



# PERSONNEL POLICY MANUAL

*for Employees of the  
City of Great Falls  
May 2016  
(Revised March 6, 2020)*

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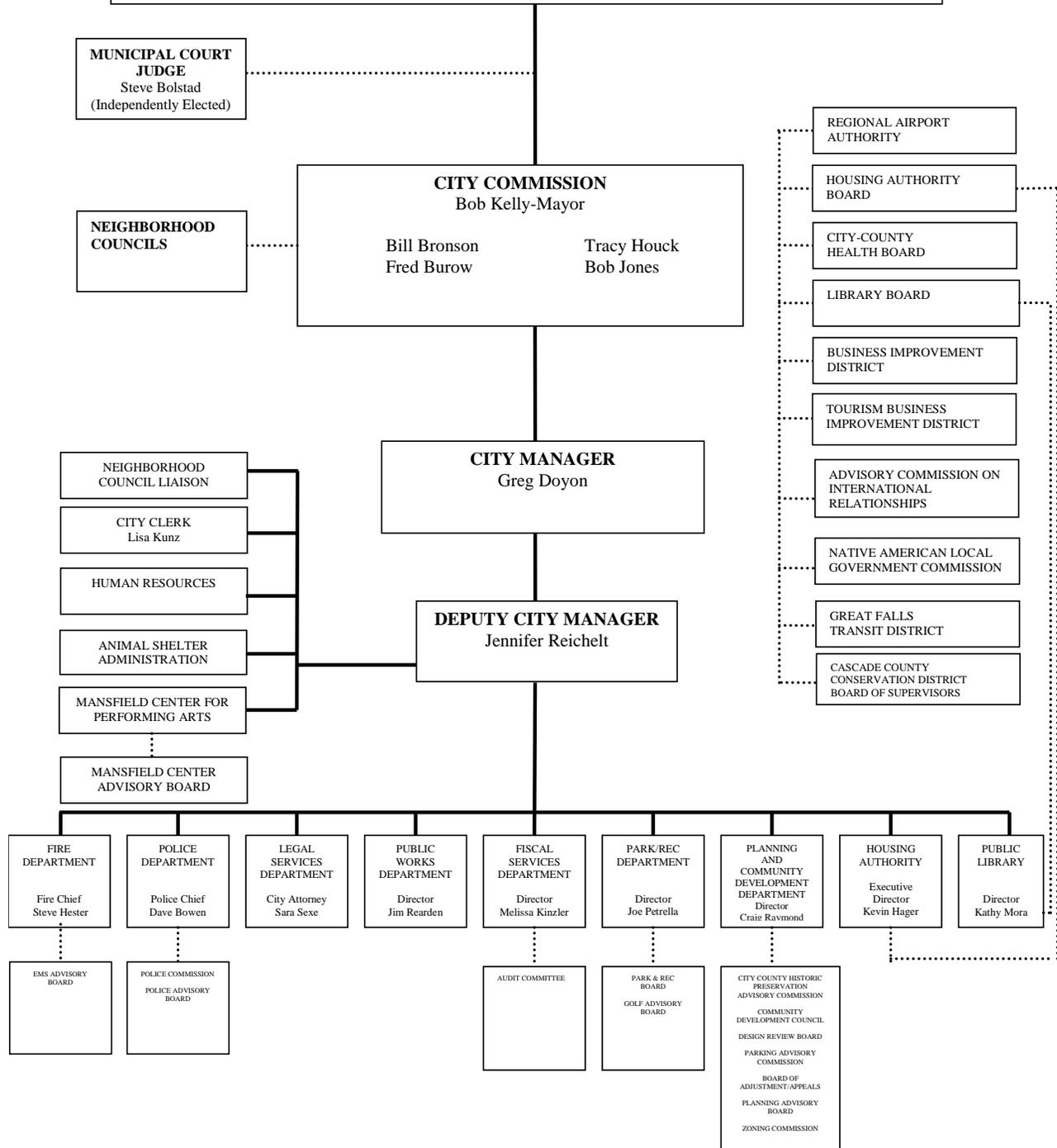
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# CITIZENS OF GREAT FALLS



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Administration		
City Manager	2 Park Drive S, Room 201	455-8450
Deputy City Manager		455-8417
City Clerk/Commissioners	2 Park Drive S, Room 204	455-8451
Fire Department		
Fire Station 1 & Administration	105 9 <sup>th</sup> Street So.	727-8070
Fire Station 2	731 6 <sup>th</sup> Street NW	727-8505
Fire Station 3	3325 Central Avenue	727-8076
Fire Station 4	1900 Fox Farm Road	727-0538
Fiscal Services	2 Park Drive S, Room 104	455-8423
Housing Authority, Great Falls 453-4311	1500 Chowen Springs Loop	
Human Resources	2 Park Drive S, Room 202	455-8545
Information Technology	2 Park Drive S, Room 8	455-8483
Library, Great Falls Public	301 2 <sup>nd</sup> Avenue N	453-9706
Legal/City Attorney/Civil	2 Park Drive S, Room 204	455-8578
Legal/City Attorney/Prosecutors	2 Park Drive S, Room 102	455-8535
Mansfield Center for the Performing Arts	2 Park Drive S, Room 105	455-8510
Mapping and Addressing	2 Park Drive S, Room 5	455-8437
Municipal Court Office	2 Park Drive S, Room 2	771-1380
Park and Recreation	1700 River Drive N	771-1265
Payroll	2 Park Drive S, Room 104	455-8426
Planning and Community Development	2 Park Drive S, Room 112	455-8438
Police	112 1 <sup>st</sup> Street S	727-7688
Public Works		
Director	1005 25 <sup>th</sup> Avenue NE	727-8390
Engineering	1025 25 <sup>th</sup> Avenue NE	771-1258
Operations	1025 25 <sup>th</sup> Avenue NE	771-1401
Water/Sewer Utilities	1005 25 <sup>th</sup> Avenue NE	727-8045
Water Treatment Plant	1301 Lower River Road	727-1325
Risk Management and Safety	2 Park Drive S, Room 202	455-8446
Utility Billing	2 Park Drive S, Room 104	727-7660

**Great Falls at a Glance**

Form of Government .....	Commission-Manager
Legislative Body .....	Five member commission, including a mayor.
Election Schedule .....	Commission members are elected at large or by district to staggered four-year terms. The Mayor is elected at large every two years. There are no term limits.
Population* .....	59,152
Area .....	23.4 square miles
Number of Employees** .....	481.56 full-time & part-time positions (approximately 250 temporary annually)

\* 2014 US Census Population Estimate

\*\*FY 2016 City Budgeted Full-Time Equivalents (FTE's)

**About our City**

Great Falls is named after the Great Falls of the Missouri River which were discovered by Lewis and Clark in 1805. Founded in 1884 by Paris Gibson, Great Falls became an incorporated city in 1885. The first City Council election was held November 21, 1888. In 1896 Great Falls became a first class city as defined in MCA §7-1-4111 (every city having a population of 10,000 or more is a city of the first class).

The county seat of Cascade County, Great Falls is one of the largest cities in Montana, with a population of approximately 59,152 (2014 US Census population estimate). The City comprises an area of around 23.4 square miles.

Great Falls is the regional trade center for a 12-county area. The top employers in Cascade County in 2014 included Malmstrom Air Force Base, Benefis Health Care, Great Falls Public Schools, Montana Air National Guard, City of Great Falls, Cascade County, Wal-Mart, Easter Seals Goodwill, and Great Falls Clinic. In 2011, there were nearly 2,500 businesses in Great Falls in a variety of economic sectors, including agriculture and forestry, manufacturing, government, transportation and communication, and construction. The largest number of businesses in Great Falls is in the services and retail trade sectors.

The Great Falls School District administers a comprehensive educational program to students in 15 elementary, three middle, and three high schools (including one alternative high school). Great Falls is also home to the Montana School for the Deaf and Blind. There are several post secondary educational opportunities available in Great Falls, including the University of Great Falls, Great Falls College - Montana State University, and satellite campuses for a variety of other nationally accredited universities.

## *How the City Government Works*

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The Commission-City Manager form of government was adopted by a majority vote in 1972. This system of local government combines the political leadership of elected City Commissioners with the executive experience of a City Manager.

The Commission is Great Falls' legislative body. It sets policy, approves the budget, and determines the tax rate. Members of the Commission are elected at-large to four year staggered terms on a non-partisan ballot. The Mayor is elected individually, under a charter amendment approved by the voters in 1986. The Mayor is the presiding officer at Commission meetings and is the chief elected official of the City.

The Commission hires the City Manager. The Manager is responsible for carrying out the Commission's policies, for ordinance enforcement, and for the administration of all City business. The Manager directs the work of all departments, ensures enforcement of all laws and ordinances, conducts studies and makes recommendations for Commission direction, and prepares the annual budget for review and adoption by the Commission.

With few exceptions, every employee hired by the City is directly or indirectly responsible to the City Manager. The City Manager is responsible to the City Commission. The City Commission is, in turn, responsible to the citizens of Great Falls.

Welcome to the City of Great Falls!

As your employer, the City's goal is to provide you with a safe working environment and an opportunity to grow in your new position. The success of any organization depends on its employees. We recognize that our employees are the City's greatest asset.

We strive to foster a service-oriented culture focused on responsiveness, efficiency, and exceeding expectations. Public employees are very visible in the community and the manner in which you conduct your duties reflects on the entire organization. I encourage you to keep this in mind as you go about your daily duties.

The Personnel Policy Manual outlines City policies and benefits. As a condition of your employment, it is your responsibility to review the Manual, know it, and follow its guidance. Updates occur to the Manual from time to time. When the updates occur, the employee is responsible for keeping the Manual current.

The Human Resource Department can assist you with answering any questions you may have about the Manual. When in doubt, ask. If you work in an employment group covered by a Collective Bargaining Agreement, you may need reference the Agreement for specific policies and benefits applicable to your group.

Once again, I extend my personal congratulations and best wishes in your employment with the City of Great Falls. I look forward to working with you in making a Great Falls a Great community to work and live.

Sincerely,



Gregory T. Doyon  
City Manager

Any organization can be viewed as a system with three distinct subsystems: *WHY*, *WHAT*, and *HOW*. The *WHY* describes *WHY* the organization exists and where it is going, which includes the mission, vision, and values of the organization. The *WHAT* describes *WHAT* the organization does to achieve its mission and vision, which includes the goals of the organization. The *HOW* describes *HOW* individuals, teams, and departments interact, which includes the attitudes, habits, and behaviors of each employee.

The City of Great Falls, as an organization, has developed a Leadership Philosophy, Mission, Vision, and Goals. Each employee plays a role in carrying out the goals of the organization and ultimately achieving the mission and vision. By understanding the overall mission and vision of the City, we can all appreciate the contribution that we and others make to our organization.

**1.1 Leadership Philosophy**

We hold the common good of an enriched community as our highest goal. We lead by serving those around us, by maintaining honesty and integrity, and by fostering mutual trust, respect, and support. We reach our potential in a climate that encourages individual and community growth by listening, valuing our differences, and by engaging in the free flowing exchange of ideas.

**1.2 Vision Statement**

Our vision is that of a responsive local government strategically prepared for change and challenge. We will build partnerships throughout the community. We will be recognized for our efficient, effective, and caring delivery of service products. Nurtured and inspired by this vision, we will create a passion for excellence. Our core values of honesty, respect, and openness will constantly guide our actions.

**1.3 Mission Statement**

As a responsive and innovative local government, we strive to enrich our community by fostering partnerships and collaboration, by delivering superior service and products, and by acting as a catalyst for a dynamic future. We do this by valuing honesty and integrity, by empowering our employees to be the best they can be, and by listening to diverse opinions and ideas.

**2.1 The Employment Relationship**

All employees, regardless of role, position, or salary, have a critical contribution to make in achieving the City's mission. The City is committed to providing a work environment free from discrimination, harassment, alcohol and drugs; a workplace where employees can creatively address their responsibilities and function in supportive relationships with managers; and a place where employees can interact responsibly with colleagues and customers. This requires mutual respect and honest communication.

**2.2 Purpose of the Personnel Policy Manual**

This Manual is designed to provide guidance to the workforce and effective human resources management. These policies are designed to provide flexibility for independent judgment by employees and managers while ensuring accountability to the public. Employees should be empowered to make the decisions necessary to provide fast, flexible service to residents and businesses they serve within ethical and managerial guidelines.

**2.3 Applicability of the Personnel Policy Manual**

This Manual applies to all employees of the City of Great Falls unless otherwise provided herein. Employees will sign the Receipt and Acknowledgement form (Appendix D) verifying they have received and are familiar with this Manual. Human Resources (HR) will place this form in each employee's Personnel File. This Manual replaces all previous personnel policy material issued by HR for the City.

**2.4 Format and Maintenance of the Personnel Policy Manual**

The City Manager has final authority for administration of this Manual. HR is responsible for the daily administration, development of policy recommendations, instructions for implementation, and is the source of expertise in the application and intent of these personnel policies. If policy discrepancies arise, the City Manager and/or HR will determine the application and intent of these policies.

*2.4.1 Maintenance of the Personnel Policy Manual*

This Manual is issued and maintained by HR.

*2.4.2 Changes to the Personnel Policy Manual*

The policies, procedures, and benefits herein may be altered at any time by the City Manager or because of action taken by the City Commission, Congress, Montana Legislature, or courts. When a policy, procedure, or benefit is altered, employees will be notified in writing or by electronic means through supplements to this Manual. Employees are expected to insert or remove the appropriate items to keep their Manual up-to-date. This Manual will also be updated on the City intranet.

*2.4.3 Conflict with Collective Bargaining Agreements*

If any of the provisions of these policies conflict with a negotiated Collective Bargaining Agreement (CBA), the CBA will take precedence to the extent applicable.

## **2.5 Bulletin Boards**

Throughout the City's offices are bulletin boards where required notices of employment laws are posted. Information of general interest is posted regularly on bulletin boards, including in-house position announcements. Any employee who would like to post notices on the City bulletin boards should ask their supervisor for approval.

All personnel records and personnel administration functions at the City have been assigned to Human Resources (HR). Questions about employment, including insurance, wages, benefits, and interpretation of policies should be directed to HR or your supervisor.

### **3.1 Employee Orientation**

New and re-hired employees are required to complete paperwork including payroll and benefit forms in the HR Office on their first day of work. Employees will be provided copies of the Personnel Policy Manual and other employment materials.

The City normally conducts employee orientation sessions near the onset of employment. These sessions are intended to introduce employees to the organization, provide an opportunity to exchange information, develop working relationships, promote teamwork, improve work performance, and answer policy and benefit questions. Attendance should be coordinated by the employee's supervisor.

### **3.2 Personnel File**

Except in limited circumstances, personnel records are confidential and are used solely for business purposes and are kept in Human Resources. Medical information and records are confidential and securely stored in a file separate from the employee's personnel file. You must notify HR and your supervisor if your address or phone number change or of changes in marital and/or dependent status, which may require changes to tax and insurance records. Coverage and/or benefits that employees and their families may receive could be negatively affected if the information in their file is not accurate. Employees may change their information on-line at <https://public.greatfallsmt.net/websites.hr.portal/Default.aspx>.

#### *3.2.1 Updates to Personnel File*

It is in employee's best interest, and their responsibility, to ensure their personnel files include information about completion of licenses, certification, educational or training courses, outside civic activities, and areas of interest and skills.

#### *3.2.2 Access to Personnel File*

Through HR employees can request access to their personnel file at any time. However, personnel files may not be taken out of HR.

### **3.3 Equal Employment Opportunity**

The City of Great Falls provides an equal employment opportunity (EEO) to all persons regardless of race, color, religion, sex, political belief, national origin, age, physical or mental ability, marital status or other characteristic protected by law. The City will provide opportunities to disabled employees on the same terms and conditions as the employees without disabilities, unless it is shown that accommodation is not reasonable, or that the particular disability prevents the performance of the work involved.

The City is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"), the ADA Amendments Act and equivalent state disability laws. It is the City's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job

with or without a reasonable accommodation. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, provided that such accommodation does not constitute an undue hardship on the City and/or a direct threat to the health and/or safety of the individual or others.

Employees or applicants who believe they need a reasonable accommodation to perform the essential functions of their job should contact the HR Department to request such an accommodation. The City will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The City will then identify possible accommodations, if any, that will help to eliminate the limitation or barrier. If the accommodation is reasonable and will not impose an undue hardship on the City and/or a direct threat to the health and/or safety of the individual or others, the City will make the accommodation.

The City may also propose an alternative accommodation(s). The City is not required to provide the accommodation preferred by the individual, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs, etc.)

The City will also make reasonable accommodations for conditions related to pregnancy, childbirth or related medical conditions, if requested with the advice of the employee's health care provider, as required by law.

#### *3.3.1 Application of EEO Policy*

The EEO policy applies to recruitment, hiring, training and development, transfer, promotion, termination, layoff, compensation benefits, social and recreational programs, and all other conditions and privileges of employment in accordance with applicable federal, state, and local laws.

#### *3.3.2 Posting of EEO Notices*

EEO notices are posted on employee bulletin boards and can also be found posted in the HR Office. EEO notices summarize the rights of employees to equal employment opportunity and indicates which government agencies may be contacted to report possible violations of EEO policy. To report a violation, contact any of the following: City of Great Falls HR department at 455-8448; the Human Rights Bureau, Department of Labor and Industry, 1625 11<sup>th</sup> Ave., PO Box 1728 Helena, MT 59624-1728, (800) 542-0807; or the United States Equal Employment Opportunity Commission, 909 First Avenue Suite 400, Seattle, WA 98104-1061, (800) 669-4000.

