TOWN OF QUEEN CREEK ARIZONA

Administrative Policies and Procedures Manual

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Welcome to the Town of Queen Creek

Dear Queen Creek Employee,

Welcome to the Town of Queen Creek. As a Queen Creek employee, you are part of an organization that means many things to many people. The Town, as an organization, serves as a facilitator, working to realize the community's vision for itself. We provide the infrastructure citizens need to have safe homes, roads, and places of business. We protect and safeguard public money and property. We offer recreational activities to strengthen the bodies and minds of our youth, helping them to guide to stay on the path to a bright future. We work to make residents' dreams come true for the future development of their community. We budget and plan resources so citizens will get the most from their tax dollars. When citizens and clients come to Town Hall, we provide superior customer service. We improve the lives of the people who choose to live here. The key to the Town fulfilling our mission is our employees. Through you and your quality work we serve our community with high quality services. When you enjoy your work and get along with your fellow employees, it shows in the quality of our operations. The Town is therefore committed to helping you achieve this goal.

I hope that being part of our team will be a rewarding and fulfilling experience for you. This Town of Queen Creek Administrative Policies and Procedures Manual is designed to give you information you need to be a productive employee, help you work with others, and help you take advantage of employee benefits. This personnel manual is written to familiarize you with the policies and procedures of the Town and to let you know what our expectations are. It outlines common personnel procedures and answers frequently asked questions. Please keep it, use it, and update it as new policies take effect.

Our best wishes to you for a satisfying work experience with The Town of Queen Creek. If you have any questions about the information, policies and procedures in this handbook, please do not hesitate to ask the Human Resources Director or me.

Town Manager

Employee Rules

1. **PEOPLE** are the most important resource. Treat everyone, including each other, with respect and dignity.

2. **NEVER** miss a chance to assist a citizen. Customer service comes first. Help people out whenever you can. Talk to them. Walk with them, don't just point the way to the office they want to find. Park your car away from the door, so customers get the best parking places.

3. Take **CARE** of employees and of each other. Tell people when they did well. The work we do is hard. Help each other out. Give praise.

4. Take care of **YOURSELF**. You're no good to anyone if you don't.

5. **NEVER** surprise the Council. You do that by never surprising your supervisor. Keep your supervisor and the Town Manager informed of what's going on. All of our jobs are interconnected, so everything the Town does is part of your job, too.

6. **PEOPLE** are more important than tasks. Remember that when you're under pressure, trying to get a lot of things done at once.

7. Do what is **RIGHT**. If it would not look good on the front page of the newspaper, don't do it. Do things in a way that will make you and others proud. Be impeccably honest.

8. Be **SMARTER** today than you were yesterday. Learn something. Explore. Try a new way once in a while. Look for improvement.

9. Fix the **PROBLEM**, not the blame. It is not important who is to blame, what's important is to make things right, and to learn from mistakes so they do not happen again.

10. **NOW** is the most important time. Do things now. Don't wait.

11. **PRACTICE** before you preach. Before any presentation, practice so you get it right.

12. You can only be as good as you **THINK** you are. Aim high.

13. Search for, and find, another alternative. Think **WIN-WIN** so that you make the best of any situation where people disagree.

14. Remember, we are in this for the long haul. Keep issues in **PERSPECTIVE**.

Adapted from rules advocated by Pete Morrell and Lou Schmidt, 1/96

Code of Ethics

Employees of the Town of Queen Creek have the trust of the citizens. People in the Town depend on us for service. This level of trust creates a special responsibility. All employees are expected to maintain a high level of ethical standards, to act with integrity in all public relationships, and to always conduct themselves in a manner that maintains public confidence.

Employees of the Town of Queen Creek shall uphold the Constitution, laws of the United States, State of Arizona, and the Town of Queen Creek, and shall also be:

I. Honest and trustworthy in what you say, do, and write in all professional relationships.

II. Dedicated to providing quality services by being cooperative and constructive, and by making the best and most efficient use of available resources.

III. Fair and considerate in the treatment of citizens and fellow employees, providing service with equality, and granting no special favors.

IV. Committed to accomplishing all tasks in an efficient and cost effective way, and never performing in a way that will harm the image of the Town.

V. Recognizing that public and political policy decisions are the responsibility of the Town Council, the people elected to represent the citizens and to set goals.

VI. Dedicated to improving the lives of the citizens of the Town of Queen Creek.

Abiding by this Code of Ethics always requires hard work and the courage to make difficult choices. But we are all best served by doing what is right instead of what is easy.

POLICY STATEMENT			
Subject:	**Employee Policy Administration**		
Revision Date:	8/2006	**Policy Number:**	1
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this policy is to provide guidance in the development and administration of all Town employee-related policies.

A. Introduction

It is the desire of the Town of Queen Creek to extend its services to its customers in the most efficient manner possible. The Town acknowledges that the well-being of its employees and a harmonious relationship between the Town and its employees is essential to maintaining total quality service delivery.

These Administrative Policies are a statement of expectations, adopted by the Mayor and Council of the Town of Queen Creek, through which the Town of Queen Creek defines employee benefits, employee responsibilities, obligations, and opportunities for professional growth. The Town Administrative Policies and Procedures Manual further defines how the policies will be carried out. Although employee advice is sought on employee-related policies, final decision making and enforcement rights are entrusted to the Town Council and the Town Manager.

All employees need to familiarize themselves with these Administrative Policies and Procedures, as well as other pertinent policy and procedure manuals or statements issued by the Town. The Town will make reasonable efforts to notify employees of any changes made to these documents, but it is the employee's responsibility to follow current policies and procedures.

If any departmental policy or procedure is more restrictive than the requirement set forth in this document, the departmental policy will take precedence over the provision of this document; however, departmental procedures can not contradict Town-wide policy.

The Administrative Policies and Procedures are written so that as of the date of their adoption, they are in compliance with Federal legislation, as amended, covering employment practices, such as, the Rehabilitation Act of 1973, the Civil Rights Act of 1964, the Fair Labor Standards Act of 1938, the Occupational Safety and Health Act of 1970, the Immigration Reform and Control Act of 1986, the Drug Free Workplace Act of 1988, the Americans with Disabilities Act of 1990, the Family and Medical Leave Act of 1992, and relevant state laws.

B. Purpose and Objectives of the Administrative Policies and Procedures Manual

These policies and procedures are designed to assist Town employees in understanding the employee practices and benefits in effect at the Town of Queen Creek at the time of their adoption. They are not, however, intended to imply or express a contract, and the Town reserves the right to amend, change, or discontinue the practices and benefits described in these documents at any time.

The Administrative Policies and Procedures Manual sets administrative policy on such subjects as administrative organization, transportation and travel, records management, vehicle usage, control of forms, employee welfare and development, financial and purchasing procedures, property management, public relations and personnel administration.

The Town Manager may appoint and authorize other Town employees or officers to carry out the intent of these personnel policies. Departmental rules consistent with these policies may be issued subject to review and approval by the Town Manager.

The Town Manager is responsible for administration of the rules and regulations set forth herein. In order to establish uniform administration of these rules, the Town Manager is responsible for publishing a comprehensive administrative procedures manual, which serves as the official communication for implementing policy, establishing procedures, and issuing regulations, orders and announcements.

C. Adoption and Amendment of Policy

The Town Manager shall present to the Town Council, in the form of this handbook, policy statements to be adopted. Amendments and revisions may be proposed by the Town Manager and will be effective upon adoption of the Town Council. These rules shall govern the operation of the Town of Queen Creek human resource management system.

This handbook is not intended to create any contractual obligations, or a contract of employment. This handbook is designed to assist employees in understanding the personnel practices and benefits in effect in the Town of Queen Creek at the time of this printing. The Town reserves the right to amend, change, or discontinue the policies, practices, and benefits described in this handbook at any time without prior notice. For additional information regarding the policies contained in this handbook, contact the Human Resources Director.

D. Administration of Administrative Policies and Procedures Manual

The administration of these documents shall be the responsibility of the Town Manager, or designee. Specifically, the Town Manager is responsible for:

a. Administering the provisions of these documents;

b. Preparing amendments to these documents;

c. Amending administrative procedures, as necessary;

d. Recommending Town Manager-approved amendments to policy statements to the Town Council for their consideration; and,

e. Notifying Town personnel of changes to any policy or administrative procedure.

All changes to Town of Queen Creek Policy Statements require legal review by a Town Attorney, review by the Town Manager, and Town Council approval to be modified in any way, and before any proposed changes will take effect. All changes to the Town of Queen Creek Administrative Procedures require legal review by a Town Attorney and approval by the Town Manager. The following chart further illustrates this distinction:

Town of Queen Creek Policy Statements	Town of Queen Creek Administrative Procedures
• Changes require review by Town Attorney and the Town Manager, and Town Council approval	• Changes require review by Town Attorney and Town Manager approval
• Are direction-setting	• Are task or action defining
• Establish general parameters for the Human Resources system	• Give specific procedures for how Human Resources and Town Departments carry out the policies set forth by the Town Council
• **General in nature**	• **Specific in nature**
• Provide philosophical direction and guidance to the organization	• Establish actions that must be taken to support the philosophies established in policies
• Says “we believe this way”	• Says “this is how we do it”

E. Directors’, Managers’ and Supervisors’ Responsibility

It is the Directors’, Managers’ and Supervisors’ responsibility to follow up and implement the administrative policies and procedures. Deviation from these policies or administrative procedures without prior permission from the Town Manager will be grounds for discipline up to and including dismissal.

F. Department-specific Policies and/or Procedures

Departments may elect to develop and establish their own policies and/or procedures with regard to functions within that department; however, such policies and/or procedures may not conflict with accepted Town-wide polices and/or procedures. If a Department-specific policy and/or procedure is determined by the Town Manager and Town Attorney to conflict with any Town-wide policy and/or procedure, then the Town-wide rule will control.

POLICY STATEMENT			
Subject:	**Position Classification, Merited Service, and At-Will Employment**		
Revision Date:		**Policy Number:**	100
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of the Classification Plan is to provide a complete inventory and job description of all Town positions. The Plan is designed to establish a salary range for each position that is based on a systematic blending of the position's internal worth in the Town and the position's external value in the market.

The Classification Plan shall be developed and maintained so that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same class. The plan shall be amended as the duties, responsibilities, and employment conditions change.

After initial adoption, the pay and classification plan shall be reviewed annually. The Plan may be amended as deemed necessary with approval of the Town Manager. The Town Council must approve expenditures related to updates as well as to the completed, amended pay and Classification Plan.

Policy

A. Position Classification

1. Preparation, Maintenance and Administration of the Classification Plan

   The Human Resources Director, or designees, shall be responsible for maintenance and administration of the Classification Plan. This includes recommending the allocation of positions to the appropriate ranges, coordinating the updating of job descriptions, conducting wage and salary surveys and recommending salary structure changes and plan amendments.

   The Human Resources Director or a person or agency employed for that purpose, shall prepare a pay and classification plan covering all positions in the Town service. In arriving at salary rates or ranges, consideration shall be given to the prevailing rates of pay, consideration of working conditions for comparable work in public and private employment, current costs of living, suggestions of Department Directors, the Town's financial condition and policies, and to all other relevant factors.

   a. Salary Structure

      Periodic surveys of the market will be done to determine the Town's relative position to the market. The Town Council will determine if a change to the structure is necessary based upon the position they want the Town to be in compared to the market movement.

The Town will maintain one salary structure including non-exempt and exempt positions, excluding Elected Officials and the Town Manager.

b. Application of Rates

Employees occupying a position in the Town service shall be paid a salary or wage established for that position under the pay plan. A new employee shall start at the initial salary of the appropriate level unless the HR Director and the Department Director and Town Manager, or designee, determine that qualified applicants are not available at the salary specified at the initial salary rate or that an applicant has special qualifications that justify a higher starting rate.

c. Salary Ranges

Each salary structure will have several salary ranges with defined minimum and maximum dollar limits. The range and steps define the pay opportunities for the position. Merit increases based on performance, allows employees to move through the steps in the salary range over a period of years.

i. Salary Range Adjustments

When it is determined that the salary range assigned to a particular classification is no longer appropriate due to changes in market conditions, or duties and responsibilities of the classification, Human Resources shall be notified by the Department Director through a memorandum and shall conduct a review of the range assigned to the particular class. If it is determined that the salary range assigned to the classification is either too high or too low, Human Resources shall make a recommendation for change to the Town Manager, or designee, and Department Director. If approved by the Town Manager, or designee, the classification shall be moved to the recommended pay range. If the change is to a lower range, the affected employees shall be moved to the appropriate class in the new salary range. If the change is to a higher range, appropriate adjustments shall be made for the affected employees. In no case shall an employee's pay exceed the maximum in the salary range assigned to the classification, except as may be approved by the Town Manager, or designee.

d. Class Specification

Every position will have a written class specification (job description) that describes its general purpose, essential functions, and minimum qualifications.

The class specification is not meant to be restrictive or all-inclusive, but describes the major functions of a job. It should be reviewed periodically and changed as necessary. A copy of each class specification will be signed by the employee and by the chain of command through the Department Director or designee and will be maintained by the Human Resources Department.

i. Interpretation of Class Specifications

The workings in class specifications are descriptive and not restrictive. They are not to be construed as declaring the only duties or responsibilities of any position.

ii. Training and Experience

The minimum qualifications included in the training and experience section of the class specification shall relate to the minimum reasonable standards of required experience and training. Examples include education, certification, licensing, or registration required at the time of original appointment to the position.

iii. Class Specification Titles

The official job title shall be used for the purpose of personnel actions and on all documents referencing the position.

e. Job Evaluation

Positions in the Town are placed in a salary range based on minimum qualifications, knowledge and education, experience, organizational control, human relations skills, budget responsibility, freedom to act, complexity and working conditions, internal equity, and market value.

f. Allocation of Positions

i. Classification of New Positions

The Human Resources Department shall maintain copies of current specifications for all classes of employment. The class specifications are descriptive only and are not to be restrictive in nature. They are intended to indicate the kinds of positions that should be allocated to the respective class as determined by their duties, responsibilities and qualification requirements

When a Department Director desires to establish a new position, a written job description questionnaire containing the knowledge, skills and abilities required to do the position, as well as the essential functions of the position must be prepared and submitted to the Human Resources Director to conduct a classification analysis of the proposed position to determine the proper range. Requests for new positions may be based upon reorganization, new programs, significant program changes, or increased complexity. A classification review will be conducted after the new position is approved by the Town Council as a funded position.

ii. Reclassification of Existing Positions

Job reclassification occurs when an individual's job duties and responsibilities have changed materially. Reclassification shall not be used for the purpose of avoiding restrictions concerning demotions and promotions.

Employees shall perform duties and be assigned responsibilities consistent with those outlined in the classification for the position to which they are assigned. A Department Director, Supervisor or an employee may request a job reclassification review if he/she believes that the position has substantially changed in depth, responsibility and/or accountability. If so, a written request for reclassification analysis should be sent through the chain of command to the Department Director. Human Resources will determine if the position is properly classified, provided the position has not been reviewed within the previous twelve (12)-month period. Such requests must include detailed evidence supporting how the position has changed and how it is inconsistent with the classification specification. Human Resources shall submit recommendations to the Town Manager, or designee, and the Department Director to reclassify the position to a more appropriate level, whether new or existing.

Job reclassification will involve the assessment of the position, not the employee who occupies it.

- The Department Director shall review the request and the supporting evidence submitted. If he/she does not concur, he/she should meet with the supervisor or employee and explain why they do not feel a reclassification is appropriate. If the Department Director agrees with the request, his/her approval of the requested reclassification analysis must include the rationale for the recommended action.

- The Human Resources Director, or designees, will review the reclassification request and corresponding documentation, and list pertinent facts in relation to the request. If the Human Resources Director, or designee, finds that the recommendation is sufficiently documented to support the reclassification, or denies the request, all parties affected shall receive a copy of Human Resources' decision.

- If a reclassification is not recommended by Human Resources, the request will go back to the requesting party for further consideration or withdrawal. If a reclassification is recommended by Human Resources, the request will be forwarded to the Town Manager, or designee, for final approval. The approved document will then be sent to the Budget Administrator to determine funding availability.

- The above steps should, when possible, be completed within sixty (60) calendar days of the request. In most cases, reclassification review requests will be reviewed in the order of receipt.
- An employee whose position is reclassified for a job having increased responsibilities or complexity of duties is eligible to remain in the position provided he/she meets the minimum qualifications for the new classification. The employee who does not qualify for the new classification may be required to attend further training to acquire the required knowledge, skills and abilities or may be removed from the position and may be transferred to a position within the employee's job skills.
- Employees reclassified to a higher pay grade shall receive an increase based upon the procedure approved by the Town Manager. Employees reclassified to a lower pay grade will remain at their current salary level.

B. Merited Status Employment

Merited status includes all employees whose positions have been approved and budgeted by the Town Council and have not been included in the at-will service status. The merited service is designed to facilitate efficient and economical services to the public, and to provide for an equitable system of recruitment, classification, compensation, and disciplinary process.

1. It is the policy of the Town of Queen Creek that appointments, promotions and other employment decisions are based upon merit and ability, free of unlawful and political considerations.
2. Tenure of employees in the merited service is subject to satisfactory work performance, necessity for the performance of work, the availability of funds, or other appropriate reasons.

C. At-Will Status Employment

At-Will status includes an employee who is subject to termination at any time with or without cause or notice (unless otherwise stated in a written contract of employment) and without procedural due process at the discretion of the Town Council, Town Manager, or Department Director with the Town Manager's approval, whichever is appropriate. At-Will status includes employees in which administrative necessity dictates that the positions be responsive and accountable to Town policy or are temporary and provisional in nature. Unless otherwise listed, at-will status employees are not subject to the Town's procedures governing trial service period (procedure 340), layoff (procedure 365), discipline (procedure 820), rights of appeal (procedure 830), recruitment and selection (procedure 310), and any internal options for filling positions (procedure 320), unless otherwise determined by the Town Manager.

At-Will status positions include:

1. Volunteers and personnel appointed to serve without pay
2. All Town officers appointed by the Town Council, including:
    a. Town Manager
    b. Town Clerk
    c. Town Attorney

Staff positions as determined by the Town Manager (see procedure 110)

    a. The Town Manager has the authority to negotiate a written contract of employment with at-will status staff positions. This authorization includes the discretion to negotiate a severance agreement with an at-will status staff position within the contract for involuntary separation of service or resignation.

3. Temporary employees
    a. Temporary employment is limited in nature and does not normally exceed one-year of employment except under special circumstances with the approval of the Human Resources Director. Temporary employment normally is limited to less than twenty (20) hours per week. Recruitment for temporary positions is subject to the recruitment and selection procedures (310) of this handbook.
4. Employees on their initial trial period (see procedure 340).

ADMINISTRATIVE PROCEDURE			
Subject:	**At-Will Status Employment**		
Revision Date:		**Policy Number:**	110
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

At-Will status employment includes an employee who is subject to termination at any time, with or without cause or notice (unless otherwise stated in a written contract of employment) at the discretion of the Town Council, Town Manager, or designee with the Town Manager's approval, whichever is appropriate. At-Will status employment includes employees in which administrative necessity dictates that the positions be responsive and accountable to Town policy or are temporary and provisional in nature. Unless otherwise listed, at-will status employees are not subject to the Town's procedures governing trial service period (procedure 340), layoff (procedure 365), discipline (procedure 820), rights of appeal (procedure 830), recruitment and selection (procedure 310), and any internal options for filling positions (procedure 320), unless otherwise determined by the Town Manager.

Policy Communication

The policy governing the Town's At-Will Status employment can be found in Policy #100.

Procedures

The Town's At-Will Status Employment policy within this handbook provides the Town Manager authority to identify staff positions as "at-will". The Town Manager has the authority to negotiate a written contract of employment with at-will status staff positions. This authorization includes the ability to negotiate a severance agreement with an at-will status staff position within the contract for involuntary separation of service or resignation.

Specific At-Will Status positions are identified by the Town Manager as the following:

- Assistant Town Manager
- Deputy Town Manager
- Department Director
- Assistant Department Director
- Controller
- Budget Administrator
- Executive Administrative Assistant to the Town Manager

Senior Management Assistant reporting to the Town Manager, Assistant Town Manager, or Deputy Town Manager

POLICY STATEMENT			
Subject:	**Employee Compensation**		
Revision Date:		**Policy Number:**	200
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of the compensation plan is to attract, retain and motivate employees through financial compensation commensurate with the employee's ability, responsibility, and contribution toward the Town's goals. This plan is designed to recognize and reward outstanding performance, achieve internal equity, and be externally competitive with market compensation.

Policy

A. Maintenance and Administration of the Compensation Plan

The Human Resources Director, or designees, shall be responsible for maintenance and administration of the Compensation Plan. This includes recommending to the Town Manager any amendments or market changes to the Plan. The Compensation Plan shall establish salary ranges, including a minimum and maximum pay rate and pay steps for an employee to progress through their range. The Town will conduct salary surveys and propose recommendations to the Town Council for market-based adjustments as needed to maintain a market competitive position. The Town will establish pay periods and pay dates.

The Town will strive to provide a total compensation package that is affordable, yet allows the Town the opportunity to attract qualified applicants and retain excellent performing employees. Total compensation includes base pay, certification pay, indirect pay (comprehensive benefits), career opportunities, and a positive culture in which to work.

B. Adjustments to Salary

Salary Range Adjustments

When it is determined that the salary range assigned to a particular classification is no longer appropriate due to changes in market conditions, or duties and responsibilities of the classification, Human Resources shall be notified by the Department Director and shall conduct a review of the range assigned to the particular class. If it is determined that the salary range assigned to the classification is either too high or too low, Human Resources shall make a recommendation for a change to the Town Manager. If approved by the Town Manager, the classification shall be moved to the recommended pay range. If the change is to a lower range, the affected employees shall be moved to the appropriate class in the new salary range. If the change is to a higher range,

appropriate adjustments shall be made for the affected employees. In no case shall an employee's pay exceed the maximum in the salary range assigned to the classification, except as may be approved by the Town Manager.

The overall amount allocated for all increases will be determined based on the Town's fiscal constraints and designated competitive position. No individual's salary should be increased beyond the maximum of their salary range.

1. Completion of Trial Employment Period (See Procedure 340 for details.)

2. Annual Merit Review

   Annual merit increases for employees may be in single or multiple step increments, or be withheld or postponed, depending on job performance and budgeted funds.

   a. Performance Evaluation System

      The Human Resources Director shall maintain a consistent performance evaluation system. It is designed to provide alignment between the Town's mission and goals, and employee performance expectations. The purpose of the performance system is to improve communication about performance between an employee and their supervisor. Performance ratings are used to provide the basis for successful completion of trial employment and related increases, merit increases, promotions, professional development, training, and performance improvement plans.

      The Performance Evaluation System fosters ongoing two-way communication between employees and supervisors; supports the development of clear, consistent, and measurable goals linked directly to the Town's mission and goals; helps to articulate and support training needs and professional development; and, establishes the criteria for making reward and recognition decisions. Job specific performance indicators and goals are the cornerstone of the program. The accomplishment of goals provides the opportunity to recognize individual achievement and professional development.

      Performance evaluation focuses on measuring an employee's job performance and is not an evaluation of the employee's personality. Work performance is evaluated on the basis of standards which have been communicated and discussed in advance. The supervisor and the employee work together to determine what changes are needed in order to improve how the employee performs his or her job.

      To summarize, the Performance Evaluation System is designed to:

      - Link the Town's mission and goals to employee performance indicators.
      - Strengthen communications between supervisors and employees.
      - Encourage employee growth and development.

- Improve employee performance by providing positive constructive and developmental feedback.
- Provide data to document performance.

b. Salary Increase

If the Performance Evaluation Form for an annual merit review reflects an overall rating of "consistently meets" or above, an increase may be recommended based on the rating and budgeted funds. Each year, the Town Manager, through the budget process, will recommend to Council the appropriate funding for the merit review program.

c. Salary Increase Withheld

If the Performance Evaluation Form for annual merit review reflects an overall rating of "Needs Improvement" then the employee receives no increase. The next opportunity for an increase will be on their next performance review date.

3. Promotion

When an employee is promoted to a position at a higher salary range, the employee shall receive a 5% increase to the nearest step of the new range or the entry of the new range, whichever is greater. The Town Manager, or designee, shall have the authority to approve an additional increase, if appropriate.

4. Reclassification

The salary of an employee whose position is reclassified to a lower classification or whose job level is assigned to a lower salary range will be determined by the following procedures:

The employee will be placed within the lower salary range at a salary which is equal but not greater to his/her current rate of pay, or at an appropriate salary range as determined by the Town Manager.

When an employee's position is reclassified to a higher classification, or when a classification is assigned to a higher salary range, the following procedures shall determine the affected employee's salary:

- In all cases, every affected employee shall be assigned to one of the job classes specified in the new salary range.
- In no case will an employee involuntarily receive a decrease in rate of pay as a result of his/her job classification being moved to a higher salary range.
- Employees assigned to a higher range that overlaps with their present range shall be placed in the higher range such that their pay shall be the same or greater.

- In most cases, affected employees shall retain their review dates for the purposes of performance evaluation and increases. The Town Manager, or designee, may approve a new evaluation date in special circumstances.

  Employees reclassified to a classification with a higher pay grade shall receive a five percent (5%) salary rate increase to the next nearest step within the new pay grade or the minimum salary rate of the new pay grade, whichever is higher.

  When an employee's position is reclassified to a lower salary range, the employees' current salary will not be decreased unless their salary is higher than the maximum step of the new range. If the employee's salary is above the maximum of the new range, the Department Director may recommend, and if the Town Manager, or designee, approves, the employee's salary will remain the same and will be frozen until the salary in the new range reaches the employee's salary level, based on market adjustments.

  When an employee's position is reclassified to a position in the same pay range, no adjustment in salary will be made.

5. Transfer at Same Salary Range

   When an employee is transferred from one position to another having the same salary range, the employee's pay shall remain the same.

6. Demotion for Non-Disciplinary or Disciplinary Reasons (see Procedure 320 for demotion procedures)

   An employee who is being paid a salary higher than the entry level may be reduced in salary on the basis of unsatisfactory work performance or conduct. Such action shall require the specific recommendation of the employee's Department Director with approval of the Town Manager.

   An employee may be returned to the former salary step at such time as deemed appropriate by the Department Director and approved by the Town Manager.

   If a salary reduction is ordered, a special review shall be performed at the time of the final action. The special review will specify the areas that need improvement.

7. Temporary Reassignment to Higher Classification (See Procedure 320 for "acting assignments" procedure)

   Upon the recommendation of the Department Director and approval of the Town Manager, an employee may be assigned on a temporary basis to a higher classification than that normally covered by their job grade level. Such assignment shall be limited to a period of 6 months.

   If the appointment is longer than two (2) consecutive pay periods, the employee shall be paid at a rate above his/her current pay step. In most cases, temporary re-assignment is limited to 5%.

The Town Manager, or designee, has authority to approve an additional increase due to special circumstances.

If the appointment is to be for less than two (2) pay periods, the employee will remain at their original salary.

8. Market Adjustment

When the salary structure is updated due to a market review, all merit status employees who are below the proposed minimum of their salary ranges will be brought up to the new minimum. If financially possible, all employees within the structure will be moved the same percentage as the structure, and remain at their respective step to prevent compression.

9. Cost-of-Living Adjustment (COLA)

The Town Manager may recommend to the Council each budget year a COLA adjustment. The overall amount allocated for a COLA, if any, will be determined based on the Town's determination of its fiscal constraints and designated competitive position. Cost-of-living adjustments are applied to each salary range and associated steps, and to the salary of each employee, except those employees that are above the maximum of the range and/or redlined. Whether to award a COLA on any given year shall at all times be within the discretion of the Town. (for definition, see #5 below)

C. Rates of Pay

1. Starting Salary. Normally an employee will be appointed or reinstated at the minimum of the salary range for the job classification.

2. Overtime Compensation. Pursuant to the Fair Labor Standards Act (FLSA), the Town will pay overtime to non-exempt employees (except Fire-sworn employees working 24-hour shifts) who work in excess of forty (40) hours in their designated workweek.

   - Employees eligible for overtime shall be compensated at a rate of one and one-half times their regular rate of pay.

   - For purposes of calculating overtime pay, vacation, sick leave, holiday, compensatory time, and other leave shall not be considered time worked and shall be deducted from "hours worked" in the workweek.

   - Positions which are exempt under FLSA will not receive overtime, but may be given time off for extensive "after hours" work on special projects or under extenuating circumstances as approved by the Department Director.

All rules associated with overtime will be in accordance with the Fair Labor Standards Act as amended.

It is the policy of the Town of Queen Creek to avoid the necessity for overtime when possible. Department Directors are responsible for the advance planning required to minimize the need for overtime. Overtime work performed by non-exempt employees must be approved in advance by department management. It is the responsibility of the departments to communicate with employees regarding the required procedure for obtaining prior authorization for overtime work. The procedure may vary by department. If an employee works overtime without prior approval, in some cases the employee may be paid for the overtime or receive compensatory time in the pay period in which it was worked, but he/she shall be subject to disciplinary action. However, the Town reserves the right when it deems it appropriate, to refuse to pay unauthorized overtime.

Neither the FLSA nor Arizona law prevents the Town from requiring an employee to work overtime. Department management may schedule overtime work as required to meet the operational needs of the Town. While it is not the Town's intention or policy to require overtime work on a regular basis, it may occasionally be necessary for some non-exempt employees to work overtime in emergencies or other situations where Town operations and the public good require it. Exempt employees are expected to work whatever time is necessary to meet department needs and organizational service delivery demands.

For purposes of determining overtime status, any type of leave (vacation, sick, jury duty, volunteer, etc.), except holidays, shall not count as time worked and therefore cannot operate to cause an employee's payroll hours to exceed 40 in one week if they did not physically work more than 40 hours. Hours which cause an employee to be paid overtime must be hours spent actually performing work (see example below). Payment for overtime will be made in the pay period in which it was worked. Departments must plan and budget for anticipated overtime payments when preparing annual budget requests.

Examples:

Example 1: Carrie is a non-exempt employee. She worked her regular 40-hour schedule plus two hours of overtime at her supervisor's request. She will be paid for 40 hours at her regular hourly pay rate, and she will be paid for two hours at time and one-half her regular hourly pay rate.

Example 2: Stephanie is a non-exempt employee. She worked eight hours per day Monday through Thursday. On Friday, Stephanie wanted to finish a project and worked 10 hours without her supervisor's approval. She will be paid 40 hours at her regular hourly pay rate, and may be paid for her two hours of overtime at time and one-half her regular hourly pay rate (but this result is not guaranteed). However, she shall be subject to discipline from her supervisor for working unauthorized overtime.

Example 3: Jason is a non-exempt employee. With his supervisor's approval, Jason worked eight hours on Monday, 10 hours on Tuesday, eight hours on Wednesday and 10 hours on Thursday, which is a total of 36 hours in four days. On Friday he came down with the flu and called in sick

to his supervisor. When he returns to work on Monday, Jason must submit a Time Sheet Adjustment/Correction Request form to Payroll. It should indicate four hours of sick leave on Friday, which brings his paid time to 40 hours for the week. Jason does not receive eight hours of straight or overtime pay for Friday because he was not physically at work. He uses four hours of his sick leave to ensure that he is paid for his regular 40-hour week.

The Town has adopted a 3-shift, 56 hour average workweek for the Town Fire Department. Under Section 207(k) of the Fair Labor Standards Act, employees engaged in fire protection activities are entitled to one and one-half time their regular rate of pay if they work excess hours beyond the adopted work period. In addition, section 207(k) also indicates that any assignment pays, such as paramedic and hazardous duty pay, must be included in the calculation of overtime. The Town has determined to adopt a 14 consecutive day work period for Fair Labor Standards Act (FLSA) purposes. For payroll purposes, sworn fire employees working the assigned A, B, or C shifts, the work period to determine work hours will be 14 days beginning at 7:15 am Saturday and ends 7:14 am the second Saturday the following week. As per FLSA, during this timeframe, the Town will be responsible in paying overtime at time and a half (1.5) after 106 regular hours worked during the two-week time period. Overtime is also paid on the paramedic stipend for those assigned as paramedics.

Emergency call outs or emergency work activities must be documented within forty—eight (48) hours after completion of the work so that overtime and/or call back compensation may be recorded. If overtime activities are a regular or periodic part of an employee's work schedule, then a supervisor may provide advanced approval to an employee for this overtime.

3. Compensatory Time

Compensatory time is time off work given by some public employers to non- exempt employees in lieu of overtime pay. Pursuant to the FLSA, the Town may provide compensatory time in lieu of overtime pay, at a rate of one and one-half hours for each hour of overtime worked, provided the employee and the immediate supervisor agree to the compensatory time accrual prior to the performance of the work.

The Town of Queen Creek does allow supervisors or Department Directors to grant and approve compensatory time for exempt employees. Employees working forty (40) hours per week may accrue up to 40 hours banked of compensatory time (56 hours for Fire-sworn working 24-hour shifts). All compensatory time worked will be reported on the time sheet for the pay period during which the overtime was actually worked. Employees may use their compensatory time at their discretion pending approval by their supervisor. The Town may also require employees to accept cash payment instead of receiving compensatory time.

Prior to receiving any compensatory time for the first time, the employee shall execute a Memorandum of Understanding and Acceptance (see Appendix). Acceptance of this compensatory time policy will be a condition of continued employment for employees executing the MOU. Newly hired employees shall be informed of this policy and will be required to

execute a Memorandum of Understanding and Acceptance. Failure to do so will be grounds of non-hire.

Example 1: Addison is a non-exempt employee. She works Monday through Friday for 40 hours. However, the prior Saturday (the beginning of the workweek), her supervisor requested for her to work an event for 8 hours. Due to a very limited overtime budget, her supervisor approved 40 hours of straight time and 8 hours of compensatory time at one and one-half times (12 hours).

4. Holiday Compensation (See procedure 620)

5. Red Line Rates of Pay

Based upon classification studies, reclassification of a position or a voluntary demotion, the Town Manager may authorize "red line" rates of pay. A "red line" salary is in excess of the maximum rate of pay assigned to the position classification. No salary adjustments, including market, COLA's and merit increases, shall be in effect for an employee with a "red lined" salary.

6. Call Back Pay

The call-back procedure is established to provide for emergency situations where it is determined that additional assistance is required resulting in an employee being called into duty outside of their normal working hours, i.e., in response to an emergency, court duty, etc. Exempt employees are not eligible for call back pay.

If a non-exempt employee is called out to work under the circumstances previously mentioned, the employee will automatically receive credit for two (2) hours worked, regardless of the duration of the call-out. Once the employee works more than two (2) hours, the time paid will be the actual time worked. All time worked under the call-back policy shall be paid at time and a half (1 ½ times the regular rate of pay).

Refusal of an employee to respond to a call-back without good cause shall be cause for disciplinary action.

Example 1: Jerry is a non-exempt employee. He has worked a regular 40-hour week Monday-Friday. On Saturday morning, a fierce storm blows through Queen Creek. Some Town staff members are called back to work to help clean up the debris on local roads that is presenting a danger to drivers. He works for six (6) hours. Jerry will receive six hours at 1½ times his regular rate of pay because he was called back.

Example 2: Jose is a part-time non-exempt employee who has worked 20 hours this week Monday-Friday. On Saturday morning, a fierce storm blows through Queen Creek. Some Town staff members are called back to work to help clean up the debris on local roads that is presenting a danger to drivers. He works for six (6) hours. Jose will receive six hours at 1½ times his regular rate of pay because he was called back.

Example 3: Fred is a non-exempt employee. He has worked a regular 40-hour week Monday-Friday. On Saturday morning he is asked to make sure the Town Hall doors are secure. It takes him one (1) hour to check the doors. Fred will be paid for two (2) hours of work at 1½ times his regular rate of pay because he was called back.

7. Stand-By Duty

Non-exempt employees may be assigned to stand-by duty for before and after work hours, holidays, weekends or special events. Exempt employees are not eligible for stand-by duty pay.

a. Eligibility

Stand-by employees are required to be available by telephone, pager, or any other approved communication device the entire approved timeframe of stand-by duty. Stand-by employees must be able to be on site of their workplace within one hour of receiving notice. Employees on stand-by duty must refrain from consuming alcoholic beverages or using any intoxicant, including prescribed or over the counter substances, that may impair one's ability to satisfactorily perform required job duties. To participate, eligible employees are required to have the appropriate skills, knowledge, and abilities as determined by Town management, to provide appropriate services satisfactorily.

b. Compensation

Employees who are assigned stand-by duty automatically receive $2.00 per hour on stand-by, whether they are called out to the workplace or not. Employees on stand-by duty who are actually called out to work will be paid according to the Call-Out Duty policy, but will not affect the Stand-By Duty pay. Stand-By Duty pay does not apply during the employee's lunch during the scheduled shift. Stand-By Duty pay ends when the employee's regularly scheduled shift begins.

c. Scheduling

Stand-by duty shall be fairly distributed among all eligible employees. Stand-by schedules may be changed to meet the needs of the Town. If there are two or more participants within the same work group, the Director or supervisor shall evenly distribute stand-by assignments on a rotating basis. If a participating employee does not respond to a call for service within the one hour timeframe, the employee will forfeit the stand-by pay for that shift and may be subject to disciplinary action upon review.

Example 1: Bruce, a non-exempt employee, normally works Monday – Friday, 8:00 a.m. – 5:00 p.m., with a one-hour lunch. He is scheduled to be on stand-by duty for Saturday and Sunday. As per the stand-by duty compensation, he will be eligible for 48 hours of compensation at $2.00/hour ($96.00 total).

Example 2: Aubrey, a non-exempt employee, normally works Monday – Friday, 8:00 a.m. – 5:00 p.m. with a one-hour lunch (9 hours total). She is scheduled to be on stand-by duty all workweek which only includes the hours before and after work and all day Saturday and Sunday. As per the stand-by duty compensation, she will be eligible for 123 hours of compensation at $2.00/hour ($246.00 total). The 123 hours is derived by taking the number of hours in a workweek (7 x 24 = 168) and subtracting the employee's regular shift schedule, including lunch (5 x 9 = 45): 168 – 45 = 123. Note that the regular shift-hours, including lunch, are not considered for stand-by pay.

8. Shift Differential

The Town Manager or designee shall determine the employees that are eligible for shift-differential.

a. Eligibility

Shift-differential is paid to eligible, non-exempt full-time employees on a night shift. A night shift is a shift of eight (8) or more hours**,** which includes any regularly scheduled hours between 10:00 p.m. and 4:00 a.m. Part-time and seasonal employees will not be paid shift-differential. Sworn fire employees that work 24-hour shifts will not be eligible for shift-differential.

b. Compensation

Employees who are eligible to receive shift-differential will receive $0.50/hour for every hour of the regular shift. Shift-differential does not apply during the employee's lunch break during the scheduled shift. Shift-differential is also not paid for hours worked over the regular shift when work is a continuation of the regular shift. Employees who are called back and perform work outside their regularly assigned shifts do not receive shift pay, but shall be compensated in accordance to call-out pay practices. Shift-differential is not paid to employees on paid or unpaid leave. Shift-differential pay shall be included in the calculation of overtime.

Example 1: Karen, a non-exempt employee, normally works Monday – Thursday, 7:00 p.m. – 5:00 a.m., with a 30 minute lunch. As per shift-differential pay practices, she will be eligible for 38 hours of shift-differential pay at $0.50/hour ($19.00) for the week, in addition to her normal hourly rate.

Example 2: Homer, a non-exempt employee, normally works Monday – Thursday, 7:00 p.m. – 5:00 a.m., with a 30 minute lunch. However, he decided to take a vacation for the week. Because he is on paid leave, Homer is not eligible for shift-differential for that week.

9. Bilingual Pay

   The Town of Queen Creek recognizes the importance of having bilingual employees to communicate with the residents and customers of the Town in order to meet their needs. There may be instances when the Town, as may established by administrative procedures and subject to budgetary constraints, provides additional compensation to employees who have consistently demonstrated their skill and ability in speaking Spanish or using sign language and are in positions that require significant interaction with the public.

10. Paramedic Pay

    Fire-sworn employees assigned as paramedics may receive paramedic pay. Employees classified as Firefighter, Fire Engineer, and/or Fire Captain receive paramedic pay as an addition to his/her hourly rate. Employees classified as Fire Battalion Chief receive paramedic pay as a stipend. Eligible employees must acquire and maintain all required certifications and complete any annual continuing education requirements.

11. Exceptional Performance Award

    The Town Manager has the authority to award an employee who has performed exceptionally by granting the employee a discretionary bonus and/or a day off with pay.

12. Special Pay Increase

    A special pay increase granted in recognition of outstanding, exceptional and meritorious service as recommended by the Department Director and approved by the Town Manager, or designee, within the limits of a pay range established for a position.

13. Vehicle Allowance

    The Town provides a vehicle allowance to eligible staff positions based on job duties and responsibilities as determined by the Town Manager.

D. Employee Suggestion Program

The Town of Queen Creek supports and encourages the use of an employee suggestion program in its ongoing efforts to promote continuous quality improvement. The program provides a means of communication for identifying ideas that, among other things, generate revenue, reduce costs, eliminate waste, improve safety, create more efficient and effective Town operations or improve customer service and/or satisfaction. The program is intended to provide a consistent and organized method for employees to think creatively and bring constructive ideas to Town management and to provide recognition for those employees whose ideas are implemented. The program is facilitated by the Human Resources Department and administered by an Employee Suggestion Review Committee.

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Compensation**		
Revision Date:		**Policy Number:**	210
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to define how employee compensation will be established and managed.

Policy Communication

The policy establishing the Town's direction related to Employee Compensation can be found in Policy #200.

Procedures

A. Trial Employment Period

At the conclusion of the initial trial employment period, a performance evaluation shall be conducted and a recommendation shall be forwarded to the Town Manager or designee, indicating that the employee should receive an increase, the increase withheld or postponed, or the employee dismissed, based on their level of performance and budgeted funds (see Procedure #340).

B. Promotion

The employee's performance review date will change to the date of the promotion. The promotional increase should be effective on the first day the employee assumes the new position. When an employee is promoted to a position at a higher salary range, the employee shall receive a 5% increase to the nearest step of the new range or the entry of the new range, whichever is greater. The Town Manager, or designee, shall have the authority to approve an additional increase, if appropriate.

The newly promoted employee shall be required to complete a new six (6) month trial employment period in the new position. During the trial period, the employee's performance in the new position is reviewed and evaluated. The employee's Department Director/Supervisor will complete a written performance evaluation at the end of the trial period. At the end of the trial employment period, the promoted employee may be eligible for an increase, based on budgeted funds, for successful completion of the promotional trial employment period. Once the employee successfully completes

the trial period, the employee's performance review date will change to the date the trial period ends.

C. Starting Salary Authorization

If a Department Director believes it is necessary to make an appointment or reinstatement above the starting salary rate, the Department Director, with Human Resources approval, may offer up to Step 7 of the range. An offer above Step 7 of the range requires a written justification that must be submitted to the Town Manager, or designee. The memo should explain the exceptional qualifications or work experience, unusual skill level, or the market conditions or specific job duties that require compensation above the entry of the range and explain how funding for this recommendation will be available.

D. Compensatory Time

Compensatory time shall be limited as much as possible. The maximum accrual for compensatory time shall be 40 hours (56-hours for Fire Sworn working 24-hour shifts) banked. An employee must obtain advance approval from their immediate supervisor to schedule use of compensatory time off.

Example 1: If an employee worked 46 hours in one week, or six hours of overtime, nine hours of compensatory time off would be granted in lieu of overtime pay.

Upon promotion or transfer to another department, the employee must be paid out the entire balance of their compensatory time account before moving to their new department. Upon promotion to an exempt position, the employee must be paid out the entire balance of their compensatory time account before moving to the new exempt position. Additionally, upon termination, the employee shall be compensated on their final paycheck for the entire balance of their compensatory time.

The Town Manager may temporarily suspend the accrual of compensatory time at any time, with or without notice.

E. Pay Periods and Pay Dates

Employees will receive their paychecks on a bi-weekly basis. The pay period shall start on Saturday, 12:00 a.m. (midnight) and end on Friday, at 11:59 p.m. on alternate weeks. Paychecks will be issued no later than the Friday following the pay period end date.

ADMINISTRATIVE PROCEDURE			
Subject:	**Payroll**		
Revision Date:		**Policy Number:**	220
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to define how payroll will be established and managed.

Policy Communication

The policy establishing the Town's direction related to Employee Compensation can be found in Policy #200.

Procedures

The Town of Queen Creek conforms to all terms of the Fair Labor Standards Act (also known as the Federal Wage and Hour Law). The Town of Queen Creek's payroll is bi-weekly, starting on Saturday and ending 14 days after on Friday. The Town handles the production of payroll in-house. The Town also uses the ezLabor time and attendance system to track the employee's time daily.

A. Payment of Wages

In accordance with Federal Wage and Hour Legislation, all staff members receive paychecks no later than every other Friday, based on time records reflecting hours worked in a 14-day pay period which begins on a Saturday and ends on the second Friday. Payroll is processed no later than 10:00 a.m. Tuesday of payday week and checks are distributed no later than Friday mornings.

B. Approving Time

Employee's time on the ezLabor system must be approved **by** 10:00 a.m. on the Monday of payroll week. It is not the responsibility of the Payroll, Administrative Assistants, or Supervisors to approve time for employees. **Employees MUST approve their own time**. Employees should have their Time Adjustment forms in to their supervisors by this time in order to be paid correctly. It is not Payroll's responsibility to contact employees in regard to errors on their time sheets. Payroll will send out a payroll approval reminder on every Monday of payroll week. All employees have access to their time on ezLabor while here at work. Payroll recommends you check your time on a daily basis. **Any unapproved time for any employee will not be processed; therefore the employee will not get paid in a timely manner.**

C. Planned or Unscheduled Absences

If an employee is scheduling a planned time out of the office (ex: vacation, floating holiday, seminar etc.), or the absence is unscheduled (ex: illness), and is unable to be at the office to approve their time, it is the employee's responsibility to coordinate with Payroll to get their time approved. If time is not approved, the employee will be able to pick up a manual check from Payroll on the Monday following the normal pay date.

D. Tracking Time

All time for employees is tracked by the ezLabor time keeping system and must be approved by the Employee **AND** Supervisor. **EXEMPT** employees are set-up on a schedule on ezLabor. It is only necessary to change the schedule if any time is taken off. Depending upon the Department, **NON-EXEMPT** employees slide an assigned card through a clock, sign in/out through their computers, or complete a time adjustment sheet on a daily basis. Non-exempt employees are also required to fill out a time adjustment form for any exceptions. Example: vacation, sick, missed punch etc. The time adjustment form is the manner in which the employee communicates to their supervisor/payroll any exceptions other than regular time.

E. Corrections

If there is an employee that was paid incorrectly due to the employee's failure to notify their supervisor/payroll of the correction in a timely manner, the adjustment/hours will be corrected on the next pay period. If there is an employee that was paid incorrectly due to Payroll's failure to correct the time in a timely manner, Payroll will cut a manual check to correct the adjustments/hours. If there is an employee that was not paid at all due to the employee and/or supervisor not approving the employees time by the deadline, Payroll will cut a manual check for the employee. All manual checks will be cut on Monday following Payday.

F. Payroll Responsibilities

It is the responsibility of the Payroll Office to administer the Town's Payroll program in a professional and timely manner within the legal guidelines set by federal and state agencies and to provide timely and accurate processing of payroll for the employees of the Town.

G. Employee Responsibilities

It is extremely important that the employee regularly reviews his/her paycheck to ensure he/she is receiving the correct earnings and deductions, including other relevant information (i.e. correct address, tax deductions, etc). Incorrect deductions will be corrected at the point of discovery and may require retro-active adjustments from the employee or the Town, depending upon the circumstance, and to rectify the error.

H. Deductions

This section describes the general types of deductions from employee payroll which are authorized. Some deductions are mandatory and some are voluntary. The approval for any deduction from payroll which is not legally required must be approved by the Human Resources Department. Categories of deductions are as follows:

1. Mandatory

   Federal and State laws require that employers withhold taxes from wages and salaries. Employees are subject to Federal Income Tax, Arizona State Income tax, local income taxes, Social Security deductions and, if eligible, ASRS and/or PSPRS retirement plan contributions. Deductions are made by the payroll office on the basis of information furnished by the employee member on the W-4 form and/or the Arizona State Income Tax Form.

   Employees have the responsibility to keep the payroll office advised of changes in tax exemptions, marital status, and home address.

2. Garnishments and Other Court Ordered Deductions

   Garnishments and other mandatory deductions such as child support, etc., authorized by a court order, federal or state tax levy or other legal entity will be withheld from an employee's after-tax wages according to the written instructions accompanying the garnishment order.

3. Voluntary Payroll Deductions

   Employees may voluntarily elect payroll deductions for a variety of services such as United Way or other Town-approved charitable fund raising programs, Flexible Spending Account, Health Savings Account, union dues, checking and savings accounts. All such programs will be approved by the Human Resources department.

   Participation to Town group health insurance is optional. However, when participation is elected, insurance premium contributions from employees must be made by payroll deduction.

   Voluntary payroll deductions will be made available to employees without charge in circumstances which are regarded by the Town as supported or beneficial to the Town's goals and objectives.

   Certain voluntary deductions will not be made from the third paycheck in months with three paydays.

4. Deductions from Exempt Employee Pay

   The Town prohibits improper pay deductions from the salaries of its exempt employees. Exempt employees regularly receive their salary for each pay period, which amount is not subject to reduction because of variations in the quality or quantity of the work performed.

Subject to exceptions established by law (including without limitation full days' absence for certain personal reasons or sickness; certain disciplinary suspensions and penalties; exempt employees of the Town receive the full salary for any week in which the employee performs any work, without regard to the number of days or hour worked. Without limiting the generality of the foregoing, deductions from the salaries of exempt employees shall not be made for absences occasioned by the employer or by the operating requirements of the Town.

a. Complaint Procedure Regarding Deductions from Pay

If an exempt employee believes that he or she has suffered an improper deduction from pay, the employee should describe the situation in writing and submit the written complaint to the Human Resources Director. Human Resources shall review the complaint and shall reimburse employees for any improper deductions.

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Suggestion Program-*Noble Ideas***		
Revision Date:		**Policy Number:**	230
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish the procedures of the employee suggestion program, to provide a system to encourage, submit and evaluate suggestions, and to promote positive recognition for adopted ideas.

The name of the program is *Noble Ideas*. *Noble Ideas* was selected in recognition and honor of the Town's first retiree, Don Noble. Don was hired in September 2004 and held a couple of different positions until his retirement in May 2008 as Public Works Director. During his tenure with the Town, Don's actions personified public service and the purposes of this new program. During his tenure with the Town, Don generated and implemented several cost savings measures, improved customer service within Public Works, and encouraged his fellow employees to be creative in their decision-making and to continuously improve our workplace. In addition, Don's attitude and humor always placed issues in proper positive perspective and assisted in reducing stress in the workplace.

Policy Communication

The policy establishing the Town's direction related to Employee Compensation.

Procedures

The Town of Queen Creek supports and encourages the use of an employee suggestion program in its ongoing efforts to promote continuous quality improvement. The program provides a means of communication for identifying ideas that, among other things, generate revenue, reduce costs, eliminate waste, improve safety, create more efficient and effective Town operations or improve customer service and/or satisfaction. The program is intended to provide a consistent and organized method for employees to think creatively and bring constructive ideas to Town management and to provide recognition for those employees whose ideas are implemented. The program is facilitated by the Human Resources Department and administered by the Employee Suggestion Review Committee.

A. Employee Suggestion Review Committee

The committee shall be made up of one representative from each department, as feasible. The representative will be appointed by the department director and shall serve a minimum of two (2) fiscal years. The terms shall be staggered where half of the committee members are replaced in July

of each year[1]. Representatives may be reappointed for additional terms; however, not consecutively.

Each fiscal year, the committee shall appoint a committee chair and committee secretary. With assistance of the Human Resources representative, the role of the committee chair is to review the submittals, schedule meetings, develop the agenda, and facilitate the review meetings. The role of the committee secretary is to take minutes of meetings, file the suggestions, and to serve as committee chair in his/her absence.

The committee shall maintain objectivity in reviewing suggestions, evaluations and awards. Each committee representative will serve as a liaison between the department director and the suggestion review committee. The committee shall consistently interpret the program procedures and make proposed changes or amendments, as necessary. All actions of the committee are subject to final review and approval of the Town Manager or designee.

B. Employee Eligibility

All Town of Queen Creek employees on active payroll status are eligible to submit suggestions. Committee representatives and Department Directors are not eligible for cash awards. In order to be eligible for an award, the employee must remain on active payroll status at the time the award is given.

C. Suggestion Submittal

The employee must submit his/her idea through an official suggestion form, either in writing or through the Town's intranet site. It is the employee's responsibility to research and include the following information (if applicable):

- In-depth outline of the suggestion
- Estimated cost savings
- Estimated labor/efficiency savings
- Implementation costs
- Affected department(s)
- Equipment required or needed
- The basis for savings or improvement
- A complete solution

[1] *Note that in order to stagger the terms of the committee, one-half of the representatives will serve only a one year term after formation.*

The submittal shall be completed through the Town's intranet site or in writing and placed in an Employee Suggestion Program box.

D. Suggestion Eligibility

1. Eligible suggestions may include:

    a. Improvements to methods, procedures, services, working conditions, safety, or security.

    b. Enhancements to quality of services and community relations.

    c. Conservation of materials and/or resources.

    d. Reduction of costs, waste, maintenance, energy use or safety hazards.

    e. Development of new methods or procedures.

    f. Increases of revenue, efficiency, or productivity improvements.

2. Ineligible suggestions include:

    a. Any part of the employee's normal duties in which he/she has the authority to make the change.

    b. Subject areas which, by their nature, are under continual study.

    c. Suggestions containing a specific idea that has been under prior consideration.

    d. Previously awarded and implemented suggestions.

    e. Requests for existing services or routine maintenance.

    f. Normal care of equipment and tools, housekeeping and routine safety precautions.

    g. Suggestions not offering a specific solution.

    h. Suggestions related to personnel categories such as salaries, recruitment, promotions, classifications, benefits, policies and procedures, grievances, performance evaluations, etc.

    i. Any suggestions expressing grievances or complaints or are critical of other employees.

E. Suggestion Processing

1. Once received, Human Resources will date the suggestion and forward it to the committee chair to place on the next meeting agenda for review by the committee.

2. If more than one of the same suggestion is received at the same time, each of the similar suggestions will be reviewed as a single suggestion.

3. The committee members will then review the suggestion for eligibility as outlined within this procedure.

    a. All decisions by the committee regarding suggestion eligibility will be based on a majority vote. If the vote results in a tie, the Human Resources representative will serve as the tie breaker.

    b. If the committee determines that the suggestion does not meet the eligibility requirements, the committee representative that represents the particular employee's department will notify the employee of the committee decision. A written decision by the committee will be presented to the employee.

    c. The committee may determine to return the suggestion to the employee for further clarification or for additional information in which the employee's committee representative will facilitate.

    d. If the committee deems the suggestion as eligible, the committee representative from the affected department will forward a copy of the suggestion to the affected department director, or designee, for evaluation. If the suggestion affects the entire Town, or more than one department, the suggestion will be sent to the Town Manager or designee by the committee chair.

4. The eligible suggestions will evaluated by the affected department director or designee within 30 days. It is the role of the committee representative from the affected department to ensure that the suggestion is sufficiently evaluated and, if more time is needed due to the complexity of the suggestion, indicate as such to the committee. The committee representative will be required to provide any updates to the committee chair and Human Resources each committee meeting.

5. The affected department director or designee will then, in writing, indicate whether the suggestion will be implemented or not, with sufficient justification. The review committee will evaluate the written justification and notify the employee the final determination.

6. Copies of final determinations of suggestions will be placed within the employee's personnel file within Human Resources for documentation purposes. The original of all suggestions will be placed within a designated Employee Suggestion Program file.

7. If the suggestion is approved for implementation by the department director, it is the responsibility of the department and committee representative involved to implement the suggestion and notify the committee chair and Human Resources when the suggestion has been implemented.

