

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40



City of Annapolis

Rules & Regulations

OF THE PERSONNEL SYSTEM

Revised 2015

PREFACE

1
2 **Special Notes:**
3

4 **ABOUT THIS PERSONNEL MANUAL**
5

6 This manual sets forth the Rules and Regulations of the City of Annapolis, hereafter referred to
7 as the City. The policies and provisions included in these Regulations have been implemented
8 under authority granted to the Human Resources Director by applicable sections of the Charter
9 and Code of the City.

10
11 This manual and the appendices included in it provide an explanation of the employment
12 policies, procedures and employment benefits of the City of Annapolis. It applies to full time,
13 part time and other exempt service employees and volunteers.
14

15 These Rules and Regulations also apply to City employees covered by collective bargaining
16 agreements with labor unions. If any conflicts exist between policies and procedures included in
17 the Rules and Regulations and a current union collective bargaining agreement, the terms and
18 conditions of the union collective bargaining agreement shall take precedence for employees in
19 the classifications subject to that union collective bargaining agreement, regardless of whether
20 the rights and benefits are greater or less than those provided in the Rules and Regulations.
21

22 **These Rules and Regulations are not an employment contract. Nothing contained herein is**
23 **intended to create or become an employment contract between the City and any person for**
24 **the purposes of employment, promotions, or for the providing of any benefit.**
25

26 The City retains the right to establish, change, modify, or make exceptions to these Rules and
27 Regulations when necessary.
28

29 Any questions concerning the interpretation and application of these Rules and Regulations shall
30 be referred to the Human Resources Director for resolution.
31

32 Additional administrative policy and procedure provisions are contained in the regulations of the
33 City's individual departments and various union collective bargaining agreements.
34

35 The personal pronouns he, his, and him used in these Rules and Regulations are to be interpreted
36 to include both sexes. They are used merely for convenience and are not to be considered as any
37 adverse reflection on either sex.
38

39 If you have any questions about the manual or its contents, please consult your supervisor,
40 Department Director or the Human Resources Department.
41
42

1
2
3
4
5 CITY OF ANNAPOLIS
6 RULES AND REGULATIONS OF THE PERSONNEL SYSTEM
7

10	Section	<u>Major Sections</u>	Page
11	<u>Number</u>	<u>Title</u>	<u>Number</u>
12		Introduction	1
13			
14			
15	1	General Provisions	4
16			
17	2	Application for Employment Provisions	10
18			
19	3	Employment Provisions	15
20			
21	4	Classification and Pay Provisions	18
22			
23	5	Miscellaneous Rules and Employment Conditions	28
24			
25			
26	6	Employee Benefit Programs	46
27			
28	7	Code of Conduct and Disciplinary Provisions	62
29			
30			
31	8	Appeal Procedures	73
32			
33	9	List of Appendices	
34			
35			

1 regarding the accommodation of disabilities. It is the City’s policy not to discriminate against
2 any qualified employee or applicant with regard to any terms or conditions of employment
3 because of such individual’s disability, perceived disability, or record of a disability. Consistent
4 with this policy of non-discrimination, the City will provide reasonable accommodations to a
5 qualified individual with a disability, as defined by the Americans With Disabilities Act
6 (“ADA”), who has made the City aware of his or her disability, so long as that individual can
7 perform the essential functions of the job and provided that such accommodation does not
8 constitute an undue hardship on the City.

9
10 The City encourages individuals with disabilities to come forward and promptly request
11 reasonable accommodations.

12
13 An employee or job applicant who has questions regarding this policy should contact the Human
14 Resources Department.

15
16 Procedure for Requesting an Accommodation

- 17
- 18 ● An employee or job applicant who has a disability and believes that he or she needs a
19 reasonable accommodation to perform the essential functions of his or her job should
20 contact the Human Resources Department with a request for accommodation. Pertinent
21 medical information may be needed to determine the appropriate accommodation.
22
 - 23 ● Upon receipt of an accommodation request and medical documentation, as appropriate, a
24 member of the Human Resources Department and pertinent staff will begin an interactive
25 process of determining whether the individual’s disability can be accommodated. They
26 will meet with the individual to discuss and identify the precise limitations resulting from
27 the disability and the potential accommodation(s) that the City might be able to make to
28 help overcome those limitations. The City will then determine the feasibility of the
29 proposed accommodation(s) by considering various factors, including but not limited to,
30 the nature and cost of the accommodation, the City’s overall financial resources, and the
31 accommodation’s impact on the operation of the City, including its impact on the ability
32 of other employees to perform their duties and on the City’s ability to conduct business.
33

34 Non-Disclosure of Genetic Information

35
36 The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other
37 entities covered by GINA from requesting or requiring genetic information of an individual or
38 family member of the individual, except as specifically allowed by law.

39
40 To comply with this law, employees should not provide any genetic information when
41 responding to a request for medical information made in connection with a request for an
42 accommodation, including any leave of absence. “Genetic information,” as defined by GINA,
43 includes an individual’s family medical history, the results of an individual’s or family member’s
44 genetic tests, the fact that an individual or an individual’s family member sought or received
45 genetic services, and genetic information of a fetus carried by an individual or an individual’s

1 family member or an embryo lawfully held by an individual or family member receiving
2 assistive reproductive services.

3
4 Reasonable Accommodation Due To Pregnancy

5
6 Under Maryland law, pregnant employees are entitled to a reasonable accommodation for a
7 disability caused or contributed to by pregnancy. If an employee provides the Director of
8 Human Resources certification from a health care provider as to restrictions on their ability to
9 perform their job while the employee is pregnant, the City will explore with the employee all
10 possible means of providing a reasonable accommodation, which may include, but is not limited
11 to:

- 12 ○ changing the employee's job duties
- 13 ○ changing the employee's work hours
- 14 ○ relocating the employee's work area
- 15 ○ providing the employee with mechanical or electrical aids
- 16 ○ transferring the employee to a less strenuous or less hazardous position, or
- 17 ○ providing the employee with leave

1
2
3
4

SECTION 1: General Provisions

1 SECTION 1: GENERAL PROVISIONS

2
3 **1-1 Purpose**

4
5 These Rules and Regulations set forth the policies of the Personnel System as established in the
6 Charter and Code of the City. They are intended to serve as a guide to administrative actions
7 affecting City employees.
8

9 **1-2 Administration of the Personnel System**

10
11 The Human Resources Director shall be responsible for the administration of the Personnel
12 System. Amendments, changes or revisions of the Rules and Regulations shall be issued by the
13 Human Resources Director and approved by the City Council, in accordance with Code Section
14 3.12.030.E. Upon enactment, any changes or revisions shall be forwarded to the Mayor, Council,
15 all City departments, and others as appropriate and published on the City’s intranet.
16

17 **1-3 General Terms Used in the Personnel System**

18 A. Definitions

- 19
20
21 1. Active Pay Status - A status in which an employee receives pay from the City
22 for working his regularly scheduled work hours or while on paid leave.
- 23 2. Anniversary Date of Classification - The date an employee begins employment
24 in a classification and the same month and day in following years of
25 uninterrupted employment in that classification.
- 26 3. Anniversary Date of Employment - The date an employee begins employment
27 and the same month and day in the following years of uninterrupted
28 employment.
- 29 4. Annual Performance Appraisal – An annual written assessment of an
30 employee’s job performance by the employee’s supervisor(s).
- 31 5. Appointing Authority - Person delegated to lawfully enforce Human Resources
32 matters to include appointments, terminations and disciplinary action. The
33 Appointing Authority may delegate responsibilities to a designated individual
34 to act on his behalf. The Appointing Authority may also be referred to as the
35 Department Director. In the Personnel Rules and Regulations the terms are
36 used interchangeably.
- 37 6. Certification - The referral of an applicant’s name appearing on an eligibility
38 list to a City department in order that the applicant be considered to fill a
39 position vacancy in that department.
- 40
41 7. Civil Service Board - The Civil Service Board is composed of citizens of

1 Annapolis appointed by Mayor and confirmed by City Council. The Board
2 shall hear appeals filed by classified employees and perform other duties as
3 described in City Code Section 3.12.040.

- 4 8. Civil Service Status – An employment status given to persons who have
5 successfully completed the probationary period and are in a classified position.
- 6 9. Classification - A job category comprising a group of related positions
7 sufficiently similar in general duties and responsibilities to be given the same
8 title and pay range.
- 9 10. Classified Status - An employment status given to a full-time employee who
10 has successfully completed an initial probationary period and is filling a
11 classified position.
- 12 11. Classified Position - A full-time Civil Service authorized position which is not
13 designated as exempt service.
- 14 12. Compensatory Time – Time off with pay granted to FLSA non-exempt
15 employees in lieu of overtime pay which shall be at a rate of one and one half
16 hours (1.5) for each hour worked over 40 in a single workweek.
- 17 13. Compensatory Time (FLSA Exempt Employees) – Time off with pay awarded
18 at the discretion of the appointing authority in the event an FLSA exempt
19 employee has consistently worked long hours under unusual conditions of a
20 non-routine nature.
- 21 14. Demotion - A change in an employee’s classification to one which has a lower
22 entry hourly wage rate.
- 23 15. Dismissal/Discharge - Disciplinary separation from City employment.
- 24 16. Eligibility List - A list of names of all applicants who have passed the
25 screening process for a specific classification.
- 26 17. Examination - Any instrument, process, or procedure used to assess the relative
27 qualification of individuals to perform the duties of a specific classification.
- 28 18. Exempt Service Status - An employment status given to persons who are not
29 covered by Civil Service status such as part-time, temporary, initial
30 probationary, management and other classifications as listed in Chapter 3.08 of
31 the City Code.
- 32 19. FLSA – The Fair Labor Standards Act, FLSA establishes minimum wage,
33 overtime pay, recordkeeping and youth employment standards affecting
34 employees in the private sector and in the Federal, State, and local
35 governments.
- 36 20. FLSA Exempt Employee – Employees who are exempt from the overtime
37 provisions of the Fair Labor Standards Act (FLSA). FLSA exempt employees

1 are typically categorized as executive, administrative or professional,
2 depending upon the nature of work performed. Employees earn a salary
3 instead of an hourly wage.

4 21. FLSA Non-exempt Employees – Employees who, because of the type of
5 duties performed, the usual level of decision making authority, and the method
6 of compensation, are subject to the Fair Labor Standards Act (FLSA) including
7 the payment of overtime.

8 22. FLSA Overtime – Overtime pay, or compensatory time in lieu of overtime, as
9 specified in the Fair Labor Standards Act.

10 23. Full Time - Appointment to a position that requires a working schedule of (35)
11 hours or more a week.

12 24. Job Description - A written description of the essential characteristics and
13 duties of a classified position. Responsibilities, examples of tasks, required
14 knowledge, skills and abilities, and qualifications needed to perform the work
15 and included in a job description.

16 24. Layoff - A reduction of employees due to lack of work, funds, or other causes
17 not pertaining to employee performance.

18 25. Layoff List - A list of employees separated from employment due to a layoff.

19 26. Overtime - Compensation paid to FLSA non-exempt employees in accordance
20 with Fair Labor Standards Act or the requirements of a union collective
21 bargaining agreement.

22 27. Part-time - Appointment to an exempt or non-exempt position that usually
23 requires a working schedule of twenty-eight (28) hours or less per week.

24 28. Pay-Range - The minimum to maximum wage or salary rates which are
25 assigned to a particular classification.

26 29. Performance Improvement Plans (PIP) – A written formal action plan to
27 monitor and measure performance of an employee who does not meet
28 minimum expectations, in order to assist the employee in improving
29 performance.

30 30. Performance Review Date – The date an employee receives his official annual
31 performance appraisal. The date usually coincides with the Date of
32 Employment; however, this date may change during tenure due to
33 performance related concerns.

34 31. Position - A group of job duties and responsibilities requiring the full-time or
35 part-time employment of one (1) person. A position relates to the duties
36 assigned and not to the employee performing those duties.

37 32. Probationary Employee - A full-time employee, upon initial employment,

- 1 serving a trial working period. An employee is placed in classified status after
2 successful completion of the initial probationary period. Another probationary
3 period is required for employees promoted, demoted or transferred.
- 4 33. Promotion - A change in an employee's classification to one which has a
5 higher entry hourly wage rate.
- 6 34. Recall - An offer of reinstatement to former employees who are on a layoff
7 list.
- 8 35. Reemployment - Hiring a former employee as a new employee.
- 9 36. Reinstatement - An action returning a former employee to City service
10 without loss of his continuous employment status.
- 11 37. Regular Work Day – Regularly scheduled consecutive hours of actual work
12 within a work day, generally a 7, 8, 10 or 12 hour shift.
- 13 38. Regular Work Week – Scheduled hours within the calendar week of five
14 consecutive regular work days (except for employees employed in a
15 continuous operation, which will have its own regular work week schedule).
- 16 39. Retirement - The act of separating from City employment for the purpose of
17 receiving retirement benefits upon fulfilling eligibility criteria of the
18 applicable retirement system.
- 19 40. Suspension - A disciplinary absence from work without pay as directed by
20 management.
- 21 41. Temporary Employee - An exempt or service employee appointed for a
22 special project, program, grant or seasonal employment.
- 23 42. Transfer List- A list of employees in any classification who have advised they
24 wish to move to another department, or within the same department, without
25 changing their classification.
- 26 43. Volunteer – An individual who provides a service to the City without pay as
27 directed by a Department and who shall be governed by all applicable rules
28 and regulations.
- 29 44. Work Day – A period of 24 hour beginning at 12:00 midnight and ending at
30 11:59 p.m. on the following day.

31

1 45. Work Week – Seven consecutive days beginning at 12:00 midnight on
2 Thursday and ending at 11:59 p.m. on the following Wednesday.

3
4 **1-4 Personnel Records and Reports**

5
6 A. The Human Resources Department shall maintain personnel records of all employees.
7 Files maintained by the Human Resources Department are the official personnel records for all
8 employees.

9
10 B. An employee may inspect his personnel record during the normal office hours of the
11 Human Resources Department and may submit for inclusion in his file a written and signed
12 comment on any material contained in his personnel record.

13
14 **1-5 References**

15
16 All reference requests regarding past or present employees must be directed to and processed by
17 the Human Resources Department. No other City employees are authorized to provide
18 employment references. The Human Resources Department will confirm dates of employment,
19 position title and rate of pay after receiving written authorization from the employee.
20
21
22
23
24

1
2
3
4
5
6

SECTION 2: Application for Employment Provisions

1 **SECTION 2: APPLICATION FOR EMPLOYMENT PROVISIONS**

2
3 **2-1 General Policy**

4
5 There shall be no discrimination against any person in recruitment, examination, appointment,
6 training, promotion, retention, or any other personnel action because of political opinions or
7 affiliations, or because of race, religion, color, sex, age, national origin, physical or mental
8 disability, marital status, veteran status, sexual orientation, genetic information, or any other
9 factor as determined by applicable law.

10
11 As part of the commitment of the City to the principles of equality of opportunity, the Human
12 Resources Department will continue furthering efforts to ensure a diverse and well-qualified
13 workforce.

14
15 Reasonable effort shall be made to accommodate disabled applicants in all departments.
16 Physical standards shall be adapted to the realistic requirements of jobs and will be based on
17 information regarding working conditions, hazards, and essential physical requirements of each
18 job. Physical standards will not be used to arbitrarily eliminate persons with disabilities from
19 consideration.

20
21 **2-2 Recruitment and Examination Announcements**

22
23 All recruitment notices and announcements of examinations for positions shall be issued by the
24 Human Resources Department and available in the Human Resources Office, on official City
25 bulletin boards and in other appropriate places. When recruitment is conducted for persons not
26 employed by the City, advertisements may be placed in both the general and specialized media.
27 A full time permanent civil service employee who has passed the probationary period is eligible
28 to be considered for internal job vacancies. The announcement shall specify the title and salary
29 range of the classification, the qualifications necessary or desirable for the performance of work,
30 the place and manner of making application, a closing date for consideration of applications, if
31 applicable, and other essential information.

