



POLICIES AND PROCEDURES

HANDBOOK FOR

EMPLOYEES

OF

THE CITY OF FREDERICK

Updated July 2, 2020

TABLE OF CONTENTS

MAYOR'S WELCOME..... iii

I. GENERAL PROVISIONS

 Purpose..... 1

II. GOVERNING PRINCIPLES OF EMPLOYMENT

 Equal Employment Opportunity..... 2

 Employment-at-Will..... 3

 Drug and Alcohol-Free Workplace Policy 4

 Harassment 6

 Workplace Violence 8

 Reasonable Accommodation Due to Pregnancy 8A

III. EMPLOYMENT

 Internal Job Transfer/Promotion 9

 Reemployment Procedures..... 10

 Employment of Family Members..... 11

 Criminal History Records Checks..... 12

 Orientation and Training 13

 Medical Procedures 14

IV. GENERAL STANDARDS OF CONDUCT

 Probationary Period..... 15

 Time and Attendance..... 16

 Corrective Action..... 17

 Work Attire..... 20

 Smoke-Free Workplace Policy..... 21

 Use of Communication and Computer Systems..... 22

 Conflict of Interest..... 25

 Safety and Health Goals and Minimum Safety Guidelines 26

 Solicitation and Distribution 27

V. COMPENSATION

 Employee Compensation 28

 New Hire Compensation—Full-time and Part-time Graded Positions..... 28

 Merit Increases 28

 Cost of Living Adjustment 28

 Non-Graded Part-time Pay Rates 28

 Pay Increase—Promotion 28

 Demotion..... 29

 Overtime Pay 29

 Standby Pay 29

 Shift Differential Pay..... 30

 Compensatory Time – Nonexempt Employees 30

 Compensatory Time – Exempt Employees..... 30

 Out-of-Title Pay 31

VI. BENEFITS

Health and Welfare Benefits..... 32
Family and Medical Leave Act 37
Holidays 40

Sick Leave..... 41
Compassionate Leave Donation Program..... 44
Vacation Leave 46
Bereavement Leave / Jury Duty, etc. 48
Workers' Compensation..... 49
Military Leave 50
Retirement and Post Employment Benefits..... 52
Education Assistance Program 56
Summary of Benefits / Eligibility 58
COBRA..... 59

VII. OPERATIONAL POLICIES

Payroll Procedures 60
Performance Evaluations 61
Hours of Work/Implementation of Work Schedules 63
Alternative Work Arrangements..... 64
Severe Weather and Other Emergencies..... 71
Your Employment Records..... 72
Grievance Procedures 74
Americans with Disabilities Act 75
Layoff 76
Resignation and Disability 77

VIII. GLOSSARY

Terms 78

APPENDIX A

Investigation Procedures..... 83

APPENDIX B

Corrective Action: Supervisor Responsibilities 86

Welcome To Our Team!

I want to welcome you to The City of Frederick.

We look forward to the opportunity to work with you and want you to know that we recognize our employees as one of our most valuable resources. Our continued success in providing the highest quality service to our citizens and the members of the public who visit The City of Frederick depends on our ability to attract and retain high-performing, dedicated employees like you.

I want you to enjoy your time here. Department directors, supervisors and I are all committed to helping you succeed in your new job.

We have prepared this Handbook to answer some of the questions that you may have concerning policies and procedures for employees of The City of Frederick. This Handbook is intended solely as a guide. It does not constitute a contract of employment—either expressed or implied—with The City of Frederick.

I encourage you to read this Handbook thoroughly and to contact your supervisor or the Human Resources Department if you have questions.

We hope you find your time with us to be an enjoyable and rewarding experience. Once again, welcome to The City of Frederick!

Sincerely,

Michael O'Connor
Mayor

| | |
|------------------------------------|-------------------------------|
| Section: GENERAL PROVISIONS | Page: 1 of 1 |
| Title: Purpose | Approved: June 2, 2011 |

The Charter of The City of Frederick states that The City of Frederick ("City") may employ such persons as deemed necessary to execute the powers and duties provided in the Charter for the purpose of operating the City government. The Charter also allows the Board of Aldermen to adopt policies and procedures governing matters of personnel administration. The Board of Aldermen has duly approved this Policies and Procedures Handbook for Employees of the City of Frederick ("Handbook") and may adopt revisions to the Handbook from time to time.

This Handbook shall apply to all City employees, excluding employees subject to a collective bargaining agreement, elected officials, or employees covered under individual employment agreements. The Frederick Police Department has developed separate General Orders that apply to both sworn and civilian personnel. The Handbook does not apply to sworn police employees who are covered by the Law Enforcement Officers' Bill of Rights. The Handbook applies to civilian Police Department employees; however, when there is a disparity between the Handbook and the Police Department General Orders, the Police Department General Orders shall be controlling.

The Handbook will be maintained by the Manager of Human Resources, who will consult all appropriate federal, state, and local laws to ensure compliance by the City. Nothing in this Handbook shall take precedence over the City Charter or the City Code.

The Manager of Human Resources shall provide each City employee who is subject to the provisions herein with a copy of this Handbook along with any revisions that are made from time to time. Employees shall sign an Acknowledgment Receipt upon receiving their copy of the Handbook. It is the responsibility of each employee to update his/her copy of this Handbook as revisions are published and distributed.

The Handbook shall be reviewed in its entirety by the Human Resources Department as necessary and not less than every five (5) years.

| | |
|--|------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 1 of 1 |
| Title: Equal Employment Opportunity | Approved: May 3, 2018 |

The City values diversity and inclusion in its workforce, and is an equal employment opportunity employer. The overall goal of the City's Equal Employment Opportunity policy is to foster and encourage a diverse workforce, and to eliminate barriers with regard to recruiting, hiring, promotion, training and retention of all qualified individuals.

It is the City's policy that all qualified individuals will be considered for employment, promotion, training, and retention, without regard to race, color, religion, sex, national origin, age, marital status, veteran status, disability, sexual orientation, gender identity, genetic information, or any other group protected by state or federal law. The City does not tolerate discrimination. Communications regarding any equal employment opportunity matter should be referred to the Director of Human Resources.

The City will not consider a candidate's prior salary history as a basis for an offer of employment. The starting salary will be posted with each advertised City vacancy. Employment applications for the City of Frederick will not request salary history from any candidate, nor will the candidate be required to disclose prior salary history in any part of the hiring process. Hiring managers may not consider salary history that is voluntarily disclosed by a candidate as a basis for an offer of employment.

The City will not require disclosure of prior criminal conviction history on The City of Frederick's employment application. Criminal convictions are not an automatic bar to employment; however some positions with the City require the incumbent to successfully pass a criminal background check as per the City's policy on Criminal Background Records. This requirement will be advertised in the job description as well as the position posting. Consideration of an applicant's criminal conviction history will be permissible only after the City has made a conditional offer of employment. Once the offer has been made and the criminal history has been obtained, the Director of Human Resources and the City Attorney will make an individualized assessment on the specific job duties and relevant conviction history to include:

- The nature and gravity of the criminal offense and conduct;
- The time that has passed since the criminal offense and completion of sentence; and
- The nature of the offered City position.

In the event the City withdraws a conditional offer of employment based on the results of a criminal background search, the City will notify the candidate under the provisions of the Fair Credit Reporting Act (FCRA). Per the requirements of the FCRA, candidates will be given written notice of the adverse action, a copy of the background search and a copy of "Rights Under the Fair Credit Reporting Act" will be provided. Candidates will be permitted fourteen (14) calendar days to dispute the results of the search with the consumer reporting agency before being given final notice of adverse action.

While overall authority for implementing this policy is assigned to the Director of Human Resources, an effective Equal Employment Opportunity program cannot be achieved without the support of supervisory staff and employees at all levels.

| | |
|--|-------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 1 of 1 |
| Title: Employment-at-Will | Approved: June 2, 2011 |

Your employment with the City of Frederick is "at-will". This means that either you or the City may end the employment relationship at any time, for any reason.

As an at-will employee, you may be terminated at any time, with or without cause or notice, and without any specific procedure. While the City may, in its sole discretion, follow a progressive discipline procedure, it is not obligated to do so. Any disciplinary, grievance, or appeal process used or offered by the City does not in any way alter your status as an at-will employee.

This Handbook does not, nor is it intended to, encompass every aspect of your employment with the City and does not create a contract between you and the City. The City reserves the right to revise or eliminate any policy expressed in this Handbook at any time, in its sole discretion. You may not rely on any verbal or written statement made by an employee or agent of the City that is inconsistent with this "employment-at-will" statement.

| | |
|--|-------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 1 of 2 |
| Title: Drug and Alcohol-Free Workplace Policy | Approved: June 2, 2011 |

DRUG-FREE POLICY

To help ensure a safe, healthy and productive work environment for our employees and others, to protect City property, and to ensure efficient operations, the City has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the City. In accordance with the Drug-Free Workplace Act of 1988 (as amended), the City as a federal grant recipient has established and promotes anti-drug policies for the workplace.

LEGAL DRUGS (INCLUDING ALCOHOL)

The use of any legally obtained drug, including alcohol, to the point where such use adversely affects your job performance is prohibited. This prohibition covers arriving on City premises under the effects of any drug that adversely affects your job performance, including the use of prescribed drugs under medical direction.

If you need to use prescription or nonprescription legal drugs while at work, you must report this requirement to the Safety Manager if the use of these prescription or nonprescription drugs might impair your ability to perform your job safely and effectively. Depending on the circumstances, you may be reassigned, prohibited from performing certain tasks, or prohibited from working if you are determined to be unable to perform your job safely and properly while taking the prescription or nonprescription legal drugs.

Any employee engaging in the use of alcoholic beverages during working hours, or when reasonably expected to report for duty, is subject to disciplinary action, up to and including discharge.

ILLEGAL DRUGS

Illegal drugs for the purpose of this policy include (a) drugs that are not legally obtainable and (b) drugs that are legally obtainable but have been obtained illegally. The sale, possession, purchase, transfer, or use of illegal drugs by employees on City premises or while on City business is prohibited. Arriving on City premises under the influence of any illegal drug is prohibited. This prohibition applies to any and all forms of drugs whose sale, purchase, transfer, possession, or use is prohibited or restricted by law. Any employee engaging in the above actions is subject to disciplinary action, up to and including discharge.

Any employee engaging in the sale, purchase, transfer, possession, or use of illegal drugs off-the-job which could jeopardize the safety of other employees, the public, or City equipment is subject to disciplinary action, up to and including discharge.

Any employee arrested for the sale, purchase, transfer, possession, or use of illegal drugs off-the-job may be considered in violation of the policy and may be subject to disciplinary action, up to and including discharge. In deciding what action to take, the City will consider the nature of the charges, the employee's present job assignment, the employee's record with the City, the provisions of this Handbook and other City policies, and other factors relative to the impact of the employee's arrest upon the ability of the City to continue to conduct business.

| | |
|--|-------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 2 of 2 |
| Title: Drug and Alcohol-Free Workplace Policy | Approved: June 2, 2011 |

You must notify the Manager of Human Resources of any criminal drug statute conviction for a violation occurring outside the workplace no later than five (5) days after such conviction. In case of such a conviction, the City will take appropriate disciplinary action, up to and including discharge, and/or require you to satisfactorily participate in a drug abuse assistance or rehabilitation program. Normal City benefits (such as sick leave and health plan benefits) may be available to assist in the rehabilitation process. Criminal convictions resulting in incarceration and/or the suspension or revocation of a job-required driver's license will be subject to disciplinary action, up to and including discharge.

Please see the City of Frederick Safety and Health Policy and Procedures Manual, Safety and Health Policy and Procedures # 19-02, Titled: The City of Frederick Drug-Free Workplace Policy for more information.

| | |
|--|------------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 1 of 2 |
| Title: Harassment | Approved: November 20, 2014 |

OBJECTIVE AND RESPONSIBILITIES

It is the objective of the City to promote a safe and productive work environment. The City does not tolerate or condone any form of harassment. Further, the City does not tolerate or condone any retaliation toward employees who report incidents of harassing behavior or who assist in any inquiry about such alleged incidents. This policy applies to all employees in their working relationships and to harassment by anyone in the workplace, including harassment by coworkers, supervisors, or nonemployees.

Each employee is expected to maintain a productive work environment that is free from harassing or disruptive activity. Each supervisor has a responsibility to keep the workplace free from harassment. Any employee who believes that a supervisor's or other employee's actions or words constitute harassment has a responsibility to report the situation as soon as possible, as further described herein.

LEGAL REFERENCE AND DEFINITION

Harassment is a form of discrimination based on any protected basis (race, color, religion, sex, national origin, age, marital status, veteran status, disability, sexual orientation, gender identity, genetic information) or retaliation under the anti-discrimination statutes. Harassment of an individual based on a protected basis or retaliation is unlawful if submission to or rejection of such conduct by an individual is made the basis for an employment decision affecting the individual; or such conduct is sufficiently severe or pervasive to create a hostile work environment.

Whether harassment creates a hostile work environment must be determined by looking at all the circumstances, including:

- Whether the conduct was physically threatening or intimidating;
- How frequently the conduct was repeated;
- Whether the conduct was hostile or patently offensive;
- The context in which the harassment occurred; and
- Whether management responded appropriately when it learned of the harassment.

EXAMPLES OF UNLAWFUL CONDUCT

While it is not possible to list all circumstances that may constitute unlawful harassment, the following are some examples of conduct which may constitute such harassment, depending upon the totality of the circumstances:

- Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
- Oral or written abuse or threats that may include teasing, jokes, insults, gestures, epithets, or remarks based on race, color, religion, sex, national origin, age, marital status, veteran status, disability, sexual orientation, genetic information, or retaliation;
- Comments of a sexual nature, such as sexual jokes or references, demeaning or suggestive remarks about an individual's body or personal appearance, or other lewd or obscene comments;

| | |
|--|-------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 2 of 2 |
| Title: Harassment | Approved: June 2, 2011 |

- The visual display of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, photographs, or other printed or electronic media; and
- Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

COMPLAINTS

A complaint may be made to any member of management or to the Manager of Human Resources by anyone who has information concerning harassment. Complaints may be oral, written, mailed or faxed. Complaints must be submitted within sixty (60) days of the alleged harassment. Any supervisor who receives a complaint shall forward it promptly to the Manager of Human Resources, unless the complaint involves the Human Resources Department, in which case the supervisor shall forward the complaint promptly to the City Attorney. (In such case, references herein to the Manager of Human Resources shall be deemed to refer to the City Attorney.) Complaints of harassment will be investigated promptly and in a confidential and impartial manner. Once a complaint is made in accordance with these procedures, it will be investigated regardless of whether the complainant wishes to withdraw the complaint or asks that it not be acted upon.

For Investigative Procedures, please refer to Appendix A.

| | |
|--|-------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 1 of 1 |
| Title: Workplace Violence | Approved: June 2, 2011 |

The City is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to City and personal property.

We do not expect you to become an expert in psychology or to physically subdue a threatening or violent individual. Indeed, we specifically discourage you from engaging in any physical confrontation with a violent or potentially violent individual. However, we do expect and encourage you to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in City policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; demonstrating a propensity to behave and react irrationally.

PROHIBITED CONDUCT

Threats, threatening language or any other acts of aggression or violence made toward or by any City employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation.

PROCEDURES FOR REPORTING A THREAT

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management. Reports of threats may be kept confidential to the extent maintaining confidentiality does not impede the ability to investigate and respond to the complaints. All threats will be promptly investigated. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If it is determined, after an appropriate good faith investigation, that someone has violated this policy, swift and appropriate corrective action will be taken.

| | |
|---|---------------------------------|
| Section: GOVERNING PRINCIPLES OF EMPLOYMENT | Page: 1 of 1 |
| Title: Reasonable Accommodation Due to Pregnancy | Revised: October 3, 2013 |

Reasonable Accommodation Due to Pregnancy

Under Maryland law, pregnant employees are entitled to a reasonable accommodation for a disability caused or contributed to by pregnancy. If an employee provides the Human Resources Department with certification from a health care provider as to restrictions on their ability to perform their job while the employee is pregnant, the City will explore with the employee all possible means of providing a reasonable accommodation, which may include, but not be limited to:

- changing the employee's job duties
- changing the employee's work hours
- relocating the employee's work area
- providing the employee with mechanical or electrical aids
- transferring the employee to a less strenuous or less hazardous position, or
- providing the employee with leave

The City is not required to make any accommodation for a pregnant employee that imposes an undue hardship on the City.

If you have any questions or concerns, please contact Human Resources.

If you are pregnant and need to request reasonable accommodation, you must promptly provide The City of Frederick Human Resources Department with a health care provider's certification that includes the date the reasonable accommodation became medically advisable, the probable duration of the accommodation, and an explanatory statement as to the medical advisability of the accommodation as a prerequisite to a light duty accommodation.

The Employee's Request for Accommodation under The Americans with Disabilities Act as Amended and the Reasonable Accommodations Due to Pregnancy Act, which includes the Licensed Healthcare Provider's Certification of Need for Reasonable Accommodation, may be found on the City's network drive at: I:\Common\=Human Resources\FORMS.

| | |
|---|-------------------------------|
| Section: EMPLOYMENT | Page: 1 of 1 |
| Title: Internal Job Transfer/Promotion | Approved: June 2, 2011 |

ELIGIBILITY

Generally, if you are an employee in good standing who has successfully completed your Probationary Period, you are eligible to apply for job vacancies within the City.

INTERNAL APPLICANTS

The City encourages and supports the self-development and advancement of employees within the organization, and it is the general policy that all vacancies will be announced and open to current employees either prior to or concurrently with external recruitment efforts. Job announcements open to current employees only are circulated to employees via e-mail, and supervisors are requested to post vacancies for those departments where employees do not have e-mail access. If you are interested in applying for an internal job vacancy, you should submit a Transfer and Promotion Request Form to Human Resources prior to the closing date of the posting.

NON-COMPETITIVE PROMOTION/TRANSFER

When a vacancy occurs, if there is only one employee within the department who is interested in and qualified for the promotion or transfer, the department head has the authority to promote or transfer the employee without advertising of the position. Justification to support this non-competitive action must accompany the Job Vacancy Request sent to Human Resources. The Manager of Human Resources will review and approve non-competitive promotion/transfer.

INTRA-DEPARTMENTAL POSTING

If there are two or more employees within the department who are interested in and qualified for the promotion or transfer, the department head may limit the posting to the department. Interested/qualified department employees should submit a Transfer and Promotion Request to Human Resources prior to the closing date of the posting. The hiring manager will review the department applicants and select the best qualified applicant.

The City strives to promote from within when and where possible.

| | |
|---------------------------------------|------------------------------|
| Section: EMPLOYMENT | Page: 1 of 1 |
| Title: Reemployment Procedures | Approved: May 3, 2018 |

If you have left the City in good standing, you may be considered for reemployment. Former employees who were dismissed for disciplinary reasons are not eligible for reemployment.

A former employee who is reemployed will be considered a new employee from the date of reemployment unless the break in service is ninety (90) calendar days or less. Upon rehire, an employee will:

- Be eligible to accrue vacation at the same rate as when the employee resigned provided the break in service is ninety (90) calendar days or less. If the employee is reemployed by the City with a break in service of ninety (90) days or less, the employee is immediately eligible to use accrued vacation with prior supervisory approval.
- Have their unused Sick and Safe Leave balance at the time of separation reinstated provided the employee is rehired within 37 weeks after separation.
- Be eligible for other health and wellness benefits based on the terms of each benefit plan.