8. Implemented suggestions shall remain on the committee's agenda for a minimum of year. During the year after implementation, the committee representative from the affected department shall provide periodic updates regarding any monetary savings, additional revenue,

associated costs, increased efficiency, labor savings, etc. of the implemented suggestion based on factual documentation. As needed, the committee may require additional time to review beyond the year. All financial documentation shall be reviewed and approved by a representative of the Finance department.

9. All decisions made by the employee suggestion committee and/or affected department director are final and non-appealable.

10. A quarterly summary of the suggestion program will be provided to the Town Manager.

11. If a suggestion was not approved for eligibility or not implemented by the affected department director, the employee may re-submit the suggestion for further review after 6 months after notification.

F. Determining an Award

The committee may authorize an applicable award for the employee with Town Manager's approval for an implemented suggestion. The committee may recommend to the Town Manager an immediate award for any implemented suggestion that immediately results in monetary savings, increased revenue, significant increased efficiency, etc.

Recognition awards may be given for any implemented suggestion. Suggestions that are intangible which may have increased efficiency but cannot accurately quantify any monetary savings or increase in revenue will only be eligible for a recognition award. Based upon the particular fiscal year's budget, the recognition award may be a non-transferable gift certificate of $25 or less which cannot be redeemed for cash. All intangible suggestions that result in a recognition award may be eligible for an end of the fiscal year cash award based on a lottery system for an amount determined by Human Resources and budgetary constraints.

Cash awards may be given for implemented tangible suggestions that result in monetary savings, reduced costs, or increased revenue and will only be given after a year of evaluation. The cash award will be based on 1% of the year-long employee suggestion committee monitored savings figures that are approved by Finance. Cash awards will be a minimum of $50 up to a maximum of $500 with the approval of the Town Manager. The Town Manager may approve an additional amount beyond the $500 maximum based upon the committee's recommendation. All cash awards are considered wages and will be subject to applicable taxes and withholdings.

G. Definitions

Intangible Suggestion: a suggestion where savings or net revenue is inconsequential after the first year of implementation or when savings/revenue cannot be accurately quantified or verified.

Tangible Suggestion**:** a suggestion that yields a net savings or net revenue after the first year of implementation.

ADMINISTRATIVE PROCEDURE			
Subject:	**Bilingual Pay**		
Revision Date:		**Policy Number:**	240
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to define how an employee in a position that requires significant interaction with the public using a language other than English and/or sign language may receive bilingual pay.

Policy Communication

The policy establishing the Town's direction related to Employee Compensation can be found in Policy #200.

Procedures

The Town of Queen Creek recognizes the importance of having bilingual employees to communicate with the residents and customers of the Town in order to meet their needs. Further, the Town believes it is appropriate to compensate employees, based on Town business necessity, who have demonstrated their knowledge, skill and ability in speaking Spanish or using sign language.

A. Eligibility

Eligible employees must receive authorization from their Department Director and successfully complete a required competency examination for their position. Prior to examination, the employee must demonstrate the type and level of bilingual interaction in the performance of his/her responsibilities. Specific interactions must be categorized and listed in a memorandum format based upon an analysis for a minimum of 30 days. The memorandum shall list the types of interaction (phone, email, walk-in assistance, etc.) and the time spent during the prior 30 days. The memorandum must be signed by the Department Director and forwarded to the Human Resources Director. Based upon the information provided in the memorandum, the Human Resources Director, or designee, may request the department and/or employee for further tracking, deny the request due to lack of significant interaction, and/or approve the request to proceed with a competency examination for basic certification or advanced certification.

Employees must successfully pass the competency examination with a minimum passing score of 70%. Candidates for sign language bilingual compensation must pass the requirements established by the Arizona Commission for the Deaf and Hard of Hearing. Employees who participate in the

program may be required to be recertified at the discretion of Human Resources or the employee's department. Employees who do not successfully pass the competency examination will be removed from the program and their bilingual pay will be discontinued. Employees must wait 90 days before retesting.

Employees on extended paid or unpaid leave will not be paid bilingual pay. Compensation will be discontinued once an employee's participation is no longer authorized by the Department Director; the employee has voluntarily withdrawn from the program; and/or, the employee has been transferred, demoted, promoted, or accepted a position which no longer requires significant interaction with the public in a language other than English or sign language.

Employees who participate in the program must be available on a regular basis and may be required to be available for standby and/or call back situations during non-working hours. Eligible employees may be required to provide bilingual services across Town departments.

B. Compensation

The Town Manager will recommend a budget amount to be allocated to each departmental budget to support approved requests for bilingual pay and for any commensurate testing costs. The amount may be adjusted (including elimination) each year to reflect budgetary constraints and the level of employee participation in the program. The need for testing in additional languages other than Spanish will be evaluated each year

POLICY STATEMENT			
Subject:	**Employment**		
Revision Date:		**Policy Number:**	300
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this policy is to establish a policy for recruiting, selecting, and retaining qualified personnel for Town jobs. This policy will address the issues of recruitment, maintenance of employee records, trial employment periods, retirement, and layoffs.

Policy

A. Equal Opportunity Employment

It is the policy of the Town of Queen Creek to assure equal employment opportunity to all qualified persons based solely on an individual's ability to perform the essential functions of a job, regardless of their membership in any protected classification. It is the intent and the desire of the Town that equal employment opportunity will be provided in all aspects of the employer-employee relationship including, but not limited to: recruitment, hiring, promotions, layoff, termination, demotions, transfers, training, rates of pay, fringe benefits, use of facilities, and other terms, conditions and privileges of employment. The Town's equal employment policy applies to all employment activities. It is the Town's intention to:

1. Recruit, hire and promote for all job classifications without regard to membership in any protected class (i.e., race, color, national origin, religion, age, disability, veteran status, or any other protected categories);

2. Make employment decisions based upon the principles of equal employment opportunities;

3. Ensure that promotion, transfer, and demotion decisions are in accordance with principles of equal employment opportunities;

4. Ensure that all other human resource actions such as compensation, benefits, transfers, terminations, Town-sponsored training, and educational tuition assistance are administered without regard to membership in any protected class (i.e., race, color, national origin, religion, age, disability, veteran status or any other protected categories); and,

5. Provide equal employment opportunity to those who are disabled, provided they can carry out the essential functions of the position for which they will be hired or to which they will be

promoted or transferred; or that reasonable accommodation can be made to allow the employee to perform essential job functions.

Any complaint of alleged discrimination should be reported to the Supervisor, the Human Resources Director, and/or the Department Director, or the Town Manager for appropriate investigation and action. (See Procedure #710)

B. Recruitment and Selection Process

The purpose of the recruitment and selection process for the Town is to ensure and describe a clear and fair process with maximum flexibility. The process ensures that all position vacancies are filled with qualified, competent individuals who are well suited to perform in the position for which they apply to meet the needs of the Town of Queen Creek. Preferred skills, abilities, experience, performance, and organizational fit will all factor into the hiring decision. The Human Resources Department in cooperation with Department Directors, or designee, will coordinate recruiting efforts.

Based upon a recommendation from the Department Director, Human Resources will determine whether a vacant position will be posted internal only or internal/external at the same time. If a vacant position will be announced and posted internally, it will be posted for a maximum of five (5) business days, unless the Department Director obtains approval from the Town Manager or designee to do otherwise. External postings will continue as long as deemed necessary to obtain a pool of qualified applicants, but will be posted for a period of time spanning a minimum over two weekends.

Recruitment publicity shall be carried out through all appropriate media for a reasonable period of time to assure sufficient opportunity for the labor market to apply and be considered for employment on the basis of abilities and potential. Recruitment shall be carried out on a wide enough scale to assure an adequate number of applicants for consideration.

C. Personnel Files

The Human Resources Department will prepare and maintain a personnel file for each employee of the Town. The personnel file will represent a record of an individual's employment with the Town, and may include, but is not limited to, the following: application(s), contracts or agreements, disciplinary actions, performance evaluations, payroll change forms, and personnel-related correspondence.

Each employee personnel file of the Town will be treated as confidential and the contents thereof disclosed only on an as needed basis. Personnel files shall be protected from access by persons other than the Town Manager, Human Resources personnel, the Town Attorney, the employee's Department Director and supervisor, and the employee or the employee's authorized representative.

Employees have the right to review their individual personnel files upon written request to the Human Resources Department.

D. Trial Employment Period

Although there is no guarantee of employment for any specific length of time, the first six (6) months from the date of hire of a full-time employee serves as the trial employment period. For part-time and fire-sworn, the initial trial employment period is for one-year.

During this period the Town reserves the right to "employ-at-will". The employee or the employer may terminate the employment relationship at any time with or without notice. The trial period may be extended for up to an additional 90 days at the request of the Department Director, and upon approval of the Town Manager. Trial employment employees do not have access to the appeal process or other dismissal rights laid out in the Town policies or administrative procedures.

Upon satisfactory completion of the trial employment period the employee becomes a merit status employee. Regardless of status or duration of employment, all employees must meet and maintain Town standards for job performance and behavior.

E. Retirement

The Town provides a retirement plan to eligible Town employees to help provide income during their retirement years. All eligible Town employees must participate in the Arizona State Retirement System (ASRS), except Fire Sworn. Fire-sworn employees must participate in the Public Safety Personnel Retirement System (PSPRS), unless previously retired in which required participation in ASRS may be necessary.

F. Layoff

The Town Manager, for reasons that may include a shortage of funds, the curtailment of work, or a material change in job duties, may institute a reduction in force/lay off procedure through the abolition of positions as set forth in the approved procedure.

G. Contracts

Certain positions such as Town Manager, Town Clerk and Town Attorney are at-will and serve at the discretion of the Mayor and Council on a contractual basis that details benefits offered but does not specify a guaranteed length of employment. The Town Council authorizes the Town Manager to enter into employment contracts with at-will status staff positions (see Procedure #110) to establish levels of compensation, fringe benefits, and other matters affecting their employment. Specifications provided in these employment contracts shall prevail over the provisions of the Human Resources Policies and Administrative Procedures to the extent the provisions are inconsistent.

H. Benefits

The Town offers benefits such as medical insurance, dental insurance, life insurance, and deferred compensation and also special programs to its employees. Specific detail on these programs can be obtained from the Human Resources Department. The Town reserves the right to modify or discontinue any benefits at any time and for any reason, including without limitation the financial needs of the Town.

I. Volunteers

The achievement of the Town of Queen Creek's goals is best accomplished through active community involvement. For this reason, the Town of Queen Creek accepts and encourages volunteers at all levels and in all appropriate events and programs. All staff is encouraged to assist in the development of meaningful and productive roles in which volunteers can serve the community.

J. Independent Contractors

At times, the Town may be required to hire self-employed workers which are independent contractors. These persons work for themselves, controlling the job and the performance of the work completed. Independent contractors provide knowledge, experience, and the labor needed to complete a job. Taxes and benefits become the responsibility of the independent contractor.

An independent contractor is a worker who performs services for the Town, but is not under the Town's direct control. In hiring an independent contractor the Town generally has the right to direct the result of the work, but not the means and methods by which the independent contractor achieves the result. Examples may include lawyers, contractors, consultants who follow an independent trade, business or profession in which they offer their services to the Town, and which are not employees. However, whether these people are employees or independent contractors depends on the facts and circumstances in each case.

To assist in determining whether someone should be designated as an employee or an independent contractor, the department has an option to fill out an IRS SS-8 form which will allow the Internal Revenue Service (IRS) an opportunity to give a written determination.

ADMINISTRATIVE PROCEDURE			
Subject:	**Recruitment of Town Staff**		
Revision Date:		**Policy Number:**	310
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to describe the process for recruiting to fill open positions. The filling of all vacancies will be made with the objective of obtaining individuals who are qualified and best suited to perform in the positions for which they have applied.

Policy Communication

The policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedures

A. Requests to Recruit

When a vacancy exists or is anticipated for an existing position, the Department Director or hiring Supervisor shall submit a recruitment request to the Human Resources Department. The request is initiated by completing an on-line new-hire recruitment requisition.

B. Posting of Job Announcements

For internal recruitments, the Human Resources Department shall email notices of vacancies to Town employees and post recruitment flyers in the designated area of Town Hall. The Human Resources Department shall email notices of vacancies to Town employees and post positions being advertised externally both on the Town web site and in the designated area in the Development Services Building (DSB). In addition, in order to attract diverse, qualified applicants, information on position vacancies may be sent to various recruitment sources including, but not limited to: local newspapers, community recruitment sources, appropriate publications, internet sites and the State's Department of Economic Security job banks.

Job announcements shall indicate that the Town is an "Equal Opportunity Employer" and that reasonable accommodation will be made for applicants as required by the American with Disabilities Act of 1990.

C. Recruitment Process

Open competitive positions (external recruitments) shall be available by application to the public. Closed promotional/lateral positions (internal recruitments) shall be open for application only to Town employees who meet the requirements set forth in the promotional/lateral vacancy announcements. Based on the Department Director's recommendation, the Human Resources Director, or designee, shall determine whether a position shall be filled by any of the following processes:

- Selection off a layoff eligibility list of former employees;
- Internal recruitment;
- Selection off of an established eligibility or re-employment list; and/or,
- Open competitive (external) recruitment.

1. Recruitment Scope and Time Periods

All recruitments shall be opened to internal candidates for a minimum of five (5) working days, unless the Department Director obtains approval from the Town Manager or designee to do otherwise.

At the conclusion of the internal recruitment, the department may decide it is in the best interest of the Town to also advertise the position externally. With Town Manager or designee approval, the department may begin an external recruitment. When recruiting for a position externally, the internal applicants/candidates meeting minimum qualifications will be considered with external candidates.

Town employee eligibility: upon satisfactory completion of the trial employment period, the employee becomes a merited status employee. Merited status employees who meet the job requirements, except as may be approved by the Town Manager, are eligible for internal recruitment opportunities (employees that are still on their initial trial employment period are not eligible to apply for internal recruitments).

a. Internal applicants/candidates

While internal Town candidates are welcome to apply for open positions, Town employees possessing the minimum qualifications are not guaranteed an interview or appointment to open positions.

Applications for an external vacancy shall be accepted as long as deemed necessary to obtain a pool of qualified applicants, but will be posted for a period of time spanning a minimum over two weekends, up to and including the final day the position is open per the job announcement. Based upon the needs of the Town, the Town Manager or designee

may approve to shorten the recruitment period. At times, the department, with Human Resources approval, may determine to open a position until the needs of the Town are met.

b. If the hiring department does not believe there are a sufficient number of qualified applications received for an opening, they may request the position remain open and it may be re-advertised.

c. When a position has been opened externally, internal candidates, including those that are on their initial trial employment period, may apply for the position up to and including the final day the position is open.

2. Establishment of Eligibility Lists

Qualified applicants who apply for a position but are not selected may be placed on an eligibility list for the position they applied for and/or for another related position within the Town. The related position must be in the same or lower pay range than the position for which the candidate applied. *Example: The Administrative Assistant eligibility list may be used to fill an Office Aide position, but not vice versa.* Candidates placed on an eligibility list for a position may be eligible to be interviewed for that position or a related position at a lower pay range, should it become available, without having to reapply. The list will be kept on file in the Human Resources Department for one (1) year from the date the position closed, unless the department requests an extension. Based upon the Department Director's request, Human Resources may extend the expiration of the eligibility list for an additional six months (Fire sworn positions may be extended an additional 12 months)..

Merit status employees, who have resigned in accordance with all personnel rules and is eligible for re-hire, may be placed on a re-employment list for one year after resignation *(see Procedure #370)*.

D. Application Forms

1. Application Forms

All internal and/or external applicants must apply for a vacancy in writing on a Town approved application form. All applicants may apply for more than one advertised position simultaneously by completing an application for each available position.

2. Receipt of Applications

Completed applications must be received by the Human Resources Department by the closing date listed on the job announcement. Incomplete applications and applications received after the designated closing date will not be considered for that position.

3. Unsolicited Applications and Resumes

   Applications will only be accepted for open positions that have been advertised during the recruitment period. Resumes may be attached to the application, but it will not substitute for the application. Unsolicited applications and resumes will be kept on file in accordance with the State's records and retention guidelines, but will not be referred to or accepted in lieu of the Town application for positions as they open. The Town will not respond in writing to unsolicited applications and/or resumes.

4. Maintenance of Applications

   The Human Resources Department will maintain applications submitted for open positions and will be kept in accordance with the State's records and retention guidelines.

E. Screening of Applicants

The Human Resources Department shall refer all minimally qualified applications to the appropriate Department Director or designee for review. Non-qualifying and/or incomplete applications will remain on file in the Human Resources Department and will not be considered in the recruitment process. Incomplete applications will not be qualified for further consideration.

1. Minimum Qualifications

   Applicants for appointment, promotion, or transfer to positions must possess the minimum qualifications stated in the job announcement. The determination as to whether a person meets the specified qualifications set for the position shall be made by the Human Resources Director, or designee. A review of the applicant's employment application, academic credentials, work experience, certifications, skills, examination results if required, and any other pertinent information shall be used in determining whether an applicant possesses the minimum qualifications.

2. Preferred Qualifications

   Departments may choose to establish additional qualifications that they prefer a candidate possess. For example, the Department may give preference to candidates with additional education or related experience. Candidates who possess both the minimum and preferred qualifications may be given greater consideration for the position than candidates who only meet the minimum qualifications. Preferred qualifications will be noted in the job postings.

3. Examinations

   Examinations to measure qualifications of applicants may be conducted by Human Resources, the Department Director, or by persons as properly designated.

a. Written, oral, or practical tests and any other relevant examinations may be required to determine whether an applicant meets the qualifications for a position. Examination shall consist of selection techniques which fairly test the qualifications of the candidates, such as but not limited to achievement and aptitude tests, personal interviews, performance tests, evaluation of daily work performance, work samples, or any combination of these or other tests.

b. The hiring supervisor shall determine the type of examination necessary after consulting with the Department Director. Departments will work with Human Resources to ensure that all exams are legal and defensible. Another government agency or a private company may supply and/or administer an examination.

c. The department should ensure that all examination materials are confidential and are handled and maintained only by personnel having authorized access to the material.

4. A Selection Committee must be used in the interview process. Selection Committee guidelines include:

a. The Committee will be composed of a diverse panel of at least three (3) people. An external panelist is required if there is an internal candidate being interviewed. A human resources representative shall facilitate all interviews.

b. The hiring Supervisor or designee shall be the chairperson for the Committee. The chairperson will work with a Human Resources representative to approve an appropriate set of interview questions.

c. All members of the Committee must be present at all interviews. If a member is absent from any interview, that member is disqualified from participation in the evaluation and any recommendation for the final candidate.

d. The Committee shall perform in an advisory capacity to the Department Director or designee hiring Supervisor. The Committee members shall refer the top applicants to the Department Director or designee for a hiring recommendation or for an additional interview, if necessary. The Department Director or designee may conduct any additional screening deemed appropriate before making a selection decision.

5. Once a decision about filling the position is made, Human Resources will conduct the professional and academic reference checks provided by the top candidates for the position. Verification of prior work experience will be conducted if deemed necessary.

F. Candidate Travel Expenses

The Town may pay travel expenses incurred by prospective employees for interviewing purposes with advance approval of the Town Manager or designee. Such expenses may include travel, lodging, meals, or other predefined expenses incurred in the process of attending the interview.

G. Offer of Employment

All offers of employment will be made exclusively by the Human Resources Department. The Human Resources Department will notify Department Directors, hiring Supervisors or designees as soon as a reporting date has been arranged.

Appointments to vacant positions in the Town service shall be made in accordance with these personnel rules. Appointments and promotions shall be based on merit. Qualifying employees shall consist of selection techniques, which will test fairly the qualifications of candidates through personal interviews, performance, work samples or any combination of these or other tests.

All appointments shall be made under the direction of the Town Manager, upon the recommendation of the Department Director, except for those positions filled through appointment by the Town Council (Town Manager, Town Clerk, and Town Attorney).

1. Appointments for Full-time, Budgeted Positions

   With all new appointments and promotions, the Department Director shall recommend to the Town Manager or designee that an applicant be hired. The Human Resources Department will prepare a letter offering employment to the applicant.

   The Town's practice is to hire new employees at the beginning of the salary range. The Department Director has approval to approve up to Step 7 of the salary range. If the Department Director would like to recommend a higher salary and/or enhanced benefit package, the Department Director must prepare a detailed memorandum to the Human Resources Director and Town Manager explaining why such a request is justified, and receive approval from the Town Manager prior to discussion with the applicant and the creation of the offer letter. If approval is given, the offer of employment will be extended to the applicant. The offer letter will include the specified benefit or salary enhancements.

2. Appointments for Department Director, Assistant Town Manager, and Deputy Town Manager Positions

   The Town Manager reserves the right to appoint candidates to fill the Department Director, Assistant Town Manager, and Deputy Town Manager positions. The Town Manager shall announce to the Mayor and Council of each such appointment at the regular Council meeting following such an appointment. These positions shall serve at-will and at the discretion of the Town Manager.

3. Reorganizational Appointments

   The Town Manager reserves the right to reorganize the organizational structure and change jobs, titles and responsibilities for the good of the organization and to better serve the needs of the Town.

4. Appointments for Temporary Positions

   Full-time and part-time merit status positions should be requested and justified in the budget process rather than requesting a temporary position. Temporary employment is generally discouraged, shall not be for more than a one-year period, and will be phased out.

   Once an applicant is selected, the Department Director shall recommend to the Town Manager or designee that the applicant be hired. The Human Resources Department will prepare a letter offering temporary employment to the applicant for the Town Manager or designee's approval. The offer will indicate that temporary employment will conclude on or before the end of the current fiscal year. If the position is still needed at that time, a supplemental request justifying the continued need for the position shall be submitted through the budget process. If approved, a change of status form indicating the Department's wish to retain the temporary employee must be submitted to the Town Manager or designee for approval.

H. Temporary Employees Hired Through Third Party Agencies

In instances when a Department wishes to contract temporary employment through a third-party agency, the Department Director must prepare a memorandum for the Town Manager or designee explaining why such a request is justified, how it will funded, and length of service needed, and receive approval from the Town Manager or designee prior to contracting the service. All temporary positions hired for less than 90 days must be contracted through a third party agency. The Human Resources Department will coordinate the employment contract with all third-party agencies.

I. Background Investigations and Pre-Employment Drug Tests

The Town will conduct a background investigation on all employees and volunteers. A pre-employment controlled substance drug and alcohol test will be administered on all candidates who accept an offer of employment in safety-sensitive functions. All offers of employment are conditional upon an applicant's successful completion of a background investigation and, if applicable, a pre-employment controlled substance drug and alcohol test.

1. All background investigations will include a criminal history check and employment verifications, and when necessary for the position, could also include any of the following: motor vehicle record check, physical evaluation, and/or credit history check.

2. Pre-employment controlled substance drug and alcohol tests will be administered at a facility designated by the Town for all candidates within a safety sensitive position. The candidate must undergo a pre-employment controlled substance drug and alcohol test within 24 hours of receiving the authorization form or the offer of employment will be rescinded.

ADMINISTRATIVE PROCEDURE			
Subject:	**Internal Options for Filling Positions**		
Revision Date:		**Policy Number:**	320
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to identify the internal options available for filling positions.

Policy Communication

The policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedures

The internal recruitment policy intends to give internal applicants full consideration. However, it does not give them hiring preference. Interested Town employees meeting the minimum qualifications will be considered for vacant positions but are not guaranteed an interview or appointment to an open position. Preferred skills, abilities, relevant experience, and performance will all factor into the hiring decision. Town employees who express interest in posted positions, but do not possess the minimum qualifications, will be encouraged to participate in the Town of Queen Creek's training and educational program as budget allows to develop and prepare themselves for future opportunities.

Department Directors have flexibility in filling job vacancies, however, in coordination and consultation with Human Resources, Directors must ensure that all employment decisions are made on the basis of merit, within budget constraints, and must follow Town policy and State and Federal laws prohibiting discrimination in hiring and employment. To initiate recruitment, the hiring Supervisor must follow established Human Resources procedures outlined in Procedure #310.

Internal candidates can move to open positions or gain additional responsibilities within the Town by the following methods: (1) Promotion; (2) Transfer/Lateral; (3) Demotion; (4) Acting Assignments; (5) Recall; or (6) Temporary Assignments. Each method is characterized by how the position is budgeted for by the Town and by the rights the incumbent in the position may be afforded. All positions will be classified as merited, at-will, temporary, or reserve/volunteer, and will be considered either full-time or part-time.

Reclassification is a change in an individual position by raising the position to a higher class, reducing to a lower class or by moving to another class at the same level on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in such a position. The job reclassification

process is outlined in Policy #100. Reclassification shall not be used for the purpose of avoiding restrictions concerning demotions and promotions.

A. Promotion

Promotion occurs whenever an employee from a position in one class moves to a position in another class having a higher salary range within the Town. Promotion is not an automatic occurrence at the Town of Queen Creek. The mere number of years of service to the Town is not a guarantee of promotion.

If, in the opinion of the Department Director, a vacancy is best filled through the open-competitive process based on Town Manager or designee approval, the Human Resources Director shall proceed to develop an original employment list or use an existing list according to Procedure #310.

B. Transfer/Lateral

Transfer occurs whenever an employee is moved to another position of equal pay. This includes Town employees who desire to transfer from one position (Administrative Assistant in Finance) with the same job title to another position (Administrative Assistant in Public Works) with the same job title. When a position is open and the recruitment process begins, such employees shall apply for transfer, using the regular Town application provided by the Human Resources Department. The process for filling an open position internally is described in Procedure #310.

In all cases of employment with the Town, the Town reserves the right to transfer or reassign any employee at any time with or without cause or notice.

No person shall be transferred to a position for which he or she does not possess the minimum qualifications to perform. Upon notice to the Human Resources Director, the Department Director with the approval of the Town Manager, or designee, may transfer an employee at any time from one position to another position in a comparable class. For transfer purposes, a comparable class is one with the same salary range, including the performance of similar duties and substantially the same basic qualifications.

If two (2) or more merited status employees request the same vacant position, the Human Resources Director may require examination in the same manner as promotional vacancies, subject to the above provisions. The Town Manager or designee may reject any transfer or may order a transfer to be accomplished.

C. Demotion

Demotion occurs whenever an employee is moved to a position with a lower grade level. Demotion may be used because of reorganization, discontinuation of a position, inability to properly perform assigned work, a disciplinary sanction, or a voluntary demotion.

An employee may request in writing a voluntary demotion for any reason. Such a demotion shall require the approval of the employee's Department Director, Human Resources Director and Town Manager, or designee. Based upon the request, the Town Manager, or designee, may require a pay rate reduction in conjunction with a voluntary demotion.

D. Acting Assignments

The Town Manager, or designee, may authorize an employee to serve in an "acting" assignment for special studies or projects or to fill in for a higher position on a temporary basis. Such appointment shall be for a stated period not exceeding one (1) year**.**

For performing all of the essential functions of the position being filled:

1. Non-exempt Positions

   Non-exempt employees who serve in an acting assignment for a minimum of 14 consecutive calendar days shall receive a five (5) percent increase in pay for the duration of the assignment. The employee will maintain the non-exempt status if the employee continues to perform their non-exempt job functions while filling in for an exempt status job. If the employee is no longer performing the non-exempt job functions of their position and is performing only the exempt job functions, the employee will be considered exempt for the duration of the acting assignment. The Town Manager, or designee, may approve more than a five (5%) percent increase in pay.

2. Exempt Positions

   Exempt employees who serve in an acting assignment for a minimum of 30 consecutive calendar days shall receive a five (5) percent increase in pay for the duration of the assignment. The Town Manager, or designee, may approve more than a five (5%) increase in pay.

   Once the assignment is completed, the employee shall revert back to his/her original salary.

E. Recall/Re-employment

In filling an open position, a merit status, good standing employee who separated from Town service (through no fault of their own), and who has been recommended for re-employment, will be considered for employment for which they are qualified.

With the approval of the Town Manager, or designee, a merit status employee who has resigned in accordance with all personnel rules and is eligible for re-hire may be placed on the reemployment list and may be re-employed within one year of the effective date of resignation to a vacant position in the same class. Employees hired from the re-employment lists shall, for all purposes, be considered as though they are new hires except as may be provided in this policy. Employees on the re-employment do not have any rights to their former position which is vacant or a vacant position

in the same class. Employees on the re-employment list may be required to apply for an open recruitment as provided in this policy.

ADMINISTRATIVE PROCEDURE			
Subject:	**Anniversary and Performance Review Dates**		
Revision Date:		**Policy Number:**	330
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of these procedures is to establish the accounting of service for employees.

Policy Communication

The policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedures

A. Anniversary Date

1. Use of Anniversary Date

   The anniversary date shall be the date the employee is placed in their original position and shall be used as the date to determine years of service.

   The employee's anniversary date will remain the same with any reclassification, promotion, demotion or transfer.

2. Use of Performance Review Date

   A performance review date is the date the employee completes his/her trial employment period as a new employee. The employee's performance review date may change with a promotion, reclassification, demotion, or transfer based upon the Town Manager or designee approval of a new trial employment period in conjunction with any of these changes. Once the trial employment period is completed, future performance evaluations would occur on that date.

ADMINISTRATIVE PROCEDURE			
Subject:	**Retirement**		
Revision Date:		**Policy Number:**	335
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town provides a retirement plan to eligible Town employees to help provide income during their retirement years.

Policy Communication

The Town's policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedure

All eligible Town employees are required to participate in the Arizona State Retirement System (ASRS), except eligible Fire Sworn employees who participate in the Public Safety Personnel Retirement System (PSPRS). Once the employee meets eligibility of their respective retirement system, he or she remains eligible until the termination of employment or move to a position in which the employee becomes ineligible.

The ASRS and PSPRS are cost-sharing, public employee, tax qualified, defined benefit plans. For ASRS, both the employee and employer contribute to the member's retirement as an equal percentage of compensation. The appropriate percentage for ASRS contributions may change each fiscal year based on actuarial evaluation. For PSPRS, both the employee and employer contribute to the member's retirement plan as well; however, the employee's percentage is set by statute whereas the employer's percentage may change year to year based on actuarial evaluations. As defined benefit plans, both the ASRS and PSPRS compute retirement benefits based on, but not limited to, age, average monthly compensation and/or service credit.

ADMINISTRATIVE PROCEDURE			
Subject:	**Trial Employment Period**		
Revision Date:		**Policy Number:**	340
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish a trial employment period to be served by each newly hired, transferred, demoted or promoted employee. This procedure will also establish how trial periods may be adjusted.

Policy Communication

The policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedures

Every employee, except at-will, shall work satisfactorily for a trial period (often called a probationary period) in order to satisfy the requirements for employment in that classification. The trial period is designed to permit both the employee and the Town an opportunity to realistically assess the employee's performance in the new position. It also allows the employee an opportunity to develop their knowledge, skills and abilities from an entry level to a higher performance level; and focus the department director/supervisor's attention on the need to provide appropriate mentoring, training and assistance to help the employee be successful. An employee on his/her initial trial employment period is not eligible for internal recruitments.

A. Duration

All full-time new-hire employees and employer initiated demotions shall be subject to a trial period for a minimum of six (6) months. For part-time and Fire-sworn new-hire employees, the trial period shall be a minimum of one year. The trial period may be extended for one ninety (90) day period at the request of the Department Director, and upon approval of the Town Manager, or designee.

A promoted, transferred or voluntarily demoted employee will have a minimum of a six-month trial period based upon the Department Director's recommendation.

Any interruption of service during the trial period may not be counted as part of such period, except as outlined for FMLA and military leave.

B. Prior to Completion of Trial Period

Prior to the completion of an employee's trial period, the Department Director, with input from the immediate supervisor, must recommend one of the following actions through the Performance Evaluation process:

1. Merit status appointment

   Recommend that the employee be appointed to Merit status and receive a post-trial employment period increase as budget allows. Such recommendation shall be based upon the employee consistently meeting work performance and standards as documented on the Performance Evaluation form.

2. Reassignment, Demotion, Transfer, or Termination of Employment or Reassignment

   Recommend that the employee's services be reassigned, demoted, transferred, or dismissed.

   In the case of a promoted employee, the employee may be returned to the previous classification or position, if available. If a position is not available, the employee will be dismissed.

3. Extension of Trial Employment Period

   Recommend an extension of an employee's trial employment period due to performance, disciplinary or other related reasons for a specified time not to exceed an additional ninety (90) calendar days. The employee shall be notified of the reason for the extension through the Performance Evaluation process. A completed Performance Evaluation form and decision on the employee's status shall be required at the end of the extension of the trial employment period.

4. Appeal Rights

   Trial employees are considered at-will and are not eligible to use the Town's appeal or disciplinary appeal processes.

ADMINISTRATIVE PROCEDURE			
Subject:	**Background and Reference Checks**		
Revision Date:		**Policy Number:**	350
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of these procedures is to communicate the process for checking the necessary background information of candidates for Town employment.

Policy Communication

The policy establishing the Town direction related to Employment can be found in Policy Statement #300.

Procedures

A. Reference, Employment and Academic Checks

The Human Resources Director or designee shall normally contact at least three (3) references of the top ranked applicant and document their findings prior to recommending the applicant for appointment. The Human Resources Director or designee shall contact previous employment organizations, as necessary.

The Human Resources Director, or designee, shall verify related degrees and/or certifications from academic institutions within the first two weeks of employment.

B. Criminal History Record

Each new volunteer and each new appointment to regular and temporary Town employment status will be contingent upon the Town's review of the criminal history record provided by the Arizona Department of Public Safety. This will require that each new regular or temporary and volunteer employee submit to being fingerprinted according to the established Town procedures.

Applicants will be required to report if they are convicted, receive deferred adjudication, or enter into a guilty plea or *nolo contendere* (a defendant's pleading that does not admit guilt but subjects him or her to punishment as though he or she had pleaded guilty) for any felony or class A misdemeanor. Failure to report the above information on the application will lead to removal of their application for consideration of employment or, if already employed, discipline up to and including dismissal.

Current employees are required to report, no later than the beginning of the first workday following, that he/she have been convicted, received deferred adjudication, or entered a guilty plea or *nolo contendere* for any felony or class A misdemeanor to Human Resources. Failure to do so will lead to discipline up to and including dismissal.

C. Medical Examination

For those positions that require medical screening to obtain certification to perform the job, employment status will be contingent upon successful completion of a post-offer medical examination at the Town's sole cost and by a physician selected by the Town.

D. Substance Abuse Screening

Employment status for a prospective new hire employee in a safety sensitive function of the Town shall be contingent upon submitting to and successfully passing tests to determine the presence of illegal drugs, alcohol, or controlled substances in their system, as described in Administrative Procedure #1020. If the substance abuse screening results in a confirmed positive test, then the applicant will not be selected for the position. Applicants who refuse to consent to substance screening or who attempt to tamper with the screening sample shall not be eligible for Town employment. Substance screening shall be at the Town's sole cost and conducted in accordance with Administrative Procedure #1020.

E. Credit Checks

Employees who are in financially sensitive positions may be required to authorize the Town to perform a check of their credit history by the Town. All credit checks will be conducted in compliance with standards set forth by the Fair Credit Reporting Act of 1997.

F. Requirements for Motor Vehicle Use

A driver's license check shall be conducted on all applicants who will be in a driving position, and annually on all employees required to maintain a valid Arizona driver's license. A copy of an employee's current driver's license shall be given to the Loss Control Coordinator for record purposes. An applicant who does not possess a valid Arizona driver's license and is required to drive a Town vehicle or conduct Town business in a personal vehicle on Town time will need to obtain a valid Arizona driver's license by his/her first day of employment.

1. Suspension/Loss of License

   A current employee will be excluded from driving a Town vehicle or conducting Town business in a personal car if the employee loses their Arizona driver's license for any reason. This includes but is not limited to revocation or suspension by the Arizona Department of Motor Vehicles.

An applicant who has applied for a position which requires them to drive on Town business will not be considered for that position if they have a felony conviction involving a motor vehicle within the last 5 years.

An employee with a felony conviction involving a motor vehicle within the last 5 years shall not be allowed to drive for the Town in any capacity, and may be subject to discipline up to and including dismissal.

Any employee who is required to drive for the Town on a regular, intermittent, or occasional basis to conduct Town business and who receives:

a. Notice that their license to drive has been suspended or revoked; or,

b. Notice of citation for Driving While under the Influence, Extreme Driving While under the Influence, Driving under the Influence of Drugs, or other citation of similar severity,

must report this to the Department Director or designee and Human Resources no later than the beginning of the first workday following receipt of the notice of suspension, revocation, restriction, or knowledge of expiration, or citation - failure to do so will result in disciplinary action, up to and including dismissal.

If, at the sole determination of the department, an alternate position is available, an employee who properly reports may be reassigned temporarily to a non-driving position. The employee may be given up to ninety days to reacquire their license with or without restrictions. If, at the sole determination of the Department Director or designee, no alternate position is available, the employee may be dismissed.

G. Exception to this Procedure

The employee may be subject to disciplinary action up to and including dismissal for any single or multiple numbers of events relating to this procedure at the sole determination by the Department Director or the Town Manager, or designee, based upon the following:

a. The type, level and sensitivity of the position held by the employee.

b. The level of, and specifics of, the offense.

c. The employee poses an undue risk or exposure to the Town.

ADMINISTRATIVE PROCEDURE			
Subject:	**Resignation**		
Revision Date:		**Policy Number:**	360
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to define the process employees are expected to use when they decide to resign from Town employment.

Policy Communication

The procedure establishing the Town's direction related to Employment can be found in Policy #300.

Procedure

A. Resignations

Any employee may resign from Town service by presenting their resignation in writing to the Supervisor. To resign in good standing, the Town requests that an employee file with his or her Department Director, a written resignation at least ten (10) working days before leaving. In the case of extenuating circumstances, the Supervisor may agree to permit a shorter period of notice. Resignations shall be promptly forwarded to the Human Resources Department within one working day of receipt.

B. Resignation Procedures

1. An employee should present a resignation, in writing, to the immediate Supervisor, indicating his or her intention to resign, and indicating the effective date of the resignation.

2. The immediate Supervisor shall forward the original resignation to the Human Resources Department and a copy to the Department Director.

3. The Department Director or designee shall prepare the necessary Payroll Change Form to remove the employee from the Town payroll and instruct the resigning employee to schedule an exit interview with Human Resources.

4. The resigning employee's final paycheck will need to be picked-up in Human Resources (the check will not be direct deposited).

5. The resigning employee will schedule an exit interview with the Human Resources Department. The exit interview is to determine the reasons for separation, and solicit employee suggestions on improving Town operations, policies and procedures.

   Additionally, during the exit interview, the Human Resources designee will coordinate with the employee the return of all Town property, including keys to Town facilities, vehicles and office furniture; credit cards; Town identification access card; payroll card; and, other Town equipment (portable computer equipment, disks, modems, cellular telephone, pager, two-way radio, tools, etc.) and materials (handbook and manual). The resigning employee will be provided information about the continuation of medical benefits (acceptance or rejection of the Consolidated Omnibus Budget Reconciliation Action of 1986 (COBRA)), status of other employee benefits, and disbursement of the final paycheck. The employee will be requested to update his or her forwarding address.

C. Notice regarding Terms and Conditions of Employment

Employees are encouraged to communicate to the Town whenever they believe working conditions may become intolerable and may cause them to resign. An employee may be required to notify an appropriate representative of the Town in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that constitutes a constructive discharge.

The Town requires fifteen days notice of such claim. An employee may be entitled to paid or unpaid leave of absence of up to fifteen calendar days while waiting for the Town to respond to the employee's written communication about the employee's working condition.

D. The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)

Pursuant to the COBRA, all terminating employees and their dependents, who have health insurance coverage prior to resignation, with the exception of those terminated for "gross misconduct" are eligible for continuation of their health insurance coverage for a period of up to 18 months following their termination.

All eligible employees terminating their employment with the Town will receive information regarding insurance options available to them, along with the amount of monthly premium required to be paid by the employee to continue their medical insurance.

It will be the terminating employee's responsibility to pay 100% of the full premium for this coverage, plus a 2% administration fee. A check in the correct amount must be received by the Town's COBRA Administrator prior to the beginning of the premium month for coverage to be continued.

If the cost of medical coverage changes during the period of time the terminated employee is covered under the COBRA regulations, the amount of monthly premium payable by that employee will be adjusted to comply with the 100% requirement stated above, plus any additional administration fees.

Employees who have questions about their present or future right and responsibilities under this law should contact the Human Resources Department.

ADMINISTRATIVE PROCEDURE			
Subject:	**Layoffs-Reduction in Force**		
Revision Date:	4/2010	**Policy Number:**	365
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town Manager, for reasons that may include a shortage of funds, the curtailment of work, or a material change in job duties, may institute a reduction in force/lay off procedure through the abolition of positions as set forth in this Procedure.

Policy Communication

The procedure establishing the Town's direction related to Employment can be found in Policy #300.

Procedures

The conditions of a reduction in force (hereinafter "layoff") are as follows:

A. Order of Separation

When determining the order of separation for a layoff, the Town Manager shall, in his or her discretion and judgment, consider the following factors in this order:

1. Job Considerations. The importance of the position in relationship to the delivery of basic services provided by the Town will be reviewed in which the Town Manager, exercising his/her discretion, shall identify the specific areas and positions targeted for layoff.

2. Employment Status. Part-time and temporary employees will normally be laid off before merit status full-time employees within the targeted areas of layoff.

3. Seniority. Seniority is defined as total years of service (including years, months, and days) as a full-time Town of Queen Creek employee.

4. Work Performance. In cases where two or more employees have the same seniority dates as full-time employees, work performance will be used as a determining factor. The performance of the work by the employee will be based upon the employee's three (3) most current performance evaluation reports and other documented evidence of performance, including disciplinary actions. Final determination as to determining superior performance under this section shall be within the discretion of the Town Manager.

After job considerations, employment status, seniority, and work performance have been determined for each employee in the targeted area for layoff, a list will be created by the Human Resources Director and given to the Town Manager for employee notification.

B. Layoff Eligibility List, Recall of Employees on Layoff Eligibility List

The layoff eligibility list shall be available to former merit status employees who are separated from the Town service by layoff or reassignment to a lower classification. These employees will remain on the layoff eligibility list for 12 months beginning on the effective date of the layoff unless the Town Manager or designee is notified that he or she is no longer interested in employment with the Town. Layoff or reassigned employees shall be considered for non-competitive reinstatement for the position which he/she held prior to layoff or for any lower-level classifications within the same job family within the department as determined by the Human Resources Director. Those employees that remain on the eligibility list will normally have the first opportunity to be hired when a vacancy occurs while the list remains active. Thereafter, the employee will be removed from the eligibility list and would be required to go through the regular application process when a vacancy occurs within the Town.

A merit status “Layoff” employee may be eligible for reassignment. When possible, reassignments or transfers shall be in writing and signed by the Town Manager or designee. An employee who accepts a reassignment or transfer to a position with less compensation will be placed on the layoff eligibility list.

ADMINISTRATIVE PROCEDURE			
Subject:	**Strike**		
Revision Date:		**Policy Number:**	367
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Policy Communication

The Town's policy establishing the Town's direction related to Employment can be found in policy #300.

Procedure

Strikes by employees are prohibited. Any employee who engages in a strike shall be dismissed. An employee dismissed due to his/her engagement in a strike has no right of appeal.

Definition

The term "strike" as used in this procedure means concerted action that disrupts or interferes with the carrying out of a Town function for the purpose of inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges or obligations of employment

ADMINISTRATIVE PROCEDURE			
Subject:	**Reappointment to a Town Position**		
Revision Date:		**Policy Number:**	370
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of these procedures is to establish the process for rehiring employees who have separated employment with the Town.

Policy Communication

The procedure establishing the Town's direction related to Employment can be found in Procedure #300.

Procedure

Reappointment of a former employee may occur under two conditions**:**

A. Following Resignation

With the approval of the Town Manager, or designee, a merit status employee who resigned in accordance with all personnel rules and is eligible for re-hire, may be placed on the re-employment list for one year after resignation. The re-employment list may be used to fill vacancies in lieu of external open recruitment lists. Employees re-hired from the re-employment lists shall, for all purposes, be considered as though they are new hires except as may be provided in this policy. Employees on the re-employment list may be required to apply for an external recruitment to be considered.

B. Following Layoff

Employees who were separated from Town service as a result of a layoff and who subsequently are recalled to employment shall be re-employed according to the procedures outlined in Administrative Procedure #365. Those employees re-hired through a lay-off list will have their former employment applied to their new seniority date and the restoration of their sick leave bank (if any).

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Personnel Files**		
Revision Date:		**Policy Number:**	380
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to define the process for maintaining employee personnel files, describe the conditions under which new material is added to the files, and to identify the conditions under which files will be released.

Policy Communication

The policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedures

The Human Resources Director shall prepare and maintain files on each employee of the Town. One file will represent a record of an individual's employment with the Town. Another file will contain information separate from the main personnel file, such as benefit enrollment records, physical information, garnishments etc. As required by law, the Human Resources Director shall prepare and maintain confidential files on each employee of the Town. Each file will contain materials required by law to remain confidential, including but not limited to financial and medical information.

A. Entry of Material into Files

1. Human Resources Department employees will routinely place all official documents relating to an individual's employment history with the Town in the employee's personnel file. Such materials include, but are not limited to: employment applications for position held, offer letters, contracts or agreements, disciplinary actions, performance evaluations, payroll status forms, personnel-related correspondence, training documents, and other materials deemed relevant to an individual's employment history.

2. Department Directors may submit materials to be included in an employee's personnel file to the Human Resources Department. The Department Director is responsible for providing copies of those submittals to the employee.

3. Employees may review their individual personnel files upon written request to Human Resources. An employee may submit a written rebuttal to any material entered into their personnel file, which the employee feels reflects poorly on their employment history with the Town. Such rebuttal shall be attached to the material the employee is objecting to and shall

become a permanent part of the file so long as such material remains in the file. The Department Director shall be given a copy of any rebuttal submitted.

4. Dates and certificates of training and development will be logged into Human Resources database files once received from the employee.

B. Confidential and Medical Files

Each employee's employment file will be treated as confidential and the contents thereof disclosed only when authorized or required by law.

Records containing information of a personal nature including, but not limited to: (1) medical information; (2) background investigations; (3) credit checks; (4) motor vehicle reports; (5) controlled substance drug and alcohol test results; (6) special accommodation requests; (7) garnishments; (8) liens; (9) grievances; (10) professional reference checks; will be maintained in files separate from the employee personnel file and will only be released on a need-to-know basis, unless authorization from the employee is received in writing.

C. Access to Files

Unless otherwise required by law, personnel files shall be protected from access by persons other than the Town Manager, Human Resources Director or representatives as assigned, Town Attorney, the employee's Department Director or Supervisor, and the employee or the employee's authorized representative. The Town will respond to legally issued subpoenas or judicial orders in regard to personnel files, or as otherwise required by law.

1. Employees may request in writing the opportunity to review their personnel files. Files can be reviewed in the Human Resources Department in the presence of a Human Resources Department representative. At the request of the employee, copies of materials included in their files shall be furnished to the employee within a reasonable time frame.

2. A Department Director and/or immediate supervisor will have access to the personnel file of the employees in their chain of command.

3. The Human Resources Director and designees will have access to personnel files for the purpose of carrying out necessary personnel transactions.

4. All inquiries for information on current or former employees made by parties other than the employee, Department Director, immediate supervisor, or hiring supervisor will be handled in accordance with the State's public records laws. Release of any information to an outside party must be requested via a Public Records Request Form authorized by the Human Resources Director, Town Clerk or designee; a written authorization from a current or former employee; or, a legal summons (limited exceptions may apply). If necessary, the Town may disclose information to the appropriate party in a lawsuit, grievance, or other proceedings initiated on

behalf of the employee. Proceedings may relate to workers' compensation, unemployment compensation, or other actions relating to benefits sought by the employee.

D. Removal of Materials

Once material has been entered into an employee's personnel file it shall remain with the contents of the file in accordance with the State's record retention guidelines. No material will be removed from an active employee's personnel file at any time.

E. Verification of Employment

Only the following information will be provided to prospective employers and other agencies seeking employment verification:

- Dates of employment
- Job title
- Pay rate verification

In response to reference requests the Town will provide only dates of employment and positions held.

Employer requests for references and letters of permission should be addressed to the Human Resources Director. Only the Human Resources Director or designee has the authority to direct any response to a reference request on behalf of the Town. If approved to do so by the Human Resources Director, reference information included a reference letter must be based on accurate supporting material contained in the employee's personnel file. Reference letters written on Town letterhead stationery must be approved by the Human Resources Director.

F. Status of Files for Former Employees

Town personnel records will be maintained in accordance with the State of Arizona Records Retention and Disposition Schedule and applicable Federal laws. A former employee may request copies of the contents within their file. The cost of providing this material, as allowed by the A.R.S. Title 12, shall be borne by the former employee at the current actual cost to the Town.

Five (5) years after an employee terminates employment with the Town, the appropriate Human Resources Department employee may review the file and purge any materials that are no longer pertinent. Records on hazardous exposures must be maintained for thirty (30) years from date of employee separation

ADMINISTRATIVE PROCEDURE			
Subject:	**Nepotism and Personal Relationships**		
Revision Date:		**Policy Number:**	390
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to clarify the Town's process for the hiring and retention of relatives of current employees and personal relationships between employees.

Policy Communication

The policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedures

A. State Statute

The following is the State Statute A.R.S. 38-481 governing nepotism which clarifies employment of relatives, violation, classification definitions.

1. It is unlawful, unless otherwise expressly provided by law, for an executive, legislative, ministerial, or judicial officer to appoint or vote for appointment of any person related to him by affinity or consanguinity within the third degree to any clerkship, office, position, employment or duty in any department of the state, district, county, city or municipal government of which such executive, legislative, ministerial or judicial officer is a member, when the salary, wages or compensation of such appointee is to be paid from public funds or fees of such office, or to appoint, vote for or agree to appoint, or to work for, suggest, arrange or be a party to the appointment of any person in consideration of the appointment of a person related to him within the degree provided by this section.

2. Any executive, legislative, ministerial or judicial officer who violates any provision of this section is guilty of a class 2 misdemeanor.

3. The designation executive, legislative, ministerial or judicial officer includes all officials of the state, or of any county or incorporated city within the state, holding office either by election or appointment, and the heads of the departments of state, county or incorporated cities, officers and boards or managers of the universities.

B. Town Policy Definition/Clarification

Appointed official is defined as the Town Manager, Town Clerk, Town Attorney, and other similar appointed positions in the future.

Elected official is defined as the Mayor and Council Members.

C. Immediate Family Members

Immediate family members (as defined by Procedure #1100) will not supervise other immediate family members. Although immediate family members may reside in the same department, a separation between the family members must exist through the chain-of-command. At all times, immediate family members are not allowed to be involved in the discipline, recruitment, promotion, evaluation, and/or pay rate change of another immediate family member (Human Resources will designate a designee for these situations).

Immediate family members of elected and appointed officials will not be hired.

D. Marriage between Employees

In the event of marriage between two employees of the Town creating a relationship in violation of the procedure in C. above, then one of the affected employees must resign their Town position unless one of the affected employees is qualified to transfer to another open Town position. If one of the affected employees refuses to resign or is unable to transfer, then the affected employee with the least amount of seniority with the Town shall be dismissed.

E. Personal Relationships

Employee personal relationships, whether involving other employees, family members, or other individuals, on their personal time on and off Town property are outside the Town's area of responsibility. However the Town believes that romantic, dating, or sexual relationships between employees who are in the same chain of command, has the potential to disrupt the work environment. Some of the possible adverse effects of such relationships may include the following: poor work performance or attitude; distraction from work duties; creation or suggestion of a sexually hostile or offensive work environment for the involved employees or others around them; and the possibility, appearance, and/or perception of favoritism or conflict of interest. For these reasons, and also in furtherance of its policy against sexual harassment in the workplace, the Town forbids its supervisors to have a romantic, dating, or sexual relationship with any other employee who is under them in the chain of command.

In regard to non-supervisory relationships, the Town will become involved and will take appropriate action if problems resulting from such relationships manifest themselves on the job. At a minimum, a reassignment may result from those instances involving two or more employees. Depending on the circumstances, other actions, such as demotion, dismissal, or other type of disciplinary action may be necessary.

In all cases of employment with the Town, the Town reserves the right to transfer or reassign any employee at any time with/without cause or notice.

ADMINISTRATIVE PROCEDURE			
Subject:	**Community Volunteers**		
Revision Date:		**Policy Number:**	392
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The achievement of the Town of Queen Creek's goals is best accomplished through active community involvement. For this reason, the Town of Queen Creek accepts and encourages volunteers at all levels and in all appropriate events and programs. All staff is encouraged to assist in the development of meaningful and productive roles in which volunteers can serve the community. The purpose of this procedure is to provide direction when working with volunteers. This document is meant for guidance only and does not constitute a contractual or employment agreement. The Town of Queen Creek has the right to modify any of these procedures at any time. These procedures apply to all Town of Queen Creek volunteers at all sites.

Policy Communication

The policy establishing the Town's direction related to Employment can be found in Policy #300.

Procedure

A volunteer is anyone who performs a task, without the expectation of compensation or reimbursement, at the direction of and on the behalf of the Town of Queen Creek. The Town of Queen Creek accepts all volunteers with the understanding that all such service is at the sole discretion of the Town. Volunteers understand the Town of Queen Creek may at any time, for whatever reason, sever the volunteer's relationship with the Town with or without cause or notice. The volunteer may terminate their relationship with the Town at anytime; however, they are asked to give as much notice as possible. Volunteers are a valuable asset to the Town of Queen Creek and will be treated as such. Volunteers will receive meaningful assignments, training, equipment, effective supervision, full involvement and participation, and proper recognition.

A. Volunteer Policies and Procedures

1. Volunteer Files

   It is important that a file is maintained on volunteers utilized by the Town of Queen Creek. This file will be important as a resource for future volunteer recruitment, tracking time and as a means of documentation for the Town. Each file should contain the original application, time sheets, awards, evaluations and reports. These files are confidential, and shall be kept for a period of three years, or for 6 months after inactivity of the volunteer.

2. Applications

   A volunteer application needs to be filled out by any person volunteering for the Town (see Volunteer Application form). These applications will include, among other things, name, references and emergency contact information. A separate application is not needed for each activity. Only one application is to be filled out, unless the volunteer has been inactive for more than three years.

3. Time Sheets

   Anytime a volunteer works for the Town, a timesheet will be completed. These are used for tracking the hours a person has donated. The information will be used for recognition of the individuals, and in the event of any accident or incident, it gives the Town a record of the hours worked on the day in question.

4. Documentation

   Any documentation needed will also be kept in the volunteer files. This can include but is not limited to evaluations, reports (positive or negative), and awards. Any documentation will be professional and factual.

5. Scheduling

   Volunteers will be given a schedule of times they are expected to work. This schedule will be for the duration of the event or program, whether that be for a number of hours or a number of weeks. The schedule will be agreeable for both parties. Hours per day should not be excessive, and if more than two days in a row are being worked, each day should not exceed twelve hours.

6. Breaks

   Volunteers are not covered under the Fair Labor Standards Act (FLSA); however, supervisors will make every effort to give volunteers breaks in accordance with regular staff breaks. Volunteers will schedule their breaks with their supervisor.

7. Dress Code

   When representing the Town of Queen Creek, volunteers will dress in a manner suitable for the task they are performing. For example, a volunteer who is working in the office will be dressed professionally, whereas, a person volunteering to plant trees for the Town may be in shorts and a t-shirt. Regardless of the task being performed, volunteers are required to be clean and well groomed. Supervisors are responsible for making volunteers aware of any special dress requirements.

8. Representation of the Town of Queen Creek

   Persons volunteering for the Town are only authorized to perform tasks pertaining to their job as outlined in the specific job description. Volunteers are not permitted to make statements or suggestions in the name of the Town, unless specific prior permission has been given to the individual. Volunteers may not present themselves as representatives of the Town including, without limitation, cases dealing with contracts, financial obligations or in making any public statements on the Town's behalf.

9. Identification

   In some cases, volunteers working for the Town may be required to wear a volunteer identification badge. This badge identifies them as a member of the Town volunteer workforce. The badge, unless otherwise specified, will not give the volunteer access to any facilities – it is for identification purposes only. It is not necessary to provide identification to the volunteer coaches and referees for parks and recreation sporting programs.