#### *3.3.3 Implementation of EEO Policy*

HR is primarily responsible for seeing that the City's EEO policies are implemented. However, all employees share responsibility for ensuring that the policies are effective and applied uniformly by their personal actions.

#### *3.3.4 Disciplinary Action*

Any City employee found to be involved in unlawful discriminatory practices will be subject to disciplinary action, up to and including termination.

### **3.4 Recruitment Guidelines**

The City Manager is ultimately responsible for all City hires, however daily involvement in this is impractical and as such, the City Manager delegates hiring authority to departments. Department Heads may delegate hiring to lower level supervisions. All recruitment and hiring must be coordinated with Human Resources (HR), using its hiring practices and may be subject to different policies under applicable CBA's. HR is responsible for providing expertise, assistance, and support to each department.

#### *3.4.1 Vacation of Position*

Upon any action that leaves a position vacant, the employing department submits a final Personnel Action Form (PAF) to HR on behalf of the employee. The PAF states the reason the employee vacated the position and the effective date.

#### *3.4.2 Creation of Job Description*

The supervisor of the vacated position shall review the existing job description to determine if the responsibilities and requirements are accurate. The supervisor should work with HR if a revision, update, or new description is needed.

#### *3.4.3 Position Announcement*

If the City Manager approves and the budget is available, the employing department may submit a Personnel Requisition Form to HR in order to initiate filling a position. The requisition will then be forwarded to the City Manager's Office for authorization. If authorized, recruitment will begin. HR will draft a position announcement and the department head or supervisor will review the announcement before it is distributed to ensure accuracy.

#### *3.4.4 Placement of Position Announcement*

The Department Head or designee will instruct HR as to where to advertise the position. Advertising options include in-house, locally, regionally, or nationally.

#### *3.4.5 In-house Posting of Positions*

If the position is for a licensed professional, it may not be posted in-house before being posted to the general public. Posting other positions in-house gives current City employees the first opportunity to apply. This practice does not infer preference. After a position has been posted in-house for three working days, the position may be posted for the general public to apply at the department head's discretion. For the purpose of recruitment, an in-house applicant is defined as an active City employee in a pay status or on FMLA or Workers' Compensation leave on the day the position announcement is distributed (in-house applicants do not include individuals in an unpaid leave of absence status).

#### *3.4.6 Screening Applications*

Once the posting period closes, HR will record all of the applications and make them available for the supervisor and/or designated personnel to review and screen in order to assess qualifications. The screening process determines which applicants will be interviewed.

#### *3.4.7 Scheduling Interviews*

HR or the hiring department will schedule interviews with the selected applicants and coordinate any testing that may be required to review and assess qualifications for the position.

#### 3.4.8 *Interview Panel*

The supervisor and/or Department Head has the discretion to convene an interview panel prior to conducting interviews, which may consist of any combination of the following as determined by the supervisor and/or Department Head:

- Immediate supervisor;
- Another representative from the employing department;
- A representative from another (not the employing) department;
- A Human Resources representative; and/or
- A member of the public with expertise, knowledge, or interest in the responsibilities of the position.

If the supervisor and/or Department Head determines that HR will not be involved in the interview process, it is strongly recommended that training in the City's techniques be obtained. HR will assist all supervisors in this training process as necessary.

#### 3.4.9 *Selection of Applicant for Position*

After the interview panel has completed interviews and the department has selected an applicant they wish to hire, a reference/background check is conducted. The employing department submits a PAF on behalf of the successful applicant prior to notifying the applicant of the job offer. HR contacts unsuccessful applicants, unless the employing department wishes to do so itself. **New hires must complete necessary paperwork provided by HR prior to performing work duties.**

### 3.5 **Job Descriptions**

HR maintains job descriptions for the City. Departments should conduct periodic reviews of job descriptions to ensure any changes in the duties and responsibilities of each position are accurately reflected, particularly when there is a vacancy in the position. Changes in the duties and responsibilities of a position should be updated in the job description. Job descriptions are available from supervisors or HR.

### 3.6 **Management Rights**

Except as otherwise provided by law, contract, or elsewhere in this Manual, management reserves the right to operate and manage the City of Great Falls. These rights include, but are not limited to, the right to:

3.6.1 Direct employees.

3.6.2 Determine the methods, means, job classifications, and personnel by which operations are conducted and subsequently hire, promote, transfer, assign and retain employees.

3.6.3 Relieve employees from duties because of lack of work or funds or under conditions where continuation of such work would be inefficient and/or non-productive.

3.6.4 Maintain the efficiency of operations.

3.6.5 Establish minimum performance standards, methods, and processes by which work is performed.

### **3.7 Department Head Responsibilities**

Department Heads and other management officials may perform the following personnel management functions:

- 3.7.1 Screen and select applicants for employment.
- 3.7.2 Assign duties and responsibilities to employees.
- 3.7.3 Make personnel-related decisions for their department.
- 3.7.4 Make salary recommendations.
- 3.7.5 Establish work expectations, resolve conduct and performance issues, maintain discipline, and develop operating procedures.
- 3.7.6 Schedule daily procedures within the department, including hours of work, rest and lunch periods, and clean-up time. Ensure that changes in established work schedules are reasonable and made as necessary to maintain efficient operations.
- 3.7.7 Identify training and development needs and provide for on-the-job training when necessary and appropriate.
- 3.7.8 Develop organizational structures and recommend staffing levels based on departmental goals and budget requirements.
- 3.7.9 Communicate work and performance expectations to employees in the department and ensure these expectations are conducive to the department's mission.
- 3.7.10 Issue departmental rules, regulations, and operating procedures necessary for the efficient functioning of the department; however, such rules and regulations shall not be in conflict with any portion of this Manual.
- 3.7.11 Delegate wholly or in part management functions to supervisors within their department.

### **3.8 Supervisor Responsibilities**

Immediate supervisors provide day-to-day guidance and counsel regarding work assignments and progress made, including:

- 3.8.1 Assigning work, recommending pay increases, conducting written performance reviews, and maintaining order and discipline in the workplace. Employees are responsible for seeking clarification of regulations or responsibilities as necessary.
- 3.8.2 Showing employees where the department's employee bulletin board is located, which posts the required employment law notices.
- 3.8.3 Providing or directing education/training specific to the operation of the equipment and tasks the employee is required to perform.
- 3.8.4 Providing or arranging for work orientation and education including risk management, information technology and safety training.

**4.1 Ethics Policy**

The City strives to provide officials and employees with information concerning possible conflicts of interest that may arise in the performance of their duties. The City's ethical standards are designed to encourage employees and officials (elected or appointed) to be dedicated to the concepts of effective and democratic local government in order to honor integrity in all public and personal relationships. This, in turn, earns respect and confidence and also affirms the dignity and worth of government services. These standards help maintain a positive attitude toward urban affairs and a deep sense of social responsibility as a public servant. The City aims to instill in all employees and officials that local government exists to serve the best interests of the people.

**4.2 Ethical Standards**

The following is a synopsis of the City's ethical standards, adopted by the City Commission on January 19, 1993 by Ordinance 2643 and applicable Montana law. Employees and officials of the City of Great Falls shall comply with these provisions.

4.2.1 Appointed or elected officials, employees, or their immediate family members or any organization in which they have an interest cannot:

- a. Have interest in an organization or engage in any activity OR act in an official capacity in a matter that might impair their objectivity, independence, or judgment OR undertake any private employment or service that might prejudice independent judgment or conflict with their City duties.
- b. Use or attempt to use their City position to secure privileges or advantages.
- c. Solicit or accept any gift, favor, contribution, service, promise of employment, or other thing of value for the purpose of influencing, directly or indirectly, the discharge of their City duties.
- d. Use or allow the use of a public office or information not generally available to the members of the public, which they receive or acquire in the course of their duties, for securing financial gain.
- e. Represent another person or party in connection with a cause, proceeding, application, or other matter pending before the City.
- f. Request, use, or allow the use of any public property, vehicle, equipment, labor, or service for their own or any other person's personal convenience or advantage.
- g. Approve, disapprove, or recommend the payment of a bill, voucher, or indebtedness in which they have direct or indirect interest.

4.2.2 Employees and officials elected or appointed in the City shall:

- a. Receive formal written authorization from the appropriate person or body prior to disclosing any confidential information concerning any other employee or official, or any other person, or any property or governmental affairs of the City.

- b. Exercise prudence and integrity in management of public funds in their custody and in all financial transactions.
- c. Uphold the letter and spirit of the constitution, statutes, and regulations governing their duties, and report violations of the law to appropriate authorities.
- d. Be responsive to the concerns and questions of the public.
- e. Prevent distribution or dissemination of information not generally available to the public, such as confidential or private information provided to the City by members of the public.

### 4.3 Nepotism

All personnel matters shall be administered on the basis of merit and through regular management procedure except:

4.3.1 No one participating actively in the appointment of a position (i.e., City Commissioners, City Manager, representatives of Human Resources, the appointing Department Head) shall appoint any person they are related to or connected by consanguinity within the fourth degree or by affinity within the second degree.

4.3.2 No one may be appointed to a position within a City department if related or connected by consanguinity within the fourth degree or by affinity within the second degree to any person sitting on a board or commission representing or advising that department. The above shall include but not be limited to: City Commission, Board of Adjustment, Board of Health, Housing Authority, Library Board, Park and Recreation Board, Parking Commission, Planning Board, and Police Commission.

*Note:* "Consanguinity" means blood relation. Degrees are determined as follows:

- A parent and child are first degree
- A grandparent, grandchild, brother and sister are second degree
- An uncle, aunt, nephew, niece, and great grandparent are third degree
- A first cousin, great uncle/aunt, and great-great grandparent are fourth degree

"Affinity" means a relationship by marriage. Degrees are determined as follows:

- Husband and wife are first degree;
- Brothers-, sisters-, fathers- and mothers-in-law are second degree.

4.3.3 Employment of relatives in the same area of an organization may cause conflict and problems affecting employee morale or could result in perceived favoritism and claims of partiality. The City may refuse to assign or reassign related employees when conflicts have occurred or are likely, or may create difficulties in the work environment.

#### **4.4 Conflict of Interest**

City employees are subject to the provisions of Title 2, Chapter 2, MCA. This portion of the Montana law essentially restricts public employees from utilizing information, accepting gifts or benefits, or participating in business undertakings or employment which would affect their economic interests, or influence the faithful and impartial discharge of their public duties, unless their participation is necessary to obtain a quorum or otherwise enable the body to act, and if they comply with the voluntary disclosure procedures. The voluntary disclosure procedures state that public officers or employees may, prior to acting in a manner which may impinge on their fiduciary duty, disclose the nature of their private interest which creates a conflict.

#### **4.5 Confidential Information**

City employees may hear, discuss, and become knowledgeable of, or involved with, important, confidential, personal and/or sensitive information relating to employees, customers or others that is not appropriate to discuss with or disclose to other employees, family, or others. City employees are expected to identify and appropriately administer confidential information under applicable law. All employees must maintain this confidentiality even after terminating their position.

Violations of confidentiality seriously injure the City's reputation and effectiveness and may subject the City to liability for inappropriate disclosure of information. Employees who are concerned about the appropriateness of releasing information must request guidance from their supervisor, or the party requesting the information may be directed to the supervisor or the City Manager's Office.

##### *4.5.1 Removal of Confidential Information*

No one is permitted to remove any City records, reports or documents without prior approval from management.

##### *4.5.2 Disciplinary Action*

Because of the serious nature associated with confidential information, disclosure of such information could lead to disciplinary action, up to and including dismissal.

#### **4.6 Political Activity**

City employees are bound by MCA §13-35-226 preventing them from soliciting any money, influence or service, or in any other way engaging in political activity or campaigning regarding a public office while acting as a representative of the City of Great Falls or at their place of employment. City employees cannot simultaneously hold a position with the City *and* an elected or appointed City Commission or Board position as the two functions are incompatible and pose an irreconcilable conflict. Employees are free to express their personal political views, with the understanding that they not interfere with the conducting of business. As a public employee, recognize that your personal actions may adversely affect your ability to perform your job duties.

Certain city employees also are bound by the terms of the federal Hatch Act and must not use their official authority to influence or interfere with the outcomes of elections or nominations or to directly or indirectly coerce contributions from subordinate employees to support a political party or candidate. If you have questions regarding this Act and its application, contact HR.

**4.7 Public Statements**

Unless appearing in an official capacity as an officer or employee of the City, employees must not make any reference to their employment or position with the City when making public statements or expressing public opinions, while on duty or in uniform.

**5.1 Employee Classification**

When hired, each employee is classified as full-time or part-time, as regular or temporary (or short-term), and as exempt or non-exempt. HR maintains each employee's job classification.

*5.1.1 Exempt Employee*

Exempt employees include certain supervisors, executives, professional staff, administrative staff, and others whose duties and responsibilities allow them to be exempt from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and applicable state laws.

*5.1.2 Non-Exempt Employee*

By law, employees classified as non-exempt are entitled to overtime pay for hours worked in excess of 40 hours per week. Non-exempt employees are not exempt from, and therefore should receive, overtime pay.

*5.1.3 Full-time Employee*

Employees regularly scheduled to work 40 hours per week are considered full-time.

*5.1.4 Part-time Employee*

Employees regularly scheduled to work less than 40 hours per week are considered part-time. Part-time employees are scheduled as needed. Regular part-time employees earn some benefits on a prorated basis. Refer to each benefit policy for information on eligibility of part-time employees.

*5.1.5 Regular Employee*

A regular employee is someone whose term of employment is not expected to expire on a specific date. Regular employees may work either a full- or part-time schedule.

*5.1.6 Temporary Employee*

Employees hired for specific periods of time in excess of ninety non-consecutive days, but not exceeding twelve months are considered temporary employees. Temporary employees may qualify for some benefits, such as accrual of sick leave.

*5.1.7 Short-term Employee*

Employees hired on an on-call basis or for periods of time not to exceed ninety non-consecutive days are considered short-term employees. Short-term employees do not qualify for any benefits.

**5.2 Probationary Period**

Unless specifically provided for in writing, employees must complete a probationary period of at least six months after their start date. This period allows new employees an opportunity to determine if they are satisfied with the conditions and nature of their work. Similarly, the City uses this period to determine if a new employee is well suited to a position. If a new employee's work performance or conduct does not meet the City's expectations during this period, the employee may be terminated. Completion of the probationary period does not guarantee continued employment. If a probationary employee is approved for leave during the probation period, the

probationary period will be suspended during the time off and will resume upon return from leave.

#### *5.2.1 Extension of Probationary Period*

On rare occasions and with City Manager's approval, the length of a probationary period may be extended by the City of Great Falls for performance, training, disciplinary or other reasons. Employees will receive written notice of an extension in their probationary period prior to the end of the original probationary period. The extension notice will contain reason(s) for the extension. If, for example, an employee takes approved unpaid leave during the probationary period, the probationary period may be extended by that length of time.

Unless the employee receives written notification that he/she has not satisfactorily completed the established probationary period on or before the end of the probationary period, the employee's classification will change from probationary to regular.

When an employee is employed by a new City department in a separate position, that employee is subject to a new six (6) month probation period for that new position.

#### *5.2.2 Probationary Period Performance Evaluation*

During the probationary period, a supervisor will evaluate the employee's job performance. Employees will receive input about their job performance and are encouraged to share their comments and ideas.

### **5.3 Driver's License and Driving Record Requirements**

Employees whose work requires operation of a motor vehicle must present and maintain a valid driver's license and a driving record acceptable to the City's insurer or indemnity carrier and must follow the safety manual guidelines. Employees must report any changes in driving record or status to their supervisor immediately. Failure to do so may result in disciplinary action, and possible dismissal. Employees whose job requires a Commercial Driver's License (CDL) are subject to and need to meet any additional Federal- and state-established license requirements.

### **5.4 Scheduling of Work**

Employees' work schedules depend on their positions. Generally, operating hours for City offices are 8:00 a.m. to 5:00 p.m., Monday through Friday, unless changed by the City Manager's Office. Department Heads and supervisors have discretion in assigning employees days and hours of work and scheduling lunch periods and breaks based on the needs of the department. Employees are expected to be at their workstation and ready to work at the time designated by their supervisor and are expected to remain at their workstation until the end of their assigned work hours, except for breaks and lunch, as determined by their supervisor. Hourly, non-exempt employees are not permitted to begin work more than 10 minutes before their scheduled starting time nor end work more than 10 minutes after their scheduled work time without their supervisor's approval. Employees who are exempt from overtime regulations are expected to work the hours necessary to satisfactorily fulfill their job duties, including work outside the general operating hours of the City offices.

#### 5.4.1 *Leave*

The City provides leave for times when emergencies, illnesses, or pressing personal business cannot be scheduled outside work hours. Employees are expected to inform their supervisor when they are unexpectedly unable to report to work. Planned absences require prior approval. For detailed information, see §11.2 and §11.3 herein. Unapproved absences from work may be considered voluntary resignation. Excessive absence from work, for any reason, can lead to disciplinary action up to and including termination.

#### 5.4.2 *Tardiness*

Employees are expected to immediately inform their supervisor, prior to arriving to work, if they will be arriving late. This information should be given directly to a supervisor. An employee who is unable to relay this information to a supervisor himself or herself should have someone call on his or her behalf.