If you retire, you are eligible to be considered for rehire in accordance with the City's usual hiring process.

| | |
|--|-----------------------------|
| Section: EMPLOYMENT | Page: 1 of 1 |
| Title: Employment of Family Members | Revised: May 2, 2013 |

It is the policy of the City not to discriminate in hiring and employment actions with respect to employees and applicants on the basis of marital or familial status. Notwithstanding this policy, the City retains the right to refuse to hire a person to a position wherein his/her familial relationship to another employee has the potential for creating an adverse impact on supervision, safety, security or morale, or involves a potential conflict of interest.

The City prohibits the presence of a familial relationship anywhere within a straight line reporting chain. For the purposes of this policy, "familial relationship" means a member of an employee's immediate family, i.e., spouse, domestic partner, child(ren), step-child, parent, step-parent, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, parent-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law. A spouse is a partner in marriage as defined by Maryland Law.

The City understands that prior to the implementation of this policy prohibiting the presence of a familial relationship anywhere within a straight line reporting chain, there may have been situations where family members have already commenced employment with the City. In these cases, the City will strive to ensure that no employee has direct supervision or control over a family member or initiates/participates in any personnel actions involving family members. Such prohibited actions include but are not limited to appointment, transfer, promotion, demotion, layoff, suspension, termination, work assignments, performance evaluations, timekeeping, or recommendations of changes in salary.

The City recognizes that employees within the same straight line reporting chain may become related in the future. In these cases, the City retains the right to:

- Transfer/reassign an employee due to the familial relationship/marital status.
- Accept a resignation or terminate the employee should the employee refuse the transfer or reassignment or if no transfer or reassignment is available.

In implementing this policy, it is lawful to ask an applicant to state whether s/he has a spouse or relative as defined in this policy who is presently employed by the City, but such information may not be used as a basis for an employment decision except as stated herein.

| | |
|---|-------------------------------|
| Section: EMPLOYMENT | Page: 1 of 1 |
| Title: Criminal History Records Checks | Approved: June 2, 2011 |

All potential employees who will be working in the following areas are required to undergo a criminal history records check immediately upon acceptance of a verbal offer:

- All positions located within a child care center;
- All positions located within recreation centers or recreation programs that are operated by the City and primarily serve minors;
- All positions located within day or residential camps that are operated by the City and primarily serve minors;
- All positions located within the Water Treatment and Waste Water Treatment Departments; and
- All positions located within the Information Technology Department.

A criminal history records check is a review of an applicant's criminal history information obtained by submission of fingerprints to a law enforcement agency to query state and federal arrest records as allowable by law.

Other positions, such as those involving the handling of public funds, confidentiality, security and public safety, may be subject to a criminal history records check. No applicant (whether new hire or transfer) may commence work in any position requiring a criminal history records check until the Human Resources Department has received and reviewed the results for relevance to the position.

| | |
|--|-------------------------------|
| Section: EMPLOYMENT | Page: 1 of 1 |
| Title: Orientation and Training | Approved: June 2, 2011 |

It is the policy of the City to provide orientation programs for new employees and to conduct or support other training programs.

The City may consider the feasibility of sponsoring or conducting special programs for groups of employees when continuing education and in-service programs are required for licensing or for re-certification of a license. Under those circumstances, the City will apply for approval by the licensing authority and will attempt to comply with all requirements established by that authority. However, the City may at its discretion cancel, modify, or withdraw from any certification or program.

The City will provide training programs for safety and health matters when considered necessary or as required by government regulation.

NEW EMPLOYEE ORIENTATION

The Human Resources Department is responsible for the overall development and coordination of the new employee orientation program. Supervisors shall require new employees to attend new employee orientation. Each supervisor is responsible for orientation as it applies to introducing the new employee to the specific job and department and may select a coworker to serve as a sponsor to facilitate the new employee's transition.

STAFF DEVELOPMENT

The Human Resources Department will review, upon recommendation of the appropriate department head or supervisor, employee participation in special programs, either external or internal, dealing with supervisory, professional and/or management development; cost reduction; quality improvement; or compliance with government regulations.

The Human Resources Department will work with supervisors to arrange on-the-job training and off-site seminars. Supervisors are responsible for recommending employees for special training programs, for providing on-the-job training, and for arranging for external trainers in accordance with budgetary constraints. Whenever possible, training will be conducted during regular working hours.

Supervisors may approve employee participation in continuing education and training programs when that instruction is regarded as beneficial or considered necessary for satisfactory job performance. In some cases, employees may be required to enroll in and complete the programs satisfactorily.

Supervisors are responsible for advising Human Resources when an employee has completed training programs and for forwarding copies of certificates of completion for inclusion in the employee's official Human Resources file.

| | |
|----------------------------------|-------------------------------|
| Section: EMPLOYMENT | Page: 1 of 1 |
| Title: Medical Procedures | Approved: June 2, 2011 |

JOB-RELATED TESTING

You may be required to have a medical examination when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when you are exposed to toxic or unhealthful conditions, request an accommodation for a disability, or have a questionable ability to perform current job duties or the duties of the job for which you are being considered.

RETURN-TO-WORK

The City reserves the right to require acceptable confirmation of the nature, extent, and duration of any illness or injury that requires you to be absent from scheduled work.

The City also may require a second, and if necessary, a third medical or psychological opinion regarding your absence because of illness or injury. All required additional medical and/or psychological opinions will be paid for by the City.

If you are returning from a disability leave or an absence caused by your own medical (or psychological) condition, you may be required to provide a doctor's certification including any on-the-job restrictions of your ability to safely perform your regular work satisfactorily without endangering yourself or your fellow employees.

WORK-RELATED INJURY

If you suffer any work-related injury or incident, no matter how minor, you must immediately report this occurrence to your supervisor and the Safety Manager. The Safety Manager shall arrange referral for examination, treatment, and recording of the incident as necessary. Time spent by an employee in waiting for and receiving this medical attention shall be considered hours worked for pay purposes. (Please see the Workers' Compensation Policy for further information.)

PAYMENT

Medical examinations required by the City will be paid for by the City and shall be performed by a physician or licensed medical facility designated or approved by the City. Medical examinations paid for by the City are the property of the City, and the examination records shall be treated as confidential and kept in separate medical files. However, records of specific examinations, if required by law or regulation, shall be made available to you, persons designated and authorized by you, public agencies, relevant insurance companies, or your own doctor.

If you seek an outside (not referred by the City) medical assessment or treatment for a work-related incident, you will not be reimbursed for such procedures.

| | |
|--|-------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 1 of 1 |
| Title: Probationary Period | Approved: June 2, 2011 |

As a new employee of the City, you are subject to an initial probationary period of ninety (90) days. During this period, your supervisor will monitor and evaluate your performance. An open dialogue with your supervisor is essential for a proper assessment of your strengths and deficiencies, and for creating an environment where you can be successful. You may request that your supervisor provide written notice of any deficiencies that might cause you not to pass your probationary period.

Supervisors will prepare a written evaluation of your job performance by the end of the first ninety (90) days on the new job. The evaluation will include a recommendation as to whether you should continue in the position. Copies of the evaluation must be forwarded to the department head and to the Human Resources Department for inclusion in your Human Resources file.

During the probationary period, you are not eligible to use paid vacation leave and you cannot request a transfer and/or promotion.

You generally will be permitted to continue in your new position if you are given both a satisfactory evaluation by the end of your probationary period and your supervisor's endorsement to continue in the job. When you do not receive a satisfactory evaluation at the conclusion of the probationary period, your supervisor will partner with the Manager of Human Resources to discuss and agree on next steps. Possible next steps may include: termination of your employment or extension of your probationary period (in 30-day increments) for up to a maximum of six (6) additional months in order for you to demonstrate your ability to successfully perform the essential duties of the job.

Successful completion of the probationary period does not preclude the City's at-will employment relationship. Either party may terminate the employment relationship at any time.

If you transfer and/or are promoted to another position, you must complete a new probationary period for the new position. You will, however, retain the ability to use accrued and unused vacation and sick leave during this period with prior supervisor approval.

| | | | |
|-----------------|-------------------------------------|------------------|---------------------|
| Section: | GENERAL STANDARDS OF CONDUCT | Page: | 1 of 1 |
| Title: | Time and Attendance | Approved: | June 2, 2011 |

ATTENDANCE

Your attendance is extremely important to the success of the City. We expect you to strive for perfect attendance and to arrive for work on time. We recognize that, on occasion, you may not be able to come to work or you may need additional time before you arrive. Sickness and other emergencies cannot always be anticipated and may require you to miss all or part of your work day.

You must report to work by your designated start time in accordance with the rules of conduct and/or established departmental policy. If you are unable to report to work by your scheduled work time, it is your responsibility to personally notify your supervisor or other designated departmental representative prior to or within the first 15 minutes of your scheduled work period and receive authorization for your absence. If you fail to report your absence in accordance with City and/or departmental regulations, you will be considered to be absent without authorized leave.

Excessive absences or tardiness (including a pattern of absences or lateness) may lead to disciplinary action, up to and including termination.

If you fail to report to work for two (2) consecutive days (or two consecutive scheduled work shifts) without authorized leave, your employment may be terminated, and your discharge will be treated as a voluntary resignation without notice.

TIME AND ATTENDANCE RECORDING

Responsibilities of Employee:

- You are responsible for accurately reporting your hours worked, the amount of overtime worked, and absences which should be charged to leave;
- To punch the time clock or record hours worked only for your own time worked;
- To request permission from your supervisor to work overtime in advance; and
- To request permission for planned sick leave, use of accrued compensatory leave, and vacation leave in advance.

Responsibilities of Supervisor:

- To ensure proper recording and reporting of all time and attendance data for employees under your authority; and
- To determine whether any excess time indicated on the time accounting document constitutes authorized overtime. If payment should be authorized for the reported excess time, the supervisor shall ensure that the necessary documentation has been completed to justify compensation. Errors related to the recording of hours worked shall be corrected in the time and attendance system or on the time accounting document and brought to the employee's attention.

The departmental attendance record--together with the attendance data maintained in the City's payroll system--constitute the official attendance records for employees. Falsification of attendance records is a serious infraction which may lead to disciplinary action up to and including termination of employment.

| | | | |
|-----------------|-------------------------------------|------------------|---------------------|
| Section: | GENERAL STANDARDS OF CONDUCT | Page: | 1 of 3 |
| Title: | Corrective Action | Approved: | June 2, 2011 |

THE LANGUAGE OF THIS SECTION DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN YOU AND THE CITY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE CITY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS POLICY, IN WHOLE OR IN PART.

The City recognizes that the success of government in providing quality and efficient public services directly correlates with appropriate employee conduct and performance. Behavior that is positive, productive and supportive of the goals of effective municipal government is encouraged and expected. The City promotes a policy of progressive and corrective discipline, i.e., discipline which gradually increases depending upon the severity and/or frequency of the infraction. The goal is to put you on notice of unacceptable conduct and to give you a reasonable opportunity to modify such behavior.

The City reserves the right to treat each occurrence on an individual basis without creating a precedent for situations which may arise in the future. The case-by-case method is designed to take individual circumstances or mitigating factors into account.

PURPOSE

The purpose of this Policy is to establish standard practices and procedures relating to administering discipline in response to an employee's failure to meet the standards, objectives or rules of the City.

BASIS FOR DISCIPLINARY ACTION

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

- Incompetence or negligent performance.
- Possession, distribution, or use of illegal drugs or alcohol while on City property or while engaged in the performance of official duties; the misuse of legal drugs, creating a substantial risk of injury to self or others or impairing work performance; a positive drug/alcohol test result; or failure or refusal to take a drug/alcohol test.
- Habitual or excessive absence or tardiness or abuse of sick leave privileges.
- Absence from duty without authorization or failure to notify one's supervisor within 15 minutes of start time when unable to report to work on time.
- Conviction of a felony or conviction of any crime where the conviction may tend to impair effectiveness as a City employee or may tend to bring discredit or reproach upon the City or department involved.
- Violation of City safety rules or policies.
- Violation of a federal, state or local law or regulation, including a department-specific policy.
- Inappropriate conduct or language, or conduct unbecoming a City employee.

| | | | |
|-----------------|-------------------------------------|------------------|---------------------|
| Section: | GENERAL STANDARDS OF CONDUCT | Page: | 2 of 3 |
| Title: | Corrective Action | Approved: | June 2, 2011 |

- Insubordination—willful disobedience or failure to follow a lawful supervisory directive.
- Inappropriate or unauthorized personal use of City resources, including tools, equipment, materials, supplies, vehicles, facilities and grounds, work time, and information resources and technologies.
- Falsification, alteration, or unauthorized destruction of City documents.
- Intentional destruction of City property.
- Unauthorized use or disclosure of confidential information.
- Dishonesty, including but not limited to giving false information or withholding information on personnel documents; or making false claims or misrepresentations to obtain unauthorized benefits. Personnel documents include employment applications, benefit enrollment forms, and accident reports.
- Fraud in securing employment.
- Falsification of time and attendance records.
- Commission of acts of physical violence or intimidation; or the communication of threats to inflict bodily harm.
- Harassment of a coworker or third party.
- Use of undue personal or political influence in securing a promotion, transfer, pay increase, or other status or condition of employment.
- Inducement or attempted inducement of a City official or employee to commit an unlawful act.
- Acceptance of any fee, gift, or other valuable thing in the course of work or in connection with it, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons.
- Commission of any other act which is detrimental to the good order, discipline, and repute of the City or the City service.

| | | | |
|-----------------|-------------------------------------|------------------|---------------------|
| Section: | GENERAL STANDARDS OF CONDUCT | Page: | 3 of 3 |
| Title: | Corrective Action | Approved: | June 2, 2011 |

PROCEDURES

Progressive disciplinary action such as verbal warnings/counseling and written warnings should be used to motivate employees to choose behavior conducive to the individual's professional development and to ensure the successful operation of the City government. Appropriate progressive disciplinary action will be determined as outlined in Appendix B after considering the severity of the offense, previous infractions, time intervals between offenses, effectiveness of prior disciplinary actions, overall work performance and teamwork. All disciplinary action taken must be properly documented.

APPEALS

A full-time employee who has been suspended, demoted, or discharged for cause may file a notice of appeal to the Personnel Board through the Manager of Human Resources. The notice of appeal must be filed within thirty (30) days of the employee's receipt of the written notice of the suspension, demotion, or discharge. A notice of appeal must be submitted in writing and describe the grounds for appeal.

The Personnel Board will set a hearing date no earlier than fourteen (14) days or later than sixty (60) days from the Manager of Human Resources' receipt of the employee's notice of appeal, unless the employee requests an earlier or later date and the request is approved by the Board. The Legal Department will notify the employee in writing at least seven (7) days prior to the hearing as to the hearing date, time, and place.

The Personnel Board may recommend affirming, reversing, or modifying the decision of the department head. The Personnel Board shall report its findings and recommendations to the Mayor and Board of Aldermen. The Board of Aldermen will review the Personnel Board's report and make a final decision. The appellant will be notified in writing within fourteen (14) days after the final decision of the Board of Aldermen.

An appointee, part-time employee, or full-time employee in his or her probationary period who is suspended, demoted, or discharged, is not entitled to appeal to the Personnel Board. Such employees may appeal to the Circuit Court for Frederick County.

| | |
|--|-------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 1 of 1 |
| Title: Work Attire | Approved: June 2, 2011 |

Since the residents and public who are served by the employees of the City are diverse, and employees perform a variety of jobs and duties, work attire and grooming should be appropriate to your duties and responsibilities. During business hours or when representing the City, you may dress comfortably but are expected to present a clean, neat, professional, businesslike, and tasteful appearance and demeanor. Clothing may vary depending on the season, weather conditions, degree of contact with the public, nature of the job, gender, and safety issues.

You should direct your questions about appropriate attire in the department to your supervisor and your department head. Requests for guidance, advice, or assistance in administering or interpreting these guidelines should be directed to the Manager of Human Resources.

UNIFORMS

The City will determine which employees will be required to wear uniforms, and the department may issue appropriate clothing and accessories to those employees. If you are required to wear a City uniform while carrying out the duties of your position, you are expected to comply with the appropriate departmental policy. Except as provided herein, a uniform, or any part thereof, may only be worn while you are on duty or while en route to or from your workplace with the City. While in City uniform, you are perceived by the public to be "on duty" and representing the City. Your appearance and conduct reflect upon the City at all times.

ACCOMMODATIONS

At the discretion of the department head or supervisor, accommodations may be made due to the nature of your work, for special projects requiring more casual attire (i.e., office clean-up days, organized City department or division social events), for special times designated by the department (i.e., Casual Friday, Casual Summer Dress), or safety reasons.

| | |
|--|------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 1 of 1 |
| Title: Smoke-Free Workplace Policy | Approved: May 2, 2019 |

The City of Frederick desires to protect the public health, comfort and environment of employees, residents, and users of City facilities by limiting exposures to environmental smoke and other harmful vapors.

Smoking by employees is prohibited:

- in an indoor place of employment;
- in any City owned vehicle;
- in any private vehicle when the employee uses it in the course of employment and more than one employee occupies the vehicle; and
- within a 25-foot perimeter of any entrance or exit to all facilities within which City employees have permanent offices.

The following terms are defined for the purpose of implementing this policy:

Indoor Place of Employment: Includes, but is not limited to, an indoor work area, an employee lounge, a restroom, a classroom, a cafeteria, a hallway, a stairwell, a conference room, and an assembly room.

Electronic smoking device means an electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances. "Electronic smoking device" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. "Electronic smoking device" does not include any product specifically approved by the United States Food and Drug Administration for the use in the mitigation, treatment, or prevention of disease.

"Smoking" means igniting, inhaling, exhaling, burning, vaping, operating, or carrying any lighted cigar, cigarette, pipe, hookah, electronic smoking device, tobacco product, or any other combustible substance including marijuana.

Employees are expected to properly dispose of all tobacco products.

| | |
|---|-------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 1 of 3 |
| Title: Use of Communication and Computer Systems | Approved: July 2, 2020 |

The City's communication and computer systems, internet, computer equipment, and cellular telephones with (or without) internet / e-mail capability are intended for business purposes—to facilitate efficient communication and to locate research, and exchange information in electronic format for the benefit of the City. These tools may be used only during working time; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other City policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the systems.

COMPUTER AND INTERNET USAGE

Computers and equipment are provided by the City to facilitate the performance of City work. Incidental personal use is secondary and should not interfere or conflict with business use or job performance. Excessive personal use of City computers, e-mail, and internet access is strictly prohibited. All communication systems must be used in compliance with applicable statutes, regulations, and the City's policies including those that require a work environment free from discrimination and harassment. Any communication which is disrespectful, offensive, or illegal is strictly prohibited.

All City information technology (IT) services and equipment, including the messages transmitted or stored by them, are the sole property of the City. Directors and department heads may request the IT department to monitor employee communications and files as deemed necessary.

Employees must bear in mind that e-mail is not private, and its source is clearly identifiable. E-mail messages may remain part of City business records long after they have been deleted. Electronic records, including e-mail messages, are public records subject to the Maryland Public Information Act, and will be disclosed upon request unless an exemption to disclosure is found to apply. In general, e-mail is subject to discovery in civil lawsuits. E-mail may not be used for spam (unsolicited bulk e-mail) or to send or post chain letters, messages of a political or religious nature, or messages that contain obscene, profane, or otherwise offensive material or language.

