RESOLUTION 14-132

RESOLUTION TO ADOPT 2015 AMENDED PERSONNEL POLICIES, PROCEDURES AND BENEFITS MANUAL

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, the Council has the duty and authority to maintain clear, current and written Personnel Policies, Procedures and Benefits Manuals for the use and reference by the employees of the City; and,

WHEREAS, said manual must be adapted and modified to remain current and useful to all City employees.

NOW, THEREFORE, BE IT RESOLVED by the Westfield City Common Council meeting in session as follows:

Section 1. That the City hereby adopts the changes to the City of Westfield Personnel Policy, Procedure and Benefits Manual as outlined by Exhibit "A" , attached hereto and incorporated by reference herein.

Section 2. All current employees of the City shall receive and acknowledge in writing the receipt of the City of Westfield Personnel Policies, Procedures, and Benefits Manual in the form attached hereto, and each person who becomes an employee of the City hereafter shall also receive a copy of such manual (or any amended version thereof that is approved hereafter by the Council) and acknowledge such receipt in writing.

Section 3. This Resolution shall be in full force and effect immediately, all acts necessary in the creation of this manual and amendments thereof are hereby ratified.

ALL OF WHICH IS RESOLVED THIS _____DAY OF _____2014.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Charles Lehman	Charles Leman	Charles Lehman
_____	_____	_____
Robert J. Smith	Robert J. Smith	Robert J. Smith
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric
_____	_____	_____
Robert W. Stokes	Robert W. Stokes	Robert W. Stokes

ATTEST:

_____

Cindy J. Gossard, Clerk Treasurer

I hereby certify that RESOLUTION 14-132 was delivered to the Mayor of Westfield

on the _____ day of _____, 2014, at _____ ____ m.

_____
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION 14-132

this _____ day of _____,
2014.

_____
J. Andrew Cook, Mayor

I hereby VETO RESOLUTION 14-132

this _____ day of _____,
2014.

_____
J. Andrew Cook, Mayor

ATTEST:

_____
Cindy J. Gossard, Clerk Treasurer

This document prepared by
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(317) 238-6266

CITY OF

Westfield

INDIANA

PERSONNEL POLICIES, PROCEDURES AND BENEFITS MANUAL

2015

CITY OF
Westfield
INDIANA

PERSONNEL POLICIES, PROCEDURES AND BENEFITS MANUAL

CITY OF WESTFIELD
PERSONNEL POLICIES, PROCEDURES, AND BENEFITS MANUAL
(This Policy Manual Established with Ordinance 95-1 Dated January 14, 1995)
(This Policy Manual updated with Resolution 96-4 Dated February 12, 1996)
(This Policy Manual updated with Resolution 97-3 Dated February 10, 1997)
(This Policy Manual updated with Resolution 98-3 Dated February 9, 1998)
(This Policy Manual updated with Resolution 99-4 Dated March 8, 1999)
(This Policy Manual updated with Resolution 99-12 Dated December 13, 1999)
(This Policy Manual updated with Resolution 00-10 Dated December 11, 2000)
(This Policy Manual updated with Resolution 07-20 Dated November 12, 2007)
(This Policy Manual updated with Resolution 07-24 Dated December 17, 2007)
(This Policy Manual updated with Resolution 09-01 Dated March 9, 2009)
(This Policy Manual updated with Resolution 09-17 Dated December 28, 2009)
(This Policy Manual updated with Resolution 10-16 Dated December 27, 2010)
(This Policy Manual updated with Resolution 11-23 Dated November 14, 2011)
(This Policy Manual updated with Resolution 12-118 Dated December 10, 2012)
(This Policy Manual updated with Resolution 13-117 Dated December 9, 2013)
(This Policy Manual updated with Resolution 14-132 Dated December 8, 2014)

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1.00 STATEMENT OF PURPOSE

1.01 Mission Statement

It is the mission of the City of Westfield (also referred to as "the City") to provide community services in a professional and efficient manner to its citizens. The employees of the City will implement the wishes and desires of the community as expressed through their elected representatives, the City Council.

1.02 Personnel Philosophy

The personnel policies of the City of Westfield, including pay policies and benefit programs, reflect the City's philosophy that the City shall be a fair and just employer. The purpose of both direct and indirect compensation programs is the recognition of the value that the City places upon its individual employees. The City employees are integral and valuable assets crucial to the completion of the vision of the City.

Seeing that the City's personnel policies and programs are effectively carried out is one of the major responsibilities of your supervisors. The Chief Administrative Officer assists your direct supervisors in meeting this responsibility.

1.03 General Policy & Procedures Considerations

It is the policy of the City of Westfield to set forth a listing of policies and procedures in order that all City employees and applicants have reasonable assurance that all policies and procedures shall be pursued in a uniform, consistent, and equitable manner. The City Council of Westfield approves these policies and procedures. The policies and procedures described in this manual may in some instances be superseded by more specific policies and procedures within the various departments within the City. However, any instances that are superseded must be brought to the attention of the Chief Administrative Officer of the City for approval prior to implementation.

It shall be the responsibility of the Chief Administrative Officer to interpret these policies and procedures, and to ensure that they are administered in a consistent and impartial manner.

Personnel policies and procedures are subject to modification and revision to meet the changing needs of both management and the work force as new conditions arise during the continuing growth and complexity associated with the City's future.

Additions, modifications, and deletions to this manual must be **approved** by a resolution of the City Council and issued by the Chief Administrative Officer.

This is an employment policy guideline and should not be considered a contract of employment. This manual is not a contract, express or implied, guaranteeing employment for any specific duration or limiting the reasons or procedures for termination or modification of the employment relationship. Unless otherwise agreed to in a collective bargaining agreement, a written contract, or by law, the employment of each employee is terminable at will by either the employee or the City at any time, for any reason, with or without cause or notice. Any agreement concerning an employee's employment with the City shall not be enforceable unless it is in a formal written agreement and signed by the employee and the Chief Administrative Officer of the City or

the Mayor of the City. The City reserves the right and full discretion to modify this manual and the policies contained within it at any time, with or without notice.

1.04 Public Safety Departments Policy & Procedures Considerations

The policies and procedures described in this manual may in some instances be superseded by more specific policies and procedures defined for the Public Safety Departments. Fire and police professional employees working in these areas should consult with their Fire Chief or Police Chief regarding any differences in policy content or procedures. Additionally, the Chief Administrative Officer of the City must be made aware of instances that supersede this policy manual prior to implementation and for approval.

Remainder of page left blank intentionally.

2.01 Statement of Policy

It shall be the policy of the City of Westfield to recruit and select qualified persons for the positions in the City's service. Recruitment, selection, and placement shall be conducted to ensure fair hiring practices, provide equal employment opportunity, and to prohibit discrimination because of race, religion, sex, national origin, age, mental or physical disability, or any other protected basis.

Except where otherwise prohibited by contract or collective bargaining agreement, supervision reserves the right to change job responsibilities, transfer job positions, or assign additional job duties at any time. This includes working on special projects and/or assignments to other work divisions as necessary.

2.02 Equal Employment Opportunity (EEO) Statement

The City of Westfield is committed to maintaining an environment free of discrimination and inappropriate conduct. The City expects its employees to strictly observe the following policies in the workplace itself and in other work-related settings such as business trips and business-related social events. Failure to do so will result in disciplinary action, up to and including termination of employment.

1. Discrimination

The City of Westfield is an equal opportunity employer. The City believes in the dignity and the worth of every individual. The City will not discriminate against or favor any employee or applicant, or make any decision or take any action, because of race, color, religion, sex, national origin, age, disability, or any other protected category, as provided by law. The City also prohibits any discrimination or demeaning language, characterization or conduct by its employees that may harass, intimidate, insult, ridicule, emphasize, or characterize another person because of his/her race, color, religion, national origin, sex, age, disability, or any other protected category.

While it is impossible to list all types of such harassment, they include:

- verbal or physical conduct that denigrates or shows hostility or aversion toward an individual or group for any of these reasons,
- epithets, slurs, or negative stereotyping related to any of these reasons,
- threatening, intimidating, or hostile verbal or physical acts toward an individual or group that relate to any of these reasons, or
- written or graphic material that denigrates or shows hostility or aversion toward any individual or group for any of these reasons.

2. Sexual Harassment Policy

The City prohibits sexual harassment of its employees by other employees or non-employees who conduct business with the City. We hold our managers and supervisors responsible for maintaining work environments free from any form of sexual harassment. The City further believes that prevention is the best method of eliminating sexual harassment. Therefore, the City charges managers and supervisors with the responsibility of taking all steps necessary to prevent sexual harassment from occurring. This would include, but not be limited to, affirmatively raising

the subject when necessary, expressing strong disapproval of sexual harassment, and informing employees of their rights under this policy. Violations of this policy may be cause for disciplinary action, up to and including termination. While it is impossible to list all types of sexual harassment, they include unwelcome or unwanted:

- sexual advances, sexual flirtations, and requests for sexual favors,
- verbal, visual, or physical conduct of a sexual nature,
- offensive sexual remarks, innuendoes or jokes,
- unwelcome leering, whistling, or obscene gestures,
- display of sexually suggestive objects or pictures,
- sexually degrading words used to describe an individual,
- sexually suggestive or offensive dress,
- when (1) submission to such conduct is explicitly or implicitly a condition of employment, or (2) submission to or rejection of such conduct is used as the basis for employment decisions, or (3) such conduct unreasonably interferes with an individual's job performance, or (4) such conduct creates an unwelcome, intimidating, hostile, abusive, or offensive working environment.

The prohibition on sexual harassment applies to persons of the same or opposite sex, as required by applicable federal, state, or local law.

3. Harassment

The City is committed to providing a workplace free of inappropriate treatment of any employee because of race, color, sex, religion, age, national origin, ancestry, disability or any other category protected under federal, state or local law. To be unlawful, conduct must be so severe and pervasive that it unreasonably interferes with an employee's ability to work.

The City is committed to protecting employees from inappropriate conduct whether from other employees or non-employees such as vendors, suppliers or members of the public. Examples of inappropriate conduct may include, among other things:

- Slurs, stereotyping, threatening, intimidating or hostile acts that relate to race, color, sex, age, religion, national origin, ancestry or disability; and
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, sex, age, religion, national origin, ancestry or disability.

4. Complaint Process

The City supports and encourages reporting of all incidents of discrimination or sexual harassment, regardless of who the offender may be. If you experience unlawful discrimination or harassment, or observe such conduct, you should promptly report the matter to your immediate supervisor. If, however, you believe that it would be inappropriate to discuss the matter with your supervisor, you may bypass your supervisor and report it to your Department Head, a member of the Human Resources Department, the City's Chief Administrative Officer, or to the City Council President (in case the report is about the Chief Administrative Officer).

Your complaint will be treated as confidential to the maximum extent possible and will be investigated promptly and thoroughly. The City strongly disapproves of discrimination or

harassment and will take appropriate corrective action to end such conduct, including but not limited to discharge of any person who engages in such conduct.

5. No-Retaliation Policy

It is against City policy to retaliate against any employee for filing a complaint, reporting, cooperating in the investigation, or offering evidence of a violation of this policy. Any person who takes such retaliatory action shall be subject to disciplinary action, up to and including termination.

However, an individual's personal and professional life may be seriously damaged by a complaint of unlawful discrimination or harassment. Therefore, if after thoroughly investigating any complaint of harassment or discrimination, the City determines that an employee has knowingly provided false, exaggerated or embellished information regarding the complaint, disciplinary action may be taken against that individual.

2.03 Americans with Disabilities Act (ADA)

The City of Westfield, pursuant to and in accordance with the Americans with Disabilities Act (ADA) specifically Title I of the "ADA", shall not discriminate against a qualified individual with a disability because of the disability in regard to job application procedures, the hiring, advancement or discharge of employee, employee compensation, job training and other terms, conditions and privileges of employment, (42 U.S.C. Sec. 12113, as amended from time to time.) Additionally, no qualified individual with a disability may, on the basis of disability, be subjected to discrimination in employment under any service, program or activity conducted by the City (56 Fed. Reg. 35719, as amended from time to time).

No qualified applicant or employee shall be refused employment or discriminated against because of such person's need for a reasonable accommodation for a known physical or mental disability as required under the ADA unless such accommodation causes undue hardship, as defined by law, to the City of Westfield.

The City further stresses that any applicant may request any needed accommodation to participate in the application process, e.g. accommodation for a test, job interview or job demonstration.

During the application process, the applicant will be subjected to various tests which are job-related and consistent with business necessity and not intended to discriminate against applicants. Therefore, if an applicant is in need of an accommodation to perform such tests, then this should be brought to the attention of the City.

2.04 Open-Door Policy

It is the City's policy to encourage employees to communicate with their supervisors concerning work-related problems. If an employee has a work-related problem, the employee should bring it to the attention of his/her Department Head, another member of the City's management, or the Human Resources Department. The City will take the appropriate steps, if any, to investigate and resolve the problem.

2.05 Responsibility for Recruitment

Recruitment of candidates for specific departmental openings will be the responsibility of the Department Head of that function. Responsibility for the recruitment hiring of department heads and the Chief Administrative Officer is the sole responsibility of the Mayor.

2.06 Qualification and Selection

The City of Westfield may screen applicants for a position using some or all of the following criteria except where said criteria cannot be shown to be job related.

- Prior job related work experience
- Aptitude for the job
- Knowledge, education, skills, and abilities
- Physical requirements for the job
- Work history
- Special qualifications, licenses, or certifications required for the job
- Personal and work related references

In the development of selection criteria, the Department Head and Chief Administrative Officer may confer with other consultants or other skilled personnel familiar with minimum requirements for specific positions.

2.07 Drug Free Workplace

The City of Westfield is committed to protecting the safety, health, and well-being of all employees and other individuals in our workplace. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol- and drug-free environment.

The City of Westfield will enforce any federal or state laws ensuring that all City employees are not impaired by a controlled substance while performing their duties. Therefore, the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance is prohibited:

1) At any City site or property owned by the City of Westfield;
2) At any assigned workplace, at any time; and
3) While on duty or in the performance of duties of the City of Westfield, whether they be on-site or off-site.
4) Violation of this prohibition will be grounds for swift and immediate action up to and/or including immediate termination.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of the medication could compromise the safety of the employee, fellow employees, or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, or use other leave) to avoid unsafe workplace practices. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken.

The City may conduct drug and/or alcohol testing under any of the following circumstances:

- PRE-EMPLOYMENT: The City will conduct pre-employment drug testing for those employees that will hold a safety-sensitive position or operate heavy equipment. An employment offer will be withdrawn if an applicant fails the drug test.

- REASONABLE SUSPICION: The City may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including but not limited to, the following circumstances: evidence of drugs or alcohol, unusual conduct that suggests impairment or influence of drugs or alcohol, negative performance patterns or excessive and unexplained absenteeism or tardiness.

POST-ACCIDENT TESTING: Any employee involved in an on-the-job accident or injury, under circumstances that suggest possible use or influence of drugs or alcohol, will be required to have a post-accident testing. All vehicle accidents will require testing. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Testing for the presence of alcohol normally will be conducted by analysis of breath and testing for the presence of illegal drugs normally will be conducted by the analysis of urine. The City reserves the right to utilize blood testing when appropriate.

All information received by the City of Westfield through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with the law.

The following actions will be taken by the City if an employee has a confirmed positive test:

1) Discipline up to and including termination
2) Treatment
3) Referral to EAP (Employee Assistance Program)

Drug Testing Procedures:

Any drug test given to an employee will be in accordance with the following procedures:

- The employee will be tested immediately before, during or after a work period.
- The City shall pay costs associated with the test.
- The City will provide transportation for the employee if the test is conducted at a location other than the workplace.
- The time an employee is engaged in a testing procedure shall be considered work time for purposes of compensation and benefits.
- Any test shall be conducted with regard to privacy of the individual and in a manner reasonably calculated to prevent substitution or interference with the collection of a reliable sample.

Any sample will be labeled in a manner that reasonably prevents the possibility of mistaken identification.

US Department of Transportation (US DOT)

In 1988 the US Department of Transportation prescribed regulations that require employers to implement comprehensive alcohol and drug testing programs for safety sensitive employees in the road industries. In 1991, the federal government implemented new regulations extending such programs to individuals who drive trucks. As a requirement to operate certain equipment for the City of Westfield, the City requires certain employees to possess a CDL driver's license. The City of Westfield must implement the alcohol and drug testing requirements set forth by the US Department of Transportation and the State of Indiana. Failure to comply with any facets of the program will be grounds for immediate termination.

Drug Screening

To ensure a safe environment for its employees and for the public, the Westfield Town Council passed Resolution 96-1. This resolution provides compliance with the rules of the US Department of Transportation.

Drug screening will be a mandatory part of the initial physical required for employment and random drug tests for certain employees will be a part of the continued requirement for employment with the City of Westfield. Refusal to participate in this program will be grounds for immediate termination.

2.08 Employing Relatives/Romantic Relationships

The City of Westfield recognizes that relatives may desire to pursue similar careers. The City must be sensitive, however, to the potential for favoritism, or the appearance of favoritism, in employment decisions and to the necessity of maintaining professional work relationships. The City does not discourage employment of relatives nor does it actively encourage it. It is in the City's best interest to hire the most capable persons available that meet the job requirements for current openings.