32
33 **2-3 Employment Application Form and Process**

34
35 Applications for employment shall be made in a format approved by the Human Resources
36 Department. Applications shall require personal information covering an applicant's
37 qualifications. Each application must be signed by the person applying with a certification as to
38 the truth of the information contained therein. The City shall require proof of age, education,
39 experience, and other information as may be appropriate. Applications shall not be considered if
40 not received by the announced closing date unless an exception is approved by the Human
41 Resources Director.

42
43 Appointments to Exempt Service positions are made by the Mayor or his designee as defined by
44 City Code. Applications submitted by applicants for these positions are evaluated based upon
45 criteria established for that position, with the most qualified applicants proceeding to subsequent

1 stages in the selection process. Subsequent evaluation may consist of structured interviews,
2 examinations, or any other criteria, which fairly and impartially assess suitability to perform the
3 duties of the position.

4 5 **2-4 Disqualification for Employment**

6
7 The City shall not select an applicant who does not possess the minimum qualifications required
8 for the position or fails to pass any required examination for that position. Failure to meet
9 physical requirements for a particular job as determined by physical ability test(s) and/or the
10 City's designated physician may also result in disqualification. An applicant with a disability
11 who cannot be reasonably accommodated may be disqualified. Fraudulent conduct or false
12 statements by an applicant, or by others at his request or with his knowledge, in any application
13 or examination, shall be cause for the disqualification of such applicant from an examination,
14 removal of his name from all eligibility lists, or termination from City employment.

15 16 **2-5 Examination Procedures**

17
18 Whenever a vacancy exists or is contemplated for a Civil Service position, the Human Resources
19 Department in conjunction with the department's appointing authority shall prepare selective
20 criteria and/or administer competitive examinations to determine the relative qualifications of
21 applicants for the position as may be needed to determine the qualifications of the applicants. In
22 classifications where vacancies frequently occur, continuous recruitment examinations may be
23 administered. All examinations will be designed to fairly and impartially assess the merit, fitness,
24 experience and other qualifications of an applicant to perform the duties of the classification.
25 Examinations may consist of one or more of the following:

- 26
27
- 28 • Written examination
 - 29 • Oral examination
 - 30 • Performance examination
 - 31 • Evaluation of training and experience
 - 32 • Performance in present classification
 - 33 • Length of time in present classification
 - 34 • Any other applicable criteria which will fairly assess the abilities of an individual to
perform the duties required for the position
 - 35 • Upon conditional offer of employment, medical examination
- 36

37 An employee shall suffer no loss of pay for work hours spent in examinations for Civil Service
38 positions.

39
40 Sound measurement techniques and procedures shall be used in the scoring of examinations and
41 determining the relative qualifications and/or ranking of candidates. At the City's discretion,
42 final scores may be determined by the score achieved in any single element, or by combining
43 scores achieved in any or all of the individual elements of the total process in accordance with
44 the value or weight established for each element.

1 The retake of an examination shall be limited to those examinations administered solely for
2 entrance level positions. An applicant for an entrance level position that requires examinations
3 may retake an examination after two weeks have elapsed from the time the examination was
4 initially taken. An examination may be taken a third time after two weeks have elapsed from the
5 first retake. No additional retakes shall be allowed until one year has elapsed from the date of the
6 last retake. An applicant may retain his original score on his examination, if achieved within one
7 calendar year, or may accept the score of a retake, at his discretion.

8 9 **2-6 Eligibility Lists**

10
11 An applicant who achieves a passing score on a competitive examination shall be placed on the
12 eligibility list for that classification, according to his examination score. An employee requesting
13 a transfer within the same classification shall be placed at the top of the eligibility list for the
14 classification and no examination shall be required. Honorably discharged veterans of the United
15 States military services shall be given preference in accordance with applicable laws.

16
17 An applicant's name shall remain on the eligibility list for a period of one year. The Human
18 Resources Director may, in writing, extend the entire list beyond that date. In no event shall an
19 eligibility list be in effect for more than two years.

20
21 Whenever a Civil Service position is established or becomes vacant, the Human Resources
22 Department shall certify to the requesting department the names of persons for each vacancy, in
23 descending score order, as well as all persons on the transfer list for that classification.

24
25 Names of all applicants with the same score as the certified applicant with the lowest score shall
26 also be certified to the department for consideration in filling the vacancy. The department shall
27 have the discretion to fill the vacancy with any of the names certified. When an applicant is
28 certified to the same department more than once in a twelve (12) month period, the department
29 may request replacement with an additional certification

30 31 **2-7 Pre-employment Medical Examinations**

32
33 An applicant who has been selected and given a conditional offer of employment, including but
34 not limited to those being reemployed, recalled, or reinstated, shall be required to undergo a drug
35 screening test prior to his employment and may be required to undergo a medical examination.
36 The drug screen and medical examination shall be scheduled by the Human Resources
37 Department and the drug screening test must be taken within two workdays of job offer and
38 evaluated by the City's designated physician.

39 40 **2-8 Employment of Relatives (Nepotism)**

41
42 Approval will not be granted for the employment, promotion, or transfer of a member of the
43 immediate family of an employee or other relative by marriage including but may not be limited
44 to: spouse, father, mother, son, daughter, stepparent, stepchild, brother, sister, father-in-law,
45 mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle,

1 grandparents, grandchildren or other members of the employee's household to a position where
2 the employee would be either supervising, subordinate to or directly influencing the activities of
3 the relative.

4

5

6

1
2
3
4

SECTION 3: Employment Provision

1 **SECTION 3: EMPLOYMENT PROVISIONS**

2
3 **3-1 Probationary Period**

4
5 All appointments to Civil Service positions shall be subject to a probationary period. While in
6 the probationary period, an employee shall be deemed an “at will” employee. The probationary
7 period shall be utilized to closely observe an employee’s work performance in an effort to ensure
8 the employee’s suitability for the position and to assess the employee’s job performance. An
9 exempt status employee (as defined in Section 1 of this policy) is not required to serve a
10 probationary period.

11
12 A probationary period for an employee in most Civil Service positions shall be a minimum of
13 twelve (12) months for entrance and promotional appointments. A probationary period may, at
14 management’s discretion, be extended for six months to allow for additional observation of an
15 employee whose job performance is considered marginal and who may otherwise not
16 successfully pass the probationary period.

17
18 Any extensions of the probationary period shall be noted on an employee’s annual performance
19 evaluation form conducted prior to the expiration of his twelve (12) month probationary period
20 and the Human Resources Department notified. The employee must be advised that his
21 probationary period is being extended prior to the expiration of the normal probationary period.
22 A final performance evaluation form shall be completed and forwarded to the Human Resources
23 Department prior to completion of an employee’s probationary period indicating whether he is to
24 be classified, terminated or demoted.

25
26 Additional time may be approved by the Human Resources Director for classifications which
27 require special training, licenses and certifications. In such cases, the probationary period may
28 be extended for an additional one (1) year period. In no case shall the probationary period for
29 any employee be extended for more than two (2) years.

30
31 Cumulative absences of thirty (30) or more calendar days and any suspensions from scheduled
32 work shall extend a probationary period. The Department Director is responsible for computing,
33 adjusting and documenting adjusted probationary periods.

34
35 **3-2 Termination or Demotion of a Probationary Employee**

36
37 A probationary employee who has never attained Civil Service status in any classification may
38 be terminated or demoted at the discretion of his Department Director. Grievance and appeal
39 procedures are not available to an employee who has never attained Civil Service status in any
40 classification.

41
42 A Civil Service employee serving a probationary period as a result of a promotion or transfer
43 who is found to be unable to perform the duties of the position shall be returned to his prior
44 position if it is vacant, or may be transferred to a vacant position with the same job classification
45 as his prior position, subject to approval of the Director of that Department. The Department

1 shall provide written notice specifying the reasons for failure to pass the probationary period. If
2 there is no job vacancy or he is not transferred, he will be terminated and he becomes eligible to
3 apply as an internal candidate for his prior classification for a period of six months. A Civil
4 Service employee may appeal his termination or demotion action directly to the Civil Service
5 Board.

6

7 **3-3 Civil Service Status**

8

9 Civil Service status is attained after satisfactory completion of the probationary period in a
10 specific classification. Once an employee passes his probationary period, he becomes a classified
11 employee and receives all applicable benefits and rights as provided by the Rules and
12 Regulations of the Personnel System. Civil Service appeal procedures do not apply to Exempt
13 Service Employees who are listed in Chapter 3.08 of the City Code.

14

1
2
3
4

SECTION 4: Classification and Pay Provisions

1 **SECTION 4: CLASSIFICATION AND PAY PROVISIONS**

2
3 **4-1 Classification Provisions**

4
5 A. Purpose of the Classification Plan

6
7 The classification plan provides for a systematic arrangement and inventory of a
8 wide variety of classified and exempt service positions. The plan groups related
9 positions into classifications with a similar range of duties, level of responsibility,
10 and nature of work performed. Two or more classifications that are similar in type
11 of work, but differ significantly as to the level of responsibility and difficulty,
12 may be grouped into a single classification series.

13
14 B. Classification Plan Administration and Maintenance

15
16 The Human Resources Department shall be responsible for establishing,
17 administering, and reviewing the classification plan. No person shall be
18 appointed to a classified position in the City under a title not contained in the
19 classification plan. Surveys and studies shall be conducted of new or proposed
20 positions for assignment to the proper classification. Job audits are conducted to
21 analyze officially assigned duties and responsibilities and, when appropriate,
22 positions shall be reclassified.

23
24 C. Job Descriptions

25
26 Job descriptions shall be developed and maintained for each classification
27 describing the general duties, essential functions and qualifications for the
28 classification. Job descriptions are not to be considered as restrictive, but are
29 intended to indicate the types of duties and tasks that are generally assigned to the
30 respective classifications. Job descriptions shall not be held to exclude those
31 duties and essential functions which are not specifically mentioned, and the
32 phrase “performs other duties as assigned” shall be liberally interpreted. All job
33 descriptions are to be interpreted in a broad sense, and are not intended to be
34 construed as limiting or modifying the authority of management to assign, direct
35 and evaluate the work of any employee.

36
37 Job descriptions shall include the FLSA status, which will determine whether a
38 position is eligible for overtime and/or compensatory time.

39
40 **4-2 Position Reclassification (Job Audit)**

41
42 Classified positions may be reclassified when evidence supports the finding that the job
43 description, duties and responsibilities are not consistent with the position’s classification. A
44 Department Director may request a review of a position during the month of October.
45 Classification studies may result in a position upgrade, downgrade, lateral reclassification or

1 confirmation that the position is currently classified appropriately.

2
3 Whenever an employee affected by a job audit feels that his position has been classified
4 incorrectly, he may appeal the determination to the Human Resources Director for review.
5 Decisions of the Human Resources Director are final and not subject to grievance or further
6 administrative appeal.

7
8 **4-3 Result of Reclassification**

9
10 A. Reclassification to a New or Revised Classification

11
12 When an employee is reclassified as a result of the establishment of a new or
13 revised classification, he will retain his present classification status. The
14 employee's anniversary date in classification and relative position in the salary
15 range will not be adjusted as a result of such action. Exceptions to this policy
16 must have the approval of the Human Resources Director.

17
18 B. Reclassification to a Higher Pay Grade

19
20 Should an employee be reclassified to an existing classification with a higher
21 entry pay, such change shall be considered a promotion (see Promotion 4-5a).

22
23 C. Reclassification to the Same Pay Grade

24
25 Should a position be reclassified to a similar existing classification with the same
26 pay grade, an existing employee shall receive a change in classification title
27 without an examination and shall maintain his same pay and date of classification.

28
29 D. Reclassification to a Lower Pay Grade

30
31 Should an employee be reclassified to an existing classification with a lower entry
32 pay, he shall be treated in accordance with demotion procedures (see Demotion 4-
33 5B).

34
35 **4-4 Pay Provisions**

36
37 The Civil Service and Exempt pay plans shall be implemented, maintained, and administered by
38 the Human Resources Department. The pay plans shall provide the basis of compensation for all
39 employees.

40
41
42 The Civil Service Pay Plan shall include:

43
44 A. Tables of basic pay rates

1 Schedules of pay grades for each title in the classification plan consisting of the
2 minimum and the maximum hourly rate and any applicable pay steps.

3
4 A description of applicable pay progression, pay differential, and other
5 compensation policies.

6
7 B. Amendment of the Pay Plans

8
9 Amendments to the pay plans shall be considered when changes in
10 responsibilities of work, cost of living, availability of labor supply, prevailing
11 rates of pay, the City's financial condition, or other pertinent economic
12 information supports such action. After consultation with department directors
13 and other concerned parties, the Human Resources Director may implement
14 amendments to the pay plans in accordance with Section 3.12.070 of the City
15 Code.

16
17 C. Pay Rates for New Employees

18
19 Entrance appointments to Civil Service positions shall be made at the minimum
20 pay rate of the assigned pay range. Written requests by department directors for a
21 pay rate above the minimum of the range shall only be approved for exceptional
22 reasons which are documented in the request and must have the prior
23 authorization of the Human Resources Director, or his designee.

24
25 D. Red-Lining

26
27 An employee may receive a pay rate that is above the maximum range assigned to
28 the job grade. This employee will be "red-lined". A red-lined employee is not
29 eligible for further pay increases until the range maximum reaches or exceeds the
30 employee's current pay rate.

31
32 E. Out of Class Pay

33
34 Employees performing the duties of a higher classification for more than ten (10)
35 consecutive workdays shall be paid out of class pay at an hourly rate 5% higher
36 than their regular pay, subject to the approval of the Department Director.

37
38 F. Overtime and Compensatory Time Policy

39
40
41 In accordance with the Fair Labor Standards Act (FLSA), overtime and compensatory time shall
42 be administered as described. For employees in classifications covered by collective bargaining
43 agreements, other terms and conditions may apply. Each job description contains the position's
44 FLSA status. Relevant FLSA terms are defined in section 1-3.

1 II. Policy:
2

3 A. FLSA Non-Exempt Employees: This section applies to employees who are not
4 exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

5 1. Overtime:
6

7 a. One and one-half (1.5) times an employee's hourly rate shall be
8 paid for all hours worked in excess of forty hours actually worked
9 within the work week.