The City as provider of access to communication systems reserves the right to specify how the City's network resources will be used and administered to comply with this policy.

The City reserves the right to restrict access to any data source if/when, in its sole discretion, the City determines such a source to be problematic. These restrictions do not constitute an implication of approval of other non-restricted sources. Without exhausting all of the possibilities, the following are examples of inappropriate use of City IT systems:

- Exposing others, either through carelessness or intention, to materials which are offensive, obscene or in poor taste. This includes information which could create an intimidating, offensive, threatening, or hostile work environment.
- Accessing or attempting to access, display, exchange, send, print, download, or otherwise handle or view pornography.

| | |
|---|-------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 2 of 3 |
| Title: Use of Communication and Computer Systems | Approved: July 2, 2020 |

- Sending messages or information which is in conflict with applicable law or City policies, rules, or procedures.
- Unauthorized attempts to access data or break into any City or non-City system.
- Theft or unauthorized copying of electronic files or data including documents, photographs, and music or video files.
- Intentional misrepresentation of one's identity for improper or illegal acts.

City property or equipment may not be removed from the premises without prior authorization from the employee's supervisor. Some resources (designated laptop computers and audio-visual equipment) are made available through a reservation system and generally require supervisory approval before being removed from City premises. Employees who telework are permitted to take their laptops home when scheduled to telework.

TELEWORKING

When teleworking, employees will only be provided a city owned laptop or tablet to connect to the City network. City IT staff will not support or troubleshoot any other equipment used by the employee during telework. This includes monitors, keyboards, mouse, printers, wireless network equipment etc. Employees must adhere to the same security and usage processes as listed above. Additionally, employees should only work through a private internet connection and not a public one, such as internet services at a coffee shop. Employees will need to login to the Virtual Private Network (VPN), to access the City files.

PERSONAL CELLULAR TELEPHONE USAGE

Employees must adhere to all federal, state or local laws regarding the use of cellular telephones if such conduct is prohibited by law, regulation or other ordinance. Employees are prohibited from using a handheld cellular telephone while driving, either to talk or text, at all times and in all areas in the course of the employees' employment.

Should an employee need to make a business call while driving, the employee should locate a lawfully designated area to park and make the call or use a hands-free speaking device such as a speaker phone / ear piece.

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City phones. Personal calls during the work hours, regardless of the phone's use, can interfere with employees' productivity and be distracting to others. Employees are therefore asked to make personal calls during breaks and lunch and to ensure that friends and family members are aware of the department's policy.

If an employee's use of a personal cell phone causes disruptions or loss in productivity, the employee may become subject to disciplinary action.

| | |
|---|-------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 3 of 3 |
| Title: Use of Communication and Computer Systems | Approved: July 2, 2020 |

SOCIAL MEDIA

Use of City computers to post information on a social media website is subject to all applicable policies of the City regarding use of City computers.

Only directors, department heads, and authorized employees, are authorized to post on a social media website on behalf of the City.

| | | | |
|-----------------|-------------------------------------|------------------|---------------------|
| Section: | GENERAL STANDARDS OF CONDUCT | Page: | 1 of 1 |
| Title: | Conflict of Interest | Approved: | June 2, 2011 |

The City's Ethics Law is set forth in Chapter 21 of The Frederick City Code. The Ethics Law applies to all City employees, as well as elected and appointed officials. The purpose of the Ethics Law is to set minimum standards of ethical conduct for City officials and employees, so as to ensure that the City's business will be conducted impartially and not be subject to improper influences.

| | |
|---|-------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 1 of 1 |
| Title: Safety and Health Goals and Minimum Safety Guidelines | Approved: June 2, 2011 |

It is the goal of the City to commit all reasonable resources to reduce the potential of workplace accidents, to control employee health hazard exposures, and to promote safety and health. Each employee plays an important role in fostering this work environment.

The City's Safety and Health Policy and Procedures Manual is available in the Safety Department and on the City's Network Common Drive.

The City's minimum safety and health guidelines listed below apply to all City employees. As a City employee, you must:

- Become familiar with and adhere to the City's Safety and Health Policy and Procedures Manual;
- Adhere to those safety rules and procedures that specifically address the type of job site environment in which you work, including any applicable federal and state regulations and those regulations established by your department head;
- Report all accidents and/or near misses (whether vehicular or personal) to your supervisors immediately, regardless of how slight the injury may appear;
- Not operate, repair, or alter machinery or equipment unless authorized to do so by a supervisor;
- Ensure that no one is in a position to be injured, and that all safeguards are in proper position before turning on electricity, gas, steam, air, water, or before setting any machinery or equipment in motion;
- Check tools and equipment before use and report defective conditions to a supervisor;
- Not use and immediately report defective equipment;
- Stay clear of crane, back hoe, or other equipment loads;
- Properly wear, care for, and be responsible for the appropriate personal protective equipment for the task;
- Report all hazardous conditions promptly to the immediate supervisor;
- Maintain vehicles, equipment, and work area in a neat, clean, and orderly manner;
- Not engage in "horseplay"; and
- Not stand or sit on the sides of moving equipment. Note: City refuse collectors may stand on the designated riding step of the collection vehicle while the vehicle is in a forward motion for up to 1/5 of a mile and while not exceeding ten (10) miles per hour.

| | |
|--|-------------------------------|
| Section: GENERAL STANDARDS OF CONDUCT | Page: 1 of 1 |
| Title: Solicitation and Distribution | Approved: June 2, 2011 |

The City limits solicitation and distribution on its premises because those activities can interfere with normal City operations and reduce employee efficiency. The unauthorized use of the communication systems or the distribution or posting of notices, photographs, or other materials on any City property is prohibited.

The Mayor may authorize solicitation and distribution by employees if it is considered an essential function of their job duties. In addition, the Mayor may authorize a limited number of fund drives by employees on behalf of charitable organizations. Employees are encouraged to volunteer to assist in these drives, but their participation is entirely voluntary.

You must adhere to the following:

- The sale of merchandise or services is prohibited on City premises.
- Soliciting and distributing literature during working time of either the employee making the solicitation or distribution, or the targeted employee, is prohibited. The term "working time" does not include an employee's authorized lunch or rest periods or times when the employee is not required to be working.
- Distributing literature in a way that causes litter on City property is prohibited.
- The City maintains various communication systems to communicate City information to employees and to disseminate or post notices required by law. These communication systems (including bulletin boards, electronic mail, voice mail, facsimile machines, and personal computers) are for business use only and may not be used for employee solicitation or distribution of literature. In particular, bulletin boards are for the posting of City information and notices only, and only persons designated by Human Resources may place notices on or remove material from the bulletin boards.

SOLICITATION OR CONTRIBUTION FOR EMPLOYEE GIFTS

Solicitation or contributions for gifts for employees is permitted in limited circumstances such as life events. Participation is completely voluntary.

| | |
|-------------------------------------|-----------------------------------|
| Section: COMPENSATION | Page: 1 of 4 |
| Title: Employee Compensation | Approved: December 1, 2016 |

NEW HIRE COMPENSATION—FULL-TIME AND PART-TIME GRADED POSITIONS

Generally, as a newly hired employee with the City, your starting salary or wage will be the minimum salary for the position and grade for which you have been hired. Exceptions may be approved if: (1) The department has funds budgeted, and (2) the prospective employee has more experience, skills and/or education than the minimum qualifications stated in the job announcement, and (3) those skills would be advantageous to the goals of the City and the department. In order to request an exception to offer the newly hired applicant a salary above the minimum salary for the grade, the hiring supervisor must submit written justification to the Director of Human Resources explaining the rationale for requesting a higher salary. With the approval of the Director of Human Resources, additional salary may be granted up to 10% above the grade's minimum salary. Starting salaries greater than 10% of the minimum salary must be approved in advance by the Board of Aldermen.

MERIT INCREASES

The City embraces a high performance culture for employees—one that is focused on providing excellent customer service to our residents and the public. If you are a full-time or regular part-time employee, you may be eligible for an annual merit increase on the anniversary of your service to the City depending upon economic conditions and the City's approved budget. Merit increases will generally be paid on a sliding scale with high performers receiving a higher percent merit increase, and average performers receiving a lower percent increase within the parameters of the budget. Since your merit increase is tied to your performance evaluation rating, you should understand that it is not automatic. Employees with sub-par performance rating for the year will not be eligible to receive a merit pay increase. Non-graded part-time employees are not eligible for merit pay increases.

COST OF LIVING ADJUSTMENT (COLA)

The Mayor and Board of Aldermen will determine whether full- and regular part-time employees of the City will receive an annual Cost of Living Adjustment (COLA) as part of the annual budgetary process. If approved, COLAs are generally paid to eligible employees at the start of the fiscal year. Non-graded part-time employees are not eligible for COLAs.

NON-GRADED PART-TIME PAY RATES

The budget for non-graded part-time employees will be reviewed and set as part of the annual budget process by the Mayor and Board of Aldermen. The hourly rates will not fall below the federal minimum wage as set forth by the U.S. Fair Labor Standards Act (FLSA). Each director has the authority to set actual wages for these part-time / non-graded employees based on the approved budget while ensuring pay equity with other employees with similar job duties, skills, education and experience. Human Resources will review these pay rates for internal and external equity.

PAY INCREASE—PROMOTION

When you are promoted to a position in a higher grade within the classified pay scale, an appropriate salary within the new pay grade will be determined based on your skill, knowledge, experience, and performance. With the approval of the Director of Human Resources, you may receive a pay increase of up to 10% above your current rate of pay, up to 10% above the grade's minimum salary, or be placed at the starting salary of the new grade. A greater starting salary will require advance approval by the Board of Aldermen.

| | |
|-------------------------------------|----------------------------------|
| Section: COMPENSATION | Page: 2 of 4 |
| Title: Employee Compensation | Revised: December 1, 2016 |

DEMOTION

If you request a demotion to a lower grade in the pay scale (or your supervisor determines that a demotion is necessary because you do not have the skills to fulfill the essential functions of your job), the final determination regarding demotion will be made by your supervisor in partnership with your department head and the Director of Human Resources. A vacant position must exist in the current budget or be approved by the Mayor and Board of Aldermen in order for a demotion to occur.

OVERTIME PAY

Except in emergency situations, overtime requires the advance authorization of your supervisor or department head. The supervisor or department head may authorize overtime work under the following conditions:

- For emergency situations defined as any condition which endangers the safety, life, and property or threatens to interrupt the vital services to the public.
- To perform duties that can only be accomplished outside the regularly scheduled work week.
- To accomplish essential work within a prescribed time when a deadline cannot be altered.
- To maintain essential operations.

Time-and-one-half will be paid, provided the nonexempt employee has earned forty (40) hours for that work week. The earned forty (40) hours includes paid time off for vacation, compensatory leave, holidays, and light/restricted duty. These overtime provisions do not apply to exempt and seasonal recreational employees as provided in the FLSA.

STANDBY PAY

Scheduled standby time will be paid to nonexempt employees at the rate of one (1) hour of regular pay for every eight (8) hours covered. Only employees who are specifically scheduled for standby time by their supervisor are eligible for standby pay. While on standby, it is understood that you are available and able to report to work if needed. Compensatory leave is available in lieu of monetary payment for standby time scheduled. If you voluntarily agree to accept compensatory leave in lieu of monetary pay for standby time, you will need to sign an agreement in advance which will be placed in your official Human Resources and Payroll files.

Please note that if you are scheduled for standby time and call in sick or are otherwise unable to report for duty, you will not be eligible for standby pay or compensatory time.

Your responsibilities as an employee while on standby time:

- You must be able to be contacted and will provide updated phone and contact numbers, including cell phones and pagers, to your immediate supervisor and City Communications staff.
- You must adhere to all applicable City policies and procedures during that period, including the City's Alcohol and Drug policy.
- You must notify the City when a home emergency arises or any other event that may affect your ability to report to work if called to do so.

| | |
|-------------------------------------|-----------------------------------|
| Section: COMPENSATION | Page: 3 of 4 |
| Title: Employee Compensation | Approved: December 1, 2016 |

SHIFT DIFFERENTIAL PAY

If you are scheduled to work a night shift schedule in which at least 50 percent of your work hours fall within 4:00 p.m. (16:00) and 7:00 a.m. (07:00) and which has been designated "night shift" by your department head, you are eligible to receive shift differential pay calculated at three percent (3%) of your base hourly rate. Shift differential will be added to your hourly rate of pay (regular and overtime pay) when working the above described night shifts. Severe weather-related or other general emergency conditions are exempted from shift differential pay.

Shift differential is not included in the calculation of pay for other types of compensation, including, but not limited to: bereavement leave, floating holiday, holiday, jury duty, military leave, 'on-call' pay, sick and vacation leave.

COMPENSATORY TIME – NONEXEMPT EMPLOYEES

Nonexempt employees may voluntarily elect to receive compensatory leave in lieu of monetary payment for overtime worked. You must sign a voluntary agreement if you are a nonexempt employee and wish to elect to receive compensatory leave in lieu of monetary payment for overtime worked. The voluntary agreement will remain in effect until and unless you revoke your request in writing and submit your revocation request to your supervisor who will in turn notify payroll. Your request to revoke compensatory time and receive monetary pay will generally take effect the following pay period depending on whether payroll receives notice in sufficient time to affect the change.

The maximum accumulation of compensatory leave you may receive is limited to 240 hours at any one time. Nonexempt employees who reach the maximum limit of 240 hours must receive monetary payment for overtime worked above 240. You must receive advance supervisory approval prior to accruing and/or using your earned compensatory leave.

If you are a nonexempt (hourly) employee who later transfers to an exempt position, you will be paid at the current pre-transfer rate of pay for all accumulated (earned) compensatory leave effective with the date of your classification change.

COMPENSATORY TIME – EXEMPT EMPLOYEES

Exempt employees are employees who, because of their positional duties and responsibilities and level of decision making authority, are exempt from the overtime provisions of the FLSA. Exempt employees are expected to work whatever hours are necessary to accomplish the goals and deliverables of their exempt position. However, the City recognizes that there may be extraordinary circumstances during which exempt employees are required to work extensive hours. Examples of such situations include: being called back for non-scheduled work; responding to emergencies; working an extraordinary amount of hours outside the normal work schedule, etc. Regardless of whether compensatory time is provided, exempt personnel are expected to work the hours necessary to complete their responsibilities as salaried staff.

Exempt employees may receive compensatory time in accordance with the following provisions:

- The employee's immediate supervisor has given prior approval for work beyond the normal workday or prior approval for work performed by the employee on an unscheduled workday.
- Compensatory time will be calculated at straight time (one hour of compensatory time for each hour worked over eighty [80] in a given standard pay period).

| | |
|-------------------------------------|-----------------------------------|
| Section: COMPENSATION | Page: 4 of 4 |
| Title: Employee Compensation | Approved: December 1, 2016 |

- Compensatory leave should generally be used within the next consecutive pay period. If the supervisor cannot reasonably approve use of the time within the next consecutive pay period, a balance accumulation may be accrued.
- The maximum accumulation of compensatory leave is limited to 120 hours.
- An employee must obtain supervisory approval before using compensatory leave.
- Compensatory leave not used by the end of the fiscal year will be forfeited.

Exempt employees cannot use compensatory leave on the date of separation and/or within the notice period prior to separating from the City's employment. Exempt employees will not receive payment for any compensatory leave that is unused as of the date of separation.

OUT-OF-TITLE PAY

If you are assigned to perform all of the duties and responsibilities of a higher ranked employee for a continuous period in excess of ninety (90) days, you will be entitled to receive out-of-title pay. Out-of-title pay shall be paid for all hours worked after ninety (90) days, and shall continue until you cease the assumption of such duties and responsibilities.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 1 of 5 |
| Title: Health and Welfare Benefits | Approved: June 2, 2011 |

The City provides full-time employees with certain group insurance programs and offers you the opportunity to elect participation in other voluntary insurance programs. The terms of the City's benefits plans are subject to change. The City is not responsible for any changes in or elimination of benefits or benefit plans. Please see the summary plan description and plan documents located on the City's [Network.Common.Drive](#) for specific information on the City's benefit plans.

These programs include a wide range of plans including health, dental, group term life and accidental death and dismemberment insurance, short- and long-term disability insurance, and other specialized insurance plans. Payment for your cost share of insurance premiums for voluntary benefit programs you elect are made through payroll deduction during each bi-weekly payroll period. Other benefits include: holiday pay, vacation and sick leave, and compensatory leave. The City strives to offer a comprehensive and competitive array of benefit programs to attract and retain employees while maintaining a reasonable level of cost sharing with you.

GROUP HEALTH INSURANCE

If you are a full-time¹ employee of the City, you are eligible to participate in one of the group healthcare insurance plans offered by the City beginning on the first day of the month following your first thirty (30) calendar days of employment. Provisions of the group healthcare insurance plans, including the summary plan description, are available on the City's [Network.Common.Drive](#). New employees will also receive information regarding plan details during their initial thirty (30) days of employment. The City's health insurance plans include prescription coverage.

This is a voluntary benefit. If you elect to participate, both you and the City will share the premium costs for the level of coverage you elect, i.e., employee only, employee plus one dependent, employee plus family—via biweekly payroll deduction. You will have the option to pay premiums on either a pre- or post-tax basis. You may elect coverage during your initial enrollment period within your first thirty (30) days of employment, or within thirty (30) days of a life status change event.

CONFIDENTIALITY OF MEDICAL RECORDS

Medical records and sensitive information regarding an employee's health will be kept confidential as required by law. Limited information may be provided to supervisors and managers, first aid and safety personnel, government officials, and as necessary for insurance purposes.

WHEN CAN I ELECT COVERAGE?

If you are a full-time employee of the City, you are eligible to elect coverage for yourself and your eligible dependents during your initial enrollment period within your first thirty (30) days of

¹ Members of the Board of Aldermen are also eligible to participate in one of the City's group healthcare plans and will pay the same cost share for premiums as that paid by full-time employees for the level of coverage elected, i.e., employee only, employee plus one dependent, employee plus family. Premium costs are paid via biweekly payroll deduction.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 2 of 5 |
| Title: Health and Welfare Benefits | Approved: June 2, 2011 |

employment. Additionally, you can elect healthcare coverage or make changes in your coverage election annually during the City's Benefits Open Enrollment Period unless you experience a life status change. To change your coverage(s) when a qualified life status change occurs, you must contact Human Resources within thirty (30) days of the qualifying event for the expected change to be accepted by the City. Otherwise, you will need to wait for the next Open Enrollment Period in which you are eligible to participate and the change(s) will become effective the following July 1. You should contact the Human Resources Department to request changes as a result of a qualified life status change. Examples of qualifying events include: marriage, birth or adoption of a child, a new job, spouse's loss of coverage, divorce and death.

GROUP DENTAL INSURANCE

If you are a full-time² employee of the City, you are eligible to participate in the City's stand-alone group dental insurance plan beginning on the first day of the month following your initial thirty (30) calendar days of employment. Details and provisions of the group dental insurance plan are available on the City's [Network Common Drive](#) and in the Human Resources Department. New employees will also receive information regarding plan details during their initial thirty (30) days of employment.