Effective July 1, 2012, relatives (spouse, parent, step-parent, child, step-child, sibling, step-sibling, half-sibling, uncle, aunt, niece, nephew, daughter-in-law, son-in-law,) may not be employed in situations where one member is in a position of direct line supervision or direct line reporting to the other. An employee shall not be hired, promoted or transferred to a position that violates this policy. Employees of the City are also prohibited from engaging in romantic and/or physical relationships with direct line supervisors or subordinates. This policy applies to all full-time, part-time or temporary employees, including elected officials.

"Direct line of supervision" means an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the Mayor, City Council or Clerk-Treasurer to make decisions regarding salary ordinances, budgets, or personnel policies of the City

Employees, with family relationships that would otherwise be in violation of this policy as of July 1, 2012, will be exempted from this policy unless there is a break in the employment.

Employees hired, transferred or promoted, who in later years have relatives elected that are in the direct line of supervision, will have no promotion possibilities unless the promotion is within the merit ranks for the police and fire departments.

For further information regarding this policy see IC 36-1-20.2 as adopted by the City of Westfield as Resolution No. 12-106.

2.09 Security and Background Information

As part of the application and hiring process, an applicant may be required to undergo an investigation including employment records, medical records, and/or educational records, as permitted by law. Applicants must aid the City of Westfield in obtaining any of the above information as requested. All information will be kept confidential.

Notwithstanding the above, certain investigative areas, including but not limited to reference checks, credit checks, and criminal history may be addressed prior to a conditional job offer to the applicant if the position applied for presents a showing of job-relatedness with such areas. Furthermore, periodically, employee driving records and criminal records could be investigated and checked for employment and insurability as permitted by law,

2.10 Orientation

It is the policy of The City to ensure all new employees are adequately educated on City operations and personnel policies. On his/her first day of employment, or by appointment, the new employee shall report to Human Resources to fill out all appropriate new hire forms, and review all personnel policies and procedures.

2.11 Employment Anniversary Date

The first day of employment is your **employment anniversary date**. For example, an employee that starts employment on January 3 will celebrate his or her employment anniversary date each year thereafter on January 3. For most employees this date will normally be the day the employee begins his/her training probationary status with the City, as further described in Section 2.090. This date is used to compute your eligibility for vacation and other benefits related to continuous time employed by the City. Years of employment calculation will begin January 1st the year after employment date. Example: employment date June 1, 2013, as of January 1, 2014, you will be credited with 1 year of employment for benefit purposes. In other words, the first partial year of employment is not calculated as the first year of employment.

2.12 Adjusted Date of Employment

Except as otherwise provided by law, if any employee voluntarily leaves the employment of the City and is later re-employed, a new **"adjusted" date of employment** will be calculated to include the prior employment period **if the prior work period was at least one year of continuous service.** This adjusted date of employment will be used to determine eligible benefits that are dependent upon time of service with the City. Additional longevity will not be paid or adjusted until the first of the following year.

2.13 Employment Status

There are four categories of employment status:

Probationary Full-Time Employee - Every employee during the first 6 months or 12 months of employment is placed on training probationary status. Firefighters and police officers have a 12-month training probationary period. All other employees have a 6-month training probationary

period. The training probationary period may be extended by the Department Head depending on performance during this period. Discharge and/or transfer may take place at any time during the probationary period, just as it can after the probationary period.

Full-Time Employee (those working at least 30 hours per week) - Any employee who is regularly scheduled 30 or more hours a week and has successfully completed his or her probationary training period of employment. An employee working 30 to 37 hours will accrue pro-rated time off based on hours worked. For an example: an employee working 30 hours in a 40 hour per week department will be eligible for 75% of the paid time off benefits (rounded to the nearest full day). For scheduling, if the fixed holiday is the employee's regular scheduled work day, the employee takes the holiday off with pay (not to exceed the pro-rated amount). The remaining fixed holidays that don't fall on the employee's normal scheduled work day will be utilized as floating holiday(s). When the fixed holiday(s) fall(s) on the employee's regular scheduled work day(s) exceed(s) the pro-rated amount, the employee will be required to take the day off without pay.

Part-Time Employee (those working less than 30 hours per week) - Any employee who is regularly scheduled less than 30 hours per week or less than 1000 hours per year and has successfully completed his or her probationary training period of employment. Part-Time Employees have no benefits.

Temporary Employee - Any employee hired for a limited period of time, usually for a specific task or project. This employee may work as few or as many hours per week as needed. These employees may be secured through a temporary employment agency and paid directly by that agency. Temporary employees have no benefits.

2.14 Re-employment

Re-employment (hiring) of an employee who has previously resigned or has been terminated will be determined on an individual case basis depending on the employee's work record, and circumstances of his/her leaving. Any person seeking re-employment must apply and be processed as any other applicant. No preferential treatment or consideration will be given to those applying for re-employment solely on the basis of the applicant having been previously employed by the City.

Once an employee leaves the employment of the City and is subsequently re-hired, the City-provided benefits will begin as defined in this manual. Prior service and benefits relating to time of service will be "bridged" as described in **Section 2.085** of this manual. After the specific probationary period has been met a new date of employment will be calculated. Sick time eligibility will begin anew and any unused sick time (from the prior employment period) will not be carried forward. Employees in this category should contact the Human Resources Manager for details concerning their specific situation.

2.15 Employee Personnel Files

An Employee Personnel File is maintained for each employee of the City of Westfield. These personnel files contain confidential documents and are managed and maintained by Human Resources staff. All original documents must be sent to the Human Resources Manager to be maintained in the "original employee personnel file". Typical documents in a personnel file include the employment application, documented disciplinary action history, a resume, employee handbook and at-will employer sign off sheets, current personal information, and job references. A separate employee medical file is also maintained. The contents of the medical file are not available to

anyone except Human Resources designated staff and the employee whose records are retained in the file. At the City of Westfield, medical files receive the highest degree of safe storage and confidentiality. An employee may view his or her personnel file by contacting the Human Resources Manager during normal business hours. No employee may alter or remove any document in his or her personnel file which must be viewed in the presence of the Human Resources staff person.

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3.01 Responsibilities

The functions and services offered by the City of Westfield and its employees are best performed by a work force that is properly recruited, selected, and trained on a continuing basis to provide outstanding service to the citizens of our community.

The City encourages its employees to participate in courses, seminars, and programs which offer training and continuing education and are approved by the Department Head and/or Chief Administrative Officer. Your supervisors have an immediate, direct, and continuing responsibility for the development of personnel within their area.

As an employee, you share with your supervisors the responsibility for your continued growth. You build a foundation for your own growth by doing your job to the best of your ability, by improving your present skills and abilities, and by developing new skills through your own self initiatives.

3.02 Disciplinary Probation

A **disciplinary probation** employment period may be recommended lasting from 3-6 months at the discretion of the immediate supervisor. A disciplinary probation period is a time period that allows the employee to address specific deficiencies that have been identified by a supervisor that are impacting the opportunity for continued employment with the City. This personnel action can come at any time during an employee's employment with the City.

This disciplinary probation is the natural progression of progressive discipline that normally would first have utilized verbal and written warnings addressing the specific work performance that needs to be improved.

During the disciplinary probation period, management will provide written feedback to the employee regarding his/her performance at least once during each month of the probationary period. If in the judgment of the City the specific performance is not being corrected adequately, dismissal may occur immediately.

Dismissal for action not specifically being addressed with the disciplinary probation can also take place during this time in accordance with action dictating immediate dismissal as defined elsewhere in this policy manual.

3.03 Attending Seminars, Conferences, and Meetings

Occasionally employees will be asked to attend seminars, conferences, and other job-related meetings that provide continuing education that would enhance that employees' performance. On other occasions, an employee may request of his/her department the approval to attend a job-related seminar. The City requires prior approval for all attendance at any training/educational seminars, conferences, or workshops.

Employees will be entitled only to regular straight time pay (for 8 hours or 7 1/2 hours whichever is the normal work shift) while attending approved seminar, conference or workshop during the normal workday. If evening or weekend participation is required for training, such training may be paid as dictated by applicable law.

There may be specific departmental policies regarding this issue. Confer with your department head to learn of specific departmental rules.

3.04 Travel and Expense Reimbursement

It is the intent of the City of Westfield to reimburse all reasonable out-of-pocket expenses incurred by employees during training, conference, and meeting activities approved by the City through the department head approval process.

Employees will use a purchasing card authorized by their supervisor if possible. If the vendor does not accept purchasing cards, the employee must pay for the expense and then complete an expense reimbursement form with 5 working days upon return for each activity. The reimbursement form must be submitted to the Depart Head for an approval signature before forwarding to the Clerk-Treasurer for processing and payment.

Cash advances for employees that are traveling to conventions, seminars or training, are available with a 10 day notice to the Clerk-Treasurer's office. Department Head approval is required and the/any unused funds must be returned to the Clerk Treasurer's office within 5 working days of return from said activity. Receipts of expense must be produced to validate reimbursement or payment of unused advances.

Purchasing card use will be administered by the Clerk Treasurer's Office. Purchasing card policies must be followed. No expenses will be paid without proper documentation. This is an effort to control fines and inappropriate expenses for auditing purposes. All expenses not handled through this process will be documented and approved through the claim process.

For further information or questions please contact the Clerk-Treasurer's office.

3.05 Seminar/Meeting/Conference Reimbursement

Conferences, Seminars, or Meetings Attended Within 50 miles of Westfield

If the training/educational event is within 50 miles (one way) of Westfield, it is expected that the employee will drive to and from the event the same day. On these occasions the noon meal will not be reimbursable; however, mileage reimbursement may be authorized. Special exceptions to this 50-mile rule can be approved by the Department Head and Chief Administrative Officer based upon individual circumstances.

Department heads may approve group meals for employees attending city sponsored events that benefit and improve the quality of service of those employees.

Conferences, Seminars, or Meetings Attended Beyond 50 miles of Westfield

For the training/educational event beyond 50 miles (one way) from Westfield, approval may be given for overnight stays. During these situations meal allowances will only be allowed for those meals that are not a part of the conference or training. If overnight status is authorized, meals will be reimbursed up to $50 per day in state, $60 out of state, inclusive of tip, with accompanying "itemized" receipts.

Mileage reimbursement for use of personal vehicles used to attend conferences or training sessions will be at the rate allowed for tax purposes by the Federal Government.

Exceptions to any of these reimbursement or travel rules shall be approved by the Department Head **and** Chief Administrative Officer depending on unusual or extraordinary circumstances that may be present during the activity, conference, or meeting.

3.06 University & Technical Schools Educational Programs

The Department Head may consider for approval, on a case-by-case basis, requests for tuition assistance for specific university or technical school classes and preparatory courses that are directly work related. The City will typically only pay an amount up to the amount established by law above which such is considered taxable wages. The employee will use a Purchase Card (if vender accepts) to pay for course(s). Upon completion of the course the employee must provide their supervisor and the Clerk's office with proof of earning a minimum grade of C. The employee will be responsible for the costs if the minimum grade is not earned or the employee withdraws from the class.

3.07 Performance Appraisals

It is the philosophy of the City that your job performance should be discussed with you at regular intervals to provide feedback to continually aid in work improvement. The City's performance appraisal process will review the work contribution of all regular status employees at least once each year.

Probationary employees will receive an appraisal after the completion of their prescribed probationary period. At that review the supervisor may release you from probation, continue the probationary status for a specified time, or terminate the employment relationship.

These appraisal discussions are centered on you, the quality of your work, and your working relationships. Such discussions enable you and your supervisor to talk about how you are progressing toward your personal, departmental, and City goals and assess your performance against your approved job description. Performance Appraisals are confidential discussions between the employee and his/her supervisor.

Formal written reviews normally will be accomplished annually with mid-year follow-up discussions as necessary to ensure that improvement plans are being accomplished as mutually planned by employees and their supervisors.

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4.01 Eligibility

Eligibility for employee benefits is depicted on the following table depending upon the employment status.

Benefit Program	Full-Time	Part-Time	Temporary
Matching FICA and Medicare	Yes	Yes	Yes
Health, Dental, Vision Accident and Life Ins.	Yes	No	No
125 Plan	Yes	No	No
Regular Vacation	Yes **	No	No
Personal Hours	Yes **	No	No
Fixed Holiday	Yes **	No	No
Floating Holidays	Yes **	No	No
Illness in the Family	Yes **	No	No
Sick Leave	Yes **	No	No
Longevity	Yes	No	No
Employee Assistance (EAP)	Yes	No	No
Retirement Programs			
PERF	Yes	No	No
457 Plan	Yes	Yes*	No
401(a) Plan	Yes	No	No

* Part-time employees may participate in the 457 Plan but do not receive matching funds
** Based on Actual Hours Worked.

4.02 Health, Dental, Vision, Accident, and Life Insurance

The City Council of the City of Westfield shall establish annually the policy and contribution level for payment of the City's share of the cost of employee health, dental, vision, and life insurance. This insurance is offered to all full-time employees defined as any employee who is regularly scheduled 30 or more hours a week and has successfully completed the mandated required period of employment. City Council members are offered the same medical, dental and vision insurance but are required to pay both the employee and employer total costs of the coverage and may only elect these benefits during their term as Council members.

Additional coverage for dependents, spouse, and the entire family for health, dental, and vision coverage is available at the employee's option and expense. A detail of the cost of this additional coverage is available from the City's Human Resources Manager. The City Council shall establish annually the amount, or percentage the City will contribute toward this additional coverage for family members.

The Employee Assistance Program is available at no cost to full-time employees and family members residing within the employee's household. Coverage is limited to six sessions per covered issue. Employees should consult with the Human Resources Manager for additional information.

Medical, dental, and vision insurance is available to retired employees (and if elected, their participating spouse and/or dependents) of the City only under the following conditions:

- The retiree pays 100% of the premium.
- Civilian employee retirees must have a combination of years of service with the City and age that equals at least 70 years.

  Examples: (50 years of age + 20 years of service, 60 years of age + 10 years of service, 55 years of age + 15 years of service, etc.)

- Employees must have a combination of years of service as described above or be disabled to be eligible for PERF disability if the employee has not reached age 65.
- Civilian employees must have completed a minimum of five (5) continuous years of coverage under the City's medical, dental or vision insurance plan immediately prior to retiring.

4.03 Effective Date of Insurance Coverage

Various benefit programs have different effective dates for new employees. Please contact the City's Human Resources Manager to learn of the specifics of each benefit coverage.

4.04 Insurance Portability (COBRA)

Upon termination of employment from the City of Westfield and other specified "qualifying events", employees and their participating spouse and/or dependents may be eligible to continue their group health (health is defined by medical or dental or vision) coverage for a specified period of time at a premium rate somewhat higher than the group rate the City currently receives. This program is called COBRA. If COBRA is elected, former participants pay premiums directly to the COBRA administrator. Former participants need to complete an election form to secure this extended insurance coverage. The City's Human Resources Manager has this information, and you will receive written notice of your COBRA rights and election options if you experience a loss of health insurance coverage due to a COBRA qualifying event.

4.05 Health Insurance Portability and Accountability (HIPAA)

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) has four major administrative requirements for private and government sponsored health plans: portability, nondiscrimination, fraud and abuse, and administration simplification.

The City of Westfield protects the privacy and confidentiality of protected health information (PHI) whenever it is used by City representatives. The private and confidential use of such information will be the responsibility of all individuals with job duties requiring access to PHI in the course of their jobs.

PHI refers to individually identifiable health information received by the City's group health plan and/or received by a health care provider, health plan or health care clearinghouse that relates to past or present health of an individual or for payment of health care claims. PHI information includes medical conditions, health status, claims experience, medical histories, physical examinations, genetic information and evidence of disability.

Any questions or issues regarding PHI should be presented to the Human Resources Manager for resolution. Additionally, the Fire Department has designated an employee in charge of records related to ambulance services.

Annually or as necessary, the City performs enrollment, changes in enrollment and payroll deduction, provides assistance in claims problem resolution and explanation of benefits issues, and assists in coordination of benefits with other providers. Some or all of these activities may require the use or transmission of PHI. Thus, all information related to these processes will be maintained in confidence and employees will not disclose PHI from these processes for employment-related actions, except as provided by administrative procedures.

- Disclosures that do not qualify as PHI – protected disclosures include: disclosure of PHI to the individual to whom the PHI belongs, requests by providers for treatment and/or payment, disclosures requested to be made to authorized parties by the individual PHI holder, disclosures to government agencies for reporting or enforcement purposes, disclosure to worker's compensation providers and those authorized by the worker's compensation providers.
- Information regarding whether an individual is covered by a plan for claims processing purposes may be disclosed.
- Information external to the health plan is not considered PHI if the information is being furnished for claims processing purposes involving worker's compensation and/or medical information received to verify ADA or FMLA status.

4.06 Elective Additional Insurance

Additional insurance coverage is available from AFLAC through payroll deductions for those employees choosing to supplement their medical coverage for themselves or their families. Please see the City's Human Resources Manager who will arrange for an appointment with the AFLAC agent. AFLAC is the **only** additional elective insurance that is available through payroll deduction.

4.07 125 Plan

The City participates in a Section 125 Plan that allows for pre-tax deductions for medical insurance premiums that provide your family with medical coverage. Elective additional insurance can also be provided through pre-tax deduction by participating in this plan. There is no cost to the employee **but annual election of this plan needs to be made**. Annual employee discussions in November/December will provide you with this opportunity. The City's Human Resources Manager can explain the 125 Plan requirements and can activate your participation.