10 b. For the purpose of computing overtime as described in a. above,
11 paid leave hours are not regarded as hours worked.
12

13 c. If an employee uses scheduled leave for part of a work day and is
14 required to work scheduled overtime in the same work day, the
15 employee's work start time and work end time should be adjusted
16 so that the payment of any daily overtime is minimized as much as
17 possible.
18

19 d. Employees in classifications to which the partial overtime
20 exemption applies under 29 U.S.C. §207(K) (Sworn Police and
21 Fire Personnel) shall receive overtime compensation at the rate of
22 one and one-half (1.5) times the number of hours worked beyond
23 the statutory maximum for the applicable work cycle.
24

25 2. Compensatory Time:
26

27 a. Compensatory time may be used to compensate a non-exempt
28 employee for performing work outside normal working hours at
29 the rate of one and one-half (1.5) hours off for each hour of
30 overtime worked. The supervisor and the employee must agree in
31 writing prior to the work being performed that the additional time
32 worked will be compensated by using compensatory time. Such
33 agreement will be documented using an employee leave form.
34

35 b. Employees, including those in classifications to which the partial
36 overtime exemption applies under 29 U.S.C. §207(K), may receive
37 compensatory time in lieu of overtime at the rate of one and one-
38 half (1.5) times the number of hours worked in excess of forty (40)
39 hours in a work week, provided that the employee and the
40 appointing authority have reached written agreement to that effect
41 prior to the work being actually performed. Such agreement will
42 be documented using an employee leave form.
43

44 c. Each department has the authority to manage the use of
45

1 compensatory time. In this regard, some departments find it more
2 effective and efficient to require an employee who has earned
3 compensatory time during one quarter (or month, pay period, or
4 some other time frame) to use that compensatory time before the
5 end of the following quarter (or month, pay period, or established
6 time frame). Use of compensatory leave time will be documented
7 using the employee leave form.
8

9 d. Compensatory time leave balances earned by non-exempt
10 employees may not exceed 120 hours (representing 80 hours of
11 overtime work). An employee must be paid overtime for hours
12 worked in excess of the 120 hours compensatory leave balance
13 maximum.
14

15 e. Unused compensatory time earned by non-exempt personnel shall
16 be paid no later than the end of each fiscal year. Requests will be
17 submitted by the Department for payout of all accrued
18 compensatory time with the effective date shown as the last pay
19 period in the fiscal year.
20

21 B. FLSA Exempt Employees: This section applies to salaried FLSA-exempt employees
22 in administrative, executive and professional positions.
23

24 1. All employees categorized as FLSA-exempt are to be paid on an annual “salaried”
25 basis and are expected to work those hours necessary to complete their assigned
26 responsibilities.
27

28 2. The granting of compensatory time shall be subject to available appropriations
29 and the demands of efficiently providing City services, and is not an employee
30 entitlement or right.
31

32 3. Appointing authorities shall have the discretion to provide FLSA-exempt
33 employees compensatory time off with pay based on the needs of the Department
34 in accordance with the following guidelines and subject to the following
35 limitations:
36

37 a. An employee may be granted hour for hour compensatory paid time off when he
38 or she:
39

40 (1) works more than one hour beyond the regularly scheduled hours actually
41 worked in the employee’s regular work day;

42 (2) works at least an hour on a regularly scheduled day off;

43
44 (3) works at least an hour on an official City holiday, provided the employee
45 was not scheduled to work on the holiday as part of the regular work

1 schedule; or

2
3 (4) has worked significant additional hours and demonstrated extra effort that
4 the Appointing Authority deems worthy of recognition.
5

6 b. An employee *may not* be granted paid compensatory time off if:

7
8 (1) compensatory time is not approved by the employee's supervisor. The
9 appointing authority will have the final decision with regard to any dispute
10 that may arise with regard to the granting of compensatory time;
11

12 (2) it is the employee's poor productivity or performance that the employee to
13 work extra hours to complete their assignments; or
14

15 (3) an employee has already reached the 80 hour maximum limit for FLSA
16 exempt employees.
17

18 (4) Compensatory time may be taken in one-hour increments only.
19

20 (5) After the initial one hour is worked, compensatory time is awarded in
21 quarter hour increments only for additional time worked.
22

23 (6) Compensatory time may be taken at times approved by the employee's
24 supervisor only.
25

26 (7) The FLSA-exempt employees may not accrue more than 80 hours of
27 compensatory time.
28

29 (8) Cash shall not be paid to FLSA exempt employees in lieu of paid
30 compensatory time.
31

32 (9) No cash payment will be made for compensatory time when an exempt
33 employee leaves employment, moves to a non-exempt position, or when
34 an employee becomes subject to a union collective bargaining agreement.
35

36 (10) If the compensatory time is awarded for work performed beyond a regular
37 work day, an employee must actually work the regular work day.
38

39 (11) If the compensatory time is awarded for work performed on a holiday or a
40 regularly scheduled day off, an employee must actually work the regular
41 work week.
42

43 (12) Appointing Authorities shall be responsible for:
44

45 a. Administering and controlling the use of compensatory time off

1 that is granted to FLSA-exempt employees in his or her Department.
2

3 b. Consulting with the City Attorney and the Human Resources
4 Director prior to suspending any FLSA-exempt employee without pay.
5 FLSA-exempt employees who are subject to disciplinary Action resulting
6 in an unpaid suspension may not be suspended for less than a day.
7 Appointing Authorities must seek guidance from the Office of Law and
8 the Human Resources Director in all such situations.
9

10 **4-5 Personnel Actions**

11
12 A. Promotion
13

14 An employee may be selected for promotion to a position with a higher entry rate
15 of pay. Upon promotion, an employee shall have his pay grade, hourly pay rate,
16 classification date, and probationary period adjusted as follows:
17

18 An employee shall be placed in the pay grade established for the classification to
19 which he is promoted and shall receive either the minimum pay rate of the new
20 classification or the pay rate which will provide a five percent increase in his
21 hourly rate of pay, whichever is greater. If the pay increase results in an hourly
22 rate between pay steps, the employee shall receive the higher step.
23

24 A promoted employee who previously held permanent Civil Service Status shall
25 retain all Civil Service Status rights and privileges during the probationary period.
26 A promoted employee shall be subject to a twelve (12) month minimum
27 probationary period.
28

29 B. Demotion
30

31 1. Effect of Demotion on Pay
32

33 An employee demoted to a classification with a lower entry rate of pay
34 shall have his pay grade, hourly pay rate, classification date and
35 probationary period adjusted as follows:
36

37 a. Demotion will not result in a pay increase.
38

39 b. Pay will not exceed the maximum hourly rate of the pay grade
40 designated for the lower classification.
41

42 c. An employee demoted for non-disciplinary reasons to a lower
43 classification shall retain his current hourly pay rate or the
44 maximum hourly rate for that classification, whichever is lower.
45

1 d. The Human Resources Director may approve administrative
2 exceptions to the demotion pay policy upon the submission of a
3 written request from a department director detailing any
4 extenuating circumstances.
5

6 2. Demotion Approvals and Appeal
7

8 All demotions and resulting adjustments in an employee's pay rate shall
9 be subject to the prior review and approval of the Human Resources
10 Department. A classified employee demoted involuntarily may appeal the
11 action directly to the Civil Service Board.
12

13 C. Transfers
14

15 Employees may be transferred when necessary to a position within the same or a
16 different classification.. When transfers are dictated by reorganizations, every
17 effort will be made to avoid reductions in pay.
18

19 **4-6 Performance Appraisals**
20

21 A. General Provisions
22

23 The employee performance evaluation is designed to examine and review an employee's work
24 performance. The ratings shall be set forth on the performance evaluation form.
25

26 B. Intent of Performance Evaluation
27

28 The performance evaluation will indicate to an employee how his past performance has been
29 evaluated by his immediate supervisor(s), and may serve as the basis for discussing how an
30 employee's performance can be improved. The performance evaluation may be used in
31 estimating an employee's potential for advancement or for documenting unsatisfactory job
32 performance. In addition, the performance appraisal may serve as an opportunity to establish
33 future goals and performance objectives as well as an opportunity to address other work-related
34 issues.
35

36 C. Frequency of Performance Evaluations
37

38 A classified employee shall receive regular annual ratings on his performance review date.
39 Exempt employees, who are not filling management positions (e.g., temporary and part-time),
40 may receive performance evaluations at the discretion of their department director.
41

42 D. Performance Evaluation Rating Procedure
43

44 The immediate supervisor(s) most directly familiar with an employee's performance during the
45 evaluation period shall be responsible for completing a performance evaluation rating unless

1 otherwise assigned by the department director. If an employee has had more than one supervisor
2 during the rating period, all of the supervisors may contribute to his performance evaluation at
3 the department director's discretion.

4
5 An employee should sign and date the evaluation form indicating that he has received a copy of
6 his performance evaluation. The signature does not mean that he agrees with the supervisor's
7 evaluation. If the employee refuses to sign the form, it should be so indicated by the supervisor
8 in the space provided for the employee's signature. If an employee disagrees with the
9 performance review they may submit a written response to the evaluation to the Human
10 Resources Department for inclusion in their personnel file.

11
12 If an employee is displaying substandard performance, the supervisor shall inform the employee
13 in writing of the unacceptable performance as soon as the events triggering unsuitable
14 performance occur. Suggestions to improve the performance shall be included in the discussion
15 or correspondence to the employee and documentation of this meeting shall be placed in the
16 employee's personnel file.

17
18 If substandard performance results in an unsatisfactory rating on the performance appraisal, the
19 appraisal shall be accompanied by a Performance Improvement Plan (PIP). The PIP will clearly
20 state the areas of concern regarding performance and shall specify the performance standard to
21 be met, the steps necessary to achieve that standard and the follow-up review requirements.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

**SECTION 5: Miscellaneous Rules and Employment
Conditions**

1 **SECTION 5: MISCELLANEOUS RULES AND EMPLOYMENT CONDITIONS**

2
3 **5-1 Departmental Rules**

4
5 Each department may promulgate and implement departmental rules for employees and
6 volunteers based upon operational needs and requirements as a supplement to the Rules and
7 Regulations. Copies of departmental rules shall be readily available to employees.
8

9 **5-2 Hours of Work**

10
11 Full-time employees shall work a minimum of thirty five (35) hours per week. The normal office
12 workday shall be from 8:30 a.m. to 4:30 p.m., Monday through Friday, with time for an unpaid
13 lunch period of one hour scheduled at the discretion of management. Working hours, including
14 flex time, other than the above shall have prior approval of the Human Resources Department.
15

16 **5-3 Attendance**

17
18 Each employee shall be at work by his designated starting time. An employee shall personally
19 notify his supervisor or other designated departmental representative prior to or at the beginning
20 of a scheduled work period and receive authorization for his absence whenever he cannot report
21 to work on time. An employee who fails to report his absence in accordance with City or
22 departmental regulations shall be considered to be absent without authorized leave. All
23 departments shall be responsible for maintaining accurate daily attendance records which shall
24 include the types of and specific reasons for each absence.
25

26 **5-4 General Appearance, Work Attire, and City Uniforms**

27
28 The City expects employees to dress professionally. All employees are expected to be dressed
29 and groomed appropriate to the work environment.
30

31 Employees in certain positions (primarily public works and public safety) may be required to
32 wear uniforms, safety shoes or other safety equipment while at work. Failure to do so may result
33 in disciplinary action.
34

35 The City recognizes that there are a number of employees with limited access to the public for
36 whom casual dressing is acceptable. Employees who are allowed to dress in business casual
37 clothing are expected to wear neat, clean clothing without holes or tears and clothing which is
38 not provocative or insufficiently covers the body. Employees are not to wear clothing with
39 written messages or depictions
40

41 Due to the varied nature of the City offices, each department head may determine the dress code
42 that is appropriate to their office using the guidelines cited here.
43

44 **5-5 Double Employment**

1 No City employee may engage in or have employment involving more than one full time
2 position with the City. A part-time employee may hold a second part time position with the City
3 only if the employment in the second position is approved in advance by the Human Resources
4 Director.

5
6 **5-6 Outside Employment**

7
8 Employees may engage in outside employment during off duty hours when such employment
9 does not, in any way, interfere or create a potential conflict of interest with their City
10 employment. An employee, who wishes to engage in any outside employment, including self-
11 employment, shall provide information concerning his proposed employment to his department
12 director who shall consider the request based on the criteria listed above, prior to permitting the
13 employee to engage in the proposed secondary employment.

14
15 An employee who wishes to engage in outside employment shall make arrangements to be
16 relieved from his outside employment duties if and when called for duty by the City.

17
18 All injuries sustained while engaged in outside employment that would impair the employee's
19 ability to perform the employee's duties for the City must be reported to the employee's
20 supervisor within 24 hrs. after the injury is sustained. An employee may not use the City's
21 Workers' Compensation for an injury sustained during the outside employment.

22
23 **5-7 Participation in Employee Organizations**

24
25 City employees have the right to form, join, and participate in, or to refrain from forming,
26 joining, or participating in any employee organization.

27
28 Eligible City employees shall have the right to be represented by an employee organization of
29 their own choosing, to negotiate collectively through a certified bargaining agent with their
30 employer in the determination of the terms and conditions of their employment, and to be
31 represented in the determination of grievances.

32
33 It is the intent of the City that nothing in this section shall be construed to either encourage or
34 discourage the organization of employees.

35
36 **5-8 Cell Phone Usage**

37 An employee who uses City-supplied equipment or a City-supplied vehicle is prohibited from
38 using a cell phone, hands on or hands off, or similar device while driving or operating the
39 equipment. This prohibition and limitation includes receiving or placing calls, text messaging,
40 surfing the Internet, receiving or responding to email, checking for phone messages, or any other
41 purpose related to your employment. When not driving or operating equipment all City
42 employees are expected to limit cell phone usage and personal calls to a bare minimum.

43 **5-9 Use of City Vehicles or Privately Owned Vehicles on City Business**

1
2 It is necessary for some employees to have City owned vehicles at their disposal in order to carry
3 out their official duties. Under no circumstances shall the vehicle be used for personal business
4 or pleasure. No City vehicle shall be used to transport non-employees without prior supervisory
5 approval.

6
7 An employee driving a City vehicle, or a personal vehicle for City business, shall have in his
8 possession a valid driver's license or, if applicable, a valid Commercial Drivers License (CDL).
9 An employee who operates a vehicle on behalf of the City has a responsibility to immediately
10 report the loss or suspension of his license or CDL license to his supervisor.

11
12 For those City vehicles assigned to an employee on a 24 hour basis, off street parking should be
13 provided when the vehicle is taken to a place of residence. Before a City vehicle can be driven to
14 and from work, an employee shall obtain approval from his department director.

15
16 All mechanical defects or malfunctions on City vehicles should be reported by employees as
17 soon as possible to their assigned departmental representative.

18
19 If a City vehicle is involved in an accident, the employee shall immediately notify the Police
20 Department and his Department Director and must undergo a post-accident alcohol test within
21 2 hours of the time of the accident and a post-accident drug testing within 32 hours.

22
23 An employee operating a City vehicle, or a personal vehicle in the performance of duties, is
24 expected to drive safely and comply with all traffic laws of the State of Maryland, including laws
25 regarding testing, cell phone usage, and the use of seat belts. The payment of any fines received
26 by improper driving shall be the responsibility of the employee, e.g., speeding, red light offense,
27 etc.

28
29 Employees who are in classifications or positions that require the use of their personal vehicle to
30 carry out assigned duties and who qualify for dedicated vehicle and mileage allowance are
31 responsible for maintaining automobile liability, property damage and personal injury insurance
32 coverage

33
34 **5-10 Address and Telephone Number**

35
36 Each employee shall provide his Department and Human Resources his current home address
37 and telephone number(s). This information shall be included in the employee's personnel record
38 and shall also include name, address and telephone number of the person(s) to contact in case of
39 emergency.

40
41 **5-11 Political Activity**

42
43 City employees shall not take any active part in political campaigns or other political activities
44 while an employer is on duty during working hours. No equipment, materials or facilities owned
45 or operated by the City may be used by anyone in the conduct of any political activities.

1
2 No employee shall directly or indirectly use or seek to use their official positions, authority, or
3 influence to control or modify the political action of any other person. Employees are also
4 prohibited from using their positions or influence for the purpose of interfering with or affecting
5 the result of an election or nomination for office; or, directly or indirectly coercing, attempting to
6 coerce, command, or advise other employees to lend or contribute anything of value to a party,
7 organization, or person for political purposes; or, being a candidate for an elective partisan office
8 with the City.

9
10 Employees may express their personal opinions privately to others. However, they must remain
11 objective, non-committal, and professional when others wish to discuss City politics with them.

12 Employees may not be required to contribute to a political campaign or pay dues to a political
13 party.

14 Employees having questions concerning political activities should consult the City Office of
15 Law.

16
17 **5-12 Solicitation of Contributions, Memberships, or Business**

18
19 The solicitation of contributions, memberships, or business among employees of the City shall
20 not be permitted on City property during the employee's working hours except for charity drives
21 and promotions specifically authorized by the Department Director and/or Director of Human
22 Resources.

23
24 Employee organizations, their members, agents, representatives, or persons acting on their behalf
25 are prohibited from soliciting employees during working hours. This section shall not be
26 construed to prohibit solicitation by employee organizations during the employee's lunch and
27 permitted break period.

28
29 **5-13 Smoke Free Work Environments**

30
31 Smoking or carrying lighted tobacco products including, but not limited to cigarettes, cigars, or
32 pipes is prohibited in all City facilities and vehicles. Employees are also prohibited from
33 smoking or giving the impression of smoking while conducting City business except during
34 lunch or permitted breaks in designated smoking areas.

35
36 **5-14 Bulletin Boards**

37
38 Bulletin boards are provided by the City and shall be located in approved work areas for the
39 purpose of posting announcements of interest to employees. Department management is
40 responsible for approving all announcements prior to their posting and for maintaining City
41 bulletin boards in an orderly and current condition. An employee wishing to post material on a
42 bulletin board must submit the material to his department for approval before posting.