B. Volunteer Supervision

1. Supervisor

   A volunteer who is working for the Town will have a direct supervisor for each assignment they accept. The volunteer will know who that supervisor is, and how to contact that person. The supervisor will be a member of the department for which the individual is working, and will be responsible for the evaluation of the volunteer's performance. In the event that a volunteer is supervising another volunteer, there will still be a staff member who is responsible for overseeing the performance and interaction of all volunteers involved.

2. Staff/Volunteer Relations

   Staff working with or supervising volunteers need to be aware of the individual's background and/or experience. A volunteer may have extensive experience in the task they are performing. A volunteer can be a valuable asset to any project and should be a part of the process, not just treated as free help. It is important that staff and volunteers alike, understand and respect each others' abilities.

3. Communication

   Volunteers need to know the proper lines of communication. The supervisor is the person responsible for making sure this information is available to the volunteer. Communication with the volunteer is a vital part of volunteer retention. Volunteers are expected to contribute a useful part of their assigned project. For this reason, they need to have all the information they need to do the job. If there are changes in time, duties, or information, the volunteer needs to be made aware these changes, whenever possible.

4. Evaluation and Disciplinary Process

   The supervisor is responsible for evaluating a volunteer's performance; however, the evaluation shall be an informal process. Because volunteers do not possess any property rights to the volunteer position, no disciplinary process shall be completed. As listed in a prior section, the Town reserves the right to sever the voluntary relationship with or without cause or notice.

5. Recognition

   When a volunteer goes above and beyond the responsibilities of the position, the supervisor should make note of it. It does not need to be a long report, just a brief description, so when the time comes for recognition or awards the occurrence is not overlooked.

6. Awards and Appreciation

   Recognition of volunteers is a very important element of the volunteer program. These individuals are donating their time to help the community. Volunteers' efforts will be recognized at the end of year as a group, and at various times throughout the year by their departments. Service awards will be given to volunteers who consistently donate their time, and all volunteers are eligible for year-end awards, if any.

7. Accidents and Incidents

   When a volunteer is involved in an incident/accident, the same forms used for staff should be used for the volunteer. The report forms need to be filled out completely and thoroughly. These reports can potentially be used as evidence in a legal proceeding, and as such, should be filled out carefully with specific facts and no speculation. The supervisor responsible for the volunteer will fill out the report and the report should then be submitted to the staff's immediate supervisor. When the incident/accident occurs, the staff's supervisor should be notified. If the volunteer is a minor, the parents should be notified as soon as possible. The report must be submitted to the supervisor within 24 hours of the accident/incident.

8. Dismissal

   There are several possibilities that may require dismissal of a volunteer. These possibilities include, but are not limited to: lack of work, lying on an application, chronic lateness or absenteeism, being under the influence of drugs or alcohol, inappropriate behavior, insubordination, unacceptable background check as determined by the Human Resources Director, mishandling of funds and conduct detrimental to the Town of Queen Creek as it determines in its sole discretion. If a volunteer is dismissed, a report of the incidents leading up to dismissal, or the specific event responsible for dismissal, needs to be put into the individual's file. The supervisor of the department in which the volunteer is working has final say in the volunteers work status.

9. Transportation

   Volunteers are responsible for getting themselves to and from the worksite. The Town does not provide transportation to volunteers.

10. Court Placement Volunteers

    There may be times when an individual is mandated by the court to perform a certain number of volunteer hours. These hours maybe assigned to a certain department, or the individual may just need general hours. Other individuals, usually minors, may be assigned to do community service hours. Any volunteer with these circumstances must be approved through the department director. Once they have been approved they will be held to the same standards and given the same treatment as any other volunteer, with one exception: in the event that stricter rules on freedom and contact are imposed by the referring institution (i.e. a court or other correctional program), the restrictions will be taken into consideration when the individuals are being placed for assignment, and respected by the volunteer's supervisor.

C. Youth Volunteers (under 18 years old)

Youth volunteers are a valuable asset; however, there are some additional policies that are for their safety and the Town's liability.

1. Application

   The youth application is the same as the one everyone else uses, however, the minor's parent or legal guardian must sign the application before it can be accepted and processed.

2. Documentation

   Any form of documentation that the individual is given will be signed by the parent or legal guardian. It is the volunteer's responsibility to make sure this is completed. Future service will not be granted if there is outstanding or unsigned documentation in the individual's file.

3. Scheduling

   Since the youth will be under Town supervision, the youth's parent needs to know when he/she will be with the Town. The individuals schedule needs to be acceptable to *both* the volunteer and the parent or guardian. Youth volunteer schedules will be signed by the parent or guardian before the individual can work.

4. Transportation

   Youth volunteers are responsible for getting themselves to and from the worksite. The Town does not provide transportation to youth volunteers.

5. Staff/Volunteer Relations

   All interactions between Town staff and youth volunteers shall remain professional at all times. The Town does not encourage or support outside interaction between staff and youth volunteers.

6. Background Checks

   Background checks are not permitted for youth volunteers.

D. Volunteer Training

1. Orientation

   All volunteers will receive an orientation before they begin their first assignment. The purpose of the orientation is to help the volunteer feel comfortable about the job they will be doing, give them an idea about the environment they will be working in, and to answer any questions they may have.

2. Training

   The goal of the volunteer training is to help give the volunteers any information or specific skills they may need to carry out their assignment. The training will be overseen by the supervisor of the event/program. The training should be equal to the task that is being performed. Both parties should feel comfortable that the job will be done; and be done while adhering to all Town standards and expectations.

   In some cases training and orientation will take place at the same time; however, all necessary information will still be covered.

E. Background History

1. Fingerprinting

   Volunteers 18 years of age and older who are anticipated to be in contact with minors, disabled or homebound persons, or work in security-sensitive areas will have a review of criminal history information, including non-conviction information. These applicants shall be fingerprinted by the Department in which they will begin working or the Human Resources Department, and the fingerprints shall be forwarded to the Arizona Department of Public Safety for the purpose of obtaining a state or federal, or both, criminal records check pursuant to A.R.S. § 41-1750 and Public Law (PL) 92-544. The Department of Public Safety is authorized to exchange this fingerprint data with the Federal Bureau of Investigation.

2. Background History

   When a Background History report is received from DPS indicating a criminal history exists, a review by Human Resource Director (or designee) of the report is compared to the statement disclosed by the volunteer on his/her volunteer application/agreement. Discrepancies between the individual's self-reported criminal history and the results of the DPS/FBI report are identified by Human Resources and forwarded to the department director, or appointed designee, utilizing the volunteer, and may result in dismissal.

3. Privacy

   The Human Resources Director or designee will keep all information obtained from the Arizona Department of Public Safety or the Federal Bureau of Investigation confidential and make such information available to other Town personnel only on a need to know basis or as may be necessary to reach a determination as to the acceptability of the individual or as may be otherwise required or permitted by law.

F. Insurance Requirements

Individual volunteers for the Town are covered through the Town's insurance for workers' compensation and liability purposes. Groups that are volunteering for specific projects may be required to provide their own certificate of insurance. Per Town policies, any questions regarding certificate of insurance requirements for group volunteers should be directed to the Risk Manager

ADMINISTRATIVE PROCEDURE			
Subject:	**Americans with Disabilities Act – Reasonable Accommodation**		
Revision Date:		**Policy Number:**	397
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

It is the Town of Queen Creek's goal to make all of its employment opportunities available to, accessible for, and usable by, qualified individuals with disabilities as required by the Americans with Disabilities Act ("ADA"). To that end, the Town is committed to establish procedures in which qualified individuals with a disability or persons with a relationship to or association with a disability in hiring, compensation, training, advancement, and the terms, conditions and privileges of employment.

This policy and procedure is intended to summarize the requirements under the ADA and not to create an independent policy in addition to the ADA. Any conflict between this policy and procedure and the terms of the ADA is inadvertent and the terms of the ADA shall govern.

Policy Communication

The policy establishing equal opportunity employment can be found in policy #300.

Definitions

1. *Essential Functions of the Job*

   A job function may be considered essential because:

   a. The position exists to perform that function;

   b. A limited number of employees are available and therefore, that job function cannot be distributed to another employee; or

   c. The incumbent was hired for his or her expertise or ability to perform the highly specialized job function.

2. *Qualified Individual with a Disability*

   Under the ADA, a *qualified individual with a disability* is a person who meets the qualification standards of a job and can satisfactorily perform its essential functions with or without reasonable accommodation, and who a) has been diagnosed with a non-temporary physical or mental disability which substantially limits one or more major life activities, b) has a known record of such impairment, or c) is regarded as having such impairment.

3. *Reasonable Accommodation*

   A change or adjustment to a job or work environment that permits a qualified employee with a disability to satisfactorily perform the essential functions of a job, or to enjoy the same employment benefits and privileges as those enjoyed by employees without disabilities. Consistent with business necessity, a reasonable accommodation does not impose an undue hardship with the Town. Examples of undue hardship may include significant difficulty for implementation, service deterioration, expense, or a fundamental alteration in the nature of the service, program, or activity. Reasonable accommodations shall not pose a direct threat to the employee or others with whom the employee regularly comes in contact.

Procedures

Requests for accommodation shall be initiated in writing by the employee and submitted to the Human Resources Director, or designee. Reasonable accommodations may include (not inclusive) reasonable:

1. Acquisition or modification of equipment or devices;
2. Job restructuring (the Town is not required to create an entirely new job);
3. Modification of facilities or work station;
4. Modification of work schedules;
5. Reassignment to a vacant position as long as the employee meets the minimum qualifications of the position where a vacancy already exists (may include transfers and demotions).

The employee shall fully inform the Human Resources Director of his/her disability and accommodation needs. Upon request, the employee shall submit documentation from his/her physician or health care provider to substantiate the work restrictions or limitation imposed by the disability. All medical documentation shall be submitted to and maintained by the Human Resources Department.

The Human Resources Director, Department Director, and with input from the Town Attorney at the Town's discretion, shall make a determination regarding the employee's status as a qualified individual with a disability and what, if any, accommodation can reasonably be made. The Town has the right to designate a Town designated physician to consult with the employee's health care practitioner and to conduct an independent medical evaluation as necessary to guide this determination.

The Human Resources Director shall communicate to the employee what accommodation has been determined to be reasonable or if a reasonable accommodation cannot be made.

Periodic documentation of the continued need for accommodation shall be a condition of continued accommodation and shall be provided by the employee upon request by the Human Resources Department.

POLICY STATEMENT			
Subject:	**Performance Evaluation System**		
Revision Date:		**Policy Number:**	400
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of the Performance Evaluation System is an on-going dialogue to assist in creating a work environment to maximize employee and organizational performance.

Policy

The primary objectives of the Performance Evaluation, a tool available to managers and supervisors to evaluate the performance of employees in the accomplishment of their assigned duties and responsibilities, shall:

- provide a basis for regular performance review;
- provide written objective feedback on how well employees are performing the duties of their positions;
- identify training and job experience needed to improve job-related knowledge, skills and abilities;
- provide a tool to make merit pay considerations; and,
- establish goals for the following evaluation period.

A. Performance Administration

The Human Resources Director shall administer the Performance Evaluation System, subject to direction by the Town Manager. Full-time employees will typically receive a performance review at the end of their six-month trial employment period, then annually from the date thereafter. Performance ratings for Fire sworn employees will be administered after the employee has worked one year and annually from the date thereafter. Performance ratings for part-time employees will be administered after the employee has worked one year and every two years thereafter.

Written performance evaluation reports should be completed and discussed with employee:

1. No later than one and one-half weeks (1.5 weeks) prior to the completion of the trial employment period.
2. No later than one and one-half weeks (1.5 weeks) prior to the employee's anniversary date.

3. Whenever the Department Director or Town Manager so requires.

4. Completed performance evaluation forms should be signed by the employee, supervisor, second level supervisor (if applicable), and Department Director. Once the signatures have been obtained, performance review forms shall be submitted to the Human Resources Director one week prior to the anniversary date. The Human Resources Director shall file completed forms in the employee's personnel file and provide copies to the employee and supervisor.

B. Performance Management

Each full-time employee will have a written Performance Evaluation at their six-month trial employment period, then annually from the date thereafter. Performance Evaluation for Fire sworn employees will be administered after the employee has worked a one-year trial employment period and then annually from the date thereafter. Part-time employees will have a written Performance Evaluation at their one-year trial employment period, then bi-annually from that date thereafter. The employee shall be reviewed based on performance over the review period.

Performance Evaluations should be work-specific and based on the employee's job description and objectives. Performance discussions and documentation should identify specific accomplishments, strengths and areas for improvement, as appropriate, and a training and development plan. The Performance Evaluation should include specific examples of performance results and be supported by documentation to the extent possible to justify the performance rating.

Each employee will develop and/or be given a set of performance objectives and goals for the upcoming review period. The evaluation shall be used for merit pay considerations as budget allows.

C. Employee Performance Improvement Process

The Town of Queen Creek has established a Performance Improvement Process which is designed to help an employee improve performance in conjunction with the performance evaluation process and/or disciplinary process. A Performance Improvement Plan (PIP) is a tool available to managers and supervisors to assist in improving employee performance. A Performance Improvement Plan is a written form of constructive counseling and may include some or all of the following items:

1. A description specifying how the employee's performance does not meet job standards.

2. A description of the changes and improvements necessary for the employee to improve their performance and/or behaviors in order to satisfy job standards and/or correct inappropriate behaviors.

3. Attendance expectations, required documentation, and procedures if absences and/or tardiness are an issue.

4. Suggestions for additional training, educational materials, resources materials, or other steps the employee can take to improve performance.

5. The frequency and dates of progress reviews.

6. A description of possible disciplinary actions if the employee does not improve.

ADMINISTRATIVE PROCEDURE			
Subject:	**Performance Evaluation Rating System**		
Revision Date:		**Policy Number:**	410
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to describe how the performance evaluation system process will properly evaluate the performance of employees in the accomplishment of their assigned duties and responsibilities as a means of giving all employees regular feedback and improve the employee's performance.

Policy Communication

The policy establishing the Town's direction related to Performance Evaluation can be found in Policy #400.

Procedures

1. Performance expectations for the position must be communicated to employees.
2. The factors used in rating performance should be as objective as possible.
3. The supervisor will prepare a list of first six-month performance objectives and goals for each new employee hired, promoted, transferred, demoted or laterally moved. Additionally, at the employee's annual performance review, a new set of objectives and goals will be developed.
4. Throughout the year, the supervisor will meet with the employee periodically to review the objectives, expectations, progress and needed areas of improvement.
5. Supervisors are encouraged to utilize appropriate feedback from the employee and other sources such as the employee's peer group, intra-department employees, vendor relations, or team associations to support/validate ratings and to obtain a full range of the employee's performance.
6. Employees are encouraged to track their own accomplishments and provide a copy to their supervisor through a pre-evaluation process.
7. In situations where the employee had more than one supervisor during the review period, the current supervisor shall be responsible for completing the evaluation. However, when feasible, the current supervisor should request feedback from the prior supervisor.

A. Frequency of Evaluations

1. When an employee is hired, promoted, transferred, demoted, or laterally moved, they are subject to a trial service period. The employee's progress should be monitored, documented as necessary, and discussed with the employee throughout this period. For an employee that is full-time, the supervisor shall complete a written Performance Evaluation after six-(6) months during the trial period. For Fire sworn employees, a written Performance Evaluation will be administered after the employee has worked a one-year trial period. For an employee that is part-time, the supervisor shall complete a written Performance Evaluation after one-year during the trial period.

2. Full-time employees will receive a written Performance Evaluation from their supervisor annually. Part-time employees will receive a written Performance Evaluation from their supervisor bi-annually.

3. Unscheduled evaluations may be initiated when deemed appropriate but they do not affect the anniversary date, except in the case of a trial period employee who is removed from trial status.

B. Definition Guidelines of Performance Ratings

All employees will be evaluated on three Job Standards (Communication & Teamwork, Quality of Work & Job Knowledge, and, Work Habits). Supervisors will be evaluated on an additional Job Standard (Supervisory Skills). For sworn fire personnel assigned as a paramedic, an additional Paramedic Skills Job Standard will be evaluated. Performance indicators have been established for each job family. Human Resources will provide the appropriate forms to supervisors for the applicable job family.

Job Standards

Definitions of each Job Standard are as follows:

1. <u>Communication & Teamwork:</u>

   Refers to communication skills (written and oral) required for the position such as active listening, the ability to clearly express thoughts, appropriate level and quantity of communication and refraining from inappropriate oral, written, and non-verbal communication; and the degree to which the employee is courteous, tactful, and respectful to citizens, customers, and coworkers. Includes respect for diversity, conveying professionalism while performing duties in a responsive manner that clearly demonstrates the understanding that the success of the team is equally important to personal success.

2. Quality of Work & Job Knowledge:

   Refers to accuracy, thoroughness, effectiveness of work product, the quality of judgment used in gathering and analyzing data, and in problem solving; innovation and promotion of new ideas and techniques; maintaining, updating and increasing job knowledge.

3. Work Habits:

   Refers to planning, organizing, timeliness and efficiency, initiative in completion of job assignments; productivity, handling multiple tasks and priorities; level of understanding exhibited by the employee in safety and liability issues and in responsibility for care of equipment, tools, and supplies.

4. Supervisory Skills:

   Refers to the performance of supervisory job duties including administration and timeliness of performance review and development; use of motivation, coaching, counseling, development and use of financial resources and human resources.

5. Paramedic Skills:

   Refers to accuracy, thoroughness, effectiveness of work product, the quality of judgment, job knowledge, and in problem solving within the paramedic responsibilities.

Performance Ratings

A 3-point scale (whole numbers only) is used to rate all performance indicators.

- 3 (CE-Consistently Exceeds Performance Criteria and Expectations)
- 2 (CM-Consistently Meets Performance Criteria and Expectations)
- 1 (ND/I-Needs Development and/or Improvement)

The supervisor should rate each Performance Indicator carefully, considering the employee's performance in that particular area. The supervisor should select the rating that best represents his/her assessment of the employee's performance during the review period.

Definitions of the ratings are as follows:

Rating		Definition
CE	3	Consistently Exceeds Performance Criteria and Expectations: Employee significantly and consistently exceeded expectations for the period under review. This level of performance represents the accomplishment of increasingly difficult work, including significant and uncommon challenges with major contributions to the work group's success. Employee is widely recognized as a role model in his or her specialty area. Employees who consistently exceed standards and expectations also demonstrate proficiency in all applicable competencies and reflect a true dedication and commitment to public service.
CM	2	Consistently Meets Performance Criteria and Expectations: Employee consistently met overall expectations, achieving expected results for the period under review. In some cases, the employee sometimes may have exceeded expectations. Results achieved contributed to the work group's results. This level of performance can include noteworthy accomplishments that made a strong contribution to the success of the work group. Employee is recognized as a strong, solid performer.
ND/I	1	Needs Development and/or Improvement: Employee did not meet performance criteria and expectations consistently during the period under review. Contribution to the work group's success was limited by the employee's performance. Employee's performance needs improvement and/or employee's skills need development.

For each performance indicator, the supervisor should provide narrative comments/examples of work to explain the ratings or provide context about the employee's performance during this review period. This is intended to justify the ratings and to initiate and facilitate dialogue between the supervisor and the employee when they meet in the evaluation interview. Used to its fullest advantage, it has great potential to positively impact performance and improve communication. Once the ratings have been given, the supervisor totals the evaluation points for each Job Standard and divides the total by the number of performance indicators to determine the overall performance rating score.

The amount of merit increase, if any, is based upon the overall performance rating score. Merit increases are subject to budget appropriations.

C. Signatures on Performance Evaluations

The Supervisor(s) in the Chain of Command and Department Director shall sign the Performance Evaluation Form. The evaluated employee must also sign the form. The employee's signature does not indicate agreement or acceptance of contents, but rather, that they have received the form. An employee is encouraged to include their written comments on the form whether the employee disagrees with the contents of the evaluation or wants to provide positive feedback to their supervisor. The form shall be dated and initialed by the Human Resources Director or designee indicating receipt of the form to the Human Resources Department.

D. Relationship to Regular Appointment and Annual Salary Review

The Performance Evaluation form shall be used as the basis for determining whether or not a trial employee will be placed on merited status. It shall also serve as the basis upon which annual salary adjustments are considered. Salary merit increases shall be based on the performance level as indicated in the Performance Evaluation form and council approval of an annual merit budget. Salary increases will be given as steps within the range. A supervisor may recommend that an employee receive no salary increase or withhold a salary increase until a future performance review. In no case shall a supervisor inform an employee of their recommendation for a salary increase until the final evaluation and salary recommendation have been approved by the Department Director.

E. Special Reviews (Performance Improvement Plan)

Supervisors and Department Directors may perform weekly, bi-weekly or monthly informal reviews or institute more frequent special reviews than outlined in the performance rating policy if they deem it necessary due to performance, behavioral or disciplinary concerns regarding an employee. If such reviews will be used, the Supervisor or Department Director must notify the employee and document the reviews in writing. Weekly project status meetings are an exception and do not require written documentation

The length of time of a special review may not exceed six (6) months. The Town Manager has authority to approve a special review beyond six (6) months. Once completed, any documentation related to the special review, including any performance improvement plans (see Procedure #420), shall be attached to the original performance evaluation within the employee's personnel file. If the special review is due to discipline, then any documentation outlining the special review, shall be attached to the original disciplinary documentation within the employee's personnel file.

F. 360-Degree Evaluation Considerations

In the process of completing an employee's performance evaluation, a supervisor has the right to consider and incorporate into performance reviews information from others within and outside the Town staff with whom the employee has worked closely during the review period. This includes, but is not limited to: coworkers within the same department, staff members in other departments with whom the employee must work regularly as part of their assigned job duties, coworkers with whom the employee has worked on an assigned committee or project, and consultants, contractors or temporary workers with whom the employee has been assigned to work during the review period.

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Performance Improvement Process - PIP**		
Revision Date:		**Policy Number:**	420
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town of Queen Creek has established a Performance Improvement Process which is designed as a tool, to be used in the Town's discretion, to help an employee improve performance in conjunction with the performance evaluation process and/or a disciplinary process.

Policy Communication

The policy establishing the Town's direction related to Employee Performance Improvement can be found in Policy #400.

Procedures

1. An informal discussion is the first step in problem solving. Every effort should be made to correct a problem or issue with an employee's performance through a timely discussion between the employee and his/her supervisor.

2. If informal discussions do not resolve the performance related issues to the supervisor's satisfaction, it is recommended that the supervisor utilizes a more formalized approach. The supervisor may outline a Performance Improvement Plan (PIP) to assist the employee and supervisor to identify the performance related issues. A PIP is a tool available to managers and supervisors to assist in improving employee performance. A Performance Improvement Plan is a written form of constructive counseling and may include some or all of the following items:

    a. A description specifying how the employee's performance does not meet job standards.

    b. A description of the changes and improvements necessary for the employee to improve their performance and/or behaviors in order to satisfy job standards and/or correct inappropriate behaviors.

    c. Attendance expectations, required documentation, and procedures if absences and/or tardiness are an issue.

    d. Suggestions for additional training, educational materials, resources materials, or other steps the employee can take to improve performance.

    e. The frequency and dates of progress reviews; and,

f. A description of possible disciplinary actions if the employee does not improve.

The supervisor shall review the employee's progress throughout the monitoring period and provide any additional coaching and/or mentoring he/she deems necessary to assist the employee to successfully accomplish the requirement of the PIP. The review may be in the form of regularly scheduled follow-up meetings or any other type of consistent communication with the employee throughout the monitoring period. However, it is the responsibility of the employee to make every effort to successfully complete the PIP within the specified timeframe(s).

Any successful completion of a PIP shall be documented by the supervisor. If the employee does not meet the expectations of the PIP, the supervisor may proceed to progressive discipline.

A PIP should only be used once for the same performance issue(s). If the performance issues reoccur, then the supervisor should utilize the Town's progressive discipline process to correct the performance issues.

POLICY STATEMENT			
Subject:	**Orientation, Training, Development, Education and Tuition Reimbursement**		
Revision Date:	12/2006	**Policy Number:**	500
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this policy is to provide direction to the Town's employee development and training efforts.

Policy

The Town Manager encourages employee training and development. It is the policy of the Town of Queen Creek to encourage professional development through a variety of measures. These measures include, but are not limited to, new employee orientation, staff meetings, on-the-job training, job-related conferences and seminars, and continuing education through colleges and universities.

Responsibility for developing training programs for employees shall be assumed jointly by the Human Resources Director and the Department Directors. Training efforts will be periodically reviewed and evaluated by the Town Manager.

A. Training Costs

Training costs may include registration fees for workshops or conferences, materials, and the fees charged for contracting consultants and/or instructors providing the training. These costs may be supported by the Town, provided funds have been budgeted and the training has been properly approved. Lodging, meals and travel costs may be supported by the Town if proper prior approval has been given. The Town Manager or designee will determine how funds will be budgeted for these purposes.

B. Eligibility for Training

All full-time Town employees are eligible to participate in Town's sponsored training, development, and educational opportunities, upon approval of their Supervisor. Certain part-time employees may be eligible for sponsored training and/or development with the approval of the Department Director, and college-level educational opportunities with the approval of the Town Manager, or designee.

C. Training and Educational Priorities

Since all training opportunities are subject to budgetary limitations, the Town has established priorities for training and staff development. These priorities include:

1. Orientation
2. Job-related training
3. Professional development training
4. College-level courses and tuition reimbursement

ADMINISTRATIVE PROCEDURE			
Subject:	**Training and Development**		
Revision Date:	9/2009	**Policy Number:**	510
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure statement is to communicate the process for requesting job-related training, as well as the procedure for compensation while attending training.

Policy Communication

The policy establishing the Town's support of ongoing employee training and development can be found in Policy #500.

Procedures

Each employee is responsible for his/her professional development and expertise in his/her field. The Town provides assistance to employees who wish to improve their skills in order to enhance their contribution to the Town. The Town offers several options for training and professional development. These options include:

- Individual topic classes, such as software training or other specialized training.
- Professional training seminars and conference.
- Town-sponsored training.

A. Job-related Seminars, Conferences, or Workshops

Employees may attend job-related seminars, conferences, or workshops that are deemed appropriate by the employee's supervisor. Requests to attend such programs should be made to the employee's immediate supervisor, in writing. Approval of training requests will depend on budgeted funds. Employees must submit their requests through their immediate supervisor for permission to attend so that the supervisor can ensure that the request is appropriate; that funds are available; and, that adequate work coverage will be available in the employee's absence.

Requests for training should follow department procedures and should include items like:

- Topic or subject matter of the session
- Date, time and location of the session

- Cost of the session
- Information to be gained by attending the session
- Description of how the training fits into the Town's objectives and into the employee's development plans

Approved requests may be prepaid by the Town to the seminar, conference, or workshop vendor on behalf of the employee. All employee travel and related business expense activity shall be governed by Administrative Procedure 910 which establishes equitable standards and maintains effective controls to promote the prudent use of public funds. Travel arrangements should be arranged as far in advance as possible to minimize the cost to the Town. The Town will only pay for expenses directly connected to the conference. Department Directors should ensure all expenses are justified, Town-related, and reasonable. Personal expenses or expenses for guests will not be paid for by the Town.

B. Travel to and from Local Training

Whenever possible, a Town employee will use a Town vehicle when attending approved local training courses. An employee will not be reimbursed for mileage expenses when a personal vehicle is used and a Town vehicle has been authorized and is available. Usage of the Town vehicle shall be limited to travel directly to and from the training, unless otherwise approved. No personal use of a Town vehicle is allowed.

C. Travel Costs

Travel costs incurred while traveling to training out of the Phoenix-metro area will be paid by the Town, according to the Travel and Expense Policy Procedure #910.

D. Compensation for Attending Job-Related Training

Employees will be fairly compensated, including the payment of overtime, for attending job-related, approved training sessions as follows:

1. Required Training is defined as training sessions for which the Town mandates the employee's attendance. Such required courses may include, but are not limited to:
   - Safety-related training
   - State-mandated certification programs which are required to maintain current job status
   - Department-required training, as indicated on the annual performance plan or via departmental communication
   - Town-mandated training programs required of all Town employees
   - Supervisor-mandated training programs which are designed to improve current job skills

- Career-related programs sponsored by the Arizona Governmental Training Service or other public seminar companies
- Employee-selected leadership training
- Job-related conferences or seminars sponsored by a professional association

2. Voluntary training is defined as additional optional training that is attended by the employee's choice and is not a condition of continued employment with the Town of Queen Creek or required by the Town.

Compensation for Training and Education for Non-Exempt Employees

	Regularly Scheduled Work Day	Regularly Scheduled Off Day
Required Training	Yes Compensation Provided	Yes Compensation Provided
Voluntary Training	Yes* Compensation Provided	No Compensation Provided

**With supervisory approval*

E. Budgeting for Job-Related Training

Funding for job-related seminars, conferences, and workshops will be budgeted in individual departmental budgets. Individual departmental budgets should also allow for job-related certifications and training which are required for certain job classifications. For mandatory training and development courses which require testing and/or certification, the cost of class and testing/certification may be prepaid by the Department. The associated costs for testing will be paid a maximum of twice.

ADMINISTRATIVE PROCEDURE			
Subject:	**Tuition Reimbursement**		
Revision Date:	9/2009	**Policy Number:**	520
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to communicate the process for requesting tuition reimbursement for job related college credit classes.

Policy Communication

The policy establishing the Town's support of ongoing employee training and development can be found in Policy #500.

Procedures

Department Directors and Human Resources have joint responsibility to administer the tuition reimbursement program. Approval for training, class or program, must be submitted and approved prior to the start of the class by the employee's immediate Supervisor, Department Director and Human Resources Director..

A. Eligibility

All employees who have fulfilled the initial trial period requirements for their job are eligible for tuition reimbursement. Employees must be beyond the trial employment period at the beginning of the semester to qualify for tuition reimbursement. Employees hired after the beginning of the semester will not be reimbursed even if already enrolled in college courses.

Courses eligible for tuition reimbursement should be job related and part of an approved degree program. Doctorate level courses are not eligible for reimbursement. Multiple degrees of the same level are not permitted for reimbursement. Programs must be submitted and approved by the employee's immediate supervisor and Department Director.

Eligible full-time employees shall be reimbursed for the following types of training or education:

1. Course work that is directly job related.
2. Course work that will develop the employee's skills within his/her career field.
3. Course work that is required for a college or university degree program that is job or career related.

Merited status, part-time employees may be eligible for tuition reimbursement, with the approval of the employee's Department Director and the Town Manager.

B. Terms of Tuition Reimbursement

To receive reimbursement, the following requirements must be met:

1. Employee must have successfully completed his or her initial trial employment period.

2. Employee must have received approval for the class or degree program on his/her application **prior to the start of the class**. An application by an employee to participate in the program shall not be construed to create any type of contractual obligation on the Town's behalf.

3. Employee must qualify for the reimbursement of a college course by receiving a "PASS" or a grade of "C" or better for courses taken. Official grade reports and proof of payment must be submitted with the request for reimbursement. Audited classes do not qualify for reimbursement. Reimbursement requests must be submitted within 60 calendar days after the date of completion of the course.

4. Reimbursement is limited to the approved annual budgeted amount.

5. **If the employee leaves the service of the Town for any reason, the employee will be required to repay all (100%) of tuition reimbursement paid to the employee by the Town within the preceding 12 months of the date of separation.** The deduction will be made from the final check. Any remainder of the outstanding payment must be made to the Town within 30 days from the time the employee leaves the service of the Town. Failure to do so will be filed with law enforcement authorities. No tuition reimbursement is required after the 12-month period following course completion.

C. Costs

Unless specified within a cohort program with prior approval by the Town Manager, costs for the tuition reimbursement program are on a reimbursement basis only. No pre-payment on Town procurement cards will be authorized.

Employees will be reimbursed up to a total approved by the Town Council each fiscal year. Tuition reimbursement includes only the cost of tuition. Related fees including financial aid fees, administration fees, course materials, lab fees, and textbooks, parking fees, and graduation fees are the responsibility of the employee and are not reimbursable by the Town. All tuition requests and reimbursements will be monitored at the department level and Human Resources.

D. Financial Implications

Employees who receive financial assistance for their education from grants, scholarships, or other sources must disclose the source on the request for tuition reimbursement. If employees are receiving funding other than student loans for their education from another source, the Town will not provide reimbursement for that portion of the cost. The amount of reimbursement shall be reduced by any financial assistance the employee receives from any outside source.

E. Tuition Reimbursement Budget

The Town Manager will recommend a budget amount to be allocated to the Human Resources departmental budget to support approved requests for tuition reimbursement. The amount will be adjusted each year to reflect the level of employee participation in the program.

F. Compensability

The Town considers time spent at courses that are eligible for academic tuition reimbursement as non-compensable. Employees attend college courses on their own time and are not eligible for compensation for time spent on these studies.

Employees and supervisors are encouraged to identify class projects that are directly applicable to their job where the Town will benefit. In these cases, with supervisory approval, employees may conduct class-related research at work. Homework shall not be completed during the employee's regular work schedule.

G. Education Incentive

The Town of Queen Creek recognizes the value of advanced education. Upon completion of a job-related degree program, and based on budgetary approval each fiscal year, a full-time employee who has completed his or her initial trial period may be eligible for additional compensation based on the following schedule:

- 2% for Associate's Degree
- 4% for Bachelor's Degree
- 2% for Master's Degree

The additional compensation is a one-time bonus that is a percentage, as listed above, of an employee's salary at the time the degree was obtained. Multiple degrees at the same level will not be eligible. To receive the education incentive, an employee must submit a written request to the Department Director who will forward the written request to Human Resources for document verification before sending the compensation request to the Finance Department with proof of graduation for reimbursement. Documents that will be accepted as proof of graduation and completion of degree coursework within appropriate time frame include official transcripts or a diploma.

POLICY STATEMENT			
Subject:	**Attendance and Leave**		
Revision Date:		**Policy Number:**	600
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this policy is to establish standard hours of work, holidays, vacation leave, and sick leave. In addition, this policy will establish the conditions under which Town employees may be granted time off from work.

Policy

A. Hours of Work/Attendance

It is the responsibility of the supervisor and Department Director to exercise prudent judgment in scheduling time off, granting leave without pay, and scrutinizing the usage of leave to ensure optimum service delivery to the Citizens of Queen Creek. All requests for leave shall be in writing. Leave request forms may be obtained on-line or from the Human Resources Department. The accumulation of vacation and sick leave is based on continuous, full-time employment.

B. Holidays

The following days shall be considered holidays for full-time employees. Employees shall have these days off, unless they are required to work by their Department Director.

- New Year's Day (January)
- Civil Rights Day (3rd Monday in January)
- President's Day (February)
- Memorial Day (May)
- Independence Day (July)
- Labor Day (September)
- Veteran's Day (November)
- Thanksgiving Day (November)
- Friday after Thanksgiving Day (November)
- Christmas Day (December)
- Floating Holiday

1. *If the Town offices are open Monday through Friday*, when a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed. The holiday will be paid out at 8 hours (11.2 hours for Fire-sworn employees that are working 24-hour shifts) regardless of the schedule worked by the employee.

2. *If the Town offices are open Monday through Thursday*, holidays will only be observed on the date the holiday actually occurs. If the holiday occurs on Friday, Saturday, or Sunday, then the employee shall receive 9 hours of additional floating holiday leave to use at his/her discretion. Prior to each calendar year, Human Resources will work with Payroll personnel to determine the number of holidays that fall on Friday, Saturday, and Sunday, and place the additional number of hours of floating leave (starting January 1st of each year) into the employee's floating leave bank to use at their discretion. The holiday will be paid out at 9 hours (11.2 hours for Fire-sworn employees that are working 24-hour shifts) regardless of the schedule worked by the employee.

3. In the event one or more recognized holidays fall within an annual vacation leave, such holidays shall not be charged as vacation leave.

4. Employees who have satisfactorily completed the initial trial employment period and who terminate employment shall be paid in a lump sum for all accrued vacation leave earned prior to the effective date of termination.

5. One (1) floating holiday of 8 hours (9 hours if Town offices are only open Monday through Thursday) is available to all full-time employees each calendar year. There is no waiting period before an employee can request the use of the floating holiday. Floating holiday leave must be scheduled with and approved, by the employee's supervisor at least three (3) days in advance of the requested date. Unused floating holiday leave may not be carried forward to be used in the following calendar year or cashed out. If an employee has not used the floating holiday leave for the current calendar year at the time he/she leaves Town service, the floating holiday leave is forfeited and the employee will not be paid for the floating holiday leave.

   The floating holiday may be split and used in increments smaller than eight (8) hours, subject to approval from the employee's supervisor for each of the increments to be taken. The employee must submit Leave Request forms to his/her supervisor before taking each increment. The employee must also submit a Time Sheet Adjustment/ Correction Request form to Payroll before or within the pay period that each increment is taken so that the leave would be accurately recorded in his/her time records.

6. Non-exempt employees (except for Fire-sworn) that are required to work on a Town observed holiday will be paid time and one-half their regular rate of pay.

C. Vacation Leave

Vacation is provided to employees to ensure the mental and physical health and well being of both the employee and the organization. For employees entitled to vacation leave, accruals begin with the first full week of employment. No employee shall take vacation leave in excess of the amount accrued.

All full-time employees in the Town service with an average regular workweek of 37.5 hours or more shall receive annual vacation with pay at the following rates:

Job Classification	Years of Service	Accrual per Pay Period	Approx # of 8-Hour Days per Year	Fire-sworn Working 24-Hour shifts	Approx # of 24-Hour Days per Year
Full-time Employees (including full-time trial employees)	Less than 5 years	3.70 hours	12 Days	5.17 hours	5.6 Days
Full-time Employees	5 to less than 10 years	5.54 hours	18 Days	7.75 hours	8.4 Days
Full-time Employees	10 to less than 15 years	6.92 hours	21 Days	9.69 hours	10.5 Days
Full-time Employees	15 or more years	7.39 hours	24 Days	10.35 hours	11.2 Days

1. Vacation Accrual for Trial Employment Period

   Upon completion of the Initial Trial Employment period, vacation leave may be taken subject to the accrual schedule as established in this policy. New employees hired by the Town will earn pro-rated vacation leave for the pay period of hire. An employee must have worked 37.5 hours in the first week to earn vacation leave for that week. Employees that have completed their initial trial employment period, but are on a new trial employment period (i.e. due to promotion, demotion, transfer, etc.) may use accrued vacation leave.

   For example, if the employee's first day of work is on the first day of a new pay period; and the employee works two 40 hour weeks, the employee will earn full accrual for that pay period.

   If the employee's first day of work is on the first day of the second week of the pay period and the employee works a full forty hours during this week, the employee will receive a prorated vacation accrual of 1.85 hours for this pay period.

2. Vacation Accrual for Part-Time, Temporary & Seasonal Employees

   Regular part-time employees, seasonal and temporary employees shall not accrue vacation or sick. A part-time employee that is hired or promoted to a full-time status will begin accumulating vacation/sick time when full-time employment status becomes effective but may not use accrued vacation time until the new trial period is completed. As a full-time employee (regularly scheduled to work 37.5 hours per week), the accumulation rate begins at the level "less than 5 years" as noted above. Part-time status will not be taken into consideration when determining length of employment for vacation accruals.

3. Holidays and Vacation Leave

   In the event one or more recognized holidays fall within an annual vacation leave, such holidays shall not be charged as vacation leave.

4. Vacation Pay Out at Termination

   Employees who have satisfactorily completed the initial trial employment period and who terminate employment shall be paid in a lump sum for all accrued vacation leave earned prior to the effective date of termination.

   Employees who terminate employment or are involuntarily terminated prior to the end of the initial trial employment period or who do not successfully complete trial employment period shall forfeit any accrued paid vacation leave.

5. Maximum Accrual

   The maximum accumulation of vacation leave is 240 hours (336 for Fire-sworn employees on 24-hour shifts). Employees who are in excess as of December 31st and have taken a minimum of 80 hours vacation leave (112 for Fire-sworn on 24-hour shifts) in that calendar year will be paid for excess leave. Employees must have taken 80 hours of vacation leave (112 for Fire-sworn on 24-hour shifts) by December 31st, in order to be paid for excess leave. Any vacation leave in excess of 240 will be forfeited beginning January 1st if the minimum of 80 hours vacation has not been taken in the prior calendar year.

6. Change in Employee Status

   When an employee is promoted, demoted or transferred, they shall not lose accrued vacation leave. If a full-time employee changes to a part-time position, the vacation accruals will stop and any excess vacation will be paid out.

   Employees who terminate employment (or are involuntarily terminated) prior to the end of the initial trial employment period or who do not successfully complete the trial employment period shall forfeit any vacation leave payout.

Employees who terminate employment or are involuntarily terminated after successful completion of the initial trial employment period will receive a vacation leave payout.

The times during a calendar year at which an employee may take vacation leave shall be determined by the supervisor and Department Director with due regard for the wishes of the employee and particular regard for the needs of the Town. Except under unusual circumstances, request for vacation leave shall be made at least 30 days in advance by the employee to allow the supervisor to plan for the absence.

7. Disciplinary Action

Forfeiture of accrued vacation leave as a disciplinary action shall not be authorized.

8. Transfer of Vacation Leave

When an employee has used all forms of accrued leave (vacation, sick, and/or float) and is unable to return to work because of personal illness or injury, they may request vacation leave donations from other employees.

D. Sick Leave

Sick leave with pay will be granted to all full-time, merited status and trial employment employees in the Town service. Sick leave shall not be considered a right which employees may use at their discretion, but a privilege, and shall be allowed only in case of actual personal sickness or disability, or as otherwise provided in this section. Sick leave is provided for full-time employees unable to report to work because of personal illness (to prevent infection of co-workers), or whose immediate family member becomes ill and the employee must care for the family member, or for any other purposes as outlined in the Town's Family and Medical Leave Act procedure. Sick leave is not to be used for purposes other than those contained herein. The Town will monitor sick leave use, and when deemed appropriate, an employee may be counseled or referred to a physician or to a wellness treatment program.

Sick time accruals begin on the employees first day of employment. Full-time employees accrue sick leave on the following basis. Sick leave shall be accrued at the rate of 3.70 hours per bi-weekly pay period. There is no limit established as to the number of hours of sick leave that may be accrued by employees.

	Accrual per Pay Period	Fire-sworn Working 24-Hour Shifts
Full-time Employees	3.70 hours	5.17 hours

Part-time employees do not accumulate sick leave. A part-time employee that is hired or promoted to a full-time status will begin accumulating sick time when full-time employment status becomes

effective. As a full-time employee (37.5+ hours), the accumulation rate begins at the level as noted above.

1. Unused sick leave

   Unused sick leave is not paid in cash to an employee upon separation.

2. Discipline

   Misuse or abuse of sick leave is cause for disciplinary action as provided in this policy. Forfeiture of accrued sick leave as a disciplinary action shall not be authorized.

3. Promotions/Demotions/Transfers

   When an employee is promoted, demoted or transferred into another full-time position, the employee will not lose accrued sick leave. If the full-time employee moves into a part-time position, then the employee's sick leave is forfeited.

4. Sick Leave Incentive Policy

   a. In order to be eligible for the sick leave incentive policy, an employee must be employed at full-time status for one complete calendar year. An employee who has accrued 96 hours (134 hours for Fire-sworn working 24-hour shifts) of sick leave in a calendar year and has not used any sick leave during the prior calendar year may convert up to 56 hours of sick leave (78 hours for Fire-sworn working 24-hour shifts) to vacation leave for the following calendar year. Sick leave may be converted to vacation leave at a rate of 2 hours of sick leave for 1 hour of vacation leave. Thus, an employee wishing to convert sick leave to vacation leave will receive a maximum of 28 hours (39 for Fire-sworn working 24-hour shifts) of vacation leave in a calendar year (56 maximum sick leave hours available for conversion in a year divided by 2, because conversion is at a rate of 2 sick hours:1 vacation hour).

      If the employee has utilized sick leave during the calendar year, then the conversion will be based on the following sliding schedule:

Regular, Full-time (37.5+ hours/week) Employees, Monday – Friday							
Number of Sick Hours used (to the nearest 8 hours)	**0**	**8**	**16**	**24**	**32**	**40**	**48**
Maximum Number of Sick Hours Employee is able to Convert to Vacation Leave	56	48	40	32	24	16	8
Conversion Ratio of Vacation Leave (2 hours of sick leave for every 1 hour of vacation)	28	24	20	16	12	8	4

Regular, Full-time (37.5+ hours/week) Employees; Monday – Thursday							
Number of Sick Hours used (to the nearest 9.5 hours)	**0**	**9.5**	**19**	**28.5**	**38**	**47.5**	**56**
Maximum Number of Sick Hours Employee is able to Convert to Vacation Leave	56	46.5	37	27.5	18	8.5	0
Conversion Ratio of Vacation Leave (2 hours of sick leave for every 1 hour of vacation)	28	23.25	18.5	13.75	9	4.25	0

Fire-sworn working 24-hour shifts							
Number of Sick Hours used (to the nearest 24 hours)	**0**	**11.2**	**22.4**	**33.6**	**44.8**	**56**	**67.2**
Maximum Number of Sick Hours Employee is able to Convert to Vacation Leave	78.4	67.2	56	44.8	33.6	22.4	11.2
Conversion Ratio of Vacation Leave (2 hours of sick leave for every 1 hour of vacation)	39.2	33.6	28	22.4	16.8	11.2	5.6

Only sick leave accrued in the immediate past calendar year is eligible for conversion. For example, if an employee did not use any of his/her sick leave that was accrued from January 1, 2008 through December 31, 2008, he/she may convert 56 hours of sick leave to 28 hours vacation leave effective January 1, 2009. However, if the employee used 16 hours of sick leave from January 1, 2008 through December 31, 2008, he/she may convert 40 hours of sick leave to 20 hours of vacation leave.

An employee who has accumulated 480 hours of sick leave (672 for Fire-sworn) may at any time request that all additional sick leave over 480 hours (672 for Fire-sworn) be converted to vacation leave at the basis of 1 hour of vacation leave for every 2 hours of excess sick leave.

Permission to use vacation leave may be granted at the discretion of the employee's Supervisor and Department Director.

5. Sick Leave in Relation to Worker's Compensation

Employees are insured by the Town under the Arizona Worker's Compensation statutes, against injuries and illnesses occurring in the course of Town employment. The law provides for payment of medical expenses for qualifying conditions, and, under certain circumstances, compensation for loss of income. It is mandatory that every job-related injury or illness,

regardless of severity, must be reported immediately to the supervisor and a written report prepared and submitted to the Risk Manager.

Payment of medical expenses shall only be paid for the first seven (7) calendar days after injury or illness when the employee is absent from work. If the disability extends beyond the 7th day period, worker's compensation shall begin on the 8th day the employee is absent from work. If the absence continues beyond the 13th day, compensation shall be computed and made retroactive to the date the injury or illness occurred.

During those periods when worker's compensation is not provided, pay, if any, must be charged to the employee's accrued sick leave or vacation leave if all sick leave has been exhausted.

An employee receiving temporary disability payments under the Worker's Compensation laws may use accumulated sick leave in order to maintain his or her regular income. However, all employees receiving full salary in lieu of temporary disability payments shall remit any funds received under Worker's Compensation to the Town. Employees receiving Worker's Compensation and not supplementing their income with sick leave shall not accrue sick or vacation leave or receive pay for holidays for any pay period they do not actually perform their duties. The employee's accumulated sick leave shall be used until it is exhausted. Vacation leave may then be used until it is exhausted.

A certification from a licensed physician or practitioner allowing an individual to return to work is required for any absence, due to illness or injury, when it is determined by the Department Director or Human Resources that one is necessary to establish that an employee is safe to perform his or her essential job duties. The Town will work with disabled employees as necessary, consistent with the Americans with Disabilities Act, to find reasonable accommodations that are needed to allow the employee to perform essential job functions.

E. Family and Medical Leave

Under the FMLA, the Town allows eligible employees to take up to twelve workweeks of leave per year for certain family and medical reasons. The leave may be taken intermittently if medically necessary. The FMLA does not require the leave to be paid, but the Town requires employees to use earned and accrued paid leave, such as sick or personal leave and vacation, prior to receiving unpaid leave, as part of the twelve workweeks of leave.

During FMLA leave, employees may remain on payroll status as long as they have accumulated sick leave and/or vacation to use. The Town will also maintain employees' group health insurance during leave, but employees must continue to pay their applicable premium contribution to maintain coverage. In some cases, the Town may recover premiums paid for maintaining an employee's health coverage if an employee fails to return to work.

Upon returning from leave, unless a job abolishment has occurred (such as due to a layoff) which would have terminated an employee's job or placed him or her into a different job, an employee will

be restored to his or her original position or to an equivalent one in terms of pay, benefits, and other terms and conditions of employment.

The Town uses the rolling twelve-month method to measure the yearly period for leave entitlement. This means that, in determining how much FMLA leave an otherwise eligible employee may take at any given time, the Town will look to the previous twelve months to determine whether that employee has already used some of his or her twelve workweeks of FMLA leave.

F. Paid Leave Categories

The Town shall provide a mechanism for the following types of additional leave to be available to employees.

1. Military Leave

   The Town will comply with all federal and state requirements regarding military leave if an employee anticipates needing leave related to any type of military service, the employee should alert the Human Resources Department as soon as possible, for more information regarding current requirements related to such leave.

2. State or National Emergency Duty

   In the event of a state or national declared emergency in accordance with state and federal law, any employee may be granted leave with pay from assigned duties with the Town.

3. Funeral or Bereavement Leave

   Upon confirmation of the death of a relative, full-time employees shall be granted up to three (3) working days (two (2) 24-hour shifts for Fire-sworn working 24-hour shifts) of Town-paid bereavement leave, not to be charged to any accrued sick or vacation leave, per occurrence to attend the funeral of an immediate family member (see Glossary of Terms). Two additional days of bereavement leave (12 additional hours for Fire-sworn working 24-hour shifts) with pay may be granted if the employee must travel out of state for a family member of first degree consanguinity or first degree affinity. Upon approval from the Department Director, vacation leave may be used to extend funeral leave. Leave for immediate family member death can be taken by employees in the initial 6 months trial period. Bereavement Leave does not have to be used consecutively, but must be used within two weeks.

4. Jury Duty Leave

   Every employee of the Town who is required to serve as a juror shall be entitled to absent him or herself from his or her duties with the Town during the period of such service or while necessarily being present in court as a result of such call. If an employee is required to appear in court due to a subpoena not related to his/her own case, then the employee may also utilize

jury duty leave. If the appearance in court is due to his/her own case, then vacation leave must be utilized.

5. Election Leave

Employees are encouraged to vote. Every employee of the Town will be given time to exercise their right to vote in accordance with State law.

6. Worker's Compensation Leave (Injury Leave)

Employees with an accepted workers compensation claim will be given injury leave according to the State Workers' Compensation Act.

7. Administrative Leave

Employees may be placed on administrative leave with pay if circumstances warrant, in the sole discretion of the Town, that the employee be temporarily relieved from their duties pending an investigation or administrative process.

8. Employee Volunteer Services for the Town

In the spirit of 'volunteerism', the Town of Queen Creek recognizes that in addition to performing the normal duties associated with their employment with the Town, many employees are interested in performing additional civic, charitable, and/or humanitarian services for the Town and/or its various departments.

Importantly, while the Town recognizes and appreciates the generosity and benefits of the services such volunteers provide, the decision to engage in these types of volunteer services is one left solely to the discretion of the individual Town employee. Consistent with this, no Town employee should feel pressured or compelled to engage in volunteer services.

For those employees wishing to participate in volunteer services for the Town of Queen's Creek or any of its departments, however, the following guidelines apply:

- Volunteers must understand that their volunteer services to the Town and/or its departments are freely and voluntarily offered.
- Volunteers should maintain no expectation of compensation or reimbursement for any volunteer services provided to the Town and/or any of its departments.
- Volunteers ***may not*** perform volunteer services for the Town and/or its departments if they are otherwise *employed* by the Town or any of its departments to perform similar or identical duties as those for which they propose to volunteer.
- Volunteers **may not** perform volunteer activities during the individuals' regular working hours.

Any questions including inquiries relating to what volunteer services are permissible under this policy should be directed to the Town of Queen Creek's Human Resources Department.

a. Volunteer Leave.

Full-time employees of the Town are eligible to take two (2) hours per month of volunteer leave to volunteer at a school of their choice and/or a non-profit organization within the Town of Queen Creek.

G. Personal Leave Without Pay

The Town provides an opportunity for leave without pay with Town Manager approval for employees to deal with personal situations occurring for more than 10 days, but not exceeding 90 days. However, depending on the circumstance, vacation leave accruals, and, in cases of illness, sick leave accruals must be exhausted prior to leave without pay.

H. Alternative Work Schedules

The Town recognizes that the use of alternative work schedules not only encourages employees to support trip reduction programs, but can also provide work-life balance opportunities for those employees. When Town offices are open Monday through Friday, Department Directors may allow employees to utilize any of the following types of alternative work schedules:

- **4/10s**: Employees perform their work during four 10-hour days every week. Employee is off one specific day each week.
- **4/9s + one 4 hour day**: Employees perform their work during four 9-hour days and 1-four hour day every week. Employee is off 4 hours one specific day each week.
- **9/80**: Employees perform the required 80 hours of work within a two-week period but in 9 days instead of 10. Employees work eight 9-hour days, one 8-hour day, and have one specific day off every other week. **Due to overtime implications, this is currently offered to exempt employees only.**

Any alternative work schedule should only be approved after ensuring that the quantity of work and quality of customer service to the public required for their department is maintained or increased.

ADMINISTRATIVE PROCEDURE			
Subject:	**Hours of Work and Attendance**		
Revision Date:		**Policy Number:**	610
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this Procedure is to define how work hours and attendance procedures will be established and managed.

The Town of Queen Creek defines working hours to:

- Ensure continuity in access by and service to the public.
- Facilitate teamwork.
- Facilitate supervisory assistance.

Policy Communication

The policy establishing the Town's direction related to the Attendance and Leave can be found in Policy# 600.

Procedure

Each employee shall have a fixed time for reporting to work and leaving from work. These times shall be determined by Department Directors or their designees and communicated to the employee in writing. A copy of record shall be maintained in their respective department.

The hours of employment shall be 40 hours in five or fewer consecutive days for full-time employees (in light of budgetary constraints, the Town Council can reduce the workweek for employees to 37.5 hours/week). For payroll purposes, the workweek shall begin midnight Saturday and end 11:59 p.m. the following Friday. Departments shall schedule working hours for employees to ensure that each department is adequately staffed to provide for the most beneficial service to both internal and external customers. Occasions may arise when service to citizens can be improved or regional air pollution advisories can be accommodated through adjustments to an employee's regular work hours (for example, the Town Council can determine to close Town offices on Friday and expand hours of operation Monday through Thursday). The supervisor and Department Director must approve adjustments in an employee's regular work hours.

Individual requests for adjustments of working hours for personal reasons must be evaluated in light of effect on the criteria enumerated in the items above.

Employees are expected to be at their work site during their scheduled work hours, and will be disciplined if they do not meet departmental standards.

It is the employee's responsibility to notify their immediate supervisor, if possible, or their department within at least one-half (1/2) hour prior to the scheduled work starting time regarding reason for and the length of absence. If an employee is unable to notify the immediate supervisor due to extraordinary circumstances, it is acceptable for an immediate family member to notify the immediate supervisor of an employee's absence with thirty (30 minutes) of the scheduled starting time. Individual work circumstances may require more restrictive employee reporting requirements as dictated by departmental policy.

Employee lunch hours and breaks shall be determined in accordance with individual departmental policies or procedure. Employees are encouraged to have lunch or break at a place other than the designated workstation.

A. Recording Work Hours

The FLSA requires that time records reflect the actual hours worked per week by non-exempt employees. This means the time that an employee was physically on the job site performing job duties. Employees are expected and required to be honest in recording their time worked. Town of Queen Creek non-exempt employees must use a time clock and/or Time Sheet Adjustment/Correction Request form to record when they arrive and depart from work and for meal breaks to ensure their time is accurately recorded. Non-exempt employees will be paid to the minute for time worked based upon the hours recorded by the time clock and manual adjustments made to the time record. For this reason, it is vital and required that time adjustment requests submitted by non-exempt employees be accurate and honest.