### 5.5 **Break Policy**

As representatives of the City of Great Falls, in any public area, facility, and/or business, employees are expected to conduct themselves in a courteous manner while on break, including acceptable language and actions. All employees, regardless of their position, should use common sense. City employees work for and are paid by the public and their actions are visible and accountable to the public.

#### 5.5.1 *General Break Entitlement*

Employees are entitled to two 15-minute breaks when working an eight-hour shift. One break is taken during the first half of the shift and one during the second half of the shift. Breaks may not be taken during the first or last hour of the shift without supervisors approval. The timing of the break is intended to begin once an employee leaves the work station or location and is not performing work duties.

#### 5.5.2 *Where to Take a Break*

Breaks times should be staggered whenever possible. Supervisors have the discretion to allow occasional exceptions to these break guidelines to meet special employee needs, but these exceptions cannot become routine or normal.

- a. Office personnel, and those working in one location such as the central garage or water plant, should take breaks in the designated break room provided. Breaks should be coordinated with a supervisor to ensure adequate office coverage at all times. If a break room is provided and an employee needs to leave the area, the employee should request approval from a supervisor prior to leaving the building.
- b. Field personnel, and those who are out in the community such as Public Works and Park and Recreation staff, should take breaks within the immediate area where they are working. The break should be taken at the closest location where a clean-up facility is available. Employees should not drive any further distance than necessary and should not drive across town to take a break.
- c. No more than two City vehicles should be at any break location (other than on City-owned property) at any time. Exceptions will be made if more than one crew is working in an area at the same time and there is only one location nearby with clean-up facilities. City vehicles cannot be used to travel to a break area away from where the employee is working when a break area is provided.

Unless approved by the Department Head, the use of a City vehicle by employees to visit a residence for a break is not allowed.

## **5.6 Smoking Policy**

The Montana Clean Indoor Air Act of 1979, MCA §50-40-101 *et seq.* prohibits, among other things, tobacco smoking in enclosed public places and places of employment. The City prohibits the use of electronic cigarettes and vapor products (as defined under MCA §16-11-302) in public places as well. References to “smoke” or “smoking” in this policy means the use of tobacco, vapor or any other smokable products. These policies protect public health and welfare, recognize the right of nonsmokers to breathe smoke free air, and recognize that the need to breathe smoke free air shall have priority over the desire to smoke. Please refer to state law for specific language.

### *5.6.1 Prohibition of Smoking in Public Places*

Smoking is prohibited in all enclosed public places within the City including but not limited to all office buildings and offices; places of work; trains, buses and other public transportation; auditoriums, arenas and assembly facilities; meeting rooms open to the public; and other areas identified under Montana law.

### *5.6.2 Regulation of Smoking in Places of Employment*

- a. The City provides a smoke free workplace for all employees.
- b. Smoking is prohibited in all enclosed areas within City buildings, including common work areas, conference and meeting rooms, hallways, lounges, stairs, restrooms, and work and office spaces.
- c. The City prohibits smoking in City-owned vehicles.

### *5.6.3 Reasonable Distance*

When smoking outside an area where smoking is prohibited, employees must ensure that tobacco smoke does not enter the enclosed area through entrances, windows, a ventilation system or other means.

### *5.6.4 Violations and Penalties*

- a. It is unlawful for City employees to violate the provisions of section 5.6.
- b. It is unlawful for any person to smoke in any area where smoking is prohibited.

Any person who violates this policy during a scheduled shift may be subject to discipline up to and including termination.

### *5.6.5 Non-Retaliation*

The City will not discharge, refuse to hire, or in any manner retaliate against any employee, applicant for employment, or customer because such employee, applicant, or customer exercises any right to a smoke free environment afforded under applicable law.

## **5.7 Meal Period**

Generally, employees scheduled to work in excess of four hours daily will be given an unpaid meal period. Department Heads and supervisors have the discretion to schedule meal periods depending on the needs of each department. Generally, supervisors will assign a meal period schedule to each employee.

Employees are expected to take the full time allotted for a meal and not perform any work during this time, unless specifically requested to do so by a supervisor. In this event, the meal period may be rescheduled or the employee will be compensated for the time worked.

## **5.8 Employee Parking**

Employees who drive to work are required to use parking areas designated for City employees. The location of these parking areas is maintained by Planning and Community Development. Employees who qualify to park in handicapped parking spots may park in available spaces, provided they display the appropriate permits and decals. The parking spaces adjacent to or in front of City buildings are for visitors only.

### *5.8.1 Alternate Transportation*

The City suggests that employees consider methods of transportation to get to work other than driving personal vehicles (i.e., bus, bicycle, walking, and carpooling) to reduce parking demands at City buildings and facilities.

### *5.8.2 Vehicle Accidents*

Courtesy and common sense in parking will avoid accidents, personal injuries, and damage to vehicles. The City does not assume liability for loss or damages to any employee or vehicle while in a City parking lot.

#### a. City Vehicles

Employees causing damage while driving a City-owned vehicle must report the incident and pertinent information to a supervisor and the Risk Manager.

#### b. Private Vehicles

Employees causing damage in a City parking lot while driving a privately owned vehicle must provide their contact information to the other vehicle.

## **5.9 Performance Reviews**

### *5.9.1 Purpose of Performance Reviews*

The primary purpose of performance reviews is to identify and reinforce positive attributes and identify weaknesses that require improvement. Performance reviews make employees aware of and document how their job performance compares to the objectives and expectations outlined in their job description and how their performance supports their department's mission. The performance review is also an opportunity to discuss interests and future goals.

### *5.9.2 Frequency of Performance Reviews*

The City strives to conduct periodic formal reviews of each employee, with the goal of having annual reviews. New employees or those on probationary status may be

reviewed more frequently. A review may also be conducted in the event of a promotion, disciplinary action, or change in duties and responsibilities.

#### **5.10 Layoff of Employees**

In the event of a reduction in the workforce, unless otherwise covered under a Collective Bargaining Agreement, the City Manager or designated representative will authorize the layoff of employees within job categories based on factors such as past performance, qualifications, seniority, and where applicable, veterans status. Written notice will be provided to the affected employees, and their collective bargaining agent, if applicable, at least sixty (60) days prior to a reduction in force when twenty-five (25) or more employees are affected, or fourteen (14) days when less than twenty-five (25) employees are affected. Employees covered by a Collective Bargaining Agreement should reference the appropriate section of their agreement dealing with layoffs. Affected employees may continue health or indemnity insurance coverage under the City's COBRA plan for up to 18 months through self-payment of premiums. Accrued vacation, sick and compensatory leave balances are cashed out in accordance with applicable laws and policies on the effective layoff date.

##### *5.10.1 Veterans Preference*

In accordance with MCA §39-29-111, *et seq.* and other applicable law, when layoffs occur, a veteran, disabled veteran, or eligible relative whose performance has not been rated unacceptable under our performance appraisal system shall be retained over other employees with similar duties, qualifications, and length of service for any position that is not covered by a Collective Bargaining Agreement.

#### **5.11 Recall of Employees**

If it becomes appropriate to recall employees from layoff status, recall will occur in reverse order from the original layoff. Recall of employees covered by a Collective Bargaining Agreement will follow the appropriate section of the applicable agreement.

##### *5.11.1 Notification of Recall*

Unless otherwise covered under a Collective Bargaining Agreement, employees will be notified of the recall by mail to their last known address or by telephone at the number in their personnel file. Failure to respond to the recall within five calendar days of mailing date of the notice will be considered a voluntary resignation. Employees are responsible for informing the City of any change in mailing address or telephone number during a lay-off period. An employee who is laid off and is interested in returning to work in the event of a recall, but leaves the area or will be unreachable for a period of time, should contact Human Resources with contact information.

#### **5.12 Exit Interviews**

Employees voluntarily resigning their position may be asked for an exit interview. The exit interview is an opportunity to express opinions freely, offer insights for possible improvements, or express concerns with management. The information provided will in no way affect any future reference information the City provides on any employee's behalf, but will be reviewed and evaluated by appropriate management personnel.

#### **5.13 Loss or Damage of Personal Property**

The City is not responsible for any loss, damage, or theft of any personal items. Employees are responsible for all of their personal items.

**6.1 Harassment**

The City of Great Falls prohibits sexual, ethnic, racial or religious harassment and other unlawful harassment of employees, applicants for employment, or members of public. The workplace and all City functions should be free from intimidation, harassment, and other inappropriate behaviors. The City is committed to providing a work environment free from sexual discrimination and sexual harassment. The City does not condone or permit sexual harassment by or of employees. This includes sexual harassment by or toward co-workers, business contacts, or members of the public.

No hardship, loss, benefit, nor penalty may be imposed on an employee as punishment for:

- a) Filing or responding to a bona fide complaint of discrimination or harassment;
- b) Appearing as a witness in the investigation of a complaint; or
- c) Serving as an investigator.

Please report any retaliation under the processes set forth in the Problem Resolution and Grievance Procedures set forth in Section 14 of this Manual. Any report of retaliatory conduct will be objectively, timely and thoroughly investigated by the City. Retaliation or attempted retaliation is a violation of this Manual and anyone who retaliates or attempts to retaliate will be subject to disciplinary action, up to and including termination.

**6.1.1 Purpose**

The City seeks to maintain a quality working environment for all employees and our customers. Employees deserve to work in an environment free from intimidation, humiliation, insult, and harassment. Employees should not be subject to offensive physical or verbal abuse or actions of a sexual, ethnic, racial, religious, or other discriminatory nature, nor shall they inflict harassment upon others. The City prohibits the printed or electronic distribution, circulation, or copying of any such material. Harassment is an offense first against a specific employee or group of employees, and second, an offense against the City.

**6.1.2 Definitions**

- a. Harassment refers to physical or verbal actions that have the purpose or effect of either creating a hostile, offensive, or intimidating working environment and/or having an ethnic, racial, religious, sexual, or other discriminatory basis. For purposes of this policy, harassment is defined as unwelcome or unsolicited comments, gestures, or physical contact where:
  1. Submission to or rejection of the conduct becomes the basis for an employment decision affecting an employee; or
  2. The conduct unreasonably interferes with work performance or creates what a person would view as an intimidating, hostile, or offensive working environment.

Examples include, but are not limited to: unwelcome physical contact; racial or ethnic, sexual, or religious related jokes, comments, insults, or cartoons; innuendoes and/or personal conduct or mannerisms that could be construed as offensive to a reasonable person.

- b. Under Title VII of the Civil Rights Act of 1964, as amended and the Montana Human Rights Act, sex discrimination is defined as unwelcome sexual advances, requests for favors, and other verbal or physical contact of a sexual nature when:
1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
  3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

*Examples of Sexual Harassment*

Sexual harassment can range from subtle pressures for sexual activity to physical assault. Examples of this conduct include, but are not limited to:

- a. Sexual advances which are unwelcome (this includes situations which began as reciprocal attraction but later ceased to be reciprocal);
- b. Sexual gestures such as leering, staring, or making obscene signs with body parts;
- c. Displaying sexually suggestive objects, pictures, cartoons, calendars, or posters;
- d. Sexually oriented jokes, limericks, poems, stories, and related teasing;
- e. Verbal or written comments of a sexual nature such as suggestive letters and invitations, telephone calls, pressure for sexual favors or dates, or comments about body parts or sex;
- f. Reprisals or threats after negative response to sexual advances;
- g. Employment benefits effected in exchange for sexual favors;
- h. Use of terms such as "dear", "honey", "doll", "babe", "sweetie", or "hunk";
- i. Physical contact including assault, attempted rape, and deliberate unsolicited touching of another person's hair, body, or clothing including hugging, kissing, patting, bumping, pinching, grabbing, stroking, leaning over, cornering, or massaging neck or shoulders; and/or
- j. Allowing an environment in which offensive behavior is so pervasive that it becomes intimidating or hostile.

### 6.1.3 *Employee's Responsibility*

- a. Employees must report incidents to the following:
  1. The individual exhibiting harassing behavior. Inform them that their behavior is unwelcome, offensive, or inappropriate. Request the behavior stop immediately, but do not assume that the problem will go away.
  2. The first level supervisor who is not involved in the alleged harassment, the Department Head, or Human Resources.
- b. Employees who believe they are victims of harassment must report the incident(s) and/or action(s) as soon as possible after the alleged harassment occurs. Employees are responsible to take action if they feel they are being harassed.
- c. Employees who are aware of possible harassment of others or who are not personally the victims of harassment but observe actions they interpret to be harassment, are expected to bring the actions to the attention of their supervisor, Department Head, or HR.
- d. All employees shall cooperate with the investigation and verification of reports.

### 6.1.4 *Management's Responsibility*

- a. Upon receipt of a report of sexual harassment, management shall promptly inform Human Resources regardless of the perceived merit of the complaint. Any supervisor made aware of possible harassment must promptly advise HR. Failure to report harassment may result in disciplinary action. HR will then inform either the City Manager, or designee, City Attorney, and/or the Police Chief, assuming these individuals are not subject to the allegations and investigate the allegations or appoint an investigator. The Police Department may be requested to conduct a formal investigation of the allegations. During investigations of this nature, the investigator will act in an administrative capacity under the general direction of HR and City Attorney. If the allegations involve the City Manager, City Attorney, Police Chief or member of HR, an independent investigator may be appointed.
- b. A report of harassment, its investigation, the outcome of the investigation, and any action(s) taken relating to a specific employee is confidential unless prohibited by applicable law. Dissemination of confidential information shall be limited to persons who require the information to conduct the related investigation or by application of law or court order.
- c. The investigation may include interviews with the employee who filed the complaint, the alleged harasser, and other employees (including former employees) with knowledge of the alleged actions. The interviews will be documented with signed statements.
- d. Action taken by management, including disciplinary action when appropriate, to resolve the complaint will be based on facts verified during the investigation. Actions may include, but are not limited to, education about harassment,

counseling, increased office awareness, disseminating the City's policy and procedure, and taking action with respect to non-employees which result in reports of harassment of employees in the workplace.

- e. If alleged harassment occurred more than one year prior to the filing of a report, management is not obligated to investigate or respond to the report.

#### 6.1.5 *Violations of Policy*

- a. Substantiated violations of this policy may result in disciplinary action up to and including discharge, if the initial violation is sufficiently severe or if lesser violations are repeated.
- b. If, after investigating any complaint of harassment the City finds that the complaint is fabricated, or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who provided the false information.
- c. No employee who files a complaint or assists/participates in the investigation of a complaint will be retaliated against.
- d. A follow-up review will be completed within six (6) months after harassment allegations have been confirmed to ensure the sexual harassment has discontinued and all parties involved are not subjected to retaliatory behaviors.
- e. If disciplinary action is taken as the result of a report of sexual harassment, the employee subject to disciplinary action objects to such disciplinary action, the employee must utilize the Problem Resolution and Grievance Procedure under this manual as provided in Section 14, or under his or her relevant grievance procedure under the applicable CBA.

**7.1 Purpose**

The City will not tolerate workplace violence, or the threat of violence, by any of its employees, customers, the general public, and/or anyone who conducts business with the City. The City intends to provide a workplace that is free from physical attacks, verbal attacks, harassment, property crimes, threats, or any other violent acts. Acts or threats of violence may result in disciplinary action, including termination.

**7.2 Reporting Violations**

Any employee who becomes aware of another employee or person violating the City's policies against acts or threats of violence, weapons, or both has a duty and an obligation to properly report such violations by either or both notifying a direct supervisor immediately or dial 911 if the situation poses an immediate emergency. After reporting alleged violations, the City will promptly investigate the allegations and will take the appropriate action.

**7.3 Threats**

A threat involves statements or suggestions of a possible physical attack and is taken seriously. Any instance where an individual's personal safety is threatened, including statements like "If you do that, I will hurt (or kill) you" or "I'm going to get you," qualifies as a threat. Threats are significant because they may precede actual acts of violence. There is also evidence that threats may produce significant psychological damage to the recipient. Stalking any individual is also considered a threat. Threats will be evaluated and appropriate response will be pursued.

**7.4 Property Crimes**

Some people express their anger and aggression through physical acts. This tends to result in property crimes, including sabotage, theft, vandalism, and destruction.

**7.5 Physical Attacks**

Some people express their anger and aggression through physical attacks on other people. This includes physical acts such as shoving, pushing, hitting, or other aggressive or unwanted contact occurring between two people. Any physical attack is considered assault and may be pursued as such.

**7.6 General Policy**

**7.6.1** Employees involved in personal disputes resulting in injunctions, restraining or court orders are asked to include their work location on the court order. The City requests that employees inform their supervisor when they are involved in the issuance of such an order. Any employee who has not secured a court order, but fears for his or her safety is asked to notify the applicable supervisor and Police Department.

**7.6.2** Report every incident of violent behavior in the workplace, regardless of who commits the incident. The Police Department will conduct an investigation. The City Manager or a designee will determine the appropriate corrective action to be taken, which may include, but is not limited to:

- a.* Assessing an employee's fitness for duty (through physician and mental health professional evaluation) and selecting intervention techniques;

- b.* Establishing methods of protection for co-workers and other potential targets;
  - c.* coordinating actions with affected parties such as victims, families, employees, media, or law enforcement personnel;
  - d.* Referring victims to appropriate assistance and community service programs;
  - e.* Ensuring immediate and ongoing counseling is available to victims.
- 7.6.3 Employees who report actual or implied violent behavior will not be subject to any form of retaliation.
- 7.6.4 False or malicious reporting of violent behavior will result in an investigation of the reporting individual(s) and appropriate corrective action.