This is a voluntary benefit and if you elect to participate, you will be responsible for one hundred percent (100%) of the premium costs for the level of coverage you elect via biweekly payroll deduction. You may choose to pay premiums on a pre- or post-tax basis. You may elect coverage during your initial enrollment period within your first thirty (30) days of employment. Additionally, you can make changes annually during the City's Benefits Open Enrollment Period.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City has established an Employee Assistance Program (EAP) for all employees and their immediate family members living in the employee's household. EAP is available beginning on your date of hire.

The EAP is a confidential resource for you and your family members who wish to speak with a professional who can help you identify and resolve your personal or family problems. Contacts with the EAP are held in strict confidence. The City understands that problems, whether affecting an employee or a family member, can have a direct effect on personal well being and work performance. The City recognizes that there may be times when these problems become too great to handle alone and encourages you and your family members to seek assistance from the EAP. In some cases, where your job is adversely affected, your supervisor may require EAP intervention.

The City, at no cost to the employee, provides up to six (6) counseling sessions per issue. The counselor may make referrals to appropriate resources in the local community or provide short-term problem solving as appropriate. Fees charged by outside referral professionals are your responsibility in coordination with your health insurance benefits. For confidential assistance call the Employee Assistance Program—see Human Resources for the number.

² Members of the Board of Aldermen are also eligible to participate in the City's group dental insurance plan and will pay the same cost share for premiums as paid by full-time employees. Premium costs are paid via biweekly payroll deduction.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 3 of 5 |
| Title: Health and Welfare Benefits | Approved: June 2, 2011 |

HEALTHCARE AND DEPENDENT CARE FLEXIBLE SPENDING ACCOUNTS

If you are a full time employee, you may be eligible to participate in the healthcare and dependent care flexible spending accounts. Both are voluntary, pre-tax benefits. Rules and regulations regarding the flexible benefits plans are governed by the Internal Revenue Service (IRS) and they may change benefits periodically. Employees may elect to participate in a Health Care Flexible Spending Account (HCFSA) offered by the City, which provides a way for you to set aside pretax dollars via bi-weekly payroll deduction to pay for your own and/or eligible dependent's medical expenses not covered by the City's health plan up to the total dollar amount you elect during annual benefits open enrollment.

The Dependent Care Flexible Spending Account (DCFSA) benefit permits eligible employees to contribute pre-tax income to a Dependent Care Spending Account. If you have dependents, you may have expenses for dependent care. For example, you may have dependent care expenses for private baby-sitters, private preschool programs, latch key services, or licensed daycares (elder care or childcare). Normally you would pay for these expenses with after-tax income. The DCFSA will reimburse you on a pre-tax basis for your eligible dependent care expenses. Since there is also an after-tax credit available to individuals filing federal income tax returns, your participation in a DCFSA must be weighed against the after-tax credit for which you may be eligible.

It is important that you understand that the IRS imposes certain restrictions on both HCSFAs and DCFSAs, including the following:

- Authorized salary reductions into your Spending Account may not be changed during the fiscal year unless you experience qualifying life status changes permitted under IRS rules such as birth or adoption of a child, termination of employment, marriage or divorce, or death of a spouse or dependent.
- Under IRS rules, you will forfeit all unused funds in your HCSFA or DCFSA at the end of the filing period. This is known as the "use it or lose it" rule. Unused Dependent Care balances will not be carried over to the next year. Dependent Care expenses will only be reimbursed within the same fiscal year that the flexible spending account was originally established. HCSFAs and DCFSAs cannot be converted to cash. For this reason, you should estimate your anticipated expenses conservatively. Forfeitures will be determined after the run-out period.
- Claims for expenses incurred by a domestic partner are not reimbursable through a Flexible Spending Account.

SHORT-TERM DISABILITY INSURANCE (STD)

If you are a full-time employee of the City and have been employed for thirty (30) days or more, you may be eligible for short- and/or long-term disability leave if you incur a non-work related injury or illness. To be eligible to apply, you must have exhausted all your accrued time off balances; first your sick leave accruals, and then all other accruals such as vacation and compensatory leave.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 4 of 5 |
| Title: Health and Welfare Benefits | Approved: June 2, 2011 |

Disability leave provides taxable income for the period of time it takes for you to be rehabilitated to perform your original job or obtain a different occupation (in cases when you would never be able to perform your original job). In the latter case, the City will attempt to place you in a position that you are capable of performing. The City will make reasonable accommodation for the known physical or mental limitation of a qualified applicant or employee with a disability upon request unless accommodation would cause undue hardship to operation of City business.

Short-Term Disability – Important Information about Your Benefit:

- Your benefit is 50 percent (50%) of your regular base salary up to \$500.00 per week.
- You must meet the definition of 'disabled' to be eligible to receive STD benefits.
- A 7-day elimination period is required before you may begin receiving STD benefits.
- The maximum STD benefit is ninety (90) days or thirteen (13) weeks for a non-work related injury/illness.
- The City pays one hundred percent (100%) of the premium costs for this benefit.

To Place a Claim for Short-Term Disability Benefits:

- The STD claim packet is available from the City's Human Resources Department.
- You will need to complete your claim and your licensed attending physician will need to provide the STD Administrator with information regarding your injury/illness.
- Your completed STD claim paperwork must be returned to Human Resources for submission to the STD Administrator for review and approval or denial.
- The STD Administrator will notify you directly about approval or denial of your STD claim.
- If your claim is approved, your STD benefits checks will be paid directly to you weekly by the STD Administrator at your home address on record with the City.

Continuation of Benefits While on Short-term Disability:

- Since you will receive STD benefits directly from the STD Administrator, you will not receive pay from the City.
- You will have the option to continue or suspend your insurance coverage (medical and dental coverage). If you opt to continue your medical/dental benefits, you will pay the same rate as that paid by active employees. You are responsible for all payments that are usually deducted from your City pay, i.e., medical and dental premiums. All other deductions will be suspended (e.g., savings bonds, 457 contributions, credit union loan payments, pension plan contributions, statutory pay withdrawals such as garnishments).

With the exception of Workers' Compensation leave, when you have exhausted your own leave accrual banks, and you are collecting either donated leave, short-term or long-term disability, or you are in an unpaid status, your accruals will be frozen until you are actively back at work. You may be separated from service after being off work six (6) months for a disability. In special cases where the physician's report verifies that you will not be returning to work and the City is unable to successfully place you in another position, you may be separated from service prior to six (6) months of disability leave. (See also Family and Medical Leave Act for additional information.) If separation occurs, and you are a full-time employee, you will be paid for all accrued, unused vacation leave.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 5 of 5 |
| Title: Health and Welfare Benefits | Approved: June 2, 2011 |

LONG-TERM DISABILITY INSURANCE (LTD)

If you are a full-time employee who has been absent from work for your own injury/illness and you need to be off from work for a period longer than thirteen (13) weeks, you may apply for long-term disability benefits. You will follow the same process outlined above to process your claim for long-term disability benefits. If your claim for long-term disability benefits is approved, you will receive the benefit as indicated in the plan document up to a maximum monthly amount. Since this is a City-paid benefit (i.e., the City pays 100% of the premiums), long-term disability benefits are fully taxable. If your claim is approved, benefits will continue as long as you continue to meet the LTD Administrator's definition of 'disabled' and/or up to age 65. Long-term disability benefits are offset by any Social Security benefits you may receive and may be offset by other income you receive. Please refer to "Continuation of Benefits While on Short-term Disability" in the previous section for important information regarding continuation of your City benefits while on long-term disability.

GROUP TERM LIFE INSURANCE

Life insurance offers you and your family important financial protection. The City of Frederick automatically provides City-paid Basic Term Life and Accidental Death and Dismemberment Insurance coverage for eligible full-time employees equal to your annual base salary, excluding overtime and/or bonuses. The premiums for this benefit are paid by the City.

Because the City pays your premiums for your group term life insurance benefit equal to one times your annual base pay, the IRS requires that you be taxed on the value of employer-provided group term life insurance coverage over \$50,000. The taxable value of employer-provided term life insurance is referred to as imputed income. Therefore, if the City pays group life insurance premiums for coverage over \$50,000, you will notice a deduction on your pay for imputed income. Contact the Payroll Department for more information.

You are eligible to participate in this coverage beginning on the first of the month following your initial thirty (30) calendar days of employment. Details and provisions of the group term life insurance plan are available in the Human Resources Department. New employees will be provided information regarding this and other employee benefits during their initial thirty (30) days of employment.

When you end employment with the City, you will have an opportunity to elect to continue your group term life benefit through a convertible option.

Retirees hired prior to July 1, 2003 are eligible for a reduced group term life benefit with premiums paid in full by the City. The City's Group Term Life Insurance plan is separate from the City's retirement plan death benefit.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 1 of 3 |
| Title: Family and Medical Leave Act (FMLA) | Approved: June 2, 2011 |

The 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 entitled to:

- Up to twelve (12) work weeks (480 hours) of leave in a rolling 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee's spouse, child (under age 18), or parent who has a serious health condition;
 - a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
 - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty."
- Up to twenty-six (26) work weeks of leave during a single rolling 12-month period to care for a covered service member with a serious injury or illness who is the spouse, son, daughter, parent, or next of kin to the employee (military caregiver leave).

In accordance with the FMLA:

- The City will continue health care coverage while you are on leave if you elect to continue benefits. The cost sharing remains the same as if you were actively at work. If you are not on the City's payroll, e.g., exhausted leave benefits or on short- or long-term disability, you are responsible for paying your own cost share for medical and dental benefits to the City in order to continue to receive these benefits.
- Under federal guidelines, the City will guarantee an eligible employee (who has not exhausted FMLA leave) may return to either the same or comparable position upon return from the designated leave.
- You are required to provide thirty (30) days advance notice to the City for foreseeable leaves, such as childbirth, adoption, or planned medical treatment.
- The City may deny FMLA job restoration following FMLA leave to key employees (highest salaried 10%) whose leave would cause the employer to suffer economic hardship.
- The City shall deny FMLA protection to you if you have less than one (1) year of service with the City and have worked less than 1,250 hours in the preceding 12-month period; if your FMLA is exhausted; or if your medical certification does not meet FMLA eligibility requirements.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 2 of 3 |
| Title: Family and Medical Leave Act (FMLA) | Approved: June 2, 2011 |

- The City requires employees to exhaust their sick leave and then exhaust all other accruals while on FMLA leave for their own illness or injury, before entering a non-pay status.
- When using FMLA leave to provide care for a family member's illness or injury, you may use sick leave or any accruals.
- The City may restrict married couples employed at the same location to twelve (12) total weeks of leave.
- The City will advise you of your FMLA rights, in writing following receipt of your completed Request for Family and Medical Leave Form or Request for Family and Medical Leave for Military Family Form and receipt of your attending physician's Certification for Serious Injury or Illness Form, if required. If you do not return the required FMLA forms within fifteen (15) calendar days of their receipt, you are in breach of the City FMLA procedures and may be subject to disciplinary action.

The FMLA also provides coverage for "qualifying exigency" leave to eligible employees with covered family members in the Regular Armed Forces and coverage for "military caregiver leave" to eligible employees who are the spouse, son, daughter, parent, or next of kin of certain veterans with a "serious injury or illness".

A complete copy of the Family and Medical Leave Act is available in the Human Resources Department.

HOW TO APPLY FOR FAMILY MEDICAL LEAVE:

- At least thirty (30) days prior to your requested FMLA (for a foreseeable leave) commencement date or as soon as practicable for an emergency request, you must contact the Human Resources Department to request Family and Medical Leave. Human Resources will provide the necessary forms and instructions to complete your FMLA request.
- You must complete the Request for Family and Medical Leave Form or the Request for Family and Medical Leave for Military Family Leave Form as appropriate, including the dates you expect to be absent and the reason for your FMLA request.
- You may request either intermittent or consecutive leave.
- After having completed the form, you will forward the form to your immediate supervisor for her/his review and signature.
- Your supervisor should return the completed/signed form to Human Resources.
- Remember: You have fifteen (15) calendar days from receipt of the Request for Family and Medical Leave Form to complete and return it to Human Resources.
- Your FMLA packet will also include a Certification for Serious Injury or Illness Form which must be completed by you and your attending physician.
- It is your responsibility to ensure that this form is completed and signed by your attending physician and returned to Human Resources in the appropriate timeframe.

| | |
|--|--------------------------------------|
| Section: BENEFITS | Page: 3 of 3 |
| Title: Family and Medical Leave Act (FMLA) | Approved: June 2, 2011 |

- Finally, your FMLA packet will contain a Return to Work Form. Once your attending physician has cleared you to return to work, your physician must complete the Return to Work Form – including any work restrictions necessary – and you or your physician must return the form to Human Resources a minimum of two (2) days before your planned return to work date. You should bring a copy of your job description to your physician for her/his reference when completing the Return to Work Form.
- You are not authorized to return to work until Human Resources has received the Return to Work Form and contacted your immediate supervisor to ensure that s/he is able to accommodate any restrictions you may have. This is important for your own safety and the safety of other employees and the public.
- Advanced notification to Human Resources of your proposed return to work date is also important to avoid any delay in reinstating your pay and benefits and in order for your immediate supervisor to properly schedule work assignments.

You should contact the Human Resources Department with questions and to obtain the FMLA packet as well as for information regarding Family and Medical Leave benefits versus Short-term or Long-term Disability benefits and the application process to file a claim for disability benefits.

| | |
|--------------------------|-------------------------------|
| Section: BENEFITS | Page: 1 of 1 |
| Title: Holidays | Approved: June 2, 2011 |

The City of Frederick will grant paid holiday time off to all full-time employees of the City on the following days:

FIXED HOLIDAYS

| | |
|------------------------------------|--------------------------------|
| New Year's Day | Labor Day |
| Martin Luther King, Jr.'s Birthday | Veterans' Day |
| Presidents' Day | Thanksgiving Day |
| Memorial Day | Day following Thanksgiving Day |
| Independence Day | Christmas Day |

FLOATING HOLIDAYS

8 hours to be used July 1 – December 31 of each fiscal year

8 hours to be used January 1 – June 30 of each fiscal year

If you are a full-time nonexempt employee who is required to work on a fixed holiday, you will be paid 1½ times your regular rate of pay in addition to your regular holiday pay, provided you have earned at least forty (40) hours in that same work week. The earned forty (40) hours includes paid time off for vacation, compensatory leave, holidays, and light/restricted duty.

Requirements for utilizing floating holidays:

- You must use your floating holiday during the designated 6-month period.
- Employees hired between January 1 and June 30 of each fiscal year will earn 8 hours of floating holiday pay for the remainder of that fiscal year.
- Floating holidays not used during the periods specified above will be forfeited.
- Floating holidays may be used in four (4) or eight (8) -hour increments.
- Floating holidays are subject to prior approval by your supervisor and requests must be made in accordance with existing departmental policies.
- Floating holidays are paid at straight time.
- You will not be compensated for unused floating holidays when separating from employment with the City.

| | |
|-----------------------------------|------------------------------|
| Section: BENEFITS | Page: 1 of 3 |
| Title: Sick and Safe Leave | Approved: May 3, 2018 |

The City of Frederick provides Sick and Safe Leave ("SSL") to covered employees in accordance with the terms of this policy and the Maryland Healthy Working Families Act. The provisions below set forth the eligibility, terms and procedures regarding Sick and Safe Leave accrual and use.

SICK LEAVE USE

Employees eligible for SSL may use the leave for the following purposes:

1. To care for or treat the employee's own or family member's mental or physical illness, injury or condition;
2. To obtain preventive medical care for the employee or employee's family member;
3. Maternity or Paternity Leave
4. When absence from work is necessary due to domestic violence, sexual assault or stalking committed against the employee or employee's family member and the leave is being used to obtain Medical or mental health attention, services from a victim services organization, to attend legal services or proceedings, or for temporary relocation.
5. SSL may be used in any increment.
6. If an employee uses SSL for three (3) or more consecutive days, documentation may be required to support the use of leave.

DEFINITION OF FAMILY MEMBER

This policy defines "family member" to include a:

1. Child: biological, adopted, step, foster, or child for whom the employee has legal or physical custody or guardianship, child for whom the employee is the primary caregiver regardless of the child's age;
2. Parent: biological, adoptive, foster, or stepparent of the employee or of the employee's spouse, legal guardian of the employee, or person who served as the primary caregiver of the employee when the employee was a minor;
3. Spouse;
4. Grandparent: biological, adoptive, foster, or step-grandparent of the employee;
5. Grandchild: biological, adoptive, foster, or step-grandchild of the employee; and
6. Sibling: biological, adopted, or foster sibling of the employee.

ELIGIBILITY, ACCUMULATION, AND USAGE CAPS

FULL TIME EMPLOYEE: If you are a full-time employee of the City, you will accrue sick and safe leave (SSL) at the rate of 1/5 of one work week per month. You begin accruing sick and safe leave during your first month of employment and may use paid leave time as defined below beginning with your date of employment. Only hours earned may be used. There is no limit placed on the amount of sick and safe leave you may accrue. SSL runs concurrently with FMLA. Per the City's reemployment policy, sick leave is not paid at separation of employment, however if the employee is rehired within 37 weeks from the date of separation, the City will reinstate any unused sick leave that was available at the time of separation.

| | |
|-----------------------------------|------------------------------|
| Section: BENEFITS | Page: 2 of 3 |
| Title: Sick and Safe Leave | Approved: May 3, 2018 |

PART TIME, TEMPORARY, AND SEASONAL EMPLOYEE: Part time, Temporary, and Seasonal employees who are at least 18 years of age are eligible for SSL as follows:

1. Employees will receive one (1) hour of SSL for every thirty (30) hours worked.
2. Leave accrues from date of hire, but may not be used until after the employee has worked 106 calendar days from the date of hire.
3. Employees may earn up to 40 hours of leave per calendar year.
4. Employees may carry over a maximum of 40 hours annually.
5. Employees may use no more than 64 hours of SSL in a calendar year.
6. Per the City's reemployment policy, sick leave is not paid at separation of employment however if the employee is rehired within 37 weeks from the date of separation, the City will reinstate any unused sick leave that was available at the time of separation.

NOTIFICATION REQUIREMENTS

If the SSL need is foreseeable, the employee must request SSL leave at least seven calendar days in advance. If the SSL is not foreseeable, employee must request SSL leave as soon as practical. For unforeseeable same days SSL requests, the employee must notify their immediate supervisor as soon as possible, at least 15 minutes prior to the scheduled start time of the shift. For work-related illness or injury, please refer to the Workers' Compensation policy.

Your supervisor may request a doctor's note or safe leave documentation with specific dates of absence when the amount of consecutive SSL leave used has been three (3) working days or more. Failure to submit such documentation may result in the absences being considered not excused and SSL pay will not be granted to you until such notice is received. The doctor's note/safe leave verification shall be forwarded to Human Resources. There may also be occasions when a supervisor may request that you obtain a written certificate, such as a work status report, from a licensed physician indicating that you are able to perform the essential functions of your position. If, according to a licensed physician, you are unable to perform the requirements of your position, your supervisor may:

- Assign you to other duty (if available) consistent with limitations placed on you by the physician.
- Delay your return to work if other duty assignments are not available.
- Transfer you to another (available) position within the City consistent with the limitations placed upon you by the licensed physician if the physician has confirmed that a permanent medical limitation exists.

In the event that the above return-to-work options are not feasible, full-time employees may apply for disability benefits. The City is not obligated to return you to work if a position is not available. The City will not create a position for an employee who is no longer able to perform his/her job duties. At the conclusion of the medical leave of absence, if you have not returned to work, separation of employment may result.