All work hours be recorded using the established timekeeping system and procedures so that all hours worked each week by non-exempt employees, whether regular or overtime hours, are recorded on a single time record. The Town does not allow the keeping of separate records to track non-exempt employees' overtime hours.

Exempt employees must accurately record leave and holidays taken on a Time Sheet Adjustment/Correction Request form and submit it for the pay period in which the leave or holiday was taken. If an employee's absence spans more than one pay period, the form reflecting the entire leave must be submitted to Payroll before the leave begins. Leave taken or time off without pay must be entered accurately and completely in the employee's time records in a timely manner to ensure that accurate payment is made in the proper pay period. Exempt employees are expected to obtain approval from their supervisor and Department Director for their regular work schedule and for any changes to their regular work schedule.

<u>Example 1:</u> Aubrey is a non-exempt employee. She worked every day in a given week except Wednesday, when she was ill. She called in and notified her supervisor as required on Wednesday morning that she would not be at work due to her illness. On Thursday when she returned to work,

she completed a Leave Request form and submitted it to her supervisor, and she completed a Time Sheet Adjustment/Correction Request form and submitted it to Payroll to ensure that her work time was accurately recorded for the week. On payday, Aubrey's paycheck includes 40 hours of pay for the week, including 32 hours of regular time and 8 hours of sick leave time.

Example 2: Daniel is a non-exempt employee. He worked every day in a given week except Wednesday, when he was ill. He called in and notified his supervisor as required on Wednesday morning that he would not be at work due to his illness. On Thursday when he returned to work, he forgot to complete and submit a Leave Request form to his supervisor and a Time Sheet Adjustment/Correction Request form to Payroll. When Daniel's supervisor reviewed his time record for the pay period, he forgot that Daniel had been ill on Wednesday because he had not been given the Leave Request form. The supervisor mistakenly approved the time record. When the payroll was processed, the Payroll staff did not notice that Daniel's time record only included 32 hours because Payroll had not been given the Time Sheet Adjustment/Correction Request form. On payday, Daniel's paycheck includes 32 hours of pay for the week and does not reflect any sick leave. When he discovers the error, Daniel submits the two required forms to his supervisor and Payroll. The error will be corrected by Payroll in the appropriate week of his time records, and Daniel will receive eight hours of sick leave pay on his next paycheck.

Example 3: Stuart is an exempt employee. He worked every day in a given week except Wednesday, when he was ill. He called in and notified his supervisor as required on Wednesday morning that he would not be at work due to his illness. However, when he returned to work, Stuart forgot to complete and submit a Leave Request form to his supervisor and a Time Sheet Adjustment/Correction Request form to Payroll to reflect his absence and his desired use of sick leave for Wednesday. When Stuart's supervisor reviewed his time record for the pay period, he forgot that Stuart had been ill on Wednesday because he had not been given the Leave Request form. The supervisor mistakenly approved the time record. When the payroll was processed, the Payroll staff did not notice that Stuart's time record did not reflect the sick leave because Payroll had not been given the Time Sheet Adjustment/Correction Request form. On payday, Stuart's paycheck includes 40 hours of pay for the week and does not reflect any sick leave. When he discovers the error, Stuart submits the two required forms to his supervisor and Payroll. The error will be corrected by Payroll in the appropriate week of his time records.

B. Time Clocks

Time clocks are utilized for non-exempt employees. Time clocks are available in each Town-owned building where employees have working offices. New employees will be issued time cards for use in conjunction with the time clocks by payroll. All non-exempt employees are required to slide their time cards in the time clock, or use a computer, or utilize a Time Sheet Adjustment/Correction Request form, each time they arrive and depart from work and when they take a lunch break. Field employees for whom it would be inefficient to return to time clock site to clock in and out for a meal break must complete a Time Sheet Adjustment/Correction Request form and submit it to Payroll so accurate records will be kept of their work time for payroll purposes. For more about use of the

forms, see the Time Adjustments section below. For more about policies regarding breaks and meals, please see the Breaks section below.

Example 1: Mark's regular schedule is 8:00 a.m. to 6:00 p.m. Mark often arrives at the office at 7:45 a.m. He likes to get started right away with his day's work. His supervisor has given approval for Mark to start work early if he arrives early at work. According to Town policy, Mark may swipe his card at 7:45 a.m. and use one of these options to avoid accumulating overtime for the week.

1. Leave work 15 minutes earlier in the evening
2. Take an extra 15 minutes for his lunch meal break, ensuring to clock in and out for his lunch break
3. Arrive and clock in 15 minutes later on another day within the same week

Example 2: Ten employees are supposed to start their workday and swipe their time cards at their assigned time of 8 a.m. When Jill arrives at work at 7:59 a.m., there is a line of other employees at the time clock, all waiting to swipe their time cards at 8 a.m. By the time Jill gets her turn at the time clock, the clock reads 8:03 a.m. Jill should swipe her card at 8:03 a.m. She then has these options, according to Town policy:

1. Jill can work three minutes later in the evening to ensure that she works and is paid for an eight-hour day.
2. Jill can arrive at work earlier the next day, swipe her time card at 7:57 a.m. and begin working three minutes earlier to make up the time from the day before.
3. Jill can choose to reduce her lunch meal break by three minutes to make up the time she was late in the morning, ensuring to clock in and out for her lunch break.

Supervisors, or designee, will be responsible for approving the computerized time records of all employees, both exempt and non-exempt, reporting to them. Approvals must be completed according to the schedule established by Payroll to ensure that employees are paid on time and accurately. Failure by supervisors to approve time records in a timely manner is cause for disciplinary action.

C. Time Sheet Adjustments and Corrections

It is the intent of the Town of Queen Creek to work with employees to make the keeping of time records as easy and understandable as possible. It is acknowledged that there will be situations in which it is impossible for non-exempt employees to swipe their time cards, but yet they still wish to be paid for a day of work (see examples below).

1. The employee is working or taking meal breaks at a remote job site
2. The employee forgets to swipe his/her time card to record arrival or departure from work.

3. The employee calls in sick from home and needs to use his/her accumulated sick leave in order to be paid for sick time off from work

4. The employee wishes to take approved vacation leave and use his/her accumulated vacation leave in order to be paid for one or more days

Although exempt employees are paid the same amount every pay period, there also will be situations when their time records must be adjusted to reflect paid or unpaid leave, for example:

1. The employee calls in sick from home and needs to ensure that his/her sick leave his reflected in the time records.

2. The employee wishes to use his/her accumulated vacation leave to take an approved vacation and needs to ensure that his/her vacation leave is reflected in the time records.

3. The employee has exhausted his/her sick and vacation leave balances and requests an unpaid leave of absence and the employee needs to ensure that the time records reflect the time off without pay.

For these common occurrences, employees must complete, sign and submit a Time Sheet Adjustment/Correction Request form. Time adjustment forms will be made readily available near all Town time clocks or from Payroll. Employees are encouraged to keep copies of the forms in their work area for their convenient personal use when needed. Once completed and signed, the forms must be submitted directly to Payroll. Payroll staff is responsible for entering the requested change in the proper week's computerized time record. Payroll will provide copies of the submitted Time Sheet Adjustment/Correction Request forms to each supervisor for the employees who report to them.

Both exempt and non-exempt employees who take any type of leave must have prior approval by their supervisor and complete and submit both the Leave Request form and the Time Sheet Adjustment/Correction Request form for recording work hour adjustments (not including time off without pay, which must be approved by the Town Manager).

The Leave Request form must be used by all employees to request leave in advance from a supervisor, and to document sick leave to department management that was approved when an employee called in ill but that could not be requested in advance. Leave Request forms must be submitted to the supervisor or Department Director, not to the Finance Department, Human Resources Department, or Payroll.

The Time Sheet Adjustment/Correction Request form is used to report to Payroll a necessary adjustment in an exempt or non-exempt employee's time record. These forms must be submitted by the employee directly to Payroll, not to the supervisor or Department Director. Paychecks will reflect the time record maintained by Payroll. Leave taken or time off without pay must be entered accurately and completely in the employee's time records in a timely manner to ensure that accurate payment is made in the proper pay period. The employee must submit the Time Sheet

Adjustment/Correction Request form to Payroll in the pay period during which the leave or time off without pay begins. An employee who calls in sick may complete and submit the Time Sheet Adjustment/Correction Request form on the day they return to work. If an employee's vacation or unpaid leave spans more than one pay period, the form reflecting the entire leave must be submitted to Payroll before the leave begins. Supervisors must approve exempt and non-exempt employees' time records each week in the Town's computerized timekeeping system.

Example 1: Kevin, a non-exempt employee, arrives at work at 8 a.m., the start of his regular workday. He clocks in at 8 a.m., but he goes straight to the kitchen to put his lunch in the refrigerator. Jason comes into the kitchen, and they chat for 15 minutes about last night's big game on television. Kevin doesn't actually begin performing work until 8:15 a.m. Thus, his time records will not reflect his actual hours worked, which is a violation of Town policy. Kevin should complete and sign a Time Sheet Adjustment/Correction Request form and submit it to Payroll to request that his hours worked for that day be adjusted to reflect a start time of 8:15 a.m. He has several options to make up the lost time.

1. Leave work 15 minutes later in the evening
2. Shorten his lunch meal break by 15, ensuring to clock in and out for his lunch break
3. With this supervisor's approval, submit a Time Adjustment Request form to have his time records changed for that day to reflect 15 minutes of vacation leave

Example 2: Diana, a non-exempt employee, is a building inspector and is out in the field performing inspections most of the day. Based on an agreement with her supervisor, her regular work hours are 7 a.m.-4 p.m. with one hour for a lunch meal break. In the morning Diana arrives at work on time and clocks in at 7 a.m. She likes to take her lunch break from noon-1 p.m. Rather than going back to her Town office twice, once to clock out at noon and a second time to clock in at 1 p.m. when her lunch break is over, Diana should follow these steps:

1. Take her lunch break from the field, being careful to note the start and ending time of her break so that she can record it accurately for her time records.
2. When she finishes her field inspections and returns to the office, she must complete and sign a Time Sheet Adjustment/Correction Request form and submit it to Payroll. This ensures that her computerized time sheet will accurately reflect her lunch break, despite the fact that she did not clock out at noon and clock back in at 1 p.m.

Example 3: Kent has received prior approval from his supervisor and Department Director to take a vacation leave for two weeks. He must complete, sign and submit a Time Sheet Adjustment/Correction Request form to Payroll in the pay period during which the leave begins. Kent's leave is scheduled to begin on a Friday in the first week of a pay period. On the Thursday before, he submits his completed form, which includes the entire leave, even though part of the leave will be taken in the next pay period and will be recorded in his time records for that pay

period. The Payroll staff will be responsible for ensuring that the leave is accurately recorded in the time records.

D. Breaks

Neither federal nor Arizona law require employers to give rest or meal periods or regulate their length. It is the Town's policy that decisions related to breaks are the discretion of the supervisor and Department Director. It is common to provide non-exempt employees with one paid 15-minute rest break per four-hour period worked. If provided, such work breaks may not be accumulated or taken immediately prior to or after a meal break or the beginning or end of a shift.

An unpaid meal break of no less than 30 minutes is available to non-exempt employees for each eight hours worked. The employee has the right to decline the break with the approval of the supervisor, but the opportunity must be available if the employee desires to use it. If the employee declines the break and works straight through his/her shift, then careful attention must be paid to the employee's work hours to ensure that overtime is not accumulated without supervisor approval. Department Directors, in cooperation with supervisors, may set or adjust the length of meal breaks to ensure the effective operations of the department.

During the unpaid meal break, employees must be completely relieved from duty and must not be required to perform any duties, either active or inactive, or discuss work topics or issues. For this reason, it is the Town's policy that non-exempt employees use designated break rooms rather than their desks or work areas for taking meal breaks.

E. Absence Due to Emergency Conditions

When the Town Manager, or designee, sends employees home or asks that employees not report to work due to adverse weather conditions or other emergency situations, an Emergency Day exists. Employees required to be on duty due to the nature of their work should report to work, if possible, or contact their immediate supervisor for instructions.

When an emergency day is declared, employees shall be compensated in the following manner:

1. If a non-exempt employee reports to work within one (1) hour of the normal starting time, then they will be compensated for a full day's work, based on the employee's normal shift. Non-exempt employees that report later than one (1) hour will be compensated for actual hours worked, unless otherwise approved by the Town Manager or designee. Exempt employees will be compensated based on a full day's pay if they report to work on an emergency day.

2. Both exempt and non-exempt employees unable to report to work will have the time charged to their vacation leave or compensatory time account or will have the option to take unpaid leave for the day. If an employee has no accrued vacation or compensatory time accounts, then the time will be considered as unpaid leave.

F. Absence Without Authorized Leave

An employee absent from duty for any period of time without authorization shall be subject to disciplinary action up to and including dismissal.

G. Flextime

Supervisors are authorized to temporarily adjust the daily work schedule of an employee to accommodate special needs.

H. Exempt Employees

Under certain circumstances, exempt employees who have worked significant amount of hours above their normal work schedule (such as major projects) may be granted, in the Town's discretion, time off and will not be required to use vacation or other categories of leave. This leave must be approved in advance by the Department Director.

ADMINISTRATIVE PROCEDURE			
Subject:	**Holidays**		
Revision Date:		**Policy Number:**	620
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish how the Town will administer the scheduling and pay for employees who work on established Town holidays.

Policy Communication

The policy establishing the Town's direction related to Attendance and Leave can be found in Policy# 600.

Procedures

The Town Council establishes official holidays on which Town offices are closed. However, to ensure the safety and security of the community, some Town functions will continue to operate on designated holidays. These functions include but are not limited to public safety functions, water, and other public works functions.

A. Holidays Falling on Saturday or Sunday

If the Town offices are open Monday through Friday, when a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed. The holiday will be paid out at 8 hours (11.2 hours for Fire-sworn employees that are working 24-hour shifts) regardless of the schedule worked by the employee.

If the Town offices are open Monday through Thursday, holidays will only be observed on the date the holiday actually occurs. If the holiday occurs on Friday, Saturday, or Sunday, then the employee shall receive 9 hours of additional floating holiday leave to use at his/her discretion. Prior to each calendar year, Human Resources will work with Payroll personnel to determine the number of holidays that fall on Friday, Saturday, and Sunday, and place the additional number of hours of floating leave (starting January 1st of each year) into the employee's floating leave bank to use at their discretion. The holiday will be paid out at 9 hours (11.2 hours for Fire-sworn employees that are working 24-hour shifts) regardless of the schedule worked by the employee.

B. Holiday Compensation

Full-time, non-exempt (except for Fire-sworn) employees that are required to work on a Town observed holiday will be paid time and one-half their regular rate of pay for hours worked on that day.

Part-time status employees are not automatically entitled to holiday pay. The Town is not required by law to pay holiday pay. Part-time staff will be paid at a rate of time and one-half if they work on a designated Town holiday, no matter which day of the week the holiday falls. Although Easter is not a designated Town holiday, part-time staff will be paid time and one-half if they are required to work.

1. Compensation for Non-exempt Full-time Employees
   a. Weekday holidays

      When a non-exempt employee is required to work on the day of a paid Town holiday, his/her pay will depend upon the circumstances (see examples below.)

Example 1: If the holiday falls on weekday, employee does not work.

July 4, which is a Town paid holiday, falls on Thursday this year. Susan, a non-exempt employee, works eight hours the other four days of the week, and takes the paid holiday on Thursday along with the rest of the staff. She will receive 40 hours of straight time pay for the week, which includes 32 hours of physical work and an eight-hour paid holiday.

Example 2: If the holiday falls on weekday, employee does not work, however employee works the following day, first day of pay period.

July 4, which is a Town paid holiday, falls on Saturday this year. That means that Town employees receive Friday as the paid holiday. Harry is a non-exempt employee who works on a 4-10 schedule as approved by his supervisor. He has already worked 40 hours between Monday and Thursday. He took the observed, paid holiday on Friday with the rest of the staff and receives eight hours of straight time. He is asked to work on July 4 to assist with the Town's community celebration. Saturday is the first day of the pay week according to Town policy, so working that day will not automatically cause Harry to go into overtime for the week. Harry works eight hours on Saturday, July 4 and is paid straight time because he was paid for the holiday on the previous day. However, Harry and his supervisor will need to discuss what action to take for the remainder of the week, because working Saturday as well as his normal schedule may cause him to work overtime this week.

Options available:

- Harry could take one of his normal work days off Monday through Thursday to prevent him from working more than 40 hours.

- Harry's supervisor could approve eight hours of overtime for Harry that week.

Example 3: If the holiday falls on weekday, employee works.

July 4, which is a Town paid holiday, falls on Wednesday this year. Sarah, a non-exempt employee, is behind in meeting a deadline and receives her supervisor's approval to work on Wednesday, even though it is a holiday. She comes into the office on Wednesday morning and works eight hours completing her assignment. She also works her regular eight hours on Thursday and Friday of that week. Sarah has not physically worked more than 40 hours during the week. She will be paid straight time for the 32 hours worked, and she will receive eight hours at time and one-half for working the holiday, plus an additional 8 hours of holiday pay because July 4 is a Town paid holiday. For the week, Sarah will be paid 40 hours of straight time and 8 hours of time and one-half.

Example 4: Town offices are only open Monday through Thursday

July 4, which is a Town paid holiday, falls on Thursday this year. Addison, a non-exempt employee, works a reduced 37.5 hours/week schedule Monday through Thursday due to Town budgetary constraints. Addison works her normal schedule Monday through Wednesday (9.5 hours each day) and receives 9 hours of holiday leave for Thursday to equate to her 37.5 hours for the week.

Example 5: Town offices are only open Monday through Thursday

September 7, which is a Town paid holiday (Labor Day), falls on Monday. Aubrey, a non-exempt employee, works a reduced 37.5 hours/week schedule Monday through Thursday due to Town budgetary constraints. Addison receives 9 hours of holiday leave on Monday, but must work 9.5 hours Tuesday, Wednesday, and Thursday, to equate to her 37.5 hours for the week.

b. Weekend holidays

Example 1: Town offices are open Monday through Friday. If the holiday falls on Sunday, employee works. Holiday observed on Monday, employee does not work.

July 4th, which is a designated paid Town holiday fall on Sunday this year. That means that full-time Town employees receive Monday as the paid holiday. Fred is a non-exempt employee and he is asked to work on July 4th to assist with the Town's community celebration and takes Monday off as the paid holiday. Since Saturday is the first day of the pay week according to Town policy, working on Sunday will not automatically cause Fred to go into overtime for the week. Fred works eight hours on July 4, takes Monday off as the paid holiday and then works 32 hours, Tuesday through Friday. He has physically worked 40 hours for the week. He will be paid 40 hours of straight worked time and eight hours of straight time for the holiday, a total of 48 hours at straight time pay. Fred is not legally entitled to over-time pay.

Example 2: Town offices are open Monday through Friday. If the holiday falls on Sunday, employee works. Holiday observed on Monday, employee works.

July 4th, which is a designated paid Town holiday that falls on Sunday this year. That means that full-time Town employees receive Monday as the paid holiday. Harry is a non-exempt employee and he is asked to work on July 4th to assist with the Town's community celebration. Town employees take Monday off as the paid holiday. Since Saturday is the first day of the pay week according to Town policy, working on Sunday will not automatically cause Harry to go into overtime for the week. Harry works eight hours on July 4, and then works 40 hours, Monday through Friday. He has physically worked 48 hours for the week. He will be paid 32 hours straight time, eight hours at time and one-half for working the observed holiday (Monday), 8 hours of overtime, and 8 hours of holiday pay.

If Town offices are open Monday through Friday and the holiday falls on a Saturday, the Town paid holiday will be observed on the previous Friday. Since Friday is the end of a pay period, and Saturday is the first day of the next pay period, hours worked on the Saturday holiday will affect the next pay period. Supervisors will need to make decisions about their employee's workweek and discuss scheduling if they prefer not to pay overtime. They will either have to give the employee a day off in the week following the holiday or pay overtime if hours actually worked exceed 40.

C. Floating Holidays

Employees shall receive one Floating Holiday per calendar year commencing on the first full pay period of each calendar year. If by the end of the calendar year, the Floating Holiday is not used, the holiday is forfeited for the calendar year. If Town offices are open only Monday through Thursday, prior to each calendar year, Human Resources will work with Payroll personnel to determine the number of holidays that fall on Friday, Saturday, and Sunday, and place the additional number of hours of floating leave (starting January 1st of each year) into the employee's floating leave bank to use at their discretion.

ADMINISTRATIVE PROCEDURE			
Subject:	**Vacation Leave**		
Revision Date:		**Policy Number:**	630
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish how the Town will administer the accrual and payout of vacation leave.

Policy Communication

The policy establishing the Town's direction related to vacation leave can be found in Policy# 600.

Procedures

A. Scheduling of Vacation Time

Employees are encouraged to annually take the vacation time they accrue.

Employee requests for vacation leave shall be reviewed with and be approved in advance by the immediate supervisor to ensure continuity of Town services. Vacation requests shall be submitted as follows:

1. The times during a calendar year at which an employee may take vacation shall be determined by the Supervisor and Department Director with due regard for the wishes of the employee and particular regard for the needs of the Town.

2. Except for unusual circumstances, requests for vacation leave shall be made at least 30 days in advance by the employee to allow the supervisor to plan for the absence.

At their discretion, the Supervisor may approve vacation leave on less notice.

B. Vacation Pay on Termination

Employees that have completed their initial trial period shall, on termination, be entitled to full compensation for accrued vacation leave. In case of an employee's death, compensation for accrued vacation leave shall be made in the same manner as regular compensation.

ADMINISTRATIVE PROCEDURE			
Subject:	**Voluntary Leave Transfer**		
Revision Date:		**Policy Number:**	635
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town of Queen Creek recognizes that employees may encounter unexpected personal emergencies during their employment with the Town. To accommodate these situations, paid and unpaid leaves of absence are provided to employees in accordance with the Town's policies and procedures.

The Town recognizes that in such circumstances, emergencies may cause employees to deplete accrued leave balances. In recognition of such a situation, the Town permits as set forth in Town policy, co-workers to voluntarily transfer a portion of their accrued vacation to an employee who has suffered a loss of leave balances because of a personal emergency.

Policy Communication

The policy establishing the Town's direction related to Attendance and Leave can be found in Policy #600.

Definitions

Donor

A current employee who voluntarily requests to transfer earned vacation hours directly to the vacation account of a designated and approved Recipient.

Recipient

A current employee with a Personal Emergency for whom Human Resources has approved a Personal Emergency application to receive transfers of vacation hours from one or more Donors after expending the applicant's entire accrued vacation.

Personal Emergency

A medical or family emergency that necessitates an employee's absence from duty for a minimum of three workdays and results in a loss of income to the employee because of the unavailability of vacation, Worker's Compensation or military duty pay.

A. Application for Recipient

1. An employee who has been affected by a Personal Emergency must make a written application to the Human Resources Department to become a Recipient. If an employee is not capable of completing an application, another employee may make the written application on the applicant's behalf.

   Each application shall contain the following information:

   a. The name and position title of the applicant employee.

   b. A brief description of the nature, severity, and anticipated duration of the Personal Emergency.

   c. Additional information that is directly related to and supports the application, including medical documentation, where appropriate.

   d. A consent to release of protected health information as defined under HIPAA and the Town of Queen Creek policies if the emergency is related to a medical condition.

B. Review of Application

1. The Donor and Recipient must be employed by the Town of Queen Creek and must be eligible for leave.

2. Human Resources will expeditiously review the application to determine if the applicant's request meets the Personal Emergency criteria.

3. In determining whether a Personal Emergency exists, Human Resources must determine that the emergency is related to a medical condition, or family emergency, requiring the applicant's unexpected absence from scheduled work. Human Resources will also consider whether the applicant is without available paid leave, Worker's Compensation or military duty pay and will be unpaid for one three full calendar days. If Human Resources determines that the recipient is eligible and all conditions specified by this procedure are met, Vacation Donation may begin as early as the day the application was received.

4. The requesting employee will be notified in writing if the application has been approved or denied. Determinations are not subject to appeal.

5. The Town of Queen Creek is merely acting as a transfer agent from the Donor to the Recipient and not responsible for any tax liability of the Recipient. The Recipient will be taxed on the donated vacation at the Recipient's applicable tax rate. Donating employees will not be taxed on the vacation hours transferred to the Recipient.

6. The Town of Queen Creek may require the Recipient to provide additional evidence of the continuation of a Personal Emergency after the approved application is received by the

Recipient. Failure of the Recipient to provide requested information will result in the denial of any future application for donation of vacation and cessation of any vacation donation that has not already been paid to the Recipient under this procedure.

C. Employee Donation Process

1. Any employee may submit a voluntary, written request to transfer a specified number of accrued vacation hours from his or her vacation account and contribute those hours to a specified employee that has requested a donation of vacation under this procedure. No information about the Recipient's Personal Emergency will be given to any potential Donor or other employee under this procedure.

2. The minimum donation amount is four (4) hours of vacation for each donation.

3. The maximum donation amount for each vacation plan year is fifty percent (50%) of the Donor's vacation balance; however, the Donor must maintain a minimum vacation leave balance of 40 hours for the Donor's own usage.

4. The names of the Donor employees will remain confidential unless the Donor authorizes the Town to release his/her name to the Recipient. Donors names may be kept confidential at the request of the donor. Human Resources may provide the names of the Donors to the Town Manager or other Town of Queen Creek administration employees for proper purposes.

5. To calculate leave donations, the number of hours given by the donor will be multiplied by the donor's wage or salary figured at an hourly rate to obtain a dollar amount. The dollar amount will be divided by the rate of pay of the leave recipient to determine the number of hours of leave donated in terms of the recipient's pay.

6. All donated hours will be deducted from donors' leave balance upon receipt of the approved leave transfer by payroll. The recipient will receive all donated hours at this time.

D. Termination of Personal Emergency

1. The Personal Emergency affecting a Recipient will be deemed to have terminated on the earliest of the following events:
   a. Termination of employment of the Recipient;

   b. On the day the Recipient is no longer affected by the Personal Emergency; or

   c. Death of the Recipient.

2. When the Personal Emergency affecting a Recipient terminates, no further applications for donations to the Recipient will be approved.

3. Donated vacation hours transferred to the recipient will be transferred back to the donor when the emergency ends. Transferred hours will be returned in the opposite order received with the last donations being returned first.

E. Monitoring

1. Human Resources will be responsible and maintain records on the administration of this procedure. Records will not be placed in the Donor or Recipient employees' personnel file, but medical file.

2. Supervisors are responsible for:

   a. Ensuring that employees under their supervision are aware of information published in connection with this policy;

   b. Monitoring, in conjunction with Human Resources, the status of a Recipient under their supervision to ensure that a Personal Emergency continues to exist, within the Town of Queen Creek's employment policies; and

   c. Promptly notifying Human Resources of the termination of a Recipient's Personal Emergency.

F. Prohibition of Coercion

1. No employee, including supervisors, may directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right such employee may have regarding making donations or receiving donations.

2. Management will not take any actions to solicit, encourage or discourage employees under their supervision to donate vacation hours and make donations under this policy. Managers may, however, inform supervised employees when notified by Human Resources as to an applicant's eligibility for donation under the policy.

ADMINISTRATIVE PROCEDURE			
Subject:	**Sick Leave**		
Revision Date:		**Policy Number:**	640
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish how the Town will administer the accrual, use and payout of sick leave.

Policy Communication

The policy establishing the Town's direction related to Attendance and Leave can be found in Policy #600.

Procedures

Sick leave is provided for regular and trial employees, excluding part-time, temporary and seasonal employees, who become ill and are unable to report to work, or whose immediate family members become ill and the employee is needed to care for them. Sick leave is a privilege, not a right.

A. Use of Sick Leave

Employees are encouraged to use sick leave for personal illness, injury or to care for immediate family members who may be injured or ill. Employees may also use their sick leave when unable to perform their duties by reason of physical disability, mental illness, severe emotional duress, necessity for medical or dental care, or exposure to contagious disease under circumstances by which the health of other employees or members of the public necessarily dealt with would be endangered by the attendance of the employee.

Employees may also use sick leave to care for an immediate family member. If the employee meets the eligibility criteria as defined by the Family and Medical Leave Act (FMLA), and the employee or the immediate family member's illness is serious, the leave taken may be accounted for under the provisions of FMLA, as described in Administrative Procedure #650.

B. Change of Employee Status

When an employee is promoted, demoted, or transferred, they shall not lose accrued sick leave. If a full-time employee moves into a part-time position, then the employee's sick leave is forfeited.

C. Certification of Illness or Injury

An employee on sick leave, either paid and/or unpaid, may be required at any time to provide a certificate from a physician verifying the illness or injury. If an employee is on sick leave, the Department Director may require that a physician's statement be submitted certifying that an employee is able to return to work and capable of performing their normal duties prior to allowing the employee return to the work location. If an employee is on sick leave to care for an immediate family member, the Department Director may require that a physician's statement be submitted certifying that the employee is needed to care for their family member while the family member is sick. If the requested certificate is not provided, sick leave will not be allowed and the employee will be told to return to work by a specified date or be subject to disciplinary action. Time off will be unpaid unless the employee chooses to use accrued vacation or compensatory time.

D. Family Sick Leave

Normal sick leave may be taken by an employee in cases where the employee's presence is required elsewhere because of sickness or disability of an immediate family member. When absence is for more than two (2) workdays, the employee may be required to submit a physician's certificate stating the cause of the absence. Depending upon the circumstances, the employee may be required to use FMLA pursuant to Procedure #650. Usage of family sick leave shall be charged against the employee's sick leave bank or, if exhausted, towards the employee's vacation leave prior to any unpaid leave.

E. Sick Leave Incentive

In order to be eligible for the sick leave incentive policy, an employee must be employed at a full-time status for one complete calendar year. An employee who has accrued 96 hours (134 hours for Fire-sworn working 24-hour shifts) of sick leave in a calendar year and has not used any sick leave during the prior calendar year may *convert* up to 56 hours of sick leave (78 hours for Fire-sworn working 24-hour shifts) to vacation leave for the following calendar year. Sick leave may be converted to vacation leave at a rate of 2 hours of sick leave for 1 hour of vacation leave. Thus, an employee wishing to convert sick leave to vacation leave will receive a maximum of 28 hours (39 for Fire-sworn working 24-hour shifts) of vacation leave in a calendar year (56 maximum sick leave hours available for conversion in a year divided by 2, because conversion is at a rate of 2 sick hours:1 vacation hour).

If the employee has utilized sick leave during the calendar year, then the conversion will be based on the following sliding schedule:

Regular, Full-time (40 hours/week) Employees							
Number of Sick Hours used (to the nearest 8 hours)	**0**	**8**	**16**	**24**	**32**	**40**	**48**
Maximum Number of Sick Hours Employee is able to Convert to Vacation Leave	56	48	40	32	24	16	8
Conversion Ratio of Vacation Leave (2 hours of sick leave for every 1 hour of vacation)	28	24	20	16	12	8	4

Regular, Full-time (37.5+ hours/week) Employees; Monday - Thursday							
Number of Sick Hours used (to the nearest 9.5 hours)	**0**	**9.5**	**19**	**28.5**	**38**	**47.5**	**56**
Maximum Number of Sick Hours Employee is able to Convert to Vacation Leave	56	46.5	37	27.5	18	8.5	0
Conversion Ratio of Vacation Leave (2 hours of sick leave for every 1 hour of vacation)	28	23.25	18.5	13.75	9	4.25	0

Fire-sworn working 24-hour shifts							
Number of Sick Hours used (to the nearest 11.2 hours)	**0**	**11.2**	**22.4**	**33.6**	**44.8**	**56**	**67.2**
Maximum Number of Sick Hours Employee is able to Convert to Vacation Leave	78.4	67.2	56	44.8	33.6	22.4	11.2
Conversion Ratio of Vacation Leave (2 hours of sick leave for every 1 hour of vacation)	39.2	33.6	28	22.4	16.8	11.2	5.6

Only sick leave accrued in the immediate past calendar year is eligible for conversion. For example, if an employee did not use any of his/her sick leave that was accrued from January 1, 2008 through December 31, 2008, he/she may convert 56 hours of sick leave to 28 hours vacation leave effective January 1, 2009. However, if the employee used 16 hours of sick leave from January 1, 2008 through December 31, 2008, he/she may convert 40 hours of sick leave to 20 hours of vacation leave.

F. Sick Leave Conversion

An employee who has accumulated 480 hours (672 hours for Fire-sworn working 24-hour shifts) of sick leave may at any time request that all additional sick leave over 480 hours (672 hours for Fire-sworn working 24-hour shifts) be converted to vacation leave at the basis of 1 hour of vacation leave for every 2 hours of excess leave.

G. Outside Employment

Employees are not allowed to work at outside employment while on sick leave, FMLA, or worker's compensation/injury leave. Any exception to this rule will require prior written approval of the employee's Department Director and the Town Manager. Furthermore, the outside employment must not constitute a conflict of interest as defined in Policy #700.

H. Abuse of Sick Leave

Disciplinary action, up to and including dismissal, may be taken if an employee is using sick leave for purposes other than those defined in this Administrative Procedure.

ADMINISTRATIVE PROCEDURE			
Subject:	**Family and Medical Leave**		
Revision Date:	12/2009	**Policy Number:**	650
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish policies and procedures for the Town to comply with the Family and Medical Leave Act (FMLA).

The Family and Medical Leave (FMLA) Act of 1993 was intended to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families and to promote national interests in preserving family integrity. To accomplish these purposes, this procedure establishes the rights and obligations of the Town and its employees and their families. Please note that this policy and procedure is intended to summarize the material terms of the FMLA, and not to create an independent policy in addition to the FMLA. Any conflict between this policy and procedure and the terms of the FMLA is inadvertent and the terms of the FMLA shall govern.

Policy Communication

The policy establishing the Town's direction related to Attendance and Leave.

Definitions

In order to determine eligibility under the FMLA, it is important to understand the key definitions of qualifying relationships and circumstances.

Spouse: a husband or wife as defined under state law.

Child: a biological, adopted, or foster child, stepchild or legal ward of the person having day-to-day care for the child. It may also include a son or daughter who is 18 or more years old if he/she is incapable of self-care because of a physical or mental disability.

Parent: a biological parent or individual that is responsible for the day-to-day care of a child. Parents-in-law are not included in this term.

Serious health condition: an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Continued treatment by a health care provider:

Subject to certain conditions, the continuing treatment requirement may be met by:

- The employee or eligible family member has a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or;
- The employee or eligible family member has an incapacity due to a pregnancy, or;
- The employee or eligible family member is incapacitated due to a serious long-term or chronic condition or disability which cannot be cured, but may not require active treatment.

Treatment for allergies, stress and substance abuse are covered by this clause if all the conditions of the regulation are met; however, the inclusion of substance abuse does not prevent the Town from taking action against an employee who is impaired in the workplace or who is unable to perform the functions of his/her job due to substance abuse.

A. Eligibility

An FMLA eligible employee is one who has been employed by the Town for at least 12 months (not necessarily continuously) and has been employed for at least 1,250 hours of service during the 12 month period immediately preceding the commencement of the leave. Exempt employees are presumed to have met the 1,250 hours of service required for eligibility if they have worked full time for the Town at least 12 months.

The 12 weeks may be taken continuously or intermittently during a rolling 12-month period. A "rolling" 12-month period is measured backward from the date an employee uses any FMLA eligible leave. Thus, each time an employee uses any FMLA eligible leave, the employee's remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.

For example, if an employee has taken eight weeks of leave during the past 12 months, an additional four weeks of leave could be taken. If an employee used four weeks beginning February 1, 2009, four weeks beginning June 1, 2009, and four weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 1, 2010. However, beginning on February 1, 2010 the employee would be entitled to four weeks of leave; on June 1 the employee would be entitled to an additional four weeks, etc.

B. FMLA Qualifying Events

The Family and Medical Leave Act (FMLA) of 1993 provides eligible employees up to 12 workweeks of unpaid leave within a twelve month period. Each of these circumstances or events has certain "qualifying" definitions, conditions and guidelines which must be considered in order to determine eligibility under the FMLA.

Basic Leave Entitlement

1. For the birth and care of a newborn child or placement of a child for adoption or foster care;
2. For incapacity due to pregnancy or prenatal medical care;
3. To care for the employee's spouse, child or parent with a serious health condition; and
4. For serious health condition that makes the employee unable to perform the functions of the employee's job. In the case of industrial injuries, FMLA leave runs concurrent with the industrial leave.

Military Family Leave Entitlements

1. Active Duty Leave: Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status in a regular component of the armed forces, the National Guard, or Reserves in support of a contingency operation and/or deployed to a foreign country may use the leave entitlement to address certain qualifying exigencies to manage their affairs, which is referred to herein as "qualifying exigencies." Qualifying exigencies include (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional activities where the employee and the Town agree to the leave. The length of the leave due to any of the qualifying exigencies will be determined by the applicable regulations and on a case-by-case basis.
2. Caregiver Leave: FMLA also includes a special leave entitlement that permits eligible employees who are the spouse, son, daughter, parent or next of kin to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period for up to five years after the servicemember leaves service. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on covered active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

C. Advance Notice Requirement

The employee is required to provide a Human Resources representative with at least 30 days advanced notice if the leave is foreseeable or such notice as is practical under the circumstances. If the leave is not foreseeable, the employee should notify Human Resources the same day or the next business day after learning of the need for leave. Notice of the need for leave must include the reason for the leave as well as the anticipated duration of the leave. Human Resources will send a Notice of Eligibility and Rights and Responsibilities within five (5) business days of the employee's written request for FMLA leave.

If an employee is requested to submit a certification by a physician or practitioner, the form should be completed and returned to Human Resources within two (2) weeks. The detailed medical certification requirements for qualification under the FMLA are discussed in the medical certification/eligibility section of this procedure.

If the leave is eligible for FMLA, Human Resources will designate the leave as Family and Medical Leave. Human Resources will notify the employee whether the designated leave is eligible or not within five (5) business days.

Employees are required to notify Human Resources as soon as practical if dates of scheduled FMLA leave changes or are extended from the original request. All FMLA records will remain confidential and will be maintained in the Town confidential personnel file, stored in the Human Resources Department. Access to confidential files is limited to those with a need to know.

D. Calculation of 12 Month Period

Under the Family and Medical Leave Act, the Town has opted to use a rolling calendar year. Eligible employees will therefore be entitled to 12 weeks of Family and Medical leave within a twelve month period, beginning with the first day that leave is taken, under the qualifying circumstances defined by the Act.

E. Paid Leave Substitution

Under the guidelines of the Family and Medical Leave Act, the Town is required to grant leave to eligible employees provided the qualifying circumstances are present and documented. Paid leave will be used concurrent with Family and Medical leave time due to a *basic leave entitlement*. Specifically, employees are required to exhaust their sick leave balance first, then vacation leave balances second, and then any floating holiday leave balances prior to unpaid Family and Medical Leave. Spreading the paid leave over the FMLA entitlement is not allowed. The paid and unpaid leave taken will be deducted from the balance of the Family and Medical Leave entitlement.

Any employee approved for a *qualifying exigency* under the military family leave entitlement will have the leave charged to vacation leave balances, if available; otherwise, the exigency leave will be considered unpaid.

Any employee approved for *care for a covered servicemember* under the military family leave entitlement will be required to exhaust their sick leave balance first, then vacation leave balances second, and then any floating holiday leave balances prior to unpaid Family and Medical Leave for the care for a covered servicemember.

Employees are not eligible to accrue vacation and sick leave on unpaid leave status under the Town's FMLA guidelines. The employee also does not receive holiday pay or a floating holiday substitute under the Town's FMLA guidelines if the leave prior to and after the Town designated holiday is unpaid.

F. Medical Certification/Eligibility Requirements

Depending upon the type of FMLA request, the Town may require the employee to complete a Certification of Health Care Provider for the employee's or family member's serious health condition. The health care provider's statement, if required, should include the date the condition commenced, the probable duration of the condition, a brief statement outlining the course of care that will be followed (number of visits, frequency/duration of treatment), whether hospitalization will be required, and a statement as to whether the employee is unable to work or unable to perform the essential functions of the job or how/why the employee is needed to provide care to the family member. The Town has the option to provide a statement of the essential functions of the job for the provider to review in the certification process. Employees must inform the Town if the requested leave is for a reason for which FMLA leave was previously taken or certified. The Town may require periodic recertification in accordance with Family and Medical Leave Act procedures.

In the event the Town has reason to doubt the validity of a medical certification, the Town may require the employee to obtain a second opinion at the Town's expense. The Town may designate the provider furnishing the second opinion or re-certification, but it may not be a provider regularly utilized by the Town.

If Human Resources deems an employee's certification to be incomplete or unclear, the employee may be asked in writing to provide additional information or clarification within seven calendar days. If the ambiguity is not clarified, the Town, acting through a management representative or Human Resources professional (but not the employee's supervisor) may contact the health care provider in regards to the incomplete or unclear information in the certification. Where the health care provider sharing the health information of an employee is covered by the Health Insurance Portability and Accountability Act (HIPAA), the Town will obtain authorization from the employee in compliance with HIPAA. If the employee refuses to provide the employer with authorization and does not otherwise clarify the certification, the Town may deny the requested FMLA.

For any military family leave entitlement, the employee is required to provide sufficient information supporting the need of the leave.

G. Intermittent/Reduced Schedule Leave

Family and Medical Leave may be taken "intermittently" or on a reduced leave schedule under certain circumstances when medically necessary to care for a family member or for the employee's own serious health condition. When leave is taken because of the birth or adoption of a child, an employee will not be allowed to take the leave as intermittent.

Intermittent leave may include periods of time from an hour or more, to several weeks, such as might be necessary for medical treatment. Reduced schedule leave is leave that would reduce the employee's usual number of working days per week or hours per workday. Intermittent or reduced

schedule leave is subtracted from the total of 12 weeks to which the employee is entitled under the FMLA by the actual amount of leave the employee has taken.

The employee is expected to arrange for intermittent leave for scheduled medical treatment in advance with as much consideration for the business needs of the Town as possible. In addition, if an employee requests intermittent leave or reduced schedule leave, the Town may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than the employee's regular position. The alternative position must have equivalent pay and benefits but may not necessarily require equivalent duties and, as such, the Town may transfer the employee to a lower position at the employee's same rate of pay.

H. Joint Employment

A husband and wife who are both employed by the Town are permitted to take only a combined total of 12 weeks of leave during the 12 calendar month period if they are taking leave for the birth or adoption of a child. However, both spouses are eligible for 12 weeks of leave if it is for a serious health condition of a child.

I. Continued Benefits Coverage

During leave under the FMLA, the Town must maintain the employee's coverage under any group health plan (medical, dental, vision, EAP, life insurance, AD&D, and short-term disability) on the same conditions as the coverage would have been provided if the employee had been continuously employed during the entire leave period with the employee continuing to pay his/her share of health benefit premiums. The employee should make payments for dependent coverage and/or optional benefits to the Town during time off, just as they would if they were working.

An employee may choose not to retain health coverage during FMLA leave, but is entitled to be reinstated on the same terms as prior to taking the leave without any qualifying period or re-qualification conditions.

J. Return to Work

An employee who returns to work for at least 30 calendar days is considered to have "returned" to work. Should the employee fail to return to work after FMLA leave, the Town is entitled to recovery of health benefit premiums paid by the Town during the leave period.

All but "key" employees will be reinstated to their job, or a substantially equivalent position, at the expiration of leave and upon the presentation of a fitness for duty certificate (unless they would have lost their job in any event for any other reason, such as layoff). "Key" employees, who <u>may</u> be reinstated to their job, are salaried employees who are among the highest paid 10 percent of all the employees employed by the Town.

The use of leave will not result in the loss of any employment benefits that accrued prior to the start of leave.

Employees that return from FMLA due to their own serious health condition are required to provide a fitness for duty certification from their health care provider attesting that they are able to perform the essential functions of his or her job.

K. Outside Employment

Employees are not allowed to work at outside employment while on FMLA. Any employee that conducts outside employment activities while on FMLA will be subject to disciplinary action, up to and including termination.

L. Unlawful Discrimination

It is unlawful for any individual to discriminate against, interfere with, or deny the exercise of or the attempt to exercise any right under the Family and Medical Leave Act.

M. Time-keeping Responsibilities

In conjunction with Payroll, Human Resources will be responsible in counting the FMLA days used during each pay period. Both Payroll and Human Resources will work with the employee's supervisor to ensure the appropriate number of FMLA days and/or hours are designated within the EZ Labor and payroll systems.

The FMLA employee will be notified of any deductions that need to be satisfied by Payroll. In the event that the employee's paycheck does not cover the deductions, the employee will have two options: 1) employee can write a check to the Town, or 2) request Payroll to deduct the remaining balance from the next Payroll. The employee must sign a permission slip allowing the Town to make the extra deductions.

ADMINISTRATIVE PROCEDURE			
Subject:	**Other Paid Leave Categories**		
Revision Date:		**Policy Number:**	660
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to recognize and define those instances when employees may need to take leave from their job and when that leave time is still considered compensable. The procedures described in this document are considered above and beyond the procedures established for vacation and sick leave.

Policy Communication

The policy establishing the Town's direction related to Attendance and Leave can be found in Policy #600.

Procedures

Employees are expected to be accountable for their attendance and leave usage. The employee is responsible for notifying their immediate supervisor prior to taking any type of leave.

A. Military Leave

Definitions:

Military Leave With Pay: A period of approved absence for military duty during which full Town pay and benefits continue. Includes paid time granted by statute and time during which an employee has elected to apply his or her accrued leave as permitted by policy.

Military Leave Without Pay: A period of approved absence during which employees' regular pay is discontinued by the Town while they are engaged in active military duty or state or federally funded military training duty.

Military Training: Federally-funded training duty for members of any reserve component of the armed forces of the United States, and state-funded training duty for members of the military reserve.

USERRA: The Uniformed Services Employment and Re-employment Rights Act of 1994. Under USERRA, employees who leave work to serve in the armed forces hold certain reemployment rights as long as they comply with notification and other requirements.

Purpose: Permits military leave for duty in the armed services of the United States in accordance with state and federal law.

Leave Benefits: The Town shall permit members of the Military Reserve or National Guard to take leaves of absence from employment for the purpose of complying with competent orders of the state or United States for active duty, or to attend camps, maneuvers, formations or armory drills.

Military Training Duty

Pursuant to A.R.S. 38-610, any employee who is a member of the National Guard or Reserve Corps of the United States Armed Services will be granted leave from assigned duties with the Town for a maximum of 30 work days in a rolling two (2) consecutive year period. For the purpose of this section, "year" means the fiscal year of the United States government (October 1st through September 30th).

Pursuant to A.R.S. 26-168, 26-171, and 38-610, military training will result in no loss of time, pay, vacation, benefits, or other employment rights during the military training. The amount received from the armed service for this period of duty will be retained by the employee.

Military Active Duty

Any employee who is called to active military duty will be covered under the following provisions:

Salary Continuation

Supplemental Pay: After the standard 30 day military leave entitlement is exhausted, supplemental pay will be extended to eligible employees called to active military duty for a period of up to 24 months. (The employee is required to provide military pay statements to substantiate military compensation). The supplemental pay will consist of the difference between the employee's standard compensation from the Town and the compensation that the employee receives from the military, (assuming Town pay is greater). The employee's standard compensation from the Town of Queen Creek will include the employee's base compensation.

Pay Increases: During a leave of absence for active military duty, employees will be eligible to receive pay increases, (i.e. cost of leaving,) that are given to all employees.

Benefits

Medical, Dental and Vision Insurance: Employees on paid *military leave training* and their dependents are covered for medical, dental and vision at current employee contributions if currently enrolled in the Town's plan.

Employees on *military active duty* for 31 days or more are excluded from medical, dental and vision coverage. Upon return from active military duty, the employee's coverage will be reinstated in the Town's medical, dental and vision plans without any waiting periods or exclusions (i.e. pre-existing condition exclusions) except for service-connected illnesses or injuries.

Basic Life Insurance: Basic life insurance coverage will continue for the employee on military active duty. Any exclusion, including act of war, will remain in place.

Voluntary Life Insurance: Employees have the option to continue coverage in voluntary life insurance at the employee's contribution rate for the entire time on active duty. War exclusions only apply under accidental death or dismemberment coverage.

Probationary Employees: Probationary performance review dates will be adjusted to reflect the military leave of absence (i.e., probationary period will be extended).

Leave Accruals: Employees will continue to accrue vacation and sick leave while on paid status from the Town. Vacation and sick leave accruals stop in the case of an unpaid military leave.

Example: An employee's leave extends beyond the 30 day paid leave to 45 days. In this case, the employee is not paid for 15 days; however employee may use vacation accrual.

Example: An employee's leave extends beyond 24 months. In this case, the employee is paid only for 24 months (differential pay) and vacation and sick leave accrue. Vacation and sick do not accrue beyond the 24 months period of unpaid leave.

Upon the employee's return to regular employment, the time absent as a result of unpaid military leave shall to be counted as service for the purposes of determining the vacation and sick leave accrual as provided by USERRA.

Retirement Contributions: Arizona law provides that the Town of Queen Creek will pay the employer portion and employee portion for retirement for employees on military active duty up to 60 months (5 years).

Reemployment: As provided by USERRA, upon completion of military service, the employee shall be restored to the position held at the time of induction or reporting for service, or to a position having similar or other duties which he/she is qualified to perform, and of like status and pay, if such employee complies with all of the following:

- Has either served in the armed forces during time of war or was called to serve because of his status as an active or inactive member of the reserve.
- Possesses a certificate of satisfactory training and service or honorable discharge issued by the proper military or naval authority.
- Is still qualified to perform the duties of the position.

If a layoff process (reduction-in-force) occurred while the employee was on military leave and his/her position was identified for abolishment, the Town is not obligated to reemploy the employee.

Prohibition Against Employment Discrimination: A member of the Military Reserve or National Guard shall not, because of membership therein or absence from employment under competent

military orders, be deprived of employment or prevented or obstructed in obtaining employment in his trade, occupation, or profession, nor shall any person be dissuaded from enlisting in the military forces of the state or the United States by threat of or actual infliction of physical punishment or economic damage.

Eligibility for Military Leave**:** An employee is eligible for Military Leave when, during Town employment, employee:

- Is called to required military training
- Is called into state or federal active military service
- Is called upon by the President
- Or voluntarily enters active service in any branch of the United States military

Employee Responsibilities: An employee who requests absence for military leave pursuant to shall:

- Provide as much advance written and oral notice as possible of the absence to the Human Resources Department (A.R.S. 26-168, 26,171, or 38-610).
- Provide a copy of order for duty or other official documentation to the Human Resources Department.
- During active duty, an employee is required to provide military pay statements to substantiate his/her military compensation. If the employee is unavailable to provide such statements, the employee may authorize direct release of such statements to the Town of Queen Creek.
- Submit an Application for Leave form.
- Select pay and benefit options desired during absence.
- Retain copies of all submitted documents.
- Apply for reemployment in a timely manner.

Department Responsibility: Each department, in partnership with the Human Resources Department and the Payroll Division, is responsible for monitoring, controlling, and accounting for military leave to ensure that no employee is granted more than thirty (30) paid work days in a rolling two consecutive year period, counted backwards from the date of the requested leave.

B. State or National Emergency Leave

Purpose: Permits leave for volunteer duty in the event of a state or national declared emergency in accordance with state and federal law.

Expense Authorization: Under the authority of the Town Council, the Town Manager is authorized to grant state or national emergency leave not to exceed a total cost of $100,000 in salaries and benefits for all participating Town employees per state or national declared emergency. Additional expense authorization must be received by the Town Council.

Leave Benefits: An employee may be granted State or National Emergency Leave with pay, provided that the employee possesses the necessary skills required as part of a coordinated state or national effort in a declared emergency and that the absence of the employee would not cause harm, or undue hardship or expense, to the Town. The Town Manager will retain final approval over all state and national emergency leave requests.

State or National Emergency Duty

Any employee, upon confirmation of a state or national emergency, may be granted a leave with pay from assigned duties with the Town for a maximum of fifteen (15) work days in any one calendar year, not to exceed thirty (30) work days in a rolling two (2) consecutive calendar year period. The leave does not have to be taken in consecutive days; it can be requested and taken intermittently as the emergency situation requires (with supervisor approval). State or National Emergency Leave will result in no loss of time, pay, vacation, benefits, or other employment rights during the volunteer duty.

Any employee who is granted state or national emergency leave will be covered under the following provisions:

Salary Continuation

Pay Increases: During a leave of absence for state or national emergency duty, employees will be eligible to receive pay increases, (i.e. cost of living) that are given to all employees.

Medical, Dental and Vision Insurance: Employees on paid state or national emergency duty and their dependents are covered for medical, dental and vision at current employee contributions.

Basic Life Insurance: Basic life insurance coverage will continue for the employee on state or national emergency duty. Any exclusions including act of war, will remain in place.

Voluntary Life Insurance: Employees have the option to continue coverage in voluntary life insurance at the employee's contribution rate for the entire time on state or national emergency duty. War exclusions only apply under accidental death or dismemberment coverage

Leave Accruals: Employees will continue to accrue vacation and sick leave while on paid leave status from the Town.

Retirement Contributions: The Town of Queen Creek will continue to pay the employer portion for retirement for employees on state and national emergency not to exceed thirty (30) work days in a rolling two (2) consecutive calendar year period.

Traveling, Food and Lodging Expenses: The employee is responsible for all traveling, food and lodging expenses during state and national emergency leave. The Town will not provide reimbursement for any leave related expenses.

Return to Town Service: Upon completion of state or national emergency service, the employee shall be restored to the position held at the time of reporting for service.

- An employee whose state or national emergency service lasted from 1-15 days must report to his employer by the beginning of the first regularly scheduled work day that would fall eight (8) hours after the person returns home from state or national emergency service after a period allowing for the safe transportation of the person from the place of that service to the person's residence. State or national emergency service includes reasonable time for travel to and from the place of service.

If a layoff process (reduction-in-force) occurred while the employee was on state or national emergency service leave and his/her position was identified for abolishment, the Town is not obligated to reemploy the employee.

Recall: The Town can recall the employee and request that he/she return to work in the event of a local disaster or other business emergency that affects the public health or welfare.

Eligibility for State or National Emergency Leave**:** An employee is eligible for State or National Emergency Leave when, during Town employment:

- The President declares a national emergency.
- The Governor declares a state emergency.
- A call for volunteers is issued through the appropriate governmental agencies in accordance with state and federal law.
- The employee posses other special skills needed to address the emergency.

Employees in Trial Employment Period: Employees who are still within their six-month trial employment period are not eligible for state or national emergency leave unless they have special skills needed by responders. They must obtain approval from their supervisor, department director and Town Manager to be eligible for the leave.

If an employee is approved for State & National Emergency Leave during his/her trial employment period, the trial employment period will be extended for a period of time equal to the leave taken. The intent of this requirement is to ensure that the actual time spent performing Town duties totals six months before the employee is eligible to be released from the trial employment period.

Employee Responsibilities: An employee who requests absence for state and national emergency leave shall:

- Provide as much advance written and oral notice as possible of the absence to their supervisor and the Human Resources Director.
- Submit a Leave Request form.
- Retain copies of all submitted documents.
- Contact their supervisor on a weekly basis by phone or email.
- Return to Town service in a timely manner.

Department Responsibility: Each department in partnership with the Human Resources Department and the Finance/Payroll Division is responsible for monitoring, controlling, and accounting for state or national emergency leave to ensure that no employee is granted more than thirty (30) paid work days in a rolling two consecutive calendar year period, counted backwards from the date of the requested leave.

Request for Extensions: Employees taking state or national emergency leave could request to extend the leave if they are asked by state or national officials to continue serving after they have completed the maximum of thirty (30) work days response commitment. Granting of such leave will be a decision of the supervisor, department director and Town Manager based upon the needs of the Town.