4.08 Vacation Overview

Because the City recognizes the importance of vacation time in providing the opportunity for rest, recreation and personal activities, the City grants annual paid vacation days to full-time regular employees as follows:

PROFESSIONAL POLICE AND FIRE PERSONNEL VACATION POLICY

Accrual of Vacation. During the initial partial calendar year of employment, full-time Professional Police and Fire Personnel with the following hire dates shall be eligible for the following number of vacation days to be used during their **first full calendar year of employment** beginning January 1st:

Hire Date	8-Hour Personnel Vacation Eligibility (in Hours)	12- Hour Personnel Vacation Eligibility (in Hours)	24-Hour Personnel Days of Vacation Eligibility
January 1 - August 15	80	80	5
August 16 – September 15	64	64	4
September 16 – October 15	48	48	3
October 16 - November 15	32	32	2
November 16 – December 15	16	16	1
December 16 – December 31	8	8	0

For an example: John Doe is hired May 10th and is an 8-hour per day, employee. He will accrue vacation in his first **partia**l year of employment to be taken after January 1st of the following year. He would be eligible for 10 vacation days to be taken between January 1st and December 31st of his first full year of employment.

Following the **initial partial and first full calendar years (see 2.11 for further explanation)** of employment, full-time regular employees shall be eligible for the following number of annual vacation days, during each of the following calendar years of employment:

Calendar Year of Employment*	8-Hour Personnel Vacation Eligibility (in Hours)	12-Hour Personnel Vacation Eligibility (in Hours)	24-Hour Personnel Days of Vacation Eligibility
2nd through 3rd	80	80	6
4th through 7th	120	120	9
8th through 14th	160	160	12
15th through 21st	200	200	15
22nd and beyond	240	240	18

* Excludes the initial partial calendar year of employment and the first full calendar year. The City reserves the right, in its sole discretion, to credit new employees with years of employment for the purpose of calculating the number of days of vacation to which they are entitled.

Non-exempt full-time regular employees shall receive pay for their regularly scheduled number of hours per workday for each vacation day that is taken. Vacation pay shall be paid at the non-exempt employee's regular straight time hourly wage rate as of the date the vacation is taken. Exempt salaried employees shall receive their regular salary without loss of pay for vacation days taken. Vacation pay shall not be paid in advance.

Vacation Carryover. Unused vacation days at the end of the calendar year in which they are available for use may not be carried over into the next calendar year, and no payments will be made in lieu of taking vacation.

Termination of Employment. Upon termination of an employee's employment for any reason (voluntary or involuntary), the City will pay out any earned and unused vacation time.

Vacation Scheduling. Every effort should be made to provide your supervisor a minimum of three days' notice for any request for single days of vacation. At least two weeks' notice should be given to your supervisor for vacation requests of one week or longer. All requests for vacation are subject to your supervisor's approval. Some departments may require more notice because of the need to schedule employees to fulfill shift requirements. **Professional Police personnel may take vacation hours in one-hour increments.**

ADMINISTRATION AND PUBLIC WORKS PERSONNEL
VACATION POLICY

Accrual of Vacation. During the initial partial calendar year of employment, full-time regular employees with the following hire dates shall be eligible to earn the following number of vacation days to be used during their first full calendar year of employment:

Hire Date	Days Vacation
January 1 - August 15	10
August 16 – September 15	8
September 16 – October 15	6
October 16 - November 15	4
November 16 – December 15	2
December 16 – December 31	1

Following the initial partial and the first full calendar years of employment, full-time regular employees shall be eligible to earn the following number of annual vacation days during each of the following calendar years of employment:

Calendar Years of Employment*	Days Vacation
2nd through 3rd	10
4th through 7th	15
8th through 14th	20
15th through 21st	25
22nd and beyond	30

* Excludes the initial partial calendar and first full calendar year of employment. The City reserves the right, in its sole discretion, to credit new employees with years of relevant employment for the purpose of calculating the number of days of vacation to which they are entitled.

All vacation, including stipend and carryover days, may be taken in ½ or full day increments.

Non-exempt full-time regular employees shall receive pay for their regularly scheduled number of hours per workday for each vacation day that is taken. Vacation pay shall be paid at the non-exempt employee's regular straight time hourly wage rate as of the date the vacation is taken. Exempt salaried employees shall receive their regular salary without loss of pay for vacation days taken. Vacation pay shall not be paid in advance.

Vacation Carryover. An employee may carry over five days of earned and unused vacation at the end of each calendar year but the accumulation from year to year may not exceed 5 days. Any other remaining earned and unused vacation days at the end of a calendar year will be lost and not paid out. In other words, no payments will be made in lieu of taking vacation, except, as described below, for payment of vacation days at the time of termination.

Termination of Employment. Upon termination of an employee's employment for any reason (voluntary or involuntary), the employee shall be entitled to vacation pay for any vacation time which is earned but unused at the time of termination. Payment for such vacation time shall be made by the City on or by the employee's next regular payday following termination.

Vacation Scheduling. Every effort should be made to provide your supervisor a minimum of three days' notice for any request for single days of vacation. At least two weeks' notice should be given to your supervisor for vacation requests of one week or longer. All requests for vacation are subject to your supervisor's approval. Some departments may require more notice because of the need to schedule employees to fulfill shift requirements.

4.09 Personal Hours Overview

Each **full-time regular employee** shall be eligible for paid time off for personal hours as indicated in the following charts. Personal hours are intended to cover time off from work to allow the employee to resolve personal or family legal, medical, or other **personal** situations or problems that cannot be accomplished during the normal days off.

These hours need to be pre-approved by your supervisor after describing your personal situational need. It is expected that these eligible hours will be taken in full-hour increments. You must receive your supervisor's approval, and approval will depend upon the needs of the City and availability of other personnel to perform the necessary work of your Department. There is no carryover of personal hours from year to year.

Unused Personal Hours are not paid upon termination of employment, or at the end of any calendar year.

4.10 Personal Hours Administrative and Public Works Personnel General Guidelines

Annual Personal Hours Eligibility
(Employees are eligible for 3 equivalent days of personal hours)

7 ½ Hour Day Employees	23 Hours per year
8 Hour Day Employees	24 Hours per year

New employees hired before July 1st of each year **will be** eligible for ½ of the annual numbers depicted above to be used during the remainder of that calendar year. This eligibility occurs after the completion of the first 90 days of employment.

New employees hired July 1st or after of each year **will not** be eligible for any personal hours for the remainder of that calendar year.

The Personal Hours benefit becomes available for each eligible employee effective January 1st of each New Year, subject to completion of the first 90 days of employment.

4.11 Personal Hours
Professional Police and Fire Personnel
First Year & Every Year Thereafter Hours Eligible

Personal Hours eligibility
<u>During First Year of Employment after 90 days</u>

Month Of Employment	Police & Fire (8 & 12 Hour Personnel) Hours Eligibility	Fire (24 Hour Personnel) Hours Eligibility
Jan – Apr	24	24
May – Jun	16	18
Jul – Aug	8	12
After Sep 1	None	None

After the first year of employment the Professional Police Officer is eligible for forty (40) personal hours beginning January 1st of each calendar year. After the first year of employment the 24 hour personnel are eligible for 24 hours of personal hours beginning January 1st of each calendar year.

4.12 Fixed & Floating Holidays

A fixed holiday schedule will be approved by the City Council each year and communicated to the employees during December. These fixed holidays will be observed and paid for all full-time and probationary employees as further defined below:

2015 Holiday Schedule for Civilian Employees

New Year's Day Celebrated	**Thursday**	**January 1, 2015**
Martin Luther King Jr. Day	**Monday**	**January 19, 2015**
Presidents' Day	**Monday**	**February 16, 2015**
Memorial Day	**Monday**	**May 25, 2015**
Independence Day Observed	**Friday**	**July 3, 2015**
Labor Day	**Monday**	**September 7, 2015**
Thanksgiving Day	**Thursday**	**November 26, 2015**
Day after Thanksgiving	**Friday**	**November 27, 2015**
Christmas Eve Holiday	**Thursday**	**December 24, 2015**
Christmas Holiday	**Friday**	**December 25, 2015**
New Year's Eve	**Thursday**	**December 31, 2015**
Two Floating Holidays		

*Civilian Employees hired on or before June 30, will be eligible for one-half (1/2) the Floating Holidays in the year they are hired. An employee hired July 1, or later will not be eligible for any Floating Holidays in the year hired.

To be eligible to receive holiday pay, an employee must work the last scheduled workday before and the next scheduled work day after the holiday unless the Department Head has approved an absence as is provided in the benefits programs provided by the City, or as otherwise provided by

law. In the case of family illness a doctor's excuse will be required since these events would be unscheduled.

1. **Fixed and Floating Holidays during Training Probation**
   Employees are eligible for **all fixed holidays** (excluding Professional Police and 24-hour Fire Personnel) during their training probation. Employees are eligible for **floating holidays** after the completion of their training probation. Professional Police (8-hour and 12-hour) and 24-hour Fire Personnel are eligible to take floating holidays during their training probation period after 90 days of employment.

2. **Fixed and Floating Holidays during Disciplinary Probation**
   Employees are eligible for **all fixed and floating holidays, including vacation and sick time**, during their disciplinary probationary period.

3. Any employee terminated during either of these probationary periods is not required to "pay back" those fixed or floating holidays they have already used.

4. **Professional <u>Police Officer</u> Fixed and Floating Holidays.**
   Because of different shift requirements, professional police personnel (road patrol officers) will be eligible for eight (8) hours (not 12 hours) each fixed and floating holiday approved by the City Council (for example, if the City Council approved 13 total holidays, then professional police personal will receive 104 hours). These hours may be used at the employee's choosing and may be used in one-hour increments. Office personnel (professional and civilian employees) working Monday through Friday, including the detective division, will observe the fixed holiday schedule as approved by City Council. During the first partial year of employment, Professional Police officers are eligible for the remaining fixed holidays occurring after their employment date to be taken as floating holidays. These hours may be used after 90 days of employment, at the employee's choosing and may be used in one-hour increments.

   Probationary Professional Police officers attending the Indiana Law Enforcement Academy Basic course or those temporarily assigned to an office assignment will observe the fixed holiday schedule approved by the City Council. If the Indiana Law Enforcement Academy basic course is in session during a fixed holiday, the probationary officer will bank fixed holiday hours. Any banked fixed holiday hours will be taken as floating holidays. These hours may be used at the employee's choosing and may be used in one-hour increments.

   Professional Police officers assigned to a temporary or light-duty office assignment will observe the fixed holiday schedule approved by the City Council. At the conclusion of this temporary or light-duty assignment, non-office Professional Police officers will revert back to the floating holiday policy. Under no circumstances will an employee be permitted to take more holiday hours than approved by the City Council.

5. **Professional <u>Fire Personnel</u> Fixed and Floating Holidays.**
   Because of different shift requirements, the professional fire and EMS personnel will be eligible for four (4) floating holidays approved by the City Council except those days will be at the employee's choosing and must be taken in full day increments. During the first partial year of employment, these days will be pro-rated as follows:

Professional Fire Personnel Floating Holiday
During First Year of Employment after 90 days

Month	(24 Hour Personnel)
Jan. – Mar.	3
Apr. – Jun.	2
July – Sept.	1
After Oct. 1	0

6. If a regular or probationary full-time employee (non-public safety) works on a fixed holiday that is approved by the City Council, the employee will receive pay at 1.5 times his or her regular rate of pay for the time worked in addition to the straight time pay for the holiday. There is no special holiday pay for professional fire and police personnel.

7. Floating Holidays are not paid upon termination from employment.

4.13 Floating Holidays

If floating holidays have been granted by the Westfield City Council the following rules apply.

- The floating holiday needs to be planned in advance with your supervisor's approval as any normal "vacation" might be planned.
- Floating holidays are not eligible to be carried forward to the next year, and no pay will be provided for unused floating holiday at the end of a calendar year or upon termination of employment, for any reason.
- Floating holidays must be taken in no less than ½ day increments. This does not apply to Professional Police Personnel.
- Disciplinary probationary employees are eligible to schedule floating holidays.
- Training probationary employees are eligible to schedule floating holidays after the Training Probationary Period. Professional Police and Fire employees are eligible during their Training Probationary Period after 90 days of employment.
- New civilian employees hired before July 1st of each year will be eligible for ½ of the annual number of floating holidays to be used during the remainder of that calendar year. This eligibility occurs after the completion of the first 90 days of employment.
- New civilian employees hired July 1st or after of each year will not be eligible for any floating holidays during the remainder of that calendar year.

4.14 Perfect Attendance Day

Employees are awarded one (1) paid day off from work during the twelve month period following a perfect attendance calendar year. Perfect Attendance is defined as having taken no Sick Leave, Bereavement Leave, Family Illness Leave or Industrial Injury Leave during the calendar year. If an employee takes Compensation Time or Flex Time in place of Sick Leave, such employee remains eligible for perfect Attendance. This is not a paid benefit at the time of termination of employment, nor can it be carried over from year to year.

4.15 Employee Assistance Program

City of Westfield has a confidential voluntary Employee Assistance Program (EAP) available to employees and anyone living within their household. It is the responsibility of the employee to seek assistance from EAP when needed. Six (6) sessions per issue will be provided free of charge. Please contact Human Resources for any further information regarding this program.

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5.01 Compensation Programs

It is the desire of the City of Westfield that its salary and benefit programs will attract and retain people well qualified to achieve high standards of performance in their work. We encourage new employees to build their careers with the City. In keeping with this desire, compensation and benefit programs are reviewed annually and work performance is reviewed to encourage continued growth in your personal contributions toward the goal of providing service to the citizens of our community.

Every job with the City is reviewed and given a salary range for a starting salary. Salary ranges are reviewed annually with other similar positions within other communities throughout the State of Indiana and changes are made when appropriate. This is accomplished annually with the City Council approving a salary ordinance. Salary increases are approved by the City Council and generally are administered annually in January of each year.

In addition to the compensation and benefits programs, the City of Westfield pays longevity pay pursuant to the current year's salary ordinance. Longevity is paid on a per pay basis beginning January of each year and is calculated based on the Employment Anniversary Date, Policy 2.080. Based upon years of service, years 1-10 is $200 per year and years 11-25 is $250 per year. The longevity benefit is not applicable to the Mayor, Deputy Mayor and the Clerk-Treasurer. For example, an employee hired on February 1, 2010, first becomes eligible for longevity pay on January 1, 2012. Similarly, an employee hired December 15, 2010, also first becomes eligible for longevity pay on January 1, 2012.

5.02 Pay Periods & Notice of Deposit Delivery

Pay periods will be for a period of two weeks. The Clerk-Treasurer's office issues an annual schedule of pay dates.

Any error in your pay should be reported immediately to the Clerk-Treasurer so it can be corrected. Any request for payroll adjustment must be submitted in writing to the Clerk-Treasurer. Should an employee wish to designate a family member or other person to have access to their payroll information, such designation must be in writing to the Clerk-Treasurer.

5.03 Attendance Cards / Forms / Time Keeping System

You are responsible for reporting your own time and it should be submitted to your supervisor at the end of the two-week period. The supervisor will approve and forward to the Clerk-Treasurer's office for processing.

Employees are covered by the Fair Labor Standards Act, and are responsible for completing hours worked each pay period into the payroll system of the City's choosing. Your pay is computed from this information.

To ensure maximum accuracy this should be completed daily. Your approval in the system and the approval of your supervisor certify the accuracy of all time information.

5.04 Fair Labor Standards Act

The Fair Labor Standards Act is a federal law that, in part, establishes overtime pay requirements for certain categories of work. Individuals who are not exempted from these requirements are referred to as “non-exempt” employees. Employees who are exempted from (not covered by) these requirements are classified as “exempt” employees. Your status is explained at the time of your employment.

5.05 Overtime Pay / Compensatory Time

It shall be the policy of the City Council to comply with all state and federal laws and regulations regarding compensation of overtime for all employees covered by the provisions of the Fair Labor Standards Act effective April 1986 and as amended.

For some employees, time worked in excess of the regular shift may be compensated with compensatory time off. Compensatory time off rather than paid overtime may be granted on a case-by-case basis at the discretion of an employee’s immediate supervisor. It is recognized that the individual Department Heads must work within the specific workplace needs of their departments, and must have the ultimate decision making responsibility in offering the compensatory time option.

General Guidelines

1. Overtime and compensatory time off shall be earned at the rate of 1.5 hours for each hour worked in excess of the established work period described below.

2. Time worked required for continuation of any given assignment beyond the normal workday shall be accumulated to the nearest one-half hour of service performed.

3. All overtime and compensatory time must be pre-authorized by the applicable Department Head. Employees who work unauthorized time without approval may be subject to disciplinary action.

4. Holidays (fixed and floating), Personal Days, Vacation, industrial injury accidents, and absence for jury and witness duty are considered time worked in fulfilling the requirements for overtime or compensation time eligibility. Sick leave is not included for calculating overtime or compensation time except for 24 hour fire personnel.

Public Works Department Personnel

For those personnel regularly scheduled for 40 hours per week

Hourly employees regularly scheduled to work 40 hours per week will receive pay at the rate of time and one-half for hours worked in excess of 40 hours per week. For pay purposes the workweek begins on Sunday and ends on Saturday.

Overtime pay calculation is based upon your average hourly rate times 1.5.

Administrative Office Personnel

For those personnel regularly scheduled for 37.5 hours per week

Hourly employees regularly scheduled to work 37.5 hours per week will receive pay at the rate of time and one-half for hours worked in excess of 40 hours per week. For pay purposes the workweek begins on Sunday and ends on Saturday. This would mean that the first 2.5 hours worked beyond the standard 37.5 hour work week would be at straight time for these employees.

