

Eagle Mountain City, Utah

RESOLUTION NO. R 10-2002

**A RESOLUTION OF THE CITY COUNCIL
OF EAGLE MOUNTAIN CITY, UTAH DEFINING
THE DUTIES OF EAGLE MOUNTAIN CITY EMPLOYEES**

WHEREAS, it is in the public interest to define the rules of service, employment and general duties of employees of Eagle Mountain City and the benefits and compensation accruing to employees in exchange for work for the City; and

WHEREAS, the City Council finds that it is in the public interest to amend the Employee Manual in place at the date of this Resolution to redefine and implement current employee policies.

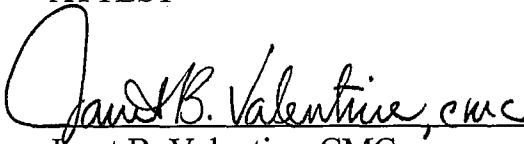
NOW THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah as follows:


1. The Eagle Mountain City Employee Manual attached to this Resolution as Exhibit A is hereby adopted and enacted as the official Eagle Mountain City Employee Manual for employees of Eagle Mountain City.

2. This Resolution shall take effect upon its adoption by the City Council.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 6th day of August, 2002.

ATTEST


Janet B. Valentine, CMC
City Recorder

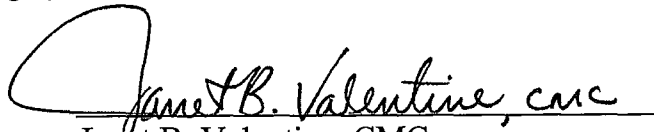
EAGLE MOUNTAIN CITY, UTAH

Kelvin E. Bailey, Mayor



CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City on the 16th day of July, 2002.

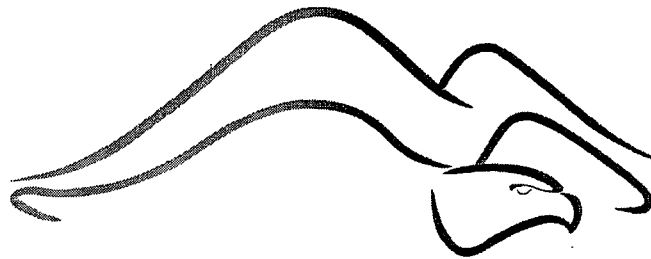
4 voting aye 0 voting nay



Janet B. Valentine, CMC
City Recorder

EXHIBIT A

EAGLE MOUNTAIN CITY
EMPLOYEE HANDBOOK



Eagle Mountain, Utah

Fiscal Year 2002-03

Eagle Mountain City
Employee Handbook
July 1, 2002

Table of Contents

Introduction 3
 Welcome to Eagle Mountain 3
 About Eagle Mountain 4
 Eagle Mountain's Values 4

Employment Policies 6
 Equal Employment Opportunity 6
 Sexual Harassment 6
 Medical Examinations 8
 Employment of Relatives 8
 Personnel Files 9
 Termination of Employment 9

Compensation Policies 11
 Classification of Employment 11
 Regular Pay Procedures 11
 Pay Days 12
 Overtime Pay Procedures 12
 Recording Work Hours 13
 Salary Programs 13
 Pay For Performance 14

Leave 15
 Holidays 15
 Vacation 16
 Paid Sick Leave 17
 Maternity Leave 18
 Emergency Leave 18
 Injury Leave 18
 Family and Medical Leave 18
 Bereavement Leave 19
 Jury Duty and Witness Leave 19
 Military Leaves of Absence 20

Donation of Leave	20
Employer Benefits	21
Medical and Dental Insurance Plans	21
Life Insurance	22
Workers' Compensation	22
Retirement Plans	23
Continuing Education Program	24
Employee Conduct	25
Guidelines for Appropriate Conduct	25
Conflicts of Interest	26
Information Reporting and Whistle Blowing	26
Outside Employment	26
Distribution of Literature and Solicitation of Gifts	27
Internet Usage	27
Tobacco Usage	28
Drug Free Work Place	28
Workplace Searches	29
Safety and Health	30
Hazardous Condition Reporting	30
Injury and Accident Reporting	31
City Vehicle Use	31
Personal Vehicle Use	31
Safety Belt Use	32
Cellular Phone Use	32
Complaint Resolution Procedure	32

Part I: Introduction

Welcome to Eagle Mountain City

An interesting and challenging experience awaits you as an employee of Eagle Mountain City. To answer some of the questions you may have concerning the City and its policies, we have prepared this handbook. Please read it thoroughly and retain it for future reference.

This handbook is provided for general guidance only. **The policies and procedures expressed in this book, as well as those in any other personnel materials which may be issued from time to time, do not create a binding contract. The City disclaims any construction of this handbook as, or implication of, an employment contract.**

This handbook should not be construed to limit the City's right to discharge employees or to create any other obligation or liability on the City. The City reserves the right to unilaterally change, or make exceptions to the policies and procedures stated in the handbook at any time for any reason.

Please understand that no supervisor, manager, or representative of the City other than the Mayor, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the Mayor is not enforceable unless it is in writing.

We wish you the best of luck and success in your position and hope that your employment relationship with the City will be a rewarding experience.

Notice to Our Employees

In drafting this Employee Handbook, we have avoided the use of specific gender pronouns wherever possible. However, where such avoidance would have led to very awkward sentences, we have used the masculine pronoun. This use should be considered to refer to both genders.

What's more, all employees need to understand that they are employed on an "at will" basis. The City strictly maintains its disciplinary policies. Misconduct of any kind may be grounds for disciplinary action up to and including termination.

In addition, this Handbook is designed to highlight the City's detailed listing of personnel policies and procedures located in the Eagle Mountain Policies & Procedures Manual. Employees understand that they are subject to all the policies and procedures listed in that Manual and should request a copy to for their review and understanding.

About Eagle Mountain City

Eagle Mountain City is truly one of the most unique cities in Utah. As the state's newest city, Eagle Mountain incorporated in December 1996 with just a few hundred residents and has grown to more than 6,000 in just six years. This phenomenal growth has been developed around a master plan concept that incorporates a diversity of land uses tied together by efficient transportation corridors, continuous open space areas, and design standards that promote a sense of common identity.

Building a city "from scratch" in the Utah desert does not come without challenges (especially one with an exploding population), but city residents and community leaders are constantly and successfully meeting every challenge and moving forward in developing a clean, safe, family-oriented community for residents and visitors alike. Rising to these challenges has helped residents develop a seemingly unparalleled community identity and passion for their community and its success. You are now part of a collective team, even a family if you will, of other city employees, city leaders, and residents who are all working together to create and build a vision for the future. We encourage you to embrace this relationship and use it to make the most of your employment with the City.

Many changes will occur throughout our City for many years to come. The City prides itself on embracing change and constantly looking for ways to improve itself and its services. We encourage all employees to look for more efficient and effective ways to serve all the City's customers.

Eagle Mountain City's Values

Eagle Mountain employees are a team committed to enhancing the quality of life in our community through service, partnership, and progress. The following are some of our objectives:

Integrity. We are committed to having the courage to do the right thing. We will develop credible partnerships by nurturing trustworthiness and acting honestly.

Excellence. We are committed to ensuring high standards of performance, providing quality services in a courteous and timely manner and enhancing the professionalism of our employees.

Stewardship. We are committed to managing our resources efficiently by effectively focusing our energy, developing human resource potential and working responsibly with our environment.

Partnership. We are committed to our employees and acknowledge them as our most valuable asset in being able to serve our community and make progress for the future. We are committed to promoting a spirit of teamwork by strengthening participation and cooperation between citizens, committees, businesses and other government agencies while encouraging a spirit of fun and enthusiasm..

Sensitivity. We are committed to responding to peoples' needs in a kind and sensitive manner. We will listen to and respect differences as we balance the varied interests of our community.

Citizenship. We are committed to strengthening pride in our community by fostering community support and encouraging citizen participation.

Innovation. We are committed to a better future by rising above the status quo, adopting new technology, encouraging imagination, promoting continuous improvement, and adapting to change.