43
44 **5-15 Seniority, Layoff, and Recall Procedures**

1 An employee may be laid off when necessary because of shortage of funds, lack of work, the
2 abolishment of a position, or other substantive changes in job duties or the organization, or for
3 business reasons unrelated to the employee's performance. The duties performed by any
4 employee laid off may be reassigned to other employees.

5
6 3A. Types of Seniority

7
8 1. Seniority

9
10 Seniority shall be defined as the length of time since an employee's most recent
11 date of employment or reemployment with the City. Seniority shall be used for
12 purposes of computing annual leave accrual, service awards, and other matters
13 based upon the total length of continuous employment.

14
15 1. Classification Seniority

16
17 Classification seniority shall be defined as the length of time in a classification
18 and shall be used in conjunction with the current pay plan and administrative
19 policies for the purposes of pay progression and other matters based upon length
20 of service in a classification.

21
22 3. Seniority Adjustment

23
24 City and classification seniority shall continue to accrue during all types of paid
25 leave except for leaves of absence or suspensions without pay which are in excess
26 of thirty (30) consecutive calendar days.

27
28 An employee having a minimum of five years of continuous City seniority shall
29 suffer no loss of City or classification seniority while on a medical leave of
30 absence without pay for a period not to exceed twelve (12) months.

31
32 4. Loss of Seniority

33
34 An employee shall lose his City and classification seniority as a result of the
35 following:

- 36
37 a. Resignation
38
39 b. Retirement (Regular or Disability)
40
41 c. Termination and Dismissal
42
43 d. Layoff without reinstatement within nine (9) months.

44
45 B. Layoff Procedures

1
2 1. Application

3
4 a. Classified Status Employees

5
6 The layoff procedures described herein shall apply to employees who have
7 attained classified status. No classified employee shall be laid off while another
8 employee is employed in temporary, part-time, or probationary status in the same
9 classification.

10
11 b. Exempt Service Status Employees

12
13 Employees in exempt service status are not covered by the layoff procedure.
14 Exempt status employees may be discharged **at the discretion of the City**.
15 Employees in exempt status who are separated from employment are not entitled
16 to be placed on a recall list for possible reinstatement to City employment.

17
18 2. Layoff Criteria

19
20 Employees shall be laid off in the inverse order of their length and quality of
21 service. While an employee with less classification seniority will generally be laid
22 off before an employee with greater classification seniority, the Department
23 Director shall have discretion to retain an employee with superior qualifications
24 or performance as determined by the Director in order to lay off a more senior
25 employee with inferior qualifications or performance. Probationary employees
26 shall be laid off before permanent employees.

27
28 3. Transfer Procedures

29
30 A classified employee subject to layoff shall be eligible to apply, interview, and
31 be competitively selected for promotion or demotion to position vacancies
32 throughout the City prior to actual layoff.

33
34 4. Unemployment Compensation

35
36 Employees who are laid off may be eligible for unemployment compensation.

37
38 C. Recall, Reinstatement and Reemployment Procedures

39
40 Classified employees, who are laid off, shall have preference for recall and
41 reinstatement in classifications from which they were initially laid off over
42 applicants on any eligibility list for a period of nine (9) months from the layoff
43 date. Reinstatement will be without loss of prior seniority, and the employee's
44 extended sick leave account will be restored to the status prior to the layoff. If the

1 layoff absence was in excess of thirty calendar days, City and classification
2 seniority dates shall be adjusted, upon reinstatement, to account for the time on
3 layoff status.
4

5 An employee reinstated to his prior classification within nine months from the
6 date of layoff, shall receive the same hourly pay rate earned at the time of layoff,
7 and any general wage increases applicable for his classification that were
8 implemented during the period he was laid off.
9

10 An employee who has been laid off applies, and is competitively selected for full-
11 time City employment in any other classification prior to expiration of nine (9)
12 months from the date of layoff, shall be reinstated, resulting in the restoration of
13 prior City seniority, which shall be adjusted if the layoff absence is in excess of
14 thirty consecutive calendar days, and restoration of his extended illness leave
15 account balance.
16

17 An employee on layoff status who is not recalled and reinstated by the City within
18 nine (9) months from the date of layoff, will be removed from the layoff list and
19 will be ineligible for reinstatement of prior seniority or benefits in the event of
20 reemployment by the City at a later date.
21

22 **5-16 Involuntary Reduction of Work Hours and Pay**

23

24 All City employees may be subject to furlough due to a lack of funds to operate. Employees are
25 strictly prohibited from performing any City work during the furlough period. This includes
26 checking work-related e-mail and voice mail.
27

28

29

30 **5-17 Resignation**

31

32 Resignation is the voluntary separation of an employee from employment accomplished by
33 submitting a written or verbal notice expressing a desire to end employment with the City. An
34 employee who wishes to leave in good standing shall notify his immediate supervisor at least
35 two (2) weeks before leaving. Notice of resignation given verbally or in writing shall be
36 effective upon receipt, and cannot be rescinded without the approval of the Department Director.
37 Failure to provide at least two (2) weeks' notice shall result in the forfeiture of any accrued
38 annual leave.
39

40 **5-18 Disability Separation**

41

42 An employee may be terminated for disability reasons when medical evidence indicates he is
43 unable to safely or effectively perform the essential functions, with or without reasonable
44 accommodation, of his position because of a physical or mental impairment. The City may
45 require a medical examination at its expense, to be performed by a physician of its choice. Such

1 an examination may include physical, emotional or mental evaluations. Separations for disability
2 under this section are not considered to be disciplinary terminations, and shall be in compliance
3 with the Americans With Disabilities Act and the City's Policy Regarding Accommodation of
4 Disabilities and Pregnancy.

5
6 A. Requesting a Medical Evaluation
7

8 If, based on objective evidence, an employee is suspected of being medically impaired to the
9 extent that he cannot perform the essential functions of his job, with or without reasonable
10 accommodation, or to the extent that he creates a direct threat, the Department Director shall
11 submit a written request to the Human Resources Director to schedule a medical examination to
12 evaluate the employee's fitness for duty. Such examination should attempt to establish the
13 cause, extent, and probable duration of the disability.
14

15 The request shall include the following:
16

- 17 • A copy of the employee's job description.
- 18
- 19 • A detailed list of specific tasks that the employee performs along with the physical
20 activities required in his job.
- 21
- 22 • The employee's attendance record for the prior eighteen (18) month period which shows
23 reasons for each absence from duty. When the employee has been absent for medical
24 reasons, the specific type of medical problem should be identified, if known.
25
- 26 • All information available to the department regarding the employee's medical problems
27 or condition.
28

29 B. Separation Procedures
30

31 Upon establishing the existence of medical factors indicating an employee is medically unable to
32 perform his job, the employee's Department Director should contact the Human Resources
33 Department for the purpose of coordinating and seeking assistance in making a reasonable effort
34 to locate suitable alternate employment elsewhere with the City, if appropriate.
35

36 If the employee is medically unable to perform the essential functions of his job, with or without
37 reasonable accommodation, and there is no suitable alternate employment available for the
38 employee, the employee's Department Director may contact the Director of Human Resources
39 and the City Attorney for the purpose of initiating the termination of the employee.
40

41 **5-19 Use of Electronic Equipment/Services**
42

43 Employees shall adhere to the City's policies concerning electronic communications (e.g.,
44 computer systems, email, internet usage, mobile data, etc.) Transmission of any material in
45 violation of any federal, state or local law or regulation is prohibited. Further information on

1 rules governing the use and content of electronic communications are set forth in the MIT
2 policies.

3
4 **5-20 Return of City Property**

5
6 At the time of separation, and prior to receiving final compensation, all records, books,
7 identification badges, electronic equipment, uniforms, keys, tools, and other items of City
8 property in an employee's custody, shall be returned to the department. Certification to this
9 effect shall be documented by the employee's supervisor. Money or City property due to the City
10 because of any shortages shall be collected through appropriate action approved in advance by
11 the Human Resources Department.

12
13 **5-21 Loss of Driver's License**

14
15 It is a policy requirement that an employee in a classification or position which requires the
16 operation of a motor vehicle possesses and maintain a valid motor vehicle operator's license. .

17
18
19 An employee required to maintain a valid driver's license who loses his driving privilege for
20 whatever reason (e.g., suspension, expiration, physical loss of drivers license) shall immediately
21 report such loss to his supervisor and shall not be permitted to operate a motor vehicle or
22 motorized equipment on the job until his driving privilege is restored.

23
24 Upon timely notification by an employee that he has lost his driving privilege, his department
25 shall have the following options:

- 26
27 1. Make a reasonable effort to reassign him, on a temporary basis, to non-
28 driving responsibilities, if available, for a period not to exceed forty-five (45)
29 calendar days.
30
31 2. Allow him to use any accrued annual leave during the forty-five (45)
32 calendar day period while obtaining reinstatement of his driving privilege.
33
34 3. Place him on a temporary leave of absence without pay not to exceed forty-
35 five (45) calendar days.
36

37 Any exceptions to the above options require the approval of the Department Director and the
38 Human Resources Director.

39
40 An employee who fails to have his driving privilege reinstated on a permanent or temporary
41 restricted business purposes only basis may apply and be competitively selected for any vacant
42 City position for which he is qualified prior to expiration of the forty-five (45) calendar day
43 grace period. If he is not selected for a non-driving position within this period, he may be
44 terminated for failure to maintain necessary job qualifications required. This is normally
45 considered a non-disciplinary termination of employment as it is not the policy or intent of the

1 City to discipline an employee who loses his driving privilege due to non-job-related
2 misconduct, unless the situation involves unusual circumstances.

3
4 **5-22 Substance Abuse Policy**

5
6 The City has a strict policy with regard to substance abuse, maintains a drug-free workplace, and,
7 as a recipient of federal grants, is required to abide by requirements of the Drug-Free Workplace
8 Act of 1988. Additional requirements applicable to employees who perform safety sensitive
9 duties are set forth in Appendices A and B.

- 10
11 1. The unlawful manufacture, distribution, dispensation, possession, or use of any controlled
12 dangerous substance in the workplace is prohibited. Further, it shall be the duty of the
13 employee to report to his Director any criminal drug statute conviction for a violation
14 occurring in the workplace no later than five days after such conviction. An employees'
15 failure to comply with his obligations under this paragraph may result in disciplinary
16 action, up to and including termination.
17
- 18 2. Substance abuse includes use of alcohol and employees are prohibited from consuming
19 alcoholic beverages during work hours which shall include, but not be limited to, an
20 employee's lunch period. No employee shall have in his possession any open alcoholic
21 beverage in or on City property. Employees shall not be allowed to report to work if the
22 odor of an alcoholic beverage can be detected.
23
- 24 3. All persons hired for positions with the City of Annapolis are required to undergo a pre-
25 employment Drug and Alcohol Screening Test. A confirmed positive test result will
26 result in the withdrawal of any offer of employment.
27
- 28 4. Current employees will be subject to Drug and Alcohol Screening test(s) if there is
29 reasonable suspicion on the part of the employee's immediate supervisor and Department
30 Director, or his designee, that the employee is under the influence, while on duty, of
31 alcohol or illegal drugs, or other controlled substances not taken in accordance with a
32 valid prescription
33
- 34 "Reasonable suspicion" means observable signs that indicate that an individual is using
35 or under the influence of illegal drugs, other controlled substances or alcohol. Some
36 examples of observable signs are bloodshot eyes, dilated pupils, slurred speech, lack of
37 coordination, the smell of alcohol about a person, radical mood shifts, possession of drug
38 paraphernalia and related behavioral patterns. In addition to the physical signs, a
39 supervisor may also observe and consider obvious work related performance problems
40 and pronounced changes in the employee's behavior and/or work habits. Reports of drug
41 or alcohol use or impairment coming from a coworker or a third party may also provide a
42 supervisor or Director with reasonable suspicion.
43
- 44 5. If an employee tests positive for illegal drugs, controlled substances or alcohol and the
45 test results are confirmed positive, the employee is subject to disciplinary action, up to

1 and including discharge. In the City’s discretion, an employee may be referred to
2 counselors at external agencies for evaluation and, if necessary, referred to appropriate
3 outpatient or inpatient treatment facilities. It shall remain the policy of the City of
4 Annapolis to encourage rehabilitation and return to the work force in circumstances
5 where the City determines that such action is appropriate.
6

7 6. Counseling, referral and treatment programs are available to all City of Annapolis
8 employees through the Employee Assistance Plan Program and the relevant health plan.
9 An employee who self-reports drug and/or alcohol use/misuse or being under the
10 influence shall be referred to the City’s Employee Assistance Program. No disciplinary
11 action shall be taken against the employee for drug or alcohol use if subsequently the
12 employee successfully completes the rehabilitation program prescribed through the
13 Employee Assistance Program, except that Police Department employees are subject to
14 discipline, up to and including discharge, for the first offense of illegal substance or
15 controlled substance use while on or off duty. However, the City can discipline
16 employees for other serious offenses that have been committed relating to actions caused
17 while under the influence of alcohol or drugs.
18

19 7. Employees who have successfully completed rehabilitation and treatment and been
20 returned to full duties in the workplace, are expected to remain free of substance abuse.
21 Employees who violated this policy after returning from rehabilitation and treatment will
22 be subject to immediate discharge.

23 The City reserves the right to conduct random substance testing.
24

25 8. Failure to submit to the a Drug and Alcohol screening test when there is reasonable
26 suspicion that he is under the improper influence of alcohol, illegal drugs or other
27 controlled substances is grounds for disciplinary action against the employee, up to and
28 including termination of employment.
29

30 **5-23 Confidentiality**
31

32 Medical records and other documents related to City employees are confidential, unless otherwise
33 provided by law. Such records may only to be made available to the employee (or his/her legally
34 designated representative) or to the duly elected or appointed officials who supervise the work of the
35 employee; or to those involved in disciplinary proceedings, or in compliance with a summons from a
36 court or administrative agency.
37

38 Disciplinary hearings, grievance hearings, screening committee meetings to review applicants for
39 employment or other meetings of a similar nature involving employee issues are not open to the general
40 public, unless otherwise provided by law.
41

42 Certain City business matters may be designated as confidential by a Department Head, the Mayor, and/or
43 the City Manager. Such matters may not be discussed with or otherwise disclosed to any persons not
44 authorized to receive such information, including members of the public or the media.
45

46 Failure to follow this policy will result in disciplinary action, up to and including termination.

1
2 **5-24 Dating/Personal Relationships Policy**
3

4 An environment where employees maintain clear boundaries between personal and business
5 interactions is most effective for conducting business. Although this policy does not prevent the
6 development of friendships or consensual relationships between coworkers, it does establish
7 clear boundaries as to how relationships will progress during working hours and within the
8 working environment. Individuals in supervisory relationships or other influential roles are
9 subject to more stringent requirements under this policy due to their status as role models, their
10 access to sensitive information and the ability to influence others.
11

12 **Procedures**
13

- 14 1. During working time and in working areas, all employees are expected to keep
15 personal exchanges limited so that others are not distracted or offended by such
16 exchanges and so that productivity is maintained.
17
- 18 2. During non working time, such as lunches, breaks and before and after work periods,
19 employees are not precluded from having appropriate personal conversations in non
20 work areas as long as their conversations and behaviors could not reasonably be
21 perceived as offensive or uncomfortable to a reasonable person.
22
- 23 3. Employees are strictly prohibited from engaging in physical contact that would in any
24 way be deemed inappropriate by a reasonable person while on City premises, whether
25 during working hours or not.
26
- 27 4. Employees who allow personal relationships with co-workers to affect the working
28 environment will be subject to the appropriate provisions of the City disciplinary
29 policy, which may range from counseling to more severe sanctions. Failure to change
30 behaviors and maintain expected work responsibilities is viewed as a serious
31 disciplinary matter.
32
- 33 5. Employee off-duty conduct is generally regarded as private, as long as such conduct
34 does not create problems within the workplace. An exception to this principle,
35 however, is romantic or sexual relationships between supervisors and subordinates.
36 There shall be no romantic or sexual relationships between supervisors and
37 subordinates.
38
- 39 6. Any City employee involved in a consensual personal relationship with another co-
40 worker must immediately disclose the relationship to the immediate supervisor, the
41 Department Director, or the Director of Human Resources. This disclosure will
42 enable the City to determine whether any conflict of interest exists because of the
43 relative positions of the individuals involved. While both employees involved in a
44 consensual relationship are individually responsible for disclosure, the failure of a
45 supervisor, manager, executive or anyone else in a sensitive or influential position to

1 disclose a personal relationship will be regarded as a serious lapse in his or her
2 management of the workplace and grounds for appropriate disciplinary action, up to
3 and including termination of employment.