**8.1 Purpose**

The City has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. Being under the influence of a drug or alcohol on the job poses serious safety and health risks to the person under the influence, all coworkers, and our customers. The City has established guidelines with regard to use, possession or sale of alcohol and/or illegal drugs or other controlled substances. These guidelines apply to all City employees.

**8.2 Drug-Free Workplace**

As the City is a recipient of Federal funds, and in accordance with the federal Drug-Free Work Place Act of 1988, the City maintains a drug free workplace. Employees are obligated as a condition of employment to refrain from unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances or illegal drugs, including but not limited to marijuana, in the workplace. Employees whose position or function receives federal funding must notify their supervisor of any conviction or no contest plea related to a drug charge within five days of disposition. Employees found to be in violation of this policy are subject to disciplinary action, including participation in a drug-abuse assistance or rehabilitation program, or discharge.

**8.3 Substance Abuse Standards**

*8.3.1* The manufacture, possession, use, distribution, sale, purchase, or transfer of, or being under the influence of, alcohol, illegal drug, or controlled substance is strictly prohibited while on City premises or while performing City business.

*8.3.2* Although not encouraged, gifts of alcohol given or received by employees, but not opened or consumed on City premises, are not considered a violation of this policy.

*8.3.3* Employees are not permitted to work while under the influence of any illegal drug, controlled substance, or alcohol. Supervisors who suspect an employee is unfit for duty may suspend that employee pending further investigation. Individuals who appear to be unfit for duty may elect to take or may be subject to drug or alcohol screening or a medical evaluation. Employees found to be working under the influence are subject to disciplinary action, including termination from employment.

*8.3.4* The use of controlled substances will not be tolerated if:

- a.* The use adversely affects an employee's job performance;
- b.* The use jeopardizes the safety of other employees, the public, or City facilities;
- c.* The use jeopardizes the security of City finances or business records; and/or
- d.* The use adversely affects citizen's or the public's trust in the ability of the City to carry out its responsibilities.

*8.3.5* Employees undergoing prescribed medical treatment of a controlled substance that may affect the safe performance of their duties are required to report this treatment to their supervisor and HR through their personal physician. When possible, employees will be allowed to retain employment, and may receive a temporary reassignment if their treatment adversely affects the work environment.

- 8.3.6 The City recognizes that alcoholism and/or drug abuse is a treatable illness. The City shall not discriminate against employees based on the actual or perceived nature of an illness. Employees who seek assistance for a substance abuse problem will not have their job security threatened. Employees who have a substance abuse related illnesses are offered the same options for referral and treatment that are afforded to employees having other illnesses.
- 8.3.7 Supervisors who suspect an employee of on-the-job substance abuse will immediately remove the employee from the work environment. The supervisor may then either suspend the employee or bring their concerns to the attention of the Department Head and/or Human Resources so further action may be taken.
- 8.3.8 An employee who voluntarily seeks treatment for a substance abuse problem, which requires a leave of absence for treatment, shall be granted such leave of absence and further shall be eligible for benefits under the specifications of the existing insurance or indemnity policy. Employees may use FMLA and accrued benefits for such treatment, any further leave of absence will be unpaid.
- 8.3.9 Nothing in this policy is construed to prohibit the City from its responsibility to maintain a safe and secure work environment for its employees. The City may, at its sole discretion, invoke disciplinary actions as appropriate for employee misconduct related to the use or abuse of alcohol or drugs or both.
- 8.3.10 All testing for the purposes of detecting drug or alcohol use will be performed in accordance with the provisions of MCA §39-2-207 and 49 CFR § 40. A copy of the City of Great Falls Drug and Alcohol Testing Policy and associated procedures will be provided to all employees required, as a condition of their employment, to hold a Commercial Driver's License. These employees are required to sign the Notification Letter attached to the Policy upon hire.

**9.1 Standards of Conduct***9.1.1 Purpose*

Standards of conduct are established so all City employees can work together and serve the public efficiently, effectively, safely, and amicably. By accepting employment here, employees have a responsibility to the City and their co-workers to adhere to certain rules of behavior and conduct. These rules are not designed to restrict rights, but rather to provide an understanding of the City's expectations of employee conduct and what is necessary to effectively conduct daily business.

*9.1.2 Basic Expectations*

Employees are expected to follow City policies and rules and respect the rights, property, and privacy of co-workers and residents and businesses the City serves. In addition to other standards communicated or reasonably expected by the City, employees explicitly may not:

- a.* Fight with, physically abuse, threaten, intimidate or coerce co-workers or others on or off City premises at any time, for any purpose.
- b.* Destroy, deface, misuse, damage, misappropriate, make unauthorized use of or wrongfully acquire property, documents, funds or assets belonging to the City or others.
- c.* Be under the influence of or possess any intoxicant, controlled substance (except as prescribed by a licensed physician and which does not impair work performance), or illegal drug, during working hours and/or on City owned or controlled property. Tests to determine drug and alcohol use will be utilized where permitted by law and will conform to the Code of Federal Regulations, Title 49, Part 40 (49 CFR 40). For more information, see Section 8.
- d.* Conduct any unauthorized gambling on City property or when on duty.
- e.* Violate security or safety rules or fail to observe safety rules or City safety practices; fail to wear required safety equipment or tamper with the City equipment or safety equipment.
- f.* Be in unauthorized possession of dangerous or illegal firearms, weapons, or explosives on City property or while on duty.
- g.* Engage in criminal conduct or acts of violence, or make threats, or provocation of violence toward anyone, fight, engage in horseplay, or negligently damage City property.
- h.* Refuse to obey instructions properly issued by any supervisor pertaining to work or refuse to assist in any way required by a department. Fail to follow established City and department policies and procedures.
- i.* Behave in a manner that is offensive to others or conduct themselves in a manner contrary to recognized professional standards.

- j. Engage in an act of sabotage; willfully or with gross negligence cause the destruction or damage of City property or records, or the property of co-workers, citizens, suppliers, or visitors in any manner, or
- k. Release or disseminate confidential information regarding employees, public, or others.
- l. Falsify or misrepresent information on their employment application or other work record; misrepresent use of leave; falsify a reason for a leave of absence or other data requested by the City; or alter City records and/or documents.
- m. Fail to report to a supervisor or HR, of any act which is not in compliance with these or other City personnel policies.
- n. Engage in malicious gossip and/or spread rumors; engage in behavior designed to create discord and lack of harmony; interfere with another employee on the job; willfully restrict work output or encourage others to do the same.
- o. Engage in activity contrary to that expected by the terms of applicable CBA, licensing or certification.

#### *9.1.3 Interactions with Public*

Employees who interact with members of the public must:

- a. Be courteous, polite and respectful;
- b. Be responsive and timely to public requests; and
- c. Seek to resolve issues and be problem solvers.

Unfortunately, despite employees' efforts, there are occasions when interactions with the public become strained. While debate on public issues should be uninhibited, robust, and wide-open, and may result in unpleasantly sharp attacks, employees are not expected to tolerate threats or abuse from the public or elected officials. If this occurs, the employee should advise the person that the conversation or telephone call will be terminated and terminate the conversation or call until the conversation can proceed without such threats or abuse.

## **9.2 Outside Employment**

Full-time employees of the City are expected to consider their positions here as their primary employment. If a City employee secures supplemental employment, Management requests that a supervisor be notified. Supplemental employment will not be considered an acceptable reason for poor job performance, absenteeism, tardiness, or refusal to work overtime as business demands may require. If supplemental employment interferes with City employment, an employee may be required to cease that supplemental employment or be terminated. Employees may not solicit on behalf of or promote any outside or private employment during their work shift.

## **9.3 Personal Conduct Outside the Workplace**

Any personal activity outside City employment cannot interfere with an employee's ability to perform assigned duties properly or undermine the employees' ability to perform job duties. Activities away from work must also avoid any impression of a conflict of interest.

## 9.4 Dress Code Standards

Public employees are responsible for ensuring that their personal appearance and hygiene represent a favorable image of the City. Impressions, both positive and negative, are formed partly by appearance. Employees are to be well groomed and dressed in clothes that are clean, not excessively worn, and appropriate to the type of service they are providing. It is important to portray a positive image of our professionalism and commitment to service.

### 9.4.1 *Departmental Application of Dress Code Policy*

Department Heads are responsible for designating, informing, interpreting, and enforcing appropriate attire for their employees. Variations between departments will occur (e.g., one department may be allowed to wear jeans and another may not). The goal is to administer the dress code consistently within each department. The Department Head may allow exceptions to the following Dress Code Standards (e.g., athletic shoes, t-shirts, jeans, caps/hats, etc.) when deemed acceptable.

### 9.4.2 *Dress Code Standards for Non-Uniformed Personnel:*

a. "Business casual" may be acceptable dress. Employees should dress according to the day's events, meetings, etc. Business casual should present an appearance of professionalism, and can be defined as:

#### Women

Suits; dresses; skirts; slacks; khakis; skorts; culottes; sweaters; blouses; dressy t-shirts; shirts with City logo; jackets; and vests.

#### Men

Suits; khakis; dress, sport, or golf shirts; vests; shirts with City logo; slacks; sport jackets; and sweaters. Ties are welcomed.

b. Clothing should be neat, clean, free of body odor, and not be wrinkled.

c. Clothing with offensive/obscene language written on it is not allowed, nor is any advertising alcohol or tobacco products permitted.

d. Clothing that is excessively revealing (including mini skirts, low cut tops, midriff exposed clothing, etc.) is not allowed.

e. Athletic shoes and caps/hats are generally not acceptable, unless the type of work warrants their wear and the supervisor approves.

### 9.4.3 *Disciplinary Action for Violation of Dress Code Policy*

Employees wearing inappropriate attire will either be informed not to wear the attire again, or sent home to change into appropriate attire (in such case employee shall use vacation leave or leave without pay for the time away from work). Subsequent offenses will result in further disciplinary action.

## 9.5 Personal Phone Calls and Electronic Device Use

Keep personal phone calls and personal electronic device use (including cell phones, tablets, computers or other devices) to a minimum so as to not interfere with an employee's work duties. Generally, receptionists' phones should not be used for personal phone calls, as these phones are an office's main connection to customers. Personal long distance phone calls on the City's phone system are not permitted. Limited local area calls on City phones, as well as limited use of personal cell phones, for essential personal business are allowed. Do not abuse this privilege. Emergency calls regarding family illness or injury, changed family

plans, or similar calls may be made at any time. Incoming urgent calls will be directed to employees.

## **9.6 Cellular Phone Use**

The Official Code of the City of Great Falls Section 10.39.110 prohibits employees from using a mobile telephone or hand held electronic communication device while driving a motorized vehicle or bicycle, regardless of whether the cell phone was issued for business use or is the employee's personal cell phone, unless during emergencies or while using hands free devices. Safety must come before all other concerns. While driving, employees must pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Special care should be taken in situations where traffic or inclement weather is present. Employees who are charged with traffic violations resulting from the use of their phone while driving will be responsible for the cost of the traffic violation and may be subject to disciplinary action. **Use of cellular phones or hand held communication devices while operating or working around equipment and/or machinery is prohibited.**

## **9.7 Mail**

Employees must not use the City's address as a personal mailing address and must not use City postage or letterhead for personal correspondence. Employees may not use departmental mail codes or City-purchased postage to send personal mail. If an employee does so, he or she will be subject to disciplinary action, up to and including termination.

### *9.7.1 Opening Other People's Mail*

Department heads have the discretion to set policy in each department for the procedure of opening mail. Generally, the City considers any piece of mail addressed to any employee as City property and public record. Staff assigned to open and/or route mail in each department may open general mail so it may be date-stamped. Letters marked confidential should not be opened, but given directly to the addressee or the Department Head.

## **9.8 Theft**

The City will not tolerate property theft. Property theft is considered the unauthorized use of City services or facilities, or the taking of any City property for personal use. The following list of examples is not all-inclusive, but provides illustrations of several activities that are considered theft.

### *9.8.1 Use of City Copy Machines for Personal Use*

Office copiers are not provided as a free service to employees. Department Heads should use their discretion in allowing personal copies and/or establishing reimbursement for personal copies. Do not abuse any copying privileges given. An employee may, for example make a copy of a recipe, but do not attempt to copy a cookbook.

### *9.8.2 Use of Computers*

The City's personal computers (personal computers in the office, or laptops made available for work away from the office) are to be used for City purposes. Any use of City computers for outside employment endeavors is strictly prohibited. Keep personal use of computers to a minimum; it cannot interfere with employee's work duties. This includes accessing personal e-mail or entertainment through the City's computer system. All such access should be made through the employee's personal devices. Do not abuse this privilege.

9.8.3 *Use of Fax Machines*

Keep personal fax use to a minimum. Long-distance faxes, like long-distance phone calls, are charged at a higher rate than local faxes. Employees are required to reimburse their departments one dollar for each page which is sent long distance. Limited local faxes for essential personal business are allowed. Do not abuse this privilege.

9.8.4 *Taking of City property*

No item purchased or supplied by the City should ever be removed from City premises without express authorization of an immediate supervisor. Unauthorized possession or removal of City property is a very serious offense. Any violation of this policy may result in immediate discipline up to and including termination.

**9.9 Restricted Areas**

In the interest of safety and security, some City facilities may be restricted to authorized personnel only. Such areas will be clearly marked.

**9.10 Social Media Guidelines and Usage Policy**

9.10.1 *INTERNAL POLICY*

The purpose of this document is to define the social media policy for City employees. Social media includes all means of electronic communications or posting information or content of any sort on the internet through web logs, blogs, social networking or affinity web sites, web bulletin boards or chat rooms, including personal usage. To address the fast-changing landscape of the internet and the ways the public communicates to obtain information online, City departments may consider using social media tools to reach a broader audience. The City encourages the use of social media to further the goals of the City, the missions of its departments, where appropriate to create a community and connect with others. This policy is in addition to, and complements, any existing or future City employment policies regarding, but not limited to, Ethics in the Workplace (Section 4), Employee Conduct (Section 9), and Technology Policies (Section 13) this Manual.

a. *Personal Use*

Employees shall not use City social media sites for personal communications. An employee's personal site should remain personal in nature and be used to share personal opinions and non-work related information. Following this principle helps ensure a distinction between sharing personal and City views.

If an employee chooses to comment/post about official City business on any personal site, the employee should post their name and role, and add the following disclaimer: *“The postings on this site are my own and do not reflect or represent the opinions of the City for which I work.”*

Employees must never use a City e-mail account or password in conjunction with any personal social media/networking site.

b. *Professional Use*

All official City-related communication through social media/networking outlets should remain professional in nature and should always be conducted in accordance with City policies, practices, and expectations. Employees must not

use City social media/networking sites for political purposes, to conduct private commercial transactions, to engage in private business activities, or for any reason which violates City policy or applicable law.

City employees should remain mindful that inappropriate usage of official City social media/networking sites may be grounds for disciplinary action. If social media/networking sites are used for official City business, the entire City site, regardless of any personal views, is subject to best practices guidelines and standards.

Only individuals authorized by the Department Head may publish content to a social media/networking site. Employees should attempt to ensure that any photos/images/recordings are used with permission of the copyright owner and/or are royalty-free stock photos. In order to provide accessibility, City employees should make sure any information contained in a photo/image/recording is also available as text.

Social media may be used to post City-related news, events, and updates and should work in coordination with the City's official website.

*c. Approval and Registration*

New social media sites must be approved by the Department Head and the City Manager's Office by completing a Social Media Site Request Form. This form must be approved prior to the creation of any new social media sites or pages. All approved Social Media Site Request Forms will be forwarded to the Office of the Communications Specialist to ensure fulfillment of records retention requirements.

All City social media sites must have at least two Site Content Managers for redundancy purposes. Site Content Managers must complete a Computer Access Form authorized by the Department Head and submit it to the Information Technology office. Site Content Managers are required to provide their Department Head with the login information to access the social media account in the event the employee becomes unable to perform their duties.

*d. Oversight and Enforcement*

Employees representing the City through social media outlets or participating in social media features on City websites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate in City social media sites and may subject the employee to disciplinary measures, up to and including termination.

Appropriate and respectful content must be presented following professional standards for tone, good grammar, spelling, brevity, clarity and accuracy; use of jargon and acronyms should be minimized.

City employees recognize that any content posted on social media websites is public and may be considered a representation of the City. Social media should not be used to circumvent other policies and/or procedures. The official City website is <https://greatfallsmt.net> and should be utilized in unison with City social media sites.

Site Managers should closely monitor the sites they are responsible for and respond to comments, questions, or requests for removal of information within three days, when feasible. Department heads and the City's Communications Specialist are responsible for oversight of the Site Managers and reserve the right to revoke management privileges if they fail to comply with policy requirements. City employees may not publish information on City social media sites that includes:

- Confidential information,
- Copyright violations,
- Profanity, discriminatory, threatening, intimidating, or derogatory content,
- Partisan political views,
- Commercial endorsements or SPAM, and
- Information which violates Federal, State, or City law and/or policy

Any employee who retaliates against another employee for reporting a possible violation of this policy will be subject to disciplinary action, up to and including termination.

e. *Records Retention*

Social media sites contain communications sent to or received by the City and its employees, and such communications are, therefore, public records subject to Montana records retention laws and guidelines. These retention requirements apply regardless of the form of the record (i.e., digital text, photos, podcasts, audio, and video).

Social media records are captured in a continuous, automated fashion throughout the day to minimize a potential loss of data due to deletion and/or changes on the social media site.

Social media records are maintained in an authentic format (i.e., ideally the native technical format provided by the social network such as XML or JSON) along with complete metadata.