We proudly welcome you to our team. We are confident that through your efforts and dedication, the City will continue to make advances in finding new and better ways to serve the public.

Part II: Employment Policies

Equal Employment Opportunity

Eagle Mountain hires on the basis of the ability to perform a position's essential functions without regard to race, color, religion, sex, national origin, age, disability or status as a Vietnam-era or special disabled veteran in accordance with applicable federal laws. The City also complies with applicable state and local employment laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training. Eagle Mountain is an Equal Opportunity Employer.

The City expressly prohibits any form of unlawful employee harassment based on the foregoing factors. Improper interference with the ability of you to perform your expected job duties is not tolerated.

Sexual Harassment

It is the City's policy to regard sexual harassment as a very serious matter and to prohibit it in the work place or among the work force by any person and in any form. Prohibited activities include, but are not limited to:

- Unwelcome sexual flirtations, advances, propositions, or touching;
- Verbal or written abuse of a sexual nature;
- Graphic verbal comments about an individual's body;
- Sexually degrading words used to describe an individual; and
- Display in the work place of sexually suggestive objects or pictures.

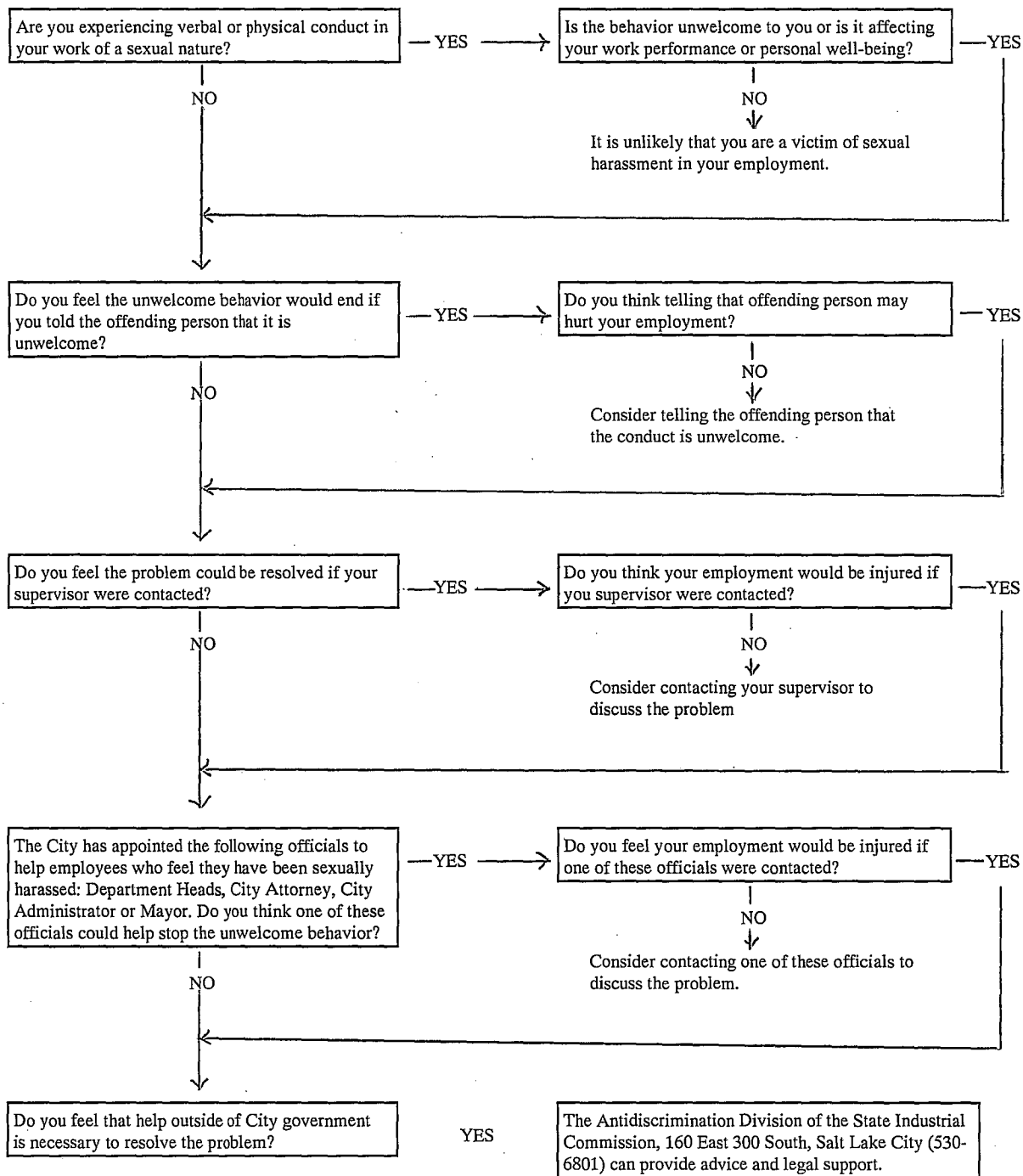
Complaint Procedure: Each employee is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise, and for respecting the rights of their coworkers.

If you experience any job-related harassment based on your sex, race, or another factor, or believe you have been treated in an unlawful, discriminatory manner, promptly report the incident and an appropriate City Official will investigate the matter. The chart on the following page outlines procedures for reporting harassment problems. If the investigation concludes that an employee is guilty of harassing another employee, appropriate disciplinary action will be taken against the offending employee.

The City prohibits any form of retaliation against you for filing a bona fide complaint under this policy or for assisting in a complaint investigation.

SEXUAL HARASSMENT Employee Complaint Process

Any employee who is willing may participate in a mediation process to resolve his or her issues.



Medical Examinations

Final applicants for hire in designated positions will undergo a physical examination after a conditional offer of employment has been made. These employees may also undergo evaluations every year to assess their ability to perform essential job-related functions. Designated positions include all positions in the following departments except for secretarial and office staff:

- Planning & Building Departments (those requiring a commercial driver's license)
- Fire (when hired)
- Parks & Recreation (those requiring a commercial driver's license)
- Police (when hired)
- Public Utilities (those requiring a commercial driver's license)
- Public Works (those requiring a commercial driver's license)

The purpose of the physical evaluation is to assess your ability to perform the essential functions of your position. The City will not use the results of these examinations and inquiries to discriminate against you if you can perform the essential functions of your position with or without reasonable accommodations.

All physicals will be administered by a City designated physician. The examining physician will provide the City with a written opinion regarding your ability to perform the essential duties of the position. The information obtained by the City will be maintained in medical files separate from general employee personnel files.

Designated employees who refuse to consent to a physical evaluation and drug screen are subject to disciplinary action up to and including termination. The reason(s) for the refusal will be considered in determining the appropriate disciplinary action. No disciplinary action will be taken without first discussing the matter with the employee. Questions about medical examinations or alcohol and drug screenings should be directed to your supervisor or the Personnel Office.

Employment of Relatives

Under certain conditions Eagle Mountain restricts and, in some cases, prohibits the hiring and promotion of current employee's relatives to avoid actual or perceived conflicts of interest. The City will exercise sound business judgment in the placement of related employees in accordance with Utah State Code Sections 52-3-1 through 4.

Employees may not participate in the hiring or supervision of their own relatives except when specifically permitted under state law. No relative of any current City employee may be hired unless the head of each involved employing department agrees that it will not cause a conflict or other problem in either department. Department heads may place additional restrictions on the hiring or supervision of relatives specific to their own department.

For the purpose of this policy, a "relative" is defined as a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

For additional information on these restrictions, contact the City Personnel Office or refer to Utah State Code 52-3-1 through 4.

Personnel Files

The City maintains personnel files on each employee. These files contain documentation regarding all aspects of your tenure with the City, such as performance appraisals, beneficiary designation forms, disciplinary warning notices (including documentation of verbal warnings and citizen complaints), and letters of commendation. If you are interested in reviewing your file, contact the City Personnel Office to schedule an appointment.

