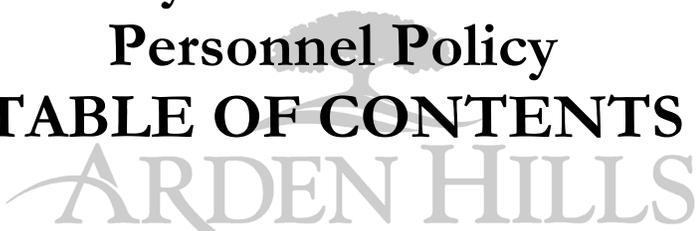


**City of Arden Hills
Personnel Policy
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STATEMENT OF POLICY

The policies contained in this handbook should not be construed as contract terms for City Employees. Nothing in this handbook, or in other City policies which may be communicated to the employee, constitutes a contract of employment for any city employee.

Any term and condition of employment shall remain solely within the discretion of the City to modify, establish, or eliminate. The City of Arden Hills retains the full and unrestricted right to operate and manage all personnel, facilities, and equipment; to establish functions and programs; to set and amend budgets; to determine the utilization of technology; to establish and modify the organizational structure; to select, direct, and determine the number of personnel; to establish work schedules, and to perform any inherent managerial function not specifically limited by current collective bargaining agreements, these regulations, and City Council resolutions. These policies supersede all previous personnel policies. Nothing in these policies is intended to modify or supersede any applicable provision of State or Federal law.

DEFINITIONS

Anniversary Date- Benefits	Shall mean the month and day of initial hiring of a Full-time or Temporary employee.
Anniversary Date – Promotions	Shall mean the month and day of a promotion of a Full-time or Temporary employee.
Benefits	Benefits shall mean indirect compensation granted to employees.
Benefit Earning Employees	Employees who are eligible for at least a pro-rated portion of city-provided benefits. Such employees must be year-round employees who work at least 20 hours per week on a regular basis. Except as otherwise required by law, temporary and seasonal employees are not benefit earning employees.
Benefit Year for PTO	March 1 – February 28.
Certified Bargaining Unit	Group of employees who have been determined by the State to have a common interest in the collective bargaining process and whose interest has been determined as appropriate by the State.
Class	A position or group of positions similar in respect to their duties and responsibilities so that the same title can reasonably be used and the same salary schedule may be applied to the position.
Compensatory Time	Time off from work for employees not exempt from the provisions of the Fair Labor Standards Act. Compensatory time shall be computed at one and one-half times the number of overtime hours worked.
Demotion	The placement of an employee in a position having a lower pay and/or less responsibility than the position previously held. This could involve a reduction in salary due to incompetency, inefficiency, or misconduct.

Exempt Employee

An employee who is exempt from the overtime provisions of the Fair Labor Standards Act.

Flex-Time

Time off from work for exempt employees. May only be used in increments of 9-hours or less, no consecutive days, maximum accrual of 80 hours.

Grievance

A dispute or disagreement regarding the interpretation or application of the specific terms and conditions of a labor agreement or City policy.

Immediate Family

The employee's spouse, legal guardian, as well as children, siblings, parents, in-laws, grandparents, aunt, uncle, niece, and nephew by blood, marriage or adoption.

Lay-Off

The temporary dismissal from employment of an employee for an unspecified length of time. During a period of lay-off, employees do not accrue benefits and are not credited with service.

Municipal Service

Employed by the City.

Non-Exempt Employee

An employee who is not exempt from the overtime provisions of the Fair Labor Standards Act.

Overtime

Duties performed at the express authorization of the Employer in excess of the 40 hours per work week.

Personal Time Off

Personal Time Off (PTO) is authorized paid absence from duty.

Position

Employment calling for the performance of specified tasks which constitute the total work assignment of a single employee.

Promotion

The placement of an employee in a position having a higher pay range and/or more responsibility than the position previously held.

Full-time Employee

Means an employee who has successfully completed the required training period and is scheduled for that number of hours which make up the regularly scheduled weekly or monthly period of service in the class.

Part-time Employee

Any employee that works less than 40 hours per week.

Seasonal Employee

Employees who work only part of the year (100 days or less) to conduct seasonal work. Seasonal employee may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn benefits or credit for seniority. In order to comply with health care reform law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended or, in some rare instances, may be offered health insurance to comply with federal health care reform laws and regulations while avoiding associated penalties.

Service Credit

The specified period of time required for an employee to be eligible for benefits.

Temporary Employee

Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn benefits or credit for seniority. In order to comply with health care reform law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended or, in some rare instances, may be offered health insurance.

Termination

The separation of an employee from the municipal service as a result of discharge, resignation, retirement, or death.

Training Period

A six-month period at the start of employment with the city (or at the beginning of a promotion, reassignment, or transfer) that is designated as a period within which to learn the job. The training period may be extended by the City at the City's option. The training period is the last part of the selection process.

Transfer

The position within the same class as the position previously held. A transfer does not result in a change in pay range.

Weapons

Weapons are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

PURPOSE AND APPLICATION

The purpose of this policy is to establish a uniform and equitable system of municipal personnel administration for employees of the City.

The provisions of this policy shall apply to employees of the City. Except where specifically authorized, the policies shall not apply to:

- All elected officials.
- Temporary employees other than benefit earning employees, and interns.
- Consultants and other rendering professional services on a fee basis.
- Volunteer personnel and personnel appointed to serve without pay, including members of boards, commissions and committees.
- Emergency appointees serving with or without pay.
- Seasonal employees.
- Specialized instructors.
- Referees and coaches.

If any specific provisions of the personnel policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy and intent of the City of Arden Hills to provide equality of opportunity in employment to all persons. The policy prohibits discrimination because of race, color, creed, religion, national origin, sex, sexual orientation, disability, age, marital status, ancestry, genetic information, veteran status, familial status, membership in a local human rights commission, or status with regard to public assistance or any other characteristic protected by law.

The EEO policy applies to all phases of full, part-time, temporary and seasonal employment, unless otherwise stated, but not limited to, recruitment, hiring, rates of pay, or other forms of compensation and selection for training. This policy also applies to the use of all facilities and participation in all City-sponsored employee activities.

EMPLOYEE RECORDS

Employee records are maintained in the City Administrators Office. Laws regarding data privacy, as adopted in the Data Practices Policy found in the Addendum, are strictly followed.

It is important that your permanent personnel records are kept accurate and up-to-date. You must immediately notify the City Clerk or the City Administrator when there is a change in any of the following:

- Name (through marriage or otherwise)
- Address
- Marital status
- Beneficiaries for life insurance and retirement
- Telephone number
- Person to contact in case of an emergency

This data is private and is not revealed without your permission.

NEWS RELEASES

Formal news releases concerning municipal affairs are the responsibility of the City Administrator. All media interviews must be approved by the City Administrator before the interview. All contacts with the media should be reported to the City Administrator as soon as practicable.

No City employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his/her designee.

All news releases concerning City personnel will be the responsibility of the City Administrator.

For more information, see General Guidelines for all Communications (Official and Person).

PERSONNEL RECORDS AND FORMS

In order that proper reports may be made and records maintained concerning the various personnel activities, the City Administrator, or their designee, shall develop, or cause to have developed and installed, appropriate forms and records for this purpose. The City Administrator, or their designee, shall have responsibility for maintaining and coordinating all necessary personnel records. Annually employees will be required to review the Personnel Policy and sign an acknowledgement form and update the Employee Information/Emergency Information form. The City Administrator, or their designee, shall advise all employees on all personnel transactions, records systems and procedures.

Any employee or the employee's designated representative, when authorized in writing by the employee, may review such employee's Official Personnel File maintained in the City Administrator's office upon request to the City Administrator. Such review may be made during regular office hours consistent with the conditions established by the City Administrator.

BACKGROUND CHECKS

All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator, or their designee, will determine the level of background check to be conducted based on the position being filled.

A final applicant for a City position will be subject to a criminal history investigation. Before the investigation is undertaken, the finalist must authorize, in writing, the City to undertake such an investigation on a form approved by the City Attorney, and provided by the City Clerk.

RECRUITMENT AND SELECTION

All appointments in the municipal service shall be made according to job-relevant qualifications, merits and fitness as determined by the City Council or City Administrator. Appointments to municipal service shall be made by the Appointing Authority.

The basic recruitment and selection policies of the City are to take whatever measures necessary to seek out and to encourage properly qualified individuals to apply for positions at all levels of City service and to provide assurance that the best qualified applicants are taken into municipal service. No person shall in any way be favored or discriminated against because of race, color, creed, age, marital status, sex, political opinion or affiliation, disability, sexual orientation, or welfare assistance status.

In making a selection from among candidates to fill vacancies, the City may use written, oral or performance tests, an evaluation of training and experience, or any combination of these. Investigations of background, character, education, experience or physical fitness may also be required.

Any applicant or employee giving false or misleading information on an application form, cheating on an examination, or falsifying a statement, certificate or evaluation shall not be considered for employment or shall be subject to immediate dismissal. Fraud or attempts to commit fraud which would preclude the City from impartially executing these provisions shall be cause for the City to refuse to appoint an applicant or to dismiss an employee.

No person seeking employment or promotion shall, either directly or indirectly, attempt to influence the City Administrator or City Council in any way with money, services, or other remuneration.

It is the City's policy that relatives of persons currently employed by the City may be hired only if they will not be working under or over a relative within a reporting chain and are not likely to be in such a position in the future. Current employees of the City will not be transferred or promoted into such a reporting chain relationship. If the employees become relatives after employment, management will implement any appropriate transfer or separation decision that may be necessary after consulting with the affected employees.

For purposes of this Section, a relative includes the employee's spouse, legal guardian, as well as children, siblings, parents, in-laws, grandparents, aunt, uncle, niece, and nephew by blood, marriage or adoption.

Appointment to a position of municipal service shall not be construed to be a property right of the employee. All employees are appointed by and serve at the sole discretion of the City Council.

EMPLOYMENT GUIDELINES

Job Posting

The City of Arden Hills will post all job openings internally, and may also be publicized in a local newspaper or through other news media deemed necessary, in order to encourage qualified persons to apply. Qualified applicants will be interviewed by the City Administrator, or their designee, appropriate Supervisor, the respective Council Committee, and appointed by the City Council.

Such notice shall include the job titles, duties, and the date the position is intended to be filled.

Transfers

The City Council in their discretion may transfer employees from one department to another or transfer work between departments of the City or to independent contractors.

Conduct as a City Employee

In accepting City employment, employees become representatives of the City and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of Arden Hills. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a City employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

Staff Guidelines

Since all employees share the responsibility for keeping their department operating in an orderly, safe and efficient manner, they are entitled to know the types of conduct, which will contribute to fulfilling their department's functions. At a minimum all employees are required to:

BE ON TIME Supervisors depend on each employee for help in maintaining important work schedules. Being at the job location and ready to begin work at the specified time will get things off to the right start. An employee who wishes to flex their hours must submit a form to their supervisor for approval. The form will indicate the regular schedule of the employee as well as the requested flex hours. If approved and signed by the supervisor, the form will be filed in the employee's Personnel File and is updated annually.

BE REGULAR Excessive absenteeism or tardiness jeopardizes an employee's job and creates problems for supervisors and fellow workers. An employee is required to furnish satisfactory evidence that their absence is justified if their supervisor requests it.

GIVE ADVANCE NOTICE WHEN USING UNSCHEDULED PERSONAL TIME OFF An employee must notify their supervisor as early as possible if using

unscheduled Personal Time Off. Except in unusual cases, he/she should talk directly with their supervisor to be sure that their supervisor receives the message.

HELP KEEP THE WORK AREA AND EQUIPMENT IN GOOD ORDER It is necessary to maintain sanitary and healthful conditions throughout the buildings and offices. Good housekeeping promotes good workmanship and safety. Equipment must be kept in order, the floor free of litter and the general rules of housekeeping observed. Be neat in your personal appearance.

PERFORM THE JOB PROPERLY Supervisors are responsible for directing the work. They will answer any questions or clarify any assigned duties, which an employee does not understand. Every employee should take pride in their work and perform their job carefully and according to instructions. All necessary information should be passed on to relief operators in order that they may continue the operation without interruption or confusion.

BE AN EXAMPLE The conduct of each individual shall be beyond criticism as a public employee. Good conduct not only allows the employee to protect himself/herself from censure, but also helps to make the whole organization to be one of pride to the community.

BE POLITE No employee should let the weight of their job affect their personality. A cheerful, polite attitude not only makes work easier, but also makes it easier for fellow workers to work with the employee.

DRESS CODE Because all City staff interact with the public on a regular basis, it is important for all employees to represent the City by dressing in a professional manner. Each City employee should dress in a department issued uniform or in a “Business Casual” fashion. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry or other items that could present a safety hazard are not acceptable in the workplace.

The City recognizes special job assignments or special duties of a particular job may require an employee to wear non-business casual clothing. Approval must be received from your supervisor for non-business casual clothing.

The City has adopted a casual Friday policy which allows an employee to wear jeans. In the event an employee arrives at work inappropriately dressed or groomed, the

employee will be sent home to change into appropriate clothing, and will be expected to use PTO for the lost time during the work day.

CONFLICT OF INTEREST City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision

could be perceived or actual conflict of interest. If an employee has any question about whether such a conflict exists, he/she should consult with the City Administrator, or their designee.

FALSIFICATION OF RECORDS Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

PERSONAL PHONE CALLS Personal telephone calls are to be made or received only when truly necessary. They are not to interfere with City work and are to be completed as quickly as possible. Any personal long distance call costs will be paid by the employee. Please refer to the Cell Phone policy for information on use of cellular phones.

POLITICAL ACTIVITY City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no City employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the City to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member of a political organization.

KNOW THESE REGULATIONS Employees are expected and required to know and observe rules and regulations contained in this manual as a condition of original and continued employment.