- 4 7. When problems or potential risks are identified the City will work with the parties
5 involved to consider options for resolving the conflict. The initial solution will be to
6 make sure that the parties involved no longer work together on matters where one is
7 able to influence the other or take any personal action related to the other.
8
- 9 8. If an employee, whether or not he or she is involved in the relationship, believes that
10 he or she has been or is being adversely affected by a personal relationship among co-
11 workers, he or she is encouraged to promptly report the concern to an immediate
12 supervisor or to the Human Resources Department.
13
- 14 9. Any supervisor who receives a report of a personal relationship must immediately act
15 in accordance with this policy. Failure to do so may lead to disciplinary action, up to
16 and including termination.
17
- 18 10. Individuals who have questions or are uncertain as to the application of this policy
19 should speak to the Human Resources Department.
20

21 **5-25 Legal Proceedings**

- 22
- 23 1. From time to time, an employee, especially one in a supervisory and/or managerial
24 position, may be requested or subpoenaed to make a statement to an attorney or law
25 firm. If an employee receives either a request to make a statement or be subpoenaed,
26 he shall inform his department director and the City Attorney within one business
27 day.
28
- 29 2. If an employee is served with a civil summons, complaint, or other notice naming
30 him as a defendant or potential defendant in an action resulting from his duties as a
31 representative of the City, he should immediately inform his Department Director
32 and the City Attorney and provide them with a copy of the summons, complaint or
33 notice within one business day. The employee shall also state whether or not he
34 requests and authorizes the City Attorney to represent him in the matter.
35
- 36 3. In the event an employee is subpoenaed or is directed by management to
37 appear/testify at administrative hearings or court proceedings, including but not
38 limited to grievance, Civil Service Board, arbitration, deposition and other hearings,
39 he shall be paid for all hours required for his appearance, including off-duty hours.
40 An eligible employee who is subpoenaed or directed by management to appear, and
41 does appear, while on annual leave, shall have his annual leave hours restored if
42 satisfactory evidence of the time served in court/administrative hearing is presented
43 to his department.
44
- 45 4. An employee who appears at any administrative hearings or court proceedings,

1 including but not limited to grievance, Civil Service Board, arbitration, deposition
2 and other hearings on behalf of a grievant or other party adverse to the City shall be
3 ineligible for pay by the City for any time spent at such proceeding. An employee
4 may utilize accrued annual leave or leave without pay for such appearances.
5

- 6 5. In the event an employee is subpoenaed in a non-City proceeding, or if he voluntarily
7 appears/testifies in a legal proceeding, he may use accrued annual leave, or leave
8 without pay, for any time-spent at such proceedings.
9
- 10 6. An eligible employee shall retain any subpoena/witness fee received if he is
11 subpoenaed to appear/testify for an administrative, deposition or court hearing and is
12 not paid by the City for the total hours of his appearance.
13
- 14 7. Pay and benefits for Police Department employees who are required, through a
15 subpoena or directed by management, to appear at an administrative hearing shall be
16 governed by Police General Orders and applicable labor agreements.
17
- 18 8. An employee required to appear for a deposition, administrative hearing, or a court
19 proceeding shall promptly notify his immediate supervisor with such documentation
20 as necessary so that arrangements can be made for his absence from work.
21
- 22 9. Time spent in administrative hearings or court proceedings is the actual time
23 required to report as stated on the subpoena or as scheduled, continuing until
24 released by the judge or other hearing officer. An employee who appears for only a
25 portion of a regular scheduled workday shall report to his supervisor or department
26 for work when excused or released by the court or hearing officer.
27
- 28 10. An employee who becomes a plaintiff or defendant in a legal action not related to the
29 performance of his official duties shall not be eligible for pay under the provisions of
30 this Section.
31

32 **5-26 City Closings**

33

34 The City of Annapolis provides essential services to the public and it is critical that departments
35 and agencies are open for business as scheduled. During severe weather events, or other
36 designated emergencies, you have a continuing obligation to report for work as normally
37 scheduled and at other times as required by your supervisor. If operating conditions require that
38 you report to work, you are expected to do so.
39

40 At times, adverse travel conditions resulting from a severe storm may compromise employee
41 safety. Whenever severe weather prompts state and local officials to issue traveler's advisories in
42 the Annapolis region, the Mayor will determine the operational status of City Government as
43 follows:
44

1 **Delayed Opening** – Non-essential employees will be granted administrative leave for the hours
2 of the delay. However, if an essential employee does not show up for work, he/she may be
3 subject to disciplinary action for failing to report.

4
5
6 **Open - all personnel required to report as scheduled.**

7 Employees failing to report to work shall be charged annual leave, personal leave or leave
8 without pay for the entire day as appropriate without the normal prior arrangements with their
9 supervisor. However, this requires the concurrence of their supervisor.

10 Employees who report to work late shall be charged annual leave, personal leave or leave
11 without pay for the hours not worked.

12
13 **Open, with liberal leave in effect for non-essential City employees.**

14
15 Liberal leave allows non-essential employees to use personal or annual leave if storms, severe
16 weather conditions and/or unforeseen designated emergencies prevent them from reporting to
17 work on time or not at all. However, employees must report their tardiness or absence to their
18 respective supervisor.

19
20 **Closed** – if or when the Mayor closes business due to inclement weather or other designated
21 emergency:

- 22
- 23 • Non-essential employees will be granted administrative leave for the hours of the closing.
 - 24 • Nonexempt, full-time essential employees who do not report for work shall be charged
25 annual leave, personal leave or leave without pay for the time not worked and may be
26 subject to disciplinary action for failing to report to work.
 - 27 • Nonexempt, full-time essential employees, who are required to report to work, or at work
28 when the Government closes, will not receive additional compensation for hours worked
29 during closure.

30
31 Some full-time nonexempt, nonessential employees who, are not generally required to respond to
32 emergencies may be designated as essential employees for a period of time by their Department
33 Director and are required to respond. However, employees will not receive additional
34 compensation for hours worked during closure.

35
36 Television, radio stations and/or supervisor’s notification will be used to disseminate weather-
37 related announcements as well as the City’s website.

38
39 **5-27 Driving Required Positions**

40
41 **“Driving Required Positions”** are positions whose duties require: (1) the operation of a motor
42 vehicle, or the operation of any vehicle which requires a commercial designation or special class
43 of license, or the operation of a personnel carrier; and (2) whose minimum qualifications require
44 a valid driver’s license of the proper class and/or commercial designation.

1
2 A City Driver in a Driving Required Position, whose driver's license is limited, non-renewed,
3 revoked or suspended for thirty (30) days or more, shall either be transferred to a currently
4 vacant position that is not a Driving Required Position or terminated for just cause, as
5 determined to be in the best interest of the City.
6

7 A City Driver in a Driving Required Position, whose driver's license is suspended for less than
8 thirty (30) days, either shall be assigned duties that do not include operation of a vehicle, if such
9 assignment is in the best interest of the City, or otherwise shall be suspended for the duration of
10 the City Driver's license suspension.
11

12 City Drivers in Driving Required Positions, who as a result of driving while intoxicated, driving
13 under the influence, reckless driving, leaving the scene of an accident and/or speeding, together
14 or separately, and who accumulate one (1) point shall be disciplined with a verbal warning; two
15 (2) points shall be disciplined with a written warning; three (3) points shall be disciplined with a
16 one (1) day suspension; four (4) points shall be disciplined with a three (3) day suspension; and
17 five (5) points shall be disciplined by the City with a five (5) day suspension. If the City
18 Driver's accumulation of points reaches six (6) or more points, that City Driver may either be
19 demoted to a currently vacant non-driving position or terminated, at the discretion of the
20 Department director.
21

22 City Drivers with three (3) or more at-fault accidents shall be disciplined with a five-day (5)
23 suspension, and may also either be demoted to a currently vacant position or terminated at the
24 discretion of the Department director.
25

26 In any of these instances of discipline, except for the verbal warning, the City Driver shall
27 receive written notification (with a copy to the personnel file) not to drive any vehicle in the
28 conduct of City business.
29

30 **5-28 Non-Driving Required Positions**

31
32 An employee who is not a City Driver or otherwise generally required to drive for City Business,
33 but whose driver's license is limited, non-renewed, revoked or suspended, shall not be permitted
34 to operate any vehicle including his or her own for the purpose of conducting any City Business.
35

36 A City Driver who is NOT in a Driving Required Position, who as a result of driving intoxicated,
37 driving under the influence, reckless driving, leaving the scene of an accident and/or speeding,
38 together or separately, accumulates three (3) to five (5) points shall receive notice of warning
39 from his or her Department supervisor. If the City Driver's accumulation of points reaches six
40 (6) or more, that City Driver shall receive written notification (with a copy to the personnel file)
41 not to drive any vehicle in the conduct of City Business until all applicable violations and/or
42 excessive points are removed from his or her record in a manner satisfactory to the City.
43
44
45
46

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SECTION 6: Employee Benefit Programs

SECTION 6: Employee Benefit Programs

1 The City of Annapolis offers its employees a comprehensive Benefits Program, including paid
2 leave, holidays, health insurance, life insurance and retirement plans. These Benefit Programs
3 may change over time due to plan design changes, budget considerations or other factors. Every
4 effort will be made to keep this Section current. However, for a full and complete up-to-date list
5 of benefits, please visit the employee Benefit Center website (<http://annapolis.ubaebc.com>) or
6 contact the Human Resources Department (410-263-7998).

7 8 **Family and Medical Leave**

9 Eligible employees are entitled to Family and Medical Leave under the federal Family and
10 Medical Leave Act (“FMLA”). FMLA requires employers to give employees up to 12 work
11 weeks of unpaid leave for:

- 12 1. Birth of a child, and to care for the newborn child;
- 13 2. Placement with the employee of a child for adoption or foster care;
- 14 3. Care for the employee’s spouse, child or parent with a serious health condition;
- 15 4. The employee’s own serious health condition that renders the employee unable to
16 perform one or more essential functions of the job; or
- 17 5. Non-medical exigencies arising out of the fact that the employee’s spouse, son,
18 daughter, or parent is on active duty or on call to active duty status (“Qualifying
19 Exigency Leave”).

20 The term “child” includes biological, adopted, foster, stepchild or legal ward. The term “parent”
21 does not include parent “in law.”

22 **Qualifying Exigency Leave-** family members of covered service members called to active duty
23 may take leave for one or more of the following qualifying exigencies: (1) to address any issues
24 which arise from the member learning of a call or order to duty seven or less calendar days prior
25 to deployment; (2) to attend military events or sponsored family support programs; (3) to arrange
26 for alternative childcare or school attendance, attend childcare or school meetings, or provide
27 childcare on an urgent immediate need basis when necessitated by the call to duty; (4) to make or
28 update financial and legal arrangements to address the military member’s absence, or to serve as
29 the military member’s representative in obtaining, arranging or appealing military service
30 benefits; (5) to attend counseling (not provided by a health care provider) for oneself, the
31 military member, or child of the military member; (6) to spend time (up to 5 days of leave for
32 each instance) with a military member on temporary rest and recuperation leave; (7) to attend
33 post-deployment activities, and (8) any other events which employer and employee agree arise
34 out of the military member’s call to duty, qualify as an exigency, and agree as to the timing and duration
35 of leave.

1 Additionally, an eligible employee may take up to twenty six (26) workweeks of leave during a
2 single 12-month period to care for a “covered service member” with a serious injury or illness
3 incurred in the line of duty who is the spouse, son, daughter, parent, or kin to the employee
4 (military caregiver leave). A “covered service member” is defined as a member of the armed
5 forces (including a member of the National Guard or reserves) (a) who is on the temporary
6 disability retired list; (b) who is undergoing medical treatment, recuperation, or therapy for a
7 serious illness or injury; (c) who is assigned to a military medical treatment facility as an
8 outpatient or is otherwise receiving outpatient care at a unit established for members of the
9 armed forces; or (d) who is a veteran released or discharged (for any reason other than
10 dishonorable) during the five year period prior to the first date of leave and is undergoing
11 medical treatment, recuperation, or therapy for a serious injury or illness.

12 **Amount of Leave** – An employee approved for FMLA leave will be eligible to receive up to 12
13 workweeks of job-protected leave in a rolling 12-month period to manage a FMLA-qualifying
14 event (employees are eligible for up to 26 workweeks of leave for covered service member
15 leave). Spouses working for the City are both eligible for FMLA leave. However, the aggregate
16 leave period for both employees will be limited to 12 workweeks during any 12-month period if
17 the leave is for birth of the employee’s child, the adoption or placement of a foster child with the
18 employee, or to attend to a sick parent.

19
20 **Use of Accrued Leave** – Family and Medical leave is unpaid. However, if leave is taken
21 because of the birth, adoption or foster care placement of a child, any accrued annual and
22 personal leave must be used before taking unpaid leave. If leave is taken because of an
23 employee’s or family member’s serious health condition, any accrued annual, personal, or sick
24 leave must be used before taking unpaid leave. After accrued leave has been exhausted, the
25 remainder of the FMLA leave will be unpaid.

26
27 **Benefits While on FMLA Leave** – An employee will be able to continue his health benefits
28 during the period of leave under the same conditions applicable to active employees. The
29 employee will be required to continue his contribution for each pay period.

30
31 **Fitness-For-Duty Certification** – The City may require that the certification specifically
32 address the employee’s ability to perform the essential functions of their job; and, where
33 reasonable job safety concerns exist, may require a fitness-for-duty certification before an
34 employee returns to work after taking intermittent leave.

35
36 **Return from FMLA Leave** - Provided an employee returns as scheduled from FMLA leave,
37 they are granted service credit for the period of their leave. If they are qualified and available to
38 return to work, they will be reinstated to their same position and salary in effect at the beginning
39 of their leave (plus the benefit of any applicable salary adjustment that may have occurred during
40 their absence), or to a position of like status and pay, unless circumstances have changed so as to
41 make it impossible or unreasonable to do so. If employee fails to return as scheduled, they will
42 be terminated effective their last day covered by FMLA.

43

1 **Outside Employment During FMLA Leave** – Employees on FMLA leave for their own
2 serious medical condition (paid and/or unpaid) are restricted from secondary employment
3 including volunteer work.

4
5 For additional details and instructions on how to apply for FMLA, please visit the Employee
6 Benefit Center website or contact the Human Resources Department.

7
8 **6-1 Paid Holidays**

9
10 The City observes the following eleven (11) paid holidays:

11		
12	News Year’s Day	January 1
13	Martin Luther King’s Birthday	Third Monday of January
14	Presidents’ Day	Third Monday of February
15	Maryland Day	March 25
16	Good Friday	Friday Preceding Easter
17	Memorial Day	Last Monday in May
18	Independence Day	July 4
19	Labor Day	First Monday in September
20	Veterans Day	November 11
21	Thanksgiving Day	Fourth Thursday in November
22	Christmas Day	December 25

23
24 The Mayor has the authority to designate paid holidays. The Human Resources Department
25 distributes a list of designated holidays for the coming year.

26
27 The Mayor or his designee will determine when any departmental operations will be closed in
28 observance of a holiday. Operations permitting, employees will be granted time off on holidays.

29
30 If an observed holiday occurs on a Saturday, the City will designate the preceding Friday as the
31 official holiday. If an observed holiday occurs on a Sunday, the City will designate the
32 following Monday as the official holiday.

33
34
35 If an eligible full-time classified employee is granted a day off to observe a holiday but is
36 required to work part of the day due to operational requirements, he shall be paid for his normal
37 schedule of hours as holiday pay for that day plus the time actually worked.