Your personnel file is a permanent record and the information entered in it will remain in it. However, written warnings and other disciplinary actions may have follow-up progress reports attached by your supervisor if they feel it appropriate. In addition, you have the right to attach your own comments to anything that goes into your personnel file.

To ensure that your personnel file is up-to-date at all times, notify the Personnel Office of any changes in your name, telephone number, home address, marital status, number of dependents, beneficiary designations, scholastic achievements, the individuals to notify in case of an emergency, and so forth.

Termination of Employment

If you desire to terminate your employment relationship with the City, you are urged to notify the City at least two weeks in advance of your intended termination. Such notice should preferably be given in writing to your supervisor and department head. Proper notice generally allows the City sufficient time to calculate all accrued vacation, accrued overtime (if applicable) or other monies to which you may be entitled and to include such monies in your final paycheck.

You are urged to provide the City with a minimum of two months notice when you are nearing retirement. This will allow ample time for the processing of appropriate pension forms to ensure that any retirement benefits to which you may be entitled commence in a timely manner.

All outgoing employees are required to contact the Personnel Office to review eligibility for benefit continuation and conversion (see COBRA section), to ensure that all necessary forms are completed, and to ensure all City property has been turned in to your supervisor.

Continuation of Group Health Plans (COBRA) Federal law requires employers to offer a temporary continuation of group health plan coverage to qualified beneficiaries. Employees covered by an employer's group health plan and/or spouses and dependent children may qualify, including children born after the qualifying event. The continuation period is generally 18 months, but can be extended. A qualified beneficiary is eligible for temporary extension of benefits under the following qualifying events:

18-Month Maximum Qualifying Events (unless disabled)

- Voluntary termination
- Involuntary termination (with the exception of gross misconduct)
- Reduction of hours

29-Month Maximum Qualifying Events

- Disabled at the time of the qualified event or 60 days after the qualifying event (must be disabled as defined by the Social Security Administration).

36-Month Maximum Qualifying Events

- Death of employee
- Medicare entitlement (coverage ends for employee, continues for employee's dependents)
- Divorce/legal separation
- Dependent child ceasing to be dependent

You and/or your dependents are not eligible for continuation of benefits if eligible for coverage by another group health plan, unless the new plan has a pre-existing condition clause limiting the coverage.

The full cost of the COBRA insurance premiums (including a 2 percent administration fee) must be borne by the person requesting the extension during the entire length of coverage. In the event that the person is disabled, the premium for a disabled individual to continue benefits for an additional 11 months (19th-29th month) will be increased to 150 percent of the regular premium amount. Monthly premium payments must be received by the 25th of the month before the month of coverage. If payment is not received, coverage will be dropped from the group plan without further notice 30 days after the premium due date.

Health Insurance Portability (HIPAA) In April 1997, Congress passed the Health Insurance Portability and Accountability Act. The act and the included regulations are designed to help ensure portability of health coverage for individuals and families who move from one employer health benefit plan to another.

The act places several significant obligations on Eagle Mountain City and our group health plan providers, including a requirement to issue a Certification of Credible Group Coverage to employees and their eligible dependents when coverage under the City's health plan ends. These certifications provide documentation of prior coverage which terminating employees and their dependents may need to reduce preexisting condition limitations when enrolling in a new health plan benefit.

Retirement Early Withdrawal Penalties You may withdraw part or all of your retirement accounts upon termination. There is a 10 percent penalty on withdrawals from the State Retirement 401(k) system. Starting January 1, 1993, the IRS began requiring a 20 percent withholding of the withdrawn funds. This 20 percent does not change the penalty or taxes due. As usual, any funds withheld in excess of the taxes and penalties due are refunded after you file your taxes for the year. You may avoid the taxes and penalties by leaving your money in the plan or having it rolled into another qualified plan. You may obtain all appropriate paperwork from the Personnel Office.

Part III: Compensation Policies

Classification of Employment

For purposes of salary administration and eligibility for employee benefits, the City classifies its employees as follows:

Full-Time Regular: Employees hired to work the City's normal, full-time, forty-hour work week on a regular basis. Full-time employees are eligible for all City benefits.

Part-Time Regular: Employees hired to work at least 20 hours per week, but fewer than forty hours per week on a regular basis. These individuals are eligible for all City benefits, which include prorated holidays, vacation, and sick leave based upon hours worked per week. Part-time employees are also eligible for life insurance, Workers Compensation, unemployment and other City-provided benefits including medical and dental insurance and retirement benefits. If you are hired to work less than 20 hours per week on an ongoing basis, you will be classified as temporary/seasonal employee for purposes of benefits classification.

Temporary/Seasonal: Employees engaged to work full-time or part-time on the City's payroll with the understanding that their employment will be terminated upon completion of a specific assignment. A temporary employee may be offered and may accept a new temporary assignment with the City and thus still retain temporary status. Intern and training positions are considered temporary/seasonal. (Employees hired from temporary employment agencies for specific assignments are employees of the respective agency and not of the City.)

You will be informed of your initial employment classification during your orientation. Please direct any questions regarding your employment classification status to the Personnel Office.

Regular Pay Procedures

You will normally be paid by check on a biweekly basis (26 times annually), usually on a Thursday. If a scheduled payday falls on a City-observed holiday, you will usually be paid on the day preceding the holiday.

2002-2003 Regular Pay Days

Pay days for fiscal year 2002-2003 are as follows:

2002:	2003:
July 4, 8	January 2, 16, 30
August 1, 15, 29	February 13, 27
September 12, 26	March 13, 27
October 10, 24	April 10, 24
November 7, 21	May 15, 29
December 5, 19	June 12, 26

Overtime Pay Procedures

Your position is classified as either FLSA Exempt or FLSA Non-exempt. Those that are FLSA Non-exempt are covered by the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).

Non-exempt If you are classified as a non-exempt employee, you will be paid one and one-half times your regular hourly rate of pay for all hours worked beyond the limits outlined in the chart below. You may agree with your supervisor in advance that you will take compensatory time in lieu of paid overtime. However, the City may pay off accrued comp-time at any time. There are also limits to the amount of accrued comp-time. The limit is 240 hours (160 hours actually worked) for all employees except fire fighters and police officers (when eventually hired by the City) who may accumulate 480 hours (320 hours actually worked).

Please be aware that any personal leave, medical leave, vacation, etc., taken during a work period does not count toward your hours worked for overtime purposes. The chart below shows what hours of overtime for different classes of employees (Fire Fighters & Police Officers are shown for future reference when hired):

Employee Class	Work Period	Hours Worked Before Overtime
<i>Fire Fighters</i>	28 days	212
<i>Police</i>	14 days (coincides with pay period)	86
<i>General Employees</i>	7 days (Sun 12:01 a.m. to Sat. Midnight)	40

General employees who are called back to work on City-recognized holidays will be paid double time their regular hourly rate for those holiday hours worked. Police and Fire shift employees (when hired) are compensated for holidays in a manner that recognizes they are required to work many holidays due to the nature of their line of work.

Each work period stands alone in computing hours worked. Averaging hours worked over two or more periods will not be allowed. Your supervisor will attempt to provide you with reasonable notice when the need for overtime

work arises. Please remember, however, that advance notice may not always be possible.

If you feel it is necessary to work overtime to complete your responsibilities you must get prior approval from your department head. It is your responsibility to ensure that all your hours worked are recorded in the correct work period.

Exempt Only employees who are in managerial/supervisor or professional positions are FLSA Exempt. These employees are not eligible for overtime or compensatory time and are expected to work a minimum of 40 hours per week/80 hours per pay period. Any hours under 80 not worked in any given pay period must be made up using accrued vacation, sick, holiday, or other approved leave (e.g. jury/witness leave, bereavement leave, personal days, etc.). Any hours not made up will not be paid.

Volunteer As a City employee, you will only be considered a true volunteer if you are performing services substantially different from the duties you perform for the City as a paid employee. If the services are similar, you will have to be paid and it could affect your hours worked for overtime purposes. If you have any questions regarding this, please discuss it with your supervisor or the Personnel Office.