EMPLOYEE'S RESPONSIBILITIES

General Policy

For the effective administration and implementation of City policy, and to serve the citizens, each individual employee must cooperate to the fullest with all fellow employees and the public. City employees have a high degree of visibility to the general public and, therefore, must exercise particular care and caution to ensure that all work undertaken is accomplished expediently and with efficiency. To achieve this goal, employees must adhere to established rules and procedures and follow the instructions of their supervisors.

Employees Are Required To:

1. Render prompt and courteous service to the public at all times conducting themselves with decorum, patience, and every possible courtesy.
2. Perform their assigned duties to the best of their ability at all times and to continually strive to improve their performance.
3. Read, understand and comply with the rules and regulations as set forth in this Personnel Policy as well as those of their department.
4. Report all unsafe conditions to their immediate supervisor.

PUBLIC EMPLOYEE'S RETIREMENT ASSOCIATION (PERA)

The city participates in the Public Employees Retirement Association (PERA) to provide pension benefits for its eligible employees to help plan for a *successful and secure retirement*. Participation in PERA is mandatory for most employees, and contributions into PERA begin immediately. The city and the employee contribute to PERA each pay period as determined by state law. Employees are also required to contribute a portion of each pay check for Social Security and Medicare (the city matches the employee's Social Security and Medicare withholding). For information about PERA eligibility and contribution requirements visit their website at www.mnpera.org

RIGHT TO KNOW

Any employee routinely exposed to hazardous substances or harmful physical agents as defined in the Minnesota Employee Right to Know Act of 1983 (Laws 1983, Ch. 316, Minn. Stat. 182.65-182.675) shall be trained before being assigned or reassigned work exposing the employee to such substances or agents and shall be given training annually thereafter. Training shall include an explanation of how and where information about hazards are stored in the workplace, how the hazards are labeled, and where to obtain specific information. The City Administrator, or their designee, shall provide for such training and for compliance with the "Minnesota Employee Right to Know Act of 1983", including the establishment of specific policies to insure compliance with the State law and regulations. An employee acting in good faith has the right to refuse to work under conditions which the employee reasonably believes present an imminent danger of death or serious physical harm to the employee.

DRUG-FREE WORKPLACE POLICY

PURPOSE AND OBJECTIVES

The City of Arden Hills (“City”) has a vital interest in maintaining safe, healthful, and efficient working conditions for employees, and recognizes that individuals who are impaired because of drugs and/or alcohol jeopardize the safety and health of other workers as well as themselves. The City of Arden Hills does not intend to intrude into the private lives of its employees, but strongly believes that a drug- and alcohol-free workplace is in the best interest of employees and the public alike. Alcohol and drug abuse can cause unsatisfactory job performance, increased tardiness and absenteeism, increased accidents and workers’ compensation claims, higher insurance rates, and an increase in theft of city property. The City of Arden Hill’s Drug and Alcohol Testing Non-DOT policy has been established for the purpose of providing a safe workplace for all.

City employees and applicants required to hold a commercial driver’s license by the United States Department of Transportation (“DOT”) for their job will be tested under the City’s Policy on Controlled Substance and Alcohol Testing for Commercial Drivers (the “DOT Policy”). All other employees and job applicants in safety-sensitive positions offered employment with the city must undergo testing as described by this policy.

To ensure the policy is clearly communicated to all employees and applicants to whom offers of employment have been made, and to comply with state law, employees and applicants are required to review this policy and sign the “policy acknowledgement.” A job applicant will also acknowledge in this form that he/she understands that passing the drug test may be a requirement of the job.

DEFINITIONS

“Alcohol” means the intoxicating agent in beverage alcohol or any low molecular weight alcohols such as ethyl, methyl, or isopropyl alcohol. The term includes but is not limited to beer, wine, spirits, and medications such as cough syrup that contain alcohol.

“Alcohol use or usage” means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

“Applicant” means a person applying for a job with the City.

“City” means the City of Arden Hills

“City premises” means, but is not limited to, all City job sites and work areas. For the purposes of this policy, city premises also includes any other locations or modes of

transportation to and from those locations while in the course and scope of employment of the City.

“City vehicle” means any vehicle which employees are authorized to use solely for City business when used at any time; or any vehicle owned or leased by the City when used for City business.

“Collection site” means a place designated by the City where job applicants and employees present themselves for the purpose of providing a specimen of their breath, urine, and/or blood to be analyzed for the presence of controlled substances and alcohol.

“Confirmatory test” means a controlled substance or alcohol test on a sample to substantiate the results of a prior controlled substance or alcohol test on the same sample, and that uses a method of analysis allowed under one of the programs listed in Minn. Stat. § 181.953, subd. 1.

“Drug” has the same meaning as “controlled substance” defined in Minn. Stat. § 152.01, subd. 4.

“Drug and alcohol testing,” “drug or alcohol testing,” and “drug or alcohol test” mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, subd.1, for the purpose of measuring their presence or absence of drugs, alcohol, or their metabolites in the sample tested.

“Drug paraphernalia” has the meaning set forth in Minn. Stat. § 152.01, subd. 18.

“Employee” means a person who performs services for compensation for the City and includes independent contractors except where specifically noted in this policy.

“Initial screening test” means a drug or alcohol test that uses a method of analysis under one of the programs listed in Minn. Stat. § 181.953, subd. 1.

“Job applicant” means a person who applies to become an employee of the City, and includes a person who has received a job offer made contingent on the person passing drug testing.

“Positive test result” means a finding of the presence of alcohol, illegal drugs, or their metabolites that exceeds the cutoff levels established by the City. Minimum threshold detection levels are subject to change as determined in the City’s sole discretion.

“Random selection basis” means a mechanism for selection of employees that (1) results in an equal probability that any employee from a group of employees subject to the

selection mechanism will be selected, and (2) does not give an employer discretion to waive the selection of any employee selected under the mechanism.

“Reasonable suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

“Safety-sensitive position” means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

“Under the influence” means (1) the employee tests positive for alcohol or drugs, or (2) the employee’s actions, appearance, speech, and/or bodily odors reasonably cause the City to conclude that the employee is impaired because of illegal drug use or alcohol use.

PERSONS SUBJECT TO TESTING & CIRCUMSTANCES UNDER WHICH TESTING MAY BE REQUIRED

Under this policy, the City may test any specified applicant to whom an offer of employment has been made, and may test any employee for alcohol and/or controlled substance under any of the following circumstances with a properly accredited or licensed testing laboratory, in accordance with Minn. Stat. § 181.953, subd. 1:

Pre-Employment Testing.

Full-time and temporary/seasonal employees in safety sensitive positions as determined by the City Administrator will be subject to drug testing upon receiving a conditional job offer. If the job offer is withdrawn based on drug test results, the city will inform the applicant of the reasons for the withdrawal. A failure of the drug test, a refusal to take the test, or failure to meet other conditions of the offer will result in a withdrawal of the offer of employment even if the applicant’s provisional employment has begun. A negative or positive dilute test result (following a second collection), which has been confirmed, will also result in immediate withdrawal of an offer of employment to an applicant.

Reasonable Suspicion Testing.

Consistent with Minn. Stat. § 181.951, subd. 3, employees will be subject to alcohol and controlled substance testing when reasonable suspicion exists to believe that the employee:

- Is under the influence of alcohol or a controlled substance; or
- Has violated written work rules prohibiting the use, possession, sale or transfer of drugs or alcohol while working, while on city property, or while operating city vehicles, machinery or any other type of equipment; or

- Has sustained a personal injury as defined in Minn. Stat. § 176.011, subd. 16 or has caused another employee to sustain an injury or;
- Has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

Reasonable suspicion may be based upon, but is not limited to, facts regarding appearance, behavior, speech, breath, odor, possession, proximity to or use of alcohol or a controlled substance or containers or paraphernalia, poor safety record, excessive absenteeism, impairment of job performance, or any other circumstances that would cause a reasonable employer to believe that a violation of the city's policies concerning alcohol or drugs may have occurred. These observations will be reflected in writing on a Reasonable Suspicion Record Form.

For off-site collection, employees will be driven to the employer-approved medical facility by their supervisor or a designee. For an on-site collection service, the employee will remain on site and be observed by the supervisor or designee. The medical facility or on-site collection service will take the urine or blood sample, and will forward the sample to an approved laboratory for testing.

Pursuant to the requirements of the Drug-Free Workplace Act of 1988, all City employees, as a condition of continued employment, will agree to abide by the terms of this policy and must notify the City Administrator, or their designee, of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction. If required by law or government contract, the City will notify the appropriate federal agency of such conviction within 10 days of receiving notice from the employee.

Treatment Program Testing.

In accordance with Minn. Stat. § 181.951, subd. 6., the City may request or require an employee to undergo drug and alcohol testing if the employee has been referred by the City for chemical dependency treatment or evaluation, or is participating in a chemical dependency treatment program under an employee benefit plan. In such a case, the employee may be requested or required to undergo drug or alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two years following completion of any prescribed chemical dependency treatment program.

Routine Physical Examination Testing.

The City may request or require an employee to undergo drug testing as part of a routine physical examination. The City, in accordance with Minn. Stat. § 181.951, subd. 3, will request or require this type of testing no more than once annually, and the employee will be provided with at least two weeks' written notice that the test will be required as part of the physical examination.

Random Testing.

In accordance with Minn. Stat. § 181.951, subd. 4, the City may require an employee to submit to random testing if the employee is in a safety-sensitive position.

Right of Refusal.

Employees and job applicants have the right to refuse to submit to an alcohol or drug test under this policy. However, such a refusal will subject an employee to immediate termination. If an applicant refuses to submit to applicant testing, any conditional offer of employment will be withdrawn.

Any intentional act or omission by the employee or applicant that prevents the completion of the testing process constitutes a refusal to test.

An applicant or employee who substitutes, or attempts to substitute, or alters, or attempts to alter a testing sample is considered to have refused to take a drug and/or alcohol test. In such a case, the employee is subject to immediate termination of employment, and in the case of an applicant, the job offer will be immediately withdrawn.

Refusal on Religious Grounds

An employee or job applicant who, on religious grounds, refuses to undergo drug or alcohol testing of a blood sample will not be considered to have refused testing, unless the employee or job applicant also refuses to undergo drug or alcohol testing of a urine sample.

Cost of Required Testing.

The City will pay for the cost of all drug and alcohol testing requested or required of all job applicants and employees, with the exception of confirmatory retests. Job applicants and employees are responsible for paying for all costs associated with any requested confirmatory retests.

PROHIBITION AGAINST CONTROLLED SUBSTANCE AND ALCOHOL**Use and Possession of Alcohol or Drug(s).**

Employees are prohibited from the use, possession, transfer, transportation, manufacture, distribution, sale, purchase, solicitation to sell or purchase, or dispensation of alcohol, drugs, or drug paraphernalia while on duty; is on City premises; while operating any City vehicle, machinery, or equipment; or when performing any city business, except (1) pursuant to a valid medical prescription used as properly instructed; (2) the use of over-the-counter controlled substance used as intended by the manufacturer; or (3) when necessary for approved law enforcement activity.

Besides having a zero-tolerance policy for the use or possession of alcohol, illegal drugs, or misused prescription drugs on the worksite, we also prohibit the use, possession of,

impairment by any cannabis or medical cannabis products (e.g., hash oils or pills) on the worksite by a person working as an employee at the City or while “on call” and subject to return to work. Having a medical marijuana card, patient registry number, and/or cannabis prescription from a physician does not allow anyone to use, possess, or be impaired by that drug here. The federal government still classifies cannabis as an illegal drug, even though some states have decriminalized its possession and use. There is no acceptable concentration of marijuana metabolites in the blood or urine of an employee who operates our equipment or vehicles or who is on one of our worksites. Applicants and employees are still subject to being tested under our drug and alcohol testing policy. Employees are subject to being disciplined, suspended, or terminated after testing positive for cannabis if the employee used, possessed, or was impaired by cannabis, including medical cannabis, while on the premises of the place of employment or during the hours of employment.

While Impaired of Alcohol or Drug(s).

Employees are prohibited from being under the influence of alcohol or drugs or having a detectable amount of an illegal drug in the blood or urine when reporting for work; while on duty; is on the City’s premises; while operating any city vehicle, machinery, or equipment; or when performing any City business, except (1) pursuant to a valid medical prescription used as properly instructed; or (2) the use of over-the-counter controlled substance used as intended by the manufacturer.

Driving While Impaired.

A conviction of driving while impaired in a City-owned vehicle at any time during business or non-business hours, or in an employee-owned vehicle while conducting city business, may result in discipline, up to and including discharge.

Criminal Controlled Substance Convictions.

Any employee convicted of any criminal drug statute must notify his or her supervisor and the City Administrator, or their designee, in writing of such conviction no later than five days after such conviction. Within 30 days after receiving notice from an employee of a controlled substance-related conviction, the City will take appropriate personnel action against the employee up to and including discharge, or require the employee to satisfactorily participate in a controlled substance abuse assistance or rehabilitation program as an alternative to termination. In the event notice is not provided to the supervisor and the employee is deemed to be incapable of working safely, the employee will not be permitted to work and will be subject to disciplinary action, including dismissal from employment. In accordance with the Federal Drug-Free Workplace Act of 1988, if the City is receiving federal grants or contracts of over \$25,000, the City will notify the appropriate federal agency of such conviction within 10 days of receiving notice from the employee if required by federal law.

Failure to Disclose Lawful Controlled Substance.

Employees taking a lawful controlled substance, including prescription and over-the-counter controlled substances, which may impair their ability to perform their job responsibilities or pose a safety risk to themselves or others, must advise their supervisor of this before beginning work. It is the employee's responsibility to seek out written information from his/her physician or pharmacist regarding medication and any job performance impairment and relay that information to his/her supervisor. In the event of such a disclosure, the employee will not be authorized to perform safety-sensitive functions.