Social media records are archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed.

Social media records are indexed based on specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate format for distribution (i.e., PDF).

The City utilizes an automated archiving solution to comply with applicable public records laws and to fulfill the above record retention requirements.

### 9.10.2 *EXTERNAL POLICY*

The following three guidelines must be displayed, or made available by hyperlink, on all social media sites.

a. *Moderating of Third Party Content*

The purpose of utilizing social media is to provide timely information regarding the City of Great Falls to its many residents, businesses, and visitors and is

subject to monitoring. The City does not necessarily review posted content on a regular basis.

We encourage users to submit comments. Once comments are posted, the City reserves the right, but does not assume the obligation, to remove inappropriate user-generated posts. Removal criteria includes, but is not limited to, content which:

- Is off-subject or out of context,
- Contains obscene, lewd, offensive, profane, or sexually explicit content,
- Contains confidential or sensitive personal information,
- Contains threatening, harassing, hateful or discriminatory language,
- Incites violence or illegal activities,
- Contains information that reasonably could compromise individual or public safety,
- Consists solely of commercial advertising,
- Promotes or endorses political campaigns or candidates,
- Infringes upon intellectual property, copyright or trademark rights of others,
- Includes spam or links to other sites which violate any City guidelines,
- Violates Federal, State or Local laws, and
- Is requested for removal by subject of the post.

b. *Public Records Law*

The City of Great Falls' use of social media is for informational purposes only. Any content in a social media format that is related to City business, including a list of subscribers and posted communications, is considered a public record and subject to records retention schedules. The City Clerk's office is responsible for responding to public records requests, including those for social media content. Please be advised that users participate at their own risk, taking personal responsibility for comments, username, and any information provided. **Content of social media sites is an effective and accepted form of communication but should not be construed as private.**

The City utilizes an archiving solution to capture, archive, and maintain records of City-connected social media account activity to comply with applicable public records laws and to fulfill record retention requirements.

- c. The City of Great Falls' use of social media is for informational purposes only and the City assumes no responsibility or liability for content not posted by the City. Posted comments do not necessarily reflect the views of the City of Great Falls. The City is not responsible for the security of social media sites and/or any applications that reside outside the City's domain. Communications sent via the internet or through social media sites shall in no way be deemed to constitute legal notice to the City of Great Falls and/or any of its employees where notice to the City is required by any law, rule, regulation or contract. The City's official source of information is <https://greatfallsmt.net>; a full disclaimer regarding the City's social media use may be found at <https://greatfallsmt.net/general/social-media-disclaimer>.

### 10.1 Pay Period and Hours

The payroll workweek begins Sundays at 12:00 a.m. and ends Saturdays at 11:59 p.m. Pay periods are biweekly and end on every other Saturday. The pay date will occur on Wednesday eight (8) working days after the end of the pay period. If a scheduled payday falls on a holiday, payroll will be issued on the work day preceding the holiday.

An employee who leaves employment of the City will be paid all unpaid wages due on the next regular pay day for the pay period during which the employee was separated from employment OR 15 calendar days from the date of separation from employment, whichever occurs first, either through the regular payroll process or by mail, if requested by the employee.

### 10.2 Deductions from Paycheck

There are deductions from each employee's gross earnings each pay period. Some are required by law (mandatory) and others are voluntary. Deductions are itemized on each employee's check stub.

#### 10.2.1 Mandatory Deductions

a. *Federal and State Taxes*

The amount of taxes deducted depends on an employee's earnings and W-4 form. An employee whose number of dependents or exemptions changes should complete and submit a new W-4 Form to HR, as changes affect withholdings. Employees receive a W-2 Form annually indicating the tax amount withheld.

b. *Social Security*

Social Security deductions are made pursuant to Federal laws and regulations.

c. *Medicare*

Regular employees (and uniformed personnel hired after April 1, 1986) are subject to a Medicare (or hospital insurance) deductions are made pursuant to Federal laws and regulations.

d. *Retirement Systems*

• *Public Employees' Retirement System (PERS)*

PERS membership is mandatory for City employees not covered by another state retirement plan working an excess of 960 hours per fiscal year and optional for those working less than 960 hours per fiscal year. Working retirees have specific rules applicable to them; contact HR for details.

• *Firefighters' Unified Retirement System (FURS)*

Membership in FURS is mandatory for all City firefighters.

• *Municipal Police Officers' Retirement System (MPORS)*

Generally, membership in MPORS is mandatory for all City police officers hired after July 1, 1977. MPORS is a complex system. All new officers are encouraged to review their MPORS Handbook for deduction details.

e. *Other Mandatory Deductions*

Employees will be notified when the City has been directed to take any other mandatory deductions from their paycheck, such as court-ordered garnishments.

#### 10.2.2 *Voluntary Deductions*

a. *Deferred Compensation (ICMA)*

Each employee may choose to participate in the City's deferred compensation program, which sets aside a portion of earnings for retirement. See §11.6 herein.

b. *Community Service Contributions*

Employees may be offered the option to consider offering a tax-deductible contribution to non-profit, community service organizations. Employees who choose to make a donation may opt to have this contribution automatically deducted from their earnings.

c. *Union Dues*

Employees covered under Collective Bargaining Agreements (CBA) are required to pay dues or a representation fee. These employees sign a form, which is then kept in their Personnel File, authorizing the deduction of dues or the fee.

d. *Other Voluntary Deductions*

There are several other voluntary payroll deductions available to employees. Some are department- or union-specific while others offer additional savings options. See the City's Payroll Technician for more details.

### 10.3 **Error in Pay**

Every effort is made to avoid errors on paychecks. Employees who believe an error has been made on their paycheck must tell their supervisor **immediately**. HR and/or Fiscal Services will work with the employee and the supervisor to research the problem and make any necessary corrections once payroll is completed. For errors that do not involve pay, such as time charged against an employee's compensatory accrual when the employee requested to use vacation leave, employees must notify their supervisor and/or payroll by the following pay period in order for adjustments to be made. Exceptions will be considered on a case by case basis, and must be approved by the department head and Human Resources.

### 10.4 **Time Records**

By law, the City must keep accurate records of time worked by "non-exempt" or hourly paid employees. Departments are required to submit time records on behalf of their employees to Fiscal Services in order to process payroll. Employees are responsible for their time record and are expected to accurately report the time they have worked. Inaccurate time reporting is cause for disciplinary action. Do not alter another person's time record, or influence anyone else to alter a time record; doing so is cause for disciplinary action.

### 10.5 **Overtime**

Employees are expected to perform overtime as needed as a condition of employment. Non-exempt, non-uniformed employees will either be paid one and one-half times their regular hourly wages for any time worked over 40-hours per week in a seven day work week or be given commensurate time off work during that same work week. CBA's outline how overtime will be compensated in detail. There are two types of overtime work:

#### 10.5.1 *Scheduled Overtime*

Scheduled overtime is planned, may involve an entire department, and becomes part of the required workweek. Supervisors or Department Heads will review employee requests to be excused from performing scheduled overtime on a case-by-case basis.

#### *10.5.2 Unscheduled Overtime*

Unscheduled overtime generally results from extenuating circumstances where extra time is needed to complete work normally completed during regular hours. Employees need advance approval from their supervisor for unscheduled overtime.

### **10.6 Salary Plan**

For information on the City's job classification and pay system, please refer to the Classification and Compensation Plan, which is kept in Human Resources. The City Manager sets the wages for non-CBA covered employees.

### **10.7 Voluntary Termination of Employment**

The City requests that employees who terminate voluntarily will give at least two weeks written advance notice.

Full-time employees enjoy all of the benefits described in this Manual as soon as they meet the eligibility requirements for each benefit. Part-time employees should review each policy for eligibility information. Short-term or temporary employees are not eligible for certain benefits.

## 11.1 Retirement

The City participates in Montana Public Employees' Retirement Administration (MPERA). MPERA administers eight retirement systems, including the Public Employees' Retirement System, the Firefighters' Unified Retirement System, and the Municipal Police Officers' Retirement System. Each system provides retirement, disability, and death benefits to plan members and beneficiaries. Benefits are based on age and/or years of service and final average salary. Membership in a retirement system is generally mandatory for all City employees not otherwise covered by a state retirement plan. New employees who have previously worked for an agency subject to the regulations of MPERA can receive credit for past service. Employees should refer to their respective Membership Handbook for details.

### 11.1.1 *Public Employees' Retirement System (PERS)*

PERS generally covers City employees not covered under another MPERA retirement system. PERS was established in 1945 and is governed by Title 19, Chapters 2 and 3, MCA. Member rights are vested after five years of service. Employees contribute a portion of their gross salary, and the City and State contribute to match each employee's contribution. Employees have several options under PERS and should refer to the PERS Membership Handbook for details.

### 11.1.2 *Firefighters' Unified Retirement System (FURS)*

FURS is mandatory for all City firefighters. FURS, established in 1981, is governed by Title 19, Chapters 2 and 13, MCA. Member rights are vested after five years of service. Employees contribute a portion of their gross salary; the amount will vary depending on their hire date. Regardless of hire date, the City and the State contribute to match each employee's contribution. Employees have several options under FURS and should refer to the FURS Membership Handbook for details.

### 11.1.3 *Municipal Police Officers' Retirement System (MPORS)*

MPORS covers the City's police officers. MPORS, established in 1975, is governed by Title 19, Chapters 2 and 9, MCA. Membership rights are vested after five years of service. Employees contribute a portion of their gross salary; the amount varies depending on their hire date. Regardless of hire date, the City and the State contribute to match each employee's contribution. Employees have several options under MPORS and should refer to the MPORS Membership Handbook for details.

## 11.2 Paid Leave of Absence

### 11.2.1 *Annual Leave (Vacation)*

Employees begin accruing annual leave on their start date and may use annual earned leave credits for absence with pay at the employee's request and with prior approval from the supervisor, after completing six months of continuous employment.

#### *a. Accrual and Use of Annual Leave*

All employees, except short term, earn annual leave credits from the first full pay period of employment. Part-time employees are entitled to prorated annual leave benefits.

b. *Annual Leave Entitlement*

Years of Eligible Service	Part-time Employees Leave Earned per Hours Worked*	Full-time Employee Leave Days Annually*
Start Date to 10 years	.058	15 days
After 10 years	.069	18 days
After 15 years	.081	21 days
After 20 years	.092	24 days

\* Refer to applicable CBA's as leave may be accrued at a different rate.

c. *Eligible Service Calculation*

Employees may calculate length of service using any public employment (state, county, city, etc.) in Montana. Employment does not need to be continuous. Employees who provide documentation of eligible previous public employment will be given credit toward annual leave entitlement. Credit will not be given retroactively; calculations will begin on the date documentation is provided.

d. *Annual Leave Accumulation*

Employees may accumulate two times the total number of annual leave credits they are eligible to earn per year. For example, an employee earning 15 days per year is limited to "carrying" 30 total days of unused annual leave into a third year of accumulation. Excess leave is calculated annually at the end of the first pay period in January. Employees forfeit excess annual leave by March 31 of the following year. When an employee makes a reasonable written request to their supervisor to use excess annual leave and that request is approved, then the employee will have three months or until the end of the next fiscal year to use the excess annual leave.

e. *Request for Annual Leave*

To take annual leave, employees must request advance approval, either verbally or in writing, from their supervisor. Requests will be reviewed on a case-by-case basis, considering workload and staffing requirements. Consider alternate dates if the original leave request is not approved. Employees covered by CBA's should refer to their relevant agreements for any further details about when and how annual leave may be taken.

When a legal holiday is observed during approved annual leave, an employee will not be charged annual leave for that day. Illnesses during annual leave will not be chargeable against unused annual leave credits if an employee provides written documentation of said illness, and the time off will be charged as sick leave.

f. *Compensation for Unused Annual Leave*

Upon termination of employment, and completion of the six-month qualifying period, employees will receive compensation for unused annual leave, which will be calculated at the rate of pay at the time of termination.

*g. Annual Leave Management*

Supervisors manage annual leave and must provide reasonable opportunity for employees to use annual leave, rather than accrue and potentially forfeit excess annual leave. Employees are responsible for making reasonable, written requests to use annual leave during their term of employment, and should work with their supervisors to expend excess annual leave by March 31 (see §11.2.1.d. above).

*h. Annual Leave Supplementation*

Employees who are receiving Workers' Compensation benefits may supplement their Workers' Compensation benefits with accrued unused annual leave.

**11.2.2 Holidays**

The City Commission, in accordance with OCCGF 2.18.010, has set holidays for City employees. Except for employees whose CBA's provide otherwise, the following holidays are observed by the City of Great Falls:

- New Year's Day, January 1;
- Martin Luther King Jr. Day, the third Monday in January;
- President's Day, the third Monday in February;
- Memorial Day, the last Monday in May;
- Independence Day, July 4;
- Labor Day, the first Monday in September;
- Veterans Day, November 11;
- Thanksgiving Holiday, the fourth Thursday and Friday in November;
- Christmas Day, December 25; and
- State General Election Day. (State primary elections are not holidays.)

If any of these holidays fall on a Saturday, the holiday will be observed on the preceding Friday. If the holiday falls on a Sunday, the holiday will be observed on the following Monday.

Library and Municipal Court employees should consult that Department's Holiday Schedule for applicable holidays and policies.

- a.* Full-time employees in a paid status receive eight hours of holiday benefits for each holiday. Part-time employees receive prorated holiday benefits.
- b.* Employees covered by a CBA should refer to their agreement for detailed information about holiday observation and compensation.
- c.* An exempt full-time employee whose schedule calls for a day off, but who must work on the day a holiday is observed, is entitled to receive a different day off with pay as agreed to by the employee and supervisor. If a day off cannot be provided, the City will provide at least eight hours of pay at the regular rate, unless the employee is in leave without pay status.
- d.* A non-exempt, full-time employee not covered under a CBA, who works on the day a holiday is observed, who is in a paid status will receive either of the following at the supervisor's discretion:

- Taking the holiday benefit as a paid day off at a later date. The employee will receive pay at the regular rate for every hour worked on the holiday, or
- Taking no day off, but instead receiving the holiday benefit as payment. The employee will receive premium pay (regular rate times 1½) for every hour that employee is required to work on the holiday.

### 11.2.3 *Sick Leave*

All employees, except short term, accrue sick leave credits. Part-time employees earn prorated sick leave. Sick leave accrual begins on an employee's start date and employees are eligible to use sick leave upon completion of 90 days of continuous employment.

#### a. *Accrual of Sick Leave*

Sick leave credits are calculated at the end of each pay period. Employees earn sick leave credits at a rate of twelve 8 hour days days per year, or one day per month. There is no limit to the amount of sick leave that may be accumulated during employment.

#### b. *General Sick Leave Policy*

Employees covered under Collective Bargaining Agreements should refer to those agreements for applicable sick leave policies. Other employees will be paid for days lost under the following circumstances to the extent they have accrued sick leave:

- Employees may be required to furnish medical certification verifying the reason for a sick leave request.
- For purposes of this section 11.2.3., Immediate family members include the employee's spouse, parents, children, and any other members of the employee's household;
- An employee becomes ill, has a medical disability, is in an accident or is otherwise injured, develops a maternity-related disability, or is quarantined as a result of exposure to a contagious disease;
- At the discretion of the department head, when needed to care for an immediate family member, any other member of an employee's household, or other relative who is ill, this leave may not exceed more than forty (40) work hours at any one time, unless it qualifies under FMLA below;
- To attend medical, dental, or eye examinations or receive treatments and for travel time necessary to obtain medical treatment;
- Normally, no more than forty (40) work hours sick leave may be used upon the death of and/or to attend the funeral of an immediate family member or any other member of an employee's household, unless approved on a case-by-case basis by the Department Head or the need for leave qualifies under FMLA below. Supervisors may approve annual or sick leave to attend the funeral of other relatives and friends on a case-by-case basis;
- If the conditions of an employee's absence qualify for coverage under Wage Loss Workers' Compensation Insurance, the employee may choose to take accrued sick leave or Wage Loss Workers' Compensation during the absence. Employees may supplement their Workers' Compensation benefits

only if authorized by the employee's CBA. See HR or the Risk Manager for more information and/or clarification; and

- Employees who become ill, injured, or quarantined during the use of annual leave may use sick leave for that period in lieu of annual leave.

*c. Notification of Absence*

An employee, or an immediate family member, must notify a supervisor of an inability to report for duty prior to normal report time or as soon as possible. CBA's may contain more detailed information about sick leave reporting requirements. Employees covered under such an Agreement are required to meet the requirements outlined in the Agreement.

*d. Abuse of Sick Leave*

Abuse of sick leave (including falsifying medical excuses and requesting leave under false pretenses) is cause for disciplinary action including termination and forfeiture of compensation for unused portion of sick leave. Employees on paid sick leave for personal illness/injury are expected to be at home recuperating/rehabilitating unless seeking medical attention.

*e. Sick Leave Donation*

Employees may donate or receive up to 15 days of sick leave per calendar year from any other employee(s). Any one employee may donate and/or receive only one day of sick leave to and/or from another individual employee. However, an employee may donate one day of sick leave to 15 different individuals each calendar year. Employees will not be granted more donated sick leave than they actually need. Employees requesting donated sick leave must first use all of their accrued leave before donations will be granted (Employees should refer to their respective CBA for further guidelines). HR can provide more details on sick leave donation.

*f. Compensation for Unused Portion of Sick Leave*

After an employee completes 90 days of continuous service, upon termination of employment, that employee will receive one-fourth of the sick leave balance at the rate of pay at the time of termination.