Recording Work Hours

To ensure that accurate records are kept of the hours you actually work and of the leave time you have taken, all employees are required to record time worked and absences on your Department's timekeeping records. Please ensure that your actual hours worked and leave time taken are recorded accurately. Failure to accurately record may result in loss of pay for that period and possible discipline.

Salary Programs

Eagle Mountain is committed to maintaining wage ranges which are competitive with other Wasatch Front communities of comparable size or similar service.

Annually, City Administration with the help of the Personnel Office conducts a wage and benefits survey of these communities. Because not all City positions have matches in the established market, a classification analysis may also be done on each City position in conjunction with the market survey. This classification analysis considers such factors as education and experience requirements, supervisory and financial responsibilities, level of risk in position and the analytical requirements of the position.

Based on the market and classification analysis, the Mayor's Budget Committee will review wage ranges and may recommend changes as appropriate. The budget committee may make recommendations for market adjustments for specific job classifications or for the City as a whole. Market adjustments are considered each fiscal year and implemented July 1, if approved.

If your current salary is higher than the top of your position's range, you will not be eligible for base pay increases until the range catches up to your current salary. Salary and incentive (lump sum) payments will not exceed the maximum of the salary range by more than 5 percent for any employee in any one fiscal year. Any salary and incentive payments which exceed the maximum of the salary range must be approved by the Mayor.

Your total compensation at the City consists not only of the salary you are paid but also the various benefits you are

offered, such as health and life insurance and your retirement plan, as described later in this handbook. Questions regarding your salary should be directed to your supervisor or the Personnel Office.

Pay For Performance

To ensure that you perform your job to the best of your abilities, Eagle Mountain strives to recognize good performance and to give you appropriate suggestions for improvement when necessary. Consistent with this goal, your performance will be evaluated by your supervisor and you will receive a written evaluation at least annually. These written evaluations will be used in deciding individual pay increases each year.

Any performance increases you receive will be based on your supervisor's evaluation in conjunction with budget monies available. The City Council approves a certain amount of dollars for performance increases each fiscal year which department heads then allocate based on each employee's performance.

Generally, performance evaluation increases are implemented on July 1 each year. If you were hired after July 1, your performance increase may be prorated based on your date of hire. You may be eligible for a full increase the following July 1, based on your performance and if the Council authorizes funding for performance increases.

Your performance may also be recognized by way of an incentive bonus subject to budget limitations approved by the City Council. Salary and incentive (lump sum) payments will not exceed the maximum of the salary range by more than 5 percent for any employee in any one fiscal year. Any salary and incentive payments which exceed the maximum of the salary range must be approved by the Mayor.

In addition to the regular performance evaluations described above, special written performance evaluations may be conducted by your supervisor at any time to advise you of the existence of employment problems.

Part IV: Leave

Holidays

The City usually provides 10 paid holidays each fiscal year to all full-time and part-time regular employees. Part-time employees receive holiday pay according to the number of hours the employee is regularly scheduled to work. If the holiday occurs on a part-time employee's regularly scheduled day off (or on a full-time employee's day off working a 4-10 work schedule), the employee may take his holiday on the nearest regularly scheduled work day in the same pay period, if approved by his supervisor. The 10 paid holidays consist of the following holidays:

Independence Day	Thursday, July 4, 2002
Pioneer Day	Wednesday, July 24, 2002
Labor Day	Monday, September 2, 2002
Thanksgiving Day	Thursday, November 28, 2002
Day after Thanksgiving	Friday, November 29, 2002
Christmas Day	Wednesday, December 25, 2002
New Years Day	Wednesday, January 1, 2003
Human Rights Day	Monday, January 20, 2003
President Day	Monday, February 17, 2003
Memorial Day	Monday, May 26, 2003

Shift Work Holidays: Those employees on shift work may have to work on recognized holidays. **Fire Fighters** (when hired) who work a 24.5-hour shift receive six paid shifts a year for holidays. These shifts are scheduled yearly with vacation time and are subject to supervisor approval. Fire Fighters hired after July 1 receive three paid holiday shifts for the year. **Police Department** employees (when hired) on rotating schedules receive 96 holiday hours less any holiday hours occurring prior to hire date. These hours must be scheduled with your supervisor's approval.

General employees who are called back to work on City-recognized holidays will be paid double times their regular hourly rate for those holiday hours worked. Police and Fire shift employees (when hired) are compensated for holidays in a manner that recognizes they are required to work many holidays due to the nature of their line of work.

Personal Leave Hours: In addition to providing paid time off for designated holidays, the City grants 16 hours each calendar year for personal business that cannot be taken care of outside regular business hours and for religious observances, ethnic holidays, and other events of personal significance. These hours must be scheduled in advance with supervisor approval. For part-time employees these leave hours are calculated according to the number of hours the employee is regularly scheduled to work. For example, a part-time employee scheduled to work 20 hours a week will be granted eight (8) personal hours each calendar year. At the discretion of an employee's supervisor, temporary employees may also be granted time off for personal reasons without pay.

You must give your immediate supervisor notice of intent to use personal hours at least one week before taking those hours except in emergency situations. Your supervisor considers work load priorities in determining whether to approve such requests; however, full consideration is given to requests for holidays of religious significance where a reasonable accommodation is possible.

If you are hired before July 1, you will receive all 16 hours that calendar year. If you are hired after July 1, you will only receive eight (8) hours for that year. For administrative purposes, personal hours will normally be counted as your first two leave days of the year. Personal hours must be used during the **calendar** year. There is no carryover of personal hours from year to year, and there will be no payment for unused personal hours at the end of any

calendar year or in the event of termination.

Vacation

The City grants annual, paid vacations to its full-time regular and part-time regular employees. The amount of vacation you are given is based on your length of service since your hire date, as follows:

- (1) For the first two (2) years of service 80 hours of annual vacation leave shall accrue at the rate of 3.08 hours bi-weekly.
- (2) For time served beyond two (2) years, 96 hours of annual vacation leave shall accrue at the rate of 3.7 hours bi-weekly.

No more than 240 hours of vacation leave may be accrued unless otherwise approved by the City Administrator. Any vacation leave not used above the 240 will be forfeited every January 1.

Part-Time Regular Part-time regular employees accrue vacation based on the number of hours the employee is regularly scheduled to work. When you take vacation you are paid for the number of hours you are normally scheduled to work. This amount is determined between you and your Department Head at the time of hire. For example, an employee scheduled to work 20 hours a week would accrue 1.54 hours bi-weekly (assuming a regular work schedule) and when they take vacation days, they would be paid for the four hours a day they regularly work. Part-time employees may accrue up to 120 hours of vacation time.

Temporary/Seasonal These positions do not receive paid vacation time but may be allowed leave without pay, if approved in advance by an employee's supervisor.

Pay in Lieu of Vacation: Employees are required to take their earned vacation. No payments will be made in lieu of taking vacation, except for accrued vacation at the time of termination.

Vacation Scheduling: Vacations may be taken as weekly periods, individual days or even hourly increments as long as the periods chosen meet with departmental approval. You should submit a vacation request to your supervisor early.

Paid Sick Leave

Paid Sick Leave Accrual. The City recognizes that the inability to work because of illness or injury may cause economic hardship. For this reason, the City provides paid sick leave to regular full-time and part-time employees. Eligible employees accrue sick leave at the rate of 3.7 hours per pay period into the employee's Short-Term Sick Leave balance. At the end of each calendar year, each employee's Short Term Sick Leave balance will zero out with a portion being converted to personal hours (if applicable as described below) and the remainder being transferred into the employee's Long-Term Sick Leave balance that can be carried over from year to year and is only available for illnesses in excess of seven (7) calendar days as authorized by the employee's doctor. Accrual of an employee's Long-Term Sick Leave balance is unlimited. Part time employees accrue sick leave at the rate of the percentage of the employee's authorized number of work hours vs. 40 hours per week. The employee will begin to accrue sick leave immediately upon being hired by Eagle Mountain City. Sick leave shall not accrue if an employee is in a leave-without-pay status. Records will be kept by the City Recorder or designated representative.

No payments are made for accrued unused sick leave in the event of termination. However, there is an option to convert portions of unused sick leave as outlined below.