REVIEW AND NOTIFICATION OF TEST RESULTS**Notification of Negative Test Results.**

In the case of job applicants and in accordance with Minn. Stat. § 181.953, The City Administrator, or their designee, will notify a job applicant of a negative drug result within three days of receipt of result by the City, and the hiring process will resume. In accordance with Minn. Stat. § 181.953, subd. 3, a laboratory must report results to the city within three working days of the confirmatory test result. A "Negative Test Results Notification" form will be sent to the job applicant, and the job applicant may request a copy of the test result report from the City Administrator, or their designee.

In the case of current employees and in accordance with Minn. Stat. § 181.953, the City Administrator, or their designee, will notify the employee of a negative drug and/or alcohol result within three days of receipt of result by the city. A "Negative Test Results Notification" form will be sent to the employee, and he or she may request a copy of the test result report from the City Administrator, or their designee.

Notification of Positive Test Results.

In the event of a confirmed positive blood or urine alcohol and/or drug test result, the city will notify the employee of a negative drug and/or alcohol result within three days of receipt of the result. The City Administrator, or their designee, will send to the employee or job applicant a "Positive Test Results Notification" letter containing further instructions. The employee or job applicant may contact the City Administrator, or their designee, to request a copy of the test result report if desired. In accordance with Minn. Stat. § 181.953, subd. 3, a laboratory must report results to the City within three working days of the confirmatory test result.

- **Right to Provide Information After Receiving Test Results.** Within three working days after notice of a positive controlled substance or alcohol test result on a confirmatory test, the employee or job applicant may submit information to the City to explain the positive result. In accordance with Minn. Stat. § 181.953, subd. 10, if an employee submits information either before a test or within three working

days after a positive test result that explains the positive test result, (such as medications the employee is taking), the City will not take an adverse employment action based on that information unless the employee has already been under an affirmative duty to provide the information before, upon, or after hire.

- **Right to Confirmatory Retest.** A job applicant or employee may request a confirmatory retest of the original sample at the job applicant's or employee's own expense after notice of a positive test result on a confirmatory test. Within five working days after notice of the confirmatory test result, the job applicant or employee must notify the City in writing of the job applicant's or employee's intention to obtain a confirmatory retest. Within three working days after receipt of the notice, the City will notify the original testing laboratory that the job applicant or employee has requested the laboratory to conduct the confirmatory retest or transfer the sample to another qualified laboratory licensed to conduct the confirmatory retest. The original testing laboratory will ensure the control and custody procedures are followed during transfer of the sample to the other laboratory. In accordance with Minn. Stat. § 181.953, subd. 3, the laboratory is required to maintain all samples testing positive for a period of six months. The confirmatory retest will use the same controlled substance and/or alcohol threshold detection levels as used in the original confirmatory test.

In the case of job applicants, if the confirmatory retest does not confirm the original positive test result, the City's job offer will be reinstated and the City will reimburse the job applicant for the actual cost of the confirmatory retest. In the case of employees, if the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test will be taken against the employee, the employee will be reinstated with any lost wages or salary for time lost pending the outcome of the confirmatory retest result, and the City will reimburse the employee for the actual cost of the confirmatory retest.

- **Access to Reports.** In accordance with Minn. Stat. § 181.953, subd. 10, an employee will have access to information contained in his or her personnel file relating to positive test results and to the testing process, including all information gathered as part of that process.

Dilute Specimens.

A negative or positive dilute test result (following a second collection) which has been confirmed will subject an employee to immediate termination.

CONSEQUENCES FOR EMPLOYEES ENGAGING IN PROHIBITED CONDUCT

Job Applicants.

The City's conditional offer of employment will be withdrawn from any job applicant who refuses to be tested or tests positive for illegal drugs as verified by a confirmatory test.

Employees.

- **No Adverse Action Without Confirmatory Test.** The City will not discharge, discipline, discriminate against, or request or require rehabilitation of an employee based on a positive test result from an initial screening test that has not been verified by a confirmatory test.
- **Suspension Pending Test Result.** The City may temporarily suspend a tested employee with or without pay, or transfer that employee to another position at the same rate of pay pending the outcome of the requested confirmatory retest, provided the City believes that it is reasonably necessary to protect the health or safety of the employee, co-employees, or the public. The employee will be asked to return home, and will be provided appropriate arrangements for return transportation to his or her residence. In accordance with Minn. Stat. § 181.953, subd. 10, an employee who has been suspended without pay will be reinstated with back pay if the outcome of the requested confirmatory retest is negative.
- **Discipline and Discharge.**
 - ✓ **Confirmatory Positive Test Result.** The City will not discharge an employee for a first confirmatory positive test unless the following conditions have been met:
 - 1) The City has first given the employee an opportunity to participate in either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the City after consultation with a certified chemical use counselor or physician trained in the diagnosis and treatment of chemical dependency. Participation by the employee in any recommended substance abuse treatment program will be at the employee's own expense or pursuant to the coverage under an employee benefit plan. The certified chemical use counselor or physician trained in the diagnoses and treatment of chemical dependency will determine if the employee has followed the rehabilitation program as prescribed; and
 - 2) The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its

completion or by a refusal to test or positive test result on a confirmatory test after completion of the program.

- ✓ ***Other Misconduct.*** Nothing in this policy limits the right of the City to discipline or dismiss an employee on grounds other than a positive confirmatory test result, including conviction of any criminal drug statute for a violation occurring in the workplace or violation of other city personnel policies.
- **Emergency Call Back to Work Provisions.** If an employee is called out for a City emergency and he or she reports to work and is suspected of being under the influence of drugs or alcohol, he or she will not be subject to the testing procedures of this policy, but may be subject to discipline and will not be allowed to work. Appropriate arrangements for return transportation to the employee's residence will be made. It is the sole responsibility of the employee who is under the influence of alcohol and/or drugs and who is called out for a City emergency, to notify his or her supervisor of this information and advise if he or she is unable to respond to the emergency call back.

NON-DISCRIMINATION

The City of Arden Hills' policy on work-related substance abuse is non-discriminatory in intent and application; however, in accordance with Minn. Stat., ch. 363, disability does not include conditions resulting from alcohol or other drug abuse which prevents an employee from performing the essential functions of the job in question or constitutes a direct threat to property of the safety of individuals.

Furthermore, the City will not retaliate against any employee for asserting his or her rights under this policy.

POLICY CONTACT FOR ADDITIONAL INFORMATION

If you have any questions about this policy or the City's drug and alcohol testing procedures, you may contact your immediate supervisor, the City Administrator, or their designee, to obtain additional information.

By this policy, the City of Arden Hills has established a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace and its policy of maintaining a drug-free workplace. Each City employee will receive a copy of this policy and will be required to read it.

CITY'S EMPLOYEE ASSISTANCE PROGRAM (EAP) AND ORGANIZATIONAL ASSISTANCE PROGRAM (OAP)

The City has in place a formal employee assistance program (EAP) to assist employees in addressing serious personal or work-related problems at any time. The City's EAP provides confidential, cost-free, short-term counseling to employees and their families. Employees who may have an alcohol or other drug abuse problems are encouraged to seek assistance before a problem affects their employment status. Employee assistance program services are available by contacting the Sand Creek Group, Ltd. at 1-888-243-5744.

The City also has an Organizational Assistance Program (OAP) for personnel or work-related matters including but not limited to: professional tension or conflict, performance related matters and a variety of other work-related challenges or difficulties. If work related matters or professional interactions have become difficult, the city has asked for a Sand Creek OAP Consultant to assist both staff and management related to these types of issues.

CITY PROPERTY

The City will furnish all applicable tools, equipment, vehicles and similar instruments of production necessary for an employee to perform their job. Such items are the responsibility of the employee to maintain. No City equipment of any kind is to be used or operated by anyone other than a City employee. The willful damage, destruction, or the unauthorized removal of city-owned property shall be grounds for immediate dismissal.

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other city-owned equipment must register his/her name and the serial number (if applicable) or identifying information about the equipment with his/her supervisor. All such equipment must be turned in and accounted for by any employee leaving employment with the city in order to resign in good standing.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the city is prohibited unless authorized by the City Administrator. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

CITY BRANDED CLOTHING POLICY

Permanent Arden Hills City Staff that do not receive a prescribed uniform allowance will receive City branded clothing on the following schedule:

- Odd year: One polo-shirt with the Arden Hills logo embroidered
- Even year: One sweatshirt with the Arden Hills logo embroidered

New employees will receive the article of clothing for that year when they start employment.

The City Administrator, Department Heads, and staff (at the City Administrator's discretion) that frequently interact with the public in the field will also be issued one button down shirt embroidered with the City's logo annually.

These clothing items will be considered necessary as part of the employee's role with the City and may be required to be returned to the City when an employee's service ends with the City.

An employee may purchase additional City branded apparel at their own expense. All items must be approved by their supervisor to ensure the items meet any applicable dress code or other standard.

CITY VEHICLES AND EQUIPMENT

City vehicles and equipment shall be used only in conjunction with performance of City operations and duties. City vehicles shall not be used for transportation from a specific job site or location for the purpose of taking a rest period or lunch period, unless authorized by the supervisor. Persons operating City vehicles are prohibited from providing rides to non-authorized passengers. Employees are prohibited from using City vehicles or other City equipment for personal purposes without prior approval from the City Administrator.

CITY DRIVING POLICY

This policy applies to all employees who drive a vehicle on City business whether driving a City-owned vehicle or their own personal vehicle. The City expects all employees who are required to drive as part of their job to drive safely and legally when on City business and to maintain a good driving record. This includes, but is not limited to, the below rules regarding cell phone usage and driving:

- Reading/sending text messages, making or receiving phone calls, emailing, video calling, scrolling/typing, accessing a webpage, or using non-navigation applications while driving is strictly prohibited.

- In accordance with State law, there is an exception to hands free cell phone operations to obtain emergency assistance to report a traffic accident, medical emergency or serious traffic hazard or prevent a crime from being committed. There is also a State law exception for authorized emergency vehicles while in the performance of official duties.

- Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all fines or charges that result from such actions.

- Any violations of the hands-free law, including those witnessed by other staff or Councilmembers, will be recorded in the employee's personnel file and the employee may be subject to discipline up to and including termination.

The City will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first day of work after any temporary, pending or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter.

The City will determine appropriate action on a case-by-case basis, up to and including termination.

BUILDING SECURITY

Security of City offices and buildings is of such extreme importance that special efforts must be made to protect this property from unauthorized use or theft.

City employees are responsible to secure and safeguard City property under their control.

When leaving the building at the end of the day, employees must be sure that doors are locked and the alarm system is activated.

OUTSIDE EMPLOYMENT

The potential for conflict of interest is lessened when individuals employed by the City regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's immediate supervisor. If a potential conflict exists based on this policy or any other consideration, the supervisor will consult with the City Administrator. Any City employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's City job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-City employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with City employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the City's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- Outside employment must not use City equipment, resources or staff in the course of the outside employment.
- The employee must not violate any City personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the City. Work performed for others while on approved PTO or compensatory time is not a violation unless that work creates the appearance of a conflict of interest.
- Departments may establish more specific policies as appropriate, subject to the approval of the City Administrator.

City employees are not permitted to accept outside employment that creates the appearance of or the potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspect of the City.

SMOKING

The City observes and supports the Minnesota Clean Indoor Air Act. All City buildings, facilities, property and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes) or “vaping” with e-cigarettes is prohibited while in a City facility, building, vehicle or on City property.

Smoking of any kind, including pipes, cigars, and cigarettes, vaping with e-cigarettes, and the use of chewing tobacco is prohibited for employees while on duty. Employees 18 and over are allowed to smoke only during their breaks and lunch and only in areas designated for that purpose.

PERSONAL COMMUNICATIONS AND USE OF SOCIAL MEDIA

It is important for City employees to remember that the personal communications of employees may reflect on the City, especially if employees are commenting on City business. The following guidelines apply to personal communications, including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements:

- Remember that what you write or post is public, and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation that would not be permissible in the workplace is not permissible between co-workers online, even if it is done after hours, from home and on home computers.
- The City of Arden Hills expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video or audio that may reasonably be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of sex, race, national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, status with regard to public assistance or membership or activity in a local commission.
- If you publish something related to City business, identify yourself and use a disclaimer such as, “I am an employee of the City of Arden Hills. However, these are my own opinions and do not represent those of the City of Arden Hills.”

- City resources, working time, or official City positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the City's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the City (e.g., (city name)Cop).

COMPENSATION

Form of Payment

As provided for in Minnesota law, all employees are required to participate in direct deposit. Employees are responsible for notifying the City Administrator, or their designee, of any change in status including changes in address, phone number, names of beneficiaries, marital status, etc.

Paystubs will not be given to anyone other than the person for whom they were prepared, unless the person has a note signed by the employee authorizing the City to give the other person the check. Paystubs will be given to the spouse, or another appropriate immediate family member, in the case of a deceased employee.

Setting of Salaries

Salaries for all City employees are set by City Council, based on the recommendation of the City Administrator and/or the Director of Finance.

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wages. While the Minnesota Government Data Practices Act (Minn. Statute 13.43) specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Statute 181.172, the City shall not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Statute 181.172, subd. 3.

The City shall not retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800) 342-5354.

Pay Date

It is the policy of the City of Arden Hills to compensate employees for service on a bi-weekly basis. Pay period shall extend for a 14-day work period beginning on Saturday and ending on Friday. Direct deposit shall be issued no later than the following Friday. Employees shall not receive payment before the scheduled pay date without the prior consent of the City Administrator. When a pay date falls on an official holiday, employees will receive their direct deposit on the last working day before the holiday.

Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 40 hours per workweek. They will be paid according to the time reported on their time sheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a bi-weekly basis. Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a time sheet may be cause for immediate termination.