C. Funeral or Bereavement Leave

Upon confirmation of the death of a relative, an employee shall be granted up to three (3) working days (two (2) 24-hour shifts for Fire-sworn working 24-hour shifts) of Town-paid bereavement leave, not to be charged to any accrued sick or vacation leave, per occurrence to attend the funeral of an immediate family member (see Glossary of Terms). Two additional days of bereavement leave (12 additional hours for Fire-sworn working 24-hour shifts) with pay may be granted if the employee must travel out of state for a family member of first degree consanguinity or first degree affinity. Upon approval from the Department Director, vacation leave may be used to extend funeral leave. Bereavement Leave does not have to be used consecutively, but must be used within two weeks.

The Department Director reserves the right to request documentation verifying the death of immediate family member in order to validate the leave request. Funeral or Bereavement Leave for

an immediate family death can be taken with pay by employees who are in their initial six (6) month trial period.

D. Jury Duty Leave

Every employee of the Town who is required to serve as a juror shall be entitled to absent him or herself from his or her duties with the Town during the period of such service or while necessarily being present in court as a result of such call. Employees subpoenaed to testify (other than for their own case) as witnesses in criminal or civil cases, shall be entitled to be absent in the same manner as for jury duty leave. Under such circumstances, the employee shall be paid full salary and any payment received from the court shall be remitted to the Town, except travel pay and per diem, for such duty.

An employee on jury duty is expected to return to work if the jury duty ends before their regularly scheduled work day ends. Additionally, employees should obtain a receipt of jury attendance from an authorized agent of the court for each day of jury duty. Slips of proof need to be turned into the employee's immediate supervisor and attached to the employee's timesheet.

E. Election Leave

Employees are encouraged to vote. Employees shall have adequate time to vote as required under State law. Pursuant to Arizona Revised Statutes, if there is less than three (3) consecutive hours between the opening of the polls and the beginning of the employee's regular work shift or less than three (3) consecutive hours between the ending of his or her work shift and the closing of the polls, the Town will allow the employee to receive paid leave from work. Employees will be allowed up to a maximum of two hours paid-time off to vote in elections. If so requested, the supervisor may request that the employee show proof of being a registered voter. Employees must receive approval from their supervisor to utilize the election leave in order to ensure coverage of their respective areas; however, no employee is to be denied the right to vote during work hours.

F. Injury Leave

Employees with an accepted workers compensation claim will be placed on injury leave for the first ninety (90) consecutive working days (as defined in Procedure #1100) following the initial injury or the initial onset of a work-related illness in accordance with Procedure #1050 (Workman's Compensation). No injury leave will be granted for aggravation of, or re-injury of a previously approved claim. Employees may not perform secondary employment while receiving injury leave. Any requests for exceptions to this procedure require Town Manager approval.

G. Administrative Leave

The Department Director, with the Human Resources Director approval, may place employees on administrative leave with pay. Administrative leave is to be used when the circumstances warrant the employee to be temporarily relieved from their duties pending an investigation or

administrative process. While on administrative leave with pay, employees are expected to follow departmental direction concerning requirements for leave time. During administrative leave, an employee is prohibited from entering onto Town property and accessing the Town's computer system without proper permission. When placed on administrative leave, an employee shall leave all keys, ID badge/entry card, and other means of access to Town property with appropriate personnel. During the period of administrative leave with pay, the employee is considered to be on full duty and available to participate and aid in any review or investigation. Employees shall be accessible to Town management via home telephone and/or cell phone and be available to meet with Town personnel during the employee's regularly scheduled business hours. If an employee will not be available for any reason, the employee must advise his or her supervisor and provide an alternate means whereby he or she may be reached. Failure to comply with any of these restrictions during administrative leave and/or failure to cooperate with an investigative or administrative review is subject to discipline up to and including dismissal.

H. Volunteer Leave

Full-time employees of the Town are eligible to take two (2) hours per month of volunteer leave to volunteer at 1) a school of their choice, or 2) a non-profit organization within the Town of Queen Creek. School activities might include reading to an elementary school class, assisting teachers with classroom tasks, participating in teacher recognition events, assisting with an after-school club or activity, serving as a chaperone on field trips, or assisting with school celebrations, dances, ceremonies or assemblies. Other non-profit volunteer assistance within the Town of Queen Creek may include volunteering at a homeless or domestic violence shelter, volunteering at animal shelters, volunteering with emergency relief organizations (such as the American Red Cross), volunteering with local Boys or Girls Scouts of America, the local Boys and Girls Club, and/or assisting in federal, state or municipal elections.

ADMINISTRATIVE PROCEDURE			
Subject:	**Personal Leave Without Pay**		
Revision Date:		**Policy Number:**	670
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish when the Town would grant a leave of absence to an employee without pay for reasons such as medical leave, personal leave, or other such needs.

Policy Communication

The policy establishing the Town's direction related to Attendance and Leave can be found Policy #600.

Procedures

The leave without pay designation applies to those persons who are unable to perform their job duties due to personal reasons for more than 10 calendar days.

If this leave qualifies under Family Medical Leave, please refer to Administrative Procedure #650 for more details. The following rules apply to personal leave without pay.

1. Only the Town Manager may grant the leave.
2. An employee must submit a written leave request in writing to Human Resources. The request must set forth the reason for the leave and the length of time requested.
3. Documentation of leave will be placed in the employee's Town personnel file.
4. Employees will be required to use earned and accrued paid leave such as sick leave (if eligible) and vacation leave prior to unpaid leave under this circumstance, and paid leave taken will be deducted from the balance of the leave entitlement.
5. An employee on Personal Leave of Absence without pay shall receive no compensation and shall accumulate no vacation or sick leave, or holiday or float leave, while on such leave until full return, unless otherwise required by law.
6. Insurance benefits will be retained as long as the employee makes payments directly to the Town for the entire amount of the full premium (Town plus employee portion).
7. Employees on leave must abide by the departmental procedures for furnishing periodic reports on expected return date.

8. Failure on the part of an employee on personal leave without pay to report promptly upon expiration of the leave, or to seek extension of the leave within 10 calendar days after notice to return to duty has been sent (by certified mail), may be cause for dismissal.

9. The term of a Personal Leave without Pay may be extended under unusual circumstances by the Town Manager.

ADMINISTRATIVE PROCEDURE			
Subject:	**Alternative Work Schedule**		
Revision Date:	10/1/07	**Policy Number:**	680
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to establish consistent administrative procedures for alternative work schedules. Alternative work schedules are administered under the direction and approval of the Department Director and may be denied and/or revoked by the Town at any time.

Policy Communication

The policy establishing the Town's direction related to work schedules and leave can be found in Policy #600.

Procedures

A. Types of Alternative Work Schedules Available

The Town of Queen Creek conforms to the all terms of the Fair Labor Standards Act. The Town of Queen Creek declares its workweek to start on Saturday at 12:00 a.m. and end on Friday at 11:59 p.m. This established workweek is currently fixed for all employees. Department Directors may consider approving an alternative work schedule for employees, but only within this established workweek. Use of alternative work schedules not only encourages employees to support trip reduction programs, but can also provide work-life balance opportunities for those employees.

For guidelines purposes, the Town of Queen Creek recommends Department Directors offer the following three basic alternative work schedules:

- **4/10s**: Employees perform their work during four 10-hour days every week. Employee is off one specific day each week.
- **4/9s + one 4 hour day**: Employees perform their work during four 9-hour days and 1-four hour day every week. Employee is off 4 hours one specific day each week.
- **9/80**: Employees perform the required 80 hours of work within a two-week period but in 9 days instead of 10. Employees work eight 9-hour days, one 8-hour day, and have one specific day off every other week. **Due to overtime implications, this is currently offered to exempt employees only.**

B. Eligibility

During the 40-hour workweek (for full-time employees) there is flexibility in establishing daily start and quit times as long as it does not impede customer service needs. Days of the workweek may have varying start and quit times but the schedule established by the employee and approved by the Department Director remains the same over each workweek. Any employee requesting an alternative work schedule shall request it in writing for Department Director approval.

The Town of Queen Creek considers customer service as the number one priority. The Department Director shall not approve Alternative Work Schedules which result in increased overtime, reduction of customer service levels, or reduced productivity.

Certain positions may not be eligible for an alternative work schedule due to department needs. The alternative work schedule can be revoked from an employee at any time at the Department Director's discretion. Employees must recognize that alternative work schedules are considered exceptional arrangements or accommodations. Revocation of an alternative work schedule is not subject to the grievance procedure.

C. Responsibilities

Consistent with ensuring service to the public, every department will ensure that the quantity of work and quality of customer service required for their department is maintained or increased.

- This requires that all schedules for the department are coordinated with the needs of internal and external customers.
- Email and voicemail must be updated to reflect time away from the office.
- Schedules should coordinate effectively with other Town departments impacted.
- Deadlines should be met without increased overtime.
- On an on-going basis, department directors should monitor alternative work schedules to ensure that quantity of work and seamless customer service is maintained.

D. Scheduling Flex Day Off

Employees must use their specific flex day during the same workweek as per the agreed upon schedule. Rescheduling flex days is subject to Department Director approval, but is discouraged. Employees may not accumulate (bank) their flex days.

E. Working on Flex Day Off

If there is a business need, both exempt and non-exempt employees must make themselves available on their flex day off. The choice of a substitute flex day during the same workweek will be left up to the employee and the Department Director.

F. Lunches and Breaks

As per current policy, scheduled lunch breaks are not required; however, the Town encourages all full-time employees to take a minimum 30 minute unpaid lunch. A minimum of a 30 minute unpaid lunch is available to employees, if requested. In addition, a paid 15 minute break may be provided to employees, per each four-hour period. At no time may an employee combine his/her breaks to take a paid lunch, nor combine them with an unpaid lunch in order to extend the meal period. As per policy, "such work breaks may not be accumulated or taken immediately prior to or after a meal break or the beginning or end of the shift".

G. Holiday, Vacation, and Sick Pay

If the employee's flex day off falls on a holiday, the employee has the option of taking another day off in the same week that is approved by the Department Director, or he/she must forfeit the flex day. In cases where the Department Director requires a flex day to be forfeited due to coverage issues, the employee can request to revert to an eight hour schedule for that particular week.

The holiday is considered a paid eight hour day only (or 9 hours if Town offices are only open Monday through Thursday). If the holiday does not fall during the same workweek as the employees regularly scheduled eight hour day (if applicable), the additional hours must be made up during the holiday week. This can be accomplished in one of several ways:

- Work the extra hour(s) on one or more other days
- Take the extra hours through vacation leave

Vacation and sick leave shall reflect the hours scheduled by the employee for that particular workday.

H. Definitions

Flex Day

"Flex Day" means the day of the week or pay period in which the employee does not work (in cases of a 4/10 or 9/80 schedule) or the day the employee reduces the number of hours worked (in case of a 4/9s + one 4 hour day schedule).

POLICY STATEMENT			
Subject:	**Professional and Personal Conduct**		
Revision Date:		**Policy Number:**	700
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The integrity and image of an organization is based on the integrity of the employees who comprise it; not just administration, but all employees. Therefore, it is important to have recognized and accepted standards of conduct, both on the job and off the job, when one's behavior reflects upon the Town's image and reputation in the community.

The purpose of this policy is to provide specific standards of behavior for Town employees to adhere to.

Policy

It is the policy of the Town to expect, uphold, promote and demand the highest standards of conduct from all of its employees and officials, whether elected, appointed, or hired. Accordingly, all Town employees and officials should maintain the utmost standards of personal integrity, truthfulness, honesty, ethics, and fairness in carrying out their public duties. Employees should avoid any improprieties, real or perceived, in their personal or professional lives, and never use their Town position or powers for personal gain. In our culture we value:

- The individual
- The team
- And, our citizens

We express this by setting ethical standards and the display of integrity in the performance of our duties in all public dealings on or off the job.

Code of Ethics

Employees of the Town of Queen Creek have the trust of the citizens. People in the Town depend on us for service. This level of trust creates a special responsibility. All employees are expected to maintain a high level of ethical standards, to act with integrity in all public relationships, and to always conduct themselves in a manner that maintains public confidence. Do this by following the Town of Queen Creek Code of Ethics.

Employees of the Town of Queen Creek shall uphold the Constitution, laws of the United States, State of Arizona, and the Town of Queen Creek, and shall also be:

1. Honest and trustworthy in what you say, do, and write in all professional relationships.
2. Dedicated to providing quality services by being cooperative and constructive, and by making the best and most efficient use of available resources.
3. Fair and considerate in the treatment of citizens and fellow employees, providing service with equality, and granting no special favors.
4. Committed to accomplishing all tasks in an efficient and cost effective way, and never performing in a way that will harm the image of the Town.
5. Recognizing that public and political policy decisions are the responsibility of the Town Council, the people elected to represent the citizens and to set goals.
6. Dedicated to improving the lives of the citizens of the Town of Queen Creek.

Abiding by this Code of Ethics always requires hard work and the courage to make difficult choices. But we are all best served by doing what is right instead of what is easy.

We expect:

- Each task to have a purpose;
- The individual to step up and lead; and
- Leadership to set positive examples to follow.

Employee Rules (*Adapted from rules advocated by Pete Morrell and Lou Schmidt, 1/96)*

1. Employee expectations are fulfilled by consistency between our words and our actions.
2. **PEOPLE** are the most important resource. Treat everyone, including each other, with respect and dignity.
3. **NEVER** miss a chance to assist a citizen. Constituent service comes first. Help people out whenever you can. Talk to them. Walk with them, don't just point the way to the office they want to find. Park your car away from the door, so customers get the best parking places.
4. Take **CARE** of employees and of each other. Tell people when they did well.
5. The work we do is hard. Help each other out. Give praise.
6. Take care of **YOURSELF**. You're no good to anyone if you don't.

7. **NEVER** surprise the Council. You do that by never surprising your supervisor. Keep your supervisor and the Town Manager informed of what's going on. All of our jobs are interconnected, so everything the Town does is part of your job, too.

8. **PEOPLE** are more important than tasks. Remember that when you're under pressure, trying to get a lot of things done at once.

9. Do what is **RIGHT**. If it would not look good on the front page of the newspaper, don't do it. Do things in a way that will make you and others proud. Be impeccably honest.

10. Be **SMARTER** today than you were yesterday. Learn something. Explore. Try a new way once in a while. Look for improvement.

11. Fix the **PROBLEM**, not the blame. It is not important who is to blame, what's important is to make things right, and to learn from mistakes so they do not happen again.

12. **NOW** is the most important time. Do things now. Don't wait.

13. **PRACTICE** before you preach. Before any presentation, practice so you get it right.

14. You can only be as good as you **THINK** you are. Aim high.

15. Search for, and find, another alternative. Think **WIN-WIN** so that you make the best of any situation where people disagree.

16. Remember, we are in this for the long haul. Keep issues in **PERSPECTIVE**.

A. Relevant Issues

Proper conduct is defined in a number of ways. The following describes some of the most common conduct-related issues and clarifies the Town's policy on that issue.

1. Conflict of Interest

   Employees are subject to the provisions of A.R.S. Section 38-501 through 38-532 regarding conflict of interest. The Arizona Legislature has provided a series of laws covering the subject of conflict of interest. The laws apply to all officials, officers and employees of the Town. The law allows an official, officer or employee (or relative of an official, officer or employee) to do business with or to obtain services from the Town of Queen Creek so long as the officer, official or employee makes known their conflict of interest and refrains from participating in the decision in any way. The Town Attorney will assist any employee or official who has any questions regarding conflict of interest. At any time, an employee is responsible for notifying their supervisor of any potential of conflict of interest. It is the duty of the employee and/or supervisor, if there is any concern regarding the possible conflict of interest, to contact the Town Attorney and request a written opinion.

While not exclusive, specific examples of conflict of interest are enumerated below for the guidance of employees.

a. Interest in Appointments

Employees should not canvass the Mayor or members of the Town Council, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to a Town job. This does not apply to positions filled directly by the Council. Conversely, the Mayor, members of the Town Council, Board or Commission members, directly or indirectly, should not canvass the Town Manager or Human Resources Director to obtain preferential treatment for any appointment to a Town job on behalf of relatives.

b. Preferential Treatment to Individuals

Granting any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen is prohibited.

i. Disclosure of Confidential Information

The Town maintains confidential materials of various kinds (i.e., financial records, personnel data, administrative/legal opinions, software programs, and nonpublic records) designated as confidential by the Town Manager or his/her designee.

All employees are expected to assume responsibility for safeguarding Town records, equipment, property, and other materials. Access to certain material is based upon job classification and a need-to-know basis. Appropriate confidentiality will always be maintained.

ii. Representing Private Interest before Town Agencies or Courts

No person whose salary is paid in whole or in part by the Town shall appear on behalf of private interests before any agency related to Town activities. They shall not represent private, business, and/or financial interests in any action or proceeding against the interest of the Town in any litigation to which the Town is a party.

iii. Interest in Contract with the Town

No employee of the Town shall have any interest in any contract made by them in their official capacity or by any committee, board, or commission of which he is a member, agent, or employee.

iv. Disclosure of Interest

An employee who has a financial or other private interest shall disclose conflict of interest in writing on the records of the Town or other appropriate authority, the nature and extent of such interest.

Any employee who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale, purchase, or service.

Any employee who has, or whose relative has, a substantial interest in any decision of a public agency shall make known such interest in the official records of such public agency by submitting that knowledge in writing to their supervisor and shall refrain from participating in any manner as an employee in such decision.

2. Professional Conduct at Work

A relaxed and friendly atmosphere at work is encouraged as conducive to productivity, teamwork, and morale. However, human dignity and personal safety cannot be compromised.

a. Employee Behavior

All employees shall treat each other, their supervisors, and the citizens with the utmost dignity and respect. Insubordination and inappropriate, threatening or offensive language will not be tolerated.

b. Appearance of Work Areas

Work areas are to be kept neat and presentable in the interest of safety and efficiency, presenting a professional appearance at all times for co-workers and visitors alike.

c. Use of Town Vehicles and Equipment

Town vehicles should be used only for Town business and should not be used for personal errands. Employees operating Town vehicles and equipment are required to comply with all state and local traffic laws. Safety belts must be worn while riding in or driving a Town vehicle. If safety belts are inoperable or are not provided, employees should immediately contact their supervisor and report any safety deficiencies. Use of cell phones, texting, or reading incoming messages while operating a Town vehicle is prohibited.

d. Care of Personal Belongings/Town Supplied Items

The Town does not assume responsibility for the loss of personal money or belongings, nor is it covered by insurance for such loss. Therefore, each employee needs to protect their

personal belongings while at work. The Town may provide certain clothing, clothing allowances, equipment, and other items for designated positions to aid an employee to perform assigned duties. It is the responsibility of the employee to wear, use, and maintain Town-provided materials.

e. Improper Employee Conduct

Disciplinary action may be initiated for "improper employee conduct": any improper actions by an employee which tends to affect the employee's ability to perform his/her duties efficiently and effectively, or any improper use of his position as an employee for personal advantage. Causes for initiating a disciplinary action may include, but are not limited to the following:

- The use of intoxicants, including alcohol or controlled substances, while on the job or being intoxicated on the job.
- Insubordination including the failure to obey or refusal to follow lawful directives of a supervisor or another administrative authority.
- Use of offensive or abusive language toward or threatening conduct toward the public, other employees or administrative personnel.
- Unauthorized use or possession of Town-owned or leased property of any type, or damage to such property through a willful act or negligence.
- Abuse of sick leave, including use under false pretenses.
- Conviction of a crime which in the Town's judgment renders the employee unfit to perform the duties of his/her position.
- Absence from duty without leave or without supervisor approval; failure to report after absence with leave has expired or after disapproval, revocation, or cancellation of such leave.
- The employee has worked at unauthorized outside employment, or while on medical leave, workers compensation leave, FMLA, or long-term disability (LTD).
- Acceptance of any remuneration, whether in the form of a gift, loan, or service, in addition to regular compensation, from any person reasonably known to the employee to be interested in any manner, directly or indirectly, in any decision or act of the Town.
- Solicitation of any member of the public for money, goods, or services for personal gain while acting in an official capacity.
- Inefficiency, incompetence, or negligence in the performance of duties.

- Failure to obtain and maintain a current license or certificate as a condition of employment, or if required by law or Town policy.
- Violation of, or failure to comply with, Federal, State or local laws or regulations; the violation of which would bring discredit upon the Town and/or affect the ability of the employee to properly carry out the duties and responsibilities of his/her employment.
- Failure to report an accident or injury occurring on the job.
- Repeated tardiness in reporting to work.
- Falsification of records, reports, employment applications, or documents prepared in connection with or arising out of employment.
- Disregard of personal appearance, uniforms, dress or personal hygiene; non-compliance with specific Town dress code policies.
- Releasing of confidential information.
- Engaging in any sexual activity while on duty.
- Knowingly providing false or misleading information.
- The employee has committed an act of discrimination, harassment or retaliation because of race, color, religion, gender, national origin, age, or disability.
- The employee has demonstrated insensitivities in his/her communication in regards to race, color, religion, gender, national origin, age, or disability, including inappropriate jokes , ethnic slurs, and/or comments.
- The employee possessed a deadly weapon on the person, either concealed or unconcealed, while on Town property, during scheduled work hours. Deadly weapons include, but are not limited to, explosives, firearms and prohibited weapons as those terms are defined by Arizona Revised Statutes.
- The employee has lied about or misrepresented facts or circumstances during an external or internal investigation or fact-finding.
- The employee has been dishonest in the course of performing his or her job.
- The employee has deliberately and knowingly misused the Town-provided information infrastructure including telecommunications, cable and computer networks, electronic mail (email) with its ancillary applications, or the Internet, when using Town-provided resources, by accessing or transmitting any adult material(s) including pornography, websites, or anything which could be construed as sexually explicit, scandalous, defamatory, libelous, illegal or immoral, or by propagating a computer worm or virus, or

any other program or material which may have a debilitating or disabling affect on the Town's computer systems.

- The employee has deliberately and knowingly made false accusations against another employee, elected official, or board and commission member in order to discredit another employee, elected official, or board and commission member.
- The employee holds a Commercial Driver's License (CDL) or regular driver's license, and the employee's position requires them to drive, and the employee is convicted of an offense which results in the loss of their driving privileges in accordance with state and federal law.
- Refusal to sign receipt of any policy, guideline, regulation, disciplinary notice, performance evaluation, or other Town correspondence with a signature line.
- Failure to submit to a required physical or psychological examination, or to participate in appropriate counseling, testing, and rehabilitative treatment as may be required by the Town.
- Engaging in pranks or horseplay.
- Smoking where prohibited by local ordinance or Town rules.
- Sleeping on the job without authorization.
- Violation of County and/or State PM-10 measures for air quality control.
- Violation of any Town or department policy, procedure, rule, or regulation.

3. **Conduct Away from the Workplace** - The Town is not interested in intruding into the private lives of its employees away from the workplace. However, the Town does expect that employees will meet basic standards of acceptable conduct in the community while away from the workplace. Conduct away from the workplace that is deemed by the Town to be so socially unacceptable or shocking that the goodwill of the Town as well as its reputation is impugned by the employee's acts, may result in disciplinary action by the Town. Disciplinary action, including termination may be taken against any employee found guilty or who pleads guilty to serious crimes such as assault (sexual or otherwise) murder, robbery, or burglary. The Town also reserves the right to take action as it deems appropriate in the event of sexual or other unlawful harassment of another employee that occurs away from the workplace.

B. Harassment, Discrimination, Workplace Violence and Unlawful Activity

The Town will have zero tolerance for any form of employee discrimination, workplace violence, unlawful activity or harassment, including sexual harassment, harassment based on race, gender, national origin, religion, age, or disability. Harassment is unlawful and is prohibited by Title VII of the Civil Rights Act of 1964.

If an employee believes that he or she has been discriminated against in violation of this policy, the employee should immediately report the complaint pursuant to the Complaint Procedure outlined in Procedure #710.

While all forms of harassment are prohibited, it is the Town's policy to emphasize that sexual harassment is specifically prohibited. Sexual harassment includes sexual advances, requests for sexual favors, and/or any unwelcome verbal or physical conduct of a sexual nature.

This policy prohibits any demand for sexual favors. It also prohibits subtle pressure for sexual favors, including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or refusal thereof), will have any effect on the person's employment, job assignment, wages, promotion, or on any other conditions of employment or future job opportunities.

The following is a list of example situations that can constitute harassment:

1. Unwanted sexual advances, flirtations, invitations, comments and/or propositions.
2. Verbal abuse of a sexual nature, sexually related comments and jokes, graphic suggestive or degrading comments about employees, their body, their dress, or their appearance.
3. Any physical contact or unwanted touching, such as, but not limited to: assault, patting, pinching, brushing against another's body, impeding or blocking movement, or any physical interference with normal work or movement when directed at any individual.
4. Verbal harassment regarding the individual's membership in a protected class, (i.e., race, sex, color, national origin, religion, or age) such as, but not limited to, epithets, derogatory comments, jokes and/or slurs, profanity, gestures, racial jokes, or forms of address.
5. Visual forms of harassment such as derogatory and/or sexually oriented cartoons, posters, pictures, drawings or the display of sexually suggestive objects or pictures (including photographs) in the workplace.
6. Undesirable work assignments due to membership in a protected class (i.e., race, color, sex, national origin, age, religion, etc.).
7. Any employee who uses sexual behavior to implicitly or explicitly threaten, coerce, influence or affect the employment, job status, salary or performance of another employee.

The Town encourages all employees to report immediately any unlawful activity, discrimination, workplace violence, and incidents of harassment so that complaints can be investigated quickly and fairly resolved. All reported activities shall be made to the Department Director, Human Resources Director, or the Town Manager.

C. Chain of Command

To ensure departmental communication is clear, accurate, and everyone is well informed, unless otherwise provided (as with the harassment policy above) the Town requests all employees follow the chain of command established within their department.

D. Secondary Employment

Outside employment is allowed when, in the opinion of the employee's immediate supervisor or Department Director, such employment does not impair the employee's Town job performance; the Town is the principal vocation of regular, full-time employees; and the following conditions are complied with:

1. A Town employee must not engage in outside employment during regularly scheduled working hours, while at the Town's facilities or when using the Town's supplies, equipment, materials or personnel.

2. Outside employment must not cause a conflict of interest or cause deterioration in satisfactory performance of duties while in the Town's employment.

3. Outside employment does not interfere with efficient job performance.

4. Outside employment does not in any way conflict with the interests of, or information held by, the Town,

5. Outside employment is not a type of employment that would reasonably give rise to criticism or suspicion of conflicting interests or duties.

E. Political Activity

Employees are encouraged to vote and will be given reasonable time off for voting. However, employment shall not be offered as an inducement for supporting a candidate for public office. Nothing herein is intended to limit or restrict the right of the employee to the free expression of their political views.

Specifically, no employee of the Town shall:

1. Simultaneously hold a Town public elective office or appointive office (such as a board or commission member).

2. Solicit any money, influence, service or other thing of value, or otherwise aid or promote any political committee or candidate for nomination or election while on the job during working hours.

3. Be involved in the campaign of any person for election to the office of Mayor or Council member of the Town.

4. Use their influence, power, or position to reward or give favors in return for partisan participation on any campaign for any candidate or cause.

F. Acceptance of Gifts

The Town as a whole is judged by the integrity of its employees. To uphold the highest standard of ethical behavior, under most circumstances, the Town does not condone the acceptance or solicitation of gifts in excess of $25. Employees, offices, and departments may accept such items as the following:

- Gifts, discounts, fees, entertainment or other valuable items under $25.
- Candy, cake, cookies, or other items of nominal value which are intended to be complimentary or appreciative in nature.

Regardless of the amount, any acceptance of any remuneration, whether in the form of a gift, loan, or service, in addition to regular compensation, from any person reasonably known to the employee to be interested in any manner, directly or indirectly, in any decision or act of the Town, is prohibited.

G. Employee Residency

Employees are encouraged to reside within the limits of planned boundaries of the Town; or, within a 30-mile radius of the Town limits. The Town Manager may grant exceptions based on consideration of relocations, financial, or personal hardship, or the types of responsibilities provided by the employee's position. Any change in the Town employee's residency status shall be reported to the Human Resources Director within three working days.

H. Professional Attire at Work

Dress and personal appearance are representative of both personal and organization professionalism. The image of the Town in the larger community is determined, in part, by the professional conduct and attire of its employees. It is therefore imperative that personnel present a positive, professional and appropriate image consistent with the duties and assignments of each employee. Ultimately, it is up to the employee to demonstrate common sense and maturity when deciding what image to project within our community, and in dealings with persons from other government agencies and other professions. If the employee is in violation of this policy, the supervisor has the right to send the employee home to change clothes (employee will not be paid during this time).

I. Employee Uniforms

To ensure that Town employees are identifiable to the public, the appropriate employees shall wear specific attire while on duty. Departments will identify these employees whose job duties qualify

them for uniforms. Town logo is to be maintained through uniform selection. Employees shall wear identification badges at all times on Town property.

J. Use of Town Computer Hardware and Software

The use of computers is a critical part of the work environment. Town employees will be required to sign Internet and e-mail use policies, which require them to use the Town's technological resources in the most prudent manner. In addition, the Town reserves the right to inspect employee e-mail, voice mail, computer files, internet usage, and desk files at any time, with or without notice. The Town observes a zero tolerance policy on improper use of Town computer hardware, software and accessories.

K. Delegation of Authority

When a Director, Manager, or Supervisor plans to be away from the work site, they have the authority to delegate supervisory responsibility and signing authority to the person next in command.

L. Confidentiality

The Town maintains confidential materials of various kinds (i.e., financial records, personnel records, administrative/legal opinions, software programs, and non-public records) designated confidential by the Town Manager or designee. All employees are expected to assume responsibility for safeguarding Town records, equipment, property, and other materials. Access to certain material is needed upon job classification and a need-to-know basis. Breach of confidentiality is considered a serious matter and disciplinary action will be taken up to and including dismissal.

ADMINISTRATIVE PROCEDURE			
Subject:	**Discrimination, Harassment and Offensive Behavior**		
Revision Date:		**Policy Number:**	710
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town wishes to provide its employees with an environment that encourages efficient, productive and creative work which is free of discrimination, including all forms of harassment and offensive behavior. The purpose of this administrative procedure is to provide options for employees who feel as if they have been discriminated against or harassed.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

Equal Employment Opportunity

The Town provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, or any other legally protected status in accordance with applicable federal, state, and local laws. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, dismissal, demotion, layoff, recall, transfer, leaves of absence, compensation and training.

Anti-Harassment Policy

The Town strictly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, sex, national origin or disability, or status in any group protected by federal, state, or local law.

The Town will not tolerate behavior that is considered discriminatory or harassing including sexual harassment, harassment based on race, color, religion, age, sex, national origin or disability of any employee by another employee, supervisor, manager, customer or non-employee.

<u>Sexual Harassment</u>

The Town will not tolerate discrimination or verbal or physical conduct by an employee which harasses, disrupts or interferes with another person's work performance or which creates an intimidating, offensive or hostile environment. Sexual harassment is a form of misconduct that

undermines the integrity of the employment relationship. Employees should not be subjected to unsolicited and unwelcome comments or conduct with sexual overtones.

Legal Definition of Sexual Harassment

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

"Quid pro quo" harassment occurs when tangible job benefits depend upon an employee's submission to sexual conduct and that adverse job consequences result from the employee's refusal to submit to the conduct. An example of quid pro quo is when a supervisor tells a subordinate that he/she must sleep with him/her in order to get a raise, or that he/she will be fired if he/she refuses to submit to his/her sexual advances.

No supervisor shall threaten or suggest, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances or requests for sexual favors will either enhance or adversely affect the employee's employment, evaluation, wages, advancement, assigned duties or any other terms or conditions of employment.

Hostile work environment harassment occurs when unwelcome sexual conduct unreasonably interferes with a person's job performance or creates an intimidating, hostile or offensive work environment, even if employment decisions are not affected. The unwelcome conduct must be severe and pervasive enough to alter the employment conditions and create an abusive working environment.

Other harassment:

Other harassment consists of unwelcome comments or conduct having specific or reasonably implied references to race, color, national origin, religion, age, disability, or any other legally protected characteristic. Such harassment may include, without limitation, insulting comments, "kidding," "teasing," and "practical jokes," slurs, taunting, verbal abuse or epithets, degrading comments or jokes, jokes about certain traits, and insulting pictures, drawings, objects, cartoons, posters, pictures, or printed or other visual material.

Unlawful harassment:

Such harassment is unlawful when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

If an employee believes that he or she has been discriminated against in violation of this procedure, the employee should immediately report the complaint pursuant to the Complaint Procedure outlined below.

A. Reporting Discrimination, Harassment and/or Offensive Behavior

Discrimination and harassment is an unlawful activity and is prohibited by Title VII of the Civil Rights Act of 1964.

1. First and foremost, employees who feel they have been subjected to discrimination, harassment and/or offensive behavior are encouraged to politely, but firmly confront the harasser and tell the person to stop.
2. If the discrimination, harassment and/or offensive behavior continues or if the employee believes some employment consequence may result from the confrontation, or if they are not comfortable confronting the harasser, they should promptly report or complain to a supervisor, Department Director, Human Resources Director or the Town Manager.
3. All other employees, including supervisors or Department Directors who become aware of possible discrimination, harassment or offensive behavior of an employee, either as a result of having received a complaint directly from the employee or from any reliable source of information, or from his or her personal observations, has a responsibility to promptly report the situation to the Human Resources Director or Town Manager.
4. An employee may file a discrimination, harassment and/or offensive behavior complaint with their Department Director, the Human Resources Director, or the Town Manager. Employees are encouraged to complete the Offensive Behavior/Harassment Complaint Form (Form #710). The complaint should be expressed in writing. However, verbal complaints will be treated with equal seriousness.

B. Harassment/Sexual Harassment Complaint Procedure

The following steps must be followed by employees who wish to report any type of harassment, including sexual harassment.

<u>Step 1</u>: An employee, who believes he or she has been harassed, as defined in this policy, shall have the option of filing an official complaint with any of the following uninvolved individuals: his or her Department Director, the Human Resources Director or the Town Manager.

Employees are encouraged to complete the Offensive Behavior/Harassment Complaint Form (Form #710).

Step 2: The Department Director, Human Resources Director or Town Manager receiving a complaint of discrimination, harassment and/or offensive behavior shall immediately report to the Human Resources Director, provided that the Human Resources Director is an uninvolved party to the complaint. The complaint will be kept as confidential as practically or legally possible.

Step 3: The Human Resources Director shall arrange a meeting with the reporting employee as soon as possible.

Step 4: At this meeting the Human Resources Director will listen to the complaint in order to determine the details surrounding the perceived harassment, discrimination, and/or offensive behavior and will gather information in order to proceed with the investigation.

Step 5: Except in the case where the Human Resources Director has investigative conflict of interest, following the meeting, the Human Resources Director will have responsibility for investigating the complaint. The Human Resources Director, or designee, will obtain and evaluate all relevant evidence, obtain legal counsel as necessary, and issue a finding in as prompt a manner as possible.

Step 6: The reporting employee will be notified in writing as to the action taken in response to the complaint of harassment, discrimination, or offensive behavior at the completion of the investigation.

C. Investigation

The Human Resources Director shall be responsible for overseeing the investigation of any complaint of discrimination, harassment and/or offensive behavior. The goal will be to investigate any such complaint promptly and thoroughly. In a situation involving conflict of interest or in a situation where the Human Resources Director may be a party to the complaint, the Town Manager will designate an appropriate investigator. Following the investigation, the Human Resources Director shall recommend appropriate corrective action on all violations of this policy.

D. Education

The Human Resources Director shall be responsible for formally notifying all employees, Department Directors, elected or appointed officials, volunteers and contractors/vendors of the existence of the discrimination, harassment and sexual harassment policy. The Human Resources Director shall periodically conduct training on the topic of offensive behavior/harassment, and attendance will be mandatory for all employees and will be offered to elected or appointed officials and others.

E. Implementation

The Town Manager, Department Directors and supervisors are responsible for creating a productive work environment in which discrimination, offensive conduct or harassment is not tolerated, taking immediate and appropriate corrective action in response to any confirmed violation of this policy, and assuring that no reprisals are taken against those who complain or against corroborating witnesses.

F. Enforcement

The Town of Queen Creek is committed to thoroughly investigate each complaint and take immediate and appropriate corrective action on all confirmed violations of this policy. The Human Resources Director is responsible for auditing the operation of this policy, providing counsel, and resolving any unsettled question which may arise from this policy. The Human Resources Director, or designee, is responsible for thoroughly investigating and resolving any complaints.

G. Confidentiality

All complaints of harassment as defined in these policies shall be kept confidential, except as necessary to satisfy the provisions of federal and state law and of the complaint and investigation procedure. To the fullest extent possible, the Town will keep complaints, the investigation of complaints, and the terms of their resolution confidential.

H. Reprisals

No reprisals of any kind by any employee or supervisor shall be taken against an employee because that employee has asserted a complaint, or against any witness because that individual has reported or has assisted in any way the investigation of a harassment complaint. Any employee who retaliates against someone for filing a complaint, or for assisting someone who has filed a complaint will be subject to appropriate disciplinary action, up to and including dismissal.

I. Penalties

Any violation of this policy will result in appropriate discipline being taken. The appropriate action will depend on consideration of all the circumstances in a particular situation. Any employee who is found, after appropriate investigation, to have engaged in discrimination, harassment or offensive behavior of another individual will be subject to appropriate action up to and including dismissal.

J. Misuses

If, after investigating any complaint of harassment, the Town determines that false or malicious information has been provided regarding the complaint, disciplinary action, up to and including dismissal, will be taken against the individual(s) who gave the false or malicious information.

K. Intolerable Working Conditions

If an employee believes that his/her working conditions have become intolerable and may cause him/her to resign, then he/she is required to notify the Human Resources Director. Under Arizona Revised Statute Section 23-1502, an employee may be required to notify the Town in writing that a working condition exists that the employee believes is intolerable that will compel the employee to resign, or that constitutes a constructive discharge. An employee is required to allow the Town fifteen (15) calendar days from the date of written notification to respond in writing to the matters presented in the employee's written communication.

ADMINISTRATIVE PROCEDURE			
Subject:	**Workplace Violence Prevention and Response**		
Revision Date:	09/2007	**Policy Number:**	715
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town strives to provide a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence procedure.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

The Town of Queen Creek, consistent with the commitment to provide a workplace that is safe for employees, will not tolerate threats, intimidation and/or violence made by an employee against another person's life, health, well being, family or property. Such acts or threats of violence whether made directly or indirectly, explicitly or implicitly, by words, gestures or symbols, infringe upon the Town's right or obligation to provide a safe workplace for its employees.

A. Prohibited Conduct

The list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

1. Causing physical injury to another person;
2. Making threatening or harassing remarks or phone calls;
3. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress, or any form of fighting;
4. Intentionally damaging employer property or property of another employee;
5. Possession of a weapon while on Town property or while on Town business (unless authorized to do so to carry out the duties of your position or unless covered under Arizona Revised Statutes);
6. Committing acts motivated by, or related to, sexual harassment or domestic violence.

B. Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor or the Human Resources Department. All reported incidents will be investigated. Reports or incidents warranting confidentially will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The Town will actively intervene at any indication of a possibly hostile or violent situation.

C. Risk Reduction Measures

1. Hiring: Human Resources will take reasonable measures to conduct background reference checks prior to hire.

2. Safety: Individual departments will strive to conduct annual inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

3. Individual Situations: While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their immediate supervisor, chain-of-command, Department Director, or the Human Resources Department if any employee exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes, but is not limited to:

   - Bringing weapons into the workplace (which is strictly forbidden).
   - The Town of Queen Creek additionally prohibits all employees and volunteers from bringing weapons or ammunition onto Town property. Only those Town employees whose position description requires the use of a weapon while on duty are permitted to carry a weapon onto Town property.
   - This policy holds for any threats or acts of violence made on Town of Queen Creek property, at Town of Queen Creek sponsored events or under other circumstances that may negatively impact the Town's ability to conduct its business;
   - Displaying overt signs of extreme stress, resentment, hostility, or anger;
   - Making threatening remarks;
   - Sudden or significant deterioration of performance;
   - Displaying irrational or inappropriate behavior.

D. Dangerous/Emergency Situations

Employees who encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor or the police can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

An employee who believes they have been the target of threats or acts of violence, or has witnessed or otherwise learned of threats or violent conduct by another employee or by a third party, should contact the immediate supervisor, Department Director, Human Resources Director, or Town Manager immediately. If an employee feels threatened with immediate harm, they should call 9-1-1 or alert someone else to do so.

E. Enforcement

Any threats or acts of violence made by an employee against another person's life, health, well-being, family or property will not be tolerated and are cause for discipline up to and including termination. Non-employees engaged in violent acts on the Town's premises will be reported to the proper authorities and fully prosecuted.

F. Responsibilities

It is up to each employee to help make the Town a safe workplace for all of us. The expectation is that each employee will treat all other employees, as well as citizens and potential customers of Town's programs, with dignity and respect. You can and should expect management to care about your safety and to provide as safe a working environment as possible by having preventive measures in place and, if necessary, by dealing immediately with threatening or potentially violent situations which occur.

The following section provides a more detailed description of the responsibilities of various persons or offices.

1. **<u>Employees</u>**

- Be familiar with Town/Department policy regarding workplace violence.
- Be responsible for securing their workplace.
- Be responsible for questioning and/or reporting strangers to supervisors.
- Be aware of any threats, physical or verbal, and/or any disruptive behavior of any individual and report such to supervisors.
- Be familiar with Town/Department procedures for dealing with workplace threats and emergencies.

- Do not confront individuals who are a threat.
- Be familiar with the resources of the Employee Assistance Program.
- Take all threats seriously.

2. <u>Managers & Supervisors</u>

- Inform employees of Town/Department workplace violence policies and procedures.
- Ensure that employees know specific procedures for dealing with workplace threats and emergencies, and how to contact police, fire, and other safety and security officials.
- Ensure that employees with special needs are aware of emergency evacuation procedures and have assistance (as necessary) regarding emergency evacuation situations.
- Respond to potential threats and escalating situations by utilizing proper resources from the following: local law enforcement and medical services, human resources staff, and the Employee Assistance Program.
- Take all threats seriously.
- Coordinate with other co-located agencies to develop joint workplace violence prevention plans.

3. <u>Town Manager</u>

- Develop a policy statement that indicates the agency has a no tolerance policy in regard to violent or disruptive behavior and that all reports of incidents will be taken very seriously and dealt with appropriately.
- Ensure that appropriate safety and law enforcement personnel have completed an on-site review of safety and security of buildings and offices.
- Provide adequate resources for employee training and awareness.
- Provide funding for appropriate safety and security of employees.
- Ensure that performance standards of appropriate staff reflect the importance of workplace safety and security.
- Provide for briefings on workplace violence at staff meetings.

4. Human Resources Staff

- Provide for supervisory training which includes basic leadership skills, such as setting clear standards of conduct and performance, addressing employee problems promptly, and using the probationary period, performance counseling, discipline, alternative dispute resolution, and other management tools conscientiously.
- Ensure that the Town Policies and Procedures on Workplace Violence Prevention and Response as well as appropriate Town materials are available to all employees and that all employees are aware of the procedures and instructions in them.
- Include workplace violence training in all employee orientation and supervisory training sessions.
- Provide technical expertise and consultation to help supervisors determine what course of administrative action is most appropriate in specific situations.
- Determine whether sufficient evidence exists to justify taking disciplinary action once the investigation of any misconduct is complete.
- Ensure the review and check of prospective and new employee backgrounds.
- Help supervisors determine proper reasonable accommodation.

5. Employee Assistance Program Counselors

- Provide short–term counseling and referral services to employees at no cost.
- Help in the prevention of workplace violence through:
  - Early involvement in organizational change.
  - Training employees in dealing with angry co-workers and customers, conflict resolution, and communication skills.
  - Training supervisors to deal with problems as soon as they surface without diagnosing the employee's problem.
  - Consultation with supervisors to identify specific problem areas, develop action plans to resolve problems in the early stages, and encourage employees to contact the EAP for individual counseling.
  - Consultation with incident response teams when a potential for violence exists or an actual incident is reported.
  - Participation on critical incident stress debriefings teams in the event of a violent situation.

6. Security/Facilities Staff

- Serve as the liaison with law enforcement as well as the local expert on security matters.

- Conduct regular threat assessment surveys of the facility to determine the level of security preparedness and any gaps in the security posture.
- Serve as the facility security expert, keeping management advised of the risk of violence, the security gaps identified by threat assessments, and the means to close these gaps, including the latest technologies.
- Work with facility personnel to improve the security level of the buildings, grounds, parking lots, etc.
- Train facility personnel in security measures and violence prevention techniques. Facilities personnel should work closely with security staff to ensure buildings, areas, and grounds are safe for employees and visitors. This includes not only keeping buildings and grounds well maintained but participating with security personnel in threat assessment surveys, keeping management informed of the status of the physical plant, and providing budget requests with justification for security upgrades.

7. <u>Threat Assessment Team</u>

Determining the seriousness of a potentially violent or stressful situation and how to best intervene is the basis of a threat assessment team. Since it is impossible to know with any certainty whether a threat is going to be carried out, the agency should always treat threats in a serious manner and act as though the person may carry out the threat. The purpose of the threat assessment team is to provide guidance on managing the situation in a way that protects the employees.

Members of a threat assessment team will vary depending on the situation, but may include representatives from:

- Management
- Human Resources
- Facilities
- Legal Services
- Law Enforcement
- EAP Counseling Services

Threat assessment teams evaluate the risks persons under suspicion may pose to particular targets. The approach and the timing for these evaluations will be specific to the circumstances of the potentially violent situation. Threats from sources outside the Town may require different actions.

Once a threat assessment is completed, management will decide what additional measures are needed to close any security gaps. Where appropriate and not a security breach, management will explain to employees and citizen/customers alike what new steps are being taken and why, to alleviate misunderstandings and confusion.

G. Employee Assistance Program

The Town has a confidential Employee Assistance Program (EAP) with trained counselors who can address workplace stress and violence issues. You can use these counselors as a way to assess whether a situation needs to be brought to the attention of management. You can also use them to strategize ways to deal with uncomfortable or threatening situations.

Seemingly insignificant conflicts between co-workers or managers can sometimes erupt into dangerous situations – especially if the problem goes unchecked. In many cases of worker- on-worker violence, minor non-violent conflicts that went unresolved built up until they were no longer manageable. By intervening early in a conflict between two people, whether it's two workers or a worker and supervisor, you may be able to resolve the problem before it gets out of control.

Professional counselors are available to discuss problems that can adversely affect job performance and conduct. EAP is required to help employees deal with alcoholism or drug abuse problems, and most EAP counselors also help employees with other problems. EAP counselors often refer employees to other professional services and resources within the community for further information, assistance, or long-term counseling.

Confidentiality is an important issue for EAP. Employees who seek EAP services are afforded considerable privacy by laws, policies, and professional ethics of EAP providers. It is common practice for the EAP to inform employees in writing about the limits of confidentiality at the first meeting.

In certain situations, the Town reserves the right to require a mandatory referral of an employee to the EAP. Additionally, supervisors and managers can contact an EAP counselor to assist in employee relations issues, including workplace violence prevention situations.

H. Response

1. **<u>Plans and Procedures for Recovering From a Workplace Violence Emergency</u>**

This is a very crucial step in the Town's program. Although the hope is that violence will not occur, if it does, the Town must be prepared to deal with the situation, to help in the healing process, and to get the workforce back to productivity.

Following a violent incident, employees experience three stages of "crisis reactions" to varying degrees:

Stage One. In this stage, the employee experiences emotional reactions characterized by shock, disbelief, denial, or numbness. Physically, the employee experiences shock or a fight-or-flight survival reaction in which the heart rate increases, perceptual senses become heightened or distorted, and adrenaline levels increase to meet a real or perceived threat.

Stage Two. This is the "impact" stage where the employee may feel a variety of intense emotion, including anger, rage, fear, terror, grief, sorrow, confusion, helplessness, guilt, depression, or withdrawal. This stage may last a few days, a few weeks, or a few months.

Stage Three. This is the "reconciliation stage" in which the employee tries to make sense out of the event, understand its impact, and through trial and error, reach closure of the event so it does not interfere with his or her ability to function and grow. This stage may be a long-term process.

While it is difficult to predict how an incident will affect a given individual, several factors influence the intensity of trauma. These factors include the duration of the event, the amount of terror or horror the victim experienced, the sense of personal control (or lack thereof) the employee had during the incident, and the amount of injury or loss the victim experienced (i.e., loss of property, self-esteem, physical well-being, etc.). Other variables include the person's previous victimization experiences, recent losses such as the death of a family member, and other intense stresses.

The Town of Queen Creek shall provide the resources to assist employees involved directly or indirectly with a workplace violence incident. Some of these resources may include referral to the EAP, additional paid time-off such as administrative leave, on-site counseling services, a temporary or permanent transfer to another location, facilitating a training program to deal with stress and other related issues, etc.

2. **Evaluation**

The Town will evaluate what took place to determine if everything was done that could have been done to have prevented the incident and what can be done to prevent it from happening again. The threat assessment and emergency response teams should be part of this process.

3. **Employee Assistance Program**

EAP counselors should not be the first to intervene in situations which are hostile or dangerous. In those situations, law enforcement personnel should be the first to intervene. In the event of a violent incident, the EAP can advise management of the best ways to help employees cope with the emotional impact of the incident.

I. Disclosure of Information

1. Employee Assistance Program

EAP counselors are prohibited by the confidentiality regulations (42 CFR Part 2) from disclosing information obtained from employees without their written consent. An exception to this prohibition however, is if an employee specifically threatens another person. In that case, the counselor generally will advise the employee that the information will be reported to appropriate authorities, regardless of whether a written consent is provided.

2. Critical Incident Stress Debriefing (CISD)

Normally, this type of debriefing is conducted by EAP counselors or other mental health professionals. Information shared in the debriefing should remain confidential among the group present. This allows the employees a chance to recover from severe stress, talk about what they have gone through, and compare their reactions with those of others.

3. Dealing With the Media

Questions from the news media relating to incidents of workplace violence should be forwarded to the Town Manager, or designee, for the Town.

4. Employees

The Town maintains confidential materials of various kinds i.e., financial records, personnel data, administrative/legal opinions, software programs, and nonpublic records designated as confidential by the Town Manager or his designee.

All employees are expected to assume responsibility for safeguarding Town records equipment, property, information and other materials. Access to certain material is based upon job classification and a need-to-know basis. Appropriate confidentiality will always be maintained. Breach of confidentiality is considered a serious matter and disciplinary action will be taken up to and including termination.

J. Definitions

1. Violence

"Violence" means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behavior that gives a worker reasonable cause to believe that the worker is at risk of injury.

- Incidents of violence include attempted or actual assaults or any threatening statement or behavior towards a worker made by any person, which gives the worker reasonable cause to believe that he or she is at risk of injury.

- The regulation covers the conduct of everyone at the place of employment, including the public, customers, employers, supervisors, managers and co-workers.
- Incidents of violence may occur at the place of employment, at a worksite or in other work-related areas

ADMINISTRATIVE PROCEDURE			
Subject:	**Chain of Command**		
Revision Date:		**Policy Number:**	716
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

To provide an avenue for open and honest communication amongst all employees and early resolution of employee problems and concerns.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

Most issues can be resolved through an open line of communication. To ensure communications are clear, accurate and everyone is well informed, the Town requests employees to follow the chain of command within the department. If an employee has a question, complaint or concern, the employee should address it with the supervisor up through and including the Department Director. After discussing the issue with the Department Director, if a complaint or concern is not resolved to the employee's satisfaction, the employee may discuss the issue with the Human Resources Director or designee. Human Resources may require the employee to put the complaint or concern in writing.

The Human Resources Department is available at any time as a resource to assist an employee with how to present a complaint or concern to their supervisor.

Employees are reminded that the Town operates under a Town Manager/Town Council form of government. It is the responsibility of the Town Manager to deal with personnel concerns, therefore employees are asked not to voice their concerns to Council members, but instead to communicate with the Town Manager through the Department Director.

If the employee's concerns deals with a type of harassment complaint, discrimination, any illegal activity, or any problem of similar gravity, the employee will report those concerns directly to the Department Director, the Human Resources Director, or the Town Manager.

All employee suggestions and complaints are given full consideration. There will be no discrimination or retaliation against any employee because he or she presents a good faith complaint, suggestion or problem.

ADMINISTRATIVE PROCEDURE			
Subject:	**Secondary Employment**		
Revision Date:		**Policy Number:**	720
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

Outside employment by Town employees is not prohibited, but it is regulated by a few important rules. The Town is expected to be the principal place of employment for full-time Town employees. However, it is recognized that some employees choose to have additional employment to meet their financial and/or personal needs. The purpose of this procedure is to define the process for declaring and obtaining authorization for secondary employment to the Town.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

A. Conditions for Secondary Employment

An employee may engage in secondary employment provided the following conditions are complied with:

1. It does not interfere with efficient job performance at the Town.
2. It does not in any way conflict with the interests of the Town.
3. It is not a type of employment that would reasonably give rise to criticism or suspicion of conflicting interests or duties.
4. The employee may not work secondary employment while off on injury leave, FMLA leave, workers compensation, or sick leave.

B. Request for Approval of Secondary Employment

Before beginning work at a second job, the employee must first submit a written request to their Department Director requesting approval (see Form #720). The Department Director may establish additional standards for an employee's secondary employment to ensure that the conditions of the Town's Policy #700, Professional and Personal Conduct are adhered to.

The Department Director will either approve or deny the request for secondary employment in writing and will forward this decision in writing to the employee.

C. Use of Town Equipment or Materials

Facilities, equipment, and staff of the Town may not be used in connection with any secondary employment, unless authorized by the Town Manager, or designee.

ADMINISTRATIVE PROCEDURE			
Subject:	**Political Activity**		
Revision Date:		**Policy Number:**	730
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

As citizens, Town employees can and should exercise their rights to register and vote in all elections, including Town elective offices. Although employees are encouraged to participate in elections as private citizens, there are certain restrictions on how active Town employees can participate in the electoral process. This procedure will outline those restrictions and provide examples for employees to follow:

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

A. Prohibition of Political Activity

1. No Town employee will take part in any election held for the purpose of electing members of the Town Council or other elective municipal office of the Town of Queen Creek except for casting his or her individual ballot. This includes soliciting or attempting to solicit support for a candidate or political party involved in a Queen Creek municipal election and/or taking part in the campaign of a candidate participating in a Queen Creek municipal election.

2. No Town employee will be a candidate for the office of Town Council. Any employee desiring to hold such office will resign from his or her position upon filing for the office. Employment will terminate upon filing for the office of Town Council by any employee.

3. Political activity on the national, state, or county level is unrestricted, except that any employee desiring to hold such office will refrain from any campaign activity while on duty as an employee or while wearing the uniform or insignia of the Town. The State level includes any governmental subdivision of the State except the Town of Queen Creek.

4. Employees may exercise their right as citizens to sign petitions during non-work hours and not in Town uniform.

5. No employee or volunteer shall use his or her position to sell, solicit, or distribute any campaign material during working hours and/or in a uniform used by or identified with the Town government.

6. No employee or volunteer shall use his or her position to introduce, guide, or recommend any candidate for public office on Town property.

ADMINISTRATIVE PROCEDURE			
Subject:	**Professional Attire at Work**		
Revision Date:	10/2006	**Policy Number:**	736
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to provide employees and management a procedure for the level of expected professional attire to be worn at the workplace. All Town personnel will present a positive, professional and appropriate image consistent with the duties and assignments of each employee. This procedure delineates both the general standards applied to all departments, and standards specific to each department. Ultimately, it is up to the employee to demonstrate common sense and maturity when deciding what image to project within the community, and in dealings with persons from other government agencies and other professions

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

General Information

All clothing worn on duty shall be neat, clean, properly pressed and well-maintained, and shall not be provocative, or extreme in taste and/or style. All employees shall maintain personal grooming habits which do not detract from their ability to perform their job or adversely affect the working conditions of fellow employees or customers by presenting a distraction within the work environment. Personal grooming includes, but is not limited to, cleanliness and appearance of body odor, hair, skin and nails. Casual apparel and footwear, excluding "business casual", "Casual Day" and "golf casual" apparel authorized under other sections of this procedure, are not appropriate unless directly related to a special event or assignment, or a medical condition approved by the Department Director and Human Resources. Articles of apparel that have substantial cultural or religious significance shall receive special consideration under this Procedure.

