supervisor approves and submits time	No	Yes

- Non-Exempt City employees must submit a request for approval of paid and unpaid leave and either record hours through the electronic time tracking process or establish a work schedule that requires reporting for exceptions only. Non-exempt employees must approve and submit timesheets each pay period.
- Exempt employees must submit a request for approval of paid and unpaid leave taken. Exempt employees do not record hours worked.

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#### **704.9 TIME ENTRY AND APPROVAL REQUIREMENTS**

The City of Greeley is committed to paying its employees in compliance with the FLSA as well as other applicable federal, state and local laws. Federal, state and local laws require that employers make certain deductions from every associate's compensation, such as applicable federal, state, and local income taxes, social security and Medicare taxes and, in some states, unemployment and/or disability fund contributions.

##### Time Entry

The FLSA requires employers to pay non-exempt employees for all hours actually worked, so it is important for employees to record time worked correctly and accurately. Early or late clocking in/out will not be permitted unless the employee is actually working. Reference the "Overtime and Compensatory (Comp) Time" section of this handbook for additional information on working more than 40 hours per workweek.

Non-Exempt employees must record actual hours worked for the day through the City's time-tracking system either through computer access, smartphone app, or other time-tracking devices. In special circumstances and only by approval of Human Resources, employees may record time on paper timesheets and the supervisor, or the payroll administrator will enter time in the City's time-tracking system.

Employees who charge their time to different projects or different budgets must record those hours on their timesheet accordingly. The employee's supervisor will approve the timesheet.

Misrepresentation of time worked, clocking in/out for a co-worker, working off the clock, or falsifying City records may be considered fraud and may result in disciplinary action, up to and including termination.

##### Time off Requests

All employees must submit a request for approval of paid and/or unpaid time off to their supervisor through the City's time-tracking system. Supervisors are required to timely approve or deny time off requests.

##### Timesheet Approval

Non-exempt employees must verify and submit their timesheets each pay period.

All supervisors of non-exempt employees must review and approve biweekly timesheets. The supervisor may delegate this task **ONLY** when the supervisor is on leave or is not available. This delegation must be done laterally or upward (assigning another person on the same level or on higher levels to fill in the approval duties).

##### Other Provisions

A record of schedules or hours worked as well as paid and unpaid leave taken is required.

Official processes are the only records recognized by the City to calculate employee pay. Non-Exempt employees are expected to submit accurate and complete official time records reflecting

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all hours worked. Employees, who also choose to keep their own personal time records, must provide them to the City within the next pay period if there is a discrepancy between the City's records and the employee's records.

An employee should contact his/her supervisor or Payroll with any questions about how pay is calculated. An employee should promptly notify his/her supervisor or the Payroll Manager regarding any mistakes in time records or pay. An employee should promptly notify his/her supervisor or the Payroll Manager if anyone is interfering with the employee's ability to record time accurately and completely.

An employee must receive prior approval for any time away from work during scheduled work hours whenever possible. Use of sick, vacation, paid time off, holiday, comp time, or any other use of leave time must be recorded electronically or reported on the official time record or leave form.

All employees should review pay stubs promptly to identify and report all errors. Any questions or mistakes should be brought to the attention of the approving supervisor. Pay errors may result in an employee receiving additional pay, or in an employee owing the City pay in error. In an instance where the employee owes the City, reasonable payment arrangements may be made with Payroll and the Department Manager's approval.

#### Consequences for Violation of Policy

Employees shall not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless they have been authorized to do so by their supervisor. Employees must record all hours worked even if they were unauthorized. Accurate pay records are important. Corrective action, up to and including termination may result from tampering, altering or falsifying payroll records. This includes filling out or "punching" another employee's timecard or record or using someone else's login information to input, edit, approve, or submit payroll records.

#### **704.10 WORK ASSIGNMENTS AND PAY DETERMINATION**

Supervisors are responsible for scheduling work assignments. Supervisors may change work assignments, schedules, organization, or structure at any time based on the needs of the City.

#### **704.11 PAY DETERMINATION**

The City has established a system of wage review that periodically assesses the pay level for positions according to one or more of the following factors:

- the City's ability to pay
- relevant wages in the area
- specific job standards
- internal equity
- other available employee benefits
- required knowledge, skill and ability needed to perform the job

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- market conditions including but not limited to cost-of-living variables and competitive demand for talent in any given position
- compliance with all applicable laws

Based on this review, a pay range is established for each position with minimum and maximum rates of pay. Pay upon hire is based on the level of experience, education and training an employee brings to the position as well as other factors required by law, such as compensation of other employees holding substantially similar roles. The hiring supervisor determines an offer of pay after consultation with the HR Dept.. Pay rate offers above the budgeted amount for the position require approval from the Budget Department, Department Director and the HR Dept..

In years in which pay increases are budgeted and available, an employee may receive an annual pay increase typically announced in January and applied beginning with a pay period in February.

If an annual increase results in the employee's rate of pay being above the maximum of the pay range for the position, the employee's pay rate will be capped at the maximum of the range. Employees who have reached the maximum of their range may qualify for a "cap reserve" payment which will be communicated to the employee in January and distributed each pay period after the effective date, until the employee either, a) leaves

the City; b) is moved to a role in a new compensation range; or c) the range is evaluated for a market adjustment and is changed.

From time to time, the City evaluates pay plans against the regional market. If the market has changed substantially since the current pay plan was published, some positions may be notified of compensation adjustments to ensure that the City's compensation structure remains fair, unbiased and competitive with the mid-market of the region.

#### **704.12 PERFORMANCE EVALUATION**

The City does not directly link performance evaluations to annual merit pay increases. Therefore, annual pay increases are not contingent on an employee receiving a "passing" or otherwise acceptable performance evaluation. Instead, the City focuses on growth-focused reviews and an annual pay increase when approved by City Council.

The City offers employees two performance evaluations annually: the mid-year conversation and the annual review. These evaluations provide opportunities for employees to receive feedback, offer input, and engage in growth-oriented discussions with their supervisors. Supervisors may request merit awards for full-time, three-quarter-time, and regular part-time employees as one-time financial recognition for exceptional service. Requests for recognition awards should be submitted to Human Resources.

#### **704.13 PAY UPON TRANSFER**

##### Promotional Transfer:

The City's intent is to offer a pay increase for promotions. The employee's new rate of pay will be reviewed by a compensation professional and determined based on compensation law, best



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practices, and the factors listed in Section L above. Promotion compensation must be approved by the department manager, and the department's budget analyst. Requests for pay above the pay range mid-point will also be reviewed by the Director of HR.

#### Lateral Transfer:

Generally, there is no change in pay for lateral transfers (new position in same pay range as current position). Exceptions are subject to the approval of the Department Director and review by the Human Resources Director

#### Move to a Role with a Lower Pay Range

There are many reasons an employee may elect to transfer to a role with a lower pay range. When this happens, the employee will generally receive a decrease in pay to an equitable rate taking into account the incumbents in the position, experience, education and other factors. These transfers are subject to the approval of the Department Director and are reviewed by the Human Resources Director.

#### **704.14 PAY UPON RECLASSIFICATION**

A reclassification results when a review of an employee's day-to-day duties shows that the role aligns to a job in a different job classification and may result in the employee moving to a new job title and / or pay range. When an employee's job has been reviewed and it is determined that the position should be moved to a different pay range, the employee's pay rate will be evaluated based on the employee's skills, experience, education and the skills, experience and education of other employees in substantially similar roles. If an adjustment is warranted, the Budget Analyst, Department Manager and Director of HR will approve the new compensation.

#### **704.15 EFFECTIVE DATE OF PAY CHANGES**

Pay increases shall be effective the first day of a pay period nearest eligibility for the pay increase. All other pay changes will be effective the first day of a pay period following the final approval of a change. Exceptions for cause may be made by the Human Resources Director upon request by the Department Director.

#### **704.16 OVERTIME AND COMPENSATORY (COMP) TIME**

The City of Greeley requires employees to work overtime when necessary and as requested by the supervisor. Overtime is defined as authorized time actually worked which exceeds 40 hours per workweek. Employees who work overtime without authorization from their immediate supervisor may be subject to disciplinary action. Overtime on any job shall be allocated as evenly as possible among all employees qualified to do the job. Supervisors shall make every effort to schedule overtime as far in advance as possible. Supervisors shall be held responsible for ensuring that overtime is assigned only when absolutely necessary. Overtime for non-exempt employees will be paid subject to the requirements of the FLSA.

The City's normal practice for non-exempt employees is to use comp time accrual rather than overtime payments whenever possible. Each supervisor is responsible for determining if an

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employee will receive overtime payments or comp time accrual. Employees should have an understanding with their supervisor as to how overtime hours will be compensated. Overtime pay is calculated at the rate of 1 ½ times the regular rate of pay. Non-exempt employees receiving overtime pay are paid 1 ½ times their regular rate for all time actually worked exceeding 40 hours in a workweek. Comp time will be accrued at a 1½ time rate for hours worked exceeding 40 hours in a work week. For example, if an employee works 4 hours of overtime during a work period, they will accrue six (6) hours of comp time.

Employees may accrue a maximum of 40 hours of comp time. Comp time off should be scheduled with the supervisor just as any other time off. Requested leave time should first be charged to comp time, when available, prior to charging to other accrued and available leave time. Any accrued comp time balances will be paid out at the employee's current rate of pay when an employee is transferred to an exempt position, when an employee transfers to another department or at the time of an employee's termination of employment.

Holidays are considered actual time worked for overtime eligibility. Comp time and PTO are NOT considered in overtime eligibility calculation.

Exempt employees are not eligible for overtime pay. These employees will sometimes be required to work in excess of 80 hours in a two-week pay period as needed to complete normal duties. Time devoted to this, including attendance at meetings beyond regular business hours, is not compensable and is considered a condition of employment. When department workload requires an exempt employee to work in excess of 80 hours in a two-week pay period on a regular basis, the Department Director may authorize paid administrative leave up to a maximum of forty (40) hours per calendar year.

#### **704.17 HOLIDAY PAY**

The City provides employees with twelve (12) designated City holidays and one floating holiday per year. Please see the "Benefits" section for a list of designated holidays.

Employees in positions that require work on a holiday as a normal part of the work schedule will receive their regular pay for hours worked and will be credited with holiday leave to be taken at a later date.

Employees in positions in which work on a holiday would not occur because the holiday is on their normally scheduled day off (such as with shift work), will be credited with holiday leave to be taken at a later date.

Employees in positions in which work on a holiday does not normally occur, but the employee is scheduled to work on the holiday due to workload requirements, will receive regular pay for hours worked and will be credited holiday leave to be taken at a later date.

Exempt employees that are required to work on a designated holiday will be given an alternate day off. The date of the day off is subject to the supervisor's approval but should typically be granted within the same work week. Hours that are not taken as an alternate holiday will NOT be "banked" or carried over into the next calendar year.

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Non-exempt employees in positions in which work on a holiday does not normally occur but are called in to work the holiday on an unscheduled or on-call basis, will receive overtime for call-back hours worked with a minimum of one hour's pay as well as for the holiday leave.

Holiday leave counts as time worked for overtime pay calculation purposes.