SICK LEAVE AT RETIREMENT

See Plan Documents on City's [Network Common Drive](#) for plan details.

| | |
|-----------------------------------|------------------------------|
| Section: BENEFITS | Page: 3 of 3 |
| Title: Sick and Safe Leave | Approved: May 3, 2018 |

EMPLOYEE NOTICE

In accordance with the Maryland Healthy Working Families Act, the City will post required employee notices and will not retaliate against any employee who exercises their right to use Sick and Safe Leave, or makes a complaint, brings an action, or testifies in an action regarding a violation of the Act. Employees have the right to report an alleged violation of the Act by the City to the Commissioner of Labor and Industry or to bring a civil action against the City as permitted by the Act.

Available SSL as well as amount of SSL that have been used in the calendar year will be recorded on employee pay stubs.

| | |
|--|----------------------------------|
| Section: BENEFITS | Page: 1 of 2 |
| Title: Compassionate Leave Donation Program | Revised: January 19, 2012 |

PURPOSE

The purpose of the Compassionate Leave Donation Program is to establish an equitable way of allowing full-time employees to voluntarily share their accumulated sick or vacation leave with other full-time employees in need of additional sick leave. The intent of this program is to assist benefit eligible employees who may face financial hardship because they have exhausted all of their own accrued leave.

ELIGIBILITY

If you are a full-time employee who has completed your probationary period, you are eligible to participate in the City's Compassionate Leave Donation Program. You must exhaust all of your accrued leave before receiving any Compassionate Leave donations. You may request Compassionate Leave Donations for your own illness or injury, or those of an immediate family member. For the purposes of Compassionate Leave, immediate family is defined as parents, spouse, mother-in-law, father-in-law, children, step-children and individuals for whom you are the legal guardian. If you are eligible for Workers' Compensation benefits, you are not eligible to receive Compassionate Leave donations for the covered illness or injury. The Manager of HR, in consultation with the employee's supervisor may deny an application of an employee who has been disciplined for abuse of sick leave.

PROCESS

If you are in need of Compassionate Leave Donations...

- (1) You must make a request for Compassionate Leave by completing the Request for Compassionate Leave Donation Form on the City's Network Common Drive and submitting it to the Human Resources Department (HR).
- (2) Your request form must be accompanied by written certification of need by a licensed medical or psychological provider.
- (3) Once your request is submitted to HR and reviewed for eligibility, HR will notify all City employees of the request for donated hours.
- (4) To protect the privacy of those who participate, HR will not inform you of names of those employees donating hours or the number of hours donated by each.
- (5) The maximum donation you may receive in any calendar year is 80 hours.
- (6) Donations may not be applied retroactively.

If you want to donate Compassionate Leave...

- (1) You must be a full-time employee who has completed your probationary period.
- (2) Once the request for compassionate leave is forwarded to all employees, you may donate.
- (3) In order to donate accrued sick and/or vacation leave, you must complete the Voluntary Compassionate Leave Donation Form on the City's Network Common Drive and submit it to HR.
- (4) You may donate unused accrued sick and/or vacation leave to any full-time employee who meets the eligibility requirements for participation.
- (5) Donations of sick or vacation leave must be in whole hours.
- (6) To protect the privacy of those who participate, HR will not inform you of the name of the employee/recipient.
- (7) You may not withdraw your donation.

| | |
|--|----------------------------------|
| Section: BENEFITS | Page: 2 of 2 |
| Title: Compassionate Leave Donation Program | Revised: January 19, 2012 |

- (8) The maximum total amount of leave (sick and/or vacation) you may donate is 80 hours per calendar year.
- (9) You may not donate any leave after you have given notice of your voluntary resignation or retirement from employment with the City.

| | |
|------------------------------|-------------------------------|
| Section: BENEFITS | Page: 1 of 2 |
| Title: Vacation Leave | Approved: June 2, 2011 |

If you are a full-time employee, you will earn paid vacation leave according to the following schedule. Vacation leave is accrued (earned) from date of hire and may not be used until you have successfully completed your Probationary Period.

MONTHLY VACATION ACCRUAL SCHEDULE
(Based on forty (40) hour work week)

| Years of Service | 0 to 1 year | 1 to 5 years | 5 to 13 years | More than 13 years | More than 19 years and hired before 8/8/95 |
|--|--------------------|---------------------|----------------------|---------------------------|---|
| Hours of Vacation Leave Accrued | 6.667 | 8.667 | 12.000 | 15.333 | 18.667 |

Any vacation leave accrual in excess of 240 hours as of June 30 of each year will be forfeited.

In order that supervisors may plan to meet the needs of the public, you are expected to complete and submit a Leave Request Form to your supervisor with as much advance notice as possible. Leave Request forms are available in the Human Resources Department and on the City's Network Common Drive. Individual departments may establish separate vacation notice guidelines (more or less) as deemed necessary for business purposes and continuity of work. In addition, supervisors may deny vacation leave requests due to staffing issues, emergency situations, project deadlines, or other work-related reasons. If vacation leave is denied, your supervisor will provide her/his rationale for the denial.

Your vacation accrual generally occurs in the pay period containing the last day of the month.

Generally, if you have an accrued vacation balance, a request to take leave without pay will be denied.

All full-time employees who resign or retire from the City must provide appropriate advance notice of the intent to resign or retire in order to receive payment for any unused, accrued vacation leave. The Payroll Administrator will verify the amount of unused, accrued vacation leave and apply the monetary value to your final paycheck. Once formal resignation or retirement notice has been given, your director must approve requests for paid vacation leave during the notice period. If you are discharged for cause, you forfeit your right to payment for any unused, accrued vacation leave.

| | |
|------------------------------|-------------------------------|
| Section: BENEFITS | Page: 2 of 2 |
| Title: Vacation Leave | Approved: June 2, 2011 |

If your status changes from full-time to part-time, any unused vacation accrual must be paid to you. If you return to full-time status within ninety (90) days, your vacation rate will be reinstated at the same level as it was when your status changed from full-time employee. If you return to full-time status after a break in service of ninety (90) days or more, your vacation accrual will be implemented as for a newly hired employee.

If the change in status from full-time to part-time is promulgated by the City, and you are later returned to full-time status, then your vacation accruals will be implemented at the same rate as when you were previously employed in a full-time capacity.

Accrued and unused vacation will be paid out to you as compensation following your retirement.

If an active employee of the City dies, her/his accrued vacation balance shall be paid to her/his estate.

| | |
|---|-------------------------------|
| Section: BENEFITS | Page: 1 of 1 |
| Title: Bereavement Leave / Jury Duty, etc. | Approved: June 2, 2011 |

BEREAVEMENT LEAVE

If you are a full-time employee of the City, you will be granted up to three (3) working days of paid leave if you experience a death in your immediate family. For purposes of determining eligibility for bereavement leave, "immediate family" is defined as:

- Your spouse
- Your children, step-children, children for whom you are the legal guardian, grandchildren, step-grandchildren, daughter-in-law, and son-in-law
- Your parents, step-parents, father-in-law, mother-in-law, aunts and uncles
- Your grandparents, step-grandparents, grandfather-in-law, and grandmother-in-law
- Your siblings, step-brother, step-sister, brother-in-law, and sister-in-law

Bereavement leave will not be charged to sick leave or vacation leave. It is a separate and additional benefit for full-time employees. If you are eligible for bereavement leave and must travel out of the area (200 miles or more), you may be granted an additional two (2) working days for a total of five (5) working days of paid bereavement leave.

In general, bereavement leave must be approved in advance by your immediate supervisor. If you are a full-time employee of the City, you will be granted up to four (4) hours of paid leave if you experience the death of a relative or close friend who is not defined as an immediate family member as defined above. Bereavement leave for a non-immediate family member will not be charged to sick leave or vacation leave. It is a separate benefit for full-time employees of the City.

JURY DUTY OR THIRD-PARTY SUMMONS

If you are a full-time City employee who has been summoned to appear for jury duty or summoned as a third party witness, you must provide your supervisor advance notice of your need to appear and will be granted paid leave for the time you are required to be in court. If you are a full-time employee who is already receiving paid leave in the form of holiday, vacation, sick, or compensatory leave, you will not receive additional pay when serving on a jury or as a third-party witness during the same time period. Jury duty and third-party witness summons will not be charged to vacation, sick, or compensatory leave balances. This is an additional benefit for full-time employees of the City. This time is indicated on your timesheet as a separate pay code. You are expected to provide a copy of the court summons to your supervisor. The supervisor will in turn forward a copy of your court summons to the Human Resources Department. You are expected to provide as much notice to your supervisor as possible when requesting jury duty or summoned third-party leave so that your supervisor can make the necessary adjustments to ensure sufficient coverage in the department. You are required to contact your supervisor if you are dismissed from court prior to the end of your work day. You may be required to return to work, at the discretion of your supervisor.

SUBPOENAED WORK-RELATED COURT APPEARANCES

If you are subpoenaed to appear in court or to appear for any court proceeding as a result of a work-related matter, you will be paid as if you had worked those hours performing regular duties. You are expected to provide a copy of the subpoena received as a result of a work-related matter to your supervisor who will forward a copy to the Human Resources Department.

PERSONAL OR NOT-SUMMONED THIRD-PARTY COURT APPEARANCES

If you are a full-time employee who needs to appear in court regarding a personal matter or as a third-party witness (not summoned), you will be granted time away from work. You are encouraged to provide as much advance notice to your supervisor as possible. You may use accrued vacation or compensatory leave or may take the time absent from work as unpaid.

The Manager of Human Resources may request supporting documents as deemed necessary.

| | |
|--|--------------------------------------|
| Section: BENEFITS | Page: 1 of 1 |
| Title: Workers' Compensation | Approved: June 2, 2011 |

The City provides a comprehensive Workers' Compensation Insurance Program that is designed to provide certain considerations to employees who sustain injuries, or occupational illnesses in the course of and arising out of their employment. Benefits are administered according to Maryland law. This program covers any accidental injury or illness you sustain while performing any work-related activity.

You must give notice of an accident to your supervisor and provide a First Report Statement to the Safety Department as soon as practical but no more than twenty-four (24) hours following the incident or knowledge of the occupational illness. Please refer to The City of Frederick, Safety and Health Policy and Procedures Manual and the Workers' Compensation Handbook.

| | |
|------------------------------|-------------------------------|
| Section: BENEFITS | Page: 1 of 2 |
| Title: Military Leave | Approved: June 2, 2011 |

The City provides military leave benefits in compliance with the Uniformed Services Employment and Reemployment Rights Act (38 USC §§ 4301-4335) and the Maryland Annotated Code, Public Safety Article, Title 13.

In addition to the requirements under the law, if you are a full-time or regular part-time employee who takes a leave of absence in order to perform service in the uniformed services, you are entitled to the following benefits:

- If you are a member of the uniformed services and are ordered to military training, you will continue to receive full pay from the City for up to fifteen (15) days per year, in addition to your military pay. The City's rate of pay will include any COLAs and merit increases that you would have received if you had not taken a leave of absence.
- If you are a member of the uniformed services and are ordered to active duty, you will continue to receive full pay from the City in addition to your military pay for up to fifteen (15) days per each tour of duty. The City's rate of pay will include any COLAs and merit increases that you would have received had you not taken a leave of absence.

If your active duty extends beyond fifteen (15) days for that tour of duty, you will be eligible to receive differential pay upon submitting earnings statements from the uniformed services to the City's Finance Department. The Finance Department will calculate the difference between your regular rate of pay with the City and your uniformed services pay (including all stipends and excluding direct expense reimbursement) for the same period. The pay difference will be coordinated with the City's regular biweekly payroll cycle. The City's rate of pay will include any COLAs and merit increases that you would have received if you had not taken a leave of absence. If you earned a higher amount from the uniformed services than you would have from the City's regular payroll, no adjustment to pay will be made.

- During the course of your employment, you will be eligible to receive differential pay for up to a cumulative maximum of five (5) years.
- You must submit earnings statements from the uniformed services to the City's Finance Department within sixty (60) days after your return to active employment or provide Finance with an update of when earnings statements will be available. The Finance Department will calculate the difference between the your regular rate of pay with the City and your uniformed services pay, including all stipends and excluding direct expense reimbursement, for the same period. The City's rate of pay will include any COLAs and merit increases that you would have received if you had not taken a leave of absence. If you earned a higher amount of pay from the uniformed services than you would have from the City's regular payroll, no adjustment to pay will be made.
- Your group benefit plans (health and dental) will continue through payroll deductions for up to a cumulative maximum of five (5) years. You are responsible for making arrangements to pay your cost share of the premiums via payroll deduction or another mutually agreed upon method.

| | |
|------------------------------|-------------------------------|
| Section: BENEFITS | Page: 2 of 2 |
| Title: Military Leave | Approved: June 2, 2011 |

- Your group term life insurance policy with the City will continue for a period of one (1) year. Effective the first of the month following the one (1) year period, you will have the option of converting your group term life insurance to a personal, individual policy.
- If you are reemployed, you have protected rights under the City's defined benefit plans. You will be treated as not having incurred a break in service. In addition, the leave will count for vesting and service credit.
- You are eligible to continue to accrue vacation during each period of military leave.
- Your sick leave accrual will be frozen during the period of military leave.
- During the period of time between being released from active service duty and returning to the City for active employment, you may choose to use your vacation accrual.

This Military Leave policy does not contain all terms and conditions of reemployment with the City. For additional information, please contact the Human Resources Department.

Unless specifically required by federal or state law, an employee is not entitled to any of the benefits set forth in this section if you voluntarily enlist in any of the active uniformed services.

NOTE: If you are a member of the Organized State Militia (Maryland Army National Guard, Maryland Air National Guard, Maryland Inactive National Guard, and Maryland Defense Force) and are ordered to State active duty under the authority of the Governor of the State of Maryland and/or are on inactive training for up to fifteen (15) days annually, you will continue to receive full pay from the City in addition to your military pay in accordance with Maryland State Law. The City's rate of pay will include any COLAs and merit increases that you would have received if you had not taken a leave of absence.

| | |
|---|---------------------------------|
| Section: BENEFITS | Page: 1 of 4 |
| Title: Retirement and Post-Employment Benefits | Revised: October 3, 2013 |

PENSION BENEFITS

The City offers retirement benefits to all eligible employees. The details and provisions of the retirement benefits are available on the City's Network Common Drive and/or in the Human Resources Department. New hires will receive information about these benefits at the time of their employment with the City.

Credit for years worked with other Maryland municipalities or state agencies may be transferred to the City for retirement purposes. Credit will be provided as long as a retirement benefit will not be paid from the previous municipality or state plan. Certain other provisions, governed by the State Personnel and Pensions Article of the Annotated Code of Maryland, shall apply.

Credit up to a maximum of three (3) years of active military service may be transferred to the City for retirement purposes, provided the employee actually works for the City a minimum of ten (10) vesting years and a retirement benefit will not be paid from the military. It is very important that you notify the Human Resources Department as soon as possible if you need to make any changes in your beneficiary designations.

If you retire from employment with the City and later die, any retirement benefit due to you will be paid to your designated beneficiary based on the regulations of the retirement plan in which you were enrolled.

OTHER POST-EMPLOYMENT BENEFITS

GROUP 1: IF YOU ARE AN ELIGIBLE RETIREE HIRED PRIOR TO JULY 1, 2003 AND HAVE RETIRED PRIOR TO SEPTEMBER 1, 2013:

If you meet eligibility requirements to retire under a City pension plan and have ten (10) vesting years of service with the City, you may elect retiree medical coverage under the City's Group Health Insurance Plan and your health insurance premiums for yourself and your dependents will be paid in full by the City while you receive coverage under the Group Health Insurance Plan. When you, your spouse, or another eligible dependent becomes Medicare entitled (either by age or disability), that individual is no longer eligible to participate in the City's Group Health Insurance Plan and may enroll in a Medicare insurance program offered by the City, which requires a monthly cost share. This change does not affect existing enrollment of other eligible dependents in the City's Group Health Insurance. You are also eligible for a retiree life insurance benefit at no cost.

GROUP 2: IF YOU ARE AN ELIGIBLE EMPLOYEE HIRED PRIOR TO JULY 1, 2003 AND HAVE NOT RETIRED PRIOR TO SEPTEMBER 1, 2013:

If you meet eligibility requirements to retire under a City pension plan, you may be eligible to elect retiree medical coverage under the City's Group Health Insurance Plan and your health insurance premiums for you and your dependents will be on a tiered subsidy based on your years of service³ with the City. The schedule is as follows:

³ "Years of Service" for the purpose of determining eligibility for retiree medical benefits includes credit for military service, purchased service and transferred service.

| | |
|---|---------------------------------|
| Section: BENEFITS | Page: 2 of 4 |
| Title: Retirement and Post-Employment Benefits | Revised: October 3, 2013 |

| Years of Service with Frederick City | Retiree Cost Share | City Subsidy |
|---|---------------------------|---------------------|
| 10-16 years | 50% | 50% |
| 17-24 years | 25% | 75% |
| 25 + years or age 62 (with 10 years of service) | 0% | 100% |

NOTE: Eligibility for Other Post-Employment Benefits is met if the employee would otherwise meet eligibility requirements under a City pension plan (and has 10 years of service.)

When you, your spouse, or another eligible dependent becomes Medicare entitled (either by age or disability), that individual is no longer eligible to participate in the City's Group Health Insurance Plan and may enroll in a Medicare insurance program offered by the City, which requires a monthly cost share. This change does not affect existing enrollment of other eligible dependents in the City's Group Health Insurance. You are also eligible for a retiree life insurance benefit at no cost.

GROUP 3: IF YOU ARE AN ELIGIBLE EMPLOYEE HIRED ON OR AFTER JULY 1, 2003 AND PRIOR TO SEPTEMBER 1, 2013:

If you meet eligibility requirements to retire under a City pension plan, you may be eligible to elect retiree medical coverage under the City's Group Health Insurance Plan and your health insurance premiums for you and your dependents will be on a tiered subsidy based on your years of service⁴ with the City. NOTE: Actual participation in the 25- or 30-year pension plan is not required. The schedule is as follows:

| Years of Service with Frederick City | Retiree Cost Share | City Subsidy |
|---|---------------------------|---------------------|
| 10-16 years | 75% | 25% |
| 17-24 years | 50% | 50% |
| 25 + years or age 62 (with 10 years of service) | 25% | 75% |

NOTE: Eligibility for Other Post-Employment Benefits is met if the employee would otherwise meet eligibility requirements under a City pension plan (and has 10 years of service.)

When you, your spouse, or another eligible dependent becomes Medicare entitled (either by age or disability), that individual is no longer eligible to participate in the City's Group Health Insurance Plan and may enroll in a Medicare insurance program offered by the City, which requires a monthly cost share. This change does not affect existing enrollment of other eligible dependents in the City's Group Health Insurance. You are not eligible to receive retiree life insurance benefits.

PROVISIONS APPLICABLE TO OTHER POST-EMPLOYMENT BENEFITS FOR ALL EMPLOYEES HIRED ON OR AFTER JULY 1, 2003 AND PRIOR TO SEPTEMBER 1, 2013:

- If you leave City employment and later become reemployed by the City in any capacity, your rehire date controls for purposes of determining your years of service required for eligibility for any post-employment benefits.