38
39 An eligible full-time employee who has requested annual leave, jury duty, sick leave, funeral

1 leave, or military leave will receive holiday pay in lieu of the requested type of leave.

2
3 In order to qualify for holiday pay, an employee must be on active pay status or work his full
4 normal schedule of hours, either on the regularly scheduled work day immediately prior to a
5 holiday or his regularly scheduled work day immediately following a holiday.

6
7 **6-2 Scheduled and Unscheduled Leave From Work**

8
9 A **scheduled leave** is a leave from work which is planned by an employee and approved by his
10 department supervisor. To be considered “scheduled” leave, a minimum of twenty-four (24)
11 hours advance notice must be given.

12
13 An **unscheduled leave** is a leave from work in which less than twenty-four 24 hours notice is
14 given. Unscheduled leave generally causes more operational problems due to insufficient notice
15 of less than 24 hours to allow the department to properly manage work operations. A department
16 supervisor may deny a request for unscheduled leave, unless granting the leave is required by
17 applicable law.

18
19 **6-3 Personal Leave**

20
21 Eligible employees receive up to three (3) personal leave days per year. When using personal
22 leave an employee will make every effort to give his department supervisor as much notice as
23 possible to ensure smooth operations of City services for the public. Personal leave may not be
24 carried over to the next calendar year. Public Safety employees may receive a different
25 amount/type of leave and should check with their department supervisor.

26
27 **6-4 Annual Leave**

28
29 A. Purpose of Annual Leave

30
31 The purpose of annual leave is to provide eligible employees with an opportunity to have
32 scheduled leave from work without loss of pay or benefits.

33
34 B. Annual Leave Accrual Rate and Maximum Accrual

35
36 Annual leave is accrued based on the number of regularly scheduled hours an employee remains
37 on active pay status and his length of service. Annual leaves accrues on a per pay period basis,
38 in accordance with the schedule set forth below.

39
40

<u>Civil Service:</u>	<u>Years of Service</u>	<u>Days of Annual Leave</u>
	1 to 2	15 days
	3 to 9	18 days
	10 or more	21 days

41
42
43
44
45

1
2
3 **Police Department (Sworn Personnel Only):**

4 Refer to Union Collective Bargaining Agreement
5

6 **Fire Department (Sworn Personnel Only):**

7 Refer to Union Collective Bargaining Agreement
8

9 At the end of the calendar year for the year in which an employee has attained full-time status in
10 a classified position, a maximum of five (5) days of annual leave is permitted to be carried over
11 into the next calendar year. An additional 5 annual leave days will be permitted for carry-over
12 each year thereafter, up to a maximum of 30 days.
13

<u>End of Calendar Year (December 31)</u>	<u>Maximum Days of Annual Leave</u> <u>Eligible for Carryover</u>
16 First	5 days
17 Second	10 days
18 Third	15 days
19 Fourth	20 days
20 Fifth	25 days
21 Sixth	30 days

22

23 Example: An employee is hired to fill a full time classified position on August 3, 2011. At the
24 end of the calendar year 2011, he may carry over five (5) days of annual leave into the year
25 2012. At the end of calendar year 2012, he may carry over ten (10) days into 2013. At the end of
26 calendar year 2013, he may carry over fifteen (15) days into calendar year 2014. This annual
27 leave carryover pattern continues until the maximum of 30 days of carryover is reached.
28

29 C. General Provisions
30

31 Annual leave may be used in increments of a quarter (1/4) of an hour. A request for annual leave
32 shall be made at least twenty-four hours prior to the first day of leave. The department supervisor
33 may waive this requirement in cases of emergency.
34

35 Use of paid annual leave is not permitted during the initial six (6) months of employment or
36 reemployment except for absences of documented medical reasons or as specified in a union
37 collective bargaining agreement or employment contract. Paid annual leave will not be approved
38 for hours not yet accrued by the employee.
39

40 The scheduling and use of paid annual leave shall be approved in advance in accordance with
41 departmental procedures. Factors and criteria to be considered in approving annual leave
42 requests may vary based upon departmental requirements.
43

44 The nature of an employee's job and operational requirements may cause the department to limit
45 the scheduling of leave during certain periods of the year. Based upon these requirements, the

1 department may require the use of annual leave for vacation purposes in amounts of thirty-five
2 (35) or more consecutive hours. In the event that such limitations apply, the Department
3 Director must identify in writing these limitations to employees.

4
5 An employee who voluntarily terminates employment with the City must provide at least two (2)
6 weeks advance notice to be entitled to be paid after termination for his accrued but unused
7 annual leave.

8
9 **6-5 Longevity Leave**

10
11 A. Longevity leave is provided annually to an eligible employee in a lump sum on
12 his anniversary date and must be used within one year.

13
14

<u>Years of Service</u>	<u>Days of Longevity Leave</u>
20 to 24	1
25 to 29	2
30 or more	3

15
16
17
18
19

20 **6-6 Sick Leave**

21
22 A. Purpose of Sick Leave

23
24 The purpose of sick leave is to provide an eligible employee with basic salary continuation
25 during periods of illness or injury. Sick leave may not be donated and will not be paid at
26 termination of employment.

27
28 B. Sick Leave Accrual Rate and Eligibility

29
30 An eligible employee accrues fifteen (15) sick days per year. These days are pro-rated depending
31 upon the new employee's hire date. A new employee may use his accrued sick leave after six (6)
32 months of continuous regular full-time employment. Sick leave shall accrue on a per-pay-period
33 basis at the rate of one and one-quarter working days per month.

34
35 Sick leave may be used in increments of a quarter (1/4) of an hour. Paid sick leave will not be
36 approved for hours not yet accrued by the employee

37
38 There are no limits or carryover restrictions for accrued sick leave. At retirement, an employee's
39 final sick leave balance may be eligible for additional service credit towards retirement.
40 However, accrued sick leave cannot be used as service time to enable an employee who has
41 otherwise failed to meet length of service requirements to become eligible to retire.

42
43 C. Notification Procedures

44
45 An employee who is medically incapacitated to the extent that he is unable to work must notify

1 his immediate supervisor before his scheduled reporting time and must inform him of the
2 expected length of the absence, unless a medical emergency precludes the employee from giving
3 advance notice of the leave. This notification procedure must be followed for each day he is
4 unable to work, unless specific prior approval waiving this requirement is granted by the
5 Department Director or his designee.
6

7 An employee who uses excessive sick leave may, at the Departmental Director's discretion, be
8 required to document future absences for medical reasons with a physician's statement prior to
9 being permitted to use paid sick leave. An employee who fails to provide written notice of his
10 absence shall not receive paid leave for the day(s) in question. Use of sick leave will not relieve
11 an employee of his attendance obligations and will not excuse excessive absenteeism.
12

13 Departmental management may send an employee home who is injured or too ill to work
14 effectively, or who would cause unhealthy or unsafe working conditions if he continued to work.
15 Such directed absences are to be considered unscheduled, and shall be accounted for by hours
16 from the employee's leave account, if leave is available.
17

18 Unusual circumstances may prevent an employee from personally notifying his department of an
19 absence for reasons of illness or injury, in which case notification may be made by another
20 person. If an employee is not able to make alternative arrangements to notify the department of
21 his absence, and can substantiate valid reasons for his failure to report an absence, sick leave
22 may be authorized by his Department Director.
23

24 D. General Provisions

25
26 Paid sick leave will not be advanced to an employee before it is accrued. An employee, who
27 requests sick leave for an absence over three (3) days, will be required to submit a physician's
28 statement verifying that the employee is medically incapacitated in order to be eligible for paid
29 sick leave. An employee who fails to provide written documentation will not receive paid sick
30 leave for the day(s) in question.
31

32
33 An employee returning to work after an illness or injury of more than three (3) consecutive
34 workdays may be required, at the department supervisor's discretion, to provide written
35 authorization from his physician certifying his medical fitness to return to work. In cases where a
36 physician's certification is required, the department shall reserve the right to require an employee
37 to be examined by a physician designated by the City prior to authorizing his return to work. In
38 such cases, an appointment for an examination will be scheduled by the Human Resources
39 Department and paid for by the City. The department supervisor will provide the Human
40 Resources Department with:
41

- 42 • A copy of the employee's job description.
- 43
- 44 • A detailed list of specific tasks that the employee performs along with the physical
45 activities required in his job.

- The employee’s attendance record for the prior eighteen (18) month period which shows reasons for each absence from duty. When the employee has been absent for medical reasons, the specific type of medical problem should be identified, if known.
- All information available to the department regarding the employee’s medical problems or condition.

An employee who is granted sick leave is expected to follow all medical direction/advice and exercise due care in facilitating his recovery. Sick leave is to be used for periods of illness to stay home and address health and safety needs. Activities such as secondary employment, travel and recreational activities are prohibited while an employee is receiving paid sick leave.

When a full-time employee is transferred to part-time status, his sick leave account balance will be forfeited.

The Maryland Flexible Leave Act (MFLA): employees who have accrued leave with pay may use such leave for the illness of their child, parent, or spouse. Employees who earn more than one type of paid leave may elect the type and amount of leave to use.

Leave includes sick leave, vacation time, and compensatory time. Leave with pay does not include an insurance benefit, Workers’ Compensation, unemployment compensation, a disability benefit, or a similar benefit.

A parent is defined as an adoptive, biological, or foster parent; stepparent; legal guardian; or someone standing in *loco parentis*. A child is defined as an adopted, biological, or foster child; stepchild; or legal ward who is under age 18 or incapable of self-care due to a mental or physical disability.

E. Donation of Annual Leave to Another City Employee

Under special circumstances, the Department Director and Human Resources Director may approve the donation of annual leave to another City employee’s sick leave balance on a straight hour-for- hour basis.

F. Modified Duty

Some minor injuries or illnesses may prohibit the full performance of assigned job duties; however, there may be other duties an employee could safely perform without aggravating his medical condition. When the physician states in writing that “modified duty” work is acceptable and identifies the employee’s specific physical limitations, the Department Director may, at his discretion, assign other appropriate tasks and duties as the employee’s health and medical condition may permit. Modified-duty assignments in compliance with medically established restrictions shall be performed by an employee so assigned. A physician’s written recommendation for an employee’s return to work on a “modified-duty” basis will be considered

1 by the department on the following basis:
2

- 3 • Suitable “modified-duty” work must be available within any department in the City.
4
- 5 • The physician recommending an employee’s return to work on modified-duty status must
6 provide reasonable assurance that the condition will not exceed thirty (30) calendar days.
7
- 8 • Extension of modified-duty status beyond thirty (30) calendar days requires the approval
9 of the employee’s Department Director.
10
- 11 • Extension of modified-duty status beyond ninety (90) calendar days requires the approval
12 of the Human Resources Director.
13

14 **6-7 Accident Prevention and Safety**

15 G. On-the-Job Injuries

16 An employee shall be advised of his responsibility to immediately report to his supervisor all
17 injuries sustained on the job.
18

19 A Report of Injury and an Employers First Report of Injury/Illness form should be submitted to
20 the Supervisor within twenty-four (24) hours after the occurrence of the injury. Failure to report
21 an injury immediately may result in delays in authorization for medical treatment and lost wages.
22 If the injury occurs over a holiday or weekend, the injury reports should be submitted within
23 twenty-four (24) hours from the time the work period starts after the weekend or holiday. This
24 applies to all on-the-job injuries, as well as any employee injured in a vehicular accident
25 involving City equipment. In the latter case, a Motor Vehicle Accident Report will also be
26 required. Fatal injuries to an employee while at work shall be immediately reported to the
27 Human Resources Director. As required by law, the Human Resources Director shall report the
28 fatality within eight (8) hours to MOSH and within twenty-four (24) hours to the Maryland
29 Workers’ Compensation Commission.
30
31

32 An employee who sustains a work-related injury is encouraged to seek medical treatment if
33 necessary. For any on-the-job injury requiring medical attention, the employee shall deliver to
34 his supervisor the Treating Physician’s medical status note (or the City’s Duty Status form). If
35 the employee is unable to bring the medical note on the same day as the medical appointment,
36 the employee must immediately call his supervisor to update him on his return-to-work status,
37 and shall do so for all future medical appointments related to the on-the-job injury. In no case
38 shall an employee be allowed to return to work until the Treating Physician has released the
39 employee to modified or full duty.
40

41 **Workers Compensation Benefit for Injured Employees**

42 An employee whose compensable on-the-job injury results in a disability will be governed by
43 Maryland Workers’ Compensation law. Full wages will be paid for the complete shift on the day
44
45

1 of the compensable on-the-job injury or for that part of the day spent receiving medical
2 treatment.

3
4 Maryland Workers' Compensation law does not allow for payment to the injured employee
5 during the first three (3) calendar days of disability. Employees may use available leave during
6 the first three (3) calendar days. If the disability results in more than fourteen (14) calendar days
7 away from work, payment shall be made by the City's third party administrator for the first three
8 (3) calendar days of disability.

9
10 Employees may begin receiving lost wage payments starting on the fourth day after the
11 compensable on-the-job injury. Workers compensation payment is tax-free to the injured
12 employee. The employee's weekly wage is based on the average of his salary for the fourteen
13 (14) week period prior to the date of injury.

14
15 If the employee is restricted by his Treating Physician from returning to work for more than three
16 (3) days due to the compensable on-the-job injury, the employee will be placed on both Workers'
17 Compensation leave and Family and Medical Leave. All questions regarding payment of medical
18 bills or lost wages should be directed to the City's Third Party Administrator or to Risk
19 Management.

20
21 If the injury is not accepted as a compensable on-the-job injury by the Third Party Administrator,
22 the employee may use his sick or other available leave for time lost from work.

23
24 An employee on leave due to a compensable on-the-job injury is expected to follow all medical
25 direction/advice and exercise due care in facilitating his recovery. The injured employee is
26 expected to stay home and address health and safety needs. Activities such as secondary
27 employment, travel and recreational activities are prohibited while on leave for a compensable
28 on-the-job injury.

29
30 In order to be paid wages for the time away from work, the employee is required to promptly
31 submit to his department supervisor updated medical status notes from his doctor. Doctor notes
32 that are back-dated will not be accepted for wage reimbursement. Any delay in submitting these
33 doctor notes will delay wage payments to the employee.

34 35 **Return to Work and Modified Duty**

36
37 An employee who is released by his physician to return to work, but with restrictions, may be
38 placed in a modified-duty position. Modified duty is customized to align with the employee's
39 restrictions. This position may be in the employee's current department or another City
40 department. A modified-duty position is available on a short-term basis and is meant to be a
41 transition back to the employee's original position.

42
43 If an employee has been released to work either modified duty or full duty, he is expected to
44 schedule appointments for physician visits or physical therapy during non-work hours. An
45 employee may use his available leave for these appointments, but this leave will not be

1 reimbursed under the Workers' Compensation program.

2
3 If the employee has not returned to work by the time FMLA leave is exhausted or has
4 been on modified duty for 30 days and is not able to return to full duty, the case will be reviewed
5 by the Department Director, Human Resource Director, City Attorney and the Risk Analyst. This
6 review will include, but is not limited to, the Treating Physician's and/or Independent Medical
7 Examiner's prognosis for recovery and any information regarding the likelihood that the
8 employee can return to his pre-injury job duties within a reasonable timeframe.

9
10 If an additional review is necessary, the review date will be determined during the initial review.

11
12 Once all reviews are completed, the reviewers will determine whether the employee's position
13 will be held for a limited additional time, or if the employee should be separated from
14 employment. The employee will be promptly notified of such determination.

15
16 Prior to termination, the Human Resources Director will make all reasonable efforts to find a
17 vacant City position for which the employee is qualified.

18 19 **6-8 Military Leave**

20
21 The City will comply with the **Uniformed Services Employment & Reemployment Rights**
22 **Act (USERRA)** and Maryland law for matters concerning military leave.

23 24 A. Annual Military Leave

25
26 An employee who is ordered to active or inactive duty training shall be entitled to military leave.
27 An employee shall be required to submit an order or statement from the appropriate military
28 commander as evidence of any such duty. Such order or statement must accompany the formal
29 request for military leave at least two (2) weeks in advance.