#### **704.18 STANDBY PAY**

Since many City operations must be responsive 24 hours a day, some employees must be on standby. Supervisors will determine if employees are expected to be on standby and will establish reasonable response times. Standby duty is an assignment made by a supervisor to employees wherein the employee is required to be within a certain response time of the work site for the time on standby duty, is prohibited from consuming alcohol and must comply with the City of Greeley Drug and Alcohol policy during any period specified as standby or on-call.

Exempt and non-exempt employees assigned to be on standby duty that are able to continue normal activities such as eating, sleeping, yard work or shopping, will be eligible to receive pay at the rate of \$1.50 for each hour on standby duty. For weeks without a holiday, pay will not exceed \$192 (\$204 for weeks that include a holiday).

#### **704.19 CALL-BACK (CALL-IN)**

If a non-exempt employee is called in to work in an emergency situation whether or not the employee is on standby, they will be paid overtime for call-back hours worked with a minimum of one hour's pay.

#### **704.20 PAY FOR TEMPORARY RESPONSIBILITY IN A HIGHER-LEVEL POSITING - ACTING PAY**

If the supervisor has assigned an employee to a vacant and budgeted position in which they are temporarily assuming responsibility for a higher-level position, they may be eligible for a pay increase. If the position is expected to be for more than thirty consecutive days and subject to the approval of the Department Director, the employee may be offered a pay rate increase of up to 5% or up to the mid-point of the pay range of the acting position, as long as the temporary rate of pay does not exceed the maximum of the pay range for the temporary position.

#### **704.21 PAYDAYS: METHOD OF PAYMENT**

All employees are paid on a biweekly basis every other Thursday and employees who work a full year will normally receive 26 paychecks. Paychecks cannot be received in advance unless there is an unforeseen emergency and early release is approved in writing by the Department Director, the Human Resources Director and the Finance Director.

Pay periods begin after midnight Wednesday and continue to and include the following Wednesday midnight. Schedules for timecard due dates are available from the supervisor or the Payroll Office. Employees are responsible for submitting time records by the established deadline. Supervisors are responsible for reviewing and approving time records by established deadlines even when employees have not submitted the time record. Errors or discrepancies identified by the employee after payroll has been processed should be brought to the attention of the supervisor

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and Payroll division and will normally be corrected the payday following notification of the error or discrepancy.

Paychecks will be automatically deposited to the employee's bank of choice each payday unless the employee has elected to be paid through the pay card option. A form to sign up for these services can be obtained from either the Human Resources or Finance Departments.

#### **704.22 REQUIRED DEDUCTIONS**

##### Federal and State Tax

The City is required to withhold federal and state income tax from wages. The amount withheld is based on earnings and the number of dependents claimed. A W-4 form must be completed identifying marital status and the number of exemptions claimed.

##### Social Security Tax (OASDI & Medicare)

The City and employee make matching contributions to this federally mandated program. The amounts deducted from an employee's paycheck and paid on behalf of the employee are based on federal government rules and regulations. Sworn fire and police employees hired prior to April 1, 1986, are not required to contribute to Social Security. The City and sworn fire and police employees hired after April 1, 1986, make matching contributions only to the Medicare portion of these taxes.

##### Other Required Deductions

A creditor, the court system, or the government can require the City to withhold a specified amount from pay. The Finance Department will notify an employee if this happens

#### **704.23 DEDUCTIONS AUTHORIZED BY THE EMPLOYEE**

##### Benefits:

Employees have the option of enrolling in health, dental, vision, voluntary life insurance, flexible spending accounts and other benefit options offered to employees. Employees' portion of premiums will be deducted from each paycheck. Please refer to the plan handbook(s) for specific information on each benefit.

##### Employee Savings Plan:

Voluntary contributions authorized by the employee to deferred compensation or after-tax plans will be deducted from paychecks as either a percentage of base pay or a flat dollar amount.

The required pension contribution for sworn police and fire employees is also deducted from each paycheck.

##### Other Deductions:

Other deductions such as United Way, dues, gift fund and savings account contributions authorized by an employee will also be deducted from paid wages.

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#### **704.24 WEATHER AND OTHER EMERGENCIES**

If City facilities are closed due to weather or other emergencies, communication will be sent to all employees and an official announcement of the closure will also be communicated to the news media. Employees should not depend on the media as their sole source of information regarding the closure of City facilities. If an employee has not been contacted by their supervisor within a reasonable time following the broadcast, they should contact the work area to confirm the closure.

If one or more City facility is closed due to adverse weather or any emergency condition, all employees who are not essential to continuing basic City operations, as determined by the employee's department based on the circumstances of the particular weather or other unplanned emergency events, will receive paid "administrative leave" for the time between closure of the facility and the end of the employee's normal working hours. In the event of extended closure of one or more City facilities, determination of paid or unpaid leave time will be made by the City Manager. Employees who are essential to continuing basic City operations will receive normal compensation for hours worked when City facilities are closed due to adverse weather or any other emergency condition.

Employees placed on paid administrative leave will be expected to be available and able to report to work if called and may be required to adjust their work hours in lieu of receiving paid administrative leave. If paid administrative leave hours and hours worked during the workday exceed the employee's regularly scheduled work hours, administrative leave hours will be reduced. Any City employee could be designated as essential based on the needs of the City and the circumstances of the particular weather or other unplanned emergencies.

Employees who are on approved leave when closure occurs will not be granted additional leave or compensation due to the closure of City facilities.

All employees who are unable to report to work due to inclement weather or any other emergency when City facilities have not been closed must call their immediate supervisor as soon as possible after they are scheduled to report to work. An employee who is unable to report to work may use accrued vacation, paid time off, holiday, comp time, or leave without pay for the missed work hours, with the approval of their immediate supervisor.

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## Article VI: Benefits

### 705.1 BENEFITS

This section of the handbook explains the City's benefits package. To keep things simple, only the main features of the benefits are described. Consult Human Resources or Sharepoint for current plan documents. In the event of a conflict between any information contained herein and the official plan documents, the plan documents are the final authority. Benefits are subject to change at any time.

For eligible employees, most benefits will be available the first of the month following employment. Employees can make changes to benefit plans for the following year during the City's annual open enrollment. They can also make changes during the year if they have a qualifying life event (QLE) such as birth, marriage, divorce, loss of coverage, etc.; Human Resources must be notified of the life event and receive supporting documentation within 30 days of the event.

Human Resources staff members are available to help with questions regarding benefits contact the HR Help desk at HRHelp@greeleygov.com.

### 705.2 HEALTH COVERAGE

For full-time and three-quarter time employees, the City offers Preferred Provider Organization (PPO) self-insured medical plans that cover services such as maternity care, surgeries, hospital care, doctor's visits and prescription drug coverage. Claims are paid and administered through an outside company.

The PPO plan offers the option of receiving care from doctors in a network of healthcare providers which can help reduce the costs of healthcare, without giving up the freedom to select a doctor. When going to a preferred provider, the plan benefits can save money through reduced deductibles and lower coinsurance payments; however, employees are also free to choose any non-participating doctor, hospital or healthcare facility and still be eligible to receive benefits by paying a higher deductible and a higher coinsurance payment.

Refer to the health plan documents for full details.

For all employees, the Employee Medical and Wellness Center is a valuable addition to the City's Health and Wellness Programs and supports our culture of well-being with a low-cost approach to healthcare. All employees as well as any dependents covered under a City health insurance plan can utilize the clinic. Employees can work with dedicated healthcare providers for preventive care, condition management, lab work, most medications, and so much more, at no to minimal cost. Utilization of the clinic assists in keeping health insurance claims cost low, ultimately keeping monthly insurance premium charges manageable. Hours of operation and additional information is located on Sharepoint site.

### 705.3 DENTAL CARE PLANS

For regular status employees working 20 hours per week or more, the city offers dental plans that pay for certain dental expenses subject to limits, deductibles, and restrictions.

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Multiple plans are available from which to choose. Refer to the dental plan document for full details.

#### **705.4 VISION CARE PLANS**

For regular status employees working 20 hours per week or more, the city offers vision plans that pay for certain vision expenses subject to limits and restrictions. Multiple plans are available from which to choose. Refer to the vision plan document for full details.

#### **705.5 LIFE INSURANCE**

For full-time and three-quarter-time employees, the City pays the premium for basic life insurance equal to one and one-half times the employee's base annual earnings. Term life insurance benefits give beneficiaries a cash payment at the time of an employee's death.

In addition to basic life insurance, these employees have the option to apply for additional life insurance and accidental death and dismemberment insurance for themselves, spouse and dependent children.

Refer to the life insurance plan documents for full details.

#### **705.6 MENTAL WELL-BEING & EMPLOYEE ASSISTANCE PROGRAM**

For all employees, there are times when pressures affect an employee's mental well-being. The City offers confidential resources which provides free counseling sessions for employees and dependent family members.

In addition, the City offers EAP services that provide various resources to legal, financial planning, discount programs, and so much more.

Refer to plan documents on the City Intranet site and/or contact Human Resources for more information.

#### **705.7 FLEXIBLE SPENDING PROGRAM HEALTH SAVINGS ACCOUNT**

Flexible Spending (FSA), Dependent Daycare Flexible Spending (DCFSA) and Health Savings Accounts (HSA) allow an employee to set aside pay before taxes to pay certain health and dependent daycare expenses.

Full-time and/or three-quarter time employees are eligible to elect FSA and DCFSA deductions effective the first day of the month following the date of hire. Changes can also be made during open enrollment or with a qualified life event.

Full-time and/or three-quarter time employees are eligible to elect the HSA in conjunction with the City's high-deductible health plan. Participants must re-enroll each year they wish to continue HSA contributions.

The IRS determines maximum contributions for all 3 plans as well as program requirements and restrictions. Refer to plan documents, vendor websites, and Human Resources for full details.

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#### **705.8 RETIREMENT SAVING BENEFITS**

The City of Greeley offers mandatory and voluntary retirement savings plans for all eligible employees. Retirement benefits are important in providing replacement income during retirement.

##### General Employees Savings Plan-401(k)

Effective with the first day of employment for full- and three-quarter-time employees, the City begins to contribute an amount equal to 4% of base pay into an employee savings fund. The City will contribute an additional 2% for employees who contribute at least 4% or more of their own money to the plan. Participants are fully vested immediately in all employee contributions to this plan, however, there is a vesting schedule for City contributions to the plan. The IRS determines maximum employee contributions. Refer to the plan document for full details.

##### Fire Pension Plan

Sworn fire employees should refer to the Collective Bargaining Agreement for current pension plan information.

##### Police Pension Plan

Sworn police employees should refer to the Collective Bargaining Agreement for current pension plan information.

##### Deferred Compensation-457

All full-time and three-quarter time employees may also contribute additional funds to a 457 deferred compensation plan. Contributions to this plan allow employees to take advantage of a pre-tax investment. The IRS determines maximum contributions. Refer to the plan document for details

##### Social Security Tax Old-Age, Survivors and Disability Insurance (OASDI) & Medicare

General employees are required to contribute 7.65% of their salary for Social Security and Medicare coverage and this amount is matched by the City. Sworn fire and police employees do not make Social Security contributions. If hired after April 1986, sworn fire and police employees are required to contribute 1.45% for Medicare tax and this amount is matched by the City.

#### **705.9 WELLNESS PROGRAM**

The City of Greeley promotes the good health, safety and well-being of all employees, and believes this has an impact on the public health of our community. A comprehensive benefits plan is provided alongside wellness programming to promote the eight dimensions of wellness (emotional, environmental, financial, intellectual, occupational, physical, social and spiritual well-being). For a complete list of wellness benefits including the wellness incentive program, please refer to the wellness website or contact the HR Dept.