A. Standard for Office Staff

1. In general, employees shall wear "business casual" attire, such as, but not limited to:

   a. dress slacks, colored cotton slacks or chino pants (brown, beige, dark blue, etc.);

   b. dresses or skirts of an appropriate business length, generally three inches above the knee or longer;

   c. blouses, dress shirts, or conservative polo shirt. Ladies' tank-top style blouses shall have a strap width of no less than 2 inches.

2. "Business formal" dress should be worn whenever the employee has contact with individuals similarly dressed. For the purpose of this section, "business formal" shall include, but is not limited to:

   a. suits,

   b. neckties,

   c. dress slacks or skirts,

   d. blouses or dress shirts, and

   e. appropriate, compatible footwear.

3. Footwear shall be maintained in a neat, clean and polished manner. All employees are expected to wear footwear which will sufficiently protect their feet and not present a workplace injury hazard.
4. Attire deemed inappropriate for office staff includes:

   a. excessive piercing with the exception for those normal in some cultures,

   b. excessive visible tattooing, or any visible tattoo consisting of material that is vulgar, obscene, or racist,

   c. gym wear of any kind, including form-fitting aerobic gear, muscle shirts,

   d. sweatsuits/loungewear of any material, sweatpants or yoga pants,

   e. T-shirts,

   f. shorts of any kind,

   g. tank tops, excluding ladies' blouses with shoulder straps of appropriate width,

   h. short dresses or skirts, ("Short" is defined as more than 3 inches above the knee),

   i. sundresses,

j. pants, skirts, or tops that reveal the bellybutton, midriff, or lower back,

k. see-through clothing,

l. low-cut tops or shirts,

m. ripped, cut, torn-up, excessively worn, or non-hemmed clothing of any sort,

n. unkempt clothing,

o. “spaghetti straps”, or any shoulder straps less than 2” in width,

p. “tube tops” or strapless tops,

q. leggings,

r. Hawaiian or other similarly-patterned attire,

s. collarless shirts (excluding blouses and sweaters),

t. hats, with the exception of “Western Wear”, and head wear that is cultural, religious or medically necessary head wear,

u. sneakers or athletic-style shoes,

v. pool or beach attire, including:

- plastic or rubber thongs or flip flops (backless shoes with a “thong” between the first and second toes),
- plastic or rubber “slides” (backless shoes with a wide strap across the front of the foot),
- plastic or rubber water shoes or “Teva”-style sandals, backless or otherwise.

B. Standard for Fridays or “Casual Day”

For the purposes of this Section, “Casual Days” are those days specified by the Town Manager, usually any Friday.

In general, all employees may, on “Casual Day”, wear hemmed shorts, mid-thigh or longer, jeans of any color, clean and well-kept athletic footwear, polo-style collared shirts and blouses, plain t-shirts, sandals (not flip flop/thongs), and Hawaiian or similarly-patterned attire.

Any Town of Queen Creek logo attire is acceptable under this Section.

Polo-style shirts and blouses may have a small embroidered logo on the front, so long as the logo is not offensive by general standards, or does not advertise any product or company of an adult-oriented nature; i.e. alcoholic products, tobacco products, profanity, or adult-oriented media.

Employees must remain aware of whether or not they expect contact with individuals in business formal or business casual address, even on "Casual Days", and if such contact is possible, employees shall dress accordingly so as to maintain our level of professionalism.

C. Department Specific

1. Subsection One

   Field Employees in all Departments

   Recognizing that the demands of these jobs may require that employees falling under this Subsection spend substantial time outside and doing heavy manual labor, the standard for Subsection One is the following:

   All employees shall be issued Queen Creek logo work shirts with both short and long sleeves each year, as well as a Queen Creek logo jacket upon request, and in accordance with the Town uniform allowance procedures. Employees may wear jeans of any color, so long as said jeans are well-kept and reasonably neat; i.e. no gaping holes, no excessive wear and no shredded hems. Employees may also wear clean, well-kept hats of a size not to interfere with work duties if necessitated by their work environment. The standard for this Subsection shall apply to all regular workdays. The list of prohibited items under "Standard for Office Staff" will also apply under this Subsection, with the exception of the clothing items already discussed here.

2. Subsection Two

   Information and Technology Department (IT)

   Parks and Recreation Employees

   Recognizing that the demands of these jobs may require substantial time spent outside, but also recognizing that persons falling under this Subsection will have contact with Town residents as well as other various government and private-sector representatives, the minimum standard for Subsection Two is the following:

   a. For Monday through Thursday during business hours, employees shall wear clothes that may be commonly classified as "golf casual", or the standard of dress commonly observed at most golf courses. This shall include polo shirts, collared dress shirts, khaki pants, Dockers, and hemmed khaki or Dockers shorts not made of denim. Clean, well-kept hats of a size not to interfere with work duties are acceptable if the employee will be spending a substantial amount of time outside on that workday.

   b. The "Casual Day" standard shall remain the same as for all other employees.

   c. For special Town events outside of regular business hours, employees are encouraged to maintain the "golf casual" standard; however, the "Casual Day" standard will also be acceptable.

d. The list of prohibited items under "Standard for Office Staff" will also apply under this Subsection, with the exception of the clothing items already discussed here.

D. Enforcement

All employees are responsible for complying with this policy. If a supervisor or Department Director feels that an employee's apparel or grooming is not appropriate or is presenting a distraction to the employee's coworkers or customers, the matter will be discussed with the employee. If the employee is in violation of this procedure, the supervisor has the right to send the employee home to change clothes (employee will not be paid during this time). If a pattern of non-compliance develops, disciplinary action will be administered in accordance with the approved personnel procedure of the Town of Queen Creek

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Uniforms**		
Revision Date:	10/2009	Policy Number:	738
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to provide eligible employees and management established standards of specialized work attire to be worn while on duty.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

Uniforms (shirts with the Town logo) are specialized clothes and are considered to be items that cannot be worn by the employee for general street-wear, but rather, clothing to be worn while on duty by the eligible employees. The purpose of the Town of Queen Creek's uniform policy is to:

- Ensure that Town employees are identifiable as such when working or in contact with the public outside of Town offices.
- Ensure that employees present a professional, consistent appearance.
- Ensure the health and safety of employees while on the job.
- Assist employees whose job duties may lead to damage or excessive soiling of their personal clothing.
- Ensure that the process to purchase and distribute uniform clothing is practical to administer and allows for accurate tracking of orders, spending and distributions.

A. Eligible Employees

Department Directors will identify the employees whose job duties qualify them for uniform clothing under the Town's policy.

Merited part-time employees are entitled to the same uniform clothing as others in their job title. Temporary or seasonal employees may be entitled to receive uniform clothing.

The uniform clothing issued to an individual employee will depend upon his/her job duties. The Town requires that logo standards be maintained. (See Logo Standards)

The Town reserves the right to select uniform styles, colors, design and fabric based upon employee needs and safety concerns, quality, wear performance, vendor service, and price, and the right change uniform clothing or vendors.

All uniform clothing will have the Town logo embroidered on the upper left chest. Town-issued identification/keycard badges are considered part of the uniform, must be worn at all times, and are sufficient for identification purposes.

To ensure a competitive price and value for the Town, and to ensure proper purchasing practices, the budget for purchasing all uniform clothing for all departments will be incorporated as a line item under *each department's budget*.

All uniform clothing purchases, with the exception of steel-toed or work boots (see the Footwear section below) will be made through the Finance Department to ensure proper tracking of expenses and to ensure that uniforms remain consistent across departments.

If employees wish to purchase uniform clothing in addition to that provided by the Town, they may make arrangements for additional purchases, from the Town approved vendors only. The Human Resources Department, the Town's purchasing agent, employees and all Town supervisors/department directors shall communicate and cooperate to ensure that all employees obtain the necessary uniform clothing and to ensure safety, comfort and a professional Town image.

Uniform clothing will be purchased from a vendor on the Town's Vendor List within one (1) month of hire for new employees. For existing employees, new uniform clothing will be purchased at the beginning of each fiscal year once the annual budget has been approved by the Town Council. The fiscal year begins July 1.

Employees and supervisors are expected to provide adequate information and assistance to the department purchasing designee to ensure that accurate records are kept regarding budget requirements, clothing purchases and expenditure tracking.

B. Shirts

Employees will receive five (5) shirts per fiscal year. They may select from among three designated shirt styles: a T-shirt, a knit polo shirt, or a twill button-down shirt.

C. Footwear

Depending on department requirements and job duties, employees will wear steel-toed boots or leather boots at all times while on duty. Employees may purchase their boots and submit the receipt for reimbursement through the Town's expense request procedure. If the boots selected cost more than the allowance by his/her respective department, the employee must pay the cost difference.

D. Jackets

Uniform jackets will be provided to employees who work outdoors on a regular basis as part of their assigned job duties:

The jacket will typically be a heavy wind- and water-resistant style with a flannel or other lining for warmth. Jackets will be ordered for new employees and on a replacement basis as needed for existing employees. For example, a jacket that is damaged or soiled beyond repair will be replaced.

E. Pants/Trousers

Long pants, jeans or trousers will be worn every day while at work. At the discretion of Department Directors, and in conjunction with the advice of the Risk Manager, wearing shorts may be allowed, depending on the health and safety standards of the employee's job.

F. Uniform Service

Depending upon the position, a uniform service may be provided by the Department based on Town Manager approval.

G. Care of Uniform Clothing

If uniform clothing is damaged or destroyed, it must be reported immediately to the supervisor for a determination on whether the clothing will be replaced at Town expense for only one (1) occurrence. If the item is damaged within one (1) year of issue, and if it is determined that an employee is responsible for replacing the item, the employee will be charged 50% of the Town's cost. The Town is not responsible for damages to personal, non-uniform clothing.

Employees are responsible for laundering (and pressing, if necessary) their uniform clothing and maintaining a clean, neat, professional appearance in the workplace in accordance to the Town's dress code policy. Uniform clothing should be replaced if it contains holes or shows significant, noticeable wear or staining.

H. Dollar Amounts

Each individual department will be expected to reasonably determine what items shall be justifiably purchased on behalf of each individual employee. Under no circumstance will the cost reimbursed on behalf of any one employee exceed $350.00 per fiscal year. Department policies in this regard shall be approved by the Department Director. The Town has attached a suggested uniform price guide to this procedure from a Town vendor to assist in comparing and controlling costs.

I. Logo Standards

townlogo.ofm		
Size		
	Width	Height
In.:	3.067	2.799
Points:	779	771
Distance From		
Origin:		
	X	Y
Minimum:	-390	-356
Maximum:	389	355
End:	265	-158
Stitches		
Total	6506	
By color:	≡≡≡ 1:6506 (20 ARC Poly)	
** X/Y Axis Moves**		
Shortest:	0	
Longest:	76	

Light shirts-Black thread
Dark Shirts-1146 thread

pwinspector.OFM		
Size		
	Width	Height
In.:	3.567	0.766
Points:	906	197
Distance From		
Origin:		
	X	Y
Minimum:	-449	-101
Maximum:	457	96
End:	392	-64
Stitches		
Total	2892	
By color:	≡≡≡ 1:6506 (20 ARC Poly)	
** X/Y Axis Moves**		
Shortest:	0	
Longest:	822	

"Department" Arial .28
"Name" Arial .28

DEPARTMENT
EMPLOYEE NAME

TOWN OF QUEEN CREEK ARIZONA

Town of Queen Creek Uniform Policy

Suggested Price Range Sheet (Trinity Embroidery)

DESCRIPTION	SUGGESTED PRICE RANGE	DISCOUNT (Town Uniform Orders)	EMBROIDERY FEES (PER ITEM) Logo = $5 / Dept. = $5	TARGET TOTAL COST
T-shirts	$2.98 - $14.98	15 %	$5.00 per item	Up to $20.00 Total Cost
Knit Polo Shirts	$10.80 - $22.98			Up to $25.00 Total Cost
Twill Button-Down Shirt	$19.98 – $25.98			Up to $33.00 Total Cost
Jackets (Town Logo Only)	$21.98 - $49.98			Up to $55.00 Total Cost
Pants/Trousers	Up to $30.00 Total Cost			
Steel Toed/Work Boots	Up to $125.00 Total Cost			

**Prices from the Trinity website as of 9/28/09 **Prices subject to change*

ADMINISTRATIVE PROCEDURE			
Subject:	**E-Mail Usage**		
Revision Date:		**Policy Number:**	740
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The primary purpose of the Town's electronic mail is to allow for efficient communications with Town staff, vendors, citizens, peers, Mayor and Council, and other individuals with whom the Town does business. This procedure guides and directs employees regarding the proper use and public nature of this electronic tool.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

The primary purpose of electronic mail is to allow for efficient communication with Town staff, vendors, citizens, peers, Mayor and Council, and other individuals with whom the Town does business. This procedure educates employees regarding the proper use and public nature of this electronic tool.

Any and all documents that are created and functions that are performed while utilizing Town equipment and resources is considered public in nature and can in no way be considered personal or private. Staff is accountable for any actions which results in violation of this policy. Any violation of this procedure may result in progressive discipline.

A. Acceptable Uses

1. Any use of the electronic e-mail systems to conduct Town business that is consistent with the organization's mission, vision, and goals.

2. Limited personal use of e-mail, as authorized by the immediate supervisor, providing that it does not violate any other Town procedure. All e-mail created on the Town's equipment, including personal e-mail, is the property of the Town.

B. Prohibited Uses

1. Personal or commercial uses are prohibited except where specifically allowed by the Internet Use Procedure, any other approved procedure, or written consent of the immediate supervisor or department director.

2. Using a personal e-mail account to conduct Town business (unless the department director, Town Manager or designee deems it a technical emergency). Examples of technical emergencies include, but are not limited to, the Town's loss of internal e-mail services, testing of e-mail delivery by the Information Technology Division, etc.

3. Solicitations, including charitable campaigns, except as specifically authorized in writing by the Town Manager, Public Information Officer, Communications Manager or as part of an official, Town-sanctioned event.

4. Unsolicited (i.e., mass mailing to groups of employees), advertising of available services or personal items "for sale" or "for fee."

5. Unsolicited (i.e. mass mailing to groups of employees) announcements of parties, group outings, private events, or other activities that are not sanctioned or sponsored by the Town.

6. Sending or forwarding chain mail or other mass mailings that are not of a business nature. If there are questions as to the necessity of mass mailing, please communicate with the Information Technology Division.

7. Using Town e-mail or other mass mailings that are not of a business nature.

8. Using Town e-mail services to transmit messages or attachments related to personal/commercial business or secondary employment activities.

9. Sending e-mail that are sexually oriented or using email to receive, or express any of the following, whether welcome or unwelcome, to or from any other person or individual, whether employed by the Town or not, sexual advances; requests for sexual favors; explicit or implicit sexual propositions; sexual innuendo; suggestive comments; sexually-oriented "kidding" or "teasing;" jokes about gender-specific traits; or foul or obscene language or pictures.

10. Sending harassing, disparaging or offensive to others as defined by the applicable Town Policies and Procedures.

11. Sending e-mails that include profanity.

12. Use by non-employees is prohibited. Only employees may use the Town's electronic e-mail systems.

13. Attempting to breach security or falsely take the identity of another. Using another employee's e-mail without consent will be considered a breach of security and falsely taking another's identity.

14. Knowingly transmitting viruses, "Spam" mail, or any other unsolicited mail.

15. Infringing on copyrights or violating any other local, state, or federal laws.

16. Sending e-mail without clearly identifying your name, organization and job title.

17. Sending confidential information without authorization.

C. Privacy

1. By its nature, electronic mail is not private and has the potential to be purposely or accidentally read by others and may in fact be subject to a public records request.

2. The Information Technology Division backs up its systems on a regular basis, including the e-mail servers. The e-mail within these databases can be retrieved and viewed even though they have been deleted from active user inboxes.

3. Others can inspect electronic mail when allowed by law.

4. The use of encryption software, such as PGP, is not allowed without the knowledge and written consent of the Information Technology Division.

D. Etiquette/Ethics

1. Overall, try to minimize the amount of e-mail you send on a daily basis. Remember e-mail through the Town, in <u>most</u> cases is considered "public information" and can be requested as a result.

2. If you are sending emails that deal with issues that may be attorney-client privileged communications, please use the following list of tags in the subject lines of your e-mails. Using these tags will allow for an automatic sort of e-mails, and a more timely response to public records requests. Public agencies are required to respond in a reasonable and timely manner to public records requests. The tags should be in ALL CAPS at the beginning of the subject line, and <u>need to be spelled precisely</u> for the sort to work. E-mails without tags will be released to public records requests. The tags are:

   - LEGAL
   - PERSONNEL
   - ECONDEV
   - DRAFT

3. The Town Manager and Town Attorney have and will continue to provide guidance on the proper use of these tags. Questions concerning us of the tags should be directed to the Town Attorney.

4. Write a meaningful subject line. Don't expect your e-mail to be read and replied to promptly if the recipient does not understand the subject of the e-mail without first reading all or parts of

the e-mail. This is important in that spam filters often rely on content found within the subject line of an email. If it is incoherent or left blank, there is a higher likelihood of it being labeled as "spam" and dealt with accordingly.

5. Be thoughtful in your use of e-mail attachments. Focus on the facts and the business goal of your communication. Avoid sensational or exaggerated language.

6. Only use attachments if it's necessary to convey your message. If only a small part of the attachment is relevant to your message, consider copying and pasting the relevant text instead of sending the entire attachment.

7. Keep your e-mail as concise and succinct as possible. A good rule of thumb is that your e-mail is probably too long if it exceeds one display screen (i.e. you have to use the scroll button in order to display the end of the message). Consider using the phone, talking in person, or sending a memo instead of sending a "long" e-mail.

8. Always use the spell check function before sending your e–mail.

9. Type your e-mail message as if you were creating a formal memorandum including indentations, using upper and lower case text characters, paragraph breaks, and other punctuations. The use of all upper-case letters may suggest "yelling" at your recipient. The use of all lower-case letters conveys unnecessary informality and could translate that you don't respect the recipient enough to press the "shift" key on your keyboard. The use of incomplete sentences, missing punctuation, and jumbled paragraphs reflects poorly on you and could also show disrespect for the receiver of your message. Avoid use of acronyms, such as lol (laugh out loud), jk (just joking), etc. as this conveys to the recipient an unwillingness to take the time to type out complete thoughts or an inappropriate sense of casualness. You can be less formal when communicating with close colleagues, however when in doubt, err on the side of formality.

10. Check your inbox frequently and reply promptly. If you are out of the office for more than a day, utilize the "Out of Office" feature to notify people of your absence.

11. Do not send e-mail that you would not wish to be read by other than the recipient. Privacy cannot be assumed nor assured.

12. Be polite and professional in your e-mail communications. Refrain from personal attacks, abusive or threatening language, and never hit the "send" button when you are angry or upset. If you are angry or upset, create the e-mail as a draft and revisit it later to make sure that you really do want to send the message. Remember, once you press the send button, the message is gone and you can never take it back. Do not use e-mail to spread rumors or comment on the speculation of others.

13. Be careful with hearsay. Clearly identify the source of the information in your document (for example: "Joe told me…" or "Susan observed…"). If the information is second or third-hand, attempt to go to the original source to determine the accuracy of the information. Explain who

the source of the information is and what efforts you made to determine the accuracy of the information.

14. Be cautious with your use of humor and sarcasm as it can easily be misunderstood in e-mail communications.

15. Use the "Reply to All" function only if there is a good reason why all of the recipients to the original message need to see your reply.

16. Target your e-mail to the people who need to read it. Only send e-mail to the "Everyone" group if there is a good reason why every employee needs to read your message.

17. Use the "Return Receipt" feature with caution. Some recipients view the use of this feature as a sign of distrust.

18. Use good judgment when subscribing to mailing lists. Learn how to "unsubscribe" to these lists and do not subscribe anyone else to a list. Remember that you represent the Town.

19. The Town requests for all employees to utilize a standard signature line which includes:

    Employee Name | Title, Department | Town of Queen Creek | phone: 480-358-XXXX | cell: 480-797-XXX | fax: 480-987-XXXX | e-mail: jane.doe@queencreek.org | 22350 S. Ellsworth Road, Queen Creek, AZ 85142 | www.queencreek.org
    Office hours
    E-mails generated by council members, members of Town commissions and committees or by staff and that pertain to Town business are public records. Therefore, the e-mails must be preserved according to the Town's records retention schedule and generally be made available for public inspection. E-mail correspondence is regularly reviewed by members of the public and other interested parties, including media outlets and reporters. To ensure compliance with the Open Meeting Law, members of the Town Council, and of Town commissions and committees should not forward e-mail correspondence to other members of the Council, board or commission. Members of the Council and other public bodies may reply to this message, but should not copy other members of the public body. Any questions should be directed to the Town of Queen Creek's Town Attorney: (602) 285-5000.

E. Retention of Electronic Communications

Town staff, Mayor, and Council should all be aware that the contents of electronic mail messages may be considered "public records" and subject to the retention rules set forth by the State of Arizona.

The following are some examples of the types of communications that are generally considered to be "public records". In some cases, the contents of a message are prohibited from becoming part of the public record such as specifics of an Executive Session. When in doubt as to whether a particular communication is or should be part of the "public record" contact the Town Clerk or Town Attorney for guidance.

1. Public Record Definition. A "public record" is defined by Arizona Revised Statute (A.R.S.) 41 1350 as follows:

In this chapter, unless the context otherwise requires, "records" means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, including prints or copies of such items produced or reproduced on film or electronic media pursuant to section 41-1348, made or received by any governmental agency in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein. Library or museum material made or acquired solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of publications or documents intended for sale or distribution to interested persons are not included within the definition of records as used in this chapter.

2. Examples of What May Constitute Public Record Communications:
   - Any document that initiates, authorizes, or completes a business transaction involving the Town.
   - Preliminary negotiations that, if made public, would prejudice the Town's position within the negotiations are privileged, but otherwise, they're public.
   - Correspondence or final memoranda related to official business.
   - Draft ordinances, reports or recommendations circulated for public comment.
   - Expense reports related to Town business.
   - Factual memoranda relied on in making a final decision and retained by Town employees.
   - Final reports or recommendations made by a Town department.
   - Forms of any type (employment application forms, permit and license application forms, parks and recreation participation forms, etc.).
   - Memoranda containing valuable factual information relied on by the Town in making a decision, which is not confidential in nature.
   - Newsletters and brochures of the Town.
   - Ordinances.
   - <u>After filing</u>, final pleadings in lawsuits in which the Town is a party.
   - Town policies and directives.
   - Schedules and agenda for Town Council or staff meetings.

- Work schedules for public contracts.

3. Staff Responsibilities:

   Employees who transmit e-mail shall determine whether to preserve or delete e-mail communication as follows:

   - If the content of the e-mail or attachment meets the definition of a public record as defined within A.R.S. 41-1350, the e-mail and associated attachments shall be printed or preserved in the appropriate file, in permanent paper format, CD/DVD or preserved, unedited, in the e-mail system without printing.

   - If the content of the e-mail or attachment meets the definition of a public record as defined with A.R.S. 41-1350 and the employee has chosen to retain the records within the e-mail system WITHOUT printing a copy, the backup procedures conducted by the IT division must be considered. Specifically, e-mail backed up to disk will be retained on backup media for no more than 28 days after deletion. It is the responsibility of the staff member to ensure that these records are retained in hardcopy format for more than 28 days if required by the Town's records retention schedule.

   - If the content of the e-mail or attachment does NOT meet the definition of a public record as defined with A.R.S. 41-1350, staff may delete the e-mail and attachment from the e-mail system whether or not it has been saved on another storage medium.

   - If in doubt as to what is or is not considered a public record, confer with the Town Attorney or Town Clerk.

F. Mayor and Council Communications

In addition to sections A. through E. of this procedure, the Mayor and Council, and members of Town boards, commissions and committees, must take special care when communicating via electronic mail. (Procedures addressed to the Council are equally applicable to individuals appointed by the Council to serve on a Town board, commission or committee.) Therefore, these additional procedures were established to aid the Mayor and Council in their electronic communications.

1. Each Council member will use the Town's e-mail system account in conducting business related to their elected office. The "mixed" use of both Town and personal e-mail systems to conduct Town related communication is not allowed. The e-mail addresses listed on the Town's web page will reflect the Council member's Town-provided e-mail address they will use to conduct Town business. While it is understood that there may be some reticence in doing so, by not adhering to this policy is in direct opposition to the mandates set forth by the Attorney General's office and Arizona State law.

2. E-mail communications between Council members concerning Town business or Town related issues are normally considered public records.

3. E-mail cannot be used as a means of discussion of Town business between or among all or a quorum of members of the Town Council.

4. E-mail cannot be used as a means of taking straw polls on Town issues.

5. A Town Council member may use e-mail to distribute informational material or input from Town staff, the public, or other sources to all other Town Council members. However, such communication should be provided without personal comment and indicating that the recipients should not respond.

ADMINISTRATIVE PROCEDURE			
Subject:	**Remote Access and Use**		
Revision Date:		**Policy Number:**	750
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town of Queen Creek desires to give employees remote access to the Town network either temporarily through the use of a notebook computer or as part of the Telecommuting and Alternative Work Schedule procedures.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

Any and all functions an employee performs while utilizing Town equipment and resources is considered as public in nature and can in no way be considered personal or private. Employees are accountable for any actions that violate this policy. Any violations of this policy may result in progressive discipline.

Please be advised that many work tasks can be performed stand-alone without connecting to the network via a modem. Some exceptions include E-Mail and access to network files.

1. Access to the Town network from remote locations will only be allowed through the use of a Town-owned notebook computer (loaner from the Information Technology Division or notebook computer owned by another department) or through the procedures documented in the Telecommunicating and Alternative Work Schedules Procedures. Employees may not use their own home Personal Computers to access the Town network unless approved in writing by the Town Manager or IT Division Manager.
2. Employees authorized to use a Town-owned Personal Computer from home or other remote location may use the computer under the following conditions:

    - For any support issues, the employee must notify the Information Technology Division of the problem and deliver the unit to them upon request. Service at a remote location will only be provided at the discretion of the Information Technology Division. The Information Technology Division will do their best to service the unit within a reasonable period of time, but support issues with local Town computers will take precedence.

- The employee agrees that they will transfer the unit to the Information Technology Division upon request, for preventative maintenance of Town-owned software.
- The employee, upon resignation and/or termination of employment, must return the Personal Computer to the Information Technology Division or the Human Resources Department as appropriate.
- The employee must adhere to the other applicable technology procedures, specifically the Hardware, Software and Service Procedure, Internet Use Procedure E-Mail Usage Procedure, and Appropriate Use of Computer/Network Resources Procedure.

ADMINISTRATIVE PROCEDURE			
Subject:	**Appropriate Use of Computer/Network Resources**		
Revision Date:		**Policy Number:**	760
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

Access to computer systems and networks owned or operated by the Town is a tool which comes with certain responsibilities and obligations that are granted subject to Town policies as well as any applicable local, state, or federal laws.

As the Town becomes more and more dependent on computers and the Town's existing network, policies and practices must be implemented to ensure availability, reliability, security, and quick response to customer needs. The "Appropriate Use" procedure applies to any use of Town computer network. This procedure will establish the parameters of computer/network usage for employees.

Policy Communication

The procedure establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedure

Any and all functions an employee performs while utilizing Town equipment and resources is considered as public in nature and can in no way be considered personal or private. Employee is accountable for any actions, which cause them to violate this Procedure. Any violations of this Procedure may result in progressive discipline.

The Town reserves the right to utilize "Remote Control" software or other such applications or tools at any time, to view, modify, monitor, and control the screens, programs, and processor of any computer device attached either locally or remotely to the Town network.

A. Appropriate Use

1. Use of the supplied software and hardware to perform functions in your normal course of business, which clearly support the mission, vision, and goals of the organization.

2. Employees may utilize the supplied software and hardware for non-business purposes, providing that they have the written consent of their immediate supervisor. The written consent should specifically list the additional uses in which the employee is authorized. The supplied software includes software loaded by the Information Technology Division on a

personal computer, file server, or other networked computer system in which the employee is authorized to use.

3. Employees may not install any software or hardware devices on Town owned systems without the express approval of their supervisor and the Information Technology Division Manager or designee. The Town does not warranty or support hardware or software personally owned by employees and discourages the use of said materials at work.

4. Customizing the Windows desktop with personal preferences for resolution, color, wallpaper, screen saver, and using the options and software provided with the operating system is permissible.

B. Inappropriate Use

Any activity involving the Town network, which contradicts the mission, vision, and goals of the organization, is inappropriate. Activities that violate local, state, or federal laws are also prohibited. Actions that violate the public trust or hamper the ability of Information Technology staff to provide network support are not allowed.

Some examples of inappropriate use include, but are not limited to, the following:

1. Loading any software on a Personal Computer without the knowledge and consent of the Information Technology Division. This includes wallpaper, screensavers, sound effects, and other software components. Examples include Webshot, IM-based applications, etc. These applications may carry a malicious payload (spyware/malware) and/or have a negative impact on the network infrastructure in Town.

2. Altering system hardware settings of a Town computer through any system setup or Windows utility. Examples include TineXP, TweakUI, etc.

3. Addition of peripheral devices (modems, printers, palm pilots) to a Town computer without the knowledge and consent of the Information Technology Division Manager or designee.

4. Revealing any system passwords to another employee or using the password of another. This includes the posting of passwords on Post-It notes, etc. where it is in plain sight. Mechanisms are in place that would allow personnel access to a co-worker's files or e-mail should that co-worker be unexpectedly unavailable. Requests for such access should be made in writing to the Information Technology Division with the approval of the immediate supervisor, if possible.

5. Using the identity of another employee while accessing any Town-owned computer system. This includes supervisors accessing files or computers using the identity of an employee under their supervision. In cases of emergencies where one cannot wait for permission by the employee, Information Technology will act as the intermediary and access files if deemed necessary or appropriate. Example: Finding a Town computer in which somebody else has signed on and sending e-mail using the other person's identity.

6. Changing the software or hardware settings on another user's Town computer.

7. Attempting to gain access to information, computer accounts, or other computing resources which the employee is not authorized to access.

8. Damaging, altering, or tampering with others' data contained within the Town network, without the owner's approval and/or consent of your supervisor

9. The use of profane, abusive, or threatening language, as defined in the Town Policies and Procedures in any electronic files or correspondence.

10. Accessing sexually oriented Internet sites or locations, or to download or copy sexually oriented material or information.

11. Using a Town computer or applications to conduct activities related to personal/commercial business or secondary employment without recent consent given pursuant to Section A.2 of this Procedure.

12. Any action in which an employee knowingly affects the efficient operations of the network. Examples include downloading or running large streaming video/audio clips without the prior approval of the Information Technology Division.

13. Violating any copyright protection or license agreements for computer software.

14. Violation of any other Town or Information Technology policy, such as the Internet Use Procedure.

C. Computers and Energy Conservation

The following are procedures for energy management when utilizing computer equipment at within any Town facility.

1. Each employee should sign off and shut down their PC system when leaving for the day.

2. Each employee should power off their monitor when leaving their desk for more than two (2) hours. Exception: Public Safety Personnel responding to an emergency call,

3. Employees should establish a screen-saver password for their PC system to provide added security while away from his or her desk. Exception: Screen-saver passwords should not be configured on PCs that are commonly shared between two or more employees.

ADMINISTRATIVE PROCEDURE			
Subject:	**Hardware, Software and Services**		
Revision Date:		**Policy Number:**	770
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purchase of computers, accessories, hardware add-ons, computer software, and related Information Technology consulting services needs to be centralized in order to ensure their compatibility and proper integration with current and future hardware and software systems. It is the duty of the Information Technology Division to achieve full integration and compatibility of all software and hardware throughout the organization. This procedure will establish the parameters of the purchase of computer equipment, software, and related IT consulting services for and by employees.

Technology that is intended to meet the specialized needs of a specific department or division and/or will not be physically connected to the "Town" network may be exempt from this procedure. It is the requesting department's responsibility to contact the Information Technology Division to determine the applicability of this procedure to those "specialized" systems.

Policy Communication

The procedure establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedure

A. Procurement Rules

Any and all functions employees perform while utilizing Town equipment and resources is considered as public in nature and can in no way be considered personal or private. Employees are accountable for any actions which cause them to violate this procedure. Any violations of this procedure may result in progressive discipline.

1. Computer devices, software, and related consulting services cannot be purchased without the prior knowledge and written consent of the Information Technology Division.

2. Computer devices and software that are considered as "standard" can be purchased administratively through the IT Division. This list of "standard" items is maintained and periodically updated by the IT Division. The Town Manager or designee reserves the right to review the purchase requests for "standard" items if the intended uses of such items appear to be inconsistent or incompatible with the organization's technology strategy.

3. The purchase of computer devices and software that are not on the list of "standard" items requires the review and recommendation of the Information Technology Division. Requestors of such items should complete the appropriate form (Track-IT work order request) and submit it to the IT Division for review. The Information Technology Division reserves the right to NOT review or NOT provide a recommendation if the technology is deemed to be highly specialized and/or outside the scope and expertise of the reviewer.

4. Consulting services related to Information Technology must not be acquired or conducted without the prior knowledge and written consent of the Information Technology Division. IT and the requesting departments will jointly evaluate the need for outside consulting services as deemed necessary. The Information and Technology Division reserves the right to review these requests for consulting services if the intended use of such items appears to be inconsistent or incompatible with the organization's technology strategy or if these services have other significant impacts on the organization.

5. Depending on the scope of consulting services requested, Information Technology may require the requesting department/division to enter into a service level agreement (SLA). This document clearly identifies responsible parties and responsibilities on the part of IT as well as the requesting department/division. For more information regarding SLAs, please contact IT.

ADMINISTRATIVE PROCEDURE			
Subject:	**Internet Use**		
Revision Date:		**Policy Number:**	780
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The objective for providing Internet access to the Town of Queen Creek employees is to enable staff to better serve their internal and external customers. This can be achieved by enabling staff to communicate via electronic mail with customers (citizens), vendors, Council Members, and peers. Besides e-mail capabilities, employees will be allowed to browse and retrieve the wealth of research information that is available on the World Wide Web. The use of the internet is provided to employees by the Town for business use only. This procedure will establish the parameters of internet usage for employees.

Policy Communication

The procedure establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedure

Any and all functions performed by an employee while utilizing Town electronic equipment and resources is considered as public in nature and can in no way be considered personal or private. And thus, employees should understand that there is no expectation of privacy when using such resources. Employees are accountable for any actions which cause them to violate this policy. Any violations of this policy may result in progressive discipline.

A. Internet Access

The following procedures will be used when using the Internet Access provided by the Town of Queen Creek.

1. Generally, the Internet is an unsecured network. In addition, e-mail and other internet records may be subject to disclosure under the Arizona Public Records law. All information sent over the Internet should be considered public information and should be treated as such.

2. Employees are encouraged to participate in and lead Internet discussion groups that are consistent with their profession.

3. Use of the Internet service should be driven by the desire to achieve the Town's mission.

4. Employees may only use the Internet by using the ID(s) and password(s) granted to them by the IT Division. Employees should not give their security information to other employees and should not use the ID(s) or password(s) that have been granted to another employee. Employees may authorize another employee to read and handle e-mail on their behalf.

B. Regulations to Follow When Accessing the Internet

The Town of Queen Creek recognizes the need for employees to continually develop their knowledge and skills. For this reason, personal use of the Internet is allowed where specifically stated below:

1. Internet use is limited to the functions of web browsing, e-mail, and any other activities specifically stated and allowed per these procedures. Examples of unacceptable use include participation in chat rooms, ordering personal goods or services of a pornographic and/or sexually oriented nature using a credit card, and accessing web sites that contain pornographic material and/or sexually oriented content.

2. Only the employee may use the Internet by use of your assigned ID(s) and passwords. Employees may not sign on and let other employees, family members, consultants, or anybody else use their Internet capabilities.

3. Personal use of Web browsing functions will be limited to lunch breaks and other scheduled breaks unless otherwise authorized by the immediate supervisor.

4. Personal use of a Town computer for Internet access should in no way interfere with another employee's ability to use the same PC for business purposes, providing that the other employee has received authorization to access the PC.

5. Personal use of the Internet is only allowed from those PCs located within the Town of Queen Creek owned or leased facilities in which the employee has received authorization to use.

6. Personal use of the internet is not allowed to conduct activities related to personal/commercial business or secondary employment.

7. Download and installation of any software (including application programs drivers, patches, image files etc.) from the Internet is not permitted without the knowledge and written consent of the IT Division.

8. All users of the Internet shall practice the proper etiquette when communicating electronically with others. Employees are representing the Town of Queen Creek, much like they would be when attending meetings, seminars, or speaking on the phone when conducting Town business.

9. Use of a Town credit card to purchase goods over the Internet is subject to all previously established procurement rules and procedures. Employees may only use their credit card to purchase goods by use of a Secure Socket Layer transaction. SSL transactions are indicated in a

window displayed on the screen and a picture of a key or padlock of a key or padlock at the bottom of the browser window. Questions about whether a transaction is secure or not, should be directed to the IT Division.

10. Use of the Town's connection to the Internet shall not be used to conduct any illegal or immoral activities.

C. Information Technology Responsibilities

It is the responsibility of the Information Technology Division to:

1. Establish the connection to the Internet
2. Develop the standards of operation (i.e., Internet Use Policy)
3. Coordinate training, both internally and by training vendors
4. Create and maintain Internet e-mail accounts
5. Provide end-user support and troubleshooting of the Internet connection software.
6. Provide end-user assistance in the usage of Town purchased web browser and e-mail software.
7. Monitor and evaluate the performance level of the Internet connection and propose upgrades to service based on this evaluation.
8. Provide usage logs and reports to Department Directors when approved by the Human Resources Director.
9. Investigate reported abuses or misuse of the Internet or associated electronic services when approved by the Human Resources Director.

The Information Technology Division will NOT be held responsible for assisting users in resolving problems not under its control. Failure to connect to a remote server or other related issues are not considered problems, but rather a characteristic of the Internet environment.

D. Supervisor and Manager Responsibilities

It is the responsibility of each Supervisor and Manager to:

1. Periodically, review the use of the internet within your department. Access logs are available for viewing from the IT Division, but must be requested by the Department Director and approved by the Human Resources Director.
2. Implement the appropriate disciplinary action for those employees who violate the Internet Use Procedure.

ADMINISTRATIVE PROCEDURE			
Subject:	**Social Media Use**		
Revision Date:		**Policy Number:**	785
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

To give direction to Town of Queen Creek employees, volunteers and other affiliated organizations who use Town electronic and computer resources to access social media sites and engage in social networking.

Definitions

Social Media **i**ncludes various forms of discussion and information sharing including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include photo-sharing, wall-postings, e-mail, instant messaging, and music sharing for example. Examples of social media applications include, but are not limited to, Google and Yahoo groups (reference, social networking), Wikipedia (reference), Facebook (social networking), MySpace (social networking), YouTube (social networking and video sharing), Flickr (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.

Social Networking is the practice of expanding the number of business and/or social contacts by making connections through web-based applications.

Procedures

Any and all functions performed by an employee while utilizing Town equipment and resources is considered public in nature and can in no way be considered personal or private. Employees are accountable for any actions which cause them to violate this procedure. If actions performed by Town staff have an immediate and adverse impact on the integrity and performance of the Town's computer network or broadband connectivity, the Information Technology Division (IT) may turn off network access at the port level, disabling data and voices services as a result. Any conduct on social media sites that reflects negatively upon the Town's reputation and operations and/or any other violations of this procedure may be cause for disciplinary action, up to and including dismissal.

A. Responsibilities

1. It is the responsibility of the Communications & Marketing Division to act as the Town's official spokesperson and social media administrator and maintain the Town's presence on social media sites. Employees may participate on the Town's sites as individual users, but may not make announcements regarding Town events and actions.

2. It is the responsibility of the Information Technology Division to administer security and monitor users on Town equipment.

3. It is the responsibility of all Public Information Group (PIG) members who would like public information to be displayed on social media sites to coordinate with the Communication & Marketing Division.

4. The responsibility for assuring complete compliance with the provisions of this policy rests with the department director, supervisors and the individual employee involved. It is the responsibility of social media users to remain informed about Town policies and procedures related to this type of activity.

5. It is the responsibility of each supervisor and manager to implement the appropriate disciplinary action for those employees who violate the Social Media Use Procedure.

6. The Information and Marketing Services Department will not be responsible for assisting users in establishing accounts, providing training or resolving problems related to the use of social media.

7. It is the responsibility of all employees to understand that there are restrictions and limitations to use of the Internet and its related technologies. Employees should be conservative in personal use of social media sites and understand that public records laws may bring their use under scrutiny by the media and public.

8. Employees may not conduct official business on social media sites or represent themselves as doing so. Employees assume all responsibility with social networking sites.

B. Inappropriate Use

1. Any activity involving the Town network which knowingly contradicts the mission, vision and goals of the organization is inappropriate. Activities that violate local, state, or federal laws or use policies of social networking sites are also prohibited. Actions that violate the public trust or hamper the ability of Information and Marketing Services staff to provide administrative or network support are not allowed.

2. Employees are prohibited from disclosing confidential information or information that could breach the security of the Town's computer network. Employees may not use Town logos or trademarks in their personal use of social media.

3. Violation of any other Town or Information and Marketing Services policies and procedures, such as the Internet Use, E-mail Usage, and Appropriate Use of Computer Network Resources procedures, may be cause for disciplinary action up to and including dismissal.

ADMINISTRATIVE PROCEDURE			
Subject:	**Cellular Phones and Radios**		
Revision Date:		**Policy Number:**	790
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

This administrative procedure is intended to outline policies governing cellular phone issuance and the prudent usage and administration of town-owned cellular phones. The purpose of a cellular phone is to:

- Improve employee efficiency and effectiveness, and enable employees to respond more quickly in emergency situations.
- Provide safety for Queen Creek citizens and employees when more conventional and cost effective means of communication are not available.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

A. Usage, generally

The primary means of telephone communication for Town of Queen Creek employees is the land-based telephone line. Cellular telephones and/or radios are provided to assist the Town of Queen Creek officers, administrators, and employees in conducting official Town business. Cellular phones and/or radios are not to be used for convenience, and are not to be used when a less-costly alternative is safe, convenient and readily available.

Department management is required to determine the appropriateness of the assignment of cellular and digital telephones to individuals. Such assignment should be based upon the efficiencies to be gained (i.e., reduced response times, increased productivity, etc.). Use of cell phones, radios, and other Town equipment is not a right, but should be considered a benefit and a necessary tool in service delivery. Department management shall assign and reassign cellular telephones as deemed necessary. Department management shall require assigned employees to review monthly billing statements to determine the appropriateness of use and charges.

Employees are allowed thirty (30) minutes a month for personal use that do not relate directly to the conduct of Town business. Any charges in excess of thirty (30) minutes which do not relate directly to the conduct of Town business (i.e., business contact with citizens, customers or business

associates) shall be reimbursed by the employee to the Town based on the prevailing rate assigned by the Finance Department.

B. Town's Cellular Telephone Plan

The Town of Queen Creek, through a competitive process, reserves the right to select a communications provider to serve as the Town Cellular telephone and/or radio communications provider.

The Town's plan does not include individual rate plans. All services are grouped together into one program. The program consists of a pool of minutes. It is important for employees to understand that minutes are shared across all cellular phone users; therefore, employees should limit the number of calls made. The length of calls made on cell phone and/or radios should not be excessive. Cellular telephones and/or radios should be used for business calls. Any personal calls should be limited to thirty (30) minutes a month, but only when employees are unable to use the Town's office telephones.

C. Responsibilities

Managers and Supervisors must justify the need for a cellular telephone and/or radio for each new employee. The request and justification must be completed in the new hire recruitment packets. For existing employees, a written request by the employee's direct supervisor must be submitted to the Purchasing department.

1. Cellular phones and/or radios may not be transferred from one employee to another. For employees who are transferring departments, Human Resources will collect all phone equipment during their transfer process.

2. When employees leave Town services, all cellular phones and/or radios must be returned to Human Resources prior to leaving employment.

3. The Purchasing division will be responsible for assigning all cellular telephones and/or radios, regardless if it is new, replacement or transferred equipment.

Managers and supervisors will be responsible for educating employees about appropriate procedures for cellular telephones and/or radios, as well as for the monitoring of their usage. Managers and supervisors will be responsible for ensuring their employees are following the policy and for related discipline as necessary. Excessive personal use of the cell phone during working hours is considered inappropriate use of the employee's time.

An employee who is issued a cell phone and/or radio is responsible for ensuring its proper use in accordance with Town policy. An employee who is issued a cell phone and/or radio may be required to respond to phone calls weeknights and on weekends depending upon the requirements of the position.

D. Monitoring Cellular Telephone Services

Each employee assigned a phone is responsible to monitor their respective phone bill. Department directors, or designees, are to ensure the appropriate monitoring of cell phone usage and billing for their respective department.

Each department director, or designee, shall be responsible for the following:

1. Monitoring all cellular telephone and/or radio bills;
2. Collection of charges from employee; and,
3. Submitting proper documentation with payment to appropriate office staff.

Audits will be based on the total number of minutes used, the times calls are placed and the appearance of particular numbers repeatedly on the employee's bill. Employees will also be chosen at random to verify that minutes used are for business-related purposes only.

E. Billing and Reimbursement Procedures

Unless specified in a contract, employees who utilize their Town cellular telephones for non-work related personal calls in excess of their allotted time per billing period are to reimburse the Town for all related charges. Although personal calls made within the local calling region and under the usage limits provided by the plan may not result in additional charges, they do count toward the overall time limits established under the Town's service agreement with the chosen provider and are reimbursable to the Town at prevailing rates as determined by the Finance Department.

1. All personal calls in excess of thirty (30) minutes per month will be charged at prevailing rates. The rate is subject to change without notice based on the plan rate provided by the Town's cellular provider.
2. Phone numbers listed on the bill as "unavailable", "private", "anonymous" or the like should be reviewed closely to ensure the calls are not personal.
3. Uses of calls to "Information", or "411", are generally unnecessary. More than two such calls in a particular billing period will be charged against the employee's allotted personal use time. "411" calls are billed at prevailing rates, plus any applicable long-distance charges, so employees will be expected to reimburse the entire cost of the call.
4. Reimbursement will be made by forwarding a check payable to the Town of Queen Creek for the amount of charges. The telephone number of the cellular telephone is to be written on the check attached to a copy of the cellular bill.
5. Employees must provide reimbursement to the Town within 7 days from the date of "Amount Due" notification sent to the employee.

F. Safety

Employees should be aware of the hazard related to use of any communication device while driving or operating machinery/equipment. Employees are responsible for the control of their vehicles/equipment at all times, and using a communication device may contribute to an accident or injury when the employee's primary focus should be on operating the vehicle/equipment. Therefore, employees shall not use any communication device when operating a Town-owned vehicle/equipment or while operating their own vehicle while conducting Town business. In such instances, employees should use cell phones and/or radios only if their vehicle is safely off the road and safely parked. Failure to comply with this requirement will result in the employee being disciplined. If an employee operating a Town vehicle/equipment or driving their own vehicle while conducting Town business is involved in an accident, and use of a communication device contributed to the accident, the employee will be subject to discipline. The term "communication device" can include but is not limited to cell phones, radios, PDAs, and computers.

G. Damage, Loss or Theft

Handsets or other equipment that is damaged in the course of business should be brought to Purchasing, who will contact the vendor for replacement or repair. Lost or stolen cellular and/or radio equipment should be immediately reported to the employee's supervisor and to Purchasing, so that the service can be cancelled.

At the discretion of the department director, costs incurred for replacement or repair will be the responsibility of the employee or the department. Employees may be responsible for the replacement cost in the event that their phone is lost, stolen or broken while in their care. Employees are responsible for submitting an incident report to their department director and to Purchasing. Together they will make a determination as to the replacement, responsibility and cost.

H. Discipline

Violation of this procedure may result in disciplinary action up to and including dismissal.

ADMINISTRATIVE PROCEDURE			
Subject:	**Preservation and Retention of Records**		
Revision Date:		**Policy Number:**	795
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

It is the Town's intent that once an actual or potential complaint and/or lawsuit has been delivered or identified, the Town will take reasonable and good faith steps to preserve relevant documents to the complaint and/or lawsuit, including electronic files and data. Documents and electronically stored information of related litigation will be preserved and retained to avoid "spoliation (which may include the negligent or intentional destruction of evidence), and to ensure compliance with the Arizona Rules of Civil Procedure.

Policy Communication

The policy establishing the Town's direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

Once an actual or potential complaint and/or lawsuit has been delivered or identified:

1. Human Resources and/or the Town Clerk will instruct any employee that is involved to gather and segregate hard and electronic copies of all potentially relevant and/or discoverable accessible files (whether officially "active" or "archived"). This includes any stored information on computer hard drives, networks, laptops, personal digital devices, etc.

2. Human Resources and/or the Town Clerk will instruct all involved staff to cease or suspend any activity or practice that could result in the destruction or modification of relevant and/or discoverable electronic and/or hard copy documents, such as the shredding of documents and/or deletion of email or archives.

3. Human Resources and/or the Town Clerk will direct the Information Technology Division Manager to segregate and secure the appropriate backup and archival data back to the original dates involved, if still available.

4. The Information Technology Division Manager will instruct the responsible information technology staff to cease or suspend the overwriting of back-up tapes, and other document retention practices that could result in the destruction or modification of relevant and/or discoverable electronic documents in the ordinary course of business.

5. Human Resources and/or the Town Clerk will be responsible in gathering together all electronic and hard copy information related to litigation into a centralized location.

Each Department shall review their respective document retention policies to ensure consistency with local, State, and Federal guidelines. Any changes to any document retention policy must be approved by the Town Clerk.

POLICY STATEMENT			
Subject:	**Mediation, Discipline, Appeal Process, Administration Leave and Merit System Board**		
Revision Date:		**Policy Number:**	800
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this policy is to address conflicts that are disruptive to the workplace, establish procedures to be followed when employee conduct is inappropriate or in violation of Town policies or administrative procedures, and to establish an appeal process in order to provide a just, effective and equitable method for resolution of problems in the workplace.

A. Mediation Policy

It is the goal of the Town to resolve conflicts at the lowest level possible. In certain situations, the best way to resolve a conflict may be through the use of a neutral third party mediator. Mediation is a non-disciplinary, voluntary, informal process that allows two (2) or more people who are having differences to sit down with a neutral third party to consider possible solutions. The Human Resources Department will be responsible for managing this process and, in most cases, will serve as the mediator to assist in the resolution of the conflict. Mediation is not binding, unless both parties agree for it to be binding.

B. Discipline Policy

Discipline, in its literal sense, is action that corrects or improves. Its purpose in the workplace is to correct or improve job-related performance or behavior. Ideally, most workplace performance problems are handled by informal discussion and counseling between the supervisor and the employee. Disciplinary procedures are applied when more formal action is required.

1. In addition to being progressive in nature, it is important that the degree of discipline be directly related to the seriousness of the offense and the employee's record; therefore, it is possible for steps to be skipped or repeated.

2. It is the policy of the Town to normally use a system of progressive discipline to address unacceptable work performance or behavior. The goal is to change unacceptable work performance and/or behavior. Discipline is not required to be applied in a progressive nature if the severity of the offense warrants more severe consequences.

Steps of corrective action may include:

- Oral reprimand
- Written reprimand
- Final written warning which may include a suspension without pay, pay rate reduction, demotion, or a combination.
- Dismissal

It is generally recommended that all steps be taken in order; however, some problems may be so serious that early steps may be eliminated. As a result, the employee may be subject to any (or combination thereof) of the above disciplinary actions, depending on the severity of the offense and prior discipline history.

Any employee, who has completed the probation to Town, may be discharged for cause, at any time by the Department Director upon the approval of the Town Manager. As set forth above, prior to such discharge, the employee shall be provided a notice of proposed disciplinary action and provide the employee the opportunity to respond to such notice in writing within five business days thereafter. If the decision is made to proceed with the discharge, the employee shall be entitled to a hearing as provided for in the Personnel Plan, if he/she requests one within the applicable time period.

C. Appeal Process

The purpose of the appeal process is to provide a just, effective, and equitable method for the prompt resolution of problems and/or concerns in a fair manner, without discrimination, coercion, restraint, or reprisal against any employee who may submit or be involved in a grievance. It is the policy of the Town to provide for an orderly and informed process for employees to resolve their problems.

Eligible employees must initiate the appeal process within ten (10) business days of the appeal event. Administrative Procedures #830 establishes the procedure, with timelines, for the management of employee appeals.

D. Administrative Leave

Administrative leave is the non-disciplinary removal of the employee from the workplace with pay. Reasons for placing an employee on administrative leave include, but are not limited to:

1. An internal review or investigation when the employee's presence on the job or at the work site would hinder the review or investigation;
2. A situation that is perceived to be of an urgent or serious nature in which the supervisor believes the employee should be immediately removed from his or her job, such as when the

employee's presence would be detrimental to the public interest or the continued efficient operation of the Town, or may create a safety issue for the employee, other employees, or the public; or,

3. Other extraordinary circumstances.

E. Merit System Board

Under the direction of the Town Manager, Human Resources shall create a Merit System Board consisting of three (3) qualified individuals residing in the Town of Queen Creek. The purpose of the Merit System Board is to hear appeals submitted by employees with merited status employment (see Policy 100) in relation to suspensions without pay greater than 37.5 hours (greater than 56 hours for fire sworn working 24 hour-shifts); disciplinary pay rate reductions; disciplinary demotions; and disciplinary dismissals. The Board members are appointed by the Town Manager upon recommendation by the Human Resources Director for staggered three-year terms. As volunteers, the Merit System Board members may be removed with or without cause or notice by the Town Manager. The Board members select the chairperson from the membership, and the Human Resources Director serves as secretary.

ADMINISTRATIVE PROCEDURE			
Subject:	**Mediation**		
Revision Date:		**Policy Number:**	810
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of these procedures is to communicate an alternative process for resolving a workplace conflict complaint. Mediation is a non-disciplinary, voluntary, informal process that allows two (2) or more people who are having differences to sit down with a neutral third party to consider possible solutions. Mediators do not take sides or decide how an issue will be resolved, nor do mediators investigate any charges. The mediator may suggest possible resolutions, but the parties control the outcome.

All mediations shall be kept confidential to the extent permitted by law, except as is necessary to be disclosed to others on a need-to-know basis, which may include:

- Due to physical or sexual abuse;
- Where a danger exists to self or others; or,
- To implement any resolution reached by the parties.

All employees who are involved with or are aware of mediations are expected to maintain the same level of confidentiality.

Policy Communication

The procedure establishing the Town's Mediation Policy can be found in Policy #800.

Procedures

The Human Resources Department will coordinate the mediation process when requested by the employee. When a request is received, the Human Resources Director, or designee, will conduct the mediation.

A. Process

Typically, mediation will be conducted in the following manner:

1. Employee shall submit a request for mediation in writing to the Human Resources Director, or designee.

2. Each party will meet with the mediator in an opening session. No other parties other than the two affected employees are allowed to provide testimony during the process. The mediator will explain the process and what is expected of both parties. Ground rules will be set and a confidentiality agreement may be signed, if appropriate.

3. Each party will present their facts and the mediator will ask questions to be sure everyone understands the varying perspectives.

4. The mediator may determine to meet with each party separately in an attempt to discover what is motivating the dispute, what the underlying issues are, and where there are areas for movement from established positions. The mediator may ask more penetrating questions than in the joint session.

5. The mediator will attempt to offer different proposals to each side to see if a resolution can be reached.

6. If the mediator is able to bring the parties to agreement, the agreement will be described in writing and signed by both parties. Mediation can be binding if both parties agree.

7. If the mediator is unable to bring the parties to agreement, the mediator will complete a non-binding decision and place in a file. All files related to mediations will be kept separate from an employee's personnel file.

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Disciplinary Measures**		
Revision Date:		**Policy Number:**	820
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to communicate the process for applying employee discipline, when an employee's work performance or behavior needs improvement or is unacceptable. It is the policy of the Town to administer discipline fairly, responsibly and impartially. Employees and the Town are best served when discipline is administered to correct actions and is intended to maintain the efficiency and integrity of Town service.