Overtime/Compensatory Time

The City has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator, or their designee, will determine whether each employee is designated as “exempt” or “non-exempt” from earning overtime. In general, employees in executive, administrative, and professional job classes are exempt; all other are non-exempt.

Non-Exempt (Overtime-Eligible) Employees

All overtime-eligible employees will be compensated at the rate of time-and-one-half for all hours worked over 40 in one workweek. Vacation, sick leave, and paid holidays do not count toward “hours worked.” Compensation will take the form of either time-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one-and-one-half hours off for each hour of overtime worked.

For most employees the workweek begins at midnight on Saturday and runs until the following Friday night at 11:59 p.m. Supervisors may establish a different workweek based on the needs of the department, subject to the approval of the City Administrator.

The employee’s supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time-and-one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum compensatory time accumulation for any employee is 40 hours per year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Finance Department will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves City employment at the hourly pay rate the employee is earning at that time.

Exempt (Non-Overtime-Eligible) Employees

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountancy, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn Personal Time Off (PTO) and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns PTO, receives a short-term disability benefit or workers' compensation wage loss benefits, and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the City in which the employee does not work a full week. In this case, the City will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness, or injury, but:

- Paid leave has not been requested or has been denied.
- Paid leave is exhausted.
- The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the City any amounts received by the employee as jury fees or witness fees.

If the City inadvertently makes an improper deduction to the weekly salary of an exempt employee, the City will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as requested by their supervisors as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

Leave Policy for Exempt Employees

Exempt employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. The normal hours of business for exempt staff are Monday through Friday, 8 a.m. to 4:30 p.m., plus evening meetings as necessary. (Unless summer hours are in effect, then the hours are Monday – Thursday from 7:30 a.m. to 5:00 p.m. and Friday 7:30 a.m. to 11:30 a.m.)

Because of the nature of the duties performed by these employees, it is impractical to apply provisions which prescribe normal work hours. However, it is normally expected that eighty (80) hours of work shall constitute a normal payroll period. It is recognized that these employees are responsible for managing and accounting for their own hours of work and that they may work hours in excess of the normal work day and/or payroll period and may make adjustments in hours of work in subsequent work days and/or payroll periods, provided such time management system does not result in overtime payment or guarantee hour-for-hour time off for extra hours worked (Flex time). These employees should maintain their schedules on their Outlook calendar. Exempt

employees must communicate their absence to their supervisor or in their absence the City Administrator or his/her designee.

If one of the above employees is regularly absent from work under this policy and it is found that there is excessive time away from work, the situation will be handled as a performance issue. Additional notification and approval requirements may be adopted by the City Administrator or his/her designee for specific situations as determined necessary.

BENEFITS

Insurance

All full time and benefit earning employees shall be required to participate in the Employer's group health, dental, life, and other applicable insurance programs. The Employer shall contribute a monthly sum established annually by the Council.

Detailed analysis of the current insurance program shall be included in the annual benefit summary.

POST EMPLOYMENT HEALTH CARE SAVINGS PLAN

All full-time and benefit earning employees are eligible to participate in the Minnesota Post Employment Health Savings Plan (HCSP) established under Minnesota Statutes, section 352.98 (Minn. Supp. 2001) and as outlined in Minnesota State Retirement System's Trust and Plan Documents.

All funds collected by the City on behalf of the employee will be deposited into the employee's Post Employment Health Care Savings Plan Account through Minnesota State Retirement System.

The City has agreed to contribute payroll deductions to the Post Employment Health Care Savings Plan (HCSP) with Minnesota State Retirement Systems as described below:

- A. All upper management employees (Director Level and above) shall contribute an ongoing percent of pay of 2% to HCSP.
- B. All City employees who are eligible for the unused sick leave severance payout (Bank), will contribute to the Post Employment Health Care Savings Plan as described below:
 - All employees who have an eligible sick leave (Bank) balance upon separation shall have 100% of those funds converted into cash, and the dollars shall be deposited into their Post-Employment Health Care Savings Account (HCSP) on their final check.
- C. All City employees who are eligible for the unused Personal Time Off (PTO), Flex Time, or Compensatory Time severance payout, outlined in the Personal Time Off, Exempt Employee Guidelines, and Compensation sections of this policy, will contribute to the Post Employment Health Care Savings Plan as described below:

- All employees who have an eligible Personal Time OFF (PTO) leave balance upon leaving the City shall have 100% of those hours converted into cash and deposited into their Post-Employment Health Savings Account (HCSP) on their final check.
 - All employees who have an eligible Flex Time or Comp Time leave balance upon leaving the City shall have 100% of those hours converted into cash and deposited into their Post-Employment Health Savings Account (HCSP) on their final check.
- D. In the event of the employees death, any payments owed to this employee by the City, may not be contributed into the Post-Employment Health Care Savings Account (HCSP). Upon death of the employee, all payments owed to this employee will be paid to the employees beneficiaries.

HOURS OF WORK

Work Schedules

Because of the necessity of providing municipal services twenty-four hours per day, seven days per week, employees are required to work a regular schedule of hours as established by the City. A regular schedule of hours should not be construed as excluding shift rotations and emergency work schedules based on public necessity as determined by the City. Those employees with approved Flex hour schedules shall have the proper documentation in their Personnel File and maintain those hours.

Part-time, seasonal, and temporary positions:

In order to comply with law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended. Effective February 29, 2016, employees in part-time and temporary positions will not be permitted to work more than 28 hours/week, including hours worked and paid leave (such as annual leave or holiday leave). All shifts, including schedule trades or picked-up shifts, must be pre-approved by supervisor. Unpaid furloughs may be imposed on employees who exceed 28 hours/week. Working a shift without prior approval may result in discipline, up to and including termination of employment. In some rare instances, a part-time, seasonal, or temporary employee may be offered health insurance in order to comply with federal health care reform laws and regulations.

Work Assignments

The department managers and the City Administrator will arrange work assignments for the best operation of the department for all employees in all departments. All meal breaks are unpaid.

Breaks

A fifteen (15) minute rest period/break will be allowed within each four (4) consecutive hours of work during an employee's shift. Departments are responsible for scheduling rest periods/breaks that do not interfere with work requirements. A thirty (30) minute unpaid lunch break will be provided during a shift, and will normally occur midway in a shift. Employees are expected to use these breaks as intended and will not be permitted to adjust work start/end time by saving these breaks.

Employees working in City buildings will normally take their breaks at the place provided for that purpose in each building. Employees working out-of-doors will normally take their break at the location of their work. Employees whose duties involve traveling throughout the City may stop along the assigned route at a restaurant or other public

accommodation for their fifteen (15) minute break. Exceptions must be approved by the supervisor or department director.



Departments with unique job or coverage requirements may have additional rules, issued by the supervisor and subject to approval of the City Administrator, on the use of meal breaks and rest periods.

Employees will not work through a lunch break without prior approval from the City Administrator or supervisor.

Up to a one (1) hour unpaid lunch period may be provided in each eight (8) hour workday with the approval of the employee’s supervisor if breaks are combined with the thirty (30) minute lunch. Exempt employees shall receive lunch periods at times determined by the needs of their work.

Any employee who performs a regular eight (8) hour shift between the hours of 9:00 p.m. and 9:00 a.m., or any employee who works more than five (5) consecutive hours of overtime, shall be given a thirty (30) minute lunch break with pay.

Summer Hours

The City Council may annually approve summer hours of operation, which will typically begin on the Tuesday after Memorial Day each year and end on the Friday before Labor Day of each year.

HOLIDAYS

All full-time employees are eligible for the following holidays:

New Year's Day	January 1st
Martin Luther King, Jr. Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veterans Day	November 11th
Thanksgiving	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve Afternoon (last 4 hours of working day)	December 24 th (this turns into a floater in years that Christmas Eve lands on a Saturday or a Sunday)
Christmas Day	December 25 th
New Year’s Eve Afternoon (last 4 hours of working day)	December 31 st (this turns into a floater in years that New Year’s Eve lands on a Saturday or a Sunday)
1 Floating Holiday	Determined by the employee with supervisor approval

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter.

Whenever a holiday falls on a Sunday, the following Monday will be considered the holiday. Whenever a holiday falls on a Saturday, the preceding Friday will be considered the holiday.

Employees will receive full pay at their normal straight time rates for eight (8) hours for each holiday listed provided the employee is on compensated payroll status the last assigned work day preceding the holiday, and the first assigned work day following the holiday. Any employee on a leave of absence without pay from the City is not eligible for holiday pay.

Employees required to work on a designated holiday shall be compensated two (2) times their base hourly pay rate for each hour worked. Full-time or part-time employees who work an average of 20 hours a week or more will be eligible for pro-rated holiday pay. This pay will be based on their average daily hours worked.



PERSONAL TIME OFF

All employees hired before June 29, 2002, will convert their current sick leave accrued hours to Personal Time Off (PTO). The conversion will be calculated by adding current accrued sick leave and current accrued vacation and subtracting two hundred forty hours (240) as PTO. The remainder of the sick leave will be added to the “Bank”. “Bank” is defined as accrued hours which may be used only when the employee qualifies under Short-Term Disability, Long-Term Disability or when accrued PTO is exhausted. Full-time employees who have completed ten (10) or more years of continuous service with the City and who leave in good standing will receive 33-1/3% of unused, accumulated sick leave or “Bank Hours” upon their separation. Full-time employees who have completed twenty (20) or more years of continuous service with the City and who leave in good standing will receive 50% of unused, accumulated sick leave or “Bank Hours” upon their separation. To qualify for this benefit an employee must have an established sick leave bank resulting from the conversion of the PTO program. Any benefit paid shall be paid into the employee’s Post-Employment Health Care Savings Plan.

Personal Time Off (PTO) is authorized absence from duty. It can be used for any reason, subject to existing request and approval procedures. As with all paid time off programs, the City needs to ensure that service to the public and work requirements are not adversely impacted.

Qualified full-time employees and part-time employees are eligible for Personal Time Off (PTO). Employees may not use Personal Time Off until successful completion of their training period, although Personal Time Off accumulates during this time. Personal Time Off for part-time benefited employees shall be pro-rated.

The following chart provides information regarding Personal Time Off. Years of service are calculated from the anniversary date of employment.

PERSONAL TIME OFF SCHEDULE (Hired Previous to June 29, 2015)

<u>Completed Service</u>	<u>Personal Time</u>
0-60 months	7 hours bi-weekly
61 Months – 120 months	9 hours bi-weekly
after 120 months	10 hours bi-weekly

PERSONAL TIME OFF SCHEDULE (Hired June 29, 2015, or after)

<u>Completed Service</u>	<u>Personal Time</u>
0-36 months	6 hours bi-weekly
37 months to 108 months	7 hours bi-weekly
109 months to 168 months	7.5 hours bi-weekly
169 months to 228 months	8.5 hours bi-weekly
229 months or more	9 hours bi-weekly

Benefit year for Personal Time Off is March 1st through February 28th. A maximum of 240 hours of Personal Time Off may be carried over from benefit year to benefit year. Carry-over beyond 240 hours of Personal Time Off will only be made under special circumstances with approval from the City Administrator.

All employees must receive permission from the department supervisor or City Administrator at least ten (10) working days prior to taking Personal Time Off when Personal Time Off is to extend for a period of more than three (3) consecutive days. If three (3) consecutive days of unscheduled Personal Time Off are used, the supervisor shall make an inquiry into the employee's absence, and the employee shall cooperate in authorizing the supervisor to obtain any necessary medical, hospital or other records that validate the unscheduled absence. If the Personal Time Off is to be for eight (8) hours or less, permission will be granted without notice if their supervisor feels that City service will not be adversely affected. Priority will be given to Personal Time Off scheduling based on the earliest date of request. Personal Time Off scheduling for departmental employees is the responsibility of the department managers. No employee will be permitted to use Personal Time off for the purpose of receiving double pay.

Any employee leaving the service of the City in good standing will be compensated 100% for Personal Time Off accrued, not to exceed 240 hours, to the day of separation provided said employee has served at least twelve (12) consecutive months prior to separation and has given the City at least two weeks notice prior to the effective date of such separation. Such pay for accumulated Personal Time Off will be at the same rate as the hourly rate of the employee's base salary. Personal Time Off may not be used to extend an employee's actual termination date. This benefit shall be paid into the employee's Post-Retirement Health Care Savings Plan.

When a paid holiday falls on a working day during an employee's Personal Time Off, the day of the holiday will not be counted as a day of Personal Time Off.

One (1) day of Personal Time Off shall equal eight (8) hours for full time employees, or the number of regular hours worked in a shift.

In the case of disability from a work related disease or injury for which Worker's Compensation benefits are available, an employee may elect to use Personal Time Off benefits rather than Worker's Compensation benefits by notifying the City Administrator, or their designee, of their election. Under no circumstances can an employee receive both Personal Time Off and Worker's Compensation benefits for the same period of disability, except if the employee elects to receive Worker's Compensation benefits he/she may also use Personal Time Off to the extent necessary to increase their income to their net wage prior to the injury or onset of the disease.

EXEMPT EMPLOYEE FLEX-TIME GUIDELINES

Exempt employees may accrue flex-time on a 1:1 ratio for attending various meetings outside of their normal work day. Exempt employees may use accrued flex-time as approved by their supervisor, but no more than 9 consecutive hours of flex time may be used at one time. Exempt employees shall be compensated for no more than eighty (80) hours of accrued flex-time upon termination. This benefit shall be paid into the employee's Post-Retirement Health Care Savings Plan.

MEDICAL CERTIFICATION

Good attendance is an essential job function for all City employees. If unplanned absences are excessive, a doctor's certification may be required. The physician's certification is to state the nature and duration of the illness or injury and verify that the employee is unable to perform the duties and responsibilities of his/her position. A statement attesting to the employee's ability to return to work and perform the essential functions of the job and a description of any work restrictions may also be required before the employee returns to work.