⁴ "Years of Service" for the purpose of determining eligibility for retiree medical benefits includes credit for military service, purchased service and transferred service.

| | |
|---|---------------------------------|
| Section: BENEFITS | Page: 3 of 4 |
| Title: Retirement and Post-Employment Benefits | Revised: October 3, 2013 |

- A retiree's dependents (including spouse) are fixed at the time of retirement. New dependents or spouses may not be added to coverage after retirement.
- If a deceased employee otherwise would have been eligible for post-employment medical coverage if s/he had terminated employment on the day before her/his death, the surviving lawful spouse or Domestic Partner and eligible dependents may continue coverage under the City's Group Health Insurance Plan.
- Dependent coverage is subject to the age limitations contained in the City's Group Health Insurance Plan.

In the event of the death of an active employee who was hired on or after July 1, 2003 and prior to September 1, 2013, (and who meets benefit eligibility requirements outlined above), medical coverage under the City's Group Health Insurance Plan(s) may be provided to the employee's spouse and/or covered dependents at the percentages listed in the above schedules under the following conditions:

- You must have been eligible to retire under the rules, regulations and conditions of the pension plan of which you were a member and the dependents must meet the provisions outlined in the pension plan.
- The spouse or dependent(s) must be covered under your health plan at the time of your death.
- The spouse cannot add a new spouse (in the case of remarriage).
- The spouse cannot add a new dependent child except any child in utero at the time of the covered employee's death.
- The spouse cannot add an adopted child except where adoption proceedings had been initiated prior to the death of the covered employee.
- Dependent child(ren) will continue to be treated as dependent child(ren) in accordance with the terms of the City's Group Health Insurance Plan.
- The surviving spouse or dependent(s) will be responsible for following the required payment schedule provided by the City. If payments are not received in accordance with the schedule, coverage will cease.

GROUP 4: IF YOU ARE AN ELIGIBLE EMPLOYEE HIRED ON OR AFTER SEPTEMBER 1, 2013:

All regular full-time employees will be required to enroll in a Defined Contribution Plan (Retirement Health Savings (RHS) Plan)—a post-employment health savings vehicle which will allow you to accumulate assets to pay for medical expenses, e.g., health insurance premiums, co-pays, prescription expenses, etc. at retirement (or upon meeting other eligibility criteria) on a tax-free basis. Assets grow in a tax-deferred account which you will have the ability to manage through a full range of investment options. RHS accounts are regulated by IRS rules.

You may then use RHS assets to pay medical expenses for yourself, your spouse and eligible dependents once you meet eligibility requirements under the retirement plan. You will not be eligible to participate in any retiree group health insurance sponsored by the City. The City will contribute to your account on your behalf while you remain actively employed with the City. The amount of the City's contribution will be determined and approved by the Mayor and

| | |
|---|---------------------------------|
| Section: BENEFITS | Page: 4 of 4 |
| Title: Retirement and Post-Employment Benefits | Revised: October 3, 2013 |

Board of Aldermen during the annual budget process. You will be 100 percent vested in the City's contributions once you have completed ten (10) years of service⁵ with the City.

This policy is subject to regular review by the Board of Aldermen and may be subject to change at any time.

TAX-DEFERRED COMPENSATION (457(B) PLANS)

All employees of the City are eligible to participate in a choice of tax-deferred savings plans (457(b) plans). Deferred compensation can help you create a more financially secure future for you and your family. With 457(b) plans, you may begin to draw from your account immediately upon leaving service with the City, regardless of your age. Once you enroll, your pre-tax contributions are automatically deducted from your biweekly pay, and this can help to reduce your federal taxable income. You have the flexibility to increase or decrease your contributions at any time, and you have full control over how your money is vested. Maximum contributions are subject to the limitations established by the Internal Revenue Code. More information on these pre-tax investment opportunities and enrollment materials are available in the Human Resources Department.

³"Years of Service" for the purpose of determining eligibility for retiree medical benefits includes credit for military service, purchased service and transferred service.

| | |
|--|-------------------------------|
| Section: BENEFITS | Page: 1 of 2 |
| Title: Education Assistance Program | Approved: June 2, 2011 |

The City recognizes that education is an essential part of a successful employee development program. The City provides an educational assistance program to assist you with the cost of tuition. This program provides an opportunity for full-time employees to obtain additional education in order to increase your competence in your present position and to prepare you for advancement as opportunities occur within the City. Therefore, credit and noncredit courses that provide skills enhancement for your current position or credit programs from an accredited institution of higher learning which prepare you for advancement into other positions with the City may be eligible for reimbursement. Additionally, general education courses that are a component of an eligible defined degree program at an accredited institution will be eligible for reimbursement, upon approval by the Human Resources Department.

Educational programs and courses not related to jobs specific to employment with the City (either your current or a future City role) are ineligible for reimbursement under the City's Education Assistance Program.

To be eligible for education assistance, you must be a full-time employee and must have completed your probationary period with the City.

Only courses from an accredited institution, or from a recognized public, professional or commercial organization, which are approved in advance, will be eligible for reimbursement under this Education Assistance Program. If you wish to be reimbursed for educational course expenses, you must complete a Request for Educational Funds Form and obtain written approval from your department head and the Manager of Human Resources prior to commencement of the course(s).

Education Assistance benefits are approved as part of the annual budget process. You should consult with your supervisor or the Human Resources Department regarding the maximum annual benefit for the fiscal year. Educational assistance guidelines are listed below:

- One hundred percent (100%) reimbursement of your education costs (up to the annual maximum) when you complete credit or noncredit coursework with a grade of "C" or better or the equivalent. Coursework must be related to your current job requirements or promotional opportunities within the City.
- One hundred percent (100%) reimbursement of your education costs (up to the annual maximum) when you complete coursework toward a degree program, certificate, or professional/ technical accreditation that may be essential to or a requirement for any promotional opportunities within the City. You must receive a grade of "C" or better or the equivalent in order to be eligible for reimbursement.
- One hundred percent (100%) payment in advance of your Education costs (up to the annual maximum) when you enroll in job-related or degree-related coursework at Frederick Community College. Frederick Community College tuition is paid on your behalf in advance due to an existing agreement with the City.
- One hundred percent (100%) payment of non-refundable fees, associated with coursework that is approved for reimbursement (up to the annual maximum).

Other expenses such as textbooks, registration, library fees, equipment, supplies, meals, transportation, payment deferral fees, etc., are not eligible expenses under the City's Education Assistance Program.

| | |
|--|-------------------------------|
| Section: BENEFITS | Page: 2 of 2 |
| Title: Education Assistance Program | Approved: June 2, 2011 |

Within thirty (30) calendar days after having successfully completed the approved course(s), you must forward to the Human Resources Department the original approved Request for Education Funds form that was returned to you prior to the course start date. Attached to the original form you must include a copy of the itemized invoice showing the cost of the course(s) and a certified transcript of your course grade(s). The Human Resources Department will record the amount to be reimbursed on the original Request for Education Funds and forward it along with the invoice and grade(s) report to the Finance Department for reimbursement. The Finance Department will prepare the reimbursement check and forward it to you.

Reimbursements submitted without proper documentation and/or after thirty (30) days following the end of a completed course may be denied reimbursement.

If you withdraw from a course before successfully completing it, you will not be eligible for reimbursement under the City's Education Assistance Program and any costs incurred will become your responsibility.

If you seek reimbursement for educational expenses through the City's Education Assistance Program, you must agree to repay the City in full if you leave employment with the City voluntarily/involuntarily or are terminated within two years from the completion date of the course(s). Reimbursement is not required if termination is a result of a layoff.

| | |
|---|-----------------------------|
| Section: BENEFITS | Page: 1 of 1 |
| Title: Summary of Benefits / Eligibility | Revised: May 3, 2018 |

| BENEFIT | FULL-TIME | REGULAR PART-TIME | NON-GRADED PART-TIME |
|--|-----------|--|--|
| AFLAC and Legal Resources | Yes | No | No |
| Bereavement Leave | Yes | No | No |
| Compensatory Time | Yes | No | No |
| Deferred Compensation (457 Savings Plans) | Yes | Yes | Yes |
| Direct Deposit | Yes | Yes | Yes |
| Education Assistance Program | Yes | No | No |
| Employee Assistance Program (EAP) Counseling | Yes | Yes | Yes |
| Flexible Spending Accounts (Medical and/or Dependent Care) | Yes | No | No |
| Group Dental Insurance | Yes | No | No |
| Group Health Insurance (includes prescription coverage) | Yes | No | No |
| Group Term Life and Personal Accident Insurance | Yes | No | No |
| Jury Duty Leave | Yes | No | No |
| Military Leave | Yes | Yes | No |
| Other Benefits: | | | |
| • Credit Union and Group Banking Services | Yes | Yes | Yes |
| | Yes | Yes | No |
| • Summer Pool Passes | Yes | Yes | No |
| | Yes | Yes | No |
| • Recreation Center Program Discounts/Talley Fitness Center Membership | Yes | Yes | No |
| • Weinberg Center Employee Discount | | | |
| Paid Holidays | Yes | No | No |
| Pension Plans (choose from available options) | Yes | See Plan Documents on City's Network Common Drive for plan details | See Plan Documents on City's Network Common Drive for plan details |
| Short- and Long- Term Disability Insurance | Yes | No | No |
| Sick/Safe and Vacation Leave | Yes | See Sick and Safe Leave Policy for eligibility | See Sick and Safe Leave Policy for eligibility |
| Workers' Compensation Benefits | Yes | Yes | Yes |

| | |
|--------------------------|-------------------------------|
| Section: BENEFITS | Page: 1 of 1 |
| Title: COBRA | Approved: June 2, 2011 |

Under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), the City offers continuation of group health plan coverage for full-time employees and their covered dependents (spouse and dependent children) who lose health coverage as a result of certain qualifying events. If you are a full-time employee who loses coverage under the City's group health plan as a result of a qualifying event, you are entitled by COBRA to the continuation of group health insurance coverage at your own expense and for a limited time.

| | |
|--------------------------------------|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 1 of 1 |
| Title: Payroll Procedures | Approved: June 2, 2011 |

DIRECT DEPOSIT

Direct deposit of pay is available to all employees. Information and authorization forms are available in the Human Resources Department

PAY CYCLE

The City's bi-weekly pay periods begin on Sunday at 12:00 a.m. and end at 11:59 p.m. on Saturday thirteen (13) days later. A pay week is defined as the week during which paychecks are issued. Paychecks are distributed every other Friday. There are typically twenty-six (26) pay periods in a year.

TIME ENTRY

Payroll time entry is performed by a designated person in each department and then reviewed by the department supervisor. Time entry for all departments must be completed by 10:00 a.m. on the Monday of each pay week. If there is a holiday during the pay week, prior notification of the early time entry deadline will be sent to all payroll entry designees and supervisors.

PAYCHECK CORRECTIONS

If you find an error on your paycheck, you must immediately notify your direct supervisor. The supervisor will investigate the error and notify the Payroll Administrator. Unless the error resulted in a pay shortage in which your net pay is less than what you would normally receive by working your standard 80-hour pay period, corrections will be made on the next payroll cycle.

PAYROLL CHANGES

All employee payroll changes (i.e., tax exemptions, address changes, credit union deductions, direct deposit changes, etc.) must be forwarded to the Payroll Administrator by the end of business on the Tuesday prior to a pay week in order to be effective in the next pay cycle.

PAY ADVANCES

There will be no pay advances for employees.

GARNISHMENTS

Upon receipt of notice from an authorized court or agency, mandated withholdings for child support, lien attachments, etc., must be deducted from the designated employee's pay.

| | |
|---------------------------------------|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 1 of 2 |
| Title: Performance Evaluations | Approved: June 2, 2011 |

The purpose of a performance evaluation is for you to receive a periodic assessment of your performance and to identify any developmental needs. It is meant to reinforce the positive aspects of performance as well as to point out areas for improvement. Information derived from the performance evaluation may be considered when making decisions affecting your training, promotion, transfer, or continued employment.

TO WHOM IT APPLIES

All regular/graded employees—both full- and part-time will be evaluated periodically by her/his supervisor.

FREQUENCY

Supervisors will be responsible for completing performance evaluations as follows:

- At or by the end of the first ninety (90) days of employment (approaching the end of the probationary period),
- At or by the end of ninety (90) days following a transfer or promotion,
- Annually in conjunction with the anniversary date of your employment or transfer, and
- At any other interval deemed appropriate by your supervisor.

PROCEDURE

In evaluating employees, supervisors should consider factors such as the experience and training of the employee, the job description, and the employee's attainment of previously set objectives and goals. Other factors that supervisors should consider include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.

Supervisors will prepare a written performance evaluation of each employee's job performance within their purview. The evaluation will include the supervisor's comments and recommendations, an action plan for both you and your supervisor, and performance goals for the next evaluation period. At the same time, you are responsible for preparing your self-evaluation. The supervisor will schedule a time to meet with you to present your performance evaluation. You should be prepared to present and discuss your self-evaluation during the meeting. Evaluation and Self-evaluation forms are available on the City's Network Common Drive.

Department heads will review and sign each supervisor's written evaluation to help assure that the evaluation function has been properly completed in as fair and objective a manner as possible. After the performance evaluation has been reviewed by the department head, you and your supervisor will meet to discuss the evaluation, assess your strengths and areas for improvement in a constructive manner, and set your objectives and goals for the period ahead.

You will be given the opportunity to review the evaluation and to make written comments about any aspect of it. You and your supervisor will then sign and date the evaluation, make copies for yourselves, and then forward the original to the Human Resources Department for review and inclusion in the your official Human Resources file. In addition to adding written comments to your performance evaluation, you may request a review and discussion with your department head or the Human Resources Department.

| | |
|---------------------------------------|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 2 of 2 |
| Title: Performance Evaluations | Approved: June 2, 2011 |

An Employee Performance Evaluation Form will be used for all regular/graded full-time and part-time employee performance evaluations and is available on the City's Network Common Drive. Appointed officials will utilize the Performance Evaluation Form and Self-Evaluation Form designated for Appointed Staff.

Your immediate supervisor will meet with you to review your performance. You will have an opportunity to include your comments regarding your evaluation on the appraisal form. The department head must sign the Performance Evaluation Form following the supervisor/employee meeting and inclusion of your comments (if applicable). Supervisors must forward completed appraisal forms to Human Resources for inclusion in your official Human Resources file.

Supervisors are responsible for ensuring that annual performance evaluations have been completed for all applicable staff—full-time and regular part-time—within their authority.

| | |
|--|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 1 of 1 |
| Title: Hours of Work/Implementation of Work Schedules | Approved: July 2, 2020 |

HOURS OF WORK

The City has established a 40-hour work week for full-time employees.

WORK SCHEDULES

Department heads and supervisors implement work schedules to meet the general requirements of the City and to provide for other specific requirements of the department. You are expected to work all scheduled hours unless other arrangements have been made with your supervisor in advance or leave is taken in accordance with these Policies. It is the responsibility of each department head to minimize the cost of providing services. In addition, the department head is responsible for minimizing staffing levels and overtime costs when setting work schedules and hours.

ESSENTIAL PERSONNEL

If you are designated as "essential personnel," you must report to work as directed.

| | |
|---|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 1 of 7 |
| Title: Alternative Work Arrangements | Approved: July 2, 2020 |

PURPOSE:

The City of Frederick permits alternative work arrangements as a management tool to enhance work life balance, increase productivity, improve recruitment and retention, and support continuity of operations/ delivery of essential City services during extreme weather events, or emergencies.

ELIGIBILITY:

Alternative work arrangements are a benefit and are managed on a department-by-department basis and must be approved in advance. These schedules give employees greater flexibility in managing work/life needs. However, not all jobs, types of work, and/or departmental functions lend themselves to alternative work arrangements.

Eligibility of employees to utilize alternative work arrangements shall be based on objective work-related criteria including:

- Employee duties and responsibilities
- Determination of the impact of the alternative work arrangement on the successful operations of the department
- Employee job performance

An employee may be deemed ineligible for an alternative work arrangement if the employee is unable to remain productive and successful while working the alternative arrangement. Also, if the department can no longer support the alternative work arrangement or the employee is no longer performing tasks that are conducive to the alternative work arrangement, the supervisor may cancel the agreement. The supervisor must provide the employee at least a two (2) week notice of the cancellation. Additionally, an employee may cancel the arrangement if the employee no longer needs the flexibility of the arrangement. The employee shall provide a minimum of a two (2) week notice to the supervisor.

TYPES OF ALTERNATIVE WORK ARRANGEMENTS:

The City of Frederick recognizes four (4) categories of alternative work arrangements:

- Flexible Work Schedule
- Compressed Work Schedule
- Reduced Work Schedule
- Teleworking

An employee's compensation, benefits, work status and work responsibilities will not change due to an alternative work arrangement, unless the employee is working

| | |
|---|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 2 of 7 |
| Title: Alternative Work Arrangements | Approved: July 2, 2020 |

reduced work schedule. A reduced work schedule will reduce the employee's compensation by the corresponding percentage of the schedule reduction. The employee's accrual rates for sick leave, vacation, floating holidays and holidays will also be prorated according to the reduction in the work schedule. The employee will continue to be responsible for his/her portion of elected benefits.

Notifications of sick leave and requests for vacation leave shall comply with City procedures. Employees may not work overtime under any of the alternative work arrangements without prior approval from his/her supervisor.

The charts below provide descriptions, examples, the approval process, and required documents for each type of alternative work arrangement.