Policy Communication

The policy establishing the Town's disciplinary measures can be found in Policy #800.

Procedures

The employment of Town employees shall be based on appropriate standards of job performance and personal and professional conduct. Failure or refusal to meet these standards shall constitute just cause for disciplinary action including:

1. Oral reprimand
2. Written reprimand
3. Final written warning which may include a suspension without pay, pay rate reduction, demotion, or a combination, or
4. Dismissal

In any disciplinary action the nature and severity of the offense and the employee's prior disciplinary record shall be considered. The disciplinary action shall specify the following:

- The cause for discipline
- The specific reason supporting the cause
- The discipline to be imposed
- The effective date
- The right of the employee to comment or respond, including any rights of appeal.

The degree of discipline administered will depend on the severity of the infraction and shall be in accordance with all applicable federal, state, or local labor laws and regulations. Discipline is determined on a case-by-case basis. Nothing about this section should be construed in any way to limit the Town's right to impose whatever form of discipline it deems appropriate in any given situation, regardless of the general goal of the progressive discipline policy stated below.

Supervisors are responsible and held accountable to follow proper and appropriate disciplinary procedures. On the other hand, employees that violate the Town's rules should understand that the failure of a supervisor to properly document discipline, when there is independent verification of employee misconduct, is not a basis for the employee avoiding responsibility for such conduct.

It is the responsibility of each supervisor and Department Director to evaluate thoroughly the circumstances and facts as objectively as possible, in a timely manner, and then apply the most suitable form of discipline.

Each disciplinary action (other than oral reprimand) will **permanently remain** in the employee's personnel file within Human Resources.

Employee discipline should normally be applied in a progressive nature whenever feasible depending on the severity of the incident. The progressive nature of the discipline may include any of the following steps:

A. Oral Reprimand

This type of discipline generally should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The oral reprimand should be given in private. Supervisors should inform the employee that the supervisor is issuing an oral reprimand, that the employee is being given an opportunity to correct the condition, and if the conditions are not corrected, the person will be subject to a more severe form of disciplinary action. The supervisor should outline specific areas needing improvement, specific goals for improvement, and a specific timeline for improvements agreed upon by the supervisor and employee. A record that an oral reprimand was given should be placed in the employee's departmental file. Any record of an oral reprimand shall be removed from an employee's departmental file after one year.

B. Written Reprimand

This notice generally will be issued in the event the employee continued to disregard an oral reprimand or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file. Written reprimands should be initiated within ten-(10) business days after the supervisor is aware of the alleged violation.

1. First step – Allegation Memorandum

   The supervisor shall prepare a memorandum to the employee which generally should include:

   a. Statement of the problem(s) and the nature of the alleged infraction(s) in detail (supervisor should include any alleged violations of policies/procedures, standards, practices and/or indicates the nature of unsatisfactory performance).

   b. Any prior discussions or warnings on the alleged violations, including oral reprimands, written reprimands, etc., and the appropriate dates.

   c. Statement of Town policies and procedures in which the employee is alleged to violate.

   d. A notice of intent to discipline as a written reprimand.

   e. A listed date and time in which the employee, in writing, should respond to the supervisor. The date should include at least three (3) business days.

   f. A signature line for the supervisor and employee acknowledgement which indicates the employee received the memorandum.

   The supervisor shall meet with the employee and review the allegation memorandum. The employee shall sign the allegation memorandum in order to acknowledge he/she received it. However, signing it does not mean the employee necessarily agrees with it. A copy shall then be given to the employee.

2. Second step – Employee Response

   The employee shall respond to the allegation memorandum in writing within three (3) business days after receipt.

3. Third step – Final Action Memorandum

   The supervisor shall review the employee response and make a final determination. If the supervisor determines to move forward with the written reprimand, the supervisor shall include within the final action memorandum:

   a. Within the subject line, the supervisor shall indicate the final action as a ***written reprimand***.

   b. A summary of corrective action to be taken by the employee including dates for improvement and any plans for follow-up.

   c. A summary of the consequences of failure to improve performance or correct behavior.

   d. A signature line for the supervisor and employee which indicates the employee received the final action memorandum.

The supervisor and a Human Resources representative shall meet with the employee and review the final action memorandum. The employee shall sign the final action memorandum in order to establish he/she received it. If the employee refuses to sign the acknowledgement, then the supervisor shall note and the Human Resources representative shall witness with a signature on the final action memorandum that the employee received a copy and refused to sign it. A copy shall then be given to the employee. The allegations memorandum, employee response, and final action memorandum is then collated and given to Human Resources to place within the employee's personnel file as a written reprimand.

If the supervisor determines not to proceed with formal discipline, then he/she must note it within the final action memorandum and place it within the employee's departmental file, which should be removed after one year.

C. Final Written Warning

This form of discipline generally is administered as a result of a severe infraction of policies or for repeated violations. The corrective actions for the final written warning may include:

- Disciplinary suspension without pay
- Involuntary demotion
- Pay rate reduction
- Or, any combination of the above.

The format of the first two steps of the final written warning shall be consistent with the first two steps of the written reprimand process in the previous section. Once the employee is allowed an opportunity to respond to the allegation memorandum, the supervisor shall review the employee response and make a final determination.

If the supervisor determines to move forward with the final written warning, the supervisor shall include within the third step of the final notice memorandum:

- Within the subject line, the supervisor shall indicate the final action as a ***final written warning***.
- A summary of recommended corrective actions to be taken by the employee including dates for improvement and any plans for follow-up. As part of a final written warning, the recommended corrective action shall include any of the following:
  - Disciplinary Suspension without Pay
  - Involuntary Demotion
  - Disciplinary Pay Rate Reduction

- Or, any combination of the above.

- A summary of the consequences of failure to improve performance or correct behavior.
- A signature line for the supervisor and employee which indicates the employee received the final action memorandum.
- A signature line for the Department Director.

The supervisor and a Human Resources representative shall meet with the employee and review the final action memorandum as a final written warning. The employee shall sign the final action memorandum in order to acknowledge he/she received it. If the employee refuses to sign the acknowledgement, then the supervisor shall note and the Human Resources representative shall witness with a signature on the final action memorandum that the employee received a copy and refused to sign it. A copy shall then be given to the employee.

The documentation shall then be given to the Department Director for final approval of the corrective actions. The Director should hold a discussion with the employee and allow and encourage the employee to present supporting facts to the case. The Department Director should consider the employee's case before finalizing and signing the final written warning. The allegations memorandum, employee response, and final action memorandum is then collated and given to Human Resources to place within the employee's personnel file as a final written warning.

If the supervisor and/or Department Director determines not to proceed with the final written warning, but a lesser action (such as oral reprimand or written reprimand) or no discipline at all, then he/she must note it within the final action memorandum and follow the appropriate filing steps according to what final action is administered.

1. Disciplinary Suspension without Pay

   An employee may be suspended without pay when the offense is sufficient for discharge but circumstances related to an employee's overall performance would not warrant immediate discharge. Within the final notice memorandum, the supervisor shall require a notice of suspension without pay. Documentation that supports this action must be summarized and/or attached to the final written warning document. Consequences of continued poor performance and goals for improvement should be included. For minor infractions, a disciplinary suspension without pay is given only after the employee has received an oral and written reprimand.

   Department Directors may only suspend employees without pay in full day increments.

   Department Directors may only suspend employees without pay to a maximum of up to two weeks.

   Employees may appeal suspensions without pay of more than 37.5 hours (more than 56-hours for fire sworn working 24-hour shifts) to the Merit System Board.

2. Involuntary Demotion

   Involuntary demotion may be used when an employee has filled a position where he or she is unwilling or unable to perform the responsibilities of the position. Involuntary demotion is not to be used as a substitute for dismissal when dismissal is warranted.

   In some circumstances, an employee may be demoted, or moved from the position they currently hold to another classification resulting in a lower salary range. Involuntary demotion may be used when the Department Director deems other disciplinary measures inappropriate. The Final Action Memorandum should be used to document the reason for the demotion.

   Employees may appeal involuntary demotions to the Merit System Board.

3. Disciplinary Pay Rate Reduction

   Disciplinary pay rate reductions may be used when an employee is involuntarily demoted to another classification resulting in a lower salary range or, if another classification with a lower salary range is not available or is not feasible, a pay rate reduction may be warranted within their current position. When a disciplinary pay rate reduction is administered, the employee shall be reduced a minimum of 5% in hourly rate (for non-exempt employees) or annual rate (for exempt employees); however, at no time shall the employee that is involuntarily demoted be paid above the maximum of the lower range if involuntarily demoted.

   Employees may appeal disciplinary pay rate reductions to the Merit System Board.

D. Dismissal

Dismissal is the permanent removal of an employee from Town service. This action is taken when management is thoroughly satisfied that the employee has been given sufficient opportunity to meet performance or behavior standards and has clearly failed to do so. Dismissals may also be imposed if the gravity of the misconduct is very serious without any previous progressive discipline. Immediate removal of an employee from the job site pending review for dismissal may be warranted in instances involving serious misconduct including but not limited to insubordination, theft, illegal or destructive acts while on the job or other substantial reasons deemed appropriate as outlined in this handbook or as deemed appropriate by the Town Manager. An employee may be dismissed after repeated offenses of a less serious nature if the offenses have been documented by the supervisor and have not resulted in appropriate behavioral changes. Trial employment employees may be dismissed at any time with or without cause.

Dismissal is at the Department Director's discretion. Prior to the dismissal of a merit status employee, the employee shall be placed on administrative leave with pay.

The following procedures will be followed:

1. When an employee's conduct or job performance is deemed by the immediate supervisor to justify dismissal, the immediate supervisor or their manager shall prepare a pre-dismissal notice in letter format, to the employee and mail it certified or hand-deliver it.

   The letter will state in detail:

   a. The performance or behavior that justifies discipline;

   b. The Town policies and procedures the employee has allegedly violated;

   c. That dismissal is under consideration;

   d. That the employee has a right to a pre-dismissal meeting with the Department Director, in order to rebut the contents of the letter or to provide other relevant information;

   e. The date, time and location of the meeting with the employee and Department Director.

A. At the pre-dismissal meeting, the employee will be allowed to present their response, both verbally and in writing, to the pre-dismissal notice and any relevant documentation.

B. The decision to dismiss an employee must be summarized in a Notice of Decision, prepared in letter format from the Department Director to the employee.

C. No merit status employee may be dismissed except by the Department Director or Town Manager, whichever is appropriate.

D. Under certain circumstances, as approved by the Department Director, Town Manager, and/or Human Resources Director, an employee who has been recommended for dismissal may be offered the opportunity to involuntarily resign in lieu of being dismissed. If the employee is offered this option and accepts, the employee waives all rights to further appeal, including a Merit System Board hearing.

E. An employee who has been dismissed from the Town service or has involuntarily resigned in lieu of being dismissed, for a reason other than an inability to satisfactorily perform the essential functions of his/her job, is not eligible to be rehired in any capacity by the Town.

E. Disciplinary Probation

Disciplinary probation is a specified period of time an employee with job related performance problems is given to bring their performance up to a satisfactory level and should only be used when there is a reasonable possibility that performance will be corrected. Disciplinary probation should be used in conjunction with a performance improvement plan and be consistent with the "Special Review" section of this handbook (see Procedure #410).

An employee on disciplinary probation who does not show satisfactory improvement during a disciplinary probation is subject to further disciplinary action at any time during the probationary time frame, up to and including dismissal. If the employee satisfactorily completes the disciplinary probation, the new performance review date will be the date the disciplinary probation was completed. Any employee on disciplinary probation shall not receive a merit increase until after disciplinary probation is completed.

F. Causes for Initiating Disciplinary Action

Causes for initiating a disciplinary action may include, but are not limited to the following:

1. The use of intoxicants, including alcohol or controlled substances, while on the job or being intoxicated on the job.
2. Insubordination including the failure to obey or refusal to follow lawful directives of a supervisor or another administrative authority.
3. Use of offensive or abusive language toward or threatening conduct toward the public, other employees or administrative personnel.
4. Unauthorized use or possession of Town-owned or leased property of any type, or damage to such property through a willful act or negligence.
5. Abuse of sick leave, including use under false pretenses.
6. Conviction of a crime which in the Town's judgment renders the employee unfit to perform the duties of his/her position.
7. Absence from duty without leave or without supervisor approval; failure to report after absence with leave has expired or after disapproval, revocation, or cancellation of such leave.
8. The employee has worked at unauthorized outside employment, or while on medical leave, workers compensation leave, FMLA, or long-term disability (LTD).
9. Acceptance of any remuneration, whether in the form of a gift, loan, or service, in addition to regular compensation, from any person reasonably known to the employee to be interested in any manner, directly or indirectly, in any decision or act of the Town.
10. Solicitation of any member of the public for money, goods, or services for personal gain while acting in an official capacity.
11. Inefficiency, incompetence, or negligence in the performance of duties.
12. Failure to obtain and maintain a current license or certificate as a condition of employment, or if required by law or Town policy.

13. Violation of, or failure to comply with, Federal, State or local laws or regulations; the violation of which would bring discredit upon the Town and/or affect the ability of the employee to properly carry out the duties and responsibilities of his/her employment.

14. Failure to report an accident or injury occurring on the job in a timely manner.

15. Repeated tardiness in reporting to work or returning from meal breaks.

16. Falsification of records, reports, employment applications, or documents prepared in connection with or arising out of employment.

17. Disregard of personal appearance, uniforms, dress or personal hygiene.

18. Releasing of confidential information.

19. Engaging in any sexual activity while on duty.

20. Knowingly providing false or misleading information.

21. The employee has committed an act of discrimination, harassment or retaliation because of race, color, religion, gender, national origin, age, or disability.

22. The employee has demonstrated insensitivities in his/her communication in regards to race, color, religion, gender, national origin, age, or disability, including inappropriate jokes and/or comments.

23. The employee possessed a deadly weapon on the person, either concealed or unconcealed, while on Town property, at any time. Deadly weapons include, but are not limited to, explosives, firearms and prohibited weapons as those terms are defined by Arizona Revised Statutes.

24. The employee has lied about or misrepresented facts or circumstances during an external or internal investigation or fact-finding.

25. The employee has been dishonest in the course of performing his or her job.

26. The employee has deliberately and knowingly misused the Town-provided information infrastructure including telecommunications, cable and computer networks, electronic mail (email) with its ancillary applications, or the Internet, when using Town-provided resources, by accessing or transmitting any adult materials, including pornography, websites, or anything which could be construed as sexually explicit, scandalous, defamatory, libelous, illegal or immoral, or by propagating a computer worm or virus, or any other program or material which may have a debilitating or disabling affect on the Town's computer systems.

27. The employee has deliberately and knowingly made false accusations against another employee, elected official, or board and commission member in order to discredit another employee, elected official, or board and commission member.

28. The employee holds a Commercial Driver's License (CDL) or regular driver's license, and the employee's position requires them to drive, and the employee is convicted of an offense which results in the loss of their driving privileges in accordance with state and federal law.

29. Refusal to sign receipt of any policy, guideline, regulation, disciplinary notice, performance evaluation, or other Town correspondence with a signature line.

30. Failure to submit to a required physical or psychological examination, or to participate in appropriate counseling, testing, and rehabilitative treatment as may be required by the Town.

31. Engaging in pranks or horseplay.

32. Smoking where prohibited by local ordinance or Town rules.

33. Sleeping on the job without authorization.

34. Violation of County and/or State PM-10 measures for air quality control.

35. Violation of any Town or department policy, procedure, rule, or regulation.

Conduct Away from the Workplace - The Town is not interested in intruding into the private lives of its employees away from the workplace. However, the Town does expect that employees will meet basic standards of acceptable conduct in the community while away from the workplace. Conduct away from the workplace that is deemed by the Town to be so socially unacceptable or shocking that the goodwill of the Town as well as its reputation is impugned by the employee's acts, may result in disciplinary action by the Town. Disciplinary action, including termination may be taken against any employee found guilty or who pleads guilty to serious crimes such as assault (sexual or otherwise) murder, robbery, or burglary. The Town also reserves the right to take action as it deems appropriate in the event of sexual or other unlawful harassment of another employee that occurs away from the workplace.

G. Disciplinary Grievance, Disciplinary Action and Appeal Process

For the purpose of this procedure, a "grievance" means any claim by an employee that such claimant's rights, benefits, privileges or interests, provided for in this procedure, has (have) been violated, misapplied or misinterpreted in any particular case.

Any employee in the Town service, except those serving an initial trial employment period or in an at-will status, shall have the right to grieve a disciplinary action and appeal the disciplinary action regarding any disciplinary dismissal, disciplinary demotion, written reprimand, disciplinary pay rate reduction, or disciplinary suspension without pay except in those instances where the right of appeal is specifically prohibited by this procedure. Only disciplinary dismissal, disciplinary demotion,

disciplinary pay rate reduction, and/or disciplinary suspension without pay of more than 37.5 hours (more than 56-hours for a Fire sworn employee working 24-hour shifts) may be appealed to the Merit System Board.

The appeal process is designed to resolve employee concerns in a fair and expedient manner without fear of reprisal.

The following issues are not covered by this appeal process:

1. Pay (except for disciplinary pay rate reductions), benefits, or classification decisions.
2. Policies and/or procedures approved by the Town Council, Town Manager, and/or Human Resources.
3. Performance evaluation that receives an overall rating of "Consistently Meets (CM)" or above.

Employees wishing to use the Disciplinary Appeal Process should follow the Appeal Process laid out in Administrative Procedure #830.

H. Administrative Leave

Administrative leave is the non-disciplinary suspension of an employee with pay. Reasons for placing an employee on administrative leave include, but are not limited to:

1. An internal review or investigation when the employee's presence on the job or at the work site would hinder the review or investigation;
2. A situation that is perceived to be of an urgent or serious nature in which the supervisor believes the employee should be immediately removed from his or her job, such as when the employee's presence would be detrimental to the public interest or the continued efficient operation of the Town, or may create a safety issue for the employee, other employees, or the public; or,
3. Other extraordinary circumstances.

An employee placed on administrative leave does not have a right to appeal when administrative leave is administered.

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Appeal Process**		
Revision Date:		**Policy Number:**	830
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of these procedures is to communicate the process for formally filing an appeal with the Town dealing with problems or concerns an employee may have. The appeal process is designed to resolve employee concerns in a fair and expedient manner without fear of reprisal.

Policy Communication

The policy establishing the process for appeals can be found in Policy Statement #800.

Procedure

Any employee in the Town service, except those serving an initial trial employment period or in an at-will status, shall have the right to appeal in situations in which:

1. The employee believes he/she was unjustly denied any rights, privileges, or interests as directed by the Administrative Policies and Procedures Manual (except in those instances where the right of appeal is specifically prohibited by this procedure); or,

2. Any act or omission of management related directly to the appeal as cited by the Administrative Policies and Procedures Manual; or,

3. A disciplinary dismissal, disciplinary demotion, written reprimand, disciplinary pay rate reduction, or disciplinary suspension without pay.

Employees that are placed on administrative leave with pay do not have a right to appeal the administrative leave.

A. Issues Not Subject to Appeal

The Town Manager will decide whether specific cases are subject to appeal under this definition. The Town Manager's decision is considered final and cannot be overturned.

Appeals are limited to the specified situations listed above (disciplinary dismissal, disciplinary demotion, written reprimand, disciplinary pay rate reduction, or disciplinary suspension without pay) and specifically do not include such things as:

1. Verbal reprimand or counseling.

2. Pay (except for disciplinary pay rate reductions), benefits, or classification decisions.

3. Policies and/or procedures approved by the Town Council, Town Manager, and/or Human Resources.

4. Performance evaluations that receives an overall performance rating of "Consistently Meets (CM)" or above.

B. Components of an Appeal

An appeal must concern a matter within the authority and control of the Town. An appeal must also be in writing, which includes the following:

1. The act or omission which the employee believes unjustly denied the employee's rights, privileges, or interests as directed by the Administrative Policies and Procedures Manual; or, any act or omission of management related directly to the appeal as cited by the Administrative Policies and Procedures Manual.

2. State the relief sought which must be within the authority of the Town to grant in whole or part.

C. Appeal Handling Steps

To resolve a problem, the following steps should be followed until a resolution is reached. Using a Grievance Reporting Form (Appendix) or in a memorandum format consistent with the information on the Grievance Reporting Form, the employee must submit the problem within the time limits specified below for the appeal to be considered in the appeal resolution process.

1. Appeal Resolution Process – Following the Chain of Command

STEP ONE: Appeal to the Immediate Supervisor		
WHO	**ACTION**	**TIME LIMIT**
Employee	Present the problem in writing (Grievance Reporting Form) with any additional supporting documentation to Human Resources. Human Resources will facilitate the appeal with the immediate supervisor.	Within ten (10) business days from problem.
Immediate Supervisor	Meet with and respond to the employee in writing.	Within ten (10) business days from receipt of written notice.

STEP TWO: Appeal to the Chain of Command		
WHO	**ACTION**	**TIME LIMIT**
Employee	Notify the next level in your chain of command (manager, director, division director) in writing (memorandum) with any additional information that: 1. a problem exists, 2. it has not been resolved with your supervisor, 3. additional justification/reasoning regarding why the previous decision by the immediate supervisor was not satisfactory, 4. request a meeting to resolve your problem. Attach written copies of the problem, the supervisor's response and any additional supporting documentation in your submittal (i.e. Grievance Reporting Form) and provide to Human Resources.	Within 10 business days of non-resolution with immediate supervisor.
Next Level in Chain of Command (manager, director, division director)	Meet with immediate supervisor and the employee, reach a decision, and notify in writing both the employee and the supervisor of the decision.	Within ten (10) business days of receipt of the written notice from the employee, the next level in the chain of command must hold the meeting. The next level in the chain of command then has an additional ten (10) business days to gather information and deliver the response to both the employee and supervisor.

If needed, step two is continued through the chain of command until the Department Director renders a decision.

STEP THREE: Appeal to the Town Manager, or designee. Depending upon the circumstances, including situations that may result in a merit board hearing as described below, the Town Manager may designate the Assistant Town Manager to facilitate Step Three of the Appeal process.		
WHO	**ACTION**	**TIME LIMIT**
Employee	Appeal to the Town Manager, or designee, in writing: 1. detailing the problem 2. additional justification/reasoning regarding why the previous decisions by the immediate supervisor and other levels within the chain-of-command was not satisfactory. Attach written copies of the problem, the supervisor's response, the chain-of-commands response(s), and any additional supporting documentation in your submittal (i.e. Grievance Reporting Form) and provide to Human Resources.	Within ten (10) business days from receipt of notice of action to be taken.
Town Manager, or designee	Review the case, make a binding decision, and notify the employee, Department Director, and Human Resources Director in writing of the decision. This decision shall include statement of all relevant information. The finding of the Town Manager, or designee, is final.	Within ten (10) business days from receipt of notice of action to be taken.

2. Merit System Board Hearing

As outlined in Administrative Procedure #840, a Merit System Board hearing may be requested by an employee with merited status employment. The Board hears appeals submitted by employees with merited status employment in relation to a final written warning that includes:

a. Suspensions without pay greater than 37.5 hours (more than 56 hours for Fire sworn employees working 24-hour shifts)

b. Disciplinary pay rate reductions

c. Disciplinary demotions

d. Disciplinary dismissal (this does <u>not</u> include layoffs)

e. Or, any combination of the above.

Employees have a choice to appeal any of the disciplinary actions listed above to the Merit System Board as outlined in Administrative Procedure #840 or appeal to the Town Manager, or

designee, as outlined in Step Three of this procedure. If an employee chooses to appeal any of the disciplinary action listed above directly to the Town Manager prior to the Merit System Board, then the employee forfeits his/her right of appeal to the Merit System Board. Employees must exercise and exhaust all internal appeal procedures of the chain of command through to the Department Director before requesting a hearing before the Merit System Board or Town Manager, or designee.

ADMINISTRATIVE PROCEDURE			
Subject:	**Merit System Board**		
Revision Date:		**Policy Number:**	840
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of these procedures is to outline the responsibilities of the Merit System Board. The purpose of the Merit System Board is to serve as an advisory capacity to the Town Manager in hearing appeals submitted by employees with merited status employment (see Policy 100) in relation to disciplinary suspensions without pay for more than 37.5 hours (more than 56 hours for fire sworn working 24-hour shifts); disciplinary pay rate reductions; disciplinary demotions; and disciplinary dismissals.

Policy Communication

The policy establishing the Town's Merit System Board can be found in Policy #800.

Procedures

Under the direction of the Town Manager, the Human Resources Director shall create a Merit System Board consisting of three (3) individuals residing in the Town of Queen Creek. Human Resources will develop a list of preferred qualifications for the Merit Board selection. The Board members are appointed by the Town Manager as volunteers upon recommendation by the Human Resources Director for staggered three-year terms. As volunteers, the Merit System Board members may be removed with or without cause or notice by the Town Manager. The Board members select the chairperson from the membership, and the Human Resources Director serves as secretary.

A. Meetings and Hearings

The Merit System Board determines the order of business for the conduct of its meetings.

1. The Board meets at the request of the Human Resources Director (Board secretary) or Board chairperson.

2. The Board hears appeals submitted by employees with merited status employment (see Policy 100) in relation to a final written warning that includes:

    a. Suspensions without pay greater than 37.5 hours (greater than 56 hours for fire sworn working 24-hour shifts)
    b. Disciplinary pay rate reductions

c. Disciplinary demotions

d. Disciplinary dismissal

e. Or, any combination of the above.

1. Employees must exercise and exhaust all internal appeal procedures (except appeals to the Town Manager) before requesting a hearing before the Merit System Board.

2. Employees have ten (10) business days to appeal to the Merit System Board after exhausting all internal appeal procedures (except to the Town Manager) following receipt of a final warning of suspension without pay greater than 37.5 hours (greater than 56 hours for fire sworn working 24-hour shifts), disciplinary pay rate reduction, disciplinary demotion, disciplinary dismissal, or any combination. Once the internal appeal procedures are exhausted (except to the Town Manager), Human Resources will notify the employee his/her right to appeal to the Merit System Board. An employee's written request of appeal to the Merit System Board shall be addressed to the Human Resources Director. The written request shall include the reason(s) for the employee's appeal and request for a public hearing, if so desired. If the employee fails to submit the written request within ten (10) business days following receipt of Human Resources notification of his/her right to appeal to the Merit System Board, the employee will forfeit his/her right of appeal to the Merit System Board and the disciplinary action will be automatically upheld.

3. The appealing employee; the Human Resources Director, or designee; the Department Director, or designee; are allowed to remain through the entire hearing. Other witnesses are required to remain outside the hearing room until called to give testimony.

4. The hearing will be private in accordance with the provisions of the Arizona Open Meeting Act, unless the appealing employee requests a public hearing.

B. Legal Counsel

As an administrative process, legal counsel representing the employee will not be allowed. The Town, at its discretion, may engage legal counsel to provide advice to the Merit System Board in regard to the appeal.

C. Witnesses

In a hearing, the Board and each of the parties have the power to examine witnesses under oath. It is the responsibility of each party to secure witnesses on his or her behalf. A list of witnesses shall be provided to the Board prior to the Merit Board Hearing. The Town of Queen Creek employees called as witnesses to Merit System Board hearings are allowed adequate time from work to testify. No employee shall be subject to any form of retaliation or discipline for testifying truthfully in a Merit System Board hearing. No employee shall be required to testify as a witness on behalf of the appealing employee or the Town.

D. Technical Rules and Procedures of Evidence

The Board is not bound by technical rules and procedures of evidence. The appealing employee has the burden of proof at the Hearing and makes the first presentation.

E. Hearings

The Board conducts a hearing expeditiously and makes its recommendation to the Town Manager.

F. Town Manager Determination

The Town Manager shall act on said recommendations from the Board. The Town Manager, in evaluating the recommendation of the Board, shall take a fresh look at the matter (assuming that the Town Manager had prior knowledge of the discipline or conduct in issue); may permit the parties to submit written briefs (but shall not consider evidence not presented at the Hearing) and/or present oral argument, and may review any transcripts if such transcripts are available. The determination of the Town Manager shall be in writing and shall be furnished to the parties involved. Said decision may sustain, modify or reverse the recommendation from the Board and shall be final, without further appeal.

POLICY STATEMENT			
Subject:	**Travel and Expenses**		
Revision Date:		**Policy Number:**	900
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town recognizes that there are certain reimbursable expenses directly related to the employee's work. Employee requests for reimbursement of expenses must include justification on the job-relatedness and importance to the Town. Town-paid training programs and travel should directly benefit Town operations or programs. The purpose of this policy is to describe the scope of reimbursable expenses; to establish equitable standards and maintain effective controls over travel expenses incurred during business-related trips; to promote the prudent use of public funds; and, to provide consistent and fair treatment to all employees who incur such expense. This policy shall govern out-of-town travel and related business expenses.

Policy

The Town of Queen Creek recognizes that all reasonable expenses incurred by employees on behalf of the Town are reimbursable. This policy establishes guidelines for ground and air travel, lodging, meals and miscellaneous expenses that may be incurred while on Town business. This policy also establishes guidelines for the approval of business travel and the use of per diem and purchasing cards for travel. Any exceptions must have prior written approval of the Town Manager, unless there is an emergency. In such an emergency, an after-the-fact written explanation will be required from the traveler. Reimbursement will be contingent upon Town Manager approval of the explanation.

The Town will pay certain expenses for its employees when conducting Town business away from the Town and when such expenses are above and beyond the normal expenses incurred by working. Payment of expenses, whether prepaid or reimbursed, must be approved by the Department Director, or designee. Such expenses include per diem, transportation, travel expenses including rental cars, lodging, and meals, local mileage, and relocation expenses.

The Town will not provide primary vehicle insurance for employees using their personal vehicle while conducting Town business. It is the employee's responsibility to maintain insurance at the state minimum level.

When utilizing rental vehicles for Town business, employees should not purchase liability and physical damage insurance offered through the rental company. This coverage is provided through the Town's insurance carrier, the Arizona Municipal Risk Retention Pool.

In cases where liability damage occurs over personal or rental vehicle maximums, the Town's insurance company will cover excess liability damages only. Employees must be performing duties in the scope of their job when the damage occurs in order for excess insurance to be valid. No other claims or reimbursements will be supported.

While operating Town vehicles, or a personal vehicle while conducting Town business, employees are required to comply with all state and local traffic laws - failure to do so will result in disciplinary action up to and including termination. The Town will not pay for citations or fines.

The Town Manager will establish guidelines for the approval and processing of expenses incurred by Town employees.

ADMINISTRATIVE PROCEDURE			
Subject:	**Business Related Travel and Expenses**		
Revision Date:	10/13/09	**Policy Number:**	910
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town recognizes that employees may have business expenses and the need to travel away from the Town to perform their job duties. While traveling, employees incur expenses that may not be incurred during work performed in the office. The purpose of this procedure is to define authorized and unauthorized travel expenses.

Policy Communication

The policy establishing the Town's support for the reimbursement of job-related expenses can be found in Policy #900.

Applicability

The Town travel policy is applicable to all elected officials, appointed officials, employees and volunteers unless otherwise provided.

A. Responsibilities

Elected Officials and Department Directors: These officials are primarily responsible for ensuring that any costs incurred for travel are directly work related, obtained at the most economical price and are necessary for official Town business. Prudent judgment is to be exercised in approving these costs.

Travelers: Any elected officials, appointed officials, employees and volunteers traveling on official business are expected to adhere to the same professional standards of conduct as is expected and practiced when working in the office. Excess costs, circuitous routes, delays, or luxury accommodations/services unnecessary or unjustified in the performance of official business travel are not considered acceptable as exercising prudence. Travelers are personally responsible for paying excess costs and any additional expenses incurred for personal preference or convenience, such as movie rentals, alcohol and spa services. If the purpose for travel is cancelled, the traveler must ensure that all travel arrangements are cancelled (i.e. lodging, conference costs, airfare, etc.); otherwise, the traveler will be responsible for reimbursing the Town for these costs.

B. Daytrips

Actual expenditures for daytrips will be reimbursed through a written request. All receipts and proper documentation must be attached to the written request.

1. Meals

   Meals incurred **will not** be reimbursed while traveling on Town business which **does not** involve a required overnight stay.

2. Mileage/Parking

   a. Rate

      - Mileage for business use of a personal auto will be reimbursed using the current IRS mileage rate. Generally the rates are revised by the IRS at the beginning of each calendar year (see Accounts Payable for current rate).

   b. Distance

      - The Town intends to reimburse travelers for only that mileage incurred for training. For example; if you travel to a day-long training and decide to run errands during your lunch break, the miles incurred during lunch will not be reimbursed.

      - Mileage for necessary travel on Town business will be paid based on actual mileage from odometer readings. Travelers are responsible for documenting and verifying mileage paid from odometer readings. Mileage must be properly documented in a mileage receipt book with the date and event information. Mileage books can be requested through the Human Resources Department.

      - Requests for mileage reimbursement must be done within the fiscal year that the expense is incurred. Supervisor approval is required on all mileage reimbursement requests.

   c. If a traveler is on Town business, parking fees will be reimbursed by petty cash up to $10, or the traveler may submit receipts along with mileage reimbursement request. Receipts are required for all reimbursements.

C. Time Worked for Non-Exempt Employees for Day and Overnight Travel

1. For non-exempt employees, normal travel from home to work or work to home is not considered time worked. Travel to a meeting, training, or conference out of Town shall be considered time worked only if the employee returns the same day.

   For travel for a training or conference that results in an overnight stay, if the travel is outside the normally scheduled work hours, then the travel time is not considered time worked. ***If the travel is on an employee's normally scheduled day off***, then the travel time is considered time

worked only if the travel time crosses the normally scheduled hours as the other days of the week.

Time that the employee spends eating for a business-related function, training or a conference, is not considered compensable time unless the function, training and/or conference continues through the meal period.

a. Example: Employee has training in downtown Phoenix. The employee's normally scheduled work time is 8 a.m. – 4:30 p.m. with a 30 minute lunch period. The employee leaves home at 7 a.m. and arrives at the training at 8 a.m. The training ends at 4 p.m. the same day, and the employee arrives home at 5:30 p.m. The training has a one hour non-working lunch break. The employee would record his/her time from 7 a.m. – 5:30 p.m., less the one hour lunch period (9.5 hours).

b. Example: Employee has an overnight training in San Diego. The employee's normally scheduled work time is 8:00 a.m. – 4:30 p.m. with a 30 minute lunch period. The employee leaves home on a Friday at 5 a.m. to catch a 6 a.m. flight to San Diego. The employee arrives at the hotel at 8:30 a.m. and then heads straight to the training, which begins at 9:00 a.m. and ends at 5:00 a.m., with a one hour lunch break. The employee leaves the hotel the next day (Saturday) at 7 a.m. and returns home by 12 p.m. The employee would record his/her time for Friday 8 a.m. – 5 p.m., less the one hour lunch period, (8 hours); and, for Saturday, would record their time 8 a.m. – 12 p.m. (4 hours). Note that travel time outside the employee's normally scheduled work day is not recorded.

c. For travel to and from training or conferences, any time used for personal trips are not counted toward employee's time. Any time used to run errands must be deducted from the employee's regular hours.

d. If an employee comes to work before leaving for a training or conference, the time begins when the employee leaves the place of work and includes the time the employee spent at the work place.

e. If an employee is traveling to, or from, an out-of-state destination, the time at which the employee reaches their hotel, or their home, is the end of their travel day.

2. A time adjustment/correction form must be submitted to payroll for all time spent during training or meeting.

D. Overnight Trips

Overnight trips require that all travel requests including per diem be submitted to Accounts Payable **at least two (2) weeks** prior to departure date.

1. If a traveler is combining Town business and vacation, no per diem or lodging for the vacation time will be allowed.

2. If an employee uses a personal vehicle for transportation, the Town will reimburse the lower of the lowest airfare or the prescribed mileage reimbursement, whichever is lower.

3. The Town will not require a traveler to travel or stay over on weekends to reach a lower net cost of travel. However, the Town does encourage travelers to travel at times when it will result in significantly lower net cost of travel.

4. Per Diem is a specific amount of money the Town allows an individual to spend per day for personal meal expenses. Per Diem must be requested with as much advanced notice as possible prior to destination departure (minimum of two weeks prior). Receipts are not required for reimbursement if per diem money is used for meal expenses incurred during travel. If per diem is not used, then receipts are required for all reimbursement requests upon returning from travel.

    a. Per Diem may be used by travelers traveling overnight on official Town business. For all departments, per diem information can be obtained from Accounts Payable.

    b. Per Diem is based on an 8 hour day. If an employee will be traveling for 4 hours or less, they will only receive 50% of the per diem rate for that day of travel. For example, if an all day class begins out of state at 8 in the morning and the traveler travels 4 hours or less the night before they will receive 50% of the per diem rate for that day travel day and 100% for the training day.

    c. If per diem is **not** requested 2 weeks prior to conference, employees must obtain receipts for all expenses incurred while traveling. Upon return employee can submit a written request with receipts. The employee will be reimbursed for meals up to the per diem rate per day.

5. All written requests must be properly authorized with supporting documentation attached, including:

    a. Registration forms

    b. Brochures/Flyers

    c. Supervisors and Department Director's approval.

6. Mileage

    a. Rate

        - Mileage for business use of a personal auto will be reimbursed using the current IRS mileage rate. Generally the rates are revised by the IRS at the beginning of each calendar year (see Accounts Payable for rates).

b. Distance

- The Town intends to reimburse travelers for only that mileage incurred for the purpose of reaching the location of training or for returning home.
- Mileage for necessary travel on Town business will be paid based on actual mileage from odometer readings. Travelers are responsible for documenting and verifying mileage paid from odometer readings. Mileage must be properly documented in a mileage receipt book with the date and event information. Mileage books can be obtained through the Human Resources Department.

E. Transportation

The traveler is responsible to use the most practical and economical mode of transportation. Examples of factors which should be considered are costs of transportation, cost of travelers' time and scheduling requirements. If the traveler elects not to use the most practical and economical mode of transportation, the traveler will be reimbursed only for the lower cost of the two modes. For example, if an employee elects to drive to San Diego ($208) rather than fly ($90), then reimbursement will be the lesser of the two.

1. Airfare: Prior to airfare being booked, travel should be approved and registration processed.

a. Cost:

- The least expensive ticket must be purchased unless there is a possibility of cancellation or changing times/day. The Town will not pay for first class fare.

b. Airport parking reimbursement

- Employees are encouraged to get rides to and from local airports. The Town will reimburse for airport shuttles.
- If a traveler must park at the airport, travelers are encouraged to use the least expensive airport parking. The Town will reimburse for costs incurred. Receipts must be furnished. Travelers eligible for mileage reimbursement may claim their travel to and from the airport when using personal vehicles.
- The traveler is expected to utilize the least expensive means of transportation from the airport to the hotel, etc.

A taxi should only be used under the following circumstances:

- It is the least expensive means of transportation;
- If using alternate method of transportation causes excessive time delays;

Receipts must be provided for all transportation expenses including a taxi in order to be reimbursed by the Town.

2. Rental Cars

Use of rental cars may be approved if:

a. It is required by the nature of the task or travel requirements;

b. It will provide less cost to the Town, compared to other types of transportation;

c. The smallest rental car (least expensive) commensurate with the task or number of passengers must be utilized.

d. As a general practice, rental cars will not be approved if the employee is staying at or in near proximity of the conference hotel or meeting location.

F. Lodging

Lodging includes the room rate and applicable taxes. It does not include room service and other miscellaneous charges such as movie rentals.

1. Maximum Rates

While no maximum dollar limits are set, the cost of lodging must be reasonable. The determination of reasonableness is the responsibility of the Traveler and their Department Director. Reasonableness will be based on the circumstances of each trip, such as personal security, convenient access to the meetings or conference site, and room availability.

2. Sharing Rooms: Room sharing with like gender is encouraged as a cost saving measure; however, it is not required.

a. Receipts: Actual lodging receipts must be returned to Accounts Payable if the written request was already submitted. If an written request has not been submitted yet, attach receipt to the written request and submit to Accounts Payable.

b. In order to ensure payment of room reservation, it is urged that employees request a check in advance to pay for lodging. Most places will only use a credit card to reserve a room. An employee may call the hotel/motel and ask for a quote of the cost of the lodging. The quote can be attached to a written request and submitted to Accounts Payable. Accounts Payable will issue the check to the hotel/motel and the employee can take the check with them for payment at check in. All requests must be made at least two weeks in advance of traveling.

c. Phone calls: Travelers are allowed 15 minutes of personal telephone charges per night of stay and may use a Town-issued cell phone, if available. Any telephone charges over the 15

minutes are expected to be reimbursed to the Town by the traveler. Town calls for business will be paid.

d. Internet: Internet charges used for business such as email will be paid for by the Town up to $25 a day. Should the cost exceed $25, the proper justification must be submitted for reimbursement. Travelers are responsible for inquiring about internet rates before use.

e. Travelers are encouraged to take advantage of lowest rates possible for business services (Internet, faxes, and copies) at on-site business offices. It may be necessary to obtain less costly services from off-site businesses.

f. Faxes and copies for business use will be paid for by the Town.

G. Registration

Registration includes the tuition of attending a conference or training course. Registration information, such as brochures, must accompany all expense requests.

H. Purchasing Card

The Town has purchasing cards (P-Cards) which can be used for travel expenses, except food purchases. See Procedure 950.

1. Availability: P-Cards are issued through Purchasing. Use of the P-Card is determined by the Department Director or Town Manager.

2. Personal Charges: Charges for personal expenses are NOT allowed on the Town P-Card. Any personal charges such as costs of an accompanying spouse/family member should be paid by the traveler, separately. Personal charges on the Town P-Card could lead to disciplinary action.

3. All receipts must be saved and submitted with the P-Card statement to the Department Director when reconciling the monthly bill.

I. Unallowable Expenses

Town of Queen Creek will not pay for or reimburse any Town officer or employee for:

1. Alcoholic beverages or drinks;

2. Expenses for accompanying spouses, guests or family members;

3. Parking fines or criminal fines incurred in using a vehicle;

4. Recreation excursions including golf and other activities provided by a conference, class or meeting;

5. Entertainment;

6. Any other expenses not expressly related to Town business or indicated in the Travel Policy.

If in doubt of any expense incurred during travel, it is better to pay for the expense personally and ask for a reimbursement later. Any questions or concerns can be addressed by the Finance Department.

ADMINISTRATIVE PROCEDURE			
Subject:	**Business Meeting Expenses -Food or Beverage**		
Revision Date:		**Policy Number:**	920
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town recognizes that a need may arise to pay for Town employees meeting with a guest or guests of the Town on official business for meal expenditures. The purpose of this procedure is to set forth the steps for approval and processing of business meeting expenses and ensure that Town funds are being expended in a prudent and reasonable manner.

Policy Communication

The policy establishing the Town's support for the payment of business meeting expenses and also recognizing there are certain expenses directly related to the employee's work the Town should fund can be found in Policy #900.

Procedure

A. Business Meetings (Food and Beverage)

1. It may be appropriate for the Town to pay for a breakfast, lunch or dinner meeting when Town employees meet with non-Town employees to discuss a Town-related issue. The Town will not pay for expenses where two or more Town employees have a meal together and discuss Town business.

2. Town funds for food, beverage and supplies at business meeting should be limited to:

    a. When the Town sponsors an event, or acts as a host for an inter-jurisdictional meeting, citizen boards, commission, committee, legislature, or business client.

    b. When Town business cannot otherwise be conducted during regularly scheduled work shifts, e.g., 7:30 a.m. to 4:30 p.m., 8 a.m. to 5 p.m., etc., and it is necessary for Town staff to work after scheduled work hours, and if the expenditure is approved in writing by the department director or designee in advance.

    c. When Town employees incur meal expenses as a result of their attendance at special local meetings, or professional association meetings, if a benefit to the Town occurs, funds are available, and the department director or designee approves in writing in advance.

3. Town funds for food at employee meetings or special events should be limited to:

    a. When employees serve on Town interview panels along with outside panelists, if the expenditure is approved by the Human Resources Director, or designee.

    b. When the Town conducts annual or special events in recognition of employees with prior written approval from the Town Manager.

4. The Town will not pay for any alcoholic beverages.

5. Expenditures for food and beverage should be limited. At all times and under each circumstance where it is necessary to provide food and beverage at business meetings the expenditures should not be extravagant, In determining the amount of the expenditure, the employee shall also consider any tax, delivery and tip costs as well as the cost of the meal.

6. When the purchase of meals becomes a business necessity, it is the responsibility of the hosting staff to follow all procedures and to thoroughly justify the business reason for the expenditure.

B. Responsibilities

The ultimate responsibility for business meeting expenditures is the Department Director or designee approving the expenditure.

C. Program/Process Controls

Internal management controls and oversight include:

1. Limits on permissible use & per person maximum;

2. Management approval;

3. Periodic review of account budgeted to actual expenditure;

4. Required documentation in compliance with IRS Accountable Plan:

    a. Original receipts with itemized detail;

    b. Business reason/justification of Town business;

    c. Date and location of meeting;

    d. List of attendees;

    e. Signature of person requesting payment;

D. Procedures

Payment for business meeting related expenses requires the following approval and documentation to be obtained and included with the payment receipt, regardless of the method of payment, i.e. purchasing card, petty cash, or check request:

1. Obtain prior verbal approval of the expenses from the Department Director or designee.
2. After incurring the expense, submit the original receipts to the Finance Department with the required back up documentation (purchasing card statement, or petty cash request). Receipts are not the "charge slip" issued but the receipt that shows the itemized detail of what was paid for (i.e. each meal and beverage). Employees are not required to submit Itemized receipts for buffets.
3. Full justification of who was present (list each name), why the expenditure was necessary to carry out Town business, and when and where the meeting was conducted is required.
4. Signature of the person requesting the payment of the purchasing card or reimbursement.

Expenditure approval (signature by Department Director, Town Manager or designee)

ADMINISTRATIVE PROCEDURE			
Subject:	**Use of Town Vehicle**		
Revision Date:		**Policy Number:**	930
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

Access to vehicles owned by the Town is a privilege which imposes certain responsibilities and obligations that are subject to Town procedures as well as applicable local, state, or federal laws. It is the intent of this procedure to define vehicles to conduct Town business. It is the intent of the procedure to define parameters that will assist the employee to use the Town vehicle in an appropriate manner.

Policy Communication

The procedure establishing the Town's direction related to Town Vehicles can be found in Policy #900.

Procedure

All personnel driving Town vehicles shall have a valid State of Arizona driver's license with the appropriate license classification for the type of vehicle they are operating and obtain all necessary approvals from their Department Director. If a Town employee should lose his or her driver's license for any reason, that employee shall notify their supervisor at the beginning of the next working shift. The responsibility for assuring complete compliance with the provisions of this regulation rests with the Department Director, supervisors at all levels, and the individual employees involved. All personnel driving Town vehicles must be at least 18 years of age. Temporary and/or seasonal workers shall not operate Town vehicles unless specifically authorized by the Department Director.

A. General Use

Use of Town vehicles shall be restricted to official business, subject to the following procedures:

1. The procurement of all Town vehicles must be made through the Fleet Management and Purchasing divisions using established procedures.

2. 2Under special circumstances, the vehicle may be used occasionally for transportation to and from personal residences in connection with departure and return from official Town business. The appropriate Department Director will determine that such use is more efficient than available alternatives.

3. Employees assigned a Town vehicle for use during their normal work day is to exercise discretion in its use. Employees assigned a Town vehicle during their normal workday schedule

may use the vehicle during normal work hours to go on break or to a restaurant for lunch within Town limits.

4. The appropriate Department Director may authorize the use of a vehicle for transportation between home and office when justified by a special or frequent work requirement.

5. With prior approval by the Town Manager, a mileage stipend may be negotiated as part of an employee's benefit or compensation package.

B. Employee Responsibilities of Town Vehicles

1. Under no circumstance shall a vehicle be taken out of the United States.

2. Smoking or any other form of tobacco is not permitted to be used in any Town vehicle. (See Procedure 1010)

3. Alcoholic beverages shall not be consumed or transported in Town vehicles, nor shall any Town employee who has consumed any alcohol or any other controlled substance operate a Town vehicle. Employees are prohibited from using prescription or over the counter medication which may impair their ability to safely operate a motor vehicle. Employees shall not operate a Town vehicle while under a medical doctor's driving restriction. (See Procedure 1020)

4. Employees are required to be aware of, understand, and comply with federal, state, and local laws and the Town policies applying to the operation of vehicles on Town business. Employees shall obey all applicable traffic and parking regulations, ordinances, and laws.

5. Employees who are issued traffic citations while operating a Town vehicle must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Employees will pay all traffic fines (including photo radar) and appear for court dates (on their own time). In addition, employees who drive their personal vehicle while on Town business shall maintain financial responsibility. Under no circumstances are these citations to be paid for with Town funds.

6. Employees are required to keep their assigned Town vehicle reasonably clean and litter free.

7. Employees are required to wear safety belts (driver and any passengers) while riding in or driving a Town vehicle. The vehicle shall not be operated until all vehicle occupants have buckled their seat belt.

8. Employees shall report any accidents to Risk Management and Fleet Maintenance at the earliest opportunity. An incident Report may be obtained from Risk Management as outlined in Procedure 1010.

9. All employees are required to record the starting and ending mileage in the vehicle logbook each time they use a Town vehicle.

Uses of Town Vehicles with Special Approval

1. Town vehicles will only be driven out-of-state with specific authorization of the Department Director and the Town Manager, or designee.

2. Except for law enforcement personnel, firearms are not permitted within Town vehicles.

3. Employees shall not operate cellular telephones, laptop computers, navigational devices, or any other devices that may cause driver distraction while operating a vehicle in the course of conducting Town business.

4. Transportation of acids, explosives, weapons, ammunition or highly flammable material is allowed in an emergency situation or by authorization of the Department Director, Town Manager, or designee. All transport manifests shall be in place prior to transporting potentially hazardous materials.

C. Authorized Passengers

Unless approved by the Department Director, the transporting of passengers in Town vehicles shall be limited to:

1. Town employees;

2. Persons in advisory capacity to the Town;

3. Persons involved in stressful or emergency situations;

4. Persons participating in or as part of approved Town business or programs (volunteers, partners, clients, participants, job applicants, agency representatives, etc.)

Hitchhikers are not permitted in Town vehicles.

D. Department Responsibilities

1. Advise the Fleet Management Division of any changes in the activity or location assignment of equipment. This will allow for the more effective scheduling of vehicles for periodic maintenance.

2. Maintenance, repair and modification of Town vehicles will be coordinated through the Fleet Management Division, or by approved outside vendors or personnel only when authorized by the Fleet Management Division. Maintenance of leased vehicles will be performed in accordance with the leasing agreements.

3. Town employees assigned a Town vehicle are responsible for the maintenance of their assigned vehicle(s). Maintenance responsibilities include vehicle fueling, and a routine visual inspection prior to the use of a Town vehicle (tires, wiper, exterior, etc.). Responsibilities also include the

scheduling of preventative maintenance appointments with the Fleet Management Division as stated on the window maintenance decal of the vehicle or equipment.

E. Use of a Personal Vehicle on Town Business

1. In all instances, except as noted in #2 below, when a Town vehicle is available for business use, it shall be used in lieu of a personal vehicle and the employee will not be entitled to the reimbursement of mileage expenses. Town business shall include attendance at conferences, training, seminars or meetings approved in advance. Employees are expected to travel in the most cost-effective manner, the travel time and costs being the key components.

2. Use of a personal vehicle on Town business may be authorized with the consent of the Department Director or designee. When a personal vehicle is used, it must be insured by the employee in the amounts established by state minimum standards. Upon request, proof of insurance may be required of the employee. The Town will not provide primary vehicle insurance for employees using their personal vehicle while conducting Town business. Only in the case of a liability claim will the employee's insurance be primary, and the Town's insurance secondary. No other type of claim will be supported by the Town's insurance.

3. The reimbursement rate for personal vehicle use is the standard IRS reimbursable rate; however, the Town will only reimburse mileage based on budget constraints. Total reimbursable cost for transportation shall be based on the cheaper mode of travel. The employee is responsible for submitting documentation to support travel reimbursement requests as outlined in Procedure 910. Consult the mileage table below for standard distances to frequently traveled cities.

Mileage Table

Destination	Standard Mileage
Flagstaff	174
Las Vegas	300
Laughlin	240
Payson	86
Prescott	132
Sedona	150
Tucson	128

F. Town Vehicle Identification

All Town vehicles and other fleet equipment shall bear approved Town vehicle markings. At no time shall approved markings on any Town vehicle be removed or tampered with. Approved markings are "For Official use only", the Town logo, fleet, identification number, and department identifier.

G. Overnight Use of a Town Vehicle

1. Occasionally a need arises in which Town business must be facilitated by the overnight use of a Town-owned vehicle by an employee who normally does not keep a Town-owned vehicle overnight or is on "Stand-by" status. In those situations, the Department Director, Town Manager, or designee may authorize the employee to keep a Town-owned vehicle overnight.

2. Other uses authorized by the Department Director, Town Manager, or designee are:

   a. Frequent use of a vehicle on Town business at night or on the weekend;

   b. Substantial emergency response responsibilities;

   c. Infrequent occurrences where the requirements of the job can be facilitated by allowing the car to be taken home by the employee;

H. Vehicle Fueling and Emergency Repairs/Maintenance

1. Retail fuel should be purchased with the fuel credit card or in emergency situations with the employee's Town-issued procurement card as a first option and personal funds as a second option.

2. Fuel credit cards are issued corresponding to a Town fleet vehicle, not to employees.

3. Contact the Finance Department to obtain a personal identification number (PIN).

4. Authorized purchases include:

   - Unleaded fuel: lowest octane rating, unless specified by Vehicles Operator's Handbook;
   - Diesel fuels;
   - Other fluids: engine oil, brake fluid, automatic transmission fluid, engine coolant and windshield washer fluid;
   - Emergency vehicle repair items (fuses, belts, tire repair, lamps);
   - Vehicle washing and interior cleaning not to exceed twenty dollars ($20) per vehicle per month or as authorized by the Department Director or Fleet Manager.

I. Vehicle Parking

1. If vehicle is not in use, Town-owned vehicles shall be parked and locked in the Town parking lot designated for that vehicle.

2. No vehicle shall be kept at the home of the employee overnight unless the employee has permission to do so from the respective Department Director.

3. Each employee authorized to drive a Town-owned vehicle to their home overnight is encouraged to provide off-street parking for the vehicle wherever possible while it is parked at their home. This is encouraged to protect Town-owned vehicles from mishaps while parked during evening hours.

Access to vehicles owned by the Town is a privilege which imposes certain responsibilities and obligations that are subject to Town procedures as well as applicable local, state, or federal laws. It is the intent of this procedure to define vehicles to conduct Town business. It is the intent of the procedure to define parameters that will assist the employee to use the Town vehicle in an appropriate manner.

J. Take-Home Vehicles

Department Directors, with Town Manager and Fleet Manager written approval, will determine which employees may be authorized to operate a take-home Town vehicle to commute to/from home/work. The employee must live within ten (10) driving miles from Town limits or obtain approval from Department Director if the distance is greater than ten (10) miles. The department assignment of the vehicle shall be to a position that is responsible for responding to an emergency situation related to public health or safety and protection of property on a 24-hour basis. Employees assigned on-call duties on a rotational basis shall take a Town vehicle home only upon those days the employee is assigned to on-call duty. Any exception to this procedure can only be approved by the Town Manager, or designee.

An employee authorized to operate a take-home vehicle is approved under the following conditions:

1. The employee agrees to assume responsibility for maintaining the safety and security of the vehicle at his/her residence.

2. The employee agrees to be responsible for any tax consequences resulting from the benefit using the Town vehicle to and from his/her home and place of employment.

3. Use of the take-home Town vehicle is limited to that use which enables employees to conduct department business.

4. Employee acknowledges that the use of a take-home vehicle is directly related to current duties and responsibilities and that the Town reserves the right to take away the vehicle at any time with or without notice.

5. Employee agrees to document mileage daily in a mileage log book.

An Authorization to Operate Take-Home Vehicle form must be completed.