Annual leave will not accrue during unpaid leaves. Benefit earning employees will accrue annual leave on a prorated basis based on regular hours worked.

Annual leave will accrue on a pay-period basis. Employees can carry over any annual leave that does not exceed the stated cap.

MILITARY LEAVE

State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of 15 days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years. Where possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

FUNERAL LEAVE

Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. This paid leave will not be deducted from the employee's PTO balance.

The actual amount of time off, and funeral leave approved, will be determined by the supervisor or City Administrator depending on individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

ELECTIONS/TIME OFF TO VOTE

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided that

the employee gives the City at least ten (10) days written notice.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues.

JURY DUTY

Full-time and benefit earning employees will be granted paid leaves of absence for required jury duty. Time spent on jury duty will not be counted as time worked for computing overtime.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued Personal Time Off (PTO) to make up the difference.

Employees are to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay for is completed by the Court Clerk so the City will be able to determine the amount of compensation due for the period involved.

Temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take leave without pay subject to department head approval. However, if a temporary or seasonal employee is classified as exempt, he/she will receive compensation for the jury duty time.

COURT APPEARANCES

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with city employment, minus mileage reimbursement, must be turned over to the City.

VICTIM OR WITNESS LEAVE

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case. PTO, if available, will be taken for victim or witness leave unless otherwise dictated by local, state, or federal law.

JOB RELATED ILLNESS OR INJURY

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If your supervisor is not available, then you must report this to the department director or the City Administrator, or his/her designee. If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken or the department director or the City Administrator or his/her designee. In the case of an emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and make arrangements for a medical appointment.

Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

LEAVE POLICIES

PREGNANCY AND PARENTING LEAVE

Employees who work twenty (20) hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child are eligible for up to 12 weeks of unpaid leave and must begin within twelve (12) months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employee should provide reasonable notice, which is at least 30 days prior to the expected leave date. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued leave (i.e., PTO) during Parenting Leave. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an

FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence.

ADMINISTRATIVE LEAVE

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the city administrator or his/her designee with the approval of the City Council.

ADOPTIVE PARENTS

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

SCHOOL CONFERENCE LEAVE

Any employee who has worked half-time or more for more than twelve (12) consecutive months, may take unpaid leave for up to a total of sixteen (16) hours during any 12-month period to attend school conferences or classroom activities related to the employee's child (under 18 or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the City. Employees may choose to use PTO hours for this absence, but are not required to do so.

BONE MARROW DONATION LEAVE

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours unless agreed to by the City, to undergo medical procedures to donate bone marrow. The City may require a physician's verification of the purpose and length of the leave requested to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

REGULAR LEAVE WITHOUT PAY

Upon consideration of a formal written request by an employee, the City Administrator may authorize leave without pay for up to thirty (30) days. An additional thirty (30) days

extension beyond that period may be granted at the discretion of the City Administrator. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

Normally employee benefits will not be earned by an employee while on leave without pay. However, the City's contribution toward health, dental and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays, or PTO (*annual leave*). Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue PTO (*annual leave*) based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued PTO and compensatory time must normally be used before an unpaid leave of absence will be approved.

To qualify for leave without pay, an employee need not have used all PTO (*annual leave*) unless the leave is for medical reasons. Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the City.

Employees returning from a leave without pay for a reason other than a qualified Parenting Leave or FMLA, will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Administrator subject to approval of the City Council.

FAMILY AND MEDICAL LEAVE

Eligibility

To qualify to take FMLA leave under this policy, an employee must meet all of the following conditions:

- Have worked for the City for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the City will not consider any service 7 years prior to the employee's most recent hire date.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act ("FLSA") determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

Types of Leave Covered

Leave will be granted to all eligible employees (male and female) for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child or parent who has a serious health condition;
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position; and
- A covered military member's active duty or call to duty or to care for a covered military member (Military Caregiver and Qualified Exigency Leave) described below.

Definitions

- "Caring" for a covered family member includes psychological as well as physical care. It also includes acquiring care and sharing care duties.
- An eligible "child" is defined as a person under 18 years of age (or a person incapable of self-care because of a physical or mental disability) who is a biological, adopted,

foster, or step child, a ward of the employee, or a person with whom the employee is charged with a parent's rights, duties and responsibilities.

- “Spouse” does not include domestic partners or common-law spouses.
- An eligible "parent" includes a biological parent or a person who was charged with parental rights, duties and responsibilities over the employee when the employee was under the age of 18; “parent” doesn’t include in-laws.
- “Serious Health Condition” as defined under the FMLA means an illness, injury, impairment, or physical or mental condition that involves one of the following:
 - Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 - Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or child birth;
 - Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.
 - Chronic Conditions Requiring Treatments. An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time and may cause episodic rather than a continuing period of incapacity;
 - Permanent/Long-term Conditions Requiring Supervision;
 - Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.
 - “Incapacity” means inability to work, attend school or perform other regular daily activities.

Length and Amount of Leave

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated based on looking forward from the first day the

employee is absent from work.

The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

How Leave May be Taken

FMLA leave may be taken in 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed) or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks.

Intermittent Leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking leave intermittently or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the City's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the City's approval.

Notice

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to The City Administrator, or their designee,.

When the need for the leave is foreseeable, the employee must give verbal or written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin.

If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practical, including following required call-in procedures.

If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice.

Certification and Documentation Requirements

For leave due to an employee's serious health condition or a family member's, the City will require the completion of a Medical Certification form by the attending physician or practitioner. The form must be submitted to the City Administrator, or their designee, within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

The City may require an employee to obtain a second opinion from a provider selected by the City. If necessary to resolve a conflict between the original certification and the second opinion, the City may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

When Leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) may be required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave, and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Recertification

Recertification of the need for leave may be required if the employee requests an extension of the original length of leave approved by the City or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to a serious health condition.

Reinstatement

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits and other terms and conditions of employment.

An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

Notice of Intent to Return from FMLA Leave

The City requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Effect on Benefits

An employee granted leave under this policy will continue to be covered under the City's group health and dental insurance plan under the same conditions and at the same level of City contribution as would have been provided had they been continuously employed during the leave period. All paid benefits run concurrently with unpaid FMLA benefits. For example, STD benefits, if available, will run concurrently with unpaid FMLA leave so that an employee will receive STD benefits while taking up to 12 weeks of FMLA leave. An employee may (but is not required to) use accrued PTO to make up the difference in pay between STD or LTD benefits and their normal pay; however, at no point can the combination of benefits paid and PTO taken exceed an employee's normal pay (this is subject to the City's current disability plan and changes in the plan may supersede this policy). If there are changes in the City's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the City.

Failure to Return to Work after FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the City may require the employee to repay the portion of the monthly cost paid by the City for group health plan benefits. The City may

also require the employee to repay any amounts the City paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following 12 weeks of FMLA leave, the employee may be subject to COBRA continuation.

If the employee fails to pay the City a portion of the premiums for which he or she is responsible during the FMLA leave and the employee fails to return to work, coverage may end. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For

COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

Activities Prohibited During FMLA

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position.

While on leave, an employee may not engage in any activity that conflicts with the best interests of the City. Such conduct will result in disciplinary action up to and including termination of employment.

Seniority

Seniority does not accrue during any period of unpaid FMLA except as allowed when the leave is covered by Worker's Compensation. However, seniority accrued prior to commencement of FMLA leave will not be lost.

Use of Accrued Paid Leave or Compensatory Time During Family and Medical Leave

Prior to taking unpaid FMLA leave employees must use all accrued PTO (*annual leave*) and compensatory time unless their medical condition/injury is covered by worker's compensation.).

Any paid disability leave benefits or sick leave available to employees for covered reason (an employee's serious health condition or a covered family member's serious health condition, including Workers' Compensation leave [to the extent that it qualifies]) will run concurrently with FMLA.

Additional Leave

Employees who cannot return from an approved FMLA leave at the end of the approved leave period may request an extension (up to the maximum of twelve (12) weeks allowed under FMLA). If the twelve (12) FMLA weeks have already been used, the employee can request to go on a regular unpaid leave of absence. If approved, before unpaid leave begins the employee must use any accrued compensatory time, or PTO (*annual leave*) that remains. If the leave is approved and unpaid, the employee will be required to pay the full cost of all group insurance, as provided under COBRA, in order to continue coverage.



If the unpaid leave of absence is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the City Council's approval.

FMLA -- QUALIFIED EXIGENCY AND MILITARY CAREGIVER LEAVE

Qualified Exigency: Eligible employees (described previously under FMLA) whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following: (1) short-notice deployment. (2) Military events and activities, (3) child care and school activities, (4) financial and legal arrangements, (5) counseling, (6) rest and recuperation, (7) post-deployment activities and (8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave: An employee eligible for FMLA leave (described previously under FMLA) who is the spouse, son, daughter, or parent, or next of kin of a covered servicemember may take up to 26 weeks, in a single 12-month period, of leave to care for that servicemember.

The family member must be a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

Definitions:

- A "son or daughter of a covered servicemember" means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- A "parent of a covered servicemember" means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law."
- The "next of kin of a covered servicemember" is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember

has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(j).

“Covered active duty” means:

- “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- “Covered active duty” for members of the **reserve** components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. (a) In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.

“Covered servicemember” means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

“Serious injury or illness means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
- Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Amount of Leave – Qualified Exigency

An eligible employee can take up to 12 weeks of leave for a qualified exigency.

Amount of Leave – Military Caregiver

An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a “single 12-month period.” The “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26 week entitlement. If an employee does not take all of 26 workweeks of leave entitlement to care for a covered servicemember during this “single 12-month period,” the remaining part of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited.

Certification of Qualifying Exigency for Military Family Leave

The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave

Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

The City will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

All other provisions of the FMLA policy, including Use of Paid Leave, employee status and benefits during leave, the Procedure for Requesting Leave, Benefits during Leave and Reinstatement, are outlined above in the FMLA policy.

Reasonable Unpaid Work Time for Nursing Mothers

Nursing mothers will be provided reasonable unpaid break time to express milk for nursing her child for one year after the child's birth. The City will provide a room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

Light Duty/Modified Duty Assignment

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City Administrator or his/her designee on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the City Administrator or his/her designee. The City Administrator or his/her designee reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential

functions, duties, and requirements of the position. This notice **must** be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the City's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the City Administrator, or their designee.

The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the City Administrator or his/her designee whether or not to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

If the City offers a light duty assignment to an employee who is out on Workers' Compensation leave, the employee may be subject to penalties if he/she refuses such work. The City will not, however, require an employee who is otherwise qualified for protection under the Family and Medical Leave Act to accept a light duty assignment.

The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy

The City will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth:

- More frequent restroom, food, and water breaks;
- Seating;
- Limits on lifting over 20 pounds; and/or
- Temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the City, the City will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

RESIGNATIONS

Employee resignations must be submitted in writing to the City Administrator. Any employee wishing to resign from City service, in good standing, shall file with the City Administrator, or their designee, and/or department head, at least fourteen (14) calendar days prior to separation, a written or email resignation stating the effective date thereof. The employee's termination date must be a day worked, not a paid leave day. Failure to give proper notice may result in the forfeiture of accumulated Personal Time Off and other benefits and may impact future employment by the Employer. Unauthorized absence from work for a period of three (3) working days will be deemed a resignation without benefits.

LAYOFFS

In the event it becomes necessary to reduce personnel, the selection of employees to be retained will be based on merit and ability as determined by the City Administrator, subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoffs.

TRAVEL

Reimbursement for travel on official City business shall be made as follows:

Personal Automobile

Employees shall use a personal vehicle for all City related travel, except when authorized or instructed to use a City vehicle or other means of transportation. An employee will be reimbursed at the authorized reimbursement rate, determined by the City Council (currently the IRS mileage rate), for each mile driven on City business while using a personal vehicle.

Mileage reimbursement for all city staff must be submitted on the standard travel reimbursement form. In addition to using the proper form, you must complete it in the following manner:

1. Date of travel must be listed.
2. Destination and purpose of travel must be listed.

No reimbursement will be made unless these procedures are followed.

Meals

The maximum for reimbursement for an employee is forty-four dollars (\$44) per day.

The per day maximum shall be adjusted annually if necessary.

Lodging

Hotel/Motel reimbursement shall be the actual cost of lodging. When reimbursement for lodging expenses are claimed, itemized receipts are required. NO personal expenses, such as personal telephone calls, movie rental charges, etc., are reimbursable.

Request For Expense Reimbursement

All travel expense requests must be promptly submitted on the appropriate forms upon returning to work. Receipts must accompany such requests.

EDUCATIONAL REIMBURSEMENT POLICY

The City of Arden Hills believes in, and encourages employees to pursue higher levels of education and training. While it is the policy of the City, it is not obligated to reimburse employees for courses or instruction which will enable the employee to prepare for advancement in a municipal capacity, increased responsibility within the employee's current position, or for personal development which are city employment related; but may not be necessarily related to the employee's current position. The City may not pay for all courses within a degree program depending on the approval of the Personnel Committee.

All requests must be approved by the Personnel Committee annually.

Eligibility

Reimbursement is limited to full-time employees who attend approved courses or instruction on a voluntary basis outside normal working hours. Reimbursement under this section precludes submission of those courses for other financial remuneration.

Financial Remuneration

Reimbursement will be made pursuant to the following guidelines:

1. Attendance at any class or course intended to be reimbursed by the municipality must have the **PRIOR** approval of the employee's supervisor, Personnel Committee, and have the Tuition Reimbursement form filed with the City Administrator, or their designee. Reimbursement cannot be assured for any class work started prior to receiving the appropriate approvals;
2. Course work must be related fifty percent (50%) to the employee's area of municipal responsibility. In the case of liberal education undergraduate or graduate college credits where a degree is being sought, employees will be expected to discuss elective course work with their department head to develop an overall course work plan that is consistent with the intent of this policy. Reimbursement may be denied for elective course work that is not consistent with the intent of this policy. For technical or program based college career programs, reimbursement will be made available for all course work, provided specific program credits are pre-approved. Reimbursement may be denied for courses taken that differ from the originally approved program schedule. Reimbursement for seminars or individual training programs shall be determined at the time of making the request for training.