Overtime pay calculation is based upon your average hourly rate times 1.5

Public Safety Personnel (Police and Fire)

For public safety personnel (fire and police), please discuss the rules associated with overtime with your department head.

For 24-hour fire personnel, overtime is paid during the 28-day pay period when work exceeds 212 hours.

For professional police, overtime is paid during the 14-day pay period when work exceeds 85½ hours.

5.06 Non-Exempt Employees: Compensatory Time Off

(A) Definitions

(1) Civilian Employee shall refer to all City of Westfield employees not employed as Professional Police Employees or Professional Fire Employees.

(2) Professional Police Employee shall refer to professional police personnel.

(3) Professional Fire Employee shall refer to professional fire personnel.

(B) **Non-Exempt Civilian Employees: Standard Workweek and Overtime**

(1) The standard workweek for full-time Non-Exempt Civilian Employees is either 37½ or 40 hours.

(2) Any hours worked in excess of the Non-Exempt Civilian Employee's regularly scheduled hours per workweek must have the prior approval of the employee's department head or the department head's designee. Any hours worked by a Non-Exempt Civilian Employee in excess of his or her regularly scheduled hours for the workweek must fall within the department's budgetary limitations, except in the case of an emergency.

(3) Non-Exempt Civilian Employees are required to report all hours worked on a personal time sheet that is signed by the employee's department head or the department head's designee. Failure to accurately report hours worked shall result in employee discipline.

(4) Non-Exempt Civilian Employees shall be entitled to compensation at their regular hourly rate for each hour (of portion of an hour) worked in excess of 37½, but less than or equal to 40 hours in any workweek.

(5) If Non-Exempt Civilian Employees are required to perform work for more than 40 hours in a workweek, those employees shall be entitled to overtime compensation at the rate of 1½ times their regular hourly rate or to compensatory time off as outlined in subsection (C) for any hour (or portion of an hour) worked in excess of 40.

(C) **<u>Non-Exempt Civilian Employees: Compensatory Time Off</u>**

(1) As used within this subsection (C), "department head" shall refer to the department head for the applicable Non-Exempt Civilian Employee or the department head's designee.

(2) When a Non-Exempt Civilian Employee works more than 40 hours in a workweek, the department head, at his or her discretion, may substitute compensatory time off for overtime pay. In order to substitute compensatory time off for overtime pay, however, the department head must have an understanding with the Non-Exempt Civilian Employee that the substitution of compensatory time off may be made for overtime compensation. This understanding shall exist prior to the Non-Exempt Civilian Employee's performance of the overtime work.

(3) Where compensatory time off is substituted for overtime pay, the Non-Exempt Civilian Employee shall be entitled to compensatory time off at the rate of 1½ hours of compensatory time off for each hour worked in excess of 40 in a workweek.

(4) Where a Non-Exempt Civilian Employee earns compensatory time off, the employee shall be allowed to accrue a compensatory time off balance up to 40 hours. Once a Non-Exempt Civilian Employee has accrued a balance of 40 hours of compensatory time off, the employee shall not accrue any additional compensatory time off until the Non-Exempt Civilian Employee's compensatory time off balance is reduced below 40 hours.

(5) Where a Non-Exempt Civilian Employee has accrued a balance of 40 hours of compensatory time off, the employee will be paid overtime for any hours worked in excess of 40 in a workweek until such accrued balance is reduced below 40 hours.

(6) Non-Exempt Civilian Employees must submit requests to use earned compensatory time off to their department head. Department heads shall allow Non-Exempt Civilian Employees to use accrued compensatory time off within a reasonable period of time after the employee has made such a request, subject to the department head's discretion as to the needs of the department and in a manner that will not unduly disrupt the operations of the department.

(7) Under no circumstances may a Non-Exempt Civilian Employee take compensatory time off until the employee has earned compensatory time off.

(8) Employees cannot demand the payout of accrued but unused comp time during employment. In the City's discretion, the City may elect to pay out accrued but unused compensatory time off at any point during the calendar year. In all cases, employee accrued but unused compensatory time off balances shall be paid out in full upon separation from employment. Accrued compensation time off hours will be carried forward from calendar year to calendar year.

(D) **Non-Exempt Professional Police Employees: Standard Work Period and Overtime**

(1) The standard work period for full-time Non-Exempt Professional Police Employees is 14 days.

(2) Any hours worked in excess of 85½ hours per work period must have the prior approval of the Police Chief, or the Police Chief's designee. Any hours worked by a Non-Exempt Professional Police Employee in excess of 85½ must fall within the department's budgetary limitations, except in the case of an emergency.

(3) Non-Exempt Professional Police Employees are required to report all hours worked on a personal time sheet that is signed by the Police Chief or the Police Chief's designee. Failure to accurately report employee hours worked shall result in employee discipline.

(4) If Non-Exempt Professional Police Employees are required to perform work for more than 85½ hours in a work period, those employees shall be entitled to overtime compensation at the rate of 1½ times their regular hourly rate or to compensatory time off as outlined in subsection (E) for any hour (or portion of an hour) worked in excess of 85½.

(E) **Non-Exempt Professional Police Employees: Compensatory Time Off**

(1) As used within this subsection (E), "Police Chief" shall refer to the Police Chief for the City or the Police Chief's designee.

(2) When a Non-Exempt Professional Police Employee works more than 85½ hours in a given work period, the Police Chief, at his or her discretion, may substitute compensatory time off for overtime pay. In order to substitute compensatory time off for overtime pay, however, the Police Chief must have an understanding with the Non-Exempt Professional Police Employees, or their representative, that the substitution of compensatory time off may be made for overtime compensation. This understanding shall exist prior to the Non-Exempt Professional Police Employee's performance of the overtime work.

(3) Where compensatory time off is substituted for overtime pay, the Non-Exempt Professional Police Employee shall be entitled to compensatory time

off at the rate of 1½ hours of compensatory time off for each hour worked in excess of 85½ in a work period.

(4) When a Non-Exempt Professional Police Employee earns compensatory time off, the employee shall be allowed to accrue a compensatory time off balance up to 40 hours. Once a Non-Exempt Professional Police Employee has accrued a balance of 40 hours of compensatory time off, the employee shall not accrue any additional compensatory time off until the Non-Exempt Professional Police Employee's compensatory time off balance is reduced below 40 hours.

(5) When a Non-Exempt Professional Police Employee has accrued a balance of 40 hours of compensatory time off, the employee will be paid overtime for any hours worked in excess of 85½ in a work period until such accrued balance is reduced below 40 hours.

(6) Non-Exempt Professional Police Employees must submit requests to use earned compensatory time off to the Police Chief or his/her designee. The Police Chief or designee shall allow Non-Exempt Professional Police Employees to use accrued compensatory time off within a reasonable period of time after the employee has made such a request, subject to the Police Chief's discretion as to the needs of the department and in a manner that will not unduly disrupt the operations of the department.

(7) Under no circumstances may a Non-Exempt Professional Police Employee take compensatory time off until the employee has earned compensatory time off.

(8) Employees cannot demand the payout of accrued but unused comp time during employment. In the City's discretion, the City may elect to pay out accrued but unused compensatory time off at any point during the calendar year. In all cases, employee accrued but unused compensatory time off balances shall be paid out in full upon separation from employment. Accrued compensation time off hours will be carried forward from calendar year to calendar year.

(F) **Non-Exempt Professional Fire Employees: Standard Work Period and Overtime**

(1) The standard work period for full-time Non-Exempt Professional Fire Employees is 28 days.

- Any hours worked in excess of 212 hours per work period must have the prior approval of the Fire Chief, or the Fire Chief's designee. Any hours worked by a Non-Exempt Professional Fire Employee in excess of 212 must fall within the department's budgetary limitations, except in the case of an emergency.

- Non-Exempt Professional Fire Employees are required to report all hours worked on a personal time sheet that is signed by the Fire Chief or the Fire Chief's designee. Failure to accurately report employee hours worked shall result in employee discipline.

- If Non-Exempt Professional Fire Employees are required to perform work for more than 212 hours in a work period, those employees shall be entitled to overtime compensation at the rate of 1½ times their regular hourly rate or to compensatory time off as outlined in subsection (G) for any hour (or portion of an hour) worked in excess of 212.

(G) **Non-Exempt Professional Fire Employees: Compensatory Time Off**

(1) As used within this subsection (G), "Fire Chief" shall refer to the Fire Chief for the City or the Fire Chief's designee.

(2) When a Non-Exempt Professional Fire Employee works more than 212 hours in a given work period, the Fire Chief, at his or her discretion, may substitute compensatory time off for overtime pay. In order to substitute compensatory time off for overtime pay, however, the Fire Chief must have an understanding with the Non-Exempt Professional Fire Employees, or their representative, that the substitution of compensatory time off may be made for overtime compensation. This understanding shall exist prior to the Non-Exempt Professional Fire Employee's performance of the overtime work.

(3) When compensatory time off is substituted for overtime pay, the Non-Exempt Professional Fire Employee shall be entitled to earn compensatory time off at the rate of 1½ hours of compensatory time off for each hour worked in excess of 212 in a work period.

(4) When a Non-Exempt Professional Fire Employee earns compensatory time off, the employee shall be allowed to accrue a compensatory time off balance up to 40 hours. Once a Non-Exempt Professional Fire Employee has accrued a balance of 40 hours of compensatory time off, the employee shall not accrue any additional compensatory time off until the Non-Exempt Professional Fire Employee's compensatory time off balance is reduced below 40 hours.

(5) When a Non-Exempt Professional Fire Employee has accrued a balance of 40 hours of compensatory time off, the employee must be paid overtime for any hours worked in excess of 212 in a work period.

(6) Non-Exempt Professional Fire Employees must submit requests to use earned compensatory time off to the Fire Chief. The Fire Chief shall allow Non-Exempt Fire Department Employees to use accrued compensatory time off within a reasonable period of time after the employee has made such a request, subject to the Fire Chief's discretion as to the needs of the department and in a manner that will not unduly disrupt the operations of the department.

(7) Under no circumstances may a Non-Exempt Professional Fire Employee take compensatory time off until the employee has earned compensatory time off.

(8) Employees cannot demand the payout of accrued but unused comp time during employment. In the City's discretion, the City may elect to pay out accrued but unused compensatory time off at any point during the calendar

year. In all cases, employee accrued but unused compensatory time off balances shall be paid out in full upon separation from employment. Accrued compensation time off hours will be carried forward from calendar year to calendar year.

5.07 Exempt Employees: Flex Time Off

(A) **Exempt Employees: Standard Workweek**

(1) Exempt Employees are required to work the numbers of hours necessary to complete their assigned tasks in any given workweek.

(2) Exempt Employees are not entitled to overtime pay.

(3) Exempt Employees, however, shall be entitled to earn "Flex Time Off" as set forth in subsection (B).

(B) Exempt Employees: Flex Time Off

(1) As used within this subsection (B), "department head" shall refer to the applicable department head for the department in which the Exempt Employee is employed. In the case of the Chief Administrative Officer and/or Deputy Mayor, "department head" shall mean the President of the City Council and/or Mayor.

(2) When an Exempt Employee works more than 40 hours in a given workweek, the department head, at his or her discretion, may grant the Exempt Employee flex time off.

(3) When flex time off is granted, the Exempt Employee shall earn flex time off at the rate of 1 hour of flex time off for each hour worked in excess of 40 in a workweek. An Exempt Employee must account for 8 hours per day and working more or less should be accounted for by earning or taking flex time or other benefit days.

(4) When an Exempt Employee earns flex time off, the employee shall be allowed to accrue a flex time off balance up to 24 hours. Once an Exempt Employee has accrued a balance of 24 hours of flex time off, the employee shall not accrue any additional flex time off until the Exempt Employee's flex time off balance is reduced below 24 hours.

(5) Exempt Employees must submit requests to use accrued flex time off to their department heads. The department heads shall allow Exempt Employees to use accrued flex time off within a reasonable period of time after the employee has made such a request, subject to the department head's discretion as to the needs of the department and in a manner that will not unduly disrupt the operations of the department.

(6) Under no circumstances shall an Exempt Employee be permitted to take flex time off until the employee has earned flex time off. .

(7) Accrued flex time off hours will be carried forward from calendar year to calendar year.

(8) No payments shall be made for accrued flex time off, and no payment shall be made in lieu of taking accrued flex time off. Under no circumstances will accrued but unused flex time off be paid out upon separation from employment.

5.08 Emergency Call-In Pay

Regular employees who are paid on an hourly basis (non-exempt) may qualify for emergency call-in pay under certain circumstances. If you are notified away from work that "emergency" call-in work is necessary, you will receive overtime pay for whatever amount of work time is involved with a minimum of three hours at the overtime rate, even though the job may be completed in less time. For such an emergency call-in, time spent in travel to and/or from work will be considered time worked.

For the Police and Fire Department, off-duty manpower called in for emergencies will also be paid overtime for whatever amount of work-time is involved, with a minimum of 3 hours paid at the overtime rate, even though such work may be completed in less time.

Non-exempt professional police employees required to attend a work-related court hearing outside of their scheduled weekly work hours will be paid overtime for whatever amount of work time is involved, with a minimum of three hours paid at the overtime rate, even though such work may be completed in less time.

For the Public Works Department, this policy is superseded by the On-Call Policy implemented within the department.

5.09 Worker's Compensation Insurance

If an employee is injured on the job as a result of an accident or if an employee develops an occupational disease, the City provides, through worker's compensation insurance, payment of weekly income in accordance with worker's compensation and occupational disease laws.

The employee has the responsibility of reporting any accident or injury, which occurs while working, to their immediate supervisor. Failure to report an injury while on duty, that day, or at the end of that shift may result in a denial of benefits and/or disciplinary action.

Management will work with the City's Human Resources Manager to complete the required documents to comply with the law and meet submission deadlines.

It is critical that worker's compensation reports be completed on time.

5.10 Payroll Deductions

Several deductions are made from your pay including federal income tax, state income tax, social security tax, Medicare tax, and county income tax. An employee, by written request to the Human Resources Manager, may have a portion of their wages or salary withheld for additional approved purposes, such as:

Purchase of group health, dental and vision for family members
Purchase of supplemental insurance coverage
One America deferred tax investment program
Fire Personnel PERF retirement plan
Union Dues

Social Security Tax - Medicare Tax

You pay for one-half of your social security and Medicare tax commonly known as FICA. The City of Westfield pays the other half for you. The social security tax and Medicare tax you pay is withheld from your paycheck. This tax is a percentage of salary (up to a certain annual maximum earnings figure; and the percentage applied to your salary is also subject to change). There are four kinds of government benefits covered by this tax; disability benefits, retirement benefits, Medicare, and survivor benefits.

5.11 Garnishments

We expect that each employee will be responsible for his or her own financial obligations; however, there are times the City will be required by law to withhold funds from your paycheck because of a court order. By law we reserve the right to charge the maximum administrative fee to the employee for each transaction.

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6.00 UNEMPLOYMENT COMPENSATION

6.01 Eligibility and Description

Eligible City employees are covered by the unemployment compensation program administered by the Indiana Department of Workforce Development (IDWD). Generally this compensation is available to those who are terminated from City employment through no fault of their own (layoffs or manpower cut- backs) and are actively seeking employment elsewhere. Eligibility is determined by the IDWD on a case-by-case basis. An application must be made by the worker before benefits can be considered by the IDWD.

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7.01 Medical Leave (Sick Leave)

Sick leave (provided after completion of 90 days of employment) is defined as absence from work with pay by any full-time regular employee as a result of any physical injury or illness, psychological condition or disability that incapacitates the **employee** to a degree that performance of the employee's job assignment is impaired. Sick leave may also be used for absences related to professional medical diagnosis and treatment but does not include routine appointments. However, sick leave shall not be considered a benefit of employment with the City and upon separation from employment for any reason, voluntary or involuntary; the City shall not pay such employee for any unused and/or accumulated sick leave. Pay for sick time will be based upon your normally scheduled workday (7 ½, 8, 12, or 24 hours) and can be taken in half-hour increments.

Employees (other than firefighters) will be permitted to substitute available paid time (e.g. vacation, compensatory time, personal time, or floating holidays) for sick days.

Employees on Full-Time Probationary Training Employment Status

Paid absence because of injury or illness (not related to work) during the first 90 days of all probationary training employment periods is not covered and time off from work would be **without** pay.

Sick Pay During Probation

Department	Probation Months	Eligibility for Sick Hours During First 90 Days of Employment	After 90 Days of Employment
Fire Admin. Police Admin. Police Utility/Admin.	6 6 12 6	0 0 0 0	8 Hours for each remaining full month left in the year
24-Hour Fire	12	0	8 Hours for each remaining full month left in the year

Regular Full-Time Employees

If a regular full-time employee is absent because of illness or injury, he or she will, with Department Head approval, receive full pay as follows.

Beginning each January 1, all regular full-time employees will be eligible to receive ninety-six (96) paid Sick Hours (or pro-rated hours based on hours worked if any employee works 30 to 37 hours) to be used during the calendar year.

Carry Over Sick Hours

Unused Sick Hours for 7-1/2, 8 and 12-hour shift personnel as of December 31 of each year may be accumulated to a maximum of 320 hours and carried forward to be used in the next calendar

year. 8 and 7-½-hour shift personnel accumulate no more than 320 Sick Hours in one year including the New Year's sick pay eligibility.

Unused Sick Hours for 24-hour shift fire personnel as of December 31 of each year may be accumulated to a maximum of 480 hours and carried forward to be used in the next calendar year. 24-hour shift fire personnel accumulate no more than 480 Sick Hours in one year including the New Year's sick pay eligibility.