#### **705.10 ADDITIONAL VOLUNTARY PROGRAMS**

For full-time and three-quarter time employees, additional benefit programs are offered to provide additional coverage to you at a reduced group rate, through payroll deductions. These programs



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may include pet insurance, legal assistance coverage, accident and hospitalization insurance, and additional various plans. Refer to The Employee benefit guide or plan documents on Sharepoint for full details.

#### **705.11 TUITION ASSISTANCE**

Continuing education is a desirable element in the development of all employees and in the productivity of the City. To assist with continuing education, the City allocates money for tuition, fees and lab costs each year for employees, with a lifetime maximum of \$10,000, based on employment status, for approved courses taken at an accredited academic institution.

Applications for tuition assistance must be submitted to Human Resources a minimum of two weeks before class begins and are available on Sharepoint. Due to IRS regulations, in some instances, the amount received for tuition assistance may be taxable. The amount of money received is based on program requirements and budget limitations, so please see the Administrative Rule 2017-1 for more details and restrictions.

#### **705.12 PUBLIC SERVICE STUDENT LOAN FORGIVENESS**

Municipal government employees may be eligible for the Federal Public Service Loan Forgiveness program. Additional information may be obtained through the federal government or through a financial advisor. Human Resources can complete the employer section of the paperwork upon request.

#### **705.13 SHORT TERM DISABILITY (STD)**

Short Term Disability (STD) is income coverage that is provided by the City in the event an eligible employee is unable to perform the essential functions of their job due to medical incapacity for scheduled work hours. Refer to the STD plan document for full details.

Full-time and/or three-quarter-time employees, excluding sworn members of the Fire Department, are eligible for STD effective the first day of the month following the date of hire. An employee must be actively at work on the scheduled workday before the scheduled effective date of STD or STD will not be effective until the day after the employee completes one full day of active work. Pre-existing limitations apply.

The company hired by the City as the STD plan administrator will make decisions regarding eligibility for STD. Application for STD and medical certification must be made through the plan administrator as soon as possible after an employee is aware of the potential need for STD. It is the employee's responsibility to complete the appropriate intake information although a relative or friend may complete the information if the employee is unable to do so. Application for STD must be started no later than ten (10) days after the first day of medical incapacity.

If approved, STD benefits start 15 days after the onset of medical incapacity and will be paid at the rate of 70% of the employee's normal base salary. An employee will be required to use other available leaves, including leave without pay, for the first 14 days of a medical incapacity which qualifies them for STD. Holiday hours occurring during the time an employee is on STD will be charged to holiday leave and not to STD; this includes employees granted holiday leave in a lump

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sum at the beginning of each year. Available paid leave may be used to supplement STD pay to 100% during the disability. At no time shall pay exceed 100% of the employee's normal base pay. STD payments are considered taxable income to the employee. STD runs concurrently with the Family and Medical Leave policy (FMLA).

If supplemental paid leave is requested, it will be used in the following order:

- Banked Sick Leave
- Floating Holiday
- Compensatory Time
- Paid Time Off (PTO)
- Leave Without Pay

Information about continuation of Health and Wellness Benefits while on leave can be found under Status of Benefits in the Family and Medical Leave section.

Refer to the STD plan document for full details.

In some situations, alternate duty assignments may be available for employees otherwise eligible for STD. Employees offered, but who refuse an alternate duty assignment, will not be eligible for STD on or after the date the alternate duty would begin. Such employees may take applicable accrued leave, bank sick leave or leave without pay if approved.

#### Eligibility for STD for Terminated Employees

If an employee qualifies for STD while employed in a full-time and/or three-quarter position and employment ends prior to the end of the STD period, STD payments will continue. The City, in its sole discretion, will determine whether STD will be administered through the regular payroll process, or another process as deemed appropriate by the City. An individual who is employed at the beginning of the STD period but whose employment ends at any point during the STD period will not be eligible for any benefits other than STD and Long-Term Disability

#### **705.14 LONG TERM DISABILITY**

Long Term Disability (LTD) is income coverage that is provided in the event an eligible employee is unable to perform the essential functions of their job due to medical incapacity for scheduled work hours for a time frame that exceeds other leaves. Refer to the LTD plan document.

Full-time and/or three-quarter time employees, excluding sworn members of the fire and police department, are eligible for LTD effective the first day of the month following the date of hire.

The company hired by the City as the LTD plan administrator will make decisions regarding eligibility and pay for LTD.

#### Employees Enrolled in the Paid Time Off Program

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LTD is available after 90 calendar days of disability or after exhaustion of banked sick leave and/or traditional sick leave, whichever occurs last. The LTD benefit will be delayed by the period of time the employee is being paid for any sick leave hours.

When the employee is on LTD, the employee may make a one-time choice at the beginning of the LTD period to also use accrued PTO or traditional vacation leave to supplement LTD pay, but the supplement cannot equal more than 100% of their normal pay.

Paid Time Off / Vacation (or PTO/vacation and work hours if released to work part-time) used in this manner must be taken at 100% of the hours the employee would normally be scheduled to work until leave time is exhausted, the employee returns to work, or it is determined that the employee will not be able to return to work, whichever occurs first.

If the employee does not choose to use PTO/Vacation during the LTD period, the employee will be considered to be on leave without pay.

Health and Wellness Benefits while on leave can be found under Status of Benefits in the Family and Medical Leave section.

#### Eligibility for LTD for Terminated Employees

If an employee qualifies for LTD while employed in a full-time and/or three-quarter position and employment ends prior to the end of the LTD period, LTD payments will continue in accordance with the provisions of the LTD policy. An individual who is employed at the beginning of the LTD waiting period but whose employment ends at any point during the LTD period or waiting period will not be eligible for any benefits as described above other than LTD.

#### Sworn Fire and Police Personnel

Disability coverage for sworn fire and police personnel is provided through the statewide death and disability plan administered by the Fire and Police Pension Association (FPPA). Specifics regarding coverage and limitations are contained in the plan handbooks through FPPA.

#### **705.15 PAID TIME OFF (PTO)**

All full-time and three-quarter-time employees hired on or after October 30, 2008, and employees who have elected to transfer to the PTO plan, shall accrue PTO hours for each biweekly pay period in which the employee has been in paid status, pursuant to the schedules below. The PTO plan is in lieu of the traditional vacation and sick leave plans. PTO can be used for rest, recreation, personal illness/injury or time off to meet other personal needs such as doctor, dentist or EAP appointments with supervisory approval as outlined below. PTO may also be used for those reasons set forth in C.R.S. § 8-13.3-404 and described in Administrative Directive 2021-1.

#### Full Time Employees

Upon hire, full time employees will begin accruing PTO at the rates listed below. Employees will accrue PTO up to the maximum accruals listed below, after which PTO accrual will cease until the employee's PTO balance drops below the maximum accrual.

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### Article VI: Benefits

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#### Full Time Employees

Length of Service	Bi-weekly Accrual (Hours)	Annual Accrual (Hours)	Maximum Accrual (Hours)	
			Hired Prior to 10/30/08	Hired On or After 10/30/08
0-5 years	5.85	152	300	240
6-10 years	7.69	200	300	280
11-15 years	8.92	232	300	300
16-20 years	9.85	256	320	300
21+ years	10.46	272	320	300

#### Three-Quarter-Time Employees

Upon hire, three-quarter time employees will begin accruing PTO at the rates listed below. Three-quarter time employees will accrue PTO up to the maximum accruals listed below, after which PTO accrual will cease until the employee's PTO balance drops below the maximum accrual.

#### Three-Quarter Time Employees

Length of Service	Bi-weekly Accrual (Hours)	Annual Accrual (Hours)	Maximum Accrual (Hours)	
			Hired Prior to 10/30/08	Hired On or After 10/30/08
0-5 years	4.38	114	225	80
6-10 years	5.77	150	225	180
11-15 years	6.69	174	225	210
16-20 years	7.28	192	240	225
21+ years	7.85	204	240	225

#### Executive Employees

Executive employees are defined as those employees reporting directly to the City Manager, and the Deputy-Director-level and above leaders (SRMGT job classification) of the City Manager's office, the City Attorney's office, and the office of the Municipal Judge. Upon hire, executive employees will begin accruing PTO at the rates listed below. Executive employees will accrue PTO up to the maximum accruals listed below, after which PTO accrual will cease until the employee's PTO balance drops below the maximum accrual.

#### Executive Employees

Length of Service	Bi-weekly Accrual (Hours)	Annual Accrual (Hours)	Maximum Accrual (Hours)	
			Hired Prior to 10/30/08	Hired On or After 10/30/08
0-5 years	7.38	192	550	500
6-10 years	8.92	232	550	500
11-15 years	10.77	280	550	500
16-20 years	11.69	304	550	500
21+ years	13.23	344	550	500

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All other employees not otherwise described above shall accrue Healthy Families and Workplace Act (HFWA) Leave at the rate of 1 hour for every 30 hours worked. These employees may accrue a maximum of 48 hours of HFWA Leave. Please review Administrative Directive 2021-1 for further information.

All PTO hours accrued, but not taken, are paid upon termination. An employee must work the full pay period to accrue PTO for that pay period. PTO can be taken with supervisory approval. Requests must be submitted and approved in advance except as otherwise indicated below. HFWA Leave hours accrued but not taken are not paid upon termination.

#### Unscheduled Use of PTO

PTO may be used without prior approval for employee, family illness, or emergencies. If advance notice is not possible, the employee must notify his/her supervisor of the need for the requested time off prior to the beginning of the employee's work shift. An employee must keep his/her supervisor informed of his/her condition. Additionally, the employee may be required to provide a doctor's certification or other documentation related to the unscheduled leave for leave of four or more consecutive workdays. Unscheduled use of PTO which interferes with job performance or City operations may subject the employee to disciplinary action as may be appropriate under City policies and state and federal law.

#### Banked Sick Leave

Banked Sick Leave refers to those sick leave hours that have been accrued at the time an employee transfers to the Paid Time Off plan. These sick leave hours are placed in a bank and may be used in the following ways:

- To supplement Short Term Disability (STD) payments to 100% of regular salary during the term of the disability
- For personal illness or injury (including medical appointments)
- For illness or injury (including medical appointments) of family members (spouse, civil union partner, dependent child or parent) up to 40 hours in a year calculated based on the pay periods paid in the calendar year (30 hours for three-quarter time employees; 20 hours for part-time employees)
- Banked sick leave must be used to extend leave between the time STD ends and Long-Term Disability (LTD) begins. See the Long-Term Disability section for details.

Employees will not receive pay for banked sick leave balances at the time of termination of employment.

#### PTO/Vacation Sell Back

In calendar years when approved, an employee may also be eligible to cash in ("sell back") accrued vacation or PTO hours one time during each calendar year if the employee has been employed in a full-time and/or three-quarter time position for at least two years and the following conditions are met:

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	Full-Time	3/4 Time
Maximum hours eligible to be sold back	40	30
Have used a minimum number of vacation hours in the 12-month period prior to request	40	30
Minimum vacation balance at the time of the sell back request	80	60

#### Holidays

All eligible employees receive paid leave for designated holidays. Employees who work in positions that require working on a holiday will be credited with holiday leave to be taken at a later time.