3. In the interest of considering the budgetary impact of providing reimbursement for educational advancement, consideration must be given to whether or not comparable course work or advanced degrees might be achieved at a less expensive institution than that being requested by the employee. At the time of pre-approving reimbursable course work, the supervisor will consider this issue. If, in the supervisor's determination, a comparable education could be achieved at a less expensive institution (cost per credit hour or program class), the reimbursement rate shall be established at the lower rate. An employee shall always have the option of attending the more expensive training program, but will be responsible for the marginal cost involved above the lower reimbursement rate.
4. Employees interested in pursuing advanced education should notify their supervisor as much in advance as practical so that appropriate budgeting considerations may be made. Reimbursements are not guaranteed if budget dollars are not available.
5. Reimbursement will be made for tuition, lab fees, direct costs of participating in the course. Specifically not included, however, are books, student union or association fees, qualifying tests (e.g., GRE) or other preparatory fees, mileage and parking fees. Reimbursement will not be made for CLEP fees or similar "test out" fees.
6. Approved course work shall be taken outside normal working hours. Except where attendance is requested by the city, employees shall not receive any salary compensation while attending classes.
7. In undergraduate and graduate level college courses, a grade of "B" or "80" (or an equivalent, if grades or a 100 percent scale are not applicable) or better is required. In courses or instruction not issuing a grade, certification from the vendor/sponsor or the instructor of satisfactory completion is required. Failure to achieve the grade levels stated above will result in the City denying reimbursement. Employees shall be expected to submit documentation of the grade received.
8. Reimbursement will be made upon proof of satisfactory completion as detailed above.
9. Employees receiving reimbursement must remain employed by the City for a period of one (1) year following reimbursement or are required to repay the City for any tuition that was reimbursed.

PROFESSIONAL DEVELOPMENT POLICY

Purpose: The purpose of this policy is to establish guidelines for professional development activities by City staff.

Policy: City staff is encouraged to participate in professional development and training activities and programs sponsored by their respective professional organizations and other groups that sponsor programs relevant to local government. These programs not only improve knowledge of local government and provide important networking opportunities, but offer staff the opportunity to obtain innovative and new ideas for their functional area.

Exempt City staff shall have the opportunity to attend state conferences and other applicable state events of their respective professional organizations on an annual basis. Staff may participate in other locally provided training and activities as time and resources allow. The Personnel Committee may limit the amount of attendees to conferences per their discretion.

Exempt City staff shall have the opportunity to attend the national conference of their respective professional organization every other year as approved by the City Administrator.

City staff shall adhere to applicable provisions of the personnel policy with regard to reimbursable expenses.

SAFETY

The health and safety of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor. Employees are expected to adhere to all safety requirements.

The City of Arden Hills recognizes the need and importance of safety for each of its employees. The purpose of the safety policy is to institute a basic plan for accident prevention. Every employee must annually attend and sign attendance at mandatory trainings.

The success of a safety program demands more than basic rules and plans. It must be a living workable program through cooperation and support of all levels of management and employees. The responsibilities of the City Administrator, Supervisors, and staff are defined so that each will know what is expected of them.

The importance of safety consciousness must be emphasized in every task performed. Supervisors must instill awareness of safety and have an obligation to effectively place it in operation through their personnel.

The City of Arden Hills has established a Safety Committee.

Reporting Accidents and Illnesses

Both Minnesota workers' compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's immediate supervisor is required to complete an Incident Report promptly and send to the City Administrator, or their designee, giving full details of the incident along with any other forms that may be necessary related to an injury or illness on the job such as the Supervisor's Report. The City Administrator, or their designee, will then fill out a First Report of Injury and have the incident investigated by a member of the Safety Committee.

If you are involved in an accident, remember:

1. All accidents involving city vehicles should be reported to your immediate supervisor and the City Administrator, or their designee, office as soon as possible.

2. Insist that all parties and property concerned remain at the scene of the accident.
3. Obtain identifying data from the driver of the other vehicle (name, address, and insurance company).
4. Secure names and addresses of injured persons and any witnesses to the accident.
5. All accidents and/or injuries must be reported on a form supplied by the City and should be returned as soon as possible from the time of the accident.
6. Take a picture of all vehicles involved with cell phone if possible.

Safety Equipment/Gear

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

Unsafe Behavior

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the City's Personnel Policies, department policies, or creates a potential health or safety issue for the employee or others.

WORKERS COMPENSATION REPORTING

Workers Compensation benefits and OSHA (job safety laws) require that all on the job accidents, sickness, or loss of consciousness be reported as soon as possible by the employee, or on behalf of a sick or injured employee, to his or her Supervisor.

EMPLOYEES MUST REPORT TO THEIR SUPERVISOR ALL JOB ACCIDENTS, SICKNESS, OR LOSS OF CONSCIOUSNESS AS SOON AS POSSIBLE.

RESPECTFUL WORKPLACE POLICY

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Applicability

Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel including temporary and seasonal employees, volunteers, and City Councilmembers.

Abusive Customer Behavior

While the City has a strong commitment to customer service, the City does not expect that employees accept verbal abuse from any customer. An employee may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their supervisor about the incident as soon as possible.

Types of Disrespectful Behavior

The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:

Violent behavior:

Includes the use of physical force, harassment, bullying or intimidation.

Discriminatory behavior:

Includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, familial status, or status with regard to public assistance.

Offensive behavior:

May include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based upon violent or discriminatory behavior as listed above. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, taking into account the sensibilities of

employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout the City, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the City Administrator, or their designee.

Sexual harassment:

Can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually-oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon (see definitions) is prohibited on City property, in city vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or

concealed from view within a locked unattended personal vehicle while that person is working on City property.

- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

Employee Response to Disrespectful Workplace Behavior

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to follow the steps below.

Step 1(a). Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1(c). In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, City Administrator. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Administrator.

Step 2. If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the City Administrator or the Mayor.

Supervisor's Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously. In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to the City Administrator who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his/her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 3. The supervisor must notify the City Administrator about the allegations.

Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

Special Reporting Requirements

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Attorney who will then assume the responsibility for investigation and discipline. If the City Administrator is perceived to be the cause of a disrespectful workplace behavior incident a report will be made to the City Attorney who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a councilmember is perceived to be the cause of a disrespectful workplace behavior

incident involving City personnel, the report will be made to the City Administrator and referred to the City Attorney who will undertake the necessary investigation. The City Attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Retaliation

Consistent with the terms of applicable statutes and City personnel policies, the City may discipline any individual who retaliates against any person who reports alleged violations of this policy. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

DISCIPLINARY ACTION

The City of Arden Hills employees are expected to maintain a high level of performance. In the event job performance or behavior causes problems that interfere with work, provision of City services or the management of the City, disciplinary measures which could lead to termination may be necessary.

Supervisors are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard process for employees of the City. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable City policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the City's personnel policies. The supervisor and/or the City Administrator, or their designee, will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

NO CONTRACT LANGUAGE ESTABLISHED

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Process

The City may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any City employee has a contractual right or guarantee (also known as a property right) to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

The following are descriptions of the types of disciplinary actions:

Oral Reprimand

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed. This report will be filed with Human Resources.

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period of time. Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the City Administrator.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

Suspension With or Without Pay

The City Administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the City Administrator determines a demotion or transfer to be the best solution to the problem. The employee must be qualified for the position to which they are being demoted or transferred. The City Council must approve this action.

Salary

An employee's salary increase may be withheld or the salary may be decreased due to performance deficiencies.

Dismissal

The City Administrator, with the approval of the City Council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with City standards.

If the disciplinary action involves the removal of a qualified veteran, the appropriate hearing notice will be provided and all rights will be afforded the veteran in accordance with Minnesota law.

GRIEVANCE PROCEDURE

Any dispute between an employee and the City relative to the application, meaning or interpretation of these personnel policies will be settled in the following manner:

Step 1. The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper supervisor within ten (10) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2. If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the appropriate Department Head, within seven (7) days after the supervisor's response is due. The Department Head will respond to the employee in writing within seven (7) calendar days. Should the complaint involve the Department Head then the employee should proceed directly to Step 3. If there is not an applicable Department Head then the employee should also proceed directly to Step 3.

Step 3. If the grievance has not been settled in accordance with Step 2, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the

employee to the City Administrator within seven (7) calendar days after receipt of the reply from the Department Head. The City Administrator will respond to the employee in writing within seven (7) calendar days. The decision of the City Administrator is final for all disputes with exception of those specific components in a performance evaluation subject to a challenge through the Minnesota Department of Administration.

Waiver

If a grievance is not presented within the time limits set forth above, it will be considered “waived.” If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled on the basis of the City’s last answer. If the City does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the City and the employee without prejudice to either party.

The following actions are not grievable:

1. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
2. Pay increases or lack thereof; and
3. Merit pay awards.

The above list is not meant to be all inclusive or exhaustive.



SEVERABILITY

Each provision of the Personnel Policy is deemed severable from every other provision. Any provision of the Personnel Policy found to be invalid or void shall not affect the validity of the remaining provisions, unless the Court finds any remaining provisions, standing alone, incomplete and incapable of being executed in accordance with the Council's intent.

EMPLOYEE ASSISTANCE PROGRAM

The City of Arden Hills offers its employees and their dependents a **CONFIDENTIAL** Employee Assistance Programs (EAP) are available to help employees and their dependents with:

- Relationship issues
- Separation and divorce concerns
- Alcohol or chemical abuse problems
- Work concerns
- Loss and grief
- Financial crisis, problems with creditors
- Depression and anxiety
- Parent/child difficulties
- Many other life concerns

Arden Hills employees are urged to refer to the EAP brochures for location, program and service information.

ORGANIZATIONAL ASSISTANCE PROGRAM

The City also has an Organizational Assistance Program (OAP) for personnel or work-related matters including but not limited to: professional tension or conflict, performance related matters and a variety of other work-related challenges or difficulties. If work related matters or professional interactions have become difficult, the city has asked for a Sand Creek OAP Consultant to assist both staff and management related to these types of issues.

Organization Employee/Management Support may include items, such as, the following:

- Change management
- Dispute resolution
- Facilitated group work sessions
- Leadership development
- Organizational/Department climate assessment
- Profile/Assessment delivery
- Professional development training

EMAIL POLICY AND INTERNET

Purposes

The purposes of the City of Arden Hill's electronic mail (e-mail) and the internet, are to provide an efficient and effective means of internal and external communications and to improve work product. This policy addresses access to and disclosure of information from such electronic systems.

This policy serves as notice to the employees, volunteers, and contractors of the City that all data, including any that is stored or printed as a document, is subject to audit and review. There is no expectation of personal privacy in the use of the internet, cell phones, and e-mail systems when using the computers, cell phones, or services provided by the City.

Finally, this policy serves to delineate acceptable use of e-mail and internet systems by City employees, volunteers, and contractors (collectively also referred to as "users" or "employees") while using government owned/leased equipment, facilities, internet addresses, domain names, and/or e-mail services registered to or provided by the City of Arden Hills. It seeks to ensure that the use of the internet and e-mail systems by City employees, volunteers, and contractors while conducting work for the City and/or while using City provided systems is consistent with the City's policies, all applicable laws, and the individual user's job responsibilities.

Statement of Policy

The City promotes e-mail and internet use that enables employees, volunteers, and contractors to perform City missions and encourages its employees, volunteers, and contractors to develop skill in the usage of internet and e-mail. It is expected that employees will use the e-mail and internet to improve their job knowledge; to access scientific, technical, and other information on topics which have relevance to the City; and to communicate with their peers in other government agencies, academia, and industry on matters of relevance to their work for the City.

Responsible Use

Email and internet are critical mechanisms for government communications. However, the improper use of email and internet systems and services can compromise the security of the network or result in legal liability for the City. As a result, the provision of email and internet to an employee is a privilege, not a right and must be used with respect and in accordance with the goals and policies of the City.

Scope

This policy applies to email and internet systems:

1. That are owned or leased by the City,

2. That are used on or accessed from City premises, or that are used for City business. This policy also applies to all activities using any City paid accounts, subscriptions, or other technical services, such as internet access and e-mail, whether or not the activities are conducted from City premises; and all full or part-time employees of the City, volunteers, and contractors who are authorized to use City resources to access the internet or e-mail systems.

Information is not Private

Data stored within email or internet systems remain at all times, the property of the City. As such, all messages created, sent, or retrieved over the internet or the City's e-mail system are the property of the City, and should not be considered private. Employees have no right to privacy as to any information or file transmitted through or stored in the city's computer systems, cell phones, e-mail, or other technical resources.

Monitoring and Disclosure

The City reserves the right to access, retrieve, read, and disclose any data, messages, or files stored on City funded systems for any purpose. Employees should be aware that, even when a message is erased or a visit to a web site is closed, it is still possible to re-create the message or locate the web site. The City reserves the right to monitor the use of the systems to prevent abuse, enforce other policies, and access information. Access may occur in, but is not limited to, situations indicating: (1) impropriety, (2) violation of a City policy, (3) legal requirements, (4) suspected criminal activities, (5) breach of system security, (6) to locate substantive information or to monitor employee performance and conduct. The contents of these systems may be disclosed by City management within or outside the City without employee permission. Furthermore, all communications including text and images may be disclosed to law enforcement or other third parties without prior consent of the sender or receiver. The City has unlimited access to protect the security of these systems and the City's property rights.