**11.2.4 Jury Duty**

Employees will be excused from work under summons to serve as a juror or when subpoenaed to serve as a witness by the court system. Employees dismissed from jury duty prior to the end of a regular work shift are expected to either report to work or contact their supervisor for instructions. Employees choose one of these options concerning pay for court ordered service:

- a.* Employees will only be allowed to keep expense and mileage allowance paid; employees may not keep the juror fee paid by the court. Forward all fees received as a result of the service to the Department Head who will forward it to Human Resources. The fees are then credited against the employee's regular compensation.

**-OR-**

- b.* Charge court service against annual leave and keep the juror fee and any expense or mileage allowance paid to the employee by the court. Employees will be paid their normal paycheck and will be charged annual leave. Employees will keep all payments received from such service.

### **11.2.5 *Military Leave***

The City will comply with all provisions outlined in the Uniformed Services Employment and Reemployment Rights Act, (USERRA, 38 USC § 4031 *et seq.*) as well as all relevant state laws (to include MCA §10-1-1009) covering members of the Montana Army and Air National Guard.

An employee who is a member of the Montana National Guard or any United States military force or Reserve Corps and who has been an employee for a period of six months will be given leave of absence with pay for a period of time not to exceed 120 hours in a calendar year.

Unused leave may roll to the next calendar year, not to exceed 240 hours total for the calendar year. Any excess leave, beyond 240 hours, will be forfeited. Military Leave can be for attending regular encampments, training cruises, and similar training programs of the military forces of the United States.

Employees employed less than six months are entitled to unpaid leave for the purposes listed above. Employees using Military Leave must report it as such on their timesheets and have prior approval for leave. This leave will not be charged against the employee's annual leave.

## **11.3 Unpaid Leave of Absence**

### **11.3.1 *Educational Leave of Absence***

An educational leave of absence may be approved if the curriculum is of mutual benefit to an employee and the City. Apply in the same manner as a personal leave of absence (as described in 11.3.4).

### **11.3.2 *Family and Medical Leave of Absence***

After being employed by the City for at least 12 months, employees may be eligible for leave under the provisions of the Family and Medical Leave Act (FMLA) of 1993. Other provisions regarding such leave may be incorporated into any applicable CBA. Qualifying employees must have worked at least 1,250 hours during the 12-month period preceding any leave taken under this policy. Employees will be required to provide documentation of the need for, length of, and return from, FMLA Leave for medical reasons.

#### ***a. Taking FMLA Leave***

Generally, leave approved under FMLA is taken in consecutive, full-day increments. Where medically necessary, employees may be entitled to intermittent- or reduced-schedule leave. Eligible employees may request, or the City may designate, up to 12 weeks of FMLA leave in a 12-month period for any combination of the following reasons:

- Upon the birth or adoption of a child or foster care of a child. Leave taken for this purpose may be taken within one year of the date of the birth, adoption, or placement;
- When a health care provider determines an employee's presence is needed to care for a child, spouse, or parent who has a serious health condition;
- When employees are unable to perform the functions of their position because they have a serious health condition;

- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty; or
- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

*b. Serious Health Condition Defined*

The "serious health condition" referenced above includes those situations where:

- An illness, injury, impairment or physical or mental condition results in inpatient care; or
- When an employee or a qualifying dependent has a period of incapacity requiring absence from regular daily activities for more than three consecutive full work days and is receiving continuing treatment by a health care provider.

Routine physical exams and other short-term health conditions are not considered serious health conditions. Additional information on the definition of a serious medical condition is available from Humans Resources.

*c. FMLA Leave Calculation*

Employees receive a total of 12 weeks during a designated 12-month period. The City calculates FMLA leave availability 12 months forward from the first designated leave date. All qualifying FMLA leave taken during this 12-month period will count toward an employee's 12-week maximum. Questions about FMLA leave calculation should be directed to HR.

Employees can take up to 26 weeks for FMLA circumstance related to military caregiver leave during a single 12 month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If both spouses work for the CITY/TOWN and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not parent-in-law) with a serious health condition, the spouses together may only take a total of 12 weeks of leave.

*d. Benefits during FMLA Leave*

During approved FMLA leave, the City will continue to make its regular contribution toward health insurance or indemnity premiums. Employees are responsible for paying any difference between the City's contribution and the total cost of their insurance plan. The City reserves the right to seek recovery of unearned health insurance or indemnity premiums made on behalf of an employee during authorized FMLA leave if the employee does not return to work at the end of the leave period. Employees will not earn annual or sick leave during unpaid FMLA leave (see §11.3.2.h. for details about paid and unpaid FMLA leave).

*e. Reinstatement upon Return from FMLA Leave*

At the end of approved leave, employees are entitled to restoration to the same position held at the time that they began leave or an equivalent position unless such positions are not reasonably available.

*f. Notification Prior to FMLA Leave*

When possible, employees should provide at least 30 days notice prior to taking FMLA leave. If sufficient notice is not provided, the requested leave may be delayed for up to thirty days from the notice date. Except in cases of emergency, the request for FMLA leave should be in writing and include the dates and/or times being requested. Employees are expected to provide notice of the need for unexpected FMLA leave within two work days of the issue causing the leave. Once notice of the need for leave is given, the employee will receive notification of the rights, responsibilities, and options related to their leave. If any leave request (including sick or annual) qualifies as FMLA leave, the City may charge the absence to an employee's FMLA leave eligibility.

*g. Medical Certification for FMLA Leave*

If the FMLA request is for medical leave, the employee will be required to provide a completed and signed *Certification of Physician or Practitioner Form* documenting the serious health condition and the necessity for being away from work before the leave will be approved. Management may request the required information be provided within 15 days. At its discretion, the City will require a subsequent opinion(s) and/or medical re-certification at the City's expense.

*h. Use of Paid Leave Prior to FMLA Leave Approval*

If an employee has requested FMLA leave **and** is eligible to use annual or sick leave **and** the reason for FMLA leave qualifies under the annual and sick leave policies, the employee *must* substitute any paid sick leave before any unpaid FMLA leave is granted (except for members of the GFPPA). Regardless of paid or unpaid FMLA leave use, the total amount of FMLA leave taken cannot exceed 12 weeks. Employees may not elect or be required to use paid leave for a non-qualifying purpose.

*i. Further Information on FMLA*

The U.S. Department of Labor has published additional rules related to FMLA in 29 CFR 825. Questions should be directed to Human Resources.

**11.3.3 Maternity or Paternity Leave**

Employees who have biological or adopted children are eligible for up to 12 weeks of leave after the birth or adoption of the child. Such leave may be taken under any combination of these guidelines:

- a.* Eligible employees who have accrued enough time may take up to six weeks of paid sick leave without any medical documentation.
- b.* Employees who qualify for additional sick leave, and who have accrued enough time, may take additional paid sick leave. Employees will be required to show certification from their health care provider showing additional time is medically necessary.
- c.* Employees may make up any difference between their sick leave taken and the 12 week leave limit with unpaid FMLA leave.
- d.* Annual leave may be taken within the maximum 12 week period.

Women returning from maternity leave who wish to continue breastfeeding or separate expression of milk for their child(ren) will be provided a private space (other than a toilet stall) with suitable lighting and electricity if necessary for pumping

apparatus. The selection of the space will be made on a case-by-case basis in consultation with the employee. Standard break times will be primarily utilized with additional unpaid break time provided as mutually agreed upon. Additionally, the City will make every effort to provide suitable facilities for milk storage during the employee's daily work period. All requirements listed in MCA 39-2-215, 39-2-216, 39-2-217 will be complied with.

#### **11.3.4 *Unpaid Leave of Absence (other than work-related injury)***

- a. The City may grant an unpaid leave of absence if a cost/benefit analysis of both direct and indirect costs does not result in a net loss to the City, and the absence does not interfere with the operations of the department or the City. Employees will not be granted an unpaid leave of absence to obtain outside employment.
- b. Employees must use all accrued paid leave before an unpaid leave of absence begins.
- c. Department Heads review and either approve or deny leave of absence requests of 30 days or less. Leave of absence requests of more than 30 days should be submitted to the department head for review and then forwarded to the City Manager for a final decision. Failure to return from leave at the time agreed will result in termination of employment.
- d. During unpaid leave of absence, benefits such as holiday, annual and sick leave do not continue to accrue. Employees self-pay insurance premiums during unpaid leave of absence. Consult HR to obtain information as to the level and duration of insurance coverage.

#### **11.3.5 *Insurance Premium Payment during an Unpaid Leave of Absence***

During an unpaid leave of absence, except FMLA Leave, employees are responsible for paying the total premiums for insurance coverage selected for themselves and their dependents. Employees who fail to pay these premiums will lose insurance coverage.

#### **11.3.6 *Public Office Leave***

Employees elected or appointed to a public office will be granted an unpaid leave of absence, not to exceed 180 days per year while performing the public service. Employees will be restored to their positions, with the same seniority, status, compensation, hours, locality, and benefits as existed prior to their leaves of absence for public service. Employees must return to work within 10 days following the completion of the service unless they are unable to return due to an illness that has been certified by a health care provider. The City will comply with all relevant restrictions and guidelines provided within the Hatch Act, (5 U.S.C. 7321 through 7326, as amended).

### **11.4 *Group Insurance Coverage***

The City is interested in the health and well being of employees and their families and offers a health insurance program to its full-time, regular employees. Coverage begins on the first of the month following the employee's hire date. Eligible employees will receive an information packet that explains the health plan and provides the forms necessary to apply for coverage. Employees are responsible for returning these forms to HR within 30 days of hire. Employees who are terminated or lose eligibility to remain covered under the City's group health insurance program may qualify for continued coverage for a limited period of time at their or their dependent's expense. Consult HR for details.

### **11.5 *Flexible Spending Plan***

### ***11.5.1 Flexible Spending Account***

The City offers employees the option of redirecting a portion of their gross salary (pre-tax) to provide reimbursement for dependent care and unreimbursed medical expenses. At the beginning of each plan year, employees indicate a specific dollar amount to be reallocated for each of these expenses. This program is renewed annually. Consult HR for details.

### ***11.5.2 Other AFLAC® Products***

An AFLAC® representative should contact all new regular employees within one month of their hire date. The representative will review each of the policies offered by AFLAC®, including the Flexible Spending Accounts outlined above, with the new employee. Examples of other policies offered include life insurance coverage, cancer policies, accident and disability policies, intensive care policies, etc. Premiums for each AFLAC® policy are deducted from gross earnings on a pre-tax basis.

### ***11.5.3 Open Enrollment***

Each May, AFLAC® offers open enrollment into the flexible spending plans available for the next plan year (July 1 to June 30). Employees may discontinue or enroll in any AFLAC® program at this time.

## **11.6 Deferred Compensation Program**

Deferred compensation is payment withheld until a future date. The City has partnered with the International City Management Association Retirement Corporation (ICMARC) and Nationwide Retirement Solutions to offer employees the option of deferring a portion of their gross earnings (pre-tax) into a supplemental retirement savings program through payroll deduction. Employees will be given information about each program during orientation. Employees may decide to participate in either program at any time during their employment. Consult HR for questions regarding these programs.

## **11.7 Education Assistance**

The City of Great Falls encourages the continued education and training of its employees. This program is designed to help employees achieve personal growth and professional development. The benefits to be derived by the employee and the City will be evaluated when considering requests. Departments are not required to allocate funding for the tuition reimbursement program.

The following criteria will be applicable for tuition reimbursement upon approval:

***11.7.1*** Reimbursement, or direct payment to a facility approved by the Department Head and City Manager, will be paid at 100 percent, with a maximum payable of \$1,500 per calendar year, per employee.

***11.7.2*** The eligible employee is required to maintain a grade C or equivalent. If a grade C is not achieved and payment has been made in advance, the employee will be required to reimburse the City the full costs which had been paid by the City.

***11.7.3*** Qualifying classes are job-related and pre-approved by the department head and City Manager. A signed agreement with the employee shall be obtained after approval from the department head and City Manager.

***11.7.4*** Enrollment with an accredited educational institution is recommended.

***11.7.5*** Books and related supplies are not included in reimbursement.

***11.7.6*** Seminars and workshops are excluded from this policy.

*11.7.7* Leave to attend an approved course may be granted by a supervisor. Employees are encouraged to make up time missed during the workweek whenever possible.

*11.7.8* This policy is not a guarantee that funding will be available. Funding availability depends on training budgets within each department.

## **11.8 Wellness**

The City of Great Falls supports workplace wellness for its employees. This includes the promotion of healthful food and beverages, physical activities during the workday, stress management and preventative screenings each year.

The City is committed to providing and ensuring a safe work environment for all employees and our customers by conducting all operations as safely and efficiently as possible. Safety is the responsibility of every employee – whether it is your own or your coworkers’.

### **12.1 Safety and Loss Control Program**

Upon hire by the City, employees will receive a copy of the *City of Great Falls Safety Manual*. Employees are required to familiarize themselves with the contents of the Safety Manual and sign the Safety Manual's Acknowledgement Form, which indicates they have done so.

#### *12.1.1 Safety Manual Overview*

The Safety Manual outlines the responsibilities of Department Heads, department safety coordinators, supervisors, and employees. It provides information on the prevention of slips, falls, back injuries, fire prevention, and information on ergonomics in the workplace in order to prevent cumulative trauma disorders.

#### *12.1.2 General Safety Policy Overview*

These safety rules and procedures are not meant to replace any safety rules and procedures already enforced by any department within the City. Each department should have its own standard safety rules and procedures, as well as safety rules and procedures to follow in cases of emergency. Departments are required to review their safety manuals annually and make updates as necessary.

All Employees must:

- a. Not take unnecessary chances or work under hazardous conditions and must understand and use approved safe job methods and recognize potential hazards.
- b. Report any recognizable hazardous condition or procedure, accidents, injuries, or exposure to hazardous substances to a supervisor.
- c. Report needed additional safety training.
- d. Possess a valid driver’s license to operate a motor vehicle. Employees are subject to an annual check of the status of this license.
- e. Only operate machinery or equipment they are authorized and trained to use, and only use tools, machinery, and vehicles that are in safe working order.
- f. Keep an orderly and clean work area.
- g. Consider the safety of others in the performance of duties; do not engage in horseplay, practical jokes, or other careless activities.
- h. Not work while under the influence of certain medications, alcohol, or controlled substances which affect the employee’s ability to perform work duties.
- i. Recognize and report "near misses" to a supervisor; cooperate in the investigation of any accident to prevent its reoccurrence.

### *12.1.3 Motor Vehicle and Mobile Equipment Safety*

City vehicles are usually marked with logos and government plates, are easily identifiable, and thus constitute a traveling advertisement seen by citizens. Members of the public closely watch City employees' operation of vehicles and driving conduct. Poor driving conduct generates complaints and poor public perception and is unacceptable. City vehicles used for travel shall be used for business purposes and not for pleasure. Employees must abide by Federal, State and local laws regarding the operation of motor vehicles. Additionally, the following safety rules are established for the use of motor vehicles and mobile equipment:

- a. Before operating a vehicle, check all safety equipment installed on the vehicle, ensure repair of defective equipment, and adjust equipment for use.
- b. When backing up a vehicle, be certain the way is clear.
- c. The City prohibits smoking in City-owned vehicles.
- d. When filling fuel tanks:
  - Shut off the motor of the equipment.
  - Do not smoke near gasoline pumps.
  - Keep the hose nozzle against the edge of filler pipe.
  - Do not fill tank too fast or too full.
- e. All City equipment that is fully enclosed or equipment that has roll bars that are stamped "approved" shall have seat belts and anchoring systems regardless of the age of the equipment.
- f. All heavy equipment must have a dry chemical "ABC" extinguisher in the cab.
- g. Load security:
  - Supplies transported in motor vehicles shall be secured.
  - Drawers in motor vehicles shall be secured.
  - Check and secure all tower equipment prior to movement of the vehicle.
  - Only transport materials, equipment, and personnel necessary to carry on City work in or on City vehicles.
  - Fasten a red flag (or a red lamp at night) to the end of material that extends beyond the tailgate. No material should extend over the sides.
  - Bulk and weight capacity of a vehicle should be observed.
- h. No more than three persons may ride in the front seat of any vehicle. Safe and secure seating must be provided for each person transported in any vehicle. Do not ride on the back or sides of a vehicle unless appropriate manufactured handrails have been installed, and other fastening devices are used for security.

- i.* Parking vehicles:
  - Unless conditions require otherwise, parked vehicles must have the motor stopped, key removed, emergency brake set, and left in gear or in "park."
  - On a downgrade, turn front wheels toward the curb. On an upgrade, turn wheels away from the curb.
  - Do not park vehicles facing traffic, except in case of emergency.
  - Use adequate warning signals (and flag person, if traffic warrants) when vehicles stop on streets or highways.
- j.* Be especially watchful for children and drive carefully and slowly while working near schools, parks, playgrounds, swimming pools, or community centers.
- k.* Keep a distance behind other vehicles so as to avoid tailgating. Do not allow others to tailgate. Slow down, pull to the side, and let them pass.
- l.* Follow these procedures in an accident involving a City-owned vehicle:
  - Render first aid, if necessary.
  - Notify the Police Department or other appropriate law enforcement agency immediately.
  - Remain at the scene of the accident until proper authorities have arrived. Offer no information regarding the responsibility for the accident or what should have been done to avoid the accident.
  - The driver of the City vehicle reports the accident to his or her supervisor; the supervisor reports the accident to the Risk Manager.
  - All claims against the City insurance or indemnity policies are to be forwarded to the Risk Manager within 24 hours of the accident.