Other Sick Leave Administrative Issues

Unless another time period is permitted by law, if illness or injury prevents an employee from reporting for work, he/she must contact his/her immediate supervisor of their absence prior to time he/she is to begin the workday.

When on sick leave, employees must be at home, at a medical facility, or be able to explain their whereabouts when requested. Failure to provide formal documentation as to one of the three requirements will result in severe disciplinary action that may include termination. No employee on sick leave will be permitted to perform any off-duty employment.

A minor illness or injury to an employee may cause a temporary sick leave of up to three (3) days to be granted by the supervisor. No certified medical form is required, but the City of Westfield reserves the right to obtain such a document at any time. Employees off due to illness four (4) days or longer will require medical documentation. 24 Hour Firefighter employees off due to illness for two (2) consecutive assigned workdays will require medical documentation. In addition, the City of Westfield may request further medical review of the employee by a City-designated physician *at the City's expense*. All illnesses or injuries requiring medical documentation will require a fitness evaluation and medical documentation release for duty prior to coming back to work. In order to be paid for sick leave, an employee must be sick as defined above (any physical injury or illness, psychological condition or disability that incapacitates the employee to a degree that performance of the employee's job assignment is impaired). Therefore, in some circumstances a physician's opinion may be required in order to draw a sick leave benefit.

Absenteeism and Abuse of sick leave

The following shall be grounds for discipline up to and including termination:

a. Use of sick leave for reasons other than illness or injury, except as expressly permitted in this manual.

b. Pattern of sick leave abuse. This includes recurring use of sick hours on Fridays or Monday, before or after holidays, or before or after scheduled time off such as vacations, birthdays, personal days, or compensatory days off. This also includes repeated use of sick leave hours at times which the employee reasonably should know to be important to the department because of workload, deadlines, or other causes rendering absences particularly troublesome to the department. Any combination of the above may constitute a pattern of abuse of sick leave and will be dealt with severely through normal disciplinary measures provided for in this manual.

Sick Hour Bank

In an effort to create an opportunity for a benefit to those employees who may have a major medical issue, the City of Westfield has created a Sick Hour Bank. The Sick Hour Bank shall be administered as follows:

Eligibility:

To be eligible to enroll in the Sick Hour Bank the employee first must have available the maximum allowable number of hours that may be accumulated pursuant to Section 7.010 "Carry over Sick Hours" of this policy and procedure manual.

Enrollment:

1. Employees may elect to participate in the Sick Hour Bank by completing an Enrollment Form and contributing the required number of accumulated Sick Hours to the Sick Hour Bank during the City's Sick Hour Bank open enrollment period.

2. The open Enrollment Period shall begin on December 1st and close on December 31st.

3. To enroll in the Sick Hour Bank the employee must donate ninety-six (96) of his or her accumulated Sick Hours to the bank.

4. Any employee who fails to complete the Enrollment Form by December 31st and/or contribute the required number of accumulated sick hours during the open enrollment period shall be ineligible to submit claims against the Sick Hour Bank during the following calendar year.

Continued Participation in the Sick Bank:

1. To remain actively enrolled in the Sick Hour Bank, the employee must donate forty-eight (48) Sick Hours during the enrollment period each subsequent year to remain qualified to submit claims against the Sick Hour Bank the following calendar year.

2. Any employee who fails contribute the required number of accumulated Sick Hours during the Open Enrollment period shall be ineligible to submit claims against the Sick Hour Bank during the following calendar year.

Administration:

1. An employee must be a member of the Sick Hour Bank for at least sixty (60) days prior to applying for benefits from the Sick Hour Bank.

2. The maximum benefit that any individual employee may claim against the Sick Hour Bank in a given calendar year is *the lesser of* one thousand four hundred and forty (1,440) hours or the balance of Sick Hours contributed by all City employees that remain in the Sick Hour Bank.

3. Any employee petitioning to utilize the Sick Hour Bank must have utilized all of his or her paid time off benefits (Sick Hours, Personal Hours, Vacation Days, etc.) before being able to utilize the Sick Hour Bank.

4. Any employee who desires to make a claim against the Sick Hour Bank must submit his or her request on the City's Sick Hour Bank Request Form accompanied by appropriate documentation from the employee's medical provider explaining the employee's need for and the expected length of the employee's leave.

5. Claims against the Sick Hour Bank may only be made for the employee's own major medical issue. The Sick Hour Bank does not cover extended leave to care for a family member with a major medical issue.

6. An employee may not make a claim against the Sick Hour Bank during any time period during which he or she is receiving Worker's Compensation wage replacement benefits.

7. All claims against the Sick Hour Bank must be approved by the Chief Administrative Officer and/or City Council.

8. Any employee who makes an approved claim against the Sick Hour Bank in a given calendar year will be relieved of the forty-eight (48) sick hour donation requirement for that year.

9. Any Sick Hours donated to the Sick Bank are non-redeemable except for a qualified claim. Hours contributed to the Sick Hour Bank will not be paid out upon termination.

7.02 National Guard and Reserve Duty Leave

The City of Westfield recognizes the importance of military service to our country and our state. The City will fully comply with all provisions set forth in federal and state law governing military leave. Pursuant to these laws, regular full-time and part-time employees are eligible for unpaid military leave. Such leave and the re-employment rights of an employee upon return from such leave shall be determined in accordance with applicable federal and state law and regulations.

Your supervisor may request a copy of any orders to substantiate a requested leave. Such leave shall not be charged against the employee's sick or vacation allowance. (IC 10-2-4-3)

In addition to the unpaid leave provided above, any employee of the City who serves in any reserve or active branch of the military or National Guard shall be granted 120 hours of paid military leave in any calendar year. For these 120 hours, the City will compensate the employee for the difference between his or her salary and/or hourly wages paid by the City and the salary paid by the military, if any. This means that if military pay is less than civilian pay, the City will make up the difference for 120 hours of the employee's military leave. If your military pay is in excess of your civilian pay, no payment from the City will be made. <u>In no case will any employee receive full pay from both the military and the City for the same work period.</u>

Pay beyond 120 hours of active duty each calendar year will not be compensated by the City. Unused leave will not carry over into the following year. Nothing contained in this Section 7.020 shall be implemented in violation of the Fair Labor Standards Act or other applicable law. Where a conflict exists, applicable law shall apply instead of this policy.

7.03 Family Military Leave

In compliance with the Indiana Military Family Leave Act (Indiana Code 22-2-13), the City will allow employees 10 days of unpaid leave when a family member is called to active duty in the

United States Armed Forces, the Indiana Army National Guard, or the Indiana Air National Guard. The family member must be scheduled for at least 89 days of active military duty in order for the employee to qualify for family military leave. With the City's prior approval, an employee may use his/her earned, unused paid time off, including vacation or personal time, floating holidays, comp time, and flex time, for all or a portion of his/her family military leave. If you believe that you may qualify for family military leave or have questions about taking a family military leave, please contact the Human Resources Manager.

7.04 Bereavement Leave

A paid bereavement leave is authorized per death in the family as specifically described below:

> This benefit applies to the death of an employee's spouse, child, step-child, mother, father, step-father, step-mother, step-brother, step-sister, step-grandchild (only when any step-relationship is within current marriage), mother-in-law, father-in-law, grandparents (employee's and spouse's), grandchildren, brother, sister, half-brother, half-sister.
>
> Those employees assigned to 7.5 or 8-hour shifts may be granted three (3) days of Bereavement Leave. Those assigned to 12-hour shifts may be granted two (2) days of Bereavement Leave. Those assigned to 24-hour shifts may be granted one (1) day of Bereavement Leave (i.e., one 24-hour period). This benefit is for full-time employees only.

In special circumstances, usually because of travel distances, an extension of absence with pay may be granted on a case-by-case basis and approved by the Department Head **and** Chief Administrative Officer.

Any other absence in connection with funerals of other relatives or friends may be excused **without pay** if personal hours are not available. This decision to allow this absence is at the discretion of the Department Heads.

For purposes of this provision a day equals the number of hours the employee would regularly have been scheduled to work on the day taken off.

7.05 Illness in the Family Leave

If serious illness, as defined by the FMLA Act of 1993 (see Section 7.070) occurs in your immediate family (mother, father, wife, husband, child, within current marriage stepchild) and your presence is required, pay **may** be received for a brief absence if approved by your Department Head. A maximum of 3 days for 8 and 7 1/2-hour shift personnel; 2 days for 12-hour shift personnel; and 1 day for 24-hour shift personnel may be granted for each occurrence. No employee shall be able to utilize more than two occurrences within a calendar year. The amount of paid time off depends greatly upon individual circumstances and should be reviewed with and approved by your Department Head upon receipt of a doctor's notification of the situation. This benefit is available for full-time employees only.

7.06 Civic Leave (Jury Duty, Witness Duty)

Any employee who is summoned to serve on a petit or grand jury or to appear as a witness for the Federal, State or City Government shall immediately inform his or her Department Head or immediate supervisor. This employee shall be excused from work for the days on which he/she serves.

An employee's pay during this service period may be reduced by the amount received from the Court. The employee will present proof of service (subpoena) and of the amount of payment received thereof from the clerk of the court or coroner. Payment by the court to the employee for traveling expenses may be retained by the employee.

If an employee is released from jury duty by the court any time prior to noon, he/she shall report to work as soon as possible but at least within (2) hours of being released by the court.

Part-time employees will not receive compensation for their time away from work for civic leave but will be given excused time off.

7.07 Other Leaves

Full-time employees may also receive leaves of absence for other purposes subject to the approval of the Chief Administrative Officer and City Council. These leaves may be paid or unpaid and will be considered on a case-by-case basis.

7.08 Maternity Leave

An employee who is unable to work because of pregnancy, child delivery, or other pregnancy-related causes, shall be treated for purposes of medical leave, vacation leave, leaves of absence, and other benefits, as any other employee with a medical condition. No maternity leave shall be for a period longer than 90 calendar days including the use of earned sick leave and vacation time available.

The City of Westfield will make every reasonable effort to provide employees who are nursing mothers a private place to express breast milk, as well as an appropriate place to store the expressed milk and shall:

1. Provide reasonable paid break time to an employee who needs to express breast milk for her infant child. The break time must, if possible, run concurrently with any break time already provided to the employee.

2. Make reasonable efforts to provide a private space, other than a toilet stall, in close proximity to the work area, for nursing mothers to express milk; and;

3. Make reasonable efforts to provide a refrigerator or other cold storage space for expressed breast milk or allow the employee to provide her own portable cold storage device for keeping milk that has been expressed until the end of the employee's work day.

It is the responsibility of the employee to request from Human Resources or her direct supervision a workplace accommodation.

7.09 Family and Medical Leave Act of 1993

The City of Westfield complies with all applicable federal and state laws, including the Family and Medical Leave Act (FMLA) of 1993, as amended. Under the FMLA, eligible employees are entitled to certain rights and have certain obligations, with respect to unpaid leave for certain family and medical reasons.

An eligible employee under FMLA is an employee who has been employed by the City of Westfield for at least 12 months and who has worked at least 1,250 hours within the last 12 months. All public sector employees who meet the above requirements are deemed an eligible employee.

An eligible employee may take FMLA leave for up to 12 weeks per leave year, calculated on a rolling 12 month period measured backward from the date any leave is used, for any of the following four reasons:

1) To care for a newborn child or a child newly placed in the employee's custody through adoption or foster care, for a period of up to one year after such birth or placement. Also includes "in Loco Parentis", an individual who has day-to-day responsibility to care for and financially support a child who is under eighteen (18) years of age or who is older than eighteen (18) years of age and incapable of self-care because of a physical or mental disability;

2) To care for the employee's spouse (defined in accordance with applicable State law, as amended from time to time), child, or parent who has a serious health condition;

3) Because of the employee's own serious health condition, if that condition renders the employee unable to perform his or her job functions; or

4) Due to any non-medical 'qualifying exigency' arising out of the active duty status (or notice of an impending call or order to activity duty) of your spouse, son, daughter or parent in the Armed Forces in support of a contingency operation ("qualifying exigency military leave").

   If you are the spouse, son, daughter, parent, or next of kin of a "covered service member", then you may be entitled to take up to 26 workweeks of service member family leave in a 12-month period to care for the service member. This 26-workweek leave entitlement shall be reduced by any leave taken during the 12-month period for one of the reasons enumerated above. For example, if you took 8 weeks of leave due to your own serious health condition, you would be entitled to 18 weeks of service member family leave.

   The term "covered service member" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The term also includes veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness that occurred during the five years preceding the date of treatment.

   The term "serious injury or illness" means "an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating."

Spouses employed by the City are jointly entitled to a combined total of 26 workweeks of service member family leave.

A serious health condition is defined as any injury, illness, impairment, or physical or mental condition that requires either in-patient care in a medical facility (i.e. overnight hospitalization) or continuing treatment by a health-care provider. Continuing treatment is defined as:

(a) a period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition with the requisite instances of subsequent treatment;

(b) any period of incapacity due to pregnancy or for prenatal care;

(c) any period of incapacity due to a chronic serious health condition;

(d) any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;

(e) any period of absence to receive multiple treatments for certain conditions (e.g. chemotherapy, dialysis); or

(f) other qualifying absences attributable to incapacity. Common colds, flu, earaches, etc. are not considered serious health conditions.

Routine physical, eye or dental examinations are not considered within the scope of continuing treatment and voluntary cosmetic treatments are not generally considered serious health conditions unless inpatient care is required.

An eligible employee generally must give the Department Head at least 30 days notice of his or her intent to take leave under FMLA. If the employee is unable to give such notice, then the employee must notify the Department Head as quickly as possible. The Department Head will forward the notification immediately to Human Resources for processing and filing. If a notification cannot be obtained from the employee, the Department Head must give notice to Human Resources that an employee is off and Human Resources will determine if the leave applies. When requesting qualifying exigency medical leave or service member family leave, you must provide the City with as much notice as is reasonable and practicable

In cases of leave to be taken to care for a seriously ill family member or due to an employee's own serious health condition, the employee must provide the Department Head with certification signed by the health care provider including the following information:

1) The date on which the serious health condition commenced;

2) The probable duration of the condition;

3) Medical facts supporting the need for leave;

4) If the employee is the patient, information sufficient to establish that the employee cannot perform the essential functions of the job as well as the nature of any other work restrictions, and the likely duration of such inability ;

5) If applicable, a statement that the employee is needed to care for his or her spouse, child, or parent and an estimated duration of such need; and

6) If applicable, a statement regarding the medical necessity of intermittent or reduced hours schedule leave.

A certification form will be provided to the employee by the City. An eligible employee on FMLA leave must submit to the Department Head and to the Chief Administrative Officer's office a medical release indicating that the employee is able to return to work. Without such a release the City of Westfield cannot restore the employee to an active status.

The City of Westfield requires that the employees take any available paid leave (e.g. vacation, sick, personal) for which they are eligible while on FMLA leave. Employees shall only be eligible to use their accumulated sick leave while on FMLA leave if the FMLA leave is taken for the employee's own serious health condition. Otherwise, leave is without pay.

The FMLA provides up to either 12 or 26 weeks of job protected leave. Upon return, the employee will be restored to the position he or she held prior to taking FMLA leave or to an equivalent position with respect to pay, position and responsibility.

During FMLA leave the City of Westfield is required to maintain the group health benefits for the employee while on leave. Any employee cost for such insurance is still the responsibility of the employee while on leave. The employee is expected to make arrangements with the Department Head and with the Clerk-Treasurer's office for payment of the employee's obligation.

7.10 Vacation Leave (Unpaid)

All regular full-time employees may request an additional ten (10) days of vacation each calendar year **without pay** (12-hour personnel may request 7 days and 24 hour employees may request 6 days) after eligible leave is used. Eligible leave is defined as earned vacation both carried over from the prior year plus the current year's vacation plus floating holiday and personal time. It is not a requirement to take this unpaid vacation leave in weekly increments.

The Department Heads of each department **have the sole authority** to grant this additional vacation **without pay** based upon work schedules and requirements in their areas. These days are **not** eligible to be carried forward to the next year if not used and are **not guaranteed** to be granted when requested.

Additional leave time may be granted to the extent required by the Americans with Disabilities Act and/or other applicable law.

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8.00 RETIREMENT

8.01 Summary

All regular full-time employees, including the Clerk-Treasurer and the Mayor, of the City of Westfield are allowed to participate in a retirement program, funded at least in part by contributions from the City. Eligibility begins on the first day of employment with the City. Part-time employees are only allowed to participate in the 457 Retirement Plan described in 8.015 below and the City will not make any contributions to that plan.

8.02 Public Employees Retirement Fund (PERF)

All regular full-time employees (other than certain firefighters and police officers described in Section 8.020.2), the Clerk-Treasurer, and the Mayor of the City of Westfield are required to join the Public Employees Retirement Fund (PERF) maintained by the State of Indiana. This plan is designed as an employer **and** employee contributory plan. The City of Westfield currently contributes the employee **and** employer portion to this retirement plan for all eligible employees. Eligible employees are enrolled as of the first day of their employment with the City. Civilian PERF is based on gross wages and calculated at 14.2% total.

Paramedics are considered civilian employees when it pertains to PERF. The City contributes 14.2% of the paramedic's base pay into the Civilian PERF account and an additional 13% of their base pay into the 457 account. Paramedics do not have to contribute to the 457.

PERF pays benefits to employees upon retirement or in certain cases, their serious illness or injury, or to their survivor upon the employee's death.