Please immediately notify your supervisor in the event that you are ill on the job or are sick and cannot come to work on a given day. If you expect to be absent for more than three work days as a result of an illness, injury, or disability, you should submit a written request to your supervisor as far in advance of your anticipated leave date as practical. In the event of extended or numerous sick days, you may be required by your supervisor to submit a medical statement from the attending physician. Employees requesting Family and Medical Leave are asked to complete a FMLA Leave Request Form available in the Personnel Office. If your absence is due to an emergency, you or a member of your immediate family should inform your supervisor as soon as is practical. You may be required by your supervisor to submit a detailed medical statement from the attending physician stating the reasons why, and how long you will be ill or disabled.

Additionally, any employee who is absent from work for three consecutive or non-consecutive working days without giving notification and was capable of giving notification may be disciplined for failure to report to work. Such discipline may include, but is not limited to, termination.

Sick Leave Incentive Plan- As an incentive for employees to miss fewer days of work, the City provides an yearly incentive plan. Portions of your sick leave may be annually converted (every January 1st) to personal leave based on the following criteria:

- (1) Full-time regular- 40 maximum hours converted annually, less sick leave hours used during the year.
- (2) Part-time regular- 20 maximum hours converted annually, less sick leave hours used during the year.

Maternity Leave

An employee who becomes pregnant, or whose legal or common-law spouse becomes pregnant, may continue working, prior to the birth of the child, until such time as the employee can no longer satisfactorily perform the essential functions of their duties. The Mayor or City Administrator may grant an employee annual vacation leave, sick leave, personal leave, and/or leave without pay for this period of absence. Regulations governing annual vacation leave, sick leave, and leave without pay will apply.

During a maternity leave period in excess of thirty (30) calendar days, an employee's annual vacation leave, sick leave, and/or time toward their performance evaluation, if applicable, shall not accrue.

Eagle Mountain City may fill vacancies created by maternity leave with temporary or provisional appointments. At the expiration of the maternity leave, the employee shall return to the same position, where feasible, or to a similar position. Failure of the employee to return to work at the expiration of maternity leave shall be considered a voluntary resignation of their position and employment without notice.

Emergency Leave

The Mayor, City Administrator, or their designated representative may allow a permanent or probationary employee reasonable time off, not to exceed three (3) working days with pay, in case of an emergency. Time will be charged to the employee's sick leave, annual vacation leave, or accrued compensatory time. The City Council shall have the authority to grant longer leaves in unusual circumstances in which an emergency exists. During an emergency leave period in excess of thirty (30) calendar days, an employee's annual vacation leave, sick leave, or time toward their yearly performance evaluation, if applicable, shall not accrue.

Injury Leave

Any employee injured on the job, however slightly, must report the fact immediately to the Mayor, City Administrator, supervisor, or designee. It shall be the duty of the Mayor, City Administrator, supervisor, or designee to obtain information regarding the accident or injury and to complete and submit such reports as are required. Unused sick leave or vacation leave may be granted in accordance with applicable rules and regulations. During injury leave periods, vacation leave, sick leave, or time toward yearly performance evaluation shall not accrue, unless an exception is granted by the Mayor, with approval of the City Council. However, injury leave for periods greater than six (6) months shall in no case be granted. Furthermore, eligibility for such leave requires conformance with all workmen's compensation regulations.

Family and Medical Leave

Eligible employees are entitled to 12 weeks of paid or unpaid Family and Medical Leave within the calculated leave year for the following reasons:

- To care for your child after birth or placement for adoption or foster care.
- To care for your spouse, child or parent who has a serious health condition.
- For your own serious health condition that makes you unable to perform your job.

An employee's leave year will be calculated on a rolling schedule. Meaning an employee's eligible leave will be measured backward from the date he began using FMLA leave. If you have questions regarding the rolling schedule please contact the Personnel Office.

If you have less than 12 weeks of eligible paid leave, you may be eligible to go on unpaid leave status for the remainder of the 12-week period. While on **paid** Family and Medical Leave, the City will continue to pay for all of your designated benefits. However, while on **unpaid** Family and Medical Leave status, the City will only pay your core medical, dental and life insurance premiums.

If you and your spouse both work for the City, the total number of weeks of leave to which both are entitled will be

limited to 12 weeks during any leave year, unless one spouse is sick and the other must care for him.

When taking Family and Medical Leave for your own serious health condition, the City may require you to use accrued paid leave (sick leave, compensatory time and vacation) before going on unpaid leave status. When going on Family and Medical Leave to care for a spouse or other family member, the City may also require you to use all accrued compensatory time and vacation before going on unpaid leave status. In order to be eligible for FMLA leave status, you must be a Eagle Mountain City employee for 12 consecutive months and you must have worked 1,250 hours for the City in the past year.

The City recognizes that employees may need to take time, under this policy, to care for a seriously ill spouse or family member. Your supervisor may require you to return to work if you use the leave for unrelated activities such as working a second job or any other activity not related to caring for a family member during regularly scheduled Eagle Mountain working hours. You should not use Family and Medical Leave to circumvent your department's leave request procedure. After an employee has been out for three consecutive sick days, the City may place the employee on Family and Medical Leave.

If you do not return to City service after the expiration of Family and Medical Leave, you will be required to repay the City for any City-paid benefit contributions made for you during the qualified unpaid leave period unless the reason you do not return to work is (1) the continuation, reoccurrence, or onset of a serious health condition that entitles you to leave to care for a child, parent or spouse with a serious health condition, or if you are unable to perform the functions of your position due to your own serious health condition or (2) other conditions beyond your control that prevent you from returning.

To request Family and Medical Leave, contact your department head and the City Administrator 30 days in advance of when you want to start your Family and Medical Leave. In case of an emergency, contact the City as soon as you are able.

Bereavement Leave

The Mayor, City Administrator, or their designated representative shall grant an employee up to three (3) days of funeral leave with pay to attend the funeral of the employee's legal or common law spouse, child, step-child, daughter or son-in-law, parent, step-parent, grandchild, mother or father-in-law, sister or brother-in-law, grandparent, spouses' grandparent, brother or sister. Funeral leave shall not be charged against accrued annual vacation or sick leave.

Jury Duty and Witness Leave

A regular employee may be granted leave with full pay when performing jury duty or when required to serve as a witness in any Eagle Mountain City litigation, or in any municipal, county, state, or federal court, or before an administrative tribunal. Any compensation, including travel and expense allowance, received by the employee may be kept by the employee. Paid leave will not be granted when the employee is serving as his own witness in financial and related suits which he has initiated.

Military Leaves of Absence

A permanent employee shall be granted leave with compensation for the difference in salary for active duty, for service in the national Guard or in the Armed Forces reserves for the purpose of fulfilling annual field training. Paid military leave shall not exceed ten (10) working days in any one (1) calendar year. (Utah State Code 39-3-1 & -2). Any compensation, including travel and expense allowance, received by the employee must be turned back to Eagle Mountain City.

Donation of Leave

Recognizing that an illness or accident suffered by the employee or a family dependent may require an employee to be off from work for extended periods of time, and that an employee may exhaust his or her accumulated sick-leave and still not have received a physician's clearance to return to work, or is required to take additional time off, the policy of the City shall be to allow other employees to assist a needy employee. Only sick leave accumulated in the prior fiscal years can be contributed to a needy employee. The employee donating the sick leave gives up all rights and interest to the donated sick leave. All sick leave donations must be authorized in writing by the donating employee and witnessed by the City's Treasurer.

Upon donation, all sick leave will be converted to a dollar value based upon the current wage of the donating employee. For example, if an employee's hourly wage is \$8.00, and he/she donates 16 hours to the needy employee, the value of the donation is \$128.00 (16 x 8). As sick leave is drawn by the needy employee, the converted dollar amount will be withdrawn, as required, to assist a needy employee at the needy employee's rate of pay. Employees who are assisted by the sick leave pooling are under no obligation to repay amounts they have used. Employee must use all personal, vacation, sick, and compensation time before requesting donation of another employee's sick time.