Consent

All of the City employees, volunteers, and contractors who are provided access to the City's internet and e-mail systems are required to abide by the City's policy contained here and in other relevant documents.

Use of the Internet

The City provides internet access to some employees for their use in performing their duties for the City. All City employees are responsible for using internet resources in an effective, ethical, and lawful manner. It is the City policy that internet resources, like other City assets, be used for the benefit of the City. All internet use should be congruent with the City's overall government policies. The City reserves the right to monitor and/or log all network activity with or without notice, including all web site communications, and therefore, users should have no expectations of privacy in the use of these resources. Use

of the system in violation of this or other City policies is prohibited and may lead to disciplinary action, up to and including termination.

Uses that are acceptable and encouraged:

1. Communications and information exchanges directly relating to the mission and work tasks of the City;
2. Announcements of City procedures, meetings, policies, services, or activities;
3. Use for advisory, standards, research, analysis, professional development or development activities directly related to the user's City job-related duties;
4. Use in applying for or administering grants or contracts for City programs and activities.

Uses that are unacceptable: It is unacceptable for a user to access, use the City's email or internet systems in a manner that:

1. Violates the City's policies, rules, or administrative orders;
2. Violates or infringes on the rights of any other person, including the right to privacy without authorized permission;
3. Includes the sending of unreasonably large email attachments. The total size of an individual email message sent or received (including an attachment) must be 50 Mb or less (unless authorized by the City Administrator, or their designee, or IT);
4. Involves opening email attachments from unknown or unsigned sources. Attachments are the primary source of computer viruses and should be treated with utmost caution.
5. Involves sharing email account passwords with another person, or attempting to obtain another person's email account password. Email accounts are only to be used by the registered user.
6. Excessive personal use of the City mail resources. The City allows limited personal use for communication with family and friends, independent learning, and public service so long as it does not interfere with staff productivity, pre-empt any business activity, or consume more than a trivial amount of resources. The City prohibits use of its email systems and services

for unsolicited mass mailings, non-City commercial activity, political campaigning, dissemination of chain letters, and use by non-employees.

7. Involves defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or other biased, discriminatory, or illegal material;
8. For any illegal purpose;
9. To download software without prior authorization of the network administrator;
10. To download music, video, and related media files that have no business purpose; or
11. To make any unauthorized purchases.

Copyrighted Material

Users may download copyrighted material, but its use must be strictly within the agreement as posted by the author or current copyright law. The federal Copyright Act at 17 U.S.C. 101 et seq. (1988), protects and prohibits use of all original works of authorship in any tangible medium of expression. This includes a prohibition on plagiarism (using someone else's ideas or writing and passing it on as one's own).

Sending Emails for City Purposes. Employees should comply with the following guidelines when sending emails for City business:

1. Avoid "carbon copying" individuals who have no direct involvement or "need to know." Likewise, e-mail to all users should only be used on very rare occasions when every person on the system has a direct need to know;
2. Avoid "forwarding" e-mail to a third party unless necessary (see "carbon copying). When forwarding, explain the reason for the forwarding action and edit out any potentially inappropriate contents. If in doubt about the appropriateness of forwarding a given piece of mail, check with the originator for guidance;
3. When sending an e-mail requiring "action," be sure to indicate which mail recipient(s) is/are to take action;
4. Do not "say" anything in an e-mail message that could prove embarrassing or compromising to you, the City, or others. Each employee is responsible for the content of all text, audio, or images they transmit;

5. Avoid potentially contentious exchanges through e-mail;
6. Confidential and sensitive information such as performance reviews, disciplinary and/or corrective actions, attorney-client privileged information, personnel information, private data as outlined in the Minnesota Government Data Practices Act, and health or medical information should not be communicated via e-mail; and
7. Use your common sense in determining when to use e-mail, in what is said, and to whom. Remember that electronic communication is not private and the City reserves the right to monitor and review all communications originating from or entering its computer systems.

SharePoint Purpose and Use

The purpose of the City of Arden Hill's SharePoint is to communicate work and employee information. SharePoint is an internal website designed exclusively for City of Arden Hills employees.

SharePoint Content

The City's Information Technologies, HR and Communications staff oversee all aspects of SharePoint, including content and design. Selected staff are expected to update SharePoint pages and will receive necessary training to do so.

All employees may post announcements on the employee message board. This may include (but is not limited to) the advertisement of personal items for sale, family announcements, and general inquiries to staff, which can be done intermittently and not a part of a business. Use of the message board is not to be used in any way as a forum to communicate opinions or promote personal agendas of any kind. Personal announcements about other employees may not be posted without their consent. All entries are subject to removal if considered inappropriate for content, language, or any other reason.

E-mail Distribution Lists

The City's e-mail distribution lists generally are to be used for official City business only. Distribution lists that include persons who are not City employees may not be used for other purpose without the prior authorization of the City Administrator/Department Director. Use of employee distribution lists for non-official business should be infrequent and not be political or controversial in nature. If they contain requests for donations of any sort, the sender must obtain the prior approval of the City Administrator/Department Director.

COMPUTER USE

Most City business is conducted with the use of desktop, notebook computers, or cell phones dedicated to a single user's activity. It is essential to protect City information assets created, gathered, shared or stored with desktop, notebook computers, cell phones related computer media (e.g. flash drives) and peripheral equipment such as fax machines, printers and copiers.

General

1. The City will ensure reasonable physical safeguards to maintain desktop and notebook computers and peripheral equipment in such a way to avoid inadvertent disclosure of City information.
2. The City IT Department shall be responsible for secure installations, configurations, distribution, management and removal from service, of City desktop and notebook computers.
3. The City may withdraw permission of any or all business or personal uses of its network or information systems at any time.

Securing Desktop and Notebook Computers.

1. When leaving a desktop or notebook computer unattended, users shall apply the "Lock Workstation" feature (ctrl/alt/delete, enter) where systems allow.
2. Unattended desktop and notebook computers shall be secured from viewing by password protected screen savers which should be set to automatically activate after a period of non-use. The period of non-use shall be for no more than sixty (60) minutes.
3. Desktop computer users shall store confidential and sensitive information on a networked drive (shared directory on the City network) and not the user's hard drive.
4. Desktop and notebook computers and monitors shall be turned off at the end of each workday unless instructed otherwise by the IT Department to perform routine maintenance.
5. Desktop and notebook computer users shall not disable or alter security safeguards, such as virus detection software, installed on City desktop or notebook computers.
6. Additional security requirements may be required for computers containing data governed by other applicable State and Federal laws including law enforcement data and data associated with the Health Insurance Portability and Accountability Act (HIPPA).
7. Employees shall immediately inform their Supervisor and the I.T. Help Desk should they become aware of a possible security breach. This includes knowledge of a password by someone not authorized to have it,

inappropriate demand to reveal a password, unauthorized access to a system, and loss or theft of equipment or storage media (CDs, disks).

Physical Security Measures.

Physical security measures shall be used to secure notebooks, computer media, and other forms of information storage media containing confidential or sensitive information.

1. Mobile notebook computers actively connected to the network or information systems must not be left unattended.
2. Notebook computers left in a vehicle except in public works department vehicles where the device is mounted to the vehicle console. If possible, the notebook should be stored in a locked trunk. (Weather conditions should be considered when leaving electronic equipment in a vehicle for long periods of time.) Unattended vehicles shall be locked at all times.
3. Mobile notebook computers, computer media and any other forms of removable storage (e.g. zip drives, flash drives, etc.) should be stored in a secure location, attached to the workstation by locking cable or stored in a locked cabinet when not in use.
4. Other information storage media containing confidential data such as paper, files, tapes, etc. shall be stored in a secure location or locked cabinet when not in use.

Peripheral Equipment.

Peripheral equipment (e.g. printers, faxes, copiers) that store, produce and/or transfer confidential or sensitive information shall be protected from inadvertent or unauthorized access.

1. Fax machines that store or transmit confidential or sensitive information shall be placed in secure locations and monitored.
2. All documents containing confidential or sensitive information shall be cleared from printers and copiers immediately.

Unauthorized Software

1. Individual users shall not install or download software applications and/or executable files to any City desktop or notebook computer without prior authorization from the IT department.
2. The IT Department shall make available to users, a list of authorized and accepted software and applications approved by the City.

Viruses

1. Desktop and notebook computer users shall not write, compile, copy, knowingly propagate, execute, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer system (e.g. virus, bacteria, worm, Trojan horse, or the like).
2. Suspected viruses should be reported immediately to the IT Department.
3. Viruses shall not be deleted without expert assistance unless instructed by the IT Department.
4. Individual employees are responsible for verifying that disks and other storage media used or received from outside computers are scanned for viruses prior to their use on City computers. Please request assistance if you are unsure of how to scan files, disks, or related storage media for viruses.

Monitoring of desktop and notebook computers.

The City reserves the right to monitor individual user desktop and notebook computers at random or for cause.

Technical Security.

Desktop and notebook computers shall be configured to reduce the risk of inadvertent or unauthorized access to City information and systems.

1. All City desktop and notebook computers shall be configured according to City desktop and notebook configuration standards.
2. Without exception, a user's standard login account cannot be a member of the local machine administrator's group on the user's assigned desktop or notebook computer.
3. User identification (name) and authentication (password) shall be required to access the operating system of all desktop and notebook computers whenever turned on or booted.
4. Local hard drives shall not be accessible when a desktop or notebook computer is booted from mobile media, e.g., a diskette or compact disk.
5. City standard virus detection software shall be installed on all desktop and notebook computers, mobile, and remote devices and shall be configured to check files when read and routinely scan the system for viruses.
6. Desktop and notebook computers shall be configured to log all significant computer security relevant events. (e.g. password guessing, unauthorized access attempts or modifications to applications or systems software.)

Policy exceptions.

The IT Department Network Manager shall be authorized to approve or deny policy exceptions regarding elements of any security policy. Policy exception request shall be submitted electronically or in hard copy form to the Network Manager.

Privacy

Employees who use the City's computer system are not guaranteed privacy or confidentiality. All files and documents stored on City-owned equipment and media, including personal messages and internet usage logs, are subject to monitoring by City management and may also be viewed by City I.T. staff as a consequence of performing their duties.

Employees must respect the confidentiality of other people's electronic communications and may not attempt to read, "hack" into other systems or other people's accounts, or "crack" passwords, or breach computer or network security measures, or monitor electronic files or communications of other employees or third parties except by explicit direction of City management.

Public Records & Accessibility

Electronic files, documents and messages, are a public record and subject to public record regulations, such as the Minnesota Government Data Practices Act, with respect to inspection and disclosure, and scheduled retention and disposition.

Electronic files that store e-mail messages and other documents are the City's property. Employees should be aware that the City has the same right to access electronic files stored on City computers as it does files stored in an employee's desk or workstation. Sensitive or **personal** documents or messages should not be sent or stored on the City's computer system.

Use of Personal Computing Devices for City Business

Electronic files, documents and messages, are a public record and subject to public record regulations such as the Minnesota Government Data Practices Act even when created, stored or kept on an employee's personal computing device, such as a cellular phone. Employees who use personal computing devices for city business should be aware that the employee's personal devices could be searched for data subject to the Minnesota Government Data Practices Act.

Use of Equipment

Allowable uses of electronic systems and information include the following, to the extent that these uses are for the purpose of conducting City of Arden Hills business:

- to facilitate performance of job functions;
- to facilitate the communication of information in a timely manner;
- to coordinate meetings of individuals, locations and City resources;
- to communicate with other departments throughout the City;
- to communicate with outside organizations as required in order to perform an employee's job functions.

Personal Use of Equipment and Systems

Limited personal use of the City's computer system, including e-mail, social media sites, and the Internet is permitted. Personal use of the computer system shall follow the same guidelines as apply to personal use of the telephone and other personal activities while on duty. Such personal use must not consume large amounts of City resources. Employees using electronic media and services for personal use waive any claims to privacy regarding that usage. Excessive personal use is prohibited and will be subject to discipline. Personal use of a City e-mail account must conform to the same professional standards as work-related communications and may not be used for business ventures or illegal activities. Employees need to be particularly sensitive to the content and interpretation of e-mail messages sent from City accounts as the e-mail address is clearly identified with the City.

Excessive Usage

Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system. Continued impedance of other users through mass consumption of system resources, after receipt of a request to cease such activity, is prohibited.

System Security

City employees shall adhere to the following practices to protect the integrity and security of the City's computer system:

- Employees may not install any modem, wireless access device, other external connection or remote access hardware or software onto their City-provided computer or any part of the City's network without the prior authorization of IT staff and with approval of the Department Director.
- Employees may not disable any anti-virus, firewall, or other software or hardware designed to prevent unauthorized access to the City's network and computers without the prior authorization of IT staff and the City Administrator.
- Employees are responsible for maintaining the confidentiality of passwords. Employees shall immediately inform their Supervisor and the I.T. Help Desk if they know or have reason to suspect that any passwords have become known to a person unauthorized to access the systems they protect.

Backing Up/Deleting Files

All files stored on the network will be backed up on a regular basis. Files that are stored on a user's hard drive will not be backed up.

Ownership

The City's computers and other similar devices and information produced and stored on the foregoing are the sole property of the City. The City has the exclusive rights to review, retain, maintain, modify or delete files, messages and documents stored and created on a



City computer or device. This includes personal messages and files that reside on City equipment and storage media. Employees may not distribute or copy City data without proper authorization.

PASSWORD POLICY

General

1. Passwords must be changed every 90 days.
2. Passwords must be unique from the past 10 passwords (you cannot use the same password as before).
3. Users will be notified by system prompts two weeks in advance of password expiration date. At this time, users will be prompted to select a new password.

Password Construction Guidelines

Passwords are used to access any number of City information systems, including the network, database applications, email, and the Internet. Poorly designed passwords are easily cracked, and put the entire system at risk. Therefore, strong passwords are necessary to protect the integrity of the network data. Try to create a password that is also easy to remember.