#### **The following are City-designated holidays:**

- New Year's Day - January 1 or the first Monday in January
- Martin Luther King Day - Third Monday in January
- President's Day - Third Monday in February
- Memorial Day - Last Monday in May
- Juneteenth - June 19 (see note below)
- Independence Day - July 4 (see note below)
- Labor Day - First Monday in September
- Veteran's Day - November 11 (see note below)
- Thanksgiving Day and the day after Thanksgiving - Fourth Thursday in November and the day after
- Winter Holiday – two days –The following outlines when the two Winter Holidays will be taken:
  - When December 25th is Sunday - the holidays are the 23rd and 26th
  - When December 25th is Monday – the holidays are the 25th and 26th
  - When December 25th is Tuesday, Wednesday or Friday – the holidays are the 24th and 25th
  - When December 25th is Thursday – the holidays are December 25th and 26th
  - When December 25th is Saturday – the holidays are December 23rd and 24th

When a holiday occurs on Saturday the holiday will be observed on the preceding Friday unless otherwise stated, and holidays occurring on Sunday will be observed on the following Monday unless otherwise stated.

Regular full-time and regular three-quarter ( $\frac{3}{4}$ ) time employees shall also be provided one (1) personal floating holiday per calendar year (i.e., January 1 through December 31). FT employees

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employed on January 1, or hired between Jan 1 – Jun 30 will receive 8 hrs (3/4 employees: 6), employees hired between Jul 1 and Dec 31 will receive 4 hrs (3/4 employees: 3).

For the purposes of this policy, a holiday is defined as a period of eight (8) hours at the regular rate for regular full-time employees. Regular three-quarter (3/4) time) employees who work twenty (20) hours or more per week shall be entitled to holiday pay at the rate of six (6) hours per holiday.

All regular full-time and three-quarter-time are eligible for holiday pay after the completion of one (1) day of work.

- Personal floating holidays are personal days that employees can use for whatever reason they see fit. Employees may request the use of floating holidays in the same manner as PTO requests, according to the following guidelines:
- Personal floating holidays must be approved in advance by the employee's supervisor, except in cases of emergency, giving due consideration to the service needs and the ability of the remaining staff to perform the work of the department or the division.
- Personal floating holidays do not carry over into the following calendar year. Personal floating holidays must be used within the calendar year that they were awarded, or they will be forfeited.
- Employees will not receive pay in lieu of using or forfeiting personal floating holidays.
- Unused personal floating holidays will be paid out at termination of employment of the same year only.

If an employee who qualifies for holiday pay is on approved paid leave during the time that a holiday is observed, the employee will receive holiday pay in lieu of using other paid leave. If an employee is on approved leave without pay when a holiday is observed, no holiday pay will be paid. A holiday will not be used as an effective termination date unless the employee is scheduled and works that day. All holiday leave accrued, but not taken, is paid upon termination.

All non-exempt employees who are required to work on a designated holiday shall be given equivalent hours off (the date of time off is subject to supervisor's approval) or may be paid for actual hours worked and receive holiday pay for that day. Equivalent hours off or an alternate holiday must be granted for non-exempt employees in the same work week.

Exempt employees that are required to work on a designated holiday will be given an alternate day off. The date of the day off is subject to the supervisor's approval but should typically be granted within the same work week. Hours that are not taken as an alternate holiday will NOT be "banked" or carried over into the next calendar year.

Full-time employees in designated positions that are generally scheduled to work on holidays shall be granted 104 hours of holiday leave in a lump sum at the beginning of each year in lieu of taking the actual holiday off (96 hours for Police Officers and such other employees in sworn positions that elected to receive reduced holiday hours; 66 hours for three-quarter time employees; 44 hours for part-time employees). Holiday leave time not used by the last day of the last full pay period

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in a calendar year will be forfeited. Refer to the Administrative Rule "Annual Holiday Accrual – Designated Employees" and the "Holiday Pay" section in this handbook for additional information.

#### Traditional Sick Leave and Traditional Vacation

Employees hired before October 30th, 2008, who have elected to remain on Vacation/Sick plan, may refer to the 2023 Employee Handbook for plan details

#### **705.16 PAID SICK LEAVE FOR PUBLIC HEALTH EMERGENCIES**

In the event that a Public Health Emergency is declared in the City, the employee's leave will be supplemented as necessary to ensure that the employee may take the amounts of leave set forth below for the following conditions related to the public health emergency:

- an employee's need to self-isolate and care for oneself because the employee is diagnosed with a communicable illness that is the cause of a public health emergency
- an employee's need to self-isolate and care for oneself because the employee is experiencing symptoms of a communicable illness that is the cause of a public health emergency
- an employee's need to seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency
- an employee's need to seek preventive care concerning a communicable illness that is the cause of a public health emergency; or
- an employee's need to care for a family member who:
  - is self-isolating after being diagnosed with a communicable illness that is the cause of a public health emergency;
  - is self-isolating due to experiencing symptoms of a communicable illness that is the cause of a public health emergency;
  - needs medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency; or
  - is seeking preventive care concerning a communicable illness that is the cause of a public health emergency;
- when the local, state or federal public official or health authority determines that the employee's presence on the job or in the community would jeopardize the health of others because of the employee's exposure to the communicable illness or because the employee is exhibiting symptoms of the communicable illness, regardless of whether the employee has been diagnosed with the communicable illness; or
- an employee's need to care for a family member after a local, state or federal public official or health authority determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to the communicable illness or because the family member is exhibiting symptoms of the communicable illness, regardless of whether the family member has been diagnosed with the communicable illness.



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- an employee's need to care for a child or other family member when the individual's child care provider is unavailable due to a public health emergency, or if the child's or family member's school or place of care has been closed by a local, state, or federal public official or at the discretion of the school or place of care due to a public health emergency, including if a school or place of care is physically closed but providing instruction remotely;
- an employee's inability to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency.

#### Full-time employees and three-quarter-time employees:

Leave will be supplemented so that the employee may take up to 80 hours of leave for qualifying conditions related to the public health emergency, in accordance with local and State law(s).

#### All other employees:

Leave will be supplemented so that the employee may take leave of the greater of the amount of time the employee is scheduled to work in a fourteen-day period or the amount of time the employee actually works on average in a fourteen-day period for qualifying conditions related to the public health emergency. Family Medical Leave Act (FMLA)

#### **705.17 THE FAMILY & MEDICAL LEAVE ACT (FMLA)**

The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Eligible employees are those who have been employed by the City for at least 12 months and who have worked at least 1250 hours over the previous 12 months. This leave is available for a maximum of 12 weeks in a rolling 12-month period. Employees are required to use accrued paid leave until such leave is consumed concurrent with FMLA leave, then unpaid leave.

Specific qualifying conditions covered by the FMLA can be found at: <https://www.dol.gov/agencies/whd/fmla>.

When the need for leave is foreseeable, such as the birth or adoption of a child or planned medical treatment, an employee must provide reasonable, prior notice with completed FMLA forms to Human Resources (HR) and make efforts to schedule leave so as not to disrupt City operations.

Parents or prospective parents of a child, who are both employees of the City, are entitled to a combined maximum total of 12 weeks of leave (rather than 12 weeks each) for the birth or adoption of their child or for the care of their sick child.

The provisions of this policy shall apply to all family and medical leaves of absence except to the extent that such leaves are covered under other paid employment benefits plans or policies for any part of the 12 weeks of leave to which the employee may be entitled. Additionally, any leave

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time due to a work-related injury will be considered as part of and administered in accordance with this FMLA policy.

#### Leave Time

FMLA runs concurrently with paid and unpaid leaves. Before becoming eligible for unpaid FMLA, an employee must review options with HR based on current paid leaves available. At no time shall pay exceed 100% of the employee's normal base pay. Some HR options that will be considered:

- Short Term Disability (STD): employee may use available STD benefit to supplement pay. See the STD section for pay order and additional details.
- Colorado's Family and Medical Leave Insurance (FAMLI): If eligible, employee is required to use available FAMLI benefit to supplement pay in the same pay order as STD.
- If STD and FAMLI are running concurrently: employee may use available City paid leave to supplement pay following the STD pay order.

If an employee is on leave without pay that includes a holiday, there is no holiday accrual or pay.

#### Medical Certification

HR or a third-party organization hired by the City as plan administrator shall require medical certification to support a claim for leave in accordance with the FMLA. See Certification requirements at <https://www.dol.gov/agencies/whd/fmla/faq>.

#### Change in Work Schedule

Leave may be taken on an intermittent or reduced leave schedule if medically necessary in accordance with the FMLA. See Certification requirements at <https://www.dol.gov/agencies/whd/fmla/faq>. If leave is requested on an intermittent or reduced basis, the City may require that the employee transfer temporarily to an available alternate or part-time position or a schedule that better accommodates

intermittent or reduced periods of absence to reduce disruption to the workplace. An employee will receive their current hourly rate of pay, regardless of the temporary employment transfer to a different position or schedule, for hours actually worked.

#### Returning to Work

Before an employee returns to work from a continuous, intermittent or reduced schedule covered under FMLA due to the employee's own serious health condition, the employee must submit medical certification stating that the employee is able to perform the essential functions of the job.

#### Failure to Return

If an employee elects not to return to work upon completion of an approved unpaid Family and Medical Leave of absence, the City may recover from the employee the cost of any payments made to maintain the employee's insurance coverage during any unpaid leave period, unless the failure to return to work was for reasons beyond the employee's control. Benefits based on length

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of service will be calculated as of the last paid workday prior to the start of the unpaid portion of leave.

#### Status of Benefits

During FMLA leave, City and/or employee contributions to the following benefits will continue:

- Health, dental, vision, life and disability insurance premiums
- Employee Savings Plan/Police Pension Plan will be based on compensation an employee receives from the City. FPPA Pension follows FPPA guidelines.
- HSA: City contributions will continue; employee contributions will be based on compensation received from the City
- FSA: employee contributions will continue
- Paid leave accrual, including PTO, Vacation and Sick Leave
- Voluntary benefits

Both the City and the employee must continue to pay their portion of insurance premiums and benefit costs. If the employee does not have sufficient funds using City paid leave, they will be invoiced to pay the outstanding balance by the end of the next pay period.

#### **Benefits during leave NOT covered under the FMLA**

Beginning the 1st day of the pay period following the period during which the employee is no longer job/benefit protected under the FMLA, and when employment is still active, the following will occur:

- Health, dental, vision, and FSA benefits will transition to COBRA with a leave of absence status. To maintain coverage, the employee must pay the COBRA fee costs.

The following benefits will stop (voluntary benefits may be transitioned to private-pay coverage with the vendor if the employee requests):

- Life and disability insurance premiums
- Employee Savings Plan/Pension Plans
- HSA if applicable
- Leave accruals

For an employee to maintain full access to all benefits, the employee must return to their regular schedule, or a minimum of 30 hours per week, or use a minimum of 30 hours per week of PTO/vacation.

#### **705.18 FAMILY & MEDICAL LEAVE INSURANCE (FAMLI)**

Beginning in 2024, Colorado's paid Family and Medical Leave Insurance (FAMLI) program provides job protected paid time off when employees face life circumstances that pull them away from their jobs such as growing a family or caring for themselves or a loved one with a serious health condition.