Part V: Employer Benefits

Introducing Your Benefits

At Eagle Mountain City, we are committed to offering the best benefits possible as part of your total compensation package. This section of the Handbook is meant to highlight some features of Eagle Mountain City's benefit programs. The group health and life insurance and retirement-related programs are described more fully in summary plan booklets, which you receive once you are eligible to participate in these programs. Complete descriptions of these programs are also in the City's master insurance contracts which are maintained in the Recorder's office. In the event of any contradiction between the information in this Handbook and the information in the master contracts, the master contracts/documents shall govern.

For complete information regarding any of the benefit programs, please contact the Personnel Office.

Eligibility: Medical insurance, dental insurance, vision retirement plans are available to all full-time and part-time regular employees and their dependents. Part-time regular employees must work an average minimum of 20 hours per week to be eligible for these benefits. Temporary/Seasonal employees are not eligible for health, dental, life insurance or retirement benefits.

Terms: The terms of the health and dental benefits are outlined in your copies of the plan booklets. You are responsible for knowing and abiding by the limitations and specifications of the plans. Please read the plan booklets carefully so that you and your dependents know what steps to follow when regular or emergency help is needed. Extra copies of the booklets are available from the plan representatives and/or the Personnel Office.

Medical and Dental and Vision Insurance Plans

Eagle Mountain City uses the Public Employees Health Plan (PEHP) for its medical, dental and vision insurance needs. The City is a member of the Utah Local Governments Trust who administers these and other benefits for the City. The City pays the full cost of the employee's health and dental plans offered by PEHP (the employee can choose from several options for both). The City also pays for 60% of the employee's dependant costs for the health and dental plans chosen by the employee.

Effective Date of Coverage for newly hired eligible employees and their dependants will be the date of hire. Dependents of eligible employees may be enrolled under the employee's plan choice. Dependent status is determined by the insurer, but generally, dependents are eligible for coverage until age 26 if they are unmarried or until they are no longer dependents of the employee. Please refer to the medical and dental plan enrollment packets for information on limitations.

Change in Family Status: Changes in family status, such as a birth or a child leaving home, can be made by filling out a change form available in the Personnel Office who also has a list of qualifying events. **You must fill out the appropriate forms within 30 days of the qualifying change.**

Newborn children: Coverage becomes effective upon the date of birth if the newborn child is enrolled within 30

days after the date of birth. Adopted children benefits become effective at the time they are placed in the physical custody of the employee if they are enrolled within 30 days after that date.

For questions about your medical and dental coverages, please contact the Personnel Office or contact Danielle at the Utah Local Governments Trust at 1-800-748-4440 ext. 1313.

Life Insurance

All employees of Eagle Mountain City have a term life insurance policy paid by the City while working for the City. Life insurance benefits are paid as follows:

Regular full-time employee:	\$50,000
Regular part-time employee:	\$50,000
Temporary/Seasonal:	None

At the time of hire, employees may receive life insurance but are responsible for paying an additional premiums. Additional life insurance can be purchased for dependants through the same plan. The employee is responsible for paying any additional premiums for dependants. The Personnel Office has all the necessary forms and details about these options. Employees may also call Dori at the Utah Local Governments Trust at 1-800-748-4440 ext. 1306.

Employees cannot receive dependent insurance for dependents who are currently Eagle Mountain City employees. Persons eligible for life insurance as a dependent of two employees may only be insured under one employee.

Workers' Compensation

An injury can create a variety of physical, emotional and financial problems. Eagle Mountain City is committed to helping employees with work-related injuries or illnesses and providing the workers' compensation benefits prescribed by law. The following information has been prepared to help you understand the City's program. Please read it carefully and do not hesitate to talk with your supervisor or the Personnel Office if you have further questions or need additional details.

All employees are covered by workers' compensation, which provides medical reimbursement and disability benefits for job-related illness or injury. An employee does not accrue benefits while receiving workers' compensation payments. For exact compensation coverage, check the workers' compensation contract on file with the City Recorder.

Employees may use accrued vacation or sick leave to make up the difference between workers' compensation benefits and their base pay.

Medical Attention. An employee who sustains a bona fide, on-the-job injury should seek medical attention from a medical facility listed on the WCF chart or the employee may be responsible for any charges in excess of the WCF allowable charge. They must tell the doctor, HOW, WHEN and WHERE the accident occurred. The doctor will complete a medical report and copies of this report should be sent within seven (7) days to the insurance carrier, the Industrial Commission, and to the injured worker (Please Note: Do not submit doctor or hospital bills for on-the-job injuries or illness to the regular medical plan).

Initial Reporting of Illness or Injury. Reporting the accident or illness is critical to qualification for payment under workers' compensation. If an employee is injured while on the job, no matter how minor, the circumstances should be reported to the Mayor, City Manager, or designee immediately. After Form 122 is filled out, a copy must

be sent to the insurance carrier and a copy must be sent to the Industrial Commission within seven (7) days of the date of injury.

Reporting while off the Job. While on leave because of a bone fide, on-the-job injury or illness, an employee must contact their supervisor, City Administrator, or the Mayor to report on their condition. Failure to provide the required medical status reports may result in revocation of the leave and/or immediate termination.

Return to Service. All employees must return to work after the approval of the attending physician. A statement from the attending physician stating the employee is able to resume normal duties will be required before returning to work. Failure to return to work when directed may result in immediate termination. An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within their current job classification.

At the time of final release or settlement of a workers' compensation claim, if no vacancy exists; and, if a reasonable effort, which has proven to be unsuccessful, has been made to place the employee in another position, they may be terminated and paid any accrued benefits due to them.

Retirement Plans

The City currently participates with the Utah State Retirement Systems retirement plan. All regular full-time and part-time employees are eligible for the State Retirement System. Separate divisions exist for Public Safety, Fire Fighters, and Public Employees. Police employees must be employed for 40 or more hours a week to be eligible for the program. All other regular employees must work an average minimum of 20 hours per week.

Temporary/Seasonal employees are not eligible for the State Retirement System, except for volunteer fire fighters who are eligible for state retirement if permanently disabled while performing the duties of a fire fighter.

Cost: Currently, the City pays 10.32 percent of base pay into retirement for full-time and part-time regular employees. The City firsts pays the annually fluctuating and required percentage into the Retirement System (currently 8.69 percent). Any difference between the required contribution percentage and the City's total 10.32 percent contribution (currently 1.63 percent) is paid into a 401(k) managed by the Utah State Retirement System. Employees may personally contribute more to their 401(k) account if desired. Please contact the Personnel Office for more information.

Benefits Paid: The amount of benefit paid is determined by your age, years of service credit, final average salary and a benefit formula designed by the State Retirement System. For more information concerning your benefits under the State Retirement System please contact the Personnel Office or the State Retirement Office at 355-3884.

Provisions (Contributory System): If you leave employment covered by the State Retirement System, you may receive a partial refund of your account contributions or you may leave your account inactive until you qualify for the plan again. Benefits are vested after four years of service.

Provisions (Noncontributory System): If you leave employment covered by the State Retirement System, you are not eligible for a refund, but your retirement funds will remain in your account and you will receive a benefit when you retire. Benefits are vested after four years of service.

All general public employees hired by the City (who qualify for the Public Employee Retirement System) are required to enroll in the Noncontributory System.

All employees are also eligible for the State Retirement System may participate in this plan. Employees may opt to have payroll deductions deposited into a 457 retirement account managed by the State Retirement System. These deductions reduce your State and Federal income tax withholdings. Money put into the account will be taxed when it is withdrawn at termination or retirement or in case of emergency.

Employees wishing to participate in this program may enroll through the Personnel Office at any time during the year.

Continuing Education Program

The City has established a continuing education program to help eligible employees develop their skills and upgrade their performance. The city will pay for this education under the following two circumstances:

Required by Eagle Mountain City. When Eagle Mountain City requires an employee to attend any education or training course, conference, seminar, or certification course, Eagle Mountain City will provide the necessary time off with pay and will reimburse the employee for all associated costs including tuition or registration fees, authorized travel, meals, and lodging.