1. Passwords should not be based on well-known or easily accessible personal information.
2. Passwords must contain at least 8 characters. A strong password would contain the following:
 - Contain characters from three of the following four categories:
 - English uppercase characters (A through Z)
 - English lowercase characters (a through z)
 - Base 10 digits (0 through 9)
 - Non-alphabetic characters (for example, !, \$, #, %)
 - Complexity requirements are enforced when passwords are changed or created.
3. Passwords must not be based on an users' personal information or that of his or her friends, family members, or pets. Personal information includes logon I.D., name, birthday, address, phone number, social security number, or any permutations thereof.
4. Passwords must not be words that can be found in a standard dictionary (English or foreign) or are publicly known slang or jargon.
5. Passwords must not be based on publicly known fictional characters from books, films, and so on.
6. Passwords must not be based on the company's name or geographical location.

Password Protection Guidelines

1. Passwords should be treated as confidential information. No employee is to give, tell, or hint at their password to another person, including IT staff, administrators, superiors, other co-workers, friends, and family members, under any circumstances.
2. If someone demands your password, refer them to this policy or have them contact the IT Department.
3. Passwords are not to be transmitted electronically over the unprotected Internet, such as via e-mail. However, passwords may be used to gain remote access to company resources via the City's IPsec-secured Virtual Private Network or SSL-protected Web site.
4. No employee is to keep an unsecured written record of his or her passwords, either on paper or in an electronic file. If it proves necessary to keep a record of a password, then it must be kept in a controlled access safe if in hardcopy form or in an encrypted file if in electronic form.
5. Do not use the "Remember Password" feature of applications.
6. Passwords used to gain access to City systems should not be used as passwords to access non-City accounts or information.
7. If possible, don't use the same password to access multiple database or network systems.
8. If an employee either knows or suspects that their password has been compromised, it must be reported to the IT Department and the password changed immediately.
9. The IT Department may attempt to crack or guess users' passwords as part of its ongoing security vulnerability auditing process. If a password is cracked or guessed during one of these audits, the user will be required to change his or her password immediately.

CELLULAR PHONE USE

This policy is intended to define acceptable and unacceptable uses of City issued cellular telephones. Its application is to ensure cellular phone usage is consistent with the best interests of the City without unnecessary restriction of employees in the conduct of their duties. This policy will be implemented to prevent the improper use or abuse of cellular phones and to ensure that City employees exercise the highest standards of propriety in their use.

General Policy

Cellular telephones are intended for the use of City employees in the conduct of their work for the City. Supervisors are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit supervisor discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained or outside employment is served.

An employee will not be reimbursed for business-related calls without prior authorization from his/her supervisor. Supervisors may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

Use of public resources by City employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances. Incidental and occasional personal use may be permitted with the consent of the supervisor.

Personal calls will be made or received only when absolutely necessary. Such calls must not interfere with working operations and are to be completed as quickly as possible. In cases where the City does not regard accounting for personal calls to be unreasonable or administratively impractical due to the minimal cost involved, personal calls made by employees on a City-provided cellular phone must be paid for by the employee through reimbursement to the City based on actual cost listed on the City's phone bill.

Use of Personal Cellular Phone for City Business

Electronic files, documents and messages, are a public record and subject to public record regulations such as the Minnesota Government Data Practices Act even when created, stored or kept on an employee's personal computing device, such as a cellular phone. Employees who use personal computing devices for city business should be

aware that the employee's personal devices could be searched for data subject to the Minnesota Government Data Practices Act.

Procedures

It is the objective of the City to prevent and correct any abuse or misuse of cellular telephones through the application of this policy. Employees who abuse or misuse such telephones may be subject to disciplinary action.

Responsibility

The City Administrator, or their designee, will have primary responsibility for implementation and coordination of this policy. All supervisors will be responsible for enforcement within their departments.

SOCIAL MEDIA USE POLICY

Introduction

The City of Arden Hills will determine, at its discretion, how its web-based social media and online community presence will be designed, implemented, and managed as part of its overall communications and information technology strategies and functions. City government social media and other web-based resources may be modified or removed by the City at any time and without notice, as necessary to maintain the integrity of both communications and information technology functions.

Purpose

It is the intent of the City of Arden Hills to represent itself appropriately, consistently, and positively on the internet. Collaborative technologies are fundamentally changing how information is provided, received, and how the City can engage its citizens. To aid in meeting the goals of the City, the purpose of this policy is to establish procedures for creating and maintaining a social media and online community presence which is in accord with policies and directives established by City management. It also provides guidelines and standards for individual employees regarding the use of social media for communication with citizens, colleagues, and the world at large.

Scope

This policy applies to any existing or proposed social media websites and online community accounts created by City employees during the course and scope of their employment, and includes all sites and accounts described in this policy. This policy does not govern personal use of social media websites during work hours. The Computer Use Policy governs personal use of social media.

Definitions

“City Social Media” – Typically a mobile-based tool for sharing and discussing information. Focus on creating and fostering online social communities for a specific purpose and connecting users from varying locations and interest areas.

“Social Media Websites” – Typically a mobile-based tool for sharing and discussing information. Focus on creating and fostering online social communities for a specific purpose and connecting users from varying locations and interest areas.

“Social Networking” – Offers a way for registered users to communicate with each other on the internet, usually offering many ways to connect to other registered users.

These websites fall under four categories:

- Conversation – blogs, message boards, Twitter
- Social Networking – Facebook, Myspace, LinkedIn
- Content Sharing – YouTube, Flickr, Digg, Delicious
- Collaboration – Wikipedia, Micropublishing

These websites can offer many different ways for users to interface such as instant messaging, blogging and commenting, microblogging, status updates, online forums, website link sharing, video conferencing, sharing photos, videos, etc.

“**Microblogging (Twitter)**” – This is a form of blogging that allows registered users to post short updates (140 characters or less) about themselves and their activities.

General Standards

The City of Arden Hills’ social media websites and online community accounts and their associated content should focus on significant City interest areas and be organized in a manner that avoids duplication, ambiguities, and/or conflicting information.

Social Media Web Site Responsibility

It is the responsibility of the City Administrator, or their designee, to ensure all City policies are followed when employees are establishing a City of Arden Hills social media site or the applicable Department Director when interacting with social media sites in the course of the employee’s scheduled work.

1. All postings to City of Arden Hills social media sites may be subject to review by the City Clerk, Department Director (as applicable) and/or the City Administrator and may be deleted without notice.
2. Additional or significantly amended social media websites, intended to be established for the benefit of the City of Arden Hills via individual employees or departments, must be approved by the City Administrator, or their designee, . The employee is responsible for providing documentation on the benefits of using social media networks for their specific job functions as justification for approval of the additional or significantly amended social media sites. It is the responsibility of the employee’s supervisor to review work impacts to assure that using social media does not negatively affect the employee’s day-to-day job performance.
3. Administration of all social media websites and online community accounts must comply with applicable laws, regulations and policies as well as proper business etiquette.
4. City social media accounts accessed and utilized during the course and scope of an employee’s performance of his/her job duties may not be used for private or personal purposes or for the purpose of expressing private or personal views on

personal, political or policy issues or to express personal views or concerns pertaining to City employment relations matters.

5. City of Arden Hills social media and online community website accounts are considered a City asset and logins to these accounts must be securely administered in accordance with City computer security policies. The City Clerk must be an administrator on all City website accounts. **The City reserves the right to shut down any of its social media sites or accounts for any reason without notice.**
6. A social media website and online community accounts shall not be used by the City or any City employee or representative to disclose sensitive and/or confidential information without the prior approval of the City Administrator.
7. All social media websites and online community accounts created and utilized during the course and scope of an employee's performance of his/her job duties will be identified as belonging to the City of Arden Hills, including the City logo, as well as a link to the City's official website.
8. Only City employees can administer City social media sites.

Social Media Guidelines

1. Adhere to your area of business expertise and provide information on your current activities and those of your industry.
2. Post meaningful, respectful comments that promote collaboration and sharing. Do not spam, inflame, or make comments that are offensive.
 - Posting may include:
 - a. City events
 - b. City partner events
 - c. Special events will be considered on a case-by-case basis
 - Posting not allowed:
 - a. Sales at retail stores
 - b. Political Commentary
3. Always think before posting; if it causes you to pause or question if it is appropriate, it most likely should not be posted.
4. Respect proprietary information, content and confidentiality. Give credit to appropriate persons when required or appropriate.
5. Reply to comments in a timely manner, when a response is appropriate. Understand that quality communication is important, so engage appropriately.

6. Be transparent as to who you are and who you represent. Be clear about your role for the City of Arden Hills so as to identify your vested interest in the information you share.
7. Be aware that just by identifying yourself as a City of Arden Hills' employee, you are creating perceptions about yourself and about the City. Be sure all content associated with you is consistent with your work and the City's professional standards.
8. Know and follow the City's rules for conduct, Computer Use & Security Policy and the Social Media Use Policy.
9. Be aware that some information is confidential and/or sensitive until deemed available for public release. Employees are expected to maintain this confidentiality.
10. Add value and excitement to the online community. Your statements and posts should provide the community with information to improve their knowledge, skills, solve problems, or to understand City government and community activities better.
11. Social media is a conversation, so talk to the community as you would a real person in a professional situation. Be a leader while communicating and do not create incendiary statements to inflame others. Be careful and considerate of other points of view.
 - Posting guidelines:
 - a. No more than 1 or 2 posts per day on the site.
 - b. Please keep sites updated.
 - c. Posts should include a colorful picture or link if possible to another site to promote interest.
 - d. Post events as close to the date of the event as possible. At the very least, post a reminder close to the event.
 - Guidelines for responses to posts:
 - a. The City will delete any responses containing profanity, vulgarity, or which are demeaning or inflammatory to other people.
 - b. Document deleted posts (save thread to a file), along with specific reason for deleting.
 - Use Facebook as a photo repository for City events – gives fans a reason to join and something to look at.

Policy Violations

Violations of this Policy will subject the employee to disciplinary action up to and including discharge from employment.

Exceptions/Changes

This policy replaces all previous policies covering the same or similar topics except as provided for in Arden Hills' Personnel Policies. Exceptions to this policy may be granted only by the City Administrator. This policy may be reviewed and changed at any time.

COMMUNICATIONS

Introduction

The City of Arden Hills strives to provide the public accurate and timely information, communicated in a professional manner, and in accordance with the laws regarding public information and data practices.

This policy provides guidelines for all external communications from the City using various mediums including, but not limited to:

- Printed materials such as newsletters, articles, and brochures.
- Electronic materials such as email, postings to web sites or social media sites.
- Media relations such as requests for interviews, news releases, and media requests.

The City also recognizes that employees may sometimes comment on City matters outside of their official role as an employee for the City of Arden Hills. Therefore, this policy also provides guidelines for employees when communicating as a private citizen on matters pertaining to City business.

Policy

General Guidelines for all Communications (Official and Personal)

All City employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any employee who identifies a mistake in reporting should bring the error to the Department Director, City Administrator, or other appropriate staff. Regardless of whether the communication is in the employee's official City role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc. Employees must also follow all City policies that may apply. Examples of relevant policies include:

- Computer Use Policy
- Data Practices Policy
- Political Activity Policy
- Social Media Use Policy

Additional Guidelines for Official City Communications

Handling General Requests:

All staff is responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority.

Handling Media Requests:

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the Department Director or City Administrator. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and websites. When responding to media requests, employees should follow these steps:

- If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the Department Director of the request.
- If the request is regarding information about City personnel, potential litigation, controversial issues, an opinion on a City matter, or if you are unsure if it is a “routine” question, forward the request to the Department Director or City Administrator. An appropriate response would be, “I’m sorry, I don’t have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as he/she can.” Ask the media representative’s name, questions, deadline, and contact information.

Communicating on behalf of the City:

The City Administrator, Department Directors, and communications staff are authorized to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications. Other employees may represent the City if approved by one of these individuals to communicate on a specific topic. When speaking on behalf of the City:

- Employees must identify themselves as representing the City. Account names on social media sites must clearly be connected to the City and approved by the Department Director or City Administrator.
- On social media sites only an administrator of the site may respond to requests and post comments.
- No employee is allowed to start a social media site for the City without prior authorization from the Department Director and City Administrator.
- No employee is allowed to create a website and/or register a web address (URL) for the City without prior authorization from the Department Director and City Administrator. Approved URLs must be registered by the I.T. Division and approved websites must be established by the Deputy Clerk.
- All information must be respectful, professional and truthful. Corrections must be issued when needed.

- Personal opinions generally do not belong in official City statements. One exception is communications related to promoting a City service. For example, if an employee posted on the City's Facebook page, "My family volunteered at the Urban Wildlife half marathon and had a great time". Employees who have been approved to use social media sites on behalf of the City should seek assistance from the Department Director or City Administrator on this topic.
- Employees using their personal technology (cell phones, home computer, cameras, etc.) for City business should be aware that the data transmitted or stored may be subject to the data practices act and legal proceedings.

Additional Guidelines for Personal Communications

It is important for employees to remember that the personal communications of employees may reflect on the City, especially if employees are commenting on City business. The following guidelines apply to personal communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what you write is public, and will be for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- The City of Arden Hills expects its employees to be truthful, courteous and respectful towards supervisors, coworkers, citizens, customers and other persons associated with the City. Do not engage in name-calling or personal attacks.
- If you publish something related to City business, identify yourself and use a disclaimer such as, "I am an employee of the City of Arden Hills. However, these are my own opinions and do not represent those of the City of Arden Hills."
- City resources, working time, or official City positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the City's logo, email, or working time to promote his/her side business as a plumber.
- Personal social media account names or email names should not be tied to the City.

Policy Violations

Violations of this policy will subject the employee to disciplinary action up to and including discharge from employment.