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The City of Greeley has decided not to participate in the FAMLI program, per a vote of the Greeley City Council on Nov. 15, 2022. This means that neither City employees nor the City are obligated to pay FAMLI premiums, and that FAMLI does not provide job protected leave for City employees. However, employees may choose to opt into FAMLI insurance benefits under the law. Employees self-elect coverage and submit their employee premium along with their wage data every quarter directly to the FAMLI Division by creating an account at [www.famli.colorado.gov](http://www.famli.colorado.gov). Employees that opt-in to FAMLI insurance benefits may receive FAMLI pay benefits as approved by the FAMLI Division. Human Resources (HR) has training guides that help to navigate the state's portal.

Because FAMLI does not provide City employees job-protected leave, City employees are required to request FMLA leave pursuant to the Family and Medical Leave Section. If an employee has opted-in to FAMLI insurance benefits, any FAMLI benefit paid to the employee will run concurrently with job protected leave under the Family and Medical Leave policy (FMLA). HR will provide information on your available employer benefits and how they coordinate with FAMLI including your required use of available leave balances. Health and Wellness Benefits while on leave can be found under Status of Benefits in the Family and Medical Leave section.

#### **705.19 PERSONAL LEAVE OF ABSENCE**

The City of Greeley will consider requests for non-medically related personal leaves of absence on an individual basis for those employees who have been employed for at least the 24 months preceding the commencement of the leave. Granting of personal leave will be at the discretion of the employee's Department Director and Human Resources Business Partner and will depend primarily on business reasons including, but not limited to, the ability to staff. Personal leave without pay can be granted only after all other eligible leave time has been exhausted. The employee must first use paid leave and then unpaid leave but can't use other combinations of paid and unpaid leave. Personal leave must be for a consecutive period and may be granted for a period not to exceed 90 consecutive calendar days (3 months) in a rolling five-year (60 month) period. Employees who receive approval for personal leave will retain their date of hire, accrued benefits and position protection only if the employee returns within 90 calendar days.

Health and Wellness Benefits while on leave can be found under Status of Benefits in the Family and Medical Leave section.

Personal leaves of absence are not available for an employee to obtain other employment or to work elsewhere.

#### **705.20 EXTENDED LEAVE**

In rare circumstances, the City of Greeley may consider approving extended leave as an option for employees who have exhausted all other leave programs.

Extended leaves will be granted at the discretion of the Human Resources Director and the Department Director, considering the planned return date and/or the ability to leave the employee's position vacant for a longer period of time.

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If extended leave is not approved, the employee may be terminated subject to provisions of federal and state law.

Refer to the "**Long-Term Disability**" and "**Injury Leave**" sections of this handbook for additional information.

Employees who are absent from work on an intermittent basis for a period of six (6) months or longer, while on any type of approved leave related to an injury or illness and/or in the Alternate Work program on an intermittent basis for a period that exceeds six (6) months may be subject to a change in employment status.

Health and Wellness Benefits while on leave can be found under Status of Benefits in the Family and Medical Leave section.

#### **705.21 BEREAVEMENT LEAVE**

The City recognizes that responding to a death in the family is a significant personal event. Consequently, employees may receive approval to take up to three consecutive or non-consecutive scheduled workdays off with pay. The Department Director may approve an additional two scheduled workdays if an employee needs more than three days off or an employee may use other accrued leave or leave without pay, subject to the supervisor's approval. For the purpose of this paragraph of the bereavement leave policy, "family" is defined as spouse, civil union partner, child, parent, grandparent, grandchildren, sibling (this includes step, half and in-law relationships), aunt, uncle, niece, and nephew. Pay will be determined based on scheduled hours for the days taken.

#### **705.22 JURY DUTY & COURT APPEARANCES**

Jury duty is a civic obligation. If called to report to jury duty or required to serve on a jury, an employee will be granted the necessary time required and will be compensated at their regular pay rate. Any monies received by an employee from the court must be paid to the City when their regular wage is received. The employee can keep any mileage received for the use of a personal automobile. Jury duty time should be charged to the jury duty leave code. Employees will generally be expected to return to their job duties if their jury or witness duty ends before their normal shift has expired. In accordance with Colorado law, part-time employees will be paid their regular wages up to \$50 per day during each of the first three days of jury duty served during regularly scheduled work hours.

These guidelines don't apply in instances where the employee is a party to the court action (in which case, the employee must take other available leave or leave without pay). If the involvement arises as a result of the employee's job with the City, the time spent in court as a witness, at the direction of a supervisor, or the direction of the City Attorney is charged as regular work hours.

#### **705.23 TIME OFF TO VOTE**

City employees are encouraged to vote in all elections. If it is possible to vote before or after work, during lunch hours, or through the absentee or mail-in ballot alternative, employees are encouraged to do so. If an employee cannot vote during these times, the employee will be given

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up to two hours of leave for the purpose of voting. Approval of the supervisor must be obtained before taking time off to vote. The employee must apply for the leave before the day of the election and the supervisor may specify the hours that the employee may be absent, provided, however, that the hours shall be at the beginning or end of a shift if the employee so requests.

#### **705.24 RELIGIOUS HOLIDAY**

Leave to participate in religious holidays may be granted as other available and accrued leave upon the approval of the supervisor.

#### **705.25 PAID VOLUNTEER HOURS**

City of Greeley grants all benefits eligible employees up to 8 hours of paid time off to volunteer for 501c3 non-profit organizations, or to volunteer for City of Greeley volunteer events such as Public Works Day or Trail Cleanup events. This time off must be requested and approved by the employee's supervisor, and the time should be submitted as "Volunteer Paid Time Off" in Oracle. Unused Volunteer Hours do not carry over to the next year and Volunteer Hours are not paid when an employee leaves the city. This benefit is issued on a trial basis and may not be continued beyond 2025. Employees who start an eligible position on or after July 1, will receive prorated Volunteer Paid Time Off.

Employed On	Full Time	3/4 Time	Part Time
January 1 - June 30	8	6	4
July 1 - December 31	4	3	2

#### **705.26 MILITARY LEAVE**

Subject to applicable federal and state law, leaves of absence will be granted to employees who are active in the National Guard or a branch of the Armed Forces Reserves for the purpose of fulfilling military service obligations. Written or oral application for a military leave of absence must be made as soon as possible after receiving the military order. Employees will be placed on leave without pay while absent on military leave.

If the employee's salary from the armed forces, exclusive of travel allowance, is less than the gross pay from the City, the employee will be eligible to receive the difference for a period not to exceed 15 days of training. To receive pay for the difference, the employee must submit the appropriate paperwork detailing the pay received from the Armed Forces to Human Resources and payroll upon return to work.

If an employee's work schedule conflicts with military training, the employee may use available leave or leave without pay to attend such duty. Normally, employees will be able to schedule their monthly duty so that they can take it on their regular days off.

Employees who enter the military service by draft or reserve call-up shall be granted a leave of absence without pay for that purpose, after receipt of official notice.

After the employee's military service ends, the employee will be reinstated in accordance with applicable provisions of the Selective Service and Training Act or the Uniformed Services

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Employment and Re-employment Rights Act (USERRA) and any other applicable laws. For additional information on military leave including benefit and FMLA rights, please contact Human Resources.

#### **705.27 INJURY LEAVE**

If disabled due to an on-the-job injury and entitled to receive benefits under the Workers' Compensation Law of the State of Colorado for temporary partial disability or temporary total disability, work time missed may be charged as injury leave subject to the limitations detailed below.

If work is missed due to an on-the-job injury, employees are permitted to be on injury leave when a designated physician has certified, in writing, that the time off is related to the injury.

Injury leave is paid at an employee's normal rate of pay for a maximum of 90 calendar days or occurrences per injury and will be considered as part of and administered in accordance with Family and Medical Leave.

If a question arises concerning liability for a workers' compensation claim, leave time will be charged to another available leave category until there is an admission of liability by the insurance carrier or third-party administrator. If an admission of liability is made, leave time used will be reinstated or time taken as leave without pay will be paid.

Injury leave shall terminate after 90 calendar days or occurrences or as it applies below, whichever occurs first:

- On the date a ruling of permanent disability is made.
- When the designated provider authorizes a return to the employee's regular job, modified job duties, or to participate in the Alternate Work Program.
- When the employee reaches maximum medical improvement (MMI).

Employees who exhaust the 90 calendar days or occurrences of injury leave may be eligible to continue to receive compensation at a rate equal to two-thirds of their average weekly wage as administered through the insurance carrier or third-party administrator. Available leave hours may be used to supplement injury leave pay to 100% during the leave time. Under no circumstances will an employee receive a combination of paid leave and injury leave which exceeds 100% of the employee's normal base pay.

#### **705.28 ALTERNATIVE WORK PROGRAM**

The Alternate Work Program, sometimes called "modified duty program", "modified duty status" and "alternate duty" allows a full-time and/or three-quarter-time employee to return to work in a capacity that suits their physical limitations when a physician certifies their inability to perform regular job duties following an on-the-job or off-the-job injury or illness but certifies that they are eligible for an alternate work assignment. Employees are not guaranteed placement in an alternate work assignment. Alternate work assignments will be made based on availability and as deemed necessary to the operation of the City of Greeley.

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#### On the Job Injury or Illness

If an employee sustains an on-the-job injury or illness and the designated provider determines that they are not able to return to regular job duties but may perform other work activities, they may be eligible for placement in the Alternate Work Program, which may consist of working anywhere in the City or simply a modification of current duties.

If an employee sustains an on-the-job injury or illness and unreasonably refuses to accept an alternate work assignment, their workers' compensation benefits for lost work time may end and the employee may be subject to disciplinary action up to and including termination.

If working in an alternate work assignment as the result of an on-the-job injury or illness and the employee is placed at maximum medical improvement (MMI) with permanent restrictions by a designated provider, eligibility to participate in the program ceases. The employee's ability to perform the essential functions of the position held at the time of injury/illness, with or without reasonable accommodation, will be reviewed at that time. If unable to perform the essential functions of the position, employment may be terminated, subject to applicable state and federal law.

#### Off the Job Injury or Illness

If an employee sustains an off-the-job injury or illness and the physician certifies in writing that the employee is unable to return to regular job duties but may perform other work activities, the employee may be eligible for voluntary placement in the Alternate Work Program. The supervisor may accommodate work restrictions by modifying current job duties. If this is not possible, it is the employee's responsibility to contact the HR Dept. to determine if another alternate work assignment is available. Preference for placement in the Alternate Work Program will be given to those employees who sustain an on-the-job injury or illness.

#### General Provisions

The Alternate Work Program will consist of a temporary alternate work assignment(s) which will be consistent with the physician's work restrictions for the employee. These assignment(s) may be in the employee's own department or in another department, may simply entail a modification of current duties to allow work within the physician's restriction or a combination of these assignments.

The HR Dept. will be responsible for working with City departments to identify and place employees in alternate work assignments.

The employee's medical condition will be reviewed periodically to determine if they can resume normal unrestricted job duties or resume normal job duties with restrictions that can be accommodated by the department if this is not already being done.

Under the Alternate Work Program, salary and benefits costs will be charged to the department in which the normal position is budgeted.



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An employee may work in an alternate work assignment for less than but not more than six (6) continuous calendar months. Releases of less than thirty (30) calendar days to perform regular job duties with no restrictions will not disrupt the six (6) month continuous period. If six (6) calendar months have elapsed and the employee has not received a physician's release to return to their former position, they may be terminated for an inability to perform the essential job functions of the position for which they were hired. If this situation occurs, an employee may also be eligible for extended leave. Please refer to the "Extended Leave" section of this handbook for additional information.