30 31 B. Inactive Duty Training (Weekend Drills)

32
33 An employee who is a member of the Armed Forces Reserve or the National Guard shall be
34 excused from work to attend inactive duty training as required. The employee shall provide to
35 the department supervisor evidence of membership in the applicable organization and training
36 orders. The submission of the applicable Reserve or National Guard training schedule will
37 satisfy this requirement. In the event scheduled inactive duty training falls on an employee's duty
38 day(s), he shall be paid for time missed from work, up to a maximum of 15 days per calendar
39 year, unless otherwise required by law. Actual payment will be the amount of the employee's
40 regular base salary for work time missed (up to 120 hours), less the gross military earnings. To
41 ensure prompt payment for the leave, the employee must submit appropriate documentation on
42 the military leave and earnings statement to Human Resources within thirty (30) days of the
43 leave.

44 45 C. Recall to Active Military Duty

1
2 A full-time employee, who is a member of a military reserve component or the National Guard,
3 who is ordered to active duty to fulfill his primary military obligation, will be granted military
4 leave of absence without pay for this period of time unless otherwise required by law.

5
6 D. Recall to Emergency Active Military Duty
7

8 Employees responding to emergency military orders shall be granted leave without pay for
9 required absences as necessary unless otherwise required by law.

10
11 E. Reinstatement from Military Service
12

13 Upon termination from active military service, an employee who wishes to return to City
14 employment shall contact the Human Resources Director in writing according to the following
15 guidelines from date of discharge:

16
17 1-30 days of service The next scheduled workday after safe travel and 8 hours rest;

18
19 31-180 service days Within 14 days after completion of service;

20
21 More than 180 service days Within 90 days after completion of service.
22

23 An employee shall not be considered eligible for reinstatement by the City if he received a
24 dishonorable military discharge. An employee requesting reinstatement with the City shall
25 submit to a medical examination, at City expense, to determine if he is physically and mentally
26 capable of performing the duties of his former position prior to assuming his position. The
27 Department Director cannot reinstate an employee until the Human Resources Director confirms
28 the employee has received medical clearance to perform the duties of his position.
29

30 An employee returning to City employment in his previous classified position shall be reinstated
31 at the salary he would have received, including all general wage adjustments, had he remained
32 continuously employed by the City instead of entering the armed service.
33

34 If the position vacated by an employee who entered the military service is reclassified or retitled
35 during his period of military service, he shall be reinstated where possible in accordance with
36 USERRA. If his former position has been abolished, or if he is incapable of satisfactorily
37 performing the duties, he shall be reinstated in a position as nearly comparable as possible in
38 salary and duties to the position he vacated, provided a vacancy is available.
39

40 **6-9 Funeral Leave**
41

42 Upon approval by the department supervisor, an eligible full-time employee will be granted up to
43 three (3) consecutively scheduled workdays as time off with pay for the funeral of an immediate
44 family member. Funeral leave shall not be charged to annual or sick leave.
45

1 An immediate family member includes the following: spouse, son, daughter, brother, sister,
2 mother, father, grandmother, grandfather, grandchild, legal guardian, stepmother, stepfather,
3 stepson, stepdaughter, father-in-law, mother-in-law, son-in-law, and daughter-in-law.

4
5 Should an employee require additional time beyond the three (3) days noted above, he may
6 request additional time from the department supervisor. Upon approval, any additional time used
7 may be taken from the employee's accrued annual leave or personal leave, or as leave without
8 pay.

9
10 An employee may be required to provide the department supervisor with proof of death and/or
11 proof of relationship before funeral leave pay is approved.

12 13 **6-10 Jury Duty**

14
15 An eligible full-time employee shall suffer no loss of his normal pay for time served on jury
16 duty. An employee subpoenaed or summoned for jury duty during working hours shall receive
17 straight time pay for the hours he is required to be absent from his currently scheduled work
18 hours. In addition, he shall retain any jury allowance provided by the court. Jury duty leave is
19 the actual time required to report as scheduled in writing until released by the judge or other
20 officer of the court. An employee who performs jury duty for only a portion of his regular
21 scheduled workday shall report to work for the duration of his shift when excused or released by
22 the court.

23
24 An employee called for jury duty shall promptly notify his immediate supervisor and provide a
25 copy of the court summons so that arrangements may be made in advance for his absence from
26 work.

27
28 An employee called for jury duty while on scheduled annual leave shall be allowed jury duty pay
29 for that time served in court which corresponds to his regular workday. Such employee shall
30 have his annual leave hours restored provided satisfactory evidence of the time served on jury
31 duty is presented to the department.

32
33 In the event a holiday occurs during the period an employee is serving on jury duty, he shall
34 receive holiday leave for the holiday rather than jury duty leave.

35
36 An employee shall provide the department with proof of jury duty service before compensation
37 is approved.

38 39 **6-12 Leave of Absence Without Pay**

40 41 A. Voluntary

42
43 Under certain circumstances, the Department Director may grant a request for a leave of absence
44 without pay, not to exceed one (1) year. The Department Director must notify the Human
45 Resources Director in writing as soon as the leave of absence without pay is approved.

1
2 While on a leave of absence without pay, annual leave and sick leave will not accrue and the
3 employee will not be entitled to receive personal or longevity leave days. While on a leave of
4 absence without pay the employee will not be able to use paid leave of any kind. The employee
5 will be responsible for paying the total monthly premium (employee's and employer's cost) for
6 his medical, dental, vision, and prescription drug coverage. All other benefits (including basic
7 and voluntary life insurance, accidental death & dismemberment insurance, short-term disability,
8 long-term disability, health care flexible spending account, dependent care flexible spending
9 account and legal services) will end on the last day that the employee works.

10
11 At the termination of the leave of absence without pay, the employee shall be reinstated in the
12 civil service system with all previous rights and privileges the employee had earned as of the last
13 day of paid employment. The employee will be subject to any waiting periods required to
14 reenroll in benefit plans that he ceased to partake in while on the leave of absence, The employee
15 should contact the Human Resources Department immediately upon his return to work to discuss
16 the reinstatement of benefits.

17
18 B. Involuntary

19
20 A civil service employee who, by reason of illness or disability, is required to be placed on leave
21 of absence without pay, shall not be entitled to accrue either annual leave or sick leave as long as
22 the employee remains on leave of absence without pay.

23
24 An employee on a leave of absence without pay for reasons covered by the FMLA is entitled to
25 continue to participate in the City's group health plan under the same terms as if he were on paid
26 leave. This means the employee is required to pay his share of the health insurance premium,
27 and the City will pay the employer's share of the premium until the employee has exhausted all
28 FMLA leave.

29
30 **6-14 Tuition Assistance Program**

31
32 The City encourages employee self improvement. The Tuition Assistance Program is available
33 subject to funding to all eligible full-time employees to help reimburse them for a portion of
34 tuition expenses for pre-approved educational courses. Approved courses must relate to the
35 employee's current job or a reasonable promotional objective. An employee may receive up to
36 70% of direct tuition costs for each pre-approved course in which they receive a grade of "C" or
37 better, or "Pass" if a Pass/Fail system is used.

38
39 **6-15 Longevity Pay Program**

40
41 A civil service employee will receive one salary step increase at 7, 12 and 15-years of continuous
42 employment with the City. Steps 8, 9 and 10 within a pay grade must be reserved for a longevity
43 pay increase.

44
45 **6-16 Vehicle Mileage Allowance**

1
2
3
4
5
6
7

The City provides a vehicle mileage allowance when the official duties of an employee require the use of his personal vehicle for business and such use is authorized by his department supervisor. Please contact the Finance Department for additional information.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

SECTION 7: Code of Conduct and Disciplinary Provisions

1 **SECTION 7: CODE OF CONDUCT AND DISCIPLINARY PROVISIONS**

2
3 **7-1 Purpose**

4
5 All employees of the City are members of a team working together for the purpose of serving our
6 community. Employees who fail to follow the necessary rules and regulations governing their
7 conduct are subject to disciplinary action, up to and including termination of employment. The
8 Code of Conduct rules are not intended to restrict the privileges of anyone, but are designed to
9 ensure the rights and safety of all employees and to provide working guidelines to encourage
10 acceptable and appropriate conduct.

11
12 Employees are expected to abide by the City Code and Rules and Regulations (including the
13 Code of Conduct) and all established City and departmental policies, and may be disciplined for
14 violation of either City or departmental rules and regulations.

15
16 **7-2 Policy**

17
18 Discipline is corrective rather than punitive, and disciplinary actions are utilized as an element of
19 an overall program to emphasize appropriate standards of behavior and promote proper
20 employee conduct. When circumstances permit, department directors are encouraged to pursue
21 “progressive discipline” whereby employees receive increasing levels of discipline for each
22 successive instance of misconduct. This will provide an employee an opportunity to modify and
23 correct his behavior and/or work deficiencies.

24
25 The City’s Code of Conduct provides that certain offenses are of such a serious nature that the
26 use of progressive discipline is generally not advisable, and that immediate dismissal from
27 employment is recommended upon the first violation of the offense. Dismissal from employment
28 is also a necessary personnel action when progressive discipline for offenses of a generally
29 related nature, or those of a chronic offender, have failed to achieve satisfactory improvement in
30 an employee’s conduct and/or job performance.

31
32 Infractions of any kind are disruptions of the working environment. The Code of Conduct
33 establishes three groups of infractions and recommended disciplinary actions. In each group and
34 for each rule, the degree of discipline may vary in consideration of numerous factors which
35 include, but are not necessarily limited to, the following areas

- 36
37 ○ the nature and seriousness of the misconduct
38
39 ○ prior warnings and disciplinary actions for offenses for the same or generally
40 similar nature
41
42 ○ the length and quality of the employee’s employment
43 ○ time interval between offenses
44
45 ○ effectiveness of prior disciplinary actions

- demonstrated willingness to improve
- overall work performance

7-4 Disciplinary Actions

Management should inform an employee promptly whenever his performance, work habits, or personal conduct fall below an acceptable level. It is the responsibility of the employee's supervisor to investigate and document the facts and evaluate the evidence of misconduct or work deficiency. An investigation should include discussing the matter with the employee(s) involved. A decision to administer a disciplinary action of any kind should be based upon a review of relevant facts.

Disciplinary actions may include:

A. Informal Counseling

An employee may receive informal counseling, at the discretion of his supervisor, to advise him of work deficiencies and/or misconduct.

Appropriate notes or other records concerning the time and nature of an informal counseling session should be maintained by the employee's supervisor. Informal counseling is not subject to appeal.

B. Oral Warning

The purpose of an oral warning is to advise an employee of a disciplinary problem and to encourage improvement in performance, work habits, and/or behavior. An oral warning shall be documented by a Report of Oral Warning form and shall be used as the initial formal disciplinary action. Management shall inform the employee of its expectation and how improvement is to be achieved. Management shall also notify him of the consequences of further misconduct.

Appropriate notes or other records concerning the time and nature of the oral warning shall be maintained by the employee's supervisor. Imposition of an oral warning is not subject to appeal.

C. Written Reprimand

In order to document a written reprimand, an Employee Notice shall be issued, specifically defining the nature of the infraction the City Code, Code of Conduct, Rules and Regulations, City Policy and/or the appropriate departmental rule which has been violated, and the reason(s) for the disciplinary action. The Employee Notice should include a description of the infraction of misconduct and

1 refer to specific times, dates, locations, personnel involved, and any rule or rules
2 violated.

3
4 Before an Employee Notice is initiated, the employee's immediate supervisor or
5 other management employee shall obtain the approval of the department director.
6 A copy of the Employee Notice shall remain in the employee's personnel file.
7 Imposition of a written reprimand is not subject to appeal.
8

9 D. Suspension

10
11 An employee may be suspended by management for reasons provided under the
12 City Code, Code of Conduct, Rules and Regulations, City Policy and/or the
13 appropriate departmental rules. Suspensions may be for a greater or lesser number
14 of days than that which is recommend in the Code of Conduct. Suspensions for
15 more than one (1) shift shall be issued on consecutive shifts. Suspensions for two
16 (2) or more offenses shall be cumulative. Suspensions should be scheduled
17 without undue delay. An employee on suspension shall not be eligible to work
18 overtime during the payroll period in which the suspension is served unless such
19 restriction is waived by the department director to meet unusual operational
20 needs.
21

22 An employee shall be notified of his suspension by an Employee Notice which
23 shall include the infraction, disciplinary action taken, the beginning and ending
24 days of the suspension, and any applicable appeal rights. The Employee Notice
25 implementing the disciplinary suspension shall be delivered to the Human
26 Resources Department within one (1) work day following its issuance.
27

28 E. Dismissal

29
30 An employee may be dismissed for reasons provided under the City Code, Code
31 of Conduct, Rules and Regulations of the Personnel System, City Policy and/or
32 the appropriate departmental rules. An employee shall be notified of the City's
33 intent to terminate his employment by an Employee Notice which shall include
34 the infraction, disciplinary action taken, and any applicable appeal rights. The
35 Employee Notice implementing the disciplinary suspension shall be delivered to
36 the Human Resources Department within one (1) working day following its
37 issuance.
38

39 A Civil Service Status employee has a right to have an informal pre-dismissal hearing before
40 being dismissed. If an employee makes a written request within five (5) working days after his
41 receipt of the Employee Notice, his department director, or designee, shall schedule a pre-
42 dismissal hearing to discuss the infraction and proposed dismissal. The hearing shall be informal.
43 A Civil Service Status employee shall be entitled to receive written notice of the alleged
44 infraction(s) under the City Code, Code of Conduct, Rules and Regulations of the Personnel
45 System, City Policy and/or the appropriate departmental rule; and an explanation of the evidence

1 to respond to the allegation(s). After completion of the informal hearing, the department shall
2 notify the employee and the Human Resources Director in writing of the results of the informal
3 hearing. The department director may rescind, modify or affirm the disciplinary action as a result
4 of the hearing.

5
6 In recognition of the fact that employee disciplinary and work records are unique, and that each
7 infraction of misconduct may differ in the same regards from a similar infraction, the City retains
8 the right to treat each disciplinary occurrence on an individual basis.

9
10 Disciplinary actions resulting in suspension or dismissal shall be reviewed by the City Attorney
11 and the Human Resources Director prior to implementation.

12
13 The employee's signature is required on the Employee Notice to acknowledge receipt, and does
14 not indicate his agreement with the provisions of the disciplinary action. If he refuses to sign, it
15 should be so indicated by management on the Employee Notice in the area reserved for the
16 employee's signature and witnessed by another employee.

17
18 When imposing a disciplinary action, supervisors will generally not take into consideration prior
19 infractions the nature of which are entirely unrelated to the current infraction and which occurred
20 more than eighteen (18) months previously. However, where progressive discipline has been
21 taken, and a decision to dismiss an employee is under consideration, it is appropriate to review
22 his entire employment record with the City.

23
24 An employee may be dismissed as a chronic offender of the City Code, Code of Conduct, Rules
25 and Regulations, City Policy and/or the appropriate departmental rule when he has been issued
26 three (3) disciplinary actions resulting in an Employee Notice within a two (2) year period that
27 have been sustained.

28
29 **7-5 Code of Conduct**

30
31 Every possible act of misconduct cannot be specifically identified in the Rules
32 and Regulations. As a result, Code of Conduct offenses are to be interpreted
33 broadly. Infractions set forth in the Rules & Regulations are illustrative only and
34 are not intended to be all encompassing. If a specific instance of misconduct not
35 identified by an established rule in the Code of Conduct has been charged, the
36 department director may explain the infraction and take appropriate disciplinary
37 action.