In many municipalities, the employee shares in this retirement cost; however, the City of Westfield has included the employee portion of this cost as an additional benefit to the eligible employees employed by the City. Therefore, there is **no payroll deduction** for this state retirement program. Employee contributions (made for the eligible employee by the City) are eligible to be refunded to the employee by PERF upon termination of employment if the employee so chooses and applies to PERF for a refund of these funds.

Full particulars regarding PERF are contained in a PERF Member Handbook available on-line at www.in.gov/inprs/perfmbrforms.htm. Additional questions should be directed to the Clerk Treasurer's office.

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8.03 Deferred Compensation (Supplemental Retirement Option)

457 Retirement Plan

The program is entirely voluntary and public employees (full and part-time) may contribute a portion of their salary **before federal taxes,** if they desire, to a retirement account. The purpose of this tax-deferred program is to help you build your own additional financial security through payroll deductions being contributed to an investment program.

The City's Human Resources Manager can explain the plan requirements. Changes in payroll deductions should be directed to the Clerk Treasurer's office. Contact our representative from One America to make an appointment with you to explain this program in more detail.

8.04 City of Westfield Matching Investment Plan (a 401(a) Plan)

This matching program is intended to supplement retirement investment initiatives by all full-time employees. Part-time employees are not eligible for this matching program. The purpose of this matching program is to strongly encourage personal financial saving to secure employees' future retirement.

The City matches $0.667 in a 401(a) account for each $1.00 invested in the 457 Retirement Plan up to 6% of the employee's annual **base** salary. The City's up to 4% matching portion is invested in a 401(a) account and is subject to the vesting schedule below based on your years of service with the City. The City's Human Resources Manager is available to explain other eligibility requirements. Changes in payroll deductions should be directed to the Clerk Treasurer's office.

401(a) Account Vesting Schedule:

Year 1 Vesting	0%
Year 2 Vesting	0%
Year 3 Vesting	20%
Year 4 Vesting	40%
Year 5 Vesting	60%
Year 6 Vesting	80%
Year 7 Vesting	100%

See **example** below of how this program works. This example uses an employee with an annual **base** salary of $25,000 and a 457 Retirement Plan Contribution of 6%.

Annual Base Salary	457 Retirement Plan 6% of Annual Base Salary	401(a) Retirement Plan City Match ($.667 for each $1.00 invested in your 457 Retirement Plan)
$25,000	$1,500	$1,000

If you invest $1,500 into the 457 Retirement Plan, the City will match that contribution at the rate of $.667 for each $1.00 or $1,000. If you contribute less than 6% into the 457 Retirement Plan, the City will match $.667 for each $1.00 you contribute. For example, if your contribution is $800 then the City will contribute $533 into your account under the 401(a) Retirement Plan.

8.05 City Contribution to 457 Plan for Certain Police Officers

This policy applies to all police officers who did not elect to enroll in the 1977 Police and Firefighters Fund as described below in Section 8.020.2 when they were allowed a choice on January 1, 2008. To supplement retirement for this category of police officers who are not participating in the 1977 Police and Firefighters Fund, the City contributes 13% of the police officer's

base pay into the 457 plan described above and 14.2% of the police officer's **gross** pay into the civilian PERF, subject to maximums imposed by federal law. Therefore, there is no payroll deduction for those officers participating in this retirement program. This contribution is made in July and January of each year. For additional information with respect to this program, contact the Clerk Treasurer's office.

8.06 1977 Police and Firefighters Fund

The 1977 Police and Firefighters Fund ('77 Fund) maintained by the State of Indiana is available to all professional firefighters of the City's Fire Department and to all professional police officers hired on or after January 1, 2008 who are 36 years of age or less on their dates of employment. The '77 Fund was also made available to those professional police officers who enrolled in the Fund effective as of January 1, 2008. Eligible employees are enrolled as of the first day of their employment with the City.

The '77 Fund is designed as an employer **and** employee contributory plan. Each of the eligible participants has a payroll deduction of 6% of a 1st Class Patrolman or Sr. Firefighter's base salary plus 20 years of longevity pay placed into the '77 Fund. The City of Westfield contributes an additional 19.7% of the 1st Class Patrolman or Sr. Firefighter's base salary plus 20 years of longevity pay into the '77 Fund.

The '77 Fund pays benefits to police officers and firefighters upon retirement or in certain cases, their serious illness or injury, or to their survivor upon the police officer's or firefighter's death.

In order to receive retirement benefits, members of the '77 Fund must have completed at least 20 years of creditable service and attained age 52 for an unreduced benefit or age 50 for a reduced early retirement benefit. If a member of the '77 Fund ends employment for any reason other than your death or disability before completing 20 years of creditable service, the member's employee contributions are eligible to be refunded to the member.

Additional information regarding the '77 Fund is available contained in the Police and Firefighters Member Handbook provided on-line at www.in.gov/inprs/policeandfirefighters.htm. Additional questions should be directed to the Clerk Treasurer's office.

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9.00 PERSONAL HEALTH AND WELFARE

9.01 On-The-Job Injury

Non-public safety employees who suffer an on-the-job injury will receive their normal rate of pay for up to five (5) days of their normally scheduled work period provided a physician certifies that the employee is unable to work. Public safety employees who suffer an on-the-job injury, and who are certified by a physician as being unable to work, will receive their normal rate of pay until they begin receiving their disability payments from PERF. However, no employee may receive both their normal rate of pay and workers compensation or PERF disability benefits for the same time period. Therefore, if the employee is paid his/her normal rate of pay and subsequently receives workers comp or PERF benefits for the same time period, he/she must reimburse the City the amount the City paid. If Worker's Compensation pays the employee for these first days off, the employee will reimburse the City. This period shall not be charged against the employee's medical leave account. Employees who are injured or become ill on the job should report the injury or illness immediately to their supervisors.

1. The employee should, at the earliest convenient time, file a report of the incident with the supervisor. The report must include all relevant information about the incident.

2. The supervisor is responsible for ensuring the employee receives proper care as well as for ensuring completion of the incident report.

3. Worker's Compensation Insurance Forms must be completed by the involved employee or, if necessary, by the supervisor within twenty-four (24) hours of the injury. A person assigned by the supervisor will help the employee in the completion of the appropriate medical insurance and/or Worker's Compensation Forms. All of these forms should be routed to the City's Human Resources Manager for processing.

9.02 On-The-Job Safety

The City of Westfield's employees over the years have given the City an enviable safety record. By following safety rules and instructions that have been developed based on working experience, you will help to continue to make our City a safe place to work. Your supervisor will give you any specific safety instructions based upon your specific work assignments. A serious violation of the safety rules or instructions given to you by your supervisor may result in disciplinary action, including dismissal.

The responsibility for this important part of your working life - your own safety and the safety of others - is shared by your supervisor and by you. In the last analysis, it is individual action that results in a safe or an unsafe environment.

All employees must report to their supervisor any working conditions that they believe to be potentially unsafe or harmful. Failure of the supervisor to address the situation or to convey the matter to the Chief Administrative Officer could result in disciplinary action of the supervisor.

9.03 Smoking

All City owned or operated facilities, including but not limited to, buildings and surrounding grounds, vehicles owned, leased or operated by the City of Westfield, parks, trails, parking lots as well as any City sponsored event wherever located within the City limits, shall be subject to the

provision of Ordinance No. 09-09; Prohibiting Smoking in Public Places. The purpose of this Ordinance is to protect the public health and welfare by prohibiting smoking in public places and places of employment and to recognize that the need to breathe smoke-free air shall have priority over the desire to smoke.

Smoking shall be prohibited in all public places within the City of Westfield, including any outdoor area within reasonable distance of a regulated area so as to insure tobacco smoke does not enter into designated smoke free areas. In no event shall a distance less than twenty (20) feet be deemed reasonable.

For further information, please see Ordinance No. 09-09 of the City of Westfield, Indiana and amendments as applicable.

9.04 Security

In an effort to provide an environment that is safe and secure for the employees of the City, as well as residents, a security system has been installed at all City building locations. This system will require the use of a City issued security number to enter during certain periods of the day and in certain areas. Other security codes will be assigned as appropriate. Please see your Department Head or designated representative to receive your individual code. External doors will be unlocked to exit the building in the event of an emergency during business hours.

Human Resources will be responsible for issuing identification cards for new employees with the exception of the police and fire departments. Department Heads, or their designee, must notify Human Resources of any new hires, terminations or missing identification cards. If an employee loses his/her identification card, a new card will be issued at the employee's expense. Employees will not be responsible for the cost of replacing damaged or defective cards due to normal wear and tear.

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10.00 OPEN DOOR POLICY

10.01 Philosophy and Process

Satisfactory working relationships depend on communication and understanding among people. Good relationships are easier to achieve when people feel that their problems and opinions can be discussed in a direct, open manner.

An open atmosphere is desirable in all areas of the City. If you have a problem or situation concerning any aspect of your employment, you are encouraged to discuss the problem or situation clearly and openly with your supervisor. It is important to understand the value of working through the “chain of command” in working your issues through upper level supervisors. In most cases, such discussion will lead to a prompt resolution of the problem or situation.

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11.00 DISCIPLINE AND DISCHARGE

11.01 Philosophy

Since circumstances vary in each case involving possible disciplinary action, each situation is handled on an individual basis. Management will work with the employee in attempting to correct the situation. The Chief Administrative Officer may be brought into the dialogue to work with Department Heads to ensure consistent application of disciplinary measures and to, where appropriate, ensure that progressive discipline was followed.

The nature of the disciplinary action taken will depend on the nature of the problem and the circumstances involved and will be consistent across all departmental lines.

11.02 Grounds for Disciplinary Action

Employees who engage in one or any combination of the following infractions may be subject to disciplinary action by their supervisor.

1. Poor job performance
2. Disobedience of orders
3. Conduct that disregards the public good
4. Repeated tardiness and/or unexcused absence
5. Inappropriate dress
6. Failure to abide by policy of working unauthorized overtime
7. Violation of Westfield Policy(ies)

The foregoing list of inappropriate conduct is illustrative and not exhaustive. Any employee who engages in inappropriate conduct shall be subject to disciplinary action, up to and including termination.

11.03 Tardiness / Unexcused Absence

Tardiness for non-supervisory personnel is defined as late arrivals past the stated starting time for the work day and unexcused absence for all personnel shall be defined as failure to personally notify authorized management when said employee is unable to report for work. Two (2) late arrivals or two (2) unexcused absences in a 90-day period shall result in a written notice from the Department Head that will be placed in the personnel record. Two (2) written notices in any six (6)-month period may result in termination of employment.

An employee who fails to show up for work for three (3) days in a row and does not call in to report will be considered to have voluntarily resigned their position.

11.04 Extent of Authority

A Supervisor, Department Head, and/or Chief Administrative Officer may discipline an employee who commits any of the above infractions and may impose any one or more of the following disciplinary actions, depending on the circumstances

1. Verbal Warning

2. Written Reprimands

3. Suspension from work with or without pay

4. Discharge

All disciplinary actions involving suspension, demotions or terminations must be reviewed and approved to ensure compliance with relevant policies, procedures and laws. All personnel actions must be documented in the official employee personnel file located in the Human Resources office.

11.05 Progressive Discipline

Misconduct or unsatisfactory performance by an employee will typically be handled through a progressive disciplinary system. A progressive system of discipline is designed to allow both the City of Westfield and its employees to address unacceptable work performance or misbehavior through communication and consistent action.

1. Verbal warnings are typically the first layer of discipline issued, but may not be the only means of discipline applied, depending upon the severity of the situation as determined by the Supervisor, Department Head, and/or Chief Administrative Officer. Verbal warning will be in writing and forwarded to the Human Resources office to be filed in the official employee personnel file.

2. Should the offense continue past the occasion upon which the verbal warning was given, the result will then be a written reprimand. Written reprimands will be placed in the employee's official personnel file in the Human Resources office.

3. An additional offense, including but not limited to a repetition of the first offense or incident, within twelve (12) months of the first offense or incident, will result in a written warning and may result in a one (1) to three (3) day suspension with or without pay or a new defined disciplinary probationary period may be established.

4. A third offense or incident, including but not limited to the repetition of previous offense or incidents, within twelve (12) months of the second offense or incident, will result in immediate discharge.

5. If the twelve month disciplinary period lapses without the employee moving to the third offense or incident, the employee is deemed to have complied with the progressive discipline for that twelve month period and the progressive discipline starts over with a verbal warning upon the next offense or incident. Any restrictions or conditions put upon the employee by the supervisor during the twelve month disciplinary period should be revisited by the supervisor at the end of the twelve months. Only in egregious circumstances should the conditions be continued beyond the twelve month disciplinary period. The City reserves the right in its discretion to bypass any of the above steps and utilize a higher level of discipline, including immediate termination, for any given occurrence. The severity of discipline will depend upon the severity of the occurrence, as well as the employee's work history.

11.06 Offenses That May Result in Immediate Discharge

The offenses listed below are examples of conduct for which the employee **may** be discharged immediately. This listing is not intended to be all-inclusive but rather to be illustrative in nature.

1. Reporting to work under the influence of alcohol or other drugs not prescribed by a physician

2. Drinking and/or possession of alcoholic beverages or using and/or possessing drugs not prescribed by a physician while on the job

3. Fighting while on the job

4. Threatening employees or other citizens while on the job

5. Theft while on the job

6. Theft from the City of Westfield, which shall include unauthorized use of City property or equipment

7. Intentional or grossly negligent destruction or damaging of City property

8. Representing oneself as a City of Westfield employee in order to aid in committing or attempting to commit a felony or misdemeanor

9. Flagrant insubordination regarding supervisor's directions

10. Possession of dangerous weapons in the workplace or in any City vehicle, except when an employee is specifically authorized to by the City.

11. Immoral or indecent conduct or use of abusive language while on the job

12. Falsification of City records or any records kept by the City of Westfield

13. Any attempt to commit fraud through insurance, payroll, or other administrative documents

14. Conviction of a felony, domestic violence or child abuse

15. Unauthorized disclosure of any confidential City information

16. Refusal of drug testing without good reason

17. Violation of the City's Workplace Violence Policy

18. Engaging in or permitting unethical or illegal conduct

19. Failure to maintain a valid Indiana Driver's license.

In addition, the Police Department and Fire Department periodically issue General Orders for their respective departments. As General Orders relate to public safety and employee conduct, they may also be grounds for disciplinary action, even though they may not be included in the above list. Not all General Orders are related to conduct but may also be grounds for disciplinary action or termination.

11.07 Workplace Violence Policy

The City of Westfield is concerned about increased violence in society, which has also filtered into many workplaces throughout the United States. As a result, the City has developed the following policy to prevent incidents of violence from occurring at the City.

1. The City prohibits any acts or threats of violence by any employee on or off City premises at any time. Any employee or former employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures will be subject to disciplinary action, up to and including termination.

2. The City prohibits any acts or threats of violence against any of its employees, or visitors at any time while they are on City premises or engaging in business with or on behalf of the City on or off of City premises. The City will take appropriate action when dealing with employees, former employees, and visitors who engage in such behavior. Such action may include notifying the police or other law enforcement personnel in prosecuting violators of this policy to the maximum extent of the law.

3. Employees, former employees, and visitors are strictly prohibited from bringing firearms or other weapons into the workplace or in any City vehicle unless specified by the City, except otherwise provided by applicable law.

4. Any employee who displays a tendency to engage in violent, abusive, or threatening behavior, or who otherwise engages in behavior that the City, in its sole discretion, deems offensive or inappropriate will be subject to disciplinary action, up to and including discharge.

5. In furtherance of this policy, employees have a "duty to warn" their supervisors, Department Heads, security personnel, or Human Resources of any suspicious workplace activity, situations or incidents that they observe or that they are aware of that involve other employees, former employees, or visitors that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, and threatening of offensive comments or remarks. Employee reports made pursuant to this policy will be held in confidence to the maximum possible

extent. The City will not condone any form of retaliation against any employee for making a report under this policy.

If you are a victim of threats or acts of workplace violence, witness or hear of threats or acts of workplace violence or if you believe such violence could soon occur, notify your supervisor, Department Head, Human Resources Manager or Deputy Mayor immediately. Making a report in good faith will not reflect negatively on any employee with respect to the terms and conditions of their employment. **In an emergency, employees should dial 9-1-1 immediately.**

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12.00 OTHER RULES AND REGULATIONS

12.01 Purpose

The purpose of these stated rules and regulations is to help to maintain a high level of conduct on the part of the employees of the City of Westfield. In no way do these directives try to dictate personal manners or lifestyles, but they do seek to promote the effective skills and services that characterize the City's employees. The rules and regulations are to be used as guidelines and should not be seen as applying only to the general ideas listed here; City employees should also incorporate their own view of positive work habits.

12.02 Performance on the Job

Every City employee shall devote his or her full-time and attention to the task at hand while on the job. Supervisors must be able to oversee subordinates at all times and take immediate action if indifferent or improper behavior is seen.

12.03 Conduct in the Work Place

All employees should conduct themselves on the job in a manner appropriate to the workplace. The normal standards of courtesy and consideration for others should be observed in all contacts with City associates as well as with other people who may have business to transact with our City. In particular, all employees must be sensitive to the concerns and values of others.

12.04 Contracting Conflicts of Interest

The City may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative (spouse, parent, step-parent, child, step-child, sibling, half-sibling, step-sibling, aunt, uncle, niece, nephew, daughter-in-law or son-in-law) of an elected official (Mayor, member of the City-Council or Clerk-Treasurer); or a business entity that is wholly or partially owned by a relative of an elected official; only if the requirements below are satisfied and the elected official does not violate IC 35-44-1-3.