## **12.2 Workers' Compensation**

Safety is every employee's responsibility. Unfortunately, accidents do occur in the workplace. Under State law, the City provides workers' compensation indemnity coverage to its employees. The City's current provider is Montana Municipal Interlocal Authority (MMIA), a risk management pool comprised of other Montana cities and towns.

MMIA charges its rates in part by measuring prior workers compensation claims. Employee accidents are detrimental to the operations of the City and when injuries occur, they affect not only the employee, but the employer as well. Serious accidents cause lost work time for the employee and impede City services. Most accidents are preventable – do not take safety short cuts.

State law requires employers keep records of all illnesses and accidents that occur at the workplace or during the course of conducting business. The City requires that employees report work-related illnesses or injuries within 24 hours, no matter how slight. Filing procedures and associated documents are available electronically as shared documents identified in the "Risk Management Forms" folder on the City's intranet. Contact the Risk Manager for guidance on accessing or preparing these forms. If employees fail to report an injury, they may jeopardize their workers' compensation coverage including medical

benefits. State law also provides employees the right to know about any health hazards that might be present on the job. Questions or concerns should be directed to the Risk Manager or the employee's supervisor.

*12.2.1 Reporting workers' compensation claims:*

- a. Under state law, the **employee** has 30 days to notify his or her supervisor and/or employer of any on-the-job accident, injury, or illness. Verbal notification is sufficient, but requires the supervisor to document the notification and the specifics. This documentation includes having the employee complete an Employee's Loss Control Report and the supervisor completes the Supervisor's Loss Control Report and the Workers' Compensation Form. If there is no medical treatment involved, only the employer signs the Worker's Compensation Form.
- b. The **employee** has one year to file a written claim for workers compensation benefits with HR.
- c. The **employer** has 30 days to respond to the claim.

*12.2.2 Employees Do Not Complete the Workers' Compensation Forms*

Employees complete the Employee's Loss Control Reports. Supervisors then use the information to complete the Workers' Compensation Form. An accident investigation may be conducted.

*12.2.3* If an employee is not available to sign the Workers' Compensation Form, the supervisor must forward the report to the Risk Manager. The form will be filed with the Montana Municipal Interlocal Authority without the employee signature.

*12.2.4* All reports are submitted to and maintained by the Risk Manager for processing.

### **12.3 Seat Belt Use and Compliance with Traffic Laws**

Motor vehicles purchased by the City are equipped with seat belts in compliance with Federal motor vehicle standards.

*12.3.1 Purpose*

The City requires all employees and non-employees riding as passengers with employees use available seat belt equipment in City-owned vehicles or in private vehicles during scheduled shifts. The use of restraint devices reduces the possibility of death or serious injury in an accident.

*12.3.2 Seat Belt Use Policy*

This policy applies to all City employees while driving or as a passenger in either a City-owned vehicle or a personal vehicle being used for City business.

- a. Employees are required to use and ensure all vehicle occupants are properly using their seat belts before moving the vehicle.
- b. Employees who are observed failing to use seat belts, or are in an accident while not wearing a seat belt, or are cited by law enforcement for not wearing a seat belt will be subject to disciplinary action.

- c. Employees are required to limit the number of passengers in a vehicle to the number of seat belts or other safety restraints.

*12.3.3 Compliance with Traffic Laws*

Employees are required to comply with all applicable laws when operating City or private vehicles for City business, including but not limited to safety and motor vehicle liability insurance law.

Since the development of facsimile machines, computers, electronic mail, and voice mail, security of and access to information demands a greater level of attention than ever before. The majority of the City's employees have some level of access to electronic equipment, some of which contain sensitive information, require passwords for access, and/or require restrictions on use. Section 13 governs ALL City-owned computer equipment. Please keep in mind that computers, smart phones and other electronic communication devices purchased with City funds are City property and adhere to the same policies. The City's technology policies help enhance productivity by emphasizing consistency and simplicity while maintaining compatibility, connectivity, and security. Violations may result in disciplinary action, up to and including termination.

**13.1 Departmental Oversight**

The Information Technology Division (I.T.) of the Fiscal Services Department has the authority and responsibility to acquire and maintain all computers and software for the City. The I.T. Division is responsible for all computer hardware, software, and training. All I.T. related needs, including modification or new or expanded software must go through the I.T. Operations Manager and/or the Department Head.

**13.2 Hardware**

*13.2.1 New Installation/Initial Installation of Hardware*

Departments propose new installations to I.T. Operations Manager. The I.T. Operations Manager then meets with I.T. staff to determine if it meets overall security and hardware/software requirements. If the new installation proposal does not meet these requirements, I.T. staff will assist in finding alternative hardware/software. Authorized installations are either funded by the I.T. Division and blended into overall internal service charges or the Department is responsible for funding.

*13.2.2 Modifications or Upgrades*

Computers are modified or upgraded as needed. I.T. must be notified once a Department Head determines that modifications or new or expanded computer needs are necessary.

*13.2.3 Peripherals, Local Area Networks (LANs), Computer Linking*

No computer modifications, peripherals, VPN's, LAN's, computer linking, routers, hubs, or switches are authorized unless installed by, or under the direction of, I.T. This includes, but is not limited to sound cards, modems, scanners, printers, and compact disk drives.

*13.2.4 Passwords*

Employees who require computer and/or network access must be authorized by their Department Head. They will then receive a user ID and a password. **Do not share your password(s) with anyone.** Security controls are provided by the Network Operating System to help prevent unauthorized use. Unauthorized use may result in disciplinary action, up to and including termination.

*13.2.5 Equipment Revolving Schedules*

The I.T. Operations Manager coordinates and maintains equipment revolving and reserve programs for all computer equipment and software. This revolving schedule maintains an efficient and economical computer inventory and replacement schedule for the City.

#### *13.2.6 Equipment Lease Charges*

Departments lease computer systems from I.T. The lease does not create an ownership interest in any specific piece of equipment. I.T. will work with computer users to identify and provide for computer equipment needs. Departments may include "department specific" equipment or software in the Equipment Lease Charge structure in order to provide an ongoing funding mechanism for that department.

### **13.3 Computer Software**

#### *13.3.1 Authorized Software*

Only those programs authorized by I.T. will be allowed on City computers. The I.T. Division approves software for specific locations before it is installed on a City computer.

#### *13.3.2 Games, Screen Savers, Chat Programs and Instant Messengers Prohibited*

No computer games shall be installed or run on City computers. Default screen savers available in Windows may be used. However, no unauthorized screen savers may be installed. Chat programs, games, Instant Messenger programs, and blogs are not allowed.

#### *13.3.3 Live Video and/or Audio Streaming is prohibited*

Internet radio stations, movies, programs, and/or live video (including but not limited to sports broadcasts, videos, and peer-to-peer sharing such as torrents) are not allowed on City computers without the permission of your Department Head and/or I.T. Operations Manager.

#### *13.3.4 Software and Data*

Any unauthorized programs, screensavers, games, unlicensed copies of authorized software, etc. found on City computers will be removed by I.T. Repeated unauthorized installations will be referred to the I.T. Operations Manager and/or direct supervisor for further action, including disciplinary action.

##### *a. Unlicensed Software*

Unlicensed or "bootleg" copies of software are not permitted on City computers. Software is generally copyrighted and licensed. It is a federal crime to copy or reproduce copyrighted software and documentation. Software may only be copied for archival purposes and will only be done by I.T. personnel as required.

##### *b. Property of the City*

All programs and data placed on any City computer are the property of the City of Great Falls and can be subject to search without prior notice. The purposeful destruction of data (work-related) is prohibited and may lead to discipline, including termination.

All information, particularly email communication, may be subject to right to know requests; if a request for information occurs, contact the City Clerk and/or City Attorney to arrange response.

*c. Information Requests.*

Employees should avoid using personal computer, smart phones or other devices to conduct City business as that may subject those devices to public right to know requests.

*13.3.5 Passwords*

**No** software program or file access passwords are allowed on City computers, unless pre-approved and recorded with the direct supervisor and the I.T. Operations Manager.

**13.4 File Backups**

Computers occasionally break down, lock-up, are inadvertently damaged, or may be the subject of theft or vandalism. To ensure that important data is backed up, users should store their files on the “O” network share. The I.T. Division will back up primary network servers to ensure data availability. To ensure that a current copy is on the server, users should log off daily. Personal data (including but not limited to pictures, music or videos) is prohibited on server network shares.

Any files stored in a location other than a network share or “My Documents” is the responsibility of the employee(s). I.T. provides a variety of equipment for backups, including CD/DVD writers, flash drives, and/or external portable hard drives. If an employee is in need of a backup device, he/she will need approval from their manager/supervisor and the I.T. Operations Manager.

**13.5 Training**

The I.T. Division is responsible for the coordination of computer training for all City operations. Training includes beginner through advanced classes in the City’s primary word processing, spreadsheet, multimedia presentation, e-mail client and other software applications. Training will be conducted throughout the year in the Morony Room in the Civic Center. I.T. will post upcoming training sessions in advance. Employees requiring training on software programs should contact I.T. for training availability. Some self-study courses are available for checkout in the I.T. office. Training is also available on the City’s intranet web site. Formal training classes are periodically scheduled, either on or off-site.

**13.6 Internet Access**

The City provides Internet access for employees, officials, and volunteers as a work-related resource.

*13.6.1* Employees, elected officials, and volunteers, should not do anything with City Internet access resources that would be considered illegal or inappropriate. Viewing or downloading erotica, or other inappropriate sites, playing games, and running a private business are examples. The downloading of music, videos or other personal data from websites (examples: Napster, Bittorrent) is prohibited on City computers.

13.6.2 All existing laws and City of Great Falls policies apply to conduct on the Internet, especially those that deal with property protection, privacy, misuse of City resources, sexual harassment, data security and confidentiality.

### 13.7 E-mail Use

Electronic mail (e-mail) is a quick and readily available tool for communication. The City provides this communication tool to its employees to enhance productivity. This policy refers to all e-mail software and messages that are used by any City-owned computer.

13.7.1 E-mail may be public record as defined by MCA §2-6-202. Public records are subject to discovery, subpoena, and use in litigation as other records of the City. Therefore, e-mail must be managed and publicly accessible like any other public record.

13.7.2 **All** data and messages created, received, transferred to or from, or maintained on any City computer are property of the City.

13.7.3 All existing laws and City policies apply to conduct with e-mail, including data security, property protection, privacy, resource misuse, confidentiality, and sexual harassment.

13.7.4 **Keep personal e-mail to a minimum. Incidental, occasional and appropriate** personal use of e-mail is permitted. Appropriate personal use does not impede City business, interfere with work performance of the user or others, include commercial use, or result in personal financial gain for the user. **Do not abuse this privilege.**

The City does **not** permit creating or forwarding “chain letters”. The City does not condone, and strongly discourages forwarding “jokes”. Any and all communications, including “jokes” that contain inappropriate/questionable material is strictly prohibited.

13.7.5 Most e-mail messages are subject to the Great Falls Records Retention Schedule. For retention periods, please check with the City Clerk.

13.7.6 E-mail users should be aware that, more than other communications media, e-mail facilitates the forwarding, copying and manipulation of messages beyond the creator’s control.

13.7.7 Each user is responsible for administering their individual mailbox, including checking e-mail at least daily, responding to e-mail promptly, and learning how to effectively use the software of the current e-mail system.

### 13.8 E-mail Etiquette

#### 13.8.1 *Proofread*

Take time to proofread your messages for spelling and grammar mistakes.

#### 13.8.2 *Be Aware of Differences Across e-mail Systems*

Employees should avoid features such as bold, underline, special fonts, or stationary as people receiving e-mail may have different features or capabilities.

#### 13.8.3 *Identify Yourself*

If you are acting on behalf of the City, identify yourself with name, title and department. Include your e-mail address in the message and any attachments to it.

*13.8.4 Don't be Hasty*

If a message or posting generates negative feelings, set it aside and re-read it later. Consider that a misunderstanding or misinterpretation might occur. When in doubt, don't send the email.

*13.8.5 Avoid Putting Text in all Capital Letters*

Text in all capitals appears ANGRY or HARSH. Only use all capitals when adding extra emphasis.

*13.8.6 Be Careful What You Say About Yourself and Others*

Avoid committing anything to an e-mail message that should not become public knowledge. Exercise discretion when addressing sensitive information via email, such as personnel, legal or other potentially confidential or private matters. Be wary of including personal information about yourself or others in messages. E-mail messages are archived and retained for a period of time that is determined by the City Clerk.

*13.8.7 Try to Keep Messages to a Single Subject; Use Subject Line Entries*

The subject line of an e-mail message enables people to discern the subject of a message, its urgency, indexes the message, and identifies messages as "records." Appropriately identify confidential communications in the subject line.

Be aware that oftentimes direct communication is preferable than email as email cannot replace necessary interpersonal interaction needed to address complex work matters.

*13.8.8 Do not Send Large Attachments without Prior Permission from the Recipient*

Before sending large attachments, ask the recipient if they have time to receive them or indeed want them.

## **13.9 Internet and E-mail Monitoring**

*13.9.1 The City has software and systems in place that can filter and/or monitor and record Internet usage.* The City has the capability of filtering and recording World Wide Web site visits (hits), chat sessions, newsgroup or e-mail messages, and file transfers that occur on the City network, and it reserves the right to do so at any time (Title 18 United States Code, Chapter 121, Sections 2710-2711).

*13.9.2 Preparing and providing reports of Internet usage*

The I.T. staff may periodically run reports of all internet usage on government computers. These include employee names, workstations ID's, dates and times of internet activity and a list of visited websites. Reports can be generated for management upon request.

*13.9.3 Responsibility of the Department*

The I.T. Division will not assume the responsibility of monitoring and/or taking action to ensure compliance with this policy. The employee's division and/or

department is ultimately responsible for managing computer usage, including internet **and e-mail** usage.

### **13.10 Remote access to City's Network**

In today's workplace, it is common practice to provide employees the ability to work from remote locations (home, hotel, etc.). Remote access may be granted to employees with a **critical need** to access City computer resources from any host. Depending on need, this access may be granted on a temporary or permanent basis. The policies within this section are designed to minimize the potential exposure to the City from damages which may result from unauthorized use. Potential damages include the loss of sensitive or confidential data, intellectual property, damage to public image, damage to critical city internal systems (computers, network, mainframe, etc.). Failure to adhere to these policies may result in discipline, up to and including termination.

#### *13.10.1 The Remote Host becomes your Work Computer*

Section 13 applies to all employees who access the City network from any host and employees must adhere to Section 13. Access to the network is granted for the reason of conducting city business, not personal business or recreation, or any other business precluded by City policies.

#### *13.10.2 The Right to Deny Access*

I.T. reserves the right to reject and/or terminate remote access at any time.

#### *13.10.3 The Ability to Work Remotely*

Any employee requesting remote access will need Department Head and I.T. Staff approval.

This policy applies to employees, including laid off or terminated employees (for this section 14, included in the term “employees”), except where there are differing procedures set forth in an applicable Collective Bargaining Agreement. The Employee Assistance Program is available to all employees as an additional option for problem resolution. Contact HR for further details.

**14.1 Problem Resolution Policy and Counseling**

Normally, an employee will be expected to use the Employee Problem Resolution Procedure to resolve a problem. However, if the problem or complaint is of a personal nature, or a very delicate matter, the employee may first meet with any member of management, including the City Manager, to discuss it. If the complaint, suggestion, or question is of such a nature that resolution would be hampered by the Employee Problem Resolution Procedure, then management will take appropriate action. If management determines that the employee should first discuss the problem with an immediate supervisor, the employee will be directed to use the Employee Problem Resolution Procedure.

**14.2 Employee Problem Resolution Procedure**

Employees are responsible for seeking information or advice on any matter that is troubling them, to call attention to management any action that they believe is inconsistent with these policies or procedures or to grieve, or object to, management action. The City's policy is to attempt to resolve job-related problems whenever possible through informal discussions between employees, their immediate supervisors and/or managers. Members of Collective Bargaining Agreements should refer to their respective agreements for additional or other applicable resolution procedures.

Employees who have made an attempt to correct a problem through informal discussions and believe the problem has not been resolved must file a written complaint using the formal procedure described below. Probationary employees are not eligible to use this procedure unless they are alleging unlawful acts on the part of management. Terminated employees must follow this procedure prior to taking any further action related to their termination. A copy of this policy must be provided to any employee within seven days of discharge.

*Note:* Some of the time frames established in this procedure may be extended upon written mutual agreement of the parties. Unless otherwise noted, the term "day" as used in this policy refers to work days, Monday through Friday, which are not observed as holidays by the City of Great Falls. The grieving party carries the burden of moving the grievance forward within the time period specified. Failure on the part of the grieving party to advance the grievance to the next step of the procedure within the allotted time frame may result in dismissal of the grievance.

**14.2.1 Step One**

Submit the complaint in writing to an immediate supervisor within 10 calendar days after the alleged incident(s). In the written document, employees should describe the complaint and indicate what action(s) they believe the City of Great Falls should take to resolve the complaint. The supervisor will then have 10 calendar days to investigate the alleged incident(s) as necessary and respond to the employee's written complaint.

If the employee is a Department Head, that complaint must advance directly to step three, set forth below, as that employee's immediate supervisor is the City Manager.