If working in an alternate work assignment and released to full duty within six (6) months of the injury or illness by the treating physician, an employee will return to the same or similar position held at the time of injury or illness. Placement in an alternate work assignment is never a regular or permanent assignment.

At any time during placement in the Alternate Work Program, an employee is eligible to compete for appropriate job openings for which they are qualified.

#### **705.29 LEARNING AND DEVELOPMENT OPPORTUNITIES**

The City of Greeley's training program provides training and development opportunities for City employees. Based on needs assessments, classes on wellness, management and leadership, communication and safety – as well as numerous other topics – are offered throughout the year. As a part of the City's commitment to continuing education, certain training and development programs may require attendance. Additionally, the City may require supervisors to complete a minimum number of hours of continuing management training. Classes tailored to an individual work group are also available.

## Article VII: Employee Responsibilities

### 706.1 COUNSELING AND DISCIPLINE

At the City of Greeley, providing supervision and feedback that help make employees successful is a priority. If, however, an employee is not performing work satisfactorily or is violating City rules, policies or procedures, disciplinary action will occur.

Discipline shall be reasonably related to the nature of the offense and may take into consideration the employee's past record, if applicable. However, any disciplinary action may be used in any situation at the discretion of the City.

In cases of possible discipline other than verbal reprimand or written reprimand, the supervisor must contact a Human Resources representative prior to taking any action. If this level of disciplinary action is a possibility, the employee will be given a written notice stating the reasons for possible discipline and an administrative meeting will be conducted prior to any disciplinary action being taken if practical. The written notice of the meeting will be signed by the division manager or supervisor with a copy submitted to the HR Dept.. The division manager or supervisor may designate the responsibility of the administrative meeting to the employee's immediate supervisor. The decision rendered after the administrative meeting may be appealed in accordance with the "Appeal of Disciplinary Actions" section of this handbook.

In some situations where improvement is needed, counseling with an employee will result in improvement sufficient to avoid disciplinary action. Supervisors and managers should document these verbal counseling sessions for their own files. When counseling has not been utilized or has not resolved the problem, the following actions may be taken:

#### Written Reprimand

A written reprimand should identify the issue(s), the necessary corrective actions the employee must take, the time period in which the employee must accomplish the corrective actions, and further action that may be taken if the problem is not corrected. A signed copy of the written reprimand should be forwarded to the HR Dept. for inclusion in the employee's personnel file.

#### Suspension

Suspension without pay will occur in appropriate circumstances, for a more severe infraction, or when other action hasn't corrected the problem. In accordance with the FLSA, exempt employees will be subject to suspension without pay only in full-day increments. Unless an exception is made by the Department Director and reviewed by the Human Resources Director, effective dates for suspensions without pay should not be established until the appeal process is completed.

#### Suspension – Non-Disciplinary

During an investigation or trial of any employee for any civil or criminal act or internal investigation, the Department Director may suspend the employee for the duration of the proceedings if it is determined to be in the best interest of the City to do so. Such suspensions (also referred to as administrative leave) may be with or without pay depending on the circumstances as approved

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by the Department Director and reviewed by the Human Resources Director. When an employee is placed on paid or unpaid leave, the employee will turn in Prox cards, purchasing cards, City identification, uniforms, and other City-issued equipment as directed by their Supervisor.

Additionally, the employee's access to email, files and systems will be suspended.

#### Demotion or Transfer

A demotion or transfer may occur if an employee is unable or demonstrates an inability to perform the duties required in their position, as documented by the supervisor, and when it is expected that the employee can function competently in the lower or transferred level and another position is open and available. Benefit eligibility may be affected by a demotion or transfer, contact Human Resources for questions.

#### Termination

Termination may occur for severe infractions, when previous disciplinary action did not correct the problem, and/or for the good of the service. A Department Director may with notification to the Human Resources Director and for sufficient cause or the good of the service, terminate an employee. The Human Resources Director will notify the City Attorney's office of pending employee terminations.

Documentation for disciplinary actions other than written reprimand shall be signed by the employee's supervisor, the Department Director, and the Human Resources Director.

Disciplinary action will vary depending on many factors, including but not limited to, the seriousness of the offense as determined by the City. To the extent possible, disciplinary action will be administered confidentially on a need-to-know basis.

Reasons for disciplinary action include, but are not limited to, the following:

- Insubordination
- Demonstrated incompetence or inefficiency in the performance of job duties
- Carelessness, negligence, or misuse of City property or funds
- Theft, misappropriation or intentional destruction of City property or funds
- Neglect or refusal to comply with a lawful directive
- Being under the influence of intoxicants or illegal drugs while on duty, or possessing such substances on City property or City business while on duty
- Indulging in offensive conduct or using offensive or abusive language in public or on the work site
- Indulging in conduct, on or off-duty, which, in the opinion of the City, reflects unfavorably upon the City or which subjects the City to increased potential or actual liability for the employee's actions
- Conviction of a felony or a misdemeanor which, in the opinion of the City: has a harmful effect on City operations

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- has a harmful effect on the employee's ability to carry out their job duties
- reflects negatively on the City; or
- subjects the City to increased liability for the employee's actions
- Surreptitious recording of conversations with co-workers
- Deliberate or careless conduct endangering the safety of the employee or other employees
- Inducing or attempting to induce any employee of the City to commit an unlawful act in violation of City regulations, official policy, or departmental order.
- Using, threatening, or attempting to use affiliation or employment with the City in an effort to secure special consideration
- Falsification of personnel records, timecards, or other City records
- Unauthorized sleeping on duty
- Smoking in unauthorized areas
- Violating a safety rule or practice
- Leaving assigned work area without supervisor's authorization
- Violating or failing to comply with a City or departmental policy, rule, regulation, order, code, or professional standards
- Quitting work early without authorization to do so
- Lying to supervisors or falsifying records with respect to official duties
- Failing to report, where known, violations of personnel or departmental rules by any City employee in conjunction with employment by the City
- Discussing with unauthorized persons any confidential information gained through employment with the City
- Participating in or instigating an illegal strike or work slowdown
- Engaging in an unlawful act while on duty or while representing the City
- Threatening to physically harm or physically harming another person while on duty
- Refusing to sign a performance impairment exam consent form and/or submit to drug testing
- Abusing any type of paid or unpaid leave or other benefit programs
- Failing to obtain or maintain required licenses and certifications
- Operating City equipment and/or operating a vehicle for City business if driver's license is suspended or revoked and such operation requires a valid driver's license
- Being absent from work without notification of such absence unless extenuating circumstances exist

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- Failing to immediately notify a supervisor that the employee's driver's license has been or could be suspended, revoked or denied or a temporary license has been issued
- If an employee's position requires the operation of a City motor vehicle or City equipment and their driving license is suspended, revoked or expired.
- Failing to notify a supervisor that the employee is not able to perform the essential functions of the job in a satisfactory or safe manner.

Disciplinary action may be taken for any reason outlined above or for any other reason that requires such action

#### **706.2 ATTENDANCE AND PUNCTUALITY**

Attendance is critical due to the interdependence of departments within the City of Greeley. Employees are expected to be present on all scheduled workdays, during scheduled work hours, and to report to work punctually. If an employee anticipates being absent or late, they must inform their supervisor in accordance with department procedures.

Failure to notify the supervisor of an absence for three consecutive days will be regarded as job abandonment, unless the City determines that extenuating circumstances apply.

#### **706.3 SAFETY**

The City of Greeley uses its best efforts to provide a safe working environment and to minimize losses from accidents. To accomplish this, the City provides an accident prevention and safety training program. The program cannot be covered in depth in this handbook; however, every employee is obligated to cooperate in making the City a safe and healthy place to work and live.

The following are the main highlights of the safety program. Please refer to the City Safety Manual for detailed information.

- Learn and follow established safety policies and procedures.
- Immediately report on-the-job accidents and injuries to the supervisor.
- Report all unsafe practices and procedures to the supervisor.
- Assist in the investigation of work accidents.
- Actively support and participate in safety education programs provided by the City.
- Follow personal hygiene and grooming habits, as well as manners of dress, that allow for the safe completion of job duties.
- Obtain and wear/use personal protective equipment required by the City or the department.
- Wear seat belts when driving in vehicles on City business.
- While operating a City vehicle or a personal vehicle for City business, employees must refrain from using a mobile phone or similar device unless the mobile phone or device is specifically designed and configured to allow hands-free listening and talking and is used in that manner while driving [This policy does not apply to an employee using a wireless telephone for emergency purposes, including, but not

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limited to, an emergency call to a law enforcement agency, fire department, or other emergency services agency or entity. Employees must comply with all state and local laws regarding use of a wireless communication device].

- Conduct that may adversely affect safety can result in appropriate disciplinary action.

Additionally, if an injury occurs as the result of a safety violation, workers' compensation benefits may be reduced.

Certain occupational groups are, by the nature of their work, more exposed to safety hazards than employees in other groups. For these employees, the City requires and will provide protective clothing or equipment. Contact the supervisor or the HR Dept. for further information on this program.

#### **706.4 VIDEO SURVEILLANCE POLICY**

The City of Greeley employs video surveillance systems at City work sites and in City vehicles. Employees are expected to familiarize themselves with the City's video monitoring and recording policies. These systems are primarily installed in areas involving public or cash transactions and are not typically used to monitor employee work areas. Importantly, video surveillance is never used in private areas where employees have a reasonable expectation of privacy, such as restrooms or locker rooms.

The primary function of the video surveillance system is to aid in the after-the-fact investigation of crimes or specific occupational health and safety violations. It is not intended to monitor the work habits or productivity of individual employees. Surveillance cameras may be monitored periodically or in response to specific incidents and generally record continuously using a digital video recording system. Recorded footage is used strictly for investigating security or safety incidents and not for any other purpose.

Management of the video surveillance system and control of access to recorded video are exclusively under the City's purview. Video recordings are not shared with employees or the public unless required by Colorado law. In the event of a security incident, employees must report the matter to a supervisor. If the incident occurs in a monitored area, the Department Director or designated personnel will review the footage to determine whether relevant video evidence exists.

It is important for employees to understand that cameras are not monitored continuously, and there should be no expectation of constant surveillance while in the camera's range. Moreover, camera coverage is limited and does not encompass all work areas. Even in covered areas, the footage may not provide sufficient detail to identify suspicious activity or individuals involved in security incidents.

#### **706.5 ON-THE-JOB INJURIES & ILLNESSES**

The primary consideration in the event of an accident is the welfare of the injured person. If the injury is such that medical attention is required, the employee will be taken to a medical facility immediately. In the case of an extremely serious accident, no attempt should be made to move the employee; call 9-1-1 for medical assistance or 6-9-1-1 from a City phone.

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#### Reporting

If an employee is injured or becomes ill due to a job-related incident, the employee is responsible for notifying their supervisor of the injury or illness within three working days. The supervisor is then responsible for completing a "Supervisor's Injury & Accident Report Form" and forwarding it to the HR Dept. immediately.

#### Treatment

Employees must seek medical treatment through the workers' compensation designated provider program. This information is available from the supervisor or the HR Dept..