The City may enter into a contract or renew a contract with an individual or business entity described above if:

(1) the elected official files with the City a full disclosure, which must:
   a. be in writing;
   b. describe the contract or purchase to be made by the City;
   c. describe the relationship that the elected official has to the individual or business entity that contracts or purchases;
   d. be affirmed under penalty of perjury;
   e. be submitted to the City Council and be accepted by the City Council in a public meeting prior to final action on the contract or purchase; and
   f. be filed, not later than 15 days after final action on the contract or purchase, with:
      i. State Board of Accounts; and
      ii. The Clerk of the Hamilton County Circuit Court
   g. makes a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered; or

(2) the City satisfies any other requirements under IC 5-22 or IC 36-1-12.

An elected official must also comply with the disclosure provisions of IC 35-44-1-3, if applicable.

These provisions do not affect the initial term of a contract in existence at the time the term of office of the elected official of the unit begins.

12.05 Theft

Employees shall not take articles of any kind, regardless of value, from any work site, emergency scene, or property that is public or private with the intent of depriving the legal owner. Violation of this regulation will result in immediate discipline.

12.06 Bribery

Employees shall reject any attempt by an individual, group, or organization to bribe or compensate for services rendered while on the job. Any such attempts must be reported to the Chief Administrative Officer and City Council.

12.07 Notice of Absence or Delay

Employees who realize that they will be unavoidably late or absent from work must notify their immediate supervisor at the earliest possible time, and as otherwise provided in this handbook. Persistent lateness or absenteeism will not be tolerated.

12.08 Uniforms

Employees required to wear uniforms shall keep, maintain, and wear the uniform as specified by their supervisor. After voluntary or involuntary separation from the employment of the City, the employee must return all uniforms.

12.09 Dress Code

As in any business or job, you are expected to report to work in a clean and neat manner at all times. We request that you dress appropriately for the job you are performing with safety in mind.

Uniformed employees will be expected to care for the uniforms and comply with procedures for uniform pick-up and cleaning.

Non-uniformed employees are expected to wear casual business attire that is suitable to represent the City in interactions with City residents, other employees and all visitors that seek our services. The City's objective in establishing a business casual dress code is to allow employees to work comfortably in the workplace yet still project a professional image. Business casual attire does not include the following and is not allowed: revealing shirts (tank tops, midriff tops, shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans, halter-tops, or tops with bare shoulders), short skirts (a skirt or a split in a skirt more than 2" above the top of the knee, including mini-skirts, "skorts", or skirts that ride halfway up the thigh), sun dresses, beach dresses or spaghetti-strap dresses, shorts, jeans, and flip flops. Because not all casual clothing is suitable for the office, these guidelines will help you determine what is appropriate to wear to work. Clothing

that reveals too much cleavage, back, stomach or underwear is not appropriate for a place of business, even in a business casual setting. Any need for clarification should be directed to Human Resources.

Certain days may be declared dress down days. On these days, jeans and other more casual clothing are allowed but must still fall within the above guidelines regarding length, a revealing nature and type.

The above dress code is the minimum standard that should be followed. Department Heads may exercise their right to elevate a dress code specific to their department.

12.10 Commitment to Quality

Employees will strive to obtain all skills and knowledge necessary to perform their jobs in an outstanding manner and effectively represent the City of Westfield in all interactions. Indifference, insubordination, and improper conduct will not be tolerated.

12.11 Political Involvement

An employee may not perform any election or political campaign related function during the assigned work hours. An employee also may not perform election or political campaign related functions or acts if the said employee is wearing his/her uniform of the City of Westfield. This does not pertain to the act of voting.

12.12 Personnel Information Changes

Employees, who change their address, telephone number, marital or dependent status must report the new information to their supervisor and the City's Human Resources Manager within five (5) calendar days of the change. It is important to provide this new information because it may affect your pay and receipt of other City communications.

Changes in your W-4 federal personal exemption form should be made on forms available in the City's Human Resources Manager's office. If your personal family situation changes you may want to change this form.

Changes in your selection of medical coverage, dental coverage, and beneficiaries for life insurance purposes should be communicated directly to the City's Human Resources Manager.

12.13 Records Disclosure Policy

It shall be the responsibility of the Human Resources area to maintain and store the official employment records of current and former employees of the City of Westfield. Human Resources may disclose for verification of employment the following information that is subject to public disclosure either by a written request, in person, or via telephone:

1. Hire date of employee and/or termination date
2. Position title
3. Department for which he/she is or was employed

4. Length of employment

All requests for salary information must be presented in writing to the Clerk-Treasurer's office for completion.

Questions concerning the nature of certain records as to whether or not those records are to be classified as public information shall be reviewed on a per request basis. The final decision will be made at the discretion of the City and legal counsel.

12.14 Conflict of Interest

An employee who knowingly or intentionally has a monetary interest in or derives a profit from a contract or purchase connected with an action by the City has a conflict of interest subject to disclosure. An employee has a monetary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the employee or a dependent of the employee.

If an employee has a conflict of interest he/she shall immediately disclose his or her conflict of interest on the prescribed form in the Clerk-Treasurer's office.

12.15 Business / Work Hours

The City Hall office hours are 8:00am to 4:30pm Monday through Friday. Employees in departments working outside of the City Hall (City Services, fire, and police) will have different work shifts and schedules that are determined by the department head of those departments.

12.16 Lunch Time

All employees receive a 1-hour lunch break. This **lunch period is unpaid** and will be scheduled by your immediate supervisor or determined within your work group based upon work activity. Employees are not authorized to perform any work during their lunch breaks unless they have received prior authorization from their supervisors. Police and fire personnel should specifically check with their department head to verify lunch arrangements that may be unique to their work groups.

12.17 Resignation

If an employee should decide to leave the City's employment it is desirable that as much advance notice as possible be given to the City. At least a 2 week notice is required for a termination in good standing. Even though the 2 week notice is suggested, the City may request the employee terminate immediately for internal reasons. Resignations should be documented in writing by the employee and forwarded to Human Resources to be filed in the official employee file.

An employee, who resigns must return all City property, including uniforms, keys, and any other items or materials that are the property of the City and have been entrusted to the employee during their employment. Exit interviews will be required and must be scheduled with the City's Human Resources Manager prior to the employee's last day of service to ensure that insurance enrollment and other important changes due to the employee's separation are made in a timely manner.

12.18 Gambling

Gambling on City property is prohibited and shall result in investigation by management and the Chief Administrative Officer and may, depending on the seriousness of the offense, result in immediate dismissal.

12.19 Ethics

All City personnel shall adhere to the highest of ethical standards. Any employee associated with the expenditure of public funds shall be held to the highest degree of public trust. No employee shall engage in or permit any illegal or improper purchasing practice. Further, any employee having knowledge of any questionable practices shall immediately report this knowledge to the Chief Administrative Officer. Engaging in or permitting unethical or illegal conduct constitutes grounds for disciplinary action, including possible termination of employment, and/or criminal prosecution.

The City requires that all employees adhere to the following principles and standards:

1. Give first consideration to the objectives and policies of the City
2. Strive to obtain the maximum value for each dollar of expenditure
3. Grant all competitive suppliers equal consideration insofar as state and federal statue
4. Demand honesty in sales representation whether verbal or written
5. Give prompt and courteous reception to all who have legitimate business with the City including suppliers and customers
6. Foster fair, ethical and legal practices

12.20 Technology Resources Policy

12.20.1 Summary

The City provides computing resources to its employees and affiliates. Computing resources are defined as any and all technological resources and services procured or maintained through City funds or City paid employees: work stations, desktops, laptops, file servers, hardware, software, televisions, cellular phones, internal and external communication networks (e.g. internet, bulletin boards, commercial online services, and electronic mail systems) which are accessed directly or indirectly using City-owned and operated resources.

12.20.2 Purpose and Scope

This policy sets forth the City's policy regarding the use, access, and disclosure of computing resources. This policy applies to all employees, contractors, consultants, temporaries, and affiliates.

Computing Resources are a privilege, not a right. Therefore, any and all City provided computing resource-related rights may be revoked for violations of unacceptable behavior including, but not limited to:

- unsolicited and unauthorized mass electronic mail (a.k.a. spam)

- offensive language
- obscene materials
- direct or indirect threats
- pornographic or gaming materials
- use of unauthorized device(s)
- infringement on others' privacy
- unauthorized access to other's electronic mail or other network resources
- interference with others' work
- copyright infringement
- any illegal activity; or
- other unauthorized use of electronic mail or network resources provided by the City

Please refer to the Policies and Procedures Manual sections 11.040 and 11.050 for disciplinary actions when this policy is violated.

12.20.3 Statement of Policy

A. Privacy, Confidentiality and Public Records Considerations

The City will make reasonable efforts to maintain the integrity and effective operation of its computing resources, but users are advised that those systems should in no way be regarded as a secure medium for the communication of sensitive or confidential information. The City can assure neither the privacy nor confidentiality of messages that may be created, transmitted, received, or stored.

In addition, Indiana law provides that communications of City personnel that are sent or received may be considered public records and are subject to public inspection. See Indiana Code 5-14-3-2.

Official City Issued E-mail Address

1. To ensure that all correspondence is delivered, all City employees will be assigned an official e-mail address. It is of the expectation that this address, and no other electronic mail address, will be used for all official City electronic mail correspondence. Any employee not utilizing their provided electronic mail address may not receive some or all communication.

2. Users should utilize proper e-mail etiquette including signing e-mail messages with the appropriate identification information, avoiding the use of ALL CAPS (often referred to as e-mail 'shouting'), and refraining from confrontational e-mail messages. Employees are prohibited from sending messages with inappropriate content, such as discriminatory, harassing or otherwise offensive materials. Employees are prohibited from sending e-mail correspondence destined to ALL EMPLOYEES unless previously approved by the Departments' direct Supervisor or Director.

B. Permissible Uses

1. Authorized Users

a. Users and other persons who have received special permissions under the appropriate City authority (Mayor, Deputy Mayor, Director, and/or Informatics) are authorized users of the City's computing resources.

2. Purpose of Use

a. The use of any City resources must be related to the identification of one's job responsibilities. Incidental and occasional personal use may occur when such use does not generate a direct cost for the City. Any such incidental and occasional use for personal purposes is subject to the provisions of this policy.

C. Prohibited Uses

1. Prohibited Purposes

a. Personal use that creates a cost for the City.

b. Personal monetary gain or for commercial purposes that are not directly related to one's job responsibilities.

c. Using the work of others in violation of copyright laws

d. Capturing and viewing other's electronic records except as required in order for authorized employees to diagnose and correct technical issues or abide by legal records requests

e. Harassment or intimidation of others in any manner including:

i. Creation or distribution of any offensive or disruptive messages, offensive comments about race, gender, hair color, age, sexual orientation, pornography, religious or political beliefs and/or practices, national origin or disability

f. Violation of Federal, State, or local laws, and regulations

g. "Spoofing," i.e., constructing an electronic message so it appears to be from someone else without prior proper authorization

h. Use of an encryption device to restrict or inhibit access

i. Attempting unauthorized access to City computing resources without prior proper authorization including: breaching of any security measures, intercepting electronic transmissions and transferring or storing electronic transmissions outside of approved methods of transfer and storage.

Any employee that receives prohibited messages has the responsibility to contact their department head and should not attempt to resolve the issue on their own, or forward any of the contents.

D. City Employee's Access and Disclosure

1. Users must keep their personal username(s) and password(s) confidential.

2. General Provisions

a. The City reserves the right to access and disclose the contents of all users' electronic records without consent if there is a legitimate business need. All communications sent or received utilizing any City owned resources may be made available for review.

b. Electronic records are subject to the provisions of Federal Statute *I.C. § 5-14-3*

3. Monitoring of Computing Resources

a. The City may exercise the right to monitor any and all computing resources to the extent permitted by law, without notice to or further consent by employees.

4. Inspection and Disclosure

The City will inspect and disclose the contents of computing resources when action is necessary in the follow conditions:

i. in the course of an investigation conducted by City officials; or
ii. to protect health and safety; or
iii. to prevent the interference of any of the City's missions, objectives, or goals; or
iv. to acquire information for the completion of one's responsibilities (only in the condition where he or she has the authority to authorize such action) and that is not more readily available by some other means

Electronic records must be available for inspection and copying by the public agency unless an exception to disclosure, based on the content of the message, applies.

Exemptions to disclosure are set forth in I.C. § 5-14-3-4 Sections 4(a) and 4(b).

5. Special Procedures to Approve Access to, Disclosure of, or Use of Computing Resources

a. Any individual seeking to obtain, use, or disclose information who does not have prior consent of the user and/or who does not directly supervise the user, must first obtain written permission from the user's department director. Only after the appropriate written permissions will Informatics grant access to the appropriate folders and/or files associated with the request.

E. Retention and Archiving of Electronic Mail

Electronic mail messages using City-owned equipment or software are public record and are subject to inspection and discovery. All electronic mail will be destroyed on or after its first (1st) anniversary unless stored within the Informatics' provided folder within each user's Outlook application, or as otherwise required by law.

Note, mail messages that have been previously segregated and/or stored as evidence (functions, policies, decisions, procedures, operations, or other activities of the City) or because of the value of official City Data, then such messages must be

retained, archived, and destroyed in compliance with the *Cities and Towns Above 5,000 Population General Retention Schedule (CTGRS) Indiana Commission On Public Records – County Records Management*. Printing or storage of messages must comply with records management codes enforced by the State, Local, County, or Federal Governmental Agencies. It is the responsibility of each Department to know their respective records retention laws set forth by the CTGRS and abide by such policies.

All archiving activities or saving of e-mail messages outside of Outlook, Outlook Web Access, or a City provided e-mail enabled telephone device may be destroyed upon recognition.

The City reserves the right to place an official litigation hold or otherwise maintain electronic mail records beyond the 1st anniversary if such records are officially or perceived to be associated with an active investigation. Such requests for records may only originate from City Administration or from any official legal entity as defined by Federal, State, or local statute.

F. Disciplinary Action

Disciplinary action will be taken against individuals found to have engaged in prohibited use of the City's electronic mail or other network. The City reserves the right to skip sections of disciplinary action pending the severity of the offensive usage up to and including a direct referral to City judicial authorities or law enforcement officers.

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Appendix I

CITY OF WESTFIELD, INDIANA PERFORMANCE MANAGEMENT GUIDELINES FOR FULL-TIME CIVILIAN EMPLOYEES

INTRODUCTION

1. Purpose and Scope

The Performance Management Guidelines set forth the policies and procedures necessary to establish and administer the City of Westfield performance management process for full-time civilian employees. This document *does not* apply to sworn police officers or firefighters, or to part- time, seasonal and temporary employees.

2. Goals

The City's ability to provide quality services to residents and visitors is closely tied to the performance of its employees. To measure and manage performance in order to assist in achieving optimal outcomes, the City is implementing a written performance management system in 2015.

The goals of performance management under this system are to:

- Create an ongoing dialogue between supervisors and employees regarding the City's expectations and the employee's progress is meeting those expectations;
- Document performance based on assigned job duties and established performance goals;
- Create a consistent and permanent record of an employee's performance;
- Identify opportunities for continuing training and education to enhance the skills required by the employee's position, or necessary for advancement;
- Establish measurable performance goals for the upcoming year;
- Identify obstacles that prevent the employee from performing at optimum levels;
- Develop plans to improve performance that does not meet expectations;

- Enable management to make informed decisions regarding an employee's job assignments and/or continued employment with the City; and
- Establish eligibility for annual salary increases.

3. Roles and Responsibilities

The Human Resources Manager will oversee the performance management process, develop or amend policies and procedures as needed, ensure supervisors are properly trained to evaluate employees and establish annual deadlines.

The Department of Human Resources will collect and maintain all performance evaluations and analyze data on a supervisory, department and City-wide level.

Department Directors will ensure performance evaluation are completed in a timely manner for their departments. All performance evaluations must be reviewed and signed by the Department Director before being submitted to Human Resources.

Supervisors with direct and/or indirect oversight will evaluate subordinate employees. **This is the most critical element of the process.** In order to protect the integrity of the entire process, supervisors are required to be trained in the performance management process. Their work will be reviewed by the Department Director and by the Director of Human Resources.

Employees will be required to complete a self-assessment form and to engage with their supervisor during the performance evaluation interview. Employees are not asked or expected to evaluate their supervisors, although relevant comments made in the course of the performance management process may be used in their supervisor's own performance evaluation.

THE MANAGEMENT PROCESS

4. Performance Management Schedule

The performance management process has two components to be completed annually: an employee self-assessment and a supervisor evaluation. A Performance Improvement Plan will also be required in some cases. Every employee hired before July 1, 2014, will participate in the 2015 performance management process. The 2015 schedule is outlined below.

a) Supervisor provides employee with self-assessment form no earlier than September 3, 2015, and no later than October 17, 2015, and sets date and time for performance evaluation meeting (employee must have at least five (5) calendar days to complete self- assessment form).
b) Employee completes self-assessment form and returns to supervisor no less than two
(2) calendar days before performance evaluation interview.
c) Supervisor completes written performance evaluation form, excluding achievements and goals.

d) Supervisor(s) meets individually with employee to review employee's self-assessment and to discuss supervisor's performance evaluation, no later than October 24, 2015. Achievements and goals are discussed and added at this meeting. Employee signs completed form and receives copy.
e) Performance evaluation form is submitted to Department Director for review and signature. Original signed form and employee self-assessment are sent to Human Resources no later than October 31, 2015. Department keeps a copy.
f) Employee has ten (10) calendar days following the performance evaluation interview to append no more than one (1) page of written comments to the evaluation, with original to Human Resources and copy to Department Director.
g) Second evaluation interview and Performance Improvement Plan, when required, are completed and submitted to Department Director for review and signature no later than November 29, 2015. Original is retained by department with a copy to employee and Human Resources.
h) Three-month re-evaluation based on Performance Improvement Plan is completed and submitted to Department Director for review and signature no later than February 28, 2016. Original signed form is sent to Human Resources no later than March 7, 2016. Department and employee each get a copy.