38
39 For purposes of this Code of Conduct, infractions are typically associated in one
40 of three general categories:

41
42 1. Attendance Related Infractions

43
44 Attendance related offenses generally consist of absenteeism, tardiness,
45 and all other activities resulting in time away from work

1
2 2. Performance Related Infractions
3

4 Performance related infractions generally consist of neglect of work,
5 accidents, abusive behavior, dishonesty, and all other conduct affecting
6 work site productivity or job performance.
7

8 3. Miscellaneous Infractions
9

10 All other infractions are grouped in a category entitled “miscellaneous.”
11 Items in this category involve prohibited actions in the City Code, Code of
12 Conduct, Rules and Regulations, City Policy and/or the appropriate
13 departmental rule.
14
15

16 **Groups of Offenses and Recommended Disciplinary Action**
17

18 **Group I Offenses and Recommended Disciplinary Action**
19

- 20 First Violation.....Oral Warning (Documented on Form)
21
22 Second Violation..... Employee Notice and One (1) Work Day Suspension
23
24 Third Violation.....Employee Notice and Five (5) Work Day Suspension
25
26 Fourth Violation.....Dismissal
27

28 **Performance Related Misconduct**
29

- 30 1. Refusal to work overtime, special hours or special shifts, after being scheduled or
31 assigned according to overtime and standby duty policies.
32
33 2. Operating, using, or possessing tools, equipment or machines to which the employee
34 has not been assigned, or performing other than assigned work.
35
36 3. Quitting work, wasting time, loitering, or temporarily leaving assigned work area
37 during working hours without permission.
38 4. Discourtesy to persons with whom the employee comes in contact while in the
39 performance of his duties.
40
41 5. Washing up or changing clothes during working hours without specific permission of
42 the supervisor.
43
44 6. Productivity or workmanship not up to required standards of performance.

- 1
- 2 7. Mistakes due to carelessness.
- 3
- 4 8. Disregarding job duties by neglecting work during working hours.
- 5
- 6 9. Violating a safety rule or safety practice.
- 7
- 8 10. Reporting for work or working while unfit for duty, either mentally or physically.
- 9
- 10 11. Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief,
- 11 distracting the attention of others, catcalls, or similar types or disorderly conduct.
- 12
- 13 12. Creating or contributing to unsafe and unsanitary conditions, poor personal hygiene
- 14 or poor housekeeping in the work area.
- 15
- 16 13. Conducting personal business during work period.
- 17
- 18 14. Failure to properly wear a complete City uniform as provided by the employee's
- 19 department, or to display proper City identification as required by departmental.
- 20

21 **Attendance Related Misconduct**

- 22
- 23 1. Failure to properly report a late arrival at work to the supervisor or other designated
- 24 departmental representative within the time required by departmental policy.
- 25
- 26 2. Taking more than allowable time for meals or rest periods.
- 27
- 28 3. Habitual failure to punch own time card. (Guide: three (3) times in any thirty (30)
- 29 calendar day period, or six (6) times in any ninety (90) calendar day period)
- 30
- 31 4. Chronic tardiness. (Guide: three (3) times in any thirty (30) calendar day period, or
- 32 six (6) times in any ninety (90) calendar day period)
- 33
- 34 5. Chronic absenteeism. (Guide: Three (3) times in any thirty(30) calendar day period,
- 35 or six (6) times in any ninety (90) calendar day period)
- 36
- 37 6. Absent without permission or leave (AWOL)
- 38
- 39 7. Failure to file the required Request for Outside Employment Form.
- 40
- 41 8. Abuse of annual leave or extended illness leave privileges.
- 42
- 43 9. Failure to report immediately to the department director the loss of the employee's
- 44 City identification card.
- 45

10. Failure to maintain and keep the department notified of current address and telephone number.
11. Unauthorized posting or removal of any matter on City bulletin boards or City property at any time.
12. Violation of a departmental rule within the Group I level for overall seriousness, nature and significance of the misconduct.

Group II Offenses and Recommended Disciplinary Action

First Violation..... Employee Notice and Two (2) Work Day Suspension
 Second Violation..... Dismissal

Work Related Misconduct

1. Provoking or instigating a fight, actively participating in a fight at any time on City property, or deliberately hitting, shoving, striking, physically abusing or otherwise assaulting or committing a battery upon another person while on duty.
2. Threatening, intimidating, coercing or interfering with fellow employees or the public at any time, including the use of abusive, foul or obscene language.
3. Sleeping during working hours, except as provided in the Fire service.
4. Failure to comply with the requirements of the Code of Ethics.
5. Participating in gambling, lottery, or engaging in any other game of chance at any time while on duty.
6. Making or publishing false, vicious or malicious statements concerning any employee, supervisor, the City, or its operation.
7. Carelessness which results in an injury, damage in excess of \$500.00 or loss of materials, equipment, tools, property or creates a financial liability to the City.
8. Unauthorized distribution of written or printed matter of any description on City.
9. Failure to report to the Office of Law a request for information, or receipt of a form an attorney, law firm, or court of law in connection with City business.
10. Unauthorized vending, soliciting, or collecting contributions for any purpose whatsoever at any time on City property.
11. Use or possession of another employee's tools or equipment without the employee's

1 consent.

2
3 12. Refusal to give testimony in City related accident investigations or refusing to attend
4 grievance/appeal hearings when subpoenaed or directed to attend.

5
6 13. Failure to report in a timely manner an accident or personal injury in which the
7 employee was involved while on the job.

8
9 14. Unauthorized use of City vehicles, equipment or supplies.

10
11 15. Leaving the job site during regular working hours without permission

12
13 16. Leaving the assigned post at the end of the scheduled shift prior to being relieved by
14 the supervisor or the relieving employee on the incoming shift in a continuous
15 operation.

16
17 17. Abuses of annual leave or extended illness leave privileges.

18
19 **Miscellaneous Misconduct**

20
21 1. Unauthorized use of City telephones for personal long distance or toll calls to the City.

22
23 2. Violation of a departmental rule within the Group II level for overall seriousness,
24 nature and significance of the infraction.

25
26 **Group III Offenses and Recommended Disciplinary Action**

27
28 First ViolationDismissal

29
30
31 **Work Related Misconduct**

32
33 1. Serious neglect in the performance of assigned duties.

34
35 2. Deliberately misusing, destroying, damaging, or causing to be damaged any City property
36 or property of any employee.

37
38 3. Falsification of personnel or other City records including, but not limited to, employment
39 applications, accident records, insurance records, leave records, work records, purchase
40 orders, time sheets, or any other report, record or application.

41
42 4. Making false claims or misrepresentations in an attempt to obtain accident benefits,
43 workers' compensation, unemployment compensation, health insurance payments, or
44 other benefits, or failure to repay overpayments in a timely manner.

- 1 5. Insubordination, including refusal to perform work assigned, or to comply with written or
2 verbal instructions, directives or orders of the supervisory force.
3
- 4 6. Use of abusive language or behavior directed toward a citizen, co-worker, supervisor or a
5 member of management.
6
- 7 7. Any violation of the City's "Substance Abuse Policy" or any other policy governing the
8 use and possession of alcohol, drugs, or other controlled substances.
9
- 10 8. Incompetence or inefficiency in the performance of assigned duties.
11
- 12 9. Receipt from any person of a fee, gift, or other valuable thing in the course of work when
13 such fee, gift, or other valuable thing is given or accepted in the hope or expectation of
14 receiving a favor or better treatment than is accorded other persons, or any violation of
15 the Code of Ethics.
16
- 17 10. Unauthorized possession or use of firearms, explosives or weapons on City property.
18
- 19 11. Concerted curtailment or restriction of production or interference with work in or about
20 the City's work stations including, but not limited to, instigating, leading or participating
21 in any walkout, sit-down, stand-in, slowdown, sick-out, refusal to return to work at the
22 assigned time for the scheduled shift, or participation in a strike or any concerted activity
23 against the City as defined in the Charter and Code of the City of Annapolis Chapter
24 3.32.100
25
- 26 13. Participation in prohibited political activity.
27
- 28 14. Failure to obtain and maintain licenses, certifications or other qualifications required for
29 an employee's job.
30
- 31 15. Use or attempted use of political influence or bribery to secure an advantage of any
32 manner.
33
- 34 16. Driving a motor vehicle while on duty without the appropriate, valid license or to report
35 the loss or suspension of a license when an employee is required to drive while on duty.
36

ATTENDANCE RELATED MISCONDUCT

- 37
- 38
- 39 1. Knowingly punching the time card of another employee, having one's time card punched
40 by another employee, or unauthorized altering of a time card or related payroll records.
41
- 42 2. Being absent from duty for a period of three (3) consecutive working days without proper
43 authorization.
44
- 45 3. Failure to return from an authorized leave of absence within three (3) working days from

1 scheduled date of return.

2
3 **MISCELLANEOUS MISCONDUCT**

- 4
5 1. Permitting another person to use your City identification card, or using another
6 identification card, or altering a City identification card.
7
8 2. Removal from City locations without proper authorization any City property or property
9 of any employee.
10
11 3. Immoral, unlawful, improper or indecent conduct, either on or off the job, which would
12 tend to affect the employee's relationship to his job, his fellow workers, his reputation or
13 goodwill in the community.
14
15 4. Conviction of a felony or a misdemeanor of any degree as defined by Maryland Statutes,
16 or any violation of a City ordinance involving moral turpitude, while either on or off the
17 job.
18
19 5. Chronic infractions of the Code of Conduct. (Guide: three (3) violations of any
20 departmental or City rule or regulation in an 18 month period which results in an
21 Employee Notice being issued)
22
23 6. Violation of a departmental rule within the Group III level for overall seriousness, nature
24 and significance of the infraction.
25
26
27

1
2
3
4
5
6
7
8
9

SECTION 8: Appeal Procedures

1 **SECTION 8: GRIEVANCE AND APPEAL PROCEDURES**

2
3 **8-1 Policy**

4
5 The City grievance and appeal procedures provide the opportunity for eligible employees to
6 present a grievance or appeal certain disciplinary actions. Both supervisors and employees are
7 encouraged to make every reasonable effort to resolve grievances and appeals on an informal
8 basis.

9
10 Only full-time classified employees may utilize the formal grievance and appeal procedure. For
11 employees not covered by a collective bargaining agreement, appeals involving involuntary
12 demotion, dismissal, suspension or intolerable work conditions may be appealed only by filing
13 with the Civil Service Board within 5 working days of issuance of Employee Notice, in
14 accordance with Section 3.16.150 of the City Code. .

15
16 Classified employees who are in classifications covered by a union collective bargaining
17 agreement may utilize either the grievance procedure set forth in the collective bargaining
18 agreement or the Civil Service Board, but not both.

19
20 **8-2 Grievance**

21
22 A grievance is defined as a dispute concerning the application or interpretation of the terms of a
23 union collective bargaining agreement; a claimed violation, misinterpretation or misapplication
24 of the Rules and Regulations of the Personnel System, or other City actions affecting the terms
25 and conditions of employment.

26
27 **8-3 Grievance Procedure**

28
29 Employees covered by a union collective bargaining agreement who choose to utilize the
30 grievance procedure in the collective bargaining agreement shall be bound by the grievance
31 procedure contained in the agreement. Alternatively, the employee may opt to file an appeal
32 with the Civil Service Board if the grievance pertains to a matter within the Board's jurisdiction,
33 as defined by Section 3.16.150 of the City Code. Once an employee has elected to pursue a
34 specific appeal procedure, the employee is bound by the election and subsequently may not
35 choose to follow a different procedure.

36
37 **8-4 Grievance and Appeal Records Retention and Disposition**

38
39 Upon receipt of a grievance by a Department Director, a copy of all City grievance forms and
40 appeals shall be forwarded to the Human Resources Department within one (1) working day. A
41 copy of the Department Director's answer to the grievance shall also be forwarded to the Human
42 Resources Director within one (1) working day.

43
44 Records, notes, correspondence, decisions and actions shall be maintained in the Human
45 Resources Department.

1
2 **8-5 Civil Service Board**

3
4 A. Structure

5
6 The Civil Service Board is composed of five (5) residents appointed by the Mayor
7 and confirmed by the City Council. No person shall be appointed to the Board
8 who holds any salaried office or employment in the City government nor shall
9 any member be eligible for municipal employment while serving on the Board.

10
11 B. Duties

12
13 In accordance with Section 3.16.150 of the City Code, it shall be the duty of the
14 Civil Service Board to hear and decide all appeals submitted by Civil Service
15 employees. The Civil Service Board will meet within a reasonable period of time,
16 not to exceed 45 days after the receipt of the appeal to hear the appeal, unless
17 extended by the Civil Service board for good cause or unless mutually agreed
18 upon by the Human Resources Director and the employee who has appealed.
19 During the hearing, the employee and the department shall have the right to be
20 heard publicly and be represented by an attorney. The employee and department
21 shall have the right to be represented by counsel, to call and cross examine
22 witnesses, and to present documentary evidence.

23
24 Within forty-five (45) working days after the conclusion of the hearing, the Civil
25 Service Board shall issue a written decision.

26
27 The Civil Service Board shall adopt rules of procedure governing the conduct of
28 hearings.

**Rules and Regulations
Index**

1	Accident Prevention and Safety.....	55
2	Address and Telephone Number.....	31
3	Administration of the Personnel System.....	5
4	Americans With Disabilities Act (ADA).....	2
5	Annual Leave.....	50
6	Attendance.....	18
7	Bulletin Boards.....	32
8	Cell Phone Usage.....	30
9	City Owned and Supplied Devices or Vehicles.....	33
10	Civil Service Board.....	75
11	Civil Service Status.....	17
12	Classification Provisions.....	19
13	Code of Conduct.....	66
14	Code of Ethics for Public Officers and Employees.....	1
15	Confidentiality.....	40
16	Compensation Practice for Administrative Hearings and Court Attendance.....	54-56
17	Credit Union.....	57
18	Dating/Personal Relationships Policy.....	40
19	Departmental Rules.....	29
20	Disability Separation.....	36
21	Disciplinary Actions.....	64
22	Disqualification for Employment.....	12
23	Double Employment.....	30
24	Eligibility Lists.....	13
25	Employee Assistance Program.....	41
26	Employment Discrimination and Harassment Policy.....	1
27	Employment Application Form and Process.....	11
28	Employment of Relatives (Nepotism).....	14
29	Examination Procedures.....	12
30	Exempt Status.....	30
31	Family and Medical Leave Act.....	47
32	Funeral Leave.....	59
33	General Appearance, Work Attire, and City Uniforms.....	30
34	General Policy.....	11
35	General Provisions.....	5
36	General Terms Used in the Personnel System.....	5-9
37	Grievance and Appeal Records Retention and Disposition.....	74
38	Grievance.....	74
39	Grievance Procedures.....	74
40	Hours of Work.....	30
41	Jury Duty.....	59
42	Leave of Absence Without Pay.....	60

**Rules and Regulations
Index**

1	Longevity Pay Program	61
2	Loss of Driver's License.....	38
3	Military Leave.....	57
4	Outside Employment	30
5	Overtime/Compensatory Time.....	23
6	Paid Holidays	49
7	Participation in Employee Organizations	30
8	Pay Provisions.....	21
9	Pension Plans	36
10	Performance Appraisals.....	26
11	Personal Leave	50
12	Personnel Actions	25
13	Personnel Records and Reports.....	9
14	Policy Regarding a Civil Summons, Complaints or Law Suit.....	42
15	Political Activity.....	32
16	Position Reclassification (Job Audit).....	19
17	Pre-employment Medical Examinations.....	13
18	Prescription Drug Program.....	40
19	Probationary Period	16
20	Reasonable Suspicion Screening	39
21	Recruitment and Examination Announcements	11
22	Resignation.....	36
23	Result of Reclassification	20
24	Return of City Property.....	38
25	Seniority, Layoff, and Recall Procedures	33
26	Schedule and Unscheduled Leave From Work.....	50
27	Short Term Disability.....	58
28	Sick Leave.....	52
29	Solicitation of Contributions, Memberships, or Business	32
30	Smoke Free Work Environment.....	32
31	Statements by City Employees to Attorneys, Law Firms or Others	44
32	Substance Abuse Policy.....	38
33	Substance Testing	39
34	Termination or Demotion of a Probationary Employee	17
35	Tuition Assistance Program.....	61
36	Unemployment Compensation.....	58
37	Use of City Vehicles or Privately Owned Vehicles on City Business.....	31
38	Use of Electronic Equipment and Services.....	37
39	Vehicle/Mileage Allowance.....	61
40	Workers Compensation.....	56