Appointments for medical treatment are to be made outside of normal scheduled working hours whenever possible to disrupt the workflow as little as possible. If this is not possible due to the medical provider's schedule, time missed for the length of the appointment only should be coded as injury leave (see the timecard for coding information). If medical treatment requires travel outside of Greeley, the employee can submit a request for mileage reimbursement to the insurance administrator. The employee must provide appropriate notification and documentation to the supervisor before going to medical appointments. It is the employee's responsibility to check with the doctor to see if there are any work restrictions as a result of the injury (such as lifting) and provide written documentation to the supervisor.

#### Work Restrictions

If a designated medical provider places work restrictions that prevent an employee from being able to work in any capacity, written documentation from the physician must be provided to the supervisor immediately and leave time should be charged to injury leave. If the appropriate documentation is not provided in a timely manner, or there is some question as to whether the claim will be accepted by the insurance carrier, leave time will be charged to sick, banked sick leave, paid time off, vacation, other leave time if available or leave without pay. For detailed information regarding the "Injury Leave" benefit, please refer to that section of this handbook.

Depending on work restrictions, an employee may be eligible to be placed in the Alternate Work Program. Please refer to that section of this handbook for more detailed information.

If a prescription needs to be filled as the result of an on-the-job injury, check with the supervisor or call the HR Dept.. Please do not use the health insurance prescription card for this purpose.

If an employee doesn't report the injury in a timely manner or if medical treatment is sought outside of the designated physician program the workers' compensation benefits may be reduced.

#### **706.6 USE OF CITY VEHICLES**

The use of City vehicles carries specific responsibilities. Employees who are assigned a City vehicle, whether regularly or occasionally, must adhere to the following rules:

- City vehicles may only be operated by authorized individuals and must be used solely for City business.

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- City vehicles are to be used exclusively for transporting City employees or other individuals directly involved in City business.
- City vehicles may not be taken outside the State of Colorado without prior approval from the Safety and Risk Coordinator to ensure proper insurance coverage for out-of-state travel.
- Employees whose primary work site is within the Greeley city limits and who live within five (5) miles of the Greeley city limits may take a City vehicle home if authorized by the Department Director.
- Employees whose primary work site is outside the city limits and who reside within a 15-minute response time of their regular work site may take a City vehicle home if authorized by the Department Director.
- Employees using a City vehicle for commuting to and from work during regularly scheduled hours must track vehicle usage in the time management system and will be subject to taxation on the value of the benefit per IRS regulations.

Wearing seat belts while the vehicle is in operation is required. For further information, please refer to the "**Driving and Traffic Violation Policy Administrative Rule.**"

#### **706.7 VEHICLE ACCIDENTS**

If involved in an accident while operating a City vehicle or operating a personal vehicle on City business, immediately contact the local police and the supervisor. Do NOT leave the scene of the accident until authorized by law enforcement or emergency services personnel. Do not move the vehicle from the scene of the accident unless leaving it at the scene would create an additional hazard.

If police are unable to respond, the employee should exchange information with the other party. Complete a "Property Damage Report Form" regardless of who was at fault. The employee must submit the report to their supervisor on the same day as the accident. The supervisor must submit the form to the Safety and Risk Coordinator within two working days of the accident. If the employee is physically incapacitated or unable to return to work within this time frame, the supervisor will be responsible for completing the "Property Damage Report Form".

For further information, please see the City Safety Manual and the Driving and Traffic Violation Policy Administrative Rule, available through the supervisor or the HR Dept. For further guidance, refer to the "City Safety Manual" and the "Driving and Traffic Violation Policy Administrative Rule," available through the supervisor or the HR Dept.

#### **706.8 RESIDENCY REQUIREMENTS**

The City Manager, City Attorney, and Municipal Judge are required to live within the City limits. The Assistant and Deputy City Managers, Deputy City Attorney, and Department Directors may be required to live within the City limits. The City Manager, City Attorney and Department Directors may require certain employees to live within the Greeley city limits or within a specific radius of their workstation and/or within a set response time.



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Employees who are offered and accept reimbursement from the City for moving expenses must establish and maintain a primary residence within the city limits if required, or within commuting distance of the city limits upon commencing employment. Unless otherwise agreed upon, an affected employee has six (6) months after the date of hire or promotion to meet residency requirements. Employees should speak with the Department Director regarding any questions about these requirements.

#### **706.9 COMPUTER USAGE**

The City of Greeley provides computer software and hardware for business usage only. Personal use is prohibited except as specified under the "Employee Ethics Code" section of this handbook. Information Technology (IT) establishes the standards for computer hardware and software purchases. Repair, maintenance, relocation and replacement of standard equipment is provided by IT. No personal or non-standard software is to be installed or used on City computers. All employees must abide by software licensing agreements. Software piracy will not be tolerated.

IT has the responsibility to ensure enforcement of City standards as well as appropriate usage of computer hardware, software and electronic communications (voice mail and E-mail). In pursuit of that goal, the City reserves the right to monitor all systems for adherence to City policy. If, during routine maintenance or while performing other work on an employee's PC, IT Staff identifies material that may be in violation of City computer usage or other policies, such potential violations will be reported to the Chief Information Officer (CIO). The CIO will forward these concerns to the Human Resources Director. The Human Resources Director will notify the employee's supervisor or Department Director and together determine if material is work-related. In no circumstance will the IT staff member take independent action or make any determination of the level of seriousness of the potential policy violation.

#### **706.10 INTERNET POLICY**

The City's goal in providing Internet access is to promote productivity by facilitating research, resource sharing, innovation, and communication as outlined in the User Security Policy. Records of Internet access and activity (e.g., websites accessed, or time spent connected to Internet servers) may be considered public records that are subject to the disclosure requirements of the Colorado Open Records Act. Employees should have no expectation of privacy in accessing or using the Internet.

All computer files originating from City-owned devices and/or pertaining to City business are the property of the City of Greeley regardless of their physical location or the form in which they are maintained. The use of the Internet shall comply with all of the requirements set forth herein and all other City administrative rules and policies. Please refer to the User Security Policy for additional information.

If, during routine maintenance or while performing other work on an employee's PC, IT staff identifies potential Internet usage that may be in violation of City Internet, electronic communication, social media, networking, or online communication policies, such potential violations will be reported to the IT Director. The IT Director will forward these concerns to the

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Human Resources Director. The Human Resources Director will notify the employee's supervisor or Department Director and together determine if material is work related. In no circumstance will the IT staff member take independent action or make any determination of the level of seriousness of the potential policy violation.

The City has wireless Internet access capabilities in many facilities. Wireless access is available for vendors and guests at City facilities. Such usage should be restricted to access needed to give a presentation or demonstration, check email, or access the internet for other business- related reasons.

#### **706.11 ARTIFICIAL INTELLIGENCE (AI)**

Artificial Intelligence is an ever-evolving technology that, when used appropriately, can save time and improve productivity. However, caution should be exercised when utilizing any AI tool, to ensure that the City of Greeley's intellectual property and confidential information is not inadvertently shared with public AI tools. Out of an abundance of caution, do not upload any information to an AI tool that contains confidential or proprietary information. It is a courtesy to make note of work that was completed by AI when presenting it to others, and do not complete personnel documents (such as annual appraisals, discipline documents, etc), with AI without reading the results thoroughly to ensure they are accurate and personalized to the specific situation. If you are not certain about the use of AI, please contact HRHelp@greeleygov.com, or submit a ticket through the Information Technology (IT) ticketing system. Recommendations and City policy regarding AI will change regularly as the technology evolves.

#### **706.12 ELECTRONIC COMMUNICATIONS**

All electronic communication files are the property of the City of Greeley regardless of their physical location or the form in which they are maintained. Voice mail, E-mail, text messages (on a City provided mobile device), Teams and similar applications are tools for business communications. Users have a responsibility to use these tools in an efficient, effective, ethical and lawful manner. E-mail communications should follow the same standards expected in written business communications and public meetings. Users are hereby advised that voice mail and E-mail messages may be public records that are subject to the mandatory disclosure requirements of the Colorado Open Records Act. Please refer to the administrative rule "**Use of City E-Mail System**" for additional information on voice mail and E-mail usage.

#### **706.13 SOCIAL MEDIA, NETWORKING, & ONLINE COMMUNITY WEB POLICY**

The City of Greeley wishes to represent itself appropriately, consistently and positively on the internet. To aid in meeting this goal the "**Social Media, Networking & Online Community Web Policy**" administrative rule establishes procedures for creating and maintaining a social media and online community presence pertaining to City business. The administrative rule provides guidelines and standards for employees regarding the use of social media for communication with citizens, colleagues and the world at large. City social media accounts accessed and utilized during the course and scope of an employee's job duties may not be used for private or personal purposes or for the purpose of expressing private or personal views on personal, political or policy

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issues. The City reserves the right to shut down any social media account at any time. Please refer to the administrative rule "**Social Media, Networking & Online Community Web Policy**" for additional information.

#### **706.14 USER SECURITY POLICY**

The City of Greeley manages information technology security with an emphasis on confidentiality, integrity, and availability. Ensuring confidentiality means keeping all data private from unauthorized individuals or systems. Integrity is the assurance that only authorized individuals can modify existing data. Finally, availability is achieved with infrastructure that provides reliable accessibility and performance. The City's comprehensive approach to security is focused on protecting each of these key security components. The User Security Policy details computer user security awareness and compliance needed to protect the integrity, confidentiality, and availability of the City of Greeley IT network. Please see the administrative rule "User Security Policy" for additional information.

#### **706.15 PERSONNEL RECORDS**

An employment history for each active employee is on file in the HR Dept.. Employees can review their own file and make copies at any time. Certain limited information contained within personnel files may be accessed by the public pursuant to the Open Records Act. Other information may be shared on a need-to-know basis with City supervisors and the HR Dept. staff. Unless otherwise required by law, the information in personnel files is confidential and may not be used or divulged for purposes unconnected with personnel management without the employee's permission in writing.

Occasionally, outside agencies call to verify employment or ask for information they need to conduct their business. An employee's pay rate, position title and employment dates may be available to these agencies depending on the purpose of the inquiry. Employees will be expected to keep records current by providing information to the HR Dept. about name, street and mailing address, home telephone number, dependent and beneficiary changes.

#### **706.16 EMERGENCIES AND DISASTERS**

The City is exposed to a wide variety of natural and man-made hazards with the potential to adversely affect life and/or property. Major emergencies and disaster incidents are unique events that present the City with extraordinary problems and challenges that cannot be adequately addressed within the routine operations of the City. If the City is faced with this situation, an employee may be asked to respond to help with the immediate needs of the community and eventual recovery efforts. The tasks assigned may or may not have any correlation to normal job duties. Each department is responsible for developing and maintaining its own emergency management procedures and employee-specific responsibilities. However, it is each employee's responsibility to keep the supervisor informed of current contact numbers. Detailed information concerning the City's response to disasters and emergencies can be found in the City of Greeley Emergency Operations Plan and the Continuity of Operations Plan for the department.

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#### **706.17 TRAVEL FOR TRAINING AND CONFERENCES**

The City believes in providing training and development opportunities for employees both on-site and externally to the extent possible. Employees chosen by their supervisors to attend any training or conference will be accountable for all funds spent on travel, registration, accommodations, and other incidentals.

Supervisors will ensure that the most economical means available are chosen and will also find ways for the employee to share the knowledge they have gained with appropriate coworkers. Employees are chosen to attend training and conferences based on department needs and individual training needs. Supervisors will make every effort to allocate opportunities within the work group, although business reasons may dictate that some employees attend more training and conferences than do others.