Encouraged by Eagle Mountain City. Employees are encouraged to further their education and training in areas that will enhance their job performance. Upon advance approval by the Mayor or City Administrator (and if budget monies allow) and upon successful completion of relevant training courses (that will directly benefit and enhance the position), employees shall be reimbursed for tuition fees, materials, and other necessary and approved expenses up to a maximum of \$1,500 per year upon presentation of proper receipts. Proof of successful completion will include one (1) of the following:

1. A certificate indicating successful course completion, if applicable.
2. A grade point average of 3.0 or higher on a 4.0 (A, B, C, D) scale.
3. A grade pass on a pass/fail grading system.

Part VI: Employee Conduct

Guidelines for Appropriate Conduct

As an integral member of the City team, you are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that you refrain from any behavior that might be harmful to you, your coworkers, and/or the City, or that might be viewed unfavorably by current or potential customers or by the public at large.

Whether you are on duty or off, your conduct reflects on the City. Consequently, you are encouraged to observe the highest standards of professionalism at all times. It is the responsibility of each employee to comply with these standards, department policies and the supervisory instructions given to them for performance of their duties. Types of behavior and conduct that the City considers important include, but are not limited to, the following:

DUTY TO SERVE EAGLE MOUNTAIN CITIZENS

This duty includes the understanding that City employees' sole purpose while employed by the City is to serve the citizens of Eagle Mountain. We are here for them and we need to make sure we always provide a clean, safe, and enjoyable community for them to live. The citizens are at the very top of Eagle Mountain City's organizational chart. They are the boss.

This duty also includes promoting the health, safety and welfare of the general public; displaying respect for members of the public; being diplomatic, helpful, and speaking truthfully; promptly removing or reporting public hazards; being conscious of and containing costs of government; and dressing and acting in a manner which encourages confidence in the City and its work force.

DUTY TO ACT LAWFULLY

This duty includes both knowing the law and following it.

DUTY OF ETHICAL CONDUCT AND LOYALTY TO THE CITY

This duty includes avoiding any activities which may conflict with City responsibilities; respecting and preserving City property and resources; maintaining official confidences; not abusing City time, benefits or privileges of employment; and acting ethically and honestly in all matters which may reflect on the reputation of the City.

DUTY TO PROMOTE WORK EFFICIENCY AND MORALE

This duty includes being present, punctual and fit for all assigned duties; acting competently; following supervisor instructions; respecting the personal health, dignity, reputation, property, and time of coworkers; reporting work place hazards and fostering safety; and promoting positive communication, good morale, and maximum efficiency

within the organization.

Should your performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory in the judgment of the City, based on violations either of the above or any other City policies, rules, or regulations, you will be subject to disciplinary action, up to and including dismissal.

Conflicts of Interest

In compliance with State statutes, the following is prohibited:

- Improperly using private, controlled, or protected information acquired by reason of your position with the City, or securing special privileges or exemptions for yourself or others;
- Using or attempting to use your official position to secure special privileges for yourself or others; or
- Knowingly receiving, accepting, taking, seeking or soliciting, directly or indirectly, any gift or loan for yourself or another if the gift or loan tends to influence you in the discharge of your official duties.

These prohibitions do not apply to:

- An occasional nonmonetary gift having a value of less than \$50;
- An award publicly presented;
- Any bona fide loan made in the ordinary course of business; or
- A political campaign contribution if the contribution is actually used in a political campaign

Information Reporting and Whistle Blowing

Whistle blowing: As a public employee, you have a responsibility to formally inform appropriate administrative officials if you become aware of, or reasonably suspect the waste of public funds, property, manpower, or a violation of law, relating to your employment. An appropriate administrative official is your immediate supervisor, unless you reasonably believe the supervisor cannot or will not fairly and constructively report the problem. If that is the case, you may report the incident to the Mayor or the City Administrator.

Improper Disclosure/ Spreading of Rumors: You are responsible for refraining from spreading information which is hostile to City operations or other employees which you know, or have reason to know is malicious, false, or frivolous. You also are not to disclose, or induce others to disclose confidential information acquired due to your position. You are not allowed to use confidential information for your gain, benefit or purposes.

Assist Investigations: You have a duty to participate in an investigation, hearing, inquiry, or other form of administrative review by the City arising from a report of the existence of any waste of public funds, property, manpower, or violation of law as may be requested by City Officials.

Outside Employment

Some types of outside employment may create a conflict of interest with your City job or interfere with your performance in your City position. If you wish to take a second job, you should discuss it with your department head or the City Administrator.

Distribution of Literature and Solicitation of Gifts

In the interest of maintaining a proper business environment and preventing interference with work and the inconvenience of others, distribution of literature or printed materials of any kind and selling merchandise during work time is restricted.

Do not place personal solicitations, information or announcements on the network computer system. Non-employees are likewise prohibited from distributing material or soliciting employees on City premises at any time.

Also, the solicitation of financial contributions and gifts, or soliciting for any other reason is restricted. Consistent with Utah State Code 10-3-1304, it is inappropriate for a city employee to use or attempt to use his official position to secure special privileges for himself or others, or to solicit, directly or indirectly, any gift of substantial value or substantial economic benefit. Please be advised that solicitation activities are prohibited while in a City uniform or during an employee's scheduled work hours.

Internet Usage

In an effort to define what is an appropriate and inappropriate use of the City's internet connection, the following guidelines have been established:

1. Work related use of the internet is allowed. There should be a correlation between an employee's job and his use of the internet. Use of the internet must be approved by your department head.
2. Time spent researching on the internet should be done quickly and efficiently.
3. Personal use of the internet is allowed during non-working hours (before work and after normal working hours).
4. Employees should not connect to the internet and leave the connection active while they are away from their work station. This restricts the number of users that can be connected at any time.
5. Internet sites that are pornographic or display information that is sexual in nature, are not to be accessed by employees (at any time) using the City's internet connection. This guideline also applies to any software program that is sexually oriented.
6. Computer or internet games are not to be played at any time.
7. Use of the internet is not private and may be monitored for compliance with this policy.
8. If an employee has a question about what is allowed, they should consult with their department director.

Tobacco Usage

In order to maintain a safe and comfortable working environment, tobacco usage in City offices and facilities is prohibited. Usage is prohibited in City vehicles.

Because the City may be subject to criminal and civil penalties for violations of applicable smoking laws, the City must insist on strict adherence to this policy. Employees smoking in any non-smoking area may be subject to disciplinary action.

Please contact the Personnel Office if you have any questions regarding the City's smoking policy. Complaints regarding violations of this policy may be filed under the City's complaint resolution procedure.

Drug Free Work Place

It is the policy of the City to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The misuse of controlled substances or alcohol is inconsistent with the behavior expected of employees, subjects all employees and visitors at our facilities to unacceptable safety risks, and undermines the City's ability to operate effectively and efficiently. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance in the workplace or while engaged in City business off the City's premises is strictly prohibited. Such conduct is also prohibited during nonworking time to the extent that in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City.

Employees convicted of controlled substance or alcohol related violations must inform the City within five days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the City may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

In addition to the Drug Free Workplace Act of 1988, the Federal Highway Administration has also initiated Drug and Alcohol Rules for employees who have a commercial drivers license (CDL). These rules require urine drug testing and breath alcohol testing for the following situations:

- Before an applicant is hired.
- When a driver's, operator's or other employee's conduct or judgement may have contributed to an accident. However, if the accident only involves property damage of less than \$1,000, testing may not be required at the discretion of the supervisor.
- After a driver is involved in an accident resulting in a fatality or possible fatality.
- When a trained supervisor observes a behavior or appearance that is characteristic of drug or alcohol use.
- On a random unannounced basis just before, during or just after performance of safety-sensitive functions.
- When a driver who has violated prohibited drug and alcohol conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least 6 tests must be completed in the first 12 months after a driver returns to duty.