Alternative Work Arrangements

| Flexible Work Schedule | | | |
|---|--|--|---|
| Description | Scenarios | Approval Process | Required Documents |
| Employee's work schedule is adjusted to meet the needs of the department and the employee. For example, an employee arrives at 7:00 a.m. and departs at 3:30 p.m.; or arrives at 10 a.m. and departs at 6:30 p.m. | Employee needs to pick up a child after school at 4:00 p.m. each day. The responsibilities of the position and the needs of the department can be met with regular flextime, so the supervisor approves a regular daily work schedule for the employee of 7:00 a.m. to 3:30 p.m. | Employee discusses with supervisor and completes an alternative work arrangement agreement that requires supervisory approval. Written approval is maintained at department level. | Alternative work arrangement agreement Pay and Classification form |
| | Another employee in the same department cares for a relative from 7:00 a.m. to 9:30 a.m. each day. The responsibilities of the position and the needs of the department can be met with regular flextime, so the supervisor approves a regular daily work schedule for the employee of 10:00 a.m. to 6:30 p.m. | A pay and classification form must be completed and submitted to Human Resources, and then forwarded to Payroll. | This request must be reapproved after six (6) months . |
| | Employee responsibilities include assignments and projects that occasionally take place on weekends or beyond usual business hours on weekdays. The responsibilities of the position and the needs of the department can be met with occasional flextime, so the supervisor approves a later arrival time or an earlier departure time for the employee following the work beyond usual hours. | | |

CORE HOURS

With flexible work schedules, the supervisor establishes "Core Hours" in the department during which meetings will be held, and staff can interact with teammates as needed.

| | |
|---|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 3 of 7 |
| Title: Alternative Work Arrangements | Approved: July 2, 2020 |

Core Hours must be approved by the Department Head to ensure the department's ability to accomplish the work. **The standard core hours for the City are 10:00 a.m. to 3:00 p.m.** The City recognizes that some departments may need to establish core hours outside the common 10:00 a.m. to 3:00 p.m.

| Compressed Work Schedule | | | |
|---|--|--|--|
| Description | Scenarios | Approval Process | Required Documents |
| A fixed work schedule in which an employee fulfills their normal work week in fewer days. For example, the responsibilities of the position and the needs of the department can be met when the employee works four (4) longer days and is off the fifth (5) th day. | <p>Employee needs extra time in which to accomplish personal or professional goals. The responsibilities of the position and the needs of the department can be met by the employee regularly working four (4) 10-hour days each week, for eight (8) 10-hour days each pay period.</p> <p>Exempt employees have the option to schedule their time over nine (9) days within the 2-week pay period.</p> | <p>Employee discusses with supervisor and completes an alternative work arrangement agreement that requires supervisory, department head and Human Resources approval. Written approval is maintained at department level and Human Resources.</p> <p>A pay and classification form must be completed and submitted to Human Resources, and then forwarded to Payroll.</p> <p>This request must be reapproved after six (6) months.</p> | <p>Alternative work arrangement agreement</p> <p>Pay and Classification form</p> |

| | |
|---|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 4 of 7 |
| Title: Alternative Work Arrangements | Approved: July 2, 2020 |

| Reduced Work Schedule | | | |
|--|--|--|--|
| Description | Scenarios | Approval Process | Required Documents |
| <p>A reduction in an employee's work hours to accommodate an event such as personal or family needs. An employee may request a 12.5%, 20%, or a 25% reduction of their normal work week schedule, for a specified period of time. These arrangements will reduce pay and sick leave accrual by the corresponding reduction in the work schedule. Consultation with the Human Resources Department is required to fully analyze the effects on benefits. This alternative work arrangement is rare and utilized in unique employee cases.</p> <p>Note: In appropriate situations, the City may consider other reductions.</p> | <p>Employee or employee's spouse has a child or a family member in need of care for a period of time. The employee and the department agree on a reduced work schedule to accommodate these needs. Reduction in FTE percentage can be considered for a specified period of time.</p> | <p>Employee consults with Human Resources regarding impact to pay and sick leave, vacation, floating holidays and holidays. Employee completes an alternative work arrangement agreement that declares the specified period of time, not to exceed six (6) months. This agreement requires supervisory approval, as well as approval of department head, Human Resources and Mayoral approval. Written approval is maintained at department level and Human Resources.</p> | <p>Alternative work arrangement agreement</p> <p>Pay and classification form</p> |
| | <p>Employee is pursuing an educational program (not job-related) for professional development and needs extra time to complete it. The employee and the department agree on a reduced work schedule to accommodate these needs.</p> | <p>A pay and classification form must be completed and submitted to Human Resources, and then forwarded to Payroll.</p> <p>This request must be reapproved after six (6) months. The reapproval is for three (3) months. A second three (3) month approval may be granted. No additional approvals will be granted for one (1) year. Following one (1) year of the conclusion of the first Reduced Work Schedule request, the employee may request a second Reduced Work Schedule with a six (6) month duration and two (2) subsequent three (3) month reapprovals as outlined for the first request. Once an employee has exhausted two (2) approved series of Reduced Work Schedules, no other Reduced Work Schedules will be approved for the remainder of the employee's employment</p> | |

With a reduced work schedule, the employee is expected to work fewer hours than he/she would normally work and therefore there will be a corresponding pay adjustment that aligns with the reduction in hours.

| | |
|---|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 5 of 7 |
| Title: Alternative Work Arrangements | Approved: July 2, 2020 |

| Teleworking | | | |
|--|---|---|--|
| Description (Three Types) | Scenarios | Approval Process | Required Documents |
| <p>Regular Telework: Employee works on specified projects at an alternate location on specified days and times. For example, an employee works at home every Monday. Telework must not exceed 60% of your normal work week to be considered Regular Telework (see Full Time Telework)</p> | <p>Employee's position includes responsibilities for developing and maintaining the department's budget, which requires close attention to detail and accuracy. The employee and supervisor agree that the employee can accomplish this work most effectively and efficiently by doing it at home, without the interruption of office phones and traffic.</p> | <p>Employee discusses with supervisor and completes an alternative work arrangement agreement. The agreement requires supervisory, department and Human Resources approval. Written approval is maintained at department level and Human Resources.</p> <p>This request must be reapproved after six (6) months.</p> | <p>Alternative work arrangement agreement</p> <p>Telework Safety and Security checklist</p> <p>The City of Frederick Use of Communications and Computer Systems policy</p> |
| <p>Episodic Telework: Employee could work from home infrequently such as during a severe weather event or other emergency.</p> | <p>The employee learns of an upcoming snowstorm. The employee and supervisor agree that the employee has tasks that can be completed successfully off site for a short period of time. The employee has a pre-approved telework agreement in place and requests to telework for the duration of the snowstorm.</p> | <p>Employee discusses with supervisor and completes an alternative work arrangement agreement*. The agreement requires supervisory approval and is maintained at the department level and Human Resources.</p> <p>This agreement will be referenced for subsequent storms/emergencies for six (6) months.</p> | <p>Alternative work arrangement agreement</p> <p>Telework Safety and Security checklist</p> <p>The City of Frederick Use of Communications and Computer Systems policy</p> |

| | |
|---|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 6 of 7 |
| Title: Alternative Work Arrangements | Approved: July 2, 2020 |

| Teleworking | | | |
|--|--|--|--|
| Description (Three Types) | Scenarios | Approval Process | Required Documents |
| <p>Full Time Telework: The employee works from an alternate location on a full-time basis. This alternative work arrangement is rare and utilized in unique employee cases.</p> | <p>An employee needs a reasonable accommodation to work from home every day.</p> | <p>Employee advises Human Resources of the need for an accommodation. Human Resources sends an ADA request form for completion. Human Resources reviews the ADA request and consults with the supervisor and department head regarding the feasibility of the request. Human Resources maintains the ADA request.</p> <p>This agreement will continue concurrently with the ADA accommodations.</p> | <p>ADA request form</p> <p>Alternative work arrangement agreement</p> <p>Telework Safety and Security checklist</p> <p>The City of Frederick Use of Communications and Computer Systems policy</p> <p>Mayoral approval</p> |
| | <p>An employee can successfully complete all job tasks remotely. The department is not impacted by the employee not being on site.</p> | <p>Employee discusses with supervisor and completes an alternative work arrangement agreement. The agreement requires supervisory, department head, Human Resources and Mayoral approval. Written approval is maintained at department level and Human Resources.</p> <p>This request must be reapproved after six (6) months.</p> | <p>Alternative work arrangement agreement</p> <p>Telework checklist</p> <p>The City of Frederick Use of Communications and Computer Systems policy</p> <p>Mayoral approval</p> |

Supervisors should proactively discuss the Episodic Telework arrangement with eligible employees so when a severe weather event or emergency occurs, the employees are prepared and approved to telework to ensure business continuity.

ARRANGEMENT REAPPROVAL:

The employee is required to schedule a meeting with his/her supervisor at least two (2) weeks prior to the expiration of the arrangement to discuss the reapproval of the arrangement. Failure to do so, may render the employee ineligible to continue the arrangement.

ARRANGEMENTS PRIOR TO JULY 2, 2020:

Employees participating in work arrangements prior to the adoption of this policy, July 2, 2020, will need to request an Alternative Work Arrangement according to this policy.

| | |
|---|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 7 of 7 |
| Title: Alternative Work Arrangements | Approved: July 2, 2020 |

ALTERNATE WORK LOCATIONS:

Telework agreements require the employee to designate a specific alternate work location (AWL). The AWL is considered an extension of the City's workspace and thus is subject to workplace safety and security requirements. The employee is responsible for ensuring that a safe and secure work environment is maintained at all times in the AWL. Employees are responsible for the security of any City-owned equipment in the AWL. A safety and security checklist is provided for the employee to use to self-certify the adequacy of the location. Furthermore, employees are bound and shall conform to standards of conduct and all other applicable City personnel policies and procedures while on duty at the AWL.

CRITICAL PERSONNEL:

Critical Personnel are employees whose job duties affect the security, safety, or physical operation of the City. Depending on the nature of work, alternative work arrangements may be suspended in certain situations for Critical Personnel.

DURATION OF AN ALTERNATIVE WORK SCHEDULE AGREEMENT:

Once an employee's request for an alternative work schedule has been approved, the agreement will remain in effect for specific periods of time as outlined in the charts above. The continuation of the alternative work schedule must be reapproved according to the approval process listed above. The department's needs, the employee's performance and current work duties will be considered for the approval. If the alternative work arrangement is approved to continue, the extension shall be noted on the original alternative work schedule agreement and a copy maintained at the department and Human Resources, if applicable.

| | |
|--|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 1 of 1 |
| Title: Severe Weather and Other Emergencies | Approved: June 2, 2011 |

As the City provides essential services to its residents, every reasonable attempt will be made to open for business on all regularly scheduled workdays. However, in the event of severe weather-related or other general emergency conditions, the Mayor may order City facilities to be closed and/or activities to be cancelled during the emergency period.

You should listen to local radio or television broadcasts or check the City website for announcements or information during emergencies or times of severe weather. Alternately, you may telephone the City's emergency number at (301) 600-1300 for regular updates on the opening/closing of City facilities.

When a liberal leave policy is in effect, City offices will remain open. If you choose not to take leave, you are expected to arrive to work no more than one hour after your normally scheduled reporting time. If you report to work within one hour of your normal start time, you will not experience a loss of pay or have time charged to leave. If you arrive more than one hour after your regular reporting time, you must use vacation, compensatory leave, flextime, or leave without pay (if you have no accrued leave). You are expected to receive authorization from your supervisor for any time beyond the first hour that you are delayed in reporting to work or if you are unable to report for work. If you are unable to report work for the entire day, you must use vacation, compensatory leave, flextime, or leave without pay for the entire period that you were scheduled to work.

| | |
|---------------------------------------|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 1 of 2 |
| Title: Your Employment Records | Approved: June 2, 2011 |

In order to obtain your position with the City, you provided us with personal information, such as your address and telephone number. The Human Resources Department maintains personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and to comply with government recordkeeping and reporting requirements. This information is contained in your personnel file.

Please keep your personnel file up to date by informing your supervisor and the Human Resources Department of any changes. The Change of Address and Emergency Notification Forms can be found on the City's Network Common Drive. Also, please inform your supervisor and the Human Resources Department of any specialized training or skills you may acquire in the future, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect your withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach you in a crisis could cause a severe health or safety risk or other significant problem.

Employees' medical records are separate from personnel files in order to maintain their confidentiality.

The City tries to balance its need to obtain, use, and retain employment information with a concern for each individual's privacy. To this end, it attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state, or local law.

It is your responsibility to keep your tax withholding elections up to date. Changes in the number of dependents, marital status, and/or address are examples of reasons to review and update your tax withholding information. Appropriate tax withholding forms may be found on the City's Network Common Drive. Please submit your updated forms to the Human Resources Department within ten (10) days of the change.

As an employee of the City, you may inspect your own personnel records and may copy, but not remove, documents in the file. Inspections by employees must be requested in writing to the Human Resources Department and will be scheduled at a mutually convenient time. Inspections will be conducted in the presence of a designated member of the Human Resources Department.

If you believe that any file material is incomplete, inaccurate, or irrelevant to your record, you may submit a written request for file revisions to the Human Resources Department. If the request is not granted, you may place a written statement of disagreement in the file and make a complaint using the grievance procedure established in this Handbook.

Only supervisory and management employees who have an employment-related need-to-know information about another employee may inspect the files of that employee. The Human Resources Department must approve the inspection.

Employees must refer all requests from outside the City for personnel information/references, etc. concerning applicants, employees, and former employees to the Human Resources Department. The Human Resources Department will disclose information in accordance with the Maryland Public Information Act. Any other information will be released only upon written consent of the individual involved.

| | |
|---------------------------------------|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 2 of 2 |
| Title: Your Employment Records | Approved: June 2, 2011 |

Supervisors may maintain personnel (satellite or working) files on each subordinate. The information contained in these files is confidential and must be kept in a secure place. Files maintained by supervisors should relate to the job performance activities of each employee and should contain information that the supervisor is currently using.

All other information should be kept in the employee's official personnel file(s) maintained in the Human Resources Department.

Personal medical information, physician notes, etc. must be forwarded to the Human Resources Department and will be maintained in the employee's medical file.

If you separate from employment with the City, Human Resources will generally respond to written employment references by releasing the following information: position held, job location, dates of employment and salary.

| | | | |
|-----------------|-----------------------------|------------------|---------------------|
| Section: | OPERATIONAL POLICIES | Page: | 1 of 1 |
| Title: | Grievance Procedures | Approved: | June 2, 2011 |

It is the purpose of the City's Grievance Procedures to provide an effective way for you to bring problems concerning your well being at work to the attention of City's management. Therefore, an informal grievance procedure has been established for your benefit and use.

If you believe a work condition or treatment is unjust, inequitable, a hindrance to effective operation or creates a problem, you are encouraged to discuss the condition or treatment with your supervisor and/or the department head.

Misunderstandings or conflicts can arise in any organization and should be resolved before serious problems develop. Some incidents resolve themselves naturally; however, should a situation persist that you believe is detrimental to you, the department, the City or the public, you should follow the procedure described here for bringing the complaint to the attention of management and the Human Resources Department.

PROCESS

You may file a grievance regarding any workplace concern. You must use your chain of command for grievances. You may file your grievance by submitting a written description of your concerns/issues, which provides factual information including the incident or action which led to your decision to file a grievance. The document should include the date of your grievance, the date(s), times and detailed description of the incident or action, the names of parties involved, the names of any witnesses to whom have you raised your concerns, and finally, what remedy are you requesting. Your grievance must be signed and dated by you and must be filed within thirty (30) days of the action giving rise to the grievance.

Remember, you will first communicate any problems/concerns to your supervisor giving her/him the sufficient opportunity to address your concerns. If you do not receive a satisfactory result within thirty (30) days of notifying your supervisor, you are encouraged to communicate your problem/concern to the next higher authority in the chain of command. If after speaking with the next higher authority in the chain, you are not satisfied with the results, you may appeal to the next level in your chain. The Mayor's decision regarding your grievance is final.

At any point during the process, you may consult with the Manager of Human Resources regarding your grievance.

| | | | |
|-----------------|--|------------------|---------------------|
| Section: | OPERATIONAL POLICIES | Page: | 1 of 1 |
| Title: | Americans with Disabilities Act | Approved: | June 2, 2011 |

The City ensures equal employment opportunity for all job applicants and employees. In compliance with the Americans with Disabilities Act (ADA), reasonable accommodations will be provided when requested, both during the application process and during employment.

The City makes every effort to provide equal access to all of its facilities, programs and benefits. If a job applicant or employee has difficulty with access, the problem should immediately be brought to the attention of the Human Resources Department so a reasonable accommodation can be found.

The ADA is intended to ensure that people with physical or mental disabilities have greater access to public services and to require employers to provide reasonable accommodations for applicants and employees with disabilities.

The City welcomes all interested applicants to apply for positions, without regard to disability. In the event that a disabled person is hired or if an employee becomes disabled during the course of employment, the City will evaluate the needs of that employee and make reasonable accommodations to assist the employee to perform the essential job functions of his/her job. It is the policy of the City to be an equal opportunity employer and to hire individuals solely on the basis of their qualifications and abilities.

Managers will work closely with the Human Resources, Safety and Legal Departments to comply with every aspect of the ADA requirements. All information on individual employees or applicants is considered confidential in nature and is only shared on a "need to know" basis.

If, during the hiring process, special accommodations were not identified and a disabled employee discovers the need for an accommodation, he/she should bring that request forward to his/her immediate supervisor. It is the supervisor's responsibility with the assistance of Human Resources, to evaluate the requested accommodation, its reasonableness, and its cost.

| | |
|--------------------------------------|-------------------------------|
| Section: OPERATIONAL POLICIES | Page: 1 of 1 |
| Title: Layoff | Approved: June 2, 2011 |

The Mayor may find it necessary to lay off employees because of a lack of work, lack of funds, material change in duties or organization, duplication of work efforts, or in the interests of the economy, efficiency or other causes as determined by the Mayor.

If it is necessary to eliminate a position that is held by more than one employee, the Mayor will consider the following factors in determining which employee to lay off: performance, seniority with the City, and seniority in the current position. Efforts will be made, when possible and practicable, to integrate employees into vacant City positions for which they meet the minimum qualifications. An employee who is laid off is eligible to be reinstated in accordance with the City's normal hiring process.

Because a layoff is not a suspension, demotion or discharge, a layoff decision may not be appealed to the Personnel Board.

| | | | |
|-----------------|-----------------------------------|------------------|---------------------|
| Section: | OPERATIONAL POLICIES | Page: | 1 of 1 |
| Title: | Resignation and Disability | Approved: | June 2, 2011 |

You may be separated from employment with the City for any reason not prohibited by law. In the absence of a specific written agreement, you may voluntarily resign at any time and for any reason. The City reserves the right to terminate your employment at any time.

VOLUNTARY RESIGNATION

If you choose to leave the City's employment, you must provide written notice to your supervisor at least two (2) weeks in advance of leaving. If you fail to provide the required notice, you forfeit your right to payment of any unused, accrued vacation leave.

As a professional courtesy, the City requests that supervisory and managerial employees provide written notice of resignation at least four (4) weeks in advance of leaving. Clerical and administrative employees should give at least three (3) weeks notice.

If you fail to report to work for two (2) consecutive days (or two consecutive scheduled work shifts) without authorized leave, your employment may be terminated, and your discharge will be treated as a voluntary resignation without notice.

When you notify your supervisor and Human Resources of your resignation from employment with the City, Human Resources will generally contact you prior to your last day of work to schedule an exit interview and to review other important information with you. If an exit interview cannot be scheduled prior to your last day, an exit interview form may be mailed to your home address. The purpose of confidential exit interviews is to gather important information regarding your work experience to evaluate ways to improve the work environment.

Upon separation from the City, if you are a nonexempt employee, you will receive full payment at your current regular pay rate for earned, unused compensatory leave as of the date of separation. You may not extend your time on payroll at separation using accrued compensatory leave.

DISABILITY RETIREMENT

If you are disabled and unable to work and are considered permanently and totally disabled, you may be eligible to apply for retirement disability, provided your service meets eligibility requirements under the City's pension plan in which you participate. The City will require that you complete an Independent Medical Exam scheduled and paid for by the City. Your application for disability retirement and the results of the Independent Medical Exam will be considered in a determination by the City to approve or disapprove your disability retirement.

| | |
|--------------------------|-------------------------------|
| Section: GLOSSARY | Page: 1 of 5 |
| Title: Terms | Approved: July 2, 2020 |

ANNIVERSARY YEAR

The 12-month period following your date of hire or date of reemployment and each succeeding 12-month period.

ALTERNATIVE WORK ARRANGEMENTS

Work schedules that provide flexibility in managing employee work/life needs. Eligible employees can participate in the following options; Flexible Work Schedules, Compressed Work Schedules, Reduced Work Schedules and Teleworking.

BENEFICIARY

A person or organization designated by you to receive assets that are held in your name in a retirement plan, or are paid on your behalf by an insurance company, after your death. Such benefits include the proceeds of a term life or personal accident insurance policy and/or benefits from a pension plan.

BENEFITS

Non-monetary compensation paid directly to you, including mandated and voluntary items such as medical plans, retirement plans, unemployment insurance, educational assistance, flexible work schedules, and banking services.

CITY POLICIES

Includes the Policies and Procedures Handbook for Employees of The City of Frederick and any other rules, policies, or procedures that the City adopts in order to manage the business of the City.