To be fiscally responsible, local training opportunities will be given first consideration followed by regional and then out-of-state programs.

#### **706.18 PAY FOR TRAVEL TIME**

In accordance with the FLSA ordinary travel to and from work is not paid. Travel to work when a non-exempt employee has been called back to handle an emergency is counted as hours worked.

Pay when a non-exempt employee travels away from the employee's home city is as follows:

**When an employee is a passenger:** This time is paid to the extent that the travel time overlaps with the employee's normal workday. For example, if the employee leaves Greeley at 6:00 a.m., rides the shuttle to the airport, flies on a plane until 4:00 p.m., then rides in a taxi until 5:30 p.m. paid time is the time from 8:00 a.m. until 5:00 p.m. since that time frame would be regular hours of work.

**When the employee drives:** Travel time for employees who drive to another city or location is paid. If the employee is offered public or other transportation (e.g., an airplane) but chooses to drive, the City will pay the employee only for the time it would have taken if the employee had used the public or other transportation.

Please see the City "**Travel Reimbursement**" policy for additional information.

Exempt employees are not paid in excess of their normal work schedule for travel time and are expected to use the mode of transportation which would require the least amount of time and cost.

#### **706.19 CELL PHONES USAGE**

For purposes of this policy, the term "cell phone" is defined as any handheld electronic device with the ability to receive and/or transmit voice, text, or data messages without a cable connection (including, but not limited to, cellular telephones, digital wireless phones, radiophones/walkie-talkies, telephone pagers, personal digital assistants (PDAs) with wireless communications capabilities, or RIM (research in motion) wireless devices).

While at work, employees are expected to exercise the same discretion in using personal cell phones as they use with City phones. Excessive personal calls during the workday, regardless of the phone used, interfere with employee productivity and are distracting to others. Employees

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should restrict personal calls during work time (whether on a personal cell phone or a City phone) and should make personal calls during non-work time whenever possible. Employees should be conscious of their cell phone usage at work, as excessive use of personal cell phones during work time is not allowed (including texting, social media, games, etc.).

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## Article VII: Appeal and Dispute Resolution Processes

### 707.1 APPEAL OF DISCIPLINARY ACTIONS AND APPEAL OF INVOLUNTARY NON-DISCIPLINARY DEMOTIONS OR TERMINATIONS

The appeal process for the disciplinary actions of written reprimand, suspension without pay, reduction in pay, demotion, transfer, or termination is outlined below. Additionally, employees may also appeal involuntary non-disciplinary demotions, transfers or terminations. If the position is eliminated or an employee is demoted or transferred and they do not perceive the action as fair and having a business foundation, they may appeal the decision. Layoffs, reductions-in-force, or changes similar in nature are not appealable and no portion of this Section shall be construed to apply to layoffs instituted pursuant to Section U of Article IV.

Employees who do not report directly to a Department Director and who decide to appeal the disciplinary decisions of written reprimand or suspension without pay of sixteen hours or less must follow sections 1 and 2 outlined below. Decisions made at that point are final. Employees who decide to appeal the disciplinary decisions of suspension without pay for more than 16 hours, reduction in pay, demotion, transfer or termination must follow sections 1, 2, 3 and 4 outlined below. Employees who report directly to a Department Director and who decide to appeal the disciplinary decisions of written reprimand, suspension without pay, reduction in pay, demotion, transfer or termination begin the process at section 3 and must follow sections 3 and 4 outlined below.

Employees who decide to appeal involuntary non-disciplinary demotions, transfers or terminations must follow sections 1, 2, 3 and 4 outlined below. Employees who report directly to a Department Director and who decide to appeal non-disciplinary demotions or terminations begin the process at section 3 and must follow sections 3 and 4 outlined below.

Temporary/Seasonal employees and employees in the initial Introductory period, or as it may be extended, don't have access to the appeal process.

- Within seven (7) calendar days from the date of the disciplinary action decision, the employee must submit a written notice to the employee's Department Director explaining the basis for the employee's appeal. The employee must also submit a copy of the written notice to the employee's supervisor and the Human Resources Director.
- Within fourteen (14) calendar days of the receipt of the employee's written notice, the Department Director will meet with the employee to hear the appeal. Within seven (7) calendar days of that meeting, the Department Director will provide a written decision to the employee to sustain the supervisor's decision, modify the decision, or reverse the decision.
- In cases where an employee reports directly to a Department Director, or in all other cases involving disciplinary decisions of suspension without pay for more than 16 hours, reduction in pay, demotion, transfer or termination, if the employee disagrees with the decision of the Department Director, within seven (7) calendar days of the

### *Article VII: Appeal and Dispute Resolution Processes*

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date of the written response from the Department Director, the employee must submit the appeal in writing to the City Manager or the City Manager's Designee. The appeal must state the specific reasons or the basis for disagreement with the Department Director's decision. The employee must also submit a copy of the written appeal to the Department Director and the Human Resources Director.

- Within fourteen (14) calendar days of the receipt of the employee's written appeal, the City Manager or the City Manager's designee will meet with the employee to hear the appeal. Within seven (7) calendar days of that meeting, the City Manager or the City Manager's designee will provide a written decision to the employee to sustain the Department Director's decision, modify the decision, or reverse the decision. The decision of the City Manager or the City Manager's designee will be final.

Upon the agreement of both parties, in writing, the time frames may be adjusted.

An appeal is determined to be withdrawn by the employee if the employee fails to submit a written notice to the appropriate personnel within stated or agreed upon time limits. An appeal is determined to be denied if there is no response to an employee within stated or agreed upon time limits.

In cases of necessity, the employee will be allowed reasonable time during regularly scheduled work hours to prepare for and present the appeal. The employee must provide the reasons for the necessity and obtain the prior approval of the supervisor to spend reasonable amounts of work time on these matters.

Appeal meetings are informal in nature and are not bound by any formal rules of evidence or procedure. No new factual information will be allowed as the basis for the appeal. The person to whom the appeal is filed has the sole authority to allow the presence of other parties or witnesses during informal appeal meetings.

It is the City's policy not to retaliate against an employee who appeals a disciplinary action or an involuntary non-disciplinary demotion or termination. Retaliation will not be tolerated, and individuals involved in retaliation will be subject to appropriate discipline.

Exhaustion of these appeal procedures is a mandatory prerequisite to pursuing any possible court action.

#### **707.2 OPEN DOOR POLICY**

Misunderstandings or conflicts can arise in any organization and should be resolved before serious problems develop. If an employee has a concern, they are encouraged to frankly discuss the matter with the immediate supervisor. Experience has proven that the sooner the issue is addressed, the easier it is to reach a solution, so the matter should be brought to the supervisor's attention at the earliest possible opportunity.

If discussing the matter with the supervisor does not satisfactorily resolve the issue, or it is inappropriate to go to the immediate supervisor, the employee may take the matter to another department representative or to Human Resources who will attempt to bring the matter to resolution and a conclusion.

### *Article VII: Appeal and Dispute Resolution Processes*

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Options that may be available in discussing the dispute include a conference with whomever the employee has the dispute and a member from the Human Resources staff, and together choose a process for attempting to resolve the concern. Additionally, Human Resources can provide the employee and supervisor with professional resources for team building or mediation. Since this can cost money, this will be determined on a case-by-case basis with the supervisor and a HR Dept. staff member.

#### **707.3 NON-DISCIPLINARY DISPUTE RESOLUTION PROCESS**

Most incidents resolve themselves naturally or through initial discussions through the open-door policy; however, should a situation persist that an employee believes is detrimental to him or her or to the City, follow the procedure described here for bringing the disagreement or dispute to management's attention. If an employee decides to use this dispute resolution process, they must do so within a reasonable period of time after determination that the disagreement or dispute has not been resolved through the open-door process. Failure to initiate the dispute resolution process within this time frame shall be deemed to be an abandonment of the disagreement or dispute.

Disputes addressed through this process can include concerns such as working conditions; working relationships; application and interpretation of policies, rules and regulations; denial of promotions, reclassification, performance appraisal ratings or pay increases. The decision of the Department Director will be final in disputes regarding performance appraisal ratings and will not proceed to a review by the City Manager or the City Manager's designee.

Employees should note that the HR Dept. is available to provide employees consultation on a problem and any other assistance at any time prior to or during the dispute resolution process.

1. Discuss with immediate supervisor. Formally discuss the disagreement or dispute with the immediate supervisor even if informal discussions didn't resolve the issue. The supervisor has seven (7) calendar days to render a written decision to the employee. If the employee does not believe a discussion with the supervisor is appropriate, they may proceed directly to section 2.
2. Discuss with the division supervisor or manager (skip to section 3 if not applicable). If the matter isn't resolved with the immediate supervisor, an employee may file a written notice of the dispute with the division supervisor or manager within seven (7) calendar days of the date the employee knew or should have known of the disagreement or dispute or seven (7) calendar days after the employee receives a response from the immediate supervisor.
3. Meet with Department Director (skip to section 4 if the immediate supervisor is the Department Director). If the problem is not resolved after discussion with the division supervisor or manager, an employee is encouraged to submit a written summary of the dispute to the Department Director within seven (7) calendar days after they receive a response from the division supervisor or manager. The Department Director may conduct an investigation and may also review the matter with a member of the HR Dept.. A meeting will be held between the employee and the Department Director within seven (7) calendar days of receipt of the written summary of the dispute. The



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employee will normally a response regarding the problem within seven (7) calendar days of meeting with the Department Director.

4. Review by City Manager or the City Manager's designee. Except in the case of disputes regarding performance appraisal ratings, if the employee is not satisfied with the Department Director's decision and wishes to pursue the matter further, they may prepare a written summary of the dispute to the City Manager or the City Manager's designee with a copy to the Human Resources Director. The written summary requesting that the matter be reviewed by the City Manager or the City Manager's designee must be submitted within seven (7) calendar days of the date the employee received a response from the Department Director. The City Manager or the City Manager's designee, after an examination of the situation (which may include a review of the written summary of the problem, discussions with all individuals involved, and further investigation if necessary), will inform the employee of their decision within twenty-one (21) calendar days. The decision of the City Manager or the City Manager's designee will be final.

Upon the agreement of both parties, the time frames may be adjusted. A dispute is determined to be withdrawn by the employee if the employee fails to submit a written notice to the appropriate personnel within stated or agreed upon time limits. An appeal is determined to be denied if there is no response to an employee within stated or agreed upon time limits.

Employees will be allowed reasonable time during regularly scheduled work hours to prepare for and meet regarding a dispute. The employee must obtain the prior approval of the supervisor to spend reasonable amounts of work time on these matters.

Dispute meetings are informal in nature and are not bound by any formal rules of evidence or procedure. The person to whom the dispute is addressed has the sole authority to allow the presence of other parties during informal meetings. The person to whom the dispute is addressed may uphold, reverse, or modify previous decisions within the scope of the authority vested in their position.

It is the City's policy not to retaliate against an employee who, in good faith, brings concerns or problems to management either through the open-door policy or the dispute resolution process. Retaliation won't be tolerated, and individuals involved in retaliation will be subject to appropriate discipline.

Exhaustion of the dispute resolution process is a mandatory prerequisite to pursuing any possible court action.

This dispute resolution process does not apply to appeals of disciplinary actions, non-disciplinary demotions or terminations, claims for unemployment or workers' compensation benefits or claims brought pursuant to other benefit plans.