City policy requires drug testing and/or alcohol testing for the following reasons:

- Pre-employment/conditional offer of employment
- Promotion
- Reasonable suspicion (drug and alcohol testing)
- Post accident (drug and alcohol) when in a city vehicle or when conducting city business

Employee actions and conduct:

- You are to inform your supervisor any time you are taking any prescription or over-the-counter drug which can, or will, according to label warnings or physician instructions, impair your ability to safely perform assigned duties, such as drugs causing drowsiness, restricted vision or restricted motor control if you are required to operate a vehicle or motor equipment on City business.
- You are not to report to work under the influence of alcohol or drugs that may cause impaired performance of duties, or when the ability to perform assigned duties is impaired. Your supervisor has the option of sending you for a drug test if there is a concern regarding your impairment. If there is a question as to whether a drug may impair, you or your supervisor may contact the Personnel Office for assistance to determine the risk or impairment.
- While on-call or on duty, you are not to consume alcohol or any drug which may impair ability to perform assigned duties.
- If you are called back to work during nonscheduled work hours, or report to work during scheduled or nonscheduled work hours and have recently consumed alcohol or drugs which may impair your ability to safely perform, you are to inform your supervisor. Your supervisor will determine whether or not you should perform the duties. Multiple instances of inability to safely perform your duties may lead to discipline, up to and including termination.
- You are not to manufacture, distribute, dispense, possess, or use controlled substances or alcohol in the workplace. In addition, if you are convicted for a violation of a drug or alcohol offense, you must notify the City in writing no later than five calendar days after such conviction.
- Off-the-job use of alcohol or drugs, including but not limited to those that lead to criminal conviction or loss of drivers license shall be dealt with as it affects your performance or ability to perform.
- You are not to operate any City vehicle, either on or off duty, or any other vehicle on City business, while under the influence of alcohol or drugs.

Workplace Searches

In order to safeguard the property of our employees, our customers, and the City, and to help prevent the possession, use, and sale of illegal drugs on City premises, the City reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from the City's property. All offices, desks, computers, electronic files, hard files, lockers, etc., are the property of the City, and are issued for the use of employees only during their employment. Inspections may be conducted at any time at the discretion of the City.

Safety and Health

Eagle Mountain City is committed to providing a safe and healthy working environment. The City makes every effort to comply with relevant federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies, and programs conducive to such an environment.

You are expected, as a part of the comprehensive safety and loss prevention program, to place safe work practices and identification of unsafe conditions in highest priority while performing your daily tasks. Your safety commitment must include, but is not limited to the following:

- Using the safety equipment which has been provided in performing your daily work assignments.
- Wearing the prescribed uniform and safety shoes as required.
- Not operating equipment or using tools for which training or orientation has not been received.
- Warning co-workers of unsafe conditions or practices they are engaged in which could lead to or cause an accident.
- Reporting defective equipment immediately to a supervisor.
- Reporting all injuries and accidents regardless of severity.
- Taking care not to abuse tools and equipment, so that these items will be in usable condition for as long as possible, as well as to ensure that they are in the best possible condition while being used.

In addition, in the event of an emergency at any City facility, please dial **911**. Be aware of the following recommendations:

- If an alarm sounds in the building, leave the building using the nearest unblocked exit. Do not open doors that are hot to the touch. Do not use elevators. Assign someone to check restrooms, file rooms, etc. Assign someone else to help anyone who requires special assistance. All employees should go to a safe zone designated by his department head. Failure to comply with these requirements may result in discipline.
- Never re-enter a building once you have exited during an emergency situation. Instead, go to the safe zone designated by your department head.
- In the event of a fire, the person who discovers the fire or sees smoke should immediately sound an alarm. If the fire is small, you may attempt to extinguish it using the nearest fire extinguisher. If the fire cannot be put out immediately, evacuate the building.

Hazardous Condition Reporting

As a City employee, City administration asks that you make it a practice to be aware of potentially dangerous situations you see throughout the City, whether you are on or off duty. Unsafe conditions may result from City work that could present a hazard to the public.

If you discover dangerous situations around the City, please do what you can to secure the situation and report the problem to appropriate department immediately. Dangerous or unsafe conditions exist in the work place as well as throughout the City. Situations you should be aware of include defective sidewalks, broken curbs, hanging limbs, loose handrails, open manholes, sunken basins and sewers, missing signs, physical assaults, threatening behavior, etc.

Injury and Accident Reporting

All work-related accidents resulting in injury or illness must be reported immediately to your supervisor. See "Workers' Compensation" for the process to report work-related injuries.

If you are involved in a traffic accident involving a City vehicle or personal vehicle used during City business, you must report it to the appropriate law enforcement agency and your immediate supervisor or department head. All vehicular accidents with damage of \$1,000 or more **must** be reported to local law enforcement. In addition, City policy may require drug and alcohol testing when an accident occurs in a city vehicle or while conducting city business.

If there is damage to City property or the property of a third party, contact your supervisor or department head and the Personnel Office immediately. Failure to do so may result in disciplinary action or personal liability for damages.

A thorough review of the cause of the accident will be conducted by your supervisor. Your supervisor, department head, and the City Administrator will review the accident to determine the cause, whether it was preventable, if discipline is warranted, and how similar accidents can be avoided in the future.

City Vehicle Use

If you drive a City vehicle, you are responsible for checking the fluid levels and overall condition of the vehicle on a daily basis. If there is anything that needs to be repaired, contact your supervisor immediately. If you ever have a question about operation of a City vehicle, talk to your supervisor.

Personal Vehicle Use

Many City officials and employees are required or expected to travel on City business using their personal automobiles. It is not always practical or cost effective to provide employees with a City vehicle. Eagle Mountain City will reimburse you when you use your personal automobile while on City business.

If you drive on City business, you must have a valid Utah drivers license and a good driving record. The City conducts drivers license checks of all City employees periodically. The City is not liable for damage to your vehicle which occurs while you are on City business. Part of the purpose of the reimbursement or allowance you receive is to help you cover the cost of adequate insurance to cover damages you may incur.

Mileage reimbursement For employees not on a vehicle allowance, you will be reimbursed at the rate established by the IRS. Your department or division head must authorize personal vehicle travel in advance. It is your responsibility to accurately complete City mileage reports and submit them to your department or division head.

Safety Belt Use

All vehicle occupants must use available safety belts and shoulder restraints at all times while traveling on City business in any vehicle being used for conducting City business. It is your responsibility to ensure that your safety belt system is maintained so that they are clean, easily accessible and in good working order. All employees are encouraged to wear safety belts at all times.

Cellular Phone Use

City-owned cellular phone: It is the policy of Eagle Mountain City to provide city owned cellular phones to selected personnel for the convenience of the City and employees in the performance of their official duties. City owned cellular phones are intended for City business . Employees should discourage personal incoming calls. It is recognized that some incidental and minimal personal use may be required to save time and make the employee more efficient. If a personal call is made or received on a City cell phone, the employee will reimburse the City \$0.15 for every personal phone call minute each month. Again, personal phone calls should be extremely limited in duration and frequency.

Complaint Resolution Procedure

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, should a situation persist that you believe is detrimental to you or the City, you should follow the procedure described here for bringing your complaint to management's attention.

Step One: Discussion of the problem with your immediate supervisor is encouraged as a first step. If, however, you don't believe a discussion with your supervisor is appropriate, you may proceed directly to Step Two.

Step Two: If your problem is not resolved after discussion with your supervisor or if you feel discussion with your supervisor is inappropriate, you are encouraged to request a meeting with your department head. In an effort to resolve the problem, the department head will consider the facts, conduct an investigation, and may also review the matter with the City Administrator. You will normally receive a response regarding your problem within ten (10) calendar days of meeting with your department head.

The department head is the final level of review except for demotions, terminations, issues of classification, reduction in force, disciplinary actions involving suspensions of 36 hours or more, and any claim of discrimination involving race, color, sex, age, religion, ancestry, national origin or disability.

Step Three: If you are not satisfied with your department head's decision and wish to pursue the problem or complaint further, you may prepare a written summary of your concerns and request that the matter be heard by the City Administrator and/or the Mayor.

The City does not tolerate any form of retaliation against employees availing themselves of this procedure. The

procedure should not be construed, however, as preventing, limiting, or delaying the City from taking disciplinary action against any individual, up to and including termination, in circumstances (such as those involving problems of overall performance, conduct, or demeanor) where the City deems disciplinary action appropriate.