COMPRESSED WORK SCHEDULE

A fixed work schedule in which an employee fulfills their normal work week in fewer days.

CORE HOURS

A set time established by the department during the workday in which meetings will be held and staff can interact with teammates as needed.

CORRECTIVE ACTION

Disciplinary action taken to correct a behavioral or performance problem.

CRITICAL PERSONNEL

Critical Personnel are employees whose job duties affect the security, safety, or physical operation of the City.

DEATH BENEFIT

Amount payable to a pension plan or insurance policy beneficiary after the death of the insured person.

DISABILITY

As generally used in disability non-discrimination law, a physical or mental impairment that substantially limits one or more of a person's major life activities. Under workers' compensation law, "disability" may be a temporary or permanent injury.

DISCRIMINATION

As generally used in employment law, discrimination refers to the adverse treatment of an employee or group of employees, whether intentional or unintentional, based on any protected basis (race, color, religion, sex, national origin, age, marital status, veteran status, disability, sexual orientation, gender identity, genetic information) or retaliation.

| | |
|--------------------------|-------------------------------|
| Section: GLOSSARY | Page: 2 of 5 |
| Title: Terms | Approved: July 2, 2020 |

EMPLOYEE ASSISTANCE PROGRAM (EAP)

A program provided by employers to help employees handle problems such as alcohol and drug abuse, or emotional disturbances.

EMPLOYEE CONTRIBUTIONS

Any contributions/cost share premium paid by the employee to a benefit plan in which they have elected to participate.

EMPLOYMENT-AT-WILL

The employment relationship defined by the employer's freedom to release an employee at any time and the employee's freedom to separate from employment at any time.

EPISODIC TELEWORK

Employee works at a location other than a City facility on an infrequent basis.

EXEMPT

An employee classification designated by the Fair Labor Standards Act (FLSA). Your status as exempt or nonexempt establishes whether you are subject to overtime under the FLSA. Executives, professional employees, and employees engaged in outside sales who meet the FLSA specifications for each category are classified as exempt (salaried) and are not entitled to FLSA protections, for example overtime pay requirements.

EXIT INTERVIEW

A structured, confidential interview at the time of termination to inform employees of rights and benefits. The exit interview is also used to gather information from departing employees about their views on organizational climate, culture and problems.

FLEXTIME

Employee's work schedule is adjusted to meet the needs of the department and the employee, in accordance with the department's core hours.

FULL-TIME EMPLOYEE

An employee who is regularly scheduled to work forty (40) hours per work week.

FULL-TIME TELEWORK

The employee works from a location other than a City facility on a full-time basis.

GARNISHMENT

A court order requiring the employer of a debtor to regularly deduct a portion of the debtor's pay and deliver it to the creditor. The garnishment of wages is subject to federal and state laws.

GENDER IDENTITY

As defined in the Fairness for All Marylanders Act of 2014, the gender-related identity, appearance, expression or behavior of a person regardless of the person's assigned sex at birth.

GRADE

A pay range within the job classification plan and pay system that has a minimum and maximum salary and a defined number of incremental steps.

| | |
|--------------------------|---------------------|
| Section: GLOSSARY | Page: 3 of 5 |
|--------------------------|---------------------|

| | | | |
|---------------|--------------|------------------|---------------------|
| Title: | Terms | Approved: | July 2, 2020 |
|---------------|--------------|------------------|---------------------|

GRIEVANCE

A complaint made by an employee expressing dissatisfaction or a feeling of personal injustice relating to his/her employment relationship.

GROUP TERM LIFE INSURANCE

Annual renewable term life insurance covering a class of employees.

HANDICAPPED INDIVIDUAL

Under federal law, an individual who (1) has a physical or mental impairment that substantially limits one or more of his/her major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment. A handicap is substantially limiting if it is likely to cause difficulty in securing a job, retaining a job, or advancing in employment.

HEALTH INSURANCE

A generic term applying to all types of insurance indemnifying or reimbursing for costs of hospital and medical care or lost income arising from an illness or injury.

I-9 FORM

The employer verification record that all employers must complete for every employee hired after November 6, 1986. I-9 forms verify eligibility to work in the United States.

INCUMBENT

An individual currently occupying a particular position and performing the essential job duties.

JOB DESCRIPTION

A summary of the essential functions of a job, including the general nature of the work performed, specific task responsibilities, reporting relationships and working conditions.

JOB TITLE

The name of the position as stated in the annual budget and job classification plan and pay system. The position title shall be used for all employee records and actions.

LIFE STATUS CHANGE

Events (such as marriage, divorce, childbirth, death of family member, or change in job status) that qualify you to change your level of medical coverage during the year without waiting until annual enrollment. You must contact Human Resources within thirty (30) days of the event in order to be eligible to request a change in your benefits.

NONEXEMPT

A term used to describe employees who are subject to the minimum wage and overtime standards of the Fair Labor Standards Act are paid for hours worked, and who must be paid one-and-one-half times their regular rate of pay for hours worked in excess of forty (40) per week.

NON-GRADED PART-TIME EMPLOYEE

An employee who is scheduled to perform work for less than fifty-two (52) weeks per fiscal year, e.g., work of a short-term duration, work for a specific purpose or program, or work that is seasonal in nature.

OPEN ENROLLMENT

A specified period of time occurring annually, during which employees may opt in or out of benefit plans for themselves and/or eligible dependents.

| | |
|--------------------------|-------------------------------|
| Section: GLOSSARY | Page: 4 of |
| Title: Terms | Approved: July 2, 2020 |

ORIENTATION

A guided introduction for new employees to the City, policies, benefits, jobs, work groups, the work environment, and the culture of the City.

PERFORMANCE EVALUATIONS

A system for review and measurement of your job performance. This system involves your completion of a self-evaluation and your supervisor completing an annual performance evaluation to evaluate your skills, job-related behaviors and performance toward meeting or exceeding established goals/objectives with the goal of consistently improving your performance.

PROBATIONARY PERIOD

A period of time (90 days) commencing from the date of hire during which a new employee receives close supervision to perform the job. It is also a time during which the new employee and the employer may evaluate the appropriateness of the employee for the position.

QUALIFYING EVENT

A series of actions which occur that lead to an employee's right to claim continued healthcare coverage under COBRA. Qualifying events include: an employee's death, termination, and resignation.

REASONABLE ACCOMMODATION

Changes in the job, the workplace, and/or terms or conditions of employment, which will enable an individual to perform a particular job successfully. Reasonable accommodations are required for religious beliefs and for disabilities.

REDUCED WORK SCHEDULE

An employee's hours of a regular work week are reduced to accommodate a specific employee need.

REFERENCE CHECK

A process of verifying education and employment history information provided by external job applicants.

REGULAR PART-TIME EMPLOYEE

An employee who is regularly scheduled to work one (1) to thirty-nine (39) hours per work week on a continuing basis throughout the fiscal year.

REGULAR TELEWORK

An employee works at a location other than a City facility on a regular basis, such as once a week

SALARY RANGE

The minimum and maximum pay rates within a specific grade.

SEPARATION

Termination of the employment relationship for any reason, including voluntary resignation, involuntary termination for cause, death or retirement.

SEXUAL HARASSMENT

Unwelcome sexual conduct where submission to or rejection of such conduct affects terms or conditions of employment that substantially interferes with your ability to perform the job or that creates a hostile work environment.

| | |
|--------------------------|------------------------------|
| Section: GLOSSARY | Page: 5 of 5 |
| Title: Terms | Approved: May 3, 2018 |

SICK AND SAFE LEAVE (SSL)

Earned time for which you receive pay when you are not working due to your own (or an eligible family member's) illness or injury.

SUPERVISOR

An individual with the employer's delegated responsibility and authority to hire, transfer, suspend, promote, discharge, discipline, or direct other employees - or effectively recommend such action.

VESTING

A benefit plan provision that ensures that a participant will, after meeting established requirements, retain a right to the benefits he/she has accrued or some portion of them, and that the money will not be forfeited for any reason.

WORKERS' COMPENSATION INSURANCE

Medical benefits and pay provided for eligible employees who sustain injuries, or occupational illnesses in the course of and arising out of their employment.

| | |
|--|-------------------------------|
| Section: APPENDIX A | Page: 1 of 3 |
| Title: Investigation Procedures | Approved: June 2, 2011 |

GENERALLY

While these procedures are intended to be comprehensive, no process can fully anticipate every possible event or occurrence. These procedures shall be adhered to by the City and all exceptions resulting in the elimination or modification of one or more of the steps shall be fully documented in writing by the investigator noting the reasons for such deviation. These procedures are designed to ensure fairness and objectivity in the investigation. At any point in this process, any person may elect to be represented by counsel. Attorneys may accompany their clients during any stage of the process.

CONFIDENTIALITY

The City will make every effort to preserve the confidentiality of all complaints alleging harassment. In the course of investigating complaints, it may be necessary to disclose information related to the complaint to persons who are involved in the process as witnesses, respondents, investigators, and supervisors. Only those individuals who need to know will be provided information about the complaint and access to the confidential file.

Promptly following the receipt of a complaint, the Manager of Human Resources shall open a confidential file. If the initial complaint was verbal, the verbal communication shall be memorialized in writing by the person receiving the complaint, noting the date, time and circumstances of the verbal complaint. This memo shall be placed in the confidential file. Any other initial communications shall also be placed in the confidential file. All documentation, tapes, notes, memos, findings and reports generated as a result of the investigation shall be stored in the confidential file.

All confidential files shall be stored in a locked file cabinet. Neither the general public, nor the general employee population of the City shall have access to the confidential files opened for the purpose of investigating harassment complaints. All confidential files shall be numbered.

ASSIGNMENT OF AN INVESTIGATOR

Promptly following the receipt of a complaint, the Manager of Human Resources shall appoint one or more investigators to investigate the allegations contained in the complaint. An investigator shall not be employed in the same City department as any of the parties involved in the complaint. All investigators shall have experience and/or training in investigating complaints. When possible, investigators should be employed within the Human Resources Department or the Legal Department.

ASSIGNMENT OF A MONITOR

The Manager of Human Resources shall assign a monitor in situations where the alleged harassment can potentially lead to future violence and/or serious bodily injury. The monitor shall closely supervise the complainant and the alleged harasser while the investigation is pending.

NOTIFICATION AND INITIAL INTERVIEWS

Initial Notification of Complaint. Promptly following receipt of the complaint by the Manager of Human Resources, and in any event no more than five (5) working days thereafter, the investigator shall send an initial notification of complaint to the complainant. The initial notification shall include the name and phone number of the investigator.

| | |
|--|-------------------------------|
| Section: APPENDIX A | Page: 2 of 3 |
| Title: Investigation Procedures | Approved: June 2, 2011 |

Initial Interview of Complainant. As soon as practicable following the mailing of the initial notification of complaint, the investigator will set up a mutually agreeable time to interview the complainant in accordance with the interview procedures set forth below.

Notification of Complaint to Respondent. Promptly following the initial interview of the complainant, and in any event no more than five (5) working days thereafter, the investigator shall send an initial notification of complaint to the respondent. The initial notification shall include the name and phone number of the investigator.

Initial Interview of Respondent. As soon as practicable following the mailing of the initial notification of complaint to the respondent, the investigator shall set up a mutually agreeable time to interview the respondent in accordance with the interview procedures set forth below.

Initial Interview of Witnesses. As soon as practicable following the interview of the respondent, or, at the investigator's discretion, prior to the interview of the respondent, the investigator shall set up a mutually agreeable time to interview each witness identified by the complainant or the respondent in accordance with the interview procedures set forth below.

INTERVIEW PROCEDURES

1. Each interview shall be tape recorded if the interviewee consents to the recording. The tapes shall be labeled with the interviewee's name, and the date and time of the interview. The tapes shall be stored in the confidential file.
2. The investigator shall ask, after the tape has begun, whether the interviewee consents to the taping of the interview. Only if the interviewee consents shall the interview be tape-recorded. If the interviewee does not consent, then the interview shall proceed without the recording, but the investigator shall contemporaneously compose a written statement which shall be read and signed by the interviewee at the conclusion of the interview.
3. The interview shall include questions directed to the interviewee as well as an opportunity for the interviewee to describe the subject of the complaint in his or her own words. The interview must focus on dates, times and witnesses for each specific event, as well as the exact wording of comments and responses to those comments.
4. Any person may be accompanied by an attorney during an interview. However, if the attorney's actions disrupt the proceedings, the attorney shall be excused from the interview, the reason for excluding the attorney shall be stated on the record, and the interview shall continue without the presence of the attorney.
5. All City employees shall be paid for their time spent at the interview at their regular rate of pay. Full-time employees shall be interviewed during their regular working hours if possible.
6. The investigator may re-interview the complainant, the respondent or any witnesses based upon new information gained from subsequent interviews as necessary. This step is entirely within the discretion of the investigator.

| | |
|--|-------------------------------|
| Section: APPENDIX A | Page: 3 of 3 |
| Title: Investigation Procedures | Approved: June 2, 2011 |

CONTACT PROTOCOLS

Whenever these investigation procedures require the investigator to contact a complainant, witness, or respondent, the investigator shall establish such contact in whatever manner that assures confidential communications. In no instance shall a substantive message be left with anyone at work or at home, beyond a message to call a person at a particular phone number. All attempts to contact, and any contact with, a complainant, respondent, or witness shall be documented with a memo to the confidential file or on a telephone contact log in the confidential file. All written correspondence must be either e-mailed or mailed to the person's home address as kept on file in the Human Resources Department.

DOCUMENTATION OF PHYSICAL EVIDENCE

The investigator shall take photos of any physical evidence identified during the investigation. The investigator shall store all photos and any physical evidence in the confidential file. If the evidence cannot be stored in the confidential file, then the evidence shall be stored in another secure place.

PREPARATION OF WRITTEN REPORT

The investigator shall prepare a written report using the following outline:

1. Allegations of the Complainant – Detail all alleged acts or comments which are the subject of the complaint; include details supplied by the complainant; comment on demeanor during the interview.
2. Response of the Respondent – Detail all explanations or responses given by the respondent, including details; comment on demeanor during the interview.
3. Witnesses and Other Evidence – Set forth all support for both the respondent's version and the complainant's version of events and attribute any statements to the speaker; list any other evidence, including physical evidence.
4. Findings of Fact – Set forth any conclusions drawn from the evidence as to whether the facts alleged by the complainant are true or what actually transpired, stating why such inferences were drawn and upon which evidence they are based. If no conclusion is apparent to the investigator, explain in detail why a conclusion cannot be reached. If the results are inconclusive, thoroughly document the reasons for such.
5. Analysis and Conclusions of Law – Apply the relevant legal standards to the facts and determine whether the respondent (or any other person) actually engaged in any unlawful harassment against the complainant (or any other person). In determining whether an individual's conduct constitutes harassment, the investigator shall consider the record as a whole and the totality of the circumstances, such as the nature of the harassment and the context in which the alleged incident(s) occurred.

| | |
|--|-------------------------------|
| Section: APPENDIX B | Page: 1 of 2 |
| Title: Corrective Action: Supervisor Responsibilities | Approved: June 2, 2011 |

RESPONSIBILITIES

In general, supervisors shall consider the following elements in determining when and how to implement disciplinary action:

Investigation. Any investigations concerning an employee's misconduct or poor performance will be conducted in a fair, objective and timely manner.

Equitable Treatment. Similar instances of misconduct or poor performance will be treated similarly. The severity of disciplinary actions may be increased for repeated violations.

Preponderance of Evidence. Discipline will be based upon facts, rather than speculation or unfounded information.

Proportionality. Discipline issued shall be proportional to the misconduct or poor performance.

Progression. Discipline should be progressive to the greatest extent practicable. Supervisors will attempt to remedy an employee's poor performance through training or counseling. However, egregious violations may warrant a non-progressive approach to discipline.

At the discretion of the Manager of Human Resources, an employee may be placed on administrative leave pending a determination of disciplinary action. The Manager of Human Resources shall determine if the administrative leave is paid or unpaid.

GUIDELINES FOR ADMINISTERING PROGRESSIVE DISCIPLINARY ACTIONS

Verbal Warning/Counseling. A verbal warning/counseling is used to correct minor misconduct or performance problems where more severe disciplinary action is not warranted and to counsel the employee on improvements expected. Counseling serves as a warning against further repetition of employee behavior. The consequences of not correcting the misconduct or performance problems will result in more progressive disciplinary action. The supervisor is encouraged to document verbal warnings/counseling sessions with employees.

Written Warning. A written warning may be issued by the supervisor for continued misconduct, performance problems of a minor nature, or for more serious matters that do not warrant suspension or other advanced disciplinary action. The written warning shall include a complete description of the employee's misconduct, inappropriate behavior, work habits, or performance which require improvement; previous records of discussion; a timeframe within which the employee must correct or improve behavior; and a warning that future violations or failure to correct the misconduct or performance problems will result in further disciplinary actions up to and including termination.

Written warnings should be signed by the employee to acknowledge receipt and forwarded to the Human Resources Department for retention in the employee's official personnel file, with a copy provided to the employee. The employee may submit comments on a separate sheet for inclusion in the file.

| | |
|--|-------------------------------|
| Section: APPENDIX B | Page: 2 of 2 |
| Title: Corrective Action: Supervisor Responsibilities | Approved: June 2, 2011 |

Suspension. A suspension is a temporary removal from job duties and responsibilities with loss of pay. Suspensions are used to discipline employees for serious misconduct or performance problems, or for repeated and uncorrected minor misconduct or performance problems. Disciplinary suspensions may be up to thirty (30) days based upon the circumstances surrounding the employee misconduct. If the suspension is for more than one (1) day, it should be issued on a consecutive working day basis.

The employee being suspended shall be notified in writing by the employee's supervisor. The written notification will include the reason for the action, the duration of the suspension and an explanation of the employee's right to appeal the suspension. Written notice of the suspension should be signed by the suspended employee and forwarded to the Human Resources Department for inclusion in the employee's official personnel file. The employee may submit comments on a separate sheet for inclusion in the record.

Any employee who is suspended without pay shall be entitled to all benefits and continue to earn annual and sick leave during the period of suspension.

Demotion. A demotion occurs when an employee is involuntarily removed from a higher job classification to a lower job classification in a lower pay grade with a corresponding reduction in salary as determined by the department head and the Manager of Human Resources. Although not limited to such instances, demotions may occur in some cases because of an inability to fulfill the duties of the higher level job classification in a satisfactory manner or a failure to comply with employment conditions, such as loss of a certification or license required for performing essential job functions. A demotion may occur in conjunction with other forms of disciplinary action.

Written notice of the demotion will be provided to the employee by the department head. Such notice will include the reason for the demotion; the employee's new classification title, pay range and pay rate; the effective date of the demotion and an explanation of the employee's right to appeal the demotion. A notice of demotion should be signed by the employee to acknowledge receipt and forwarded to the Human Resources Department for retention in the employee's official personnel file, with a copy provided to the employee. The employee may submit comments for inclusion in the file.

Discharge. The discharge of an employee is a permanent removal from employment with the City. This generally occurs when the misconduct or performance problem is severe in nature or is not corrected following lesser forms of discipline. "Discharge" does not include the layoff or change in job description of an employee for budgetary reasons, purposes of reorganization, or any other reason not directly attributable to the employee's job performance.

Written notice of termination shall be provided to the employee in person whenever practicable. The notice shall include the reasons for the termination and an explanation of the employee's right to appeal the termination.