5. Employee Self-Assessment

Employees are expected to honestly assess their strengths and weaknesses and to develop work-related goals for the following year. Employees may also identify desired training and/or career development to help enhance skills for their positions or to prepare them for advancement. Training opportunities are provided at the sole discretion of the department.

6. Supervisor's Performance Evaluation

The performance evaluation consists of the following sections:

- Personal/Work Attributes
- Areas for Development
- Achievements and Goals (to be completed jointly by supervisor and employee)
- Other Comments (supervisor and/or employee)
- Acknowledgements (supervisor, employee and director)

Supervisors will evaluate their subordinate employees' work performance for the entire 12-month period preceding the interview. Since the initial performance evaluation will take place in 2015, supervisors may go back further than 12 months to establish a pattern of behavior.

The performance evaluation will be based on a standard set of expectations. Although job responsibilities vary from position to position, success in any position depends on a common set of attributes which includes adhering to the City's Goals of Employee Engagement, Enhanced Infrastructure, Safe City, Fiscal Responsibility and Excellence in Customer Relations.

7. Performance Ratings

The evaluation structure for personal/work attributes utilizes a 4-tier rating system:

- Meets Expectations
- Exceeds Expectations
- Needs Improvement
- Unacceptable

"Meets Expectations" is an entirely positive rating. This indicates the employee is meeting all job requirements in the area being evaluated, performs consistently and dependably in this regard, and achieves fully satisfactory results. It is expected that most employees will be given this rating level.

To receive an "Exceeds Expectations" rating, the employee must significantly and consistently perform at levels above expectations. An employee in this category will regularly exceed job requirements in the area being evaluated—not just once in a while—and achieve correspondingly superior results. This rating will be given sparingly.

For underperforming employees, two ratings are available. "Needs Improvement" is for the employee whose performance is somewhat deficient in the area being evaluated. This employee needs to make some improvements to meet minimum job requirements. An employee who receives three (3) or more "Needs Improvement" ratings will be required to develop a Performance Improvement Plan with his supervisor and will be re-evaluated within 3 months.

The "Unacceptable" rating will be used for an employee whose performance is unsatisfactory in the area being evaluated, and from whom substantial and immediate improvement is necessary. An employee receiving one (1) or more "Unacceptable" ratings will be required to develop a Performance Improvement Plan with his supervisor and will be re-evaluated within 3 months.

Every rating on the performance evaluation except "Meets Expectations" must be supported with a concise but descriptive narrative. Performance ratings should be based primarily on the supervisor's direct observation or knowledge of the employee's work, although they may also incorporate verifiable comments from other members of the evaluation team, coworkers or customers when available and/or appropriate.

8. Evaluation Interview

Upon completion of the written performance evaluation (and any management approvals required by the department), the supervisor will meet with the employee to review and discuss the employee's self-assessment and the supervisor's written performance evaluation. This meeting serves as an opportunity for a candid discussion between the supervisor and the employee, with a focus on how the employee can achieve maximum productivity.

Two (2) copies of the written performance evaluation should be brought to the evaluation meeting: one to be forwarded to Human Resources for the employee's personnel file and one to be given to the employee for his personal records. Both copies should be signed by the employee and the supervisor performing the evaluation. The City's copy should also be signed by the Department Director before being sent to Human Resources.

9. Employee Comments and Acknowledgement

The employee will initial the bottom of each page of the performance evaluation to indicate the supervisor has discussed it with him. The employee will also be given the opportunity to respond in writing to his performance evaluation. Brief comments may be added at the time of the performance evaluation interview. Additional feedback, not to exceed one (1) typewritten or handwritten page, may be submitted within ten (10) days after the interview. These comments will be filed with the original performance evaluation form. After 10 days, no further comments will be accepted.

The employee will be expected to sign the performance evaluation, whether or not he agrees with the supervisor's evaluation. The employee's signature is merely an acknowledgement that the employee had an opportunity to provide input prior to the performance evaluation interview, discuss the performance evaluation with his supervisor and provide verbal and written feedback regarding the content of the performance evaluation. An employee's refusal to sign the performance evaluation form will lead to disciplinary action.

BEYOND THE PERFORMANCE EVALUATION

10. Follow-Up

Any employee who receives one or more "Unacceptable" ratings or three or more "Needs Improvement" ratings must meet again with his supervisor to develop a Performance Improvement Plan. The Performance Improvement Plan will outline the performance deficiencies, expectations and steps required for improvement.

Another performance evaluation meeting will be scheduled three (3) months out. If the employee has not made adequate progress, further action will be determined on a case-by-case basis. At minimum, the employee will be scheduled for another 3-month evaluation. For the most serious shortcomings (e.g., the employee has shown little or no improvement, the shortcomings are seriously disruptive to the operations of the department, the employee is resistant to changing his behavior), employment may be terminated.

In addition to the Performance Improvement Plan, the evaluation team may elect to pursue other disciplinary or remediation procedures.

Although 2014 performance evaluation will not be specifically tied to the level of pay increases in 2015, underperforming employees, as measured by the performance evaluation process, may be

denied a cost-of-living adjustment (COLA) in 2014.

11. Ongoing Feedback

The performance evaluation is a valuable mechanism to give an employee feedback on his work performance, but it should not be the only source of communication used by a supervisor. Supervisors should provide their employees open and honest feedback on a continual basis, and be receptive to comments from the employee. It is important to address issues in the appropriate manner when they occur as opposed to waiting for a scheduled performance evaluation and presenting a laundry list of issues. If the lines of communication are truly open between a supervisor and employee, there will be no real surprises at the time of the performance evaluation.

Appendix III

Appendix III

City of Westfield, Indiana
2015 Employee Self-Assessment

Employee Name_____Department: _____

You are scheduled for a performance evaluation interview with your supervisor (and/or another member of your department's management team) on or about _____.

In preparation for your interview, please respond to the following questions to the best of your ability. Return the completed form to your supervisor no later than_____. **Attach additional pages if you need more space to respond to any question below.**

1. From the following list, please consider the personal attributes you bring to the job. Put an "S" beside the three (3) attributes you consider your greatest strengths. Put a "W" beside the three (3) attributes you think you are weakest. A description of these attributes is attached for your reference. Do not consider the "Leadership" attribute unless you are a supervisor.

Job Knowledge	Problem Solving	Accountability
Productivity	Adaptability	Time Management
Quality of Work	Attitude	Training/Development
Teamwork	Attendance	Analytical Thinking
Communication	Compliance	Decision Making
Customer Service	Leadership	Fiscal Management
Initiative	Professionalism	Innovation

2. Do you feel that you are currently in the position that best suits your skills and talents?

3. What do you consider your major job accomplishments over the past year?

4. What would you like to achieve in your job over the next year?

5. Do you have the resources (equipment, time, training, instruction, teamwork, etc.) you need to do your job? If not, please describe the additional resources you need.

6. Do you think your job could be modified in any way to make you more efficient or effective?

7. Where do you want to be next year? 5 years from now? Other?

_____ _____

Employee Signature Date

Description of Attributes

Your supervisor will be rating you on each of these attributes, selecting from the following categories: Meets Expectations, Exceeds Expectations, Needs Improvement, Unacceptable

JOB KNOWLEDGE	You understand job requirements and seek to obtain knowledge, skills and abilities. You know when your skills are adequate for a task and when to ask for help.
PRODUCTIVITY	You make good use of time and produce results consistent with your efforts. You are able to prioritize tasks, respond to requests in a timely manner and meet deadlines.
QUALITY OF WORK	Your work is accurate, thorough and neat, and meets department and governmental standards. You set high standards for yourself and act quickly to identify and correct errors.
TEAMWORK	You cooperate and work well with others to complete projects and achieve goals. You maintain positive relationships with coworkers and respect their contributions to team efforts.
COMMUNICATION	You communicate well with others, both verbally and in writing, as needed. You are a good listener, able to ask questions and/or provide explanations to ensure understanding.
CUSTOMER SERVICE	You provide superior service to internal and external customers. You represent the City and/or your department in a courteous, positive and professional manner.
INITIATIVE	You are self-motivated to remain active without constant oversight. You can be relied upon to follow through with a plan of action in order to complete tasks and meet goals.
PROBLEM SOLVING	You recognize problems that arise in the course of your work activities and develop effective solutions. You apply logic and innovation to workplace situations.
ADAPTABILITY	You respond to shifting requirements, goals and priorities without undue stress or disruption. You can work effectively in a variety of environments and with a variety of people.
ATTITUDE	You display a willingness to do whatever needs to be done on job assignments. You take personal pride in your performance and make a positive contribution to workplace morale.
ATTENDANCE	You report to work as scheduled, with minimal tardiness and l unplanned absences. You are fully attentive while at work and seek to avoid unnecessary distractions.
COMPLIANCE	You comply with City policies and procedures, and with written and oral instructions from your supervisors. You show respect for management and department decisions.
LEADERSHIP	You identify and assume all responsibilities associated with supervision. You effectively mentor and motivate subordinates to achieve maximum morale and productivity.

Appendix IV

CITY OF WESTFIELD, INDIANA 2015 PERFORMANCE EVALUATION

Employee Name: _____

Department: _____

Job Title: _____

Date: _____

Please check one: Regular Annual Evaluation ☐ **Other** ☐ _____

Supervisor(s) conducting performance evaluation interview:_____

_____

Attach additional pages if more space is needed for any portion of this performance evaluation.

PERSONAL/WORK ATTRIBUTES

JOB KNOWLEDGE	*Expectations: Employee understands practical/technical job requirements and seeks to acquire and update relevant knowledge, skills and abilities. Employee knows when skills are adequate for tasks and when to ask for assistance.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
PRODUCTIVITY	*Expectations: Employee makes good use of time and produces results consistent with individual and/or group efforts. Employee prioritizes assignments, responds to requests in a timely manner and meets deadlines.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
QUALITY OF WORK	*Expectations: Employee's work is accurate, thorough and neat, and consistently meets department standards and/or government requirements. Employee sets high personal standards and acts quickly to identify and correct errors.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
TEAMWORK	*Expectations: Employee works cooperatively with others to complete projects and achieve goals. Employee fosters positive relationships with colleagues and demonstrates respect for their contributions.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
COMMUNICATION	*Expectations: Employee communicates effectively with others, verbally and/or in writing as necessary, to complete assigned tasks. Employee listens carefully and provides explanations or asks questions when necessary to ensure understanding.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			

PERSONAL/WORK ATTRIBUTES (continued)

CUSTOMER SERVICE	*Expectations: Employee is attentive to the needs of internal and external customers and seeks to provide superior service. Employee represents the City and/or Department in a courteous, positive and professional manner.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
INITIATIVE	*Expectations: Employee is self-motivated to remain active and productive without constant oversight. Employee is able to follow through with a plan of action to complete tasks or reach goals.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
PROBLEM SOLVING	*Expectations: Employee recognizes problems that arise in the course of performing work activities and develops effective solutions. Employee applies logic and innovation to work situations.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
ADAPTABILITY	*Expectations: Employee is an agent for positive change, responding to shifting requirements, goals and priorities without undue stress or disruption. Employee works effectively in a variety of environments and with a variety of people.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
ATTITUDE	*Expectations: Employee approaches people and job assignments with respect and a willingness to do whatever needs to be done. Employee takes personal pride in a job well done and makes a positive contribution to workplace morale.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			

PERSONAL/WORK ATTRIBUTES (continued)

ATTENDANCE	*Expectations: Employee reports to work as scheduled and minimizes tardiness and unplanned time off. Employee is fully attentive when on the job, and seeks to avoid unnecessary distractions.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
COMPLIANCE	*Expectations: Employee complies with City policies and procedures and with written and oral instructions provided by supervisory staff. Employee shows respect for management and department decisions.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
LEADERSHIP (supervisors only)	*Expectations: Employee identifies with and assumes the tasks and responsibilities associated with supervision. Employee is effective at mentoring and motivating subordinates to achieve maximum morale and productivity.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			

CITY GOALS

EMPLOYEE ENGAGEMENT	*Expectations: Employee takes an active role City activities or in assisting in the development and planning of our processes.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
ENHANCED INFRASTRUCTURE	*Expectations: Employee actively pursues the preservation of our City infrastructure and looks for ways to improve items or processes that will assist in the long term preservation of City infrastructure.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
SAFE CITY	*Expectations: Employee is aware of City safety protocols and helps to promote a safe live, work and play environment.*		
Meets Expectations ☐	Exceeds Expectations ☐	Needs Improvement ☐	Unacceptable ☐
Comments (required for anything other than Meets Expectations):			
FISCAL RESPONSIBILITY	*Expectations: Employee recognizes opportunities of waste and does all within his/her power to provide solutions that stimulate and foster a culture of fiscal responsibility.*		
Meets Expectations	Exceeds Expectations	Needs Improvement	Unacceptable
Comments (required for anything other than Meets Expectations):			
EXCELLENCE IN CUSTOMER RELATIONS	*Expectations: Employee is aware of the need for maintaining good relations with residents, visitors, business owners and others. Employee promotes the City of Westfield.*		
Meets Expectations	Exceeds Expectations	Needs Improvement	Unacceptable
Comments (required for anything other than Meets Expectations):			

AREAS FOR DEVELOPMENT

Specific areas for improvement:
Recommendations for training or professional development:

ACHIEVEMENTS AND GOALS

Notable achievements in past 12 months:
List two goals for next 12 months (goals should be specific, measureable and achievable):

OTHER COMMENTS

Additional supervisor comments (optional):
Employee feedback (optional):

ACKNOWLEDGEMENTS

Supervisor Acknowledgement: I attest that I have discussed the contents of this performance evaluation with the employee, and addressed the employee's strengths, weaknesses, achievements and goals.

Next evaluation recommended: Annual ☐ Three Months for Performance Improvement Plan ☐

_____ _____

Supervisor Signature Date

***Employee Acknowledgement*:**

I attest that I have had an opportunity to:

1) Provide input regarding my performance prior to my performance evaluation, a copy of which is attached;

2) Discuss the contents of this performance evaluation with an immediate supervisor and/or member of my department's management staff; and

3) Provide verbal and written feedback regarding the content of the performance evaluation. (Employee may attach additional written response within 10 calendar days after the evaluation interview, not to exceed 1 page in length, which will be filed with the performance evaluation form.)

Signature does not necessarily indicate agreement with the contents of the performance evaluation, but acknowledges receipt of the performance evaluation.

_____ _____

Employee Signature Date

***Management Acknowledgement*:**

I attest that I have reviewed and approved this performance evaluation and all attachments thereto.

_____ _____

Department Director Signature Date

_____ _____

Manager of Human Resources Signature

Appendix V

Annual Manager Feedback Form
(COMPLETE IN PHASE II)

To be completed by employees: Please mark the answer that most closely reflects your response, and enter comments to provide more understanding:

a. I receive frequent, on-going, timely feedback about my performance:

Strongly Agree ☐ **Agree** ☐ **Disagree** ☐ **Strongly Disagree** ☐

Provide comments to clarify your answer:

b. I have the necessary tools and resources to perform my job :

Strongly Agree ☐ **Agree** ☐ **Disagree** ☐ **Strongly Disagree** ☐

Provide comments to clarify your answer:

c. I have the necessary information to perform my job accurately:

Strongly Agree ☐ **Agree** ☐ **Disagree** ☐ **Strongly Disagree** ☐

Provide comments to clarify your answer:

d. I am given opportunities to grow and learn new skills:

Strongly Agree ☐ **Agree** ☐ **Disagree** ☐ **Strongly Disagree** ☐

Provide comments to clarify your answer:

e. I understand how what I do on a daily basis contributes toward the goals and objectives of my department and the City/Town:

Strongly Agree ☐ **Agree** ☐ **Disagree** ☐ **Strongly Disagree** ☐

Provide comments to clarify your answer:

f. Conflicts and differences of opinion are resolved respectfully in our department:

Strongly Agree ☐ **Agree** ☐ **Disagree** ☐ **Strongly Disagree** ☐

Provide comments to clarify your answer:

Employee Signature:_____ Department:_____

Manager/Supervisor Signature:_____ Date:_____

Appendix VI

ACKNOWLEDGMENT OF RECEIPT AND AGREEMENT

READ CAREFULLY

I acknowledge and agree that:

1. I have received a copy or have access to an electronic version of the City of Westfield's Personnel Policies, Procedures, and Benefits Manual ("the Manual").

2. I will familiarize myself with the provisions of the Manual and read its provisions carefully.

3. Unless otherwise provided for in a collective bargaining agreement, a written employment contract signed by me and the Chief Administrative Officer or Mayor of the City, or by law, I understand that my employment relationship with the City is terminable at will by either party without notice or cause, notwithstanding any other oral or written statements by either party prior to, at, or following the date of employment.

_____
Employee Signature

_____
Employee Name (Printed)

_____
Date of Signature