*14.2.2 Step Two*

Employees must notify management in writing of their desire to proceed to step two of the procedure within five calendar days of the date the response was provided, was due, or if the immediate supervisor is directly involved in the complaint. Submit the complaint along with supporting materials and a copy of the response received in Step One, if any, to Human Resources (HR). HR or its designee may interview those involved in the dispute and may conduct any investigation HR believes is necessary to render an appropriate decision.

HR has 30 calendar days from the date of the written complaint in step two to issue a decision. If HR is the subject of a complaint or if the department's ability to render an impartial decision is in question, the City Manager may appoint another person to review the complaint and issue a decision.

*14.2.3 Step Three*

Employees who are not satisfied with the decision rendered on their complaint in step two may appeal an issue if it involves **demotion, suspension, or discharge**. Appeals are made to the City Manager within five calendar days after the date of the decision.

The City Manager may, within 15 calendar days of the appeal, (or in the case of Department Heads, the grievance) either appoint a committee to collect additional information to hear the grievance, or may schedule time to personally hear the complaint and render a final and binding decision.

The goal of a City employee is to serve the public; follow rules and regulations on work performance and personal conduct; work well with co-workers, supervisors and the public; and do all the other things that contribute to good job performance and reaching City goals. When employee behavior departs from the standards set by the City, the need for disciplinary action arises.

### 15.1 Discipline Defined

Discipline is training that corrects, molds, or perfects behavior towards an orderly or prescribed conduct. Discipline should be viewed as corrective rather than punitive. The City generally applies a series of disciplinary actions, graduating in degree, based on the initial severity or on repetition of the problem behavior.

### 15.2 Good Cause for Discipline

The basic rule is that there must be **good cause** for imposing discipline. Good cause is defined in MCA §39-2-903 as reasonable job-related grounds for action based on a failure to satisfactorily perform job duties, disruption of the employer's operation, or other legitimate business reasons. The City must demonstrate and practice good faith when exercising discipline.

### 15.3 Disciplinary Responsibilities

HR is responsible for distributing this Personnel Policy Manual to all employees. Employees are responsible for reading and familiarizing themselves with this Manual. Supervisors are responsible for informing their employees of work rules and work performance standards particular to their department and that may not be included in this Manual. When an employee does not follow these rules or standards, a supervisor should use the Disciplinary Procedure to correct such behavior.

### 15.4 Discipline Steps

Management will generally follow these procedures when taking disciplinary action. However, depending on the severity or nature of the offense, management, in its discretion, reserves the right to skip one or more of these discipline steps. Management will determine the first step in the disciplinary process. When deciding how to initiate discipline, consideration will be given to such factors as the seriousness of the offense, repetition of the problem, behavior, or offense, and prior employment record. Management will conduct investigations that include the employee in question's input before making determinations as to formal discipline.

#### 15.4.1 Informal Disciplinary Actions

##### a. Corrective Counseling

Corrective counseling is a constructive step taken to improve unsatisfactory behavior. The key component is a meeting during which the supervisor and the employee agree on the nature of the problem and the steps necessary to correct the problem. Success results from positive, non-threatening counseling and communicating that the employee is responsible for the problem and its resolution. These steps can be useful to both the employee and the supervisor during informal counseling for conduct or performance problems:

- State the purpose. Get to the point.

- Describe the specific behavior problem. Cite the rule, policy or standard that has been violated, and the reasoning behind the rule or policy.
- Listen. Both the supervisor and employee should be active in this evaluation. Listening allows the other person to understand.
- Pinpoint any evidence showing the employee is responsible for the problem. Determine the cause(s) of the problem. Remain objective—the goal is to resolve the issue.
- The employee should offer remedies to the problem. Mutually develop an action plan to correct the problem.
- The employee should provide an overview of the discussion and the solution, in order to ensure both parties are in agreement.
- Schedule a follow-up meeting, as appropriate, to review the progress of the employee's behavior.
- At the conclusion of the meeting, document the employee's name, the date and time of the meeting, the problem, the agreed solution, and the date of the follow-up meeting, if any.

*b. Oral Warning*

Oral warnings are those given to an employee verbally, as opposed to in writing. Supervisors are responsible for keeping a record of all oral warnings; it is advisable that employees do the same. The record should contain:

- The employee's name;
- The date and time of the oral warning;
- Date, time and location of the incident or problem resulting in discipline;
- Names of others involved, either as witnesses or participants;
- An objective, factual description of the employee's behavior, specific to the incident or problem resulting in discipline;
- An accurate summary of the oral warning given to the employee, including the employee's statement in defense of their behavior, if any; and
- Any other documentation available such as letters of complaint from other departments, employees, supervisors, or the public; examples of the employee's work if related to the behavior in question; and memos that outline the results of corrective counseling.

#### 15.4.2 *Formal Disciplinary Actions*

*a. Written Warning*

A written warning is normally the third step in the disciplinary process and the first formal disciplinary action. Critical elements to be included in the written warning are:

- The good cause (reasons) for the disciplinary action;

- A description of the disciplinary action, including dates and duration, if applicable;
- The improvements or corrections expected of the employee;
- Consequences (further discipline) if the employee fails to improve or correct behavior within a specified period of time; and
- The employee's signature and/or receipt of the warning.

The written warning must be presented to the employee for review and signature. If the employee subject to discipline refuses to sign the warning, a witness to the refusal must sign the notice in the presence of the supervisor and the disciplined employee. In addition to grievance rights, the employee has the right to respond to the notice either verbally, in writing, or both. Any written response must be attached to the notice and included in the employee's personnel file.

*b. Suspension With or Without Pay*

Suspension without pay is an unpaid leave of absence ordered by management. If a written warning is given and fails to produce the desired change in behavior, the supervisor may impose a suspension. Some infractions may warrant a suspension on the first occurrence. Examples of such infractions may include, but are not limited to sexual harassment, physical fighting on the job, violence or threats of violence, and/or insubordination.

A suspension may be imposed in either of the following ways:

- In writing and given to the employee in a disciplinary meeting; the notice should include a copy of the employee's appeal or grievance process; or
- Immediately and orally at the time of the infraction (followed in writing, with copy of the employee's appeal or grievance process attached, if the suspension is without pay).

Immediate suspensions are used in situations where it is necessary to remove the employee immediately from the work environment and/or when time to conduct an investigation of the situation to determine the appropriate course of action.

*c. Discharge*

Discharge means employment is terminated for good cause. Discharge is appropriate when prior disciplinary actions have failed to resolve unacceptable conduct, or there is a performance problem that directly affects department operations. Some infractions may warrant discharge on the first occurrence, therefore, the City reserves the right to discharge an employee without prior disciplinary action pending an investigation.

All instances of discharge will be in writing. The discharge should contain a statement of good cause for the action, relevant documentation, and notice of the appeal or grievance process.

- 15.5 All employees must follow the Problem Solving and Grievance Procedures set forth in Section 14 if they object to any of the disciplinary policy steps taken in this Section 15.

**16.1 Expense Reimbursement**

Employees need authorization (requisition/purchase order, etc.) prior to incurring an expense on behalf of the City. To be reimbursed for all authorized expenses, including fuel purchased by employees for City vehicles, employees must submit an expense report/voucher accompanied by required receipts. A supervisor must approve the expense report/voucher prior to submittal. Generally, claims will not be paid without proper documentation. Contact your supervisor or the Fiscal Services Director for additional information.

*16.1.1 Reimbursement Claim Documentation Required*

Depending on the amount claimed, receipts must support reimbursement claims. Support can include receipts for individual meals (if the base allowance is exceeded), transportation (plane, train, rental car, etc.), lodging, enrollment and registration, and miscellaneous business expenses.

*16.1.2 Documentation Exemptions*

There are occasions when receipts are not required. These include instances when individual meal claims fall within the base allowance, personal transportation claims fall within the rate per mile, and for costs associated with incidental miscellaneous expenses where receipts are not normally available (pay phones, taxis, parking, etc.).

*16.1.3 Lost Receipts*

Employees who have lost a receipt but know the amount or approximate amount of an expense may submit their claim as usual and note the receipt loss in a brief, written explanation. The City then may reimburse the employee if the expense and explanation are reasonable.

**16.2 Meal Reimbursement**

The base allowance provided for a meal is considered a realistic reimbursement rate. Meals at or below the base rate do not require receipt documentation, as outlined above.

*16.2.1 Standard Meal Allowance*

The standard meal allowance for both in-state and out-of-state City travel is established by policy. Alcohol expenses will not be reimbursed or paid. Contact Fiscal Services for current amounts.

*16.2.2 Explanation of Standard Meal Allowance*

The meal allowance is not a daily allowance or limit; it is an allowance or limit per meal, including any tip. Employees departing after 7:00 a.m. and returning before 7:00 p.m. qualify for the lunch allowance only. Employees departing after 7:00 a.m. and returning after 7:00 p.m. qualify for both the lunch and dinner allowances. Employees departing before 7:00 a.m. and returning after 7:00 p.m. qualify for the breakfast, lunch and dinner allowances.

*16.2.3 Special Meal Circumstances*

If a meal is not associated with a business meeting, or if a meal exceeds the standard meal allowance, the meal may qualify under special meal circumstances. The City understands that some locations are, by their nature, more expensive. Employees in locations such as these may exceed individual meal allowances. Any extra costs may

be claimed. Employees should attach a receipt and a brief, written explanation to their claim form for each meal. The request for additional meal expense coverage will be subject to the claim approval process.

### **16.3 Transportation Reimbursement**

#### *16.3.1 Personal Vehicle Travel Allowance*

The travel allowance for use of a personal vehicle is at a rate equal to the mileage allotment allowed by the United States Internal Revenue Service. Fiscal Services will notify Departments each year what the rate is and what date the rate will be effective. This reimbursement covers all vehicle-related expenses such as gas, oil, maintenance, insurance, etc. When employees share personal transportation, only the employee providing the personal vehicle is eligible for reimbursement. (See MCA §2-18-503(3).) Unless otherwise approved by the supervisor, if an employee uses a personal vehicle when a City vehicle is available to that employee for such use, the employee will only be reimbursed for fuel costs. On extended trips, if an employee chooses to travel which is more expensive than an alternative mode of travel, the employee will only be reimbursed the lesser cost. For example, if an employee chooses to travel in a personal vehicle, where the mileage/fuel costs are greater than the airfare, the employee will only be reimbursed the amount of the round trip airfare costs for the trip.

#### *16.3.2 Travel Allowance Conflict with Monthly Car Allowance*

Employees who receive a monthly car allowance from the City are only eligible for the per mile rate when travel takes them beyond a 10-mile radius from the City limits. For extended travel, the total trip mileage is reimbursable at the per mile rate.

#### *16.3.3 Public Transportation*

Public transportation for City purposes shall be limited to coach rates, unless special circumstances exist and are documented. Actual fares paid for air transportation, not to exceed coach rates, will be reimbursed with appropriate receipts. The cost of one checked bag will be reimbursed. All fares should be billed to the City, if possible. Advance planning should be used to take advantage of airline special rates. When airfare rates are considerably less by leaving a day earlier or by staying a day later, the City will pay the extra day's meals and lodging (the savings must be at least the cost of the extra lodging and meal costs).

#### *16.3.4 Travel Cost Trade-off*

Employees should try to reduce overall business travel costs. The timing of travel can result in savings associated with taking advantage of special rates. Accordingly, the City may choose to pay additional lodging, meals, etc. if the result is a net savings.

#### *16.3.5 Car Rental*

Rental of vehicles is not an allowable expenditure, except with prior written approval of the Department Head. All costs of rental vehicles should be determined in advance of travel. An explanation for the necessity of a rental car will be included on the Travel Advance/Reimbursement Request Form.

#### *16.3.6 Travel Forms*

All travel should have a Travel Advance/Reimbursement Request Form filled out and approved by the Department Head and City Manager's office prior to the

employee's travel. All out of state travel arrangements must be approved by the Department Head and City Manager's office prior to being made.

#### **16.4 Other Business Expense Reimbursement**

##### *16.4.1 Lodging*

The City has not established cost parameters for lodging. Employees should select reasonably located and priced lodging, considering the business purpose. Employees are responsible for room deposits and lodging payments, unless advance payment is processed. In order to pay a lodging facility directly, payment must be processed in advance through normal claim procedures. If an employee is accompanied by a non-employee, the lodging invoice must bear a notation, signed by an authorized representative of the lodging facility as to the single room rate. The employee is responsible for the difference between the single and rate charged.

##### *16.4.2 Registration and Fees*

Fees for schools, seminars, and other events requiring advance payment should be paid by through the City's normal claim procedure (plan ahead for timely payment).

#### **16.5 Travel Advance**

Employees can and are encouraged to receive advance payment for known travel expenses (such as meal allowance, lodging, and fees) and submit the Travel Requisition form to Fiscal Services at least ten days before the travel date. Advances require normal claim processing. If adequate time is not provided for processing, the request may be rejected. Employees must immediately return advanced expenses to the City for all cancelled travel.

#### **16.6 Travel Requisition Form**

The Preparation of the Travel Requisition form should be submitted to the City Manager *at least ten calendar days* in advance of the travel date. An itemized description of actual expenses should be completed and returned to Fiscal Services *within five calendar days* after return from travel.

#### **16.7 Coordinated Personal Travel**

There are benefits associated with coordinating business travel with personal travel, especially when it results in cost savings for the City. Extending a personal trip into a business trip, or taking personal time after completing the business portion of a trip often results in lower travel costs for the City.

# APPENDIX

***Harassment Complaint and Authorization to Investigate***

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

**STATEMENT OF COMPLAINT**

*(Be specific. Read the Harassment policy before completing.)*

Date of incident(s): \_\_\_\_\_

Name(s) of person(s) accused of wrongdoing: \_\_\_\_\_

Name(s) of witness(es): \_\_\_\_\_

Description of incident: \_\_\_\_\_  
*(Describe in your own words the actions of all involved, including yourself.)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Use back of form, or attach additional pages if more space is needed*

Action requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that Human Resources, the City Attorney, Police Chief and/or a chosen representative will be conducting an investigation of my complaint. A report of harassment, its investigation, the outcome of the investigation, and any action(s) taken relating to a specific employee is confidential unless prohibited by law or subject to court ordered dissemination. Dissemination of confidential information shall be limited to persons with a need to know in order to conduct an investigation.

I hereby authorize Human Resources, the City Attorney, Police Chief and/or chosen representative to discuss this complaint with other persons on a need to know basis to conduct an investigation.

I acknowledge that I have read and understand the above statements.

Employee: \_\_\_\_\_ *(Signature)* Date: \_\_\_\_\_

Submitted to: \_\_\_\_\_

Human Resources: \_\_\_\_\_ *(Signature)* Date Received: \_\_\_\_\_

Police Chief: \_\_\_\_\_ *(Signature)* Date Received: \_\_\_\_\_

***Unpaid Leave of Absence Request Form***

---

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

Department: \_\_\_\_\_

Dates of Requested Absence from Work:

Date Leave is Requested to Begin: \_\_\_\_\_

Date Employee Agrees to Return to Work: \_\_\_\_\_

Reason for Requesting Leave of Absence from Work: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee Signature

---

Factors that will be considered in the approval/denial process will include items such as:

- A cost/benefit analysis, which weighs both direct and indirect costs against benefits to the employee and City.

Costs considered will include:

- ☞ Loss of productivity
- ☞ Overtime or compensatory time for other current employees
- ☞ Hiring and training a temporary replacement
- ☞ Impact on the budget

Benefits considered will include:

- ☞ Long-term retention of employee
- ☞ Improved job performance as a result of the requested leave
- ☞ An overall savings to the City as a result of the requested leave

Department Head Approval: \_\_\_\_\_

City Manager Approval: \_\_\_\_\_

***Tuition Reimbursement Authorization and Contract***

---

I, \_\_\_\_\_, hereby acknowledge that I am in receipt of \$ \_\_\_\_\_ from the City of Great Falls as reimbursement for tuition to attend \_\_\_\_\_ class that I am taking during the \_\_\_\_\_ semester/quarter. (Receipts attached.)

-OR-

I, \_\_\_\_\_, have requested direct payment in the amount of \$ \_\_\_\_\_ payable to \_\_\_\_\_ to attend \_\_\_\_\_ class that I am taking during the \_\_\_\_\_ semester/quarter.

I am aware of the requirement that I maintain a letter grade of "C" or the equivalent. If I fail to attain a letter grade "C" or the equivalent, I authorize the City of Great Falls to deduct the amount listed above from my payroll check in equal amounts over a period of not more than four months, or eight pay periods.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Print Employee Name

\_\_\_\_\_  
City Manager Signature

***Receipt and Acknowledgment of  
City of Great Falls  
Personnel Policy Manual***

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This Personnel Policy Manual is an important document intended to help employees become acquainted with the City of Great Falls. This Manual should serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate receipt and acknowledgment of the City of Great Falls Personnel Policy Manual.

1. I have received and read a copy of the City of Great Falls Personnel Policy Manual. I understand that the policies, rules, and benefits described therein are subject to change at the sole discretion of the City of Great Falls at any time. I understand that this Manual replaces (supersedes) all previous employment materials.
2. I understand that this Manual expresses no contract of employment, real or implied. I may willingly resign my position at any time during my employment. Conversely, the City of Great Falls may terminate my employment at any time, within the guidelines of this Manual, City Charter, and Montana law.
3. I understand that, should the content of the City of Great Falls Personnel Policy Manual be changed in any way, I may be required to provide an additional signature to indicate that I am aware of and understand any new or updated policies.
4. I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the City of Great Falls Personnel Policy Manual.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Position

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Last 4 of SS number

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date