ADMINISTRATIVE PROCEDURE			
Subject:	**Relocation Expenses**		
Revision Date:		**Policy Number:**	940
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to outline the circumstances under which the Town would provide relocation expenses for new Town employees.

Policy Communication

The policy establishing the Town's support for the payment relocation expenses can be found in Policy #900.

Procedure

Relocation expenses, including travel to Queen Creek, moving expenses, and other associated costs are generally not payable by the Town, unless advance approval from the Town Manager is received. Such expenses shall be approved at the time of hiring and will be stipulated in the employee's offer letter

ADMINISTRATIVE PROCEDURE			
Subject:	**Employee Purchasing Cards**		
Revision Date:		**Policy Number:**	950
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of the Purchasing Card Program is to provide the Town with an efficient and controllable method of making small dollar commodity, service, and travel purchases. The Town will issue cards through an established bank vendor. The cards will be primarily used in place of petty cash, small regular purchase orders, emergency purchases, and all other small dollar purchases. This card policy is not intended to replace, but rather supplement existing purchasing, travel and other Town policies.

Policy Communication

The procedure establishing the Town's support for a safe work environment can be found in Policy #900.

Procedure

A. Authorized Cardholders

Purchasing cards may be held by Town staff members designated by the Department Director.

B. Application for Purchasing Card Privileges

Employees needing to use a Town-issued purchasing card will apply through the Department Director. The Finance Director will secure the card through the bank or service under contract to the Town for that purpose. Any annual fee will be charged back to the department.

C. Issuance

Cards are issued jointly in the name of the Town and the individual. At the time an individual receives a card, a Finance Department staff member will be identified as a liaison to the cardholder to assist with any concerns.

D. Processing Statements for Payment

1. Required Documentation

Employees holding purchasing cards will reconcile their statements on a monthly basis; attach all original receipts; and, indicate on the receipt, the statement, or the attachment, the purpose for the charge. If for some reason the cardholder does not have documentation of the

transaction to send with the statement, they must attach an explanation that includes a description of the item, date of purchase, vendor's name and why there is no supporting documentation. The submitted documentation must include the Department Director signature, or signature of Director designee.

E. Usage

1. The card can be used for the following:

   a. Any transaction that does not exceed the cardholder's transaction limit set by the Finance Director or Department Director, whichever is less.

   b. Travel related purchases in compliance with the Town of Queen Creek Business Related Travel and Expense Procedure #910.

   c. Any other business related purchase as long as:

      i. The vendor accepts credit cards, and the goods/services purchased are not covered under a Town supply contract. The Finance Department will periodically update staff via email of any commodities that cannot be purchased with the purchasing card.

      ii. All other purchases are to be made using the standard purchasing process.

      iii. Some advantages of the card are:
         - Reduced paperwork generated by small transactions.
         - Facilitating quick payment to the vendor
         - Eliminating the need for purchase orders for qualified purchases.

2. Purchases made on the card will be for Town business only. The card is not a personal line of credit. When in doubt as to whether a purchase is allowable under Town policy, the cardholder should contact the Program Administrator (Purchasing) before making the purchase. Unauthorized purchases are prohibited and purchaser may be subject to disciplinary action.

F. Duties and Responsibilities

1. Cardholder

   The employee who is issued a card is called a "cardholder". The purchasing card may have transaction limits for the maximum amount of each transaction as well as the maximum monthly transaction total and the type of merchant where the card may be used.

   All cardholders must have access to the Internet. Access can be made at home or work. Each cardholder is provided with a card with a unique card number, and a user ID/password for secure access to the cardholder's account on the Internet.

a. The cardholder must use ***only*** his/her assigned card or may check out the Town Card. Cards must not be loaned to another employee for his/her use. There will be **no exceptions**.

b. Each cardholder shall use the card only for authorized purchases. A hardcopy receipt **must** be obtained from the vendor each time the card is used. Online and telephone charges must also be documented by a receipt, so the cardholder shall request the vendor to fax or mail the cardholder a receipt.

c. The cardholder is responsible for immediately notifying Chase, their supervisor and the Program Administrator if the card is lost or stolen. The cardholder shall then complete the Lost Card form and submit it to the Program Administrator promptly. The cardholders department may be charged a replacement fee per lost/stolen card.

d. Each cardholder must acknowledge receipt of the purchasing card, understand the rules of usage, and sign the user agreement. Failure to abide by this Purchasing Card procedure may result in disciplinary action, including dismissal. The cardholder will be required to reimburse the Town for any unauthorized transactions.

e. At the end of every month, each cardholder will receive a statement, assemble the accumulated receipts, have the Department Director sign the purchase report, and forward it to Purchasing Program Administrator.

f. Upon resignation or termination of employment of a cardholder, the supervising Department Director or Human Resources shall notify the Program Administrator immediately, and the card shall be turned in to the Program Administrator.

2. Approver

The “approver” is a supervisory level employee responsible for approving the cardholder’s usage of the purchasing card.

a. The approver is required to perform routine approval of the transactions made by his/her cardholders. Approvers must have Internet access. The approver receives e-mail notification when his/her subject cardholder has approved a statement and forwarded it for the approver to review.

b. Each cardholder has a corresponding “approver”. The approver shall be a supervisory level employee who will receive email notice of all cardholder transactions for the subject cardholder. The approver will make any necessary changes, and then approve each monthly statement. Upon approval, the statement will be forwarded to the Program Administrator for statement processing.

3. Program Administrator

   The "Program Administrator" manages the purchasing card program. The administrator is the Town's point of control for the card program and is the point of contact for any cardholder questions or problems.

   a. The Assistant Administrator monitors all usage of the cards and verifies all information about the transactions prior to download to the General Ledger. The Program Administrator and the Assistant Administrator have no approval power over card transactions. The administrator and his/her assistant are knowledgeable on all the procedures in the purchasing card policy.

   b. The Program Administrator is also responsible for ensuring all cardholders are properly trained in the use of the purchasing card before the card is issued.

   c. The Program Administrator will also report to the Department Director and Finance Director any cardholder infractions or potential infractions.

4. Departmental Responsibility

   The Department Director is responsible for designating cardholders and approvers. The Department Director shall designate which employees will be issued a card, and what transaction and merchant limits shall apply to the card's use. The Director insures that purchases are authorized and within Town policies. Departments may implement more stringent internal authorization procedures that its cardholders must follow in order to make purchases with the card. At the end of each month, the Department Director shall collect the card statements from all approvers within his/her department, sign off approval of each, and forward the approved statements to Accounts Payable to facilitate timely download to the general ledger. Activity reports are available for additional review by the Department Director if so requested.

G. Transactions/Card Limits

1. Each individual purchasing card will have transaction and/or spending limits. The Program Administrator has the ability also to limit types of purchases, place of purchase and hours of day purchases can be made on individual cards. The total purchase price as printed on the individual credit card receipt is known as the "transaction amount". The purchasing card may be limited by the merchant type, transaction amount, and monthly transaction limit. Each cardholder will be set-up with limits for each of these categories. A card transaction will be denied when swiped if the transaction exceeds any of the limits. The Department Director, Program Administrator, and the Finance Director determine limits jointly.

2. The card may be restricted to the type of purchase, the hours from which purchases may be made, the days of the week purchases are made, and the vendor's from which cardholders may

purchase. The Program Administrator has the ability to limit the amount cards can purchase, amount per day purchases, and monthly amounts for each card.

H. Returns

Each cardholder is responsible for coordinating returns with the vendor and making sure a proper credit slip is obtained. Credit shall be issued to the cardholder account. Cash refunds are not allowed.

POLICY STATEMENT			
Subject:	**Employee Safety and Health**		
Revision Date:		**Policy Number:**	1000
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this policy for the Town of Queen Creek is to establish a safety and health policy to be followed by all employees in their cooperative efforts to reduce the frequency and cost of occupational injuries, illnesses, and damage and loss of equipment as well as to minimize exposure to public liability.

The Town recognizes that its employees are its most important resource. Safety of individuals and the protection of property are of great importance to the Town of Queen Creek and are the combined responsibility of all Town officials and employees. The Town of Queen Creek recognizes the importance of this responsibility and shall strive to provide a safe, healthful place to work. Employees shall follow safe work practices as outlined in the Town administrative procedures.

A. Loss Control Program

The Loss Control Program is organized and operated under the direction of the Town's Risk Manager, Fire Chief, and Human Resources Director. The program is designed to provide procedures to follow in achieving a reduction of accidental losses.

The program's objectives include:

- Creation of a positive attitude toward the prevention of accidents by all employees of the Town of Queen Creek.
- Recognition and correction of any unsafe working conditions, operating procedures and practices, so that the general public and employees are protected from harm.
- Development and maintenance of procedures to provide for emergency medical care of employees who are injured or become ill during the performance of their duties.
- Compliance with the provisions of federal, state and local safety rules and regulations.

Responsibility for reviewing and revising the Town of Queen Creek Loss Control Program will be that of the Risk Manager. The program shall be reviewed annually, or more frequently as needed for revision. Each Town employee shall be rated on safety performance as part of his or her performance evaluation under adherence to the Town's policies and procedures.

1. Responsibilities

   a. The Risk Manager under direction of the Fire Chief and Human Resources Director, shall:

      - Develop, implement, and administer the Town's Safety, Health, Loss Prevention and Risk Management programs.
      - Assure that all occupation related injuries or illnesses, vehicle accidents, aircraft mishaps or accidents, fire, property damage or other loss of Town of Queen Creek resources are reported, investigated and, where appropriate, recommend corrective measures to avoid recurrence.
      - Compile accident/loss prevention data; analyze such data and develop experience and trends. Using these databases, provide periodic reports on the Town of Queen Creek injury, accident and/or loss experience.
      - Inspect Town of Queen Creek facilities and resources to assure compliance with safety standards and criteria.
      - Provide assistance to personnel at all operational levels in order to coordinate accident/loss prevention activities.
      - Conduct and coordinate safety studies designed to evaluate suspected safety problems.
      - Participate in the development of training programs and materials.
      - Represent the Town of Queen Creek at professional meetings pertinent to safety and loss control matters.
      - Participate in the development, evaluation and revision of standards concerning equipment or work practices.
      - Conduct periodic audits of the effectiveness of the Town of Queen Creek's Safety, Health, Loss Prevention and Risk Management programs.

   b. Employee Responsibilities

      The Town of Queen Creek recognizes it is the responsibility of each employee to make every effort to provide and maintain safe and healthy working conditions throughout the Town of Queen Creek.

      Consistent with this responsibility, each employee shall comply with and promote safe practices in agreement with the safety rules and procedures set forth in the Town of Queen Creek Policies and Procedures. Questions concerning this program should be directed to the Town of Queen Creek Risk Manager. Employees are also urged to offer suggestions for

improvements in the program. Each employee is required to know, understand and comply with safety regulations that apply to the work they are performing.

c. Supervisor Responsibility

The role of the supervisor is critical to the success of the program. The supervisor will be expected to ensure compliance and to promote and encourage safe work practices consistent with the Town of Queen Creek Policies and Procedures. The supervisor should view this responsibility as being equal in importance to other major supervisory responsibilities. The supervisor shall review departmental safety procedures and shall be responsible for the safety of all employees under his/her supervision.

d. Department Responsibility

Each Town department may have their own safety procedures or regulations that specify expectations and requirements for their specific type of work. These procedures or regulations may be developed by the Department Director or designee and Risk Manager. For example, such department specific procedures may include, but are not limited to:

- Hazardous Material Handling
- Use of Protective Equipment
- Storage and Handling of Compressed Gases
- Exposure to Blood Borne Pathogens
- Confined Space Entry
- Lockout-Tag out of Hazardous Energy Sources

2. Enforcement

Along with management and supervisory personnel, the Risk Manager will monitor the loss control program and promote compliance.

Each employee is responsible for their own safety on the job and will be subject to disciplinary action, up to and including dismissal for unsafe work practices constituting violations of safety standards and procedures.

B. Safety Committee Purpose

A Safety Committee appointed by the Town Manager shall convene monthly, or more frequently if necessary, to evaluate the Town of Queen Creek's Safety Program.

Committee focus will include development and revision of safety policies, correction of safety-related problems, and may establish criteria for safety awards. Recommendations made by the committee will be submitted to the Town Manager for final approval.

The purpose of the Town's Safety Committee is to:

1. Provide standard operating procedures (SOP's) for any or all departmental operations that involve employee tasks that could potentially lead to injury or death; or any operational activities described by State or Federal OSHA or industrial best practices.

2. Investigate all accidents and industrial injuries for cause and effect. Use findings to write or change SOP's, make departmental recommendations, and to dictate safety training classes and curriculum.

3. Provide direction and support for the Town's Annual Safety Training curriculum to include topics, lesson plans, instructors, schedules, records, and certification.

4. Assist with safety inspection and corrections for all Town facilities, equipment, and grounds.

5. Provide safety promotional campaigns, messaging, and signage based on pre-determined themes related to workplace safety and employee health and well-being.

C. Controlled Substance, Drug and Alcohol Use and Testing

This general substance abuse policy applies to all employees of the Town and requires employees to refrain from being involved in any way with illegal drugs, on or off the job, or abusing alcohol. The Town of Queen Creek recognizes the problem of substance abuse, which the Town perceives as a serious threat to the welfare of our employees, customers and the public. The Town is committed to providing a drug, alcohol and controlled substance-free, healthy, safe, and secure environment and which complies with the Drug Free Workplace Act.

The Town of Queen Creek observes a "zero tolerance" policy in relation to employees who manufacture, distribute, dispense, conceal, or report to work under the influence of alcohol, drugs or controlled substances, or whose off-duty use adversely affects job performance, safety, or the Town's reputation. Non-compliance will be subjected to disciplinary action, including dismissal. Employee who self-identify chemical dependency or alcohol problems before it affects safety or on-the job performance, will be given an opportunity to submit to a rehabilitation program (as outlined in Procedure #1020).

1. Authorized Drug/Alcohol Testing Occasions

   The Town Manager will establish procedures for addressing the use of drugs, alcohol, and controlled substances in the workplace. The procedures shall allow for the testing of employees under the following circumstances:

   - Pre-employment for safety-sensitive positions
   - Post-accident
   - Reasonable Suspicion
   - Random Testing of Employees required to hold a Commercial Driver's License (CDL)
   - Return-to-Duty
   - Follow-up

   Supervisors at all levels, Directors, Managers are responsible for the communication, implementation, and enforcement of this policy.

2. Employee and Supervisor Training

   Employee Education: All employees are required to take a course provided by the Town which includes information on the Town policy, and on the dangers associated with substance abuse.

   Supervisor Training: All supervisors will be required to take a course provided by the Town, to teach them the signs of drug use and other impairment and the steps to follow when impairment is suspected or detected.

3. Rehabilitation

   Employees needing assistance in dealing with substance abuse problems are encouraged to voluntarily use the Town's employee assistance program and/or health insurance for counseling and treatment.

4. Confidentiality

   Information generated in association with alcohol or drug testing will be treated as highly confidential. Care will be taken to ensure that:

   a. All investigations and testing are conducted in a confidential manner and that all information distributed is limited to the Supervisor, the Department Director, the Town Manager and the Human Resources Director.

   b. Written memoranda and their distribution are limited to the Supervisor, the Department Director, the Town Manager and the Human Resources Director.

c. Test results are kept in the employee's medical files.

D. Worker's Compensation

Employees are covered by the Town under the Arizona State Worker's Compensation Act (A.R.S. Title 23, Chapter 6) against injuries, illness, or disease occurring in the course of Town employment. The law provides for payment of all medical expenses, and under certain circumstances, compensation for loss of income.

E. Tobacco Use

The Town does not encourage the use of cigarettes or other tobacco products by Town employees. Employees who choose to use such substances during working hours should do so in designated areas only as per the Smoke Free Arizona Act (Arizona Revised Statutes 36.601.01).

F. Accident Reporting

While employees should avoid any work-related accidents, some accidents may occur in the course of work. The Risk Manager shall provide a procedure for reporting all kinds of work-related accidents including, but not limited to:

1. Motor Vehicle Accidents
2. Accidents Resulting in Property Damage, Loss, or Theft
3. Accidents Resulting in Injury
4. Other Accidents that Result in a Potential Liability for the Town
5. Legal Claims Against the Town

In addition, the Department Director shall provide a mechanism for employees to report potential safety hazards in the workplace to their immediate supervisor, through the chain of command, or through the Risk Manager.

ADMINISTRATIVE PROCEDURE			
Subject:	**Safety and Resources**		
Revision Date:		**Policy Number:**	1010
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to ensure that within the provisions of the Loss Control Program, employees have the resources to work cooperatively to create a safe work environment and to reduce the frequency of accidents.

Policy Communication

The procedure establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedure

A. General Safety Requirements

1. Personal Conduct

    a. All employees shall conduct themselves in a manner that assures maximum safety to all persons affected by their actions.

    b. At no time shall employees engage in practical jokes, scuffling, horseplay, or misuse of Town of Queen Creek equipment.

    c. The use of intoxicating beverages during working hours is prohibited. Also, being under the influence of alcohol or of any drug which impairs an employee from safely performing their assigned duties is prohibited, to the extent consistent with the Americans with Disabilities Act. Violation(s) of this policy may be sufficient cause for dismissal.

    d. Employees shall strictly observe any designated "No Smoking" areas on Town of Queen Creek property.

    e. Any source of ignition, including smoking, is prohibited in any area where a match, flame, spark, or careless disposal of lighted material constitutes a fire hazard.

    f. Personal work clothing shall be suitable for the individual job and be of the type offering maximum protection from accidental injury. Loose clothing, jewelry, or hanging objects shall not be worn while working around moving equipment/machinery.

2. Protective Equipment

    a. Prescribed protective equipment shall be used at all times in work areas as designated by safety procedures.

    b. Approved hard hats shall be furnished to employees and worn when the employee is exposed to hazards from falling objects or other possible head injury.

    c. Approved safety shoes shall be worn in those departments, shops, or by crews requiring safety shoes.

    d. Goggles, face shields, and other suitable protection devices shall be worn when employees are exposed to possible flying particles or possible splashing from chemicals.

    e. Approved respiratory masks shall be used when employees are exposed to concentrations of dust, fumes, vapors, and gases.

    f. Protective equipment shall be kept clean and free from damage. Frequent inspections shall be performed to assure protective equipment offers maximum protection. Damaged or defective protective equipment or clothing shall not be used and shall be replaced or repaired prior to use.

3. Handling of Materials

    a. All employees are responsible to know and practice the proper lifting technique presented in safety training.

    b. Before an object is lifted, it shall be inspected for grease or slippery substances to ensure that the object will not slip from a grip.

    c. Long objects shall not be carried without assuring that the way is clear and vision is unobstructed to ensure that other persons or objects will not be struck by the load.

    d. If the object is too large or heavy, assistance from additional employee(s) or equipment will be used.

4. Equipment Operation

    a. Operators of Town of Queen Creek-owned vehicles shall be responsible for checking all vehicle safety devices before driving the vehicle. Any defects found shall be reported, and the vehicle will not be operated until the defect has been corrected.

    b. Only fully qualified and properly licensed operators shall be permitted to drive or operate Town of Queen Creek vehicles. The Town of Queen Creek, upon employment and annually thereafter, shall conduct a check of motor vehicle records for all employees authorized or permitted to drive a vehicle on Town of Queen Creek business.

c. All drivers of Town of Queen Creek vehicles shall comply with all laws governing the safe and legal operation of vehicles.

d. Town of Queen Creek employees operating or occupying a Town of Queen Creek vehicle as a passenger shall wear seat belts if the vehicle is so equipped.

e. The driver shall be responsible for assuring that all passengers are seated and properly secured before moving the vehicle. Under no circumstances shall passengers ride on fenders, running boards, the tops of vehicles, or any place not designed for passengers.

f. Trucks, when used for transportation of employees, shall be provided with facilities that will afford safe seating; and the truck shall be protected on sides and ends to prevent falls from the vehicle. The driver shall not allow anyone to ride in the bed of the truck.

g. Trucks transporting materials shall not be loaded to a height of greater than 13 feet, 6 inches, from the ground surface. No vehicle or load shall be of a width greater than 96 inches. All materials shall be tightly secured to prevent movement in transport. All cargo that extends 4 feet beyond the end of the bed shall be clearly marked with a red cloth not less than 16 inches square; at night red lights or reflectors shall be used as required. All drivers of Town of Queen Creek vehicles shall strictly observe speed limits on public roads and highways. Drivers are personally responsible for any traffic citations (tickets) that may be issued as a result of operating a Town vehicle.

h. Speeds in parking lots, maintenance yards, or in close proximity to persons or equipment on Town property shall not be in excess of 10 mph. Lower speed limits may be imposed for selected areas.

i. Defensive driving represents an approach to the driving task that, when applied, can lessen the chances of being involved in a motor vehicle accident. Defensive driving means driving so as to prevent accidents in spite of the actions of others or the presence of adverse driving conditions. Annual defensive driving courses for Town of Queen Creek employees authorized to use Town of Queen Creek vehicles are very strongly encouraged.

5. Fire Prevention

a. The Town's Fire Department has the primary responsibility for fighting fires, and each employee has the responsibility of being alert for possible fire hazards.

b. Each employee shall be adequately trained in fire prevention, emergency evacuations, and essential precautions to prevent injury.

c. All fire-fighting apparatus, including extinguishers, shall be kept in a ready condition and accessible at all times. The Fire Department and/or Facilities Division shall inspect fire-fighting apparatus on a regular basis to ensure proper condition.

d. Fire-extinguishing substances that are conductors of electricity, such as water and acids, shall not be used for electrical fires.

e. When removing supplies of paints, solvents, or other flammables from storage, only the minimum supply to do the job shall be taken. At no time shall the quantity removed exceed one day's working supply.

f. Combustible products of rubbish, waste or other residues shall not be allowed to accumulate. Oil-soaked rags and similar materials subject to spontaneous combustion shall only be stored in non-combustible containers with self-closing lids.

g. Flammable liquids shall not be stored in aisles or in walkways and shall be so located that there will be no interference with evacuation of the area in case of fire.

h. Cigarette butts, matches, or other similar materials shall not be discarded without fully extinguishing the substance.

i. Ashtray contents, cigarette butts, or matches shall only be disposed of in approved non-combustible containers.

j. Smoking, striking of matches, or other sources of ignition shall not be permitted within "NO SMOKING - FIRE HAZARD" areas.

k. All gasoline or flammable solvents or liquids shall not be stored inside a building in other than approved flammable storage containers.

B. Safety Specific to Certain Activities

1. Work Area

a. Employees shall not be required and should not work in areas or situations where they may be adversely affected by working under such conditions as extreme heights, underground, closed areas, etc., without proper protective devices.

2. Office Safety

a. Personnel should not run on walkways or stairways. All personnel shall enter and leave buildings in an orderly manner.

b. All personnel shall observe proper lifting and carrying procedures when moving boxes, office machines, or other heavy materials. Large boxes or materials shall be moved with mechanical equipment or repacked in smaller parcels. Bulky materials shall not be carried when the view ahead is obstructed or when the materials interfere with stairway handrails.

c. Water, oil, or other slippery substances shall be removed at once to eliminate slipping hazards. Extension cords, wastebaskets, and other materials shall be kept out of walkways

or aisles to prevent tripping hazards. Standing on chairs, boxes, or makeshift supports to reach overhead objects is prohibited. Doors shall always be opened with caution to avoid striking someone on the other side. Keep to the right when walking to avoid collisions. Handrails shall be used at all times when ascending or descending stairways.

d. Desk and filing drawers shall be kept closed at all times when not in use. Caution should be observed in opening file cabinet drawers to avoid tipping the cabinet. Only one drawer shall be opened at any one time.

e. Spindles or other sharp or pointed objects on desks to fasten papers are prohibited. Special care must be observed in disposing of broken glass or other sharp objects.

f. Cigars, cigarette stubs, or matches shall not be discarded in wastebaskets.

3. Above-Ground Work

a. Employees shall use approved safety belts, lifelines, or other devices that are adequate for maximum protection while working at heights.

b. No person, material, or equipment shall be lifted from the ground by supports inadequate for the job. The supports of lines shall be approved supports, sufficiently strong and properly secured in place.

c. All ladders used shall be of good quality, securely placed, held, or tied to prevent slipping or falling. Ladders shall not be placed in front of doorways unless the door is open, locked or guarded. Employees shall face the ladder when ascending or descending. Materials that interfere with the free use of both hands shall not be carried up or down the ladder. Metal ladders shall have safety feet. Metal ladders shall not be used within ten feet of above-ground electrical.

d. Scaffolding shall be built from sturdy material with a solid footing and strong guardrail. Scaffold material shall be sturdy enough to support at least 4 times the maximum weight of the user and equipment. (See Arizona Division Occupation Safety and Health Administration (ADOSH) standards 1926.451).

4. Electrical Facilities

a. Only qualified and properly authorized maintenance personnel shall be permitted to install and maintain electrical facilities and equipment. Apprentice personnel, when permitted to work on electrical equipment, shall be under the supervision of a fully qualified electrician.

b. All electricians shall be familiar with the National Electrical Code, the National Bureau of Standards Handbook H30, and applicable sections of the National Fire Protection Association Codes.

c. All electricians shall be trained and fully qualified in emergency first-aid requirements for artificial respiration and closed-chest massage.

d. Electrical equipment and lines shall always be considered “live” until proven dead. Before beginning work, each electrical circuit shall be inspected and tested and, where possible, isolated from the power source. Extreme care shall be exercised as wires designed to operate at ground potential may become energized by faulty or inadequate connections. Lockout Tag out procedures will be used when working with electrical wires/equipment/controls.

e. All portable extension cords shall be equipped with a non-conducting plug and outer socket shell. All electrical cords shall be equipped with the three-prong grounding plug. Extension cords shall not be used as permanent wiring. Extension cords should be protected from damage. When using power tools they shall be double insulated (UL approved) or plugged into GFCI outlet.

5. Transporting of Equipment

a. Transporting of equipment to the job site shall be accomplished in accordance with all state and local laws governing traffic control. Mobile equipment operated on streets and highways shall conform to all state and local law governing motor vehicles. All regulations concerning speeds and load limits shall be strictly observed by personnel operating mobile equipment. When mobile equipment is hazardous to other vehicles on the road, flag persons, signs, or temporary barriers shall control the traffic. When equipment is to be towed to the job site, safety chains shall be used in addition to towing hooks or tow bars. The safety chain shall be of sufficient strength to prevent separation of the towed vehicle, should the tow bar break or disengage in route. Personnel shall never stand or ride on the tow bar while equipment is being towed. Towing should not be completed after dark. When emergency needs require nighttime towing, full operating lights shall be placed at the rear of the tow.

b. When equipment is to be transported by trailer, extreme care shall be taken to prevent equipment from tipping while loading, unloading, or traveling.

c. Clearance heights along the proposed route shall be reviewed for low-hanging objects, and operators shall keep a close watch to avoid striking low-hanging objects with the equipment.

d. Equipment shall be secured and lashed to the trailer with the wheels chocked to prevent in route movement.

e. All trailers shall be equipped with fully operating stop and directional lights, and they shall be checked for operation prior to transporting equipment.

6. No Smoking Area

   a. All flammable storage areas and fuel dispensing facilities shall be posted "NO SMOKING OR OPEN FLAMES WITHIN FIFTY FEET."

   b. Work areas in which flammable materials, such as paints, lacquers, gas, oil, compressed gasses/oxygen, acids or other volatile chemicals are used shall be posted as "NO SMOKING" areas.

7. Industrial Hygiene

   Industrial hygiene is the professional specialty concerned with preserving the health of employees while at work. Many processes and operations either produce or use compounds that may be harmful to a person's health. The Risk Manager will refer to a professional industrial hygienist in cases where the occupational health exposures have such significance and frequency that specialized assistance is necessary.

   a. The industrial hygiene program shall include surveying, monitoring, and controlling potential health hazards. Employees will be notified of hazards using the Material Safety Data Sheets to meet requirements of The Hazard Communication Act and Title III.

   b. Necessary actions shall be taken to control health hazards created by the Town that may affect the health of either employees or the general public. These actions shall ensure compliance with all applicable environmental protection laws.

C. Safety Inspections

1. Facilities

   a. To ensure compliance with safety and health standards, safety self-inspections shall be conducted on a regular basis by the department.

   b. Department inspections should include all buildings, facilities, and equipment, materials, tools and activities. Special emphasis will be placed on housekeeping, illumination, machine and hazard guarding, fire prevention and protection, mechanical and electrical safety.

   c. Inspection checklists are available from the Risk Manager.

2. Vehicles

   a. The assigned operator will check vehicles daily. Any safety and/or other deficiencies (i.e., bad tires, body damage, headlight, brakes, etc.) shall be corrected. Vehicles will be inspected at specified intervals using written checklists. All vehicles shall be serviced according to a preventive maintenance schedule.

D. Safety Suggestions

Employees are encouraged to submit suggestions to their supervisor, Department Director, Risk Manager, and/or safety committee representative concerning the modification of any facility, equipment, or procedure that the employee feels will reduce the chances of bodily injury and/or damage to equipment or property.

E. Industrial Injuries

1. Injury Investigations

   All occupational injuries and illnesses, regardless of the degree or extent or medical treatment or hospitalization, shall be reported to the immediate supervisor and Risk Manager as soon as possible. Prompt investigation is necessary before the facts and evidence of the mishap are removed, destroyed, or forgotten. The primary purpose of the investigation is to determine action necessary to prevent recurrence of the same or similar type of incident.

2. Occupational Injury and Illness Reporting

   When an employee sustains an injury or illness arising out of and in the course of employment, it will be reported immediately to the employee's supervisor and Risk Manager. Failure of the employee to do so on the day of the alleged incident could result in denial of the claim and could result in disciplinary action. Supervisors should ensure the injured employee receives prompt medical treatment.

   The supervisor will immediately complete "Supervisor's Report of Industrial Injury" form. The supervisor, or his representative, will:

   a. Report the mishap in person or by telephone to the Risk Manager, as soon as possible, but in no case later than the first duty day after the injury.

   b. Investigate the alleged injury or illness.

3. Medical/Industrial Clinic

   In order to provide the best emergency medical care and to control claims costs, the Risk Manager will designate clinics and/or hospital that is to be used, if possible, to treat job related injuries and illnesses. The contractor will be made aware of the desire to return an injured employee to work as soon as possible. The injured employee always has the right, if he/she so chooses, to seek treatment with his/her own physician.

F. Reporting Motor Vehicle Accidents

Employees involved in vehicle accidents, or incidents involving vehicle damage, shall notify their immediate supervisor as soon as possible.

The Town's contracted police agency shall investigate vehicle accidents and incidents (within Town limits). Accidents outside the Town limits require a report from the local policy agency. The employee must complete the Vehicle Accident Report located in the glove box of the vehicle at the scene and give it to their immediate supervisor. Employees shall not conduct the investigation of an occurrence in which they are personally involved.

G. Reporting Property Damage or Loss

All personnel are accountable for equipment used to perform assigned duties. Care of equipment entails proper maintenance and security. When equipment is damaged, lost or stolen, documentation is required for claims processing and notification.

The employee discovering the damage, loss, or theft of equipment shall immediately report the incident to his/her immediate supervisor and the Sheriff's Department.

Questions concerning the replacement of lost or stolen property, or repair or replacement of damaged property should be directed to the Risk Manager.

H. Supervisor Responsibilities

While the individual employee is ultimately responsible for their own safety and well-being on the job, the role of the supervisor is critical to the success of the Loss Control Program. The immediate supervisor is expected to ensure safe work practices consistent with the Town's policies and procedures. The supervisor should view this responsibility as equal in importance to other major departmental safety procedures and provide employees under their supervision with direction. Specifically, the immediate supervisor is responsible for:

1. Providing a safe working environment, including access to proper equipment so that the employee can perform the job safely.

2. Developing, implementing, and administering safe work practices in the work place.

3. Assuring that all occupationally connected injuries or illnesses, vehicle accidents, fire, property damage, or other loss of Town resources are reported and investigated. When appropriate, supervisors should recommend corrective measures, which may preclude recurrence of the incident.

4. Inspecting Town facilities and resources to assure compliance with Town and OSHA safety standards and criteria.

5. Providing assistance to their employees in order to coordinate accident/loss prevention activities.

6. Conducting and coordinating training programs related to safety issues.

7. Preparing and ensuring compliance of safety policies and procedures or guidelines and regulations that specify expectations or requirements for their individual scope of work.

In addition, each department, in coordination of the Risk Manager, should update their safety-related policies, as needed.

I. Risk Manager Responsibilities

Along with the management in each department, the Risk Manager shall promote compliance with all safety-related policies and procedures.

J. Safety Committee Responsibilities

Upon recommendation by the Town's Safety Officer/Risk Manager, the Town Manager shall appoint employee representatives to a Safety Committee to provide a mechanism to: (1) evaluate workplace practices; (2) make recommendations based on accident investigation reports; (3) facilitate required or needed employee safety training; and (4) review safety equipment needs and usage. The purpose of the Safety Committee is to maintain and promote a safe and healthy working environment for Town employees, protect public resources, and reduce Town exposures to risk and loss.

The Safety Committee will focus on the development and revision of safety policies, procedures, and practices. They will take immediate or time related actions to correct safety related problems. Such corrections may be in the form of policy/procedural changes, notice of violation, training initiatives, equipment replacement, or some combination of those methods. All actions and recommendations for the Committee are subject to review by the Human Resource Director and may require submittal to the Town Manager for final approval.

Responsibilities of the Safety Committee shall include:

1. Hold monthly meetings

2. Prepare written records of the safety and health issues discussed at Committee meetings.

3. Organize to provide oversight for safety inspections, accident investigations, scheduled training, and equipment operations.

4. Review results of safety inspections by the Safety Officer/Risk Manager and/or other committee members. Take appropriate actions to correct any safety threats, medical exposures, or unsafe practices.

5. Review investigative results of industrial injury, and employee accidents to determine cause and effect. Upon discovery, take appropriate action or make necessary recommendations to prevent or eliminate future mishaps.

6. Review OSHA citations and verify abatement action taken.

7. Review investigation of alleged hazardous conditions brought to the attention of any committee member.

8. Enhance workplace safety by utilizing posters, bumper stickers, employee suggestion program, Town web-site, e-mails, or other multi-media resources to keep safety issues as a high priority in the Town.

9. Promote a safety awards program that recognizes and rewards Town employees for consistent safety behaviors at work.

K. Emergency Phone Numbers

It shall be the responsibility of each supervisor to have emergency telephone numbers clearly posted in the work area. Numbers listed should contain the fire, police, and emergency medical numbers and other numbers as listed below:

- Fire Department 911
- Emergency Medical Service 911
- Ambulance Service 911
- Police Service 911
- Life Threatening Emergencies 911
- Risk Manager (480) 358-3203

L. Potential Disciplinary Measures

Any employee who violates established safety and loss control practices will be subject to the Town's disciplinary measures.

ADMINISTRATIVE PROCEDURE			
Subject:	**Controlled Substances, Drug and Alcohol Use and Testing**		
Revision Date:		**Policy Number:**	1020
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

This procedure will establish the Town's rules governing the maintenance of a drug-free and alcohol-free work in compliance with federal and state laws. This procedure establishes the process for conducting tests for alcohol and controlled substances on all applicants conditionally offered employment in safety sensitive positions and employees. In addition, these procedures have been developed to implement the Town of Queen Creek's Commercial Driver's License (CDL) Alcohol and Controlled Use and Testing Program in compliance with the Federal Motor Carrier Safety Administration Regulations (FMCSA), 40 CFR § 40, 382.

The Town acknowledges that our success now, as well as in the future, is dependent upon the well being of our employees. Our goal is to establish a work environment that is free of the harmful effects of controlled substances or alcohol. It is our intent to protect the safety of our employees, the public we serve, and to prevent accidents that are the result of controlled substance abuse or the misuse of alcohol.

The Town of Queen Creek observes a "zero tolerance" policy in relation to employees who manufacture, distribute, dispense**,** conceal, or report to work under the influence of alcohol, drugs or controlled substances, or whose off-duty use adversely affects job performance, safety, or the Town's reputation, and will be subjected to disciplinary action, including dismissal. Employee who self-identify chemical dependency or alcohol problems before it affects safety or on-the job performance, will be given an opportunity to submit to a rehabilitation program.

Policy Communication

The Policy establishing the Town's support for a safe work environment can be found in Policy 1000.

Procedures

While this procedure does not prohibit the use of legal prescribed drugs, the employee is required to notify their supervisor if the use of any legal drug may endanger their safety or the safety of others. For example, the employee should tell their supervisor if they are using any legal drug that cautions against operating heavy machinery if the employee's job involves heavy machinery. Legal drugs refers to prescribed and over the counter drugs or medications which have been legally obtained and are being used only for the purpose for which they were prescribed by a treating physician, manufactured, or in the manner in which they were intended.

The Town will maintain screening practices to identify employees who misuse legal drugs, use controlled substances, or abuse alcohol. As a condition of continued employment, each employee of the Town is required to submit to controlled substance and/or alcohol screening when directed to do so by the Town.

Drug Free Workplace Programs Administration

All Town of Queen Creek alcohol misuse and controlled substances use prevention programs records shall be maintained in a secure location with controlled access by the Human Resources Director, or designee, and in accordance with FMCSA 49 CFR §382.

The Human Resources Director, or designee, shall prepare and maintain an annual calendar summary of the results of its alcohol and drug testing programs.

A. Types of Authorized Drug and Alcohol Testing

1. Post-job Offer, Pre-employment Testing

   All new job candidates who will occupy a safety-sensitive position identified by Human Resources and/or as per State and/or Federal law must undergo testing for alcohol and controlled substances within 24 hours of the conditional offer of employment. The conditional offer of employment will be withdrawn if the job candidate does not test within 24 hours notification.

   A job candidate who tests positive for controlled substances or alcohol will not be hired.

   Pre-employment testing also pertains to current employees who transfer or are promoted into a position which requires the possession of a CDL or is a safety-sensitive position. Applications for any position will not be considered from any current employee who refuses to test.

   Applicants will not be allowed to substitute testing done through their own medical facilities and/or laboratories unless the applicant is an out-of-state resident and the out-of-state laboratory has been approved by the Human Resources Director.

2. Post-accident and Injury Testing

   Public entities are allowed to conduct a controlled substance and alcohol test if there is sufficient cause or if there is a safety or security sensitive justification.

   A controlled substances and alcohol test shall be conducted within thirty-two (32) hours and eight (8) hours, respectively, on each driver of an accident involving a Town owned vehicle (including commercial motor vehicle) when:

   a. There is a loss of life, or

   b. The driver receives a citation for a moving traffic violation arising from the accident, or

c. There is an injury requiring treatment away from the scene of the accident, or

d. A vehicle is required to be towed away from the scene, or

e. It appears the driver may have been at fault, when the actions of the employee apparently caused an accident.

This section does not require the delay of necessary medical attention for the injured person(s) following an accident, or prohibit a driver from leaving the scene of an accident in order to obtain necessary care. If the vehicle is in park, not running and the driver was not in the vehicle at the time of the incident, then the Town driver will not be tested.

A recordable injury is one requiring more than First Aid as defined by the United States Department of Labor Occupational Safety and Health Administration. Please see Glossary of Terms for the specifics of determining First Aid.

An employee who is subjected to post-accident testing must remain readily available for such testing, or the Town may consider the employee to have refused to submit for testing. The employee subject to post accident testing must refrain from consuming alcohol for eight hours following the accident, or until they submit to an alcohol test, whichever comes first.

Following an accident, which meets the criteria listed above, the supervisor should take the employee to the designated testing facility immediately. If the alcohol test is not administered with two (2) hours following the accident, the supervisor will prepare a written report stating the reasons the test was not administered. If the alcohol test is not administered within eight (8) hours following the accident, all attempts to administer the test will cease and the supervisor will prepare a written report stating the reasons the test was not administered. Copies of the report shall be maintained in Human Resources.

If a controlled substances test required by this section is not administered within thirty-two (32) hours following the accident, all attempts to administer the test will cease. The supervisor will prepare a written report stating the reasons the test was not administered. Copies of the report shall be maintained in Human Resources.

Any employee who tests positive for an illegal controlled substance and/or alcohol after a post-accident or injury test will be recommended for dismissal.

3. Random Testing

<u>Commercial Driver's License (CDL) Holders</u>

Any employee who is required to hold a commercial driver's license (CDL) for the position held by the employee shall be subject to random drug and alcohol testing. The Town or its agents will submit all CDL employees' names to a random selection system. The random selection system provides an equal chance for each driver to be selected each time random selection

occurs. Random testing will be unannounced, will be performed at the time the driver reports to work, during the work day, or at the end of the work day, and will be reasonably spread throughout the year. The Town will drug test, at a minimum, fifty percent (50%) of the average number of employee positions requiring a CDL in each calendar year or at a rate established by the Department of Transportation (DOT) for the given year. The Town will select, at a minimum, ten percent (10%) of the average number of employee positions requiring a CDL in each calendar year for random alcohol testing. The minimum percentages of testing may be changed when required by federal law. Random selection, by its very nature, may result in employees being selected in successive selection or more than once a calendar year.

If an employee is selected at random for either drug or alcohol testing, he/she will be accompanied by a supervisor to the testing site. If the employee engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test in which appropriate disciplinary action will be taken.

4. Reasonable Suspicion Testing

An employee shall be required to submit to drug and/or alcohol testing if that employee's supervisor has reasonable suspicion to believe the employee is under the influence of drugs or alcohol while on duty or while in control of any Town-owned vehicle. The decision to require a test for reasonable suspicion will be based upon objective observation, by one or more supervisors who have received reasonable suspicion training of at least sixty (60) minutes for alcohol misuse and sixty (60) minutes for controlled substances use, and who have been appropriately trained to determine if reasonable suspicion exits. A supervisor or Town official's reasonable suspicion will be based upon specific observations concerning the appearance, behavior, speech or body odors of the driver, including indications of the chronic and withdrawal effects of controlled substances. If a supervisor or Town official has reasonable suspicion to believe an employee is under the influence of drugs or alcohol while on duty or while in control of any Town-owned vehicle, he or she should immediately ensure the safety of the employee and other employees by removing the employee from the work site. The Human Resources Director, or designee, must be notified and provide approval prior to administering a reasonable suspicion test. The Town may request assistance of a Sheriff's Officer to assist in the determination.

Documentation shall be made as to specific observations made and then the supervisor or designee will drive the employee to the testing site and then home pending the test results. The employee will be placed on paid administrative leave pending notification of the test results.

5. Self-identification Process and Testing

Employees are encouraged to self-identify to his/her immediate supervisor, through the chain-of-command or to the Human Resources Director for a chemical dependency or alcohol problem before it affects safety or on-the job performance. This is a one-time self-identification opportunity during the employee's tenure with the Town. The self-identification opportunity

must be voluntary. Discipline will not be initiated because an employee self-identified (self-identification must occur prior to an employee receives notification of the requirement for a test).

Employees who self identify will:

a. Be removed from any driving or safety-sensitive position until released by a Town selected Substance Abuse Professional (SAP).

b. Agree to successfully participate in a Town approved Employee Assistance Program treatment rehabilitation program and comply with the program conditions.

c. Sign a Last Chance Agreement. This Agreement is offered in lieu of dismissal for violation of the Town's substance abuse rule. This agreement outlines the additional condition of continued employment with the Town of Queen Creek.

d. Sign a "Consent to Release Information" document allowing the SAP to communicate the employee's progress to the Human Resources Director, or designee.

e. The employee agrees that the employee will pay the cost of the SAP and for follow-up testing. The Town will allow follow-up testing on Town time.

f. Agree to unscheduled alcohol and/or controlled substance tests, as directed by the SAP or the Town, for a minimum of six (6) tests in the first twelve (12) months and not to exceed sixty (60) months from the date the employee returns to work.

g. A Return to Duty test will be required as a condition to return to work or continued employment in conjunction with the completion of an approved drug and/or alcohol treatment or counseling program.

Employees may:

a. Use accumulated sick leave for the rehabilitation program. Leave donations will not be authorized under any circumstances. Use of Family Medical Leave may be required, depending upon the circumstances.

b. Be accommodated by their department by being placed in a non-driving/safety-sensitive position if appropriate and available. (Not all departments will be able to accommodate).

If a non-driving position is not available, employees who are required to drive as part of their job will be allowed to use accumulated leave or will be placed on unpaid leave status until released by a SAP. Depending upon the circumstances, FMLA will be charged. Length of unpaid leave allowed for this section will be 60 days.

Voluntary self-identification shall not relieve the employee from the responsibility of adequate job performance, nor prevent a recommendation for dismissal in the event that the employee

tests positive for any illegal controlled substance, non-prescribed medication or alcohol, after follow-up testing has begun. In addition, if, due to the circumstances of the controlled substances and/or alcohol misuse, the employee is not able to perform the functions of their position, the employee will be recommended for dismissal.

B. Testing Procedures

Unless an employee is subject to Federal Department of Transportation regulations, the Town will determine the type and manner of controlled substance or alcohol testing, including what constitutes a positive test result, at its sole discretion. The Town is entitled to rely on the results of its controlled substance or alcohol testing to determine if any employee or applicant has violated this policy and is subject to discipline.

The testing lab the Town uses will ensure that the testing is conducted in compliance with state and applicable federal procedures.

Drug Testing

Drug testing will be performed through urinalysis. The panel of drugs for which persons and/or employees will be tested as recommended by the National Institute of Drug Abuse (NIDA) is the 5 panel which includes marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines, and other controlled substances as appropriate. Referrals for alcohol include a breath or blood alcohol (ethanol) test.

Each drug test result will be analyzed in a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory and will be reviewed by a certified Medical Review Officer (MRO) prior to being reported to the Town. The lab will use a “split sample” method of testing performed by laboratories. All test results will be reported to the Human Resources Director or designee.

The procedure starts with the collection of a urine specimen. Specimens will be submitted to a certified laboratory for testing. As part of the collection process, the specimen provided will be split into two vials; a primary vial and a secondary vial. The certified laboratory will perform initial screening on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed prior to the laboratory reporting the results to the Town.

Subject to the oversight of a certified Medical Review Officer (MRO), collection and procedures will follow professionally accepted protocols and as appropriate will follow the Department of Transportation testing guidelines (49 CFR §40) to ensure that each specimen is collected and process forensically valid criteria. Professionally accepted chain of custody procedures will govern the administration of all drug tests, subject to the oversight of a certified MRO.

All laboratory results will be reported by the laboratory to the Human Resources Director, or designee.

Human Resources may verify a test result as positive without communicating with the employee if:

- The employee declines to discuss the test with the MRO;
- More than seventy-two (72) hours pass since the time the designated Town official informs the employee that they should contact the MRO; or
- Neither Human Resources nor the designated Town official, after making and documenting all reasonable efforts, has been able to contact the employee within ten (10) days of the date on which the MRO receives the confirmed test result from the laboratory.

Once a controlled substances test is verified as positive, the employee will be immediately placed on administrative leave. An employee testing positive for controlled substances must request that Human Resources have the secondary vial tested with seventy-two (72) hours of notification. The secondary vial must be tested by a different certified laboratory from the first certified lab that tested the primary vial. If the secondary vial tests positive, the Town will initiate a letter of intent for dismissal process (as outlined in procedure #820).

Alcohol Testing

The Town of Queen Creek's designee will conduct a screening test for alcohol use by using either an evidentiary breath-testing device (EBT) or a non-evidential screening device approved by the National Highway Traffic Safety Administration. Results will be reported to Town's Human Resources. A positive result is 0.02 percent or greater. If the screening test yields a positive test result for alcohol, a confirmation test will be performed between 15 and 30 minutes after the first test using an EBT. If the two tests yield different results, the confirmation test will be deemed to be the final result upon which any action is based.

Failure to provide adequate breath for alcohol testing without a valid medical explanation will constitute a refusal to submit to alcohol or controlled substances test. Once an alcohol test is verified as positive, the employee will be immediately placed on administrative leave and the Town will initiate a letter of intent for dismissal process (as outlined in procedure #820).

Handling of Test Results

All controlled substance and alcohol screening results shall be the private and confidential property of the Town of Queen Creek and will not be shared with anyone except:

1. The applicant or employee;
2. Town supervisory staff with a demonstrated need to know such information;
3. As required by law, expressly authorized by the DOT rules;
4. To legally protect the Town.

In the event the job applicant fails the test the Town will notify the job applicant upon receipt of confirmation of a positive test.

The Town will notify an employee of the results of random, reasonable suspicion, and post-accident test results verified as positive for alcohol, or controlled substances, and identify for the employee the controlled substance or alcohol that was detected and verified.

C. Testing Costs

The following describes the Town's responsibility for the cost of the testing:

1. Random (covered in the CDL section), reasonable suspicion, and post-accident and/or injury testing will be done on Town time, at the Town's expense.

2. Pre-employment, post offer testing of job candidates who may occupy an identified safety sensitive position will be done on the non-Town applicant's own time at the Town's expense. If the candidate is currently a Town employee, the testing will be done on Town time and at Town expense.

3. The Town will seek reimbursement from the employee for the cost of the split specimen test at a second laboratory.

D. Searches

The Town reserves the right to conduct searches for unauthorized substances or any other relevant documents or things anywhere on Town property, including, but not limited to, lockers, desks, and file cabinets, where, in the opinion of the Town Manager or Town Attorney deem reasonable grounds exist for the search. Personal property on Town premises shall be subject to such searches. Employees should have no expectation of privacy related to anything on Town property. All such searches shall be authorized and conducted under the direction of the Town Manager or Town Attorney or their designee. Employees who refuse to cooperate during such unannounced searches shall be subject to disciplinary action, up to and including dismissal. Body searches of employees shall not be conducted by Town personnel other than by law enforcement officers in the performance of their official duties.

E. Off Duty Conduct

The Town of Queen Creek reserves the right to take disciplinary action, up to and including dismissal, in the event an employee's off-duty involvement with controlled substances or alcohol is damaging to the Town's reputation or business or is inconsistent with the employee's job duties or when such off-duty conduct results in impairment of the employee's job performance. This determination will be at the sole discretion of the Town.

F. Prohibited Conduct

Employees or applicants who are currently engaged in the illegal use of drugs or abuse of alcohol are not covered by the Americans with Disabilities Act. Any employee participating in prohibited conduct will be subject to disciplinary action up to and including dismissal. No employee shall:

1. Refuse to submit to an alcohol or controlled substances test. A refusal shall be deemed a positive test and will result in the candidate's offer of employment being rescinded or a recommendation of dismissal of a current employee.

2. Manufacture, use, sell, distribute, dispense, purchase, or have in possession any illegal controlled substance on Town time or on Town property, including breaks and/or lunch breaks.

3. Fail to notify a supervisor when an employee has reasonable suspicion of another employee's illegal controlled substances and/or alcohol use.

4. Fail to remain readily available for testing after an accident.

5. Be allowed to work when the employee has used any drug, alcohol, or controlled substances of medication that will affect the employee's ability to perform the duties of the job.

6. Test positive for non-prescribed medication, alcohol, or controlled substances.

7. When required to take a post-accident test, use alcohol for eight (8) hours following the accident or before being tested, whichever comes first.

8. Attempt to interfere, substitute, alter, or in any way affect the outcome of the alcohol or controlled substance-testing procedure.

9. Violate any portion of this procedure.

10. Test positive for the controlled substances in accordance with applicable DOT Alcohol & Drug Testing Procedures (49 CFR §40):

    a. Marijuana (THC metabolite)

    b. Cocaine

    c. Amphetamines (e.g., Racemic amphetamine, dextroamphetamine, and methamphetamine)

    d. Opiates (e.g., heroin, morphine, codeine)

    e. Phencyclidine (PCP)

    f. Other controlled substances as appropriate

G. Management and Supervisory Responsibilities

Following an accident or injury as defined under Post Accident Testing, the supervisor or designee, will drive the employee to the designated testing facility immediately.

A supervisor shall be subject to disciplinary action up to and including dismissal if he or she:

- While on Town time, a supervisor or manager having knowledge that an employee is using, selling, purchasing, manufacturing, or is in possession of or under the influence of alcohol or controlled substances which could cause impairment, allows the employee to work.
- Has actual knowledge or reasonable suspicion that an employee is using alcohol or has an alcohol concentration of .02 or higher while at work, and permits the employee to work.
- Permits an employee to work after he or she refuses to post-accident, (random for employees required having a Commercial Drivers License), reasonable suspicion, for cause, follow-up alcohol or controlled substance testing, to work.
- Has actual knowledge or reasonable suspicion that an employee has used, and is impaired by an illegal controlled substance, alcohol, or non-prescribed mediation and permits the employee to work.
- Has actual knowledge or reasonable suspicion that an employee has tested positive for illegal controlled substances and permits the employee to work.
- Has actual knowledge or reasonable suspicion of any of the situations listed above and does not report such information to management immediately.

H. Consequences of Prohibited Conduct

Except for employees who self-identify as outlined in this procedure:

1. Employees testing positive for controlled substances will immediately be removed from their position and will be recommended for dismissal.
2. Employees testing positive for alcohol greater than 0.02 percent up to, but not including, 0.04 percent.
    a. The employee will be sent home on administrative leave with pay for a minimum of twenty-four (24) hours and must retest prior to returning to duty.
    b. Upon retest, a breath alcohol test measuring greater than .02 percent will result in a recommendation that the employee be dismissed.
3. Employees testing 0.04 percent or greater at any time they are subject to this procedure will be recommended for dismissal.

I. Record Keeping and Confidentiality

To provide oversight of the Town's Alcohol and Controlled Substance Use and Testing programs and to protect employee confidentiality, the Town will maintain in a secure location with controlled access for certain records concerning its alcohol and control substance use prevention program in the Human Resources Department. Such records will be maintained in the employee's medical file (and/or CDL file, if applicable), separate from other employment-related documents. It is the policy of the Town to treat this information with strict confidence so that disclosure of information to unauthorized persons does not occur. Employee information shall only be released as required by law or as expressly authorized in the following instances:

1. An employee shall have access to any of their alcohol and controlled substance testing records upon written request to the Human Resources Director.
2. The Town must allow any authorized governmental agency access to all facilities and all records.
3. When requested, the Town shall disclose post-accident testing information to the Department of Transportation and Federal Motor Carrier Safety Administration (FMCSA), as part of an accident investigation.
4. For employees who possess a Commercial Drivers License, the Town shall make records available to a subsequent employer upon receipt of a written request from the employee.
5. The Town may disclose information to the appropriate party in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee. This may include workers' compensation, unemployment compensation, or other proceedings relating to benefit sought by the employee or a third party. The request will be processed through the Town of Queen Creek's legal department.
6. Other identified means, if appropriate, and requested in writing by the employee.

J. Additional Requirements for Employees Required to Possess a Commercial Driver's License

In addition to the preceding requirements, the following procedure applies to all employees and applicants of the Town of Queen Creek regulated by the Federal Motor Carrier Safety Administration (FMCSA) 49 CFR § 382 and DOT 49 CFR § 40 with duties or activities that involve the requirement of a Commercial Driver's License (CDL), herein referred to as safety-sensitive. The actual job duties of employees have been analyzed to determine whether persons perform, or may be called upon to perform safety-sensitive duties.

Participation in the Town of Queen Creek's Alcohol and Controlled substance Testing/FMCSA Program is a requirement of each of these safety-sensitive employees and is a condition of employment and continued employment with the Town of Queen Creek. This includes any employee and/or supervisor if they utilize their CDL at least once per year, or may perform safety sensitive functions in the future.

Each employee regulated by the FMCSA will be required to sign a confirmation of receipt form that acknowledges that the employee received a copy of this policy. It is the responsibility of the employee to read, understand, and comply with this policy. Employees are encouraged to ask questions if there is any part that is unclear. Failure to read or understand will not relieve the employee of the responsibility to abide by it.

Job candidates who held CDL positions with previous employers are required to sign a release form that allows the Town to obtain alcohol and drug test results and information from all previous employers for the past two years. This includes job applicants that have failed or refused a Department of Transportation Alcohol and Controlled Substance pre-employment test within the past two years from an employer who did not hire the applicant.

Training

Covered CDL employees will be provided with at least sixty (60) minutes of initial awareness training on Alcohol and Controlled Substances and educational materials explaining the requirement of their positions. The training will emphasize the effects and consequences of prohibited drug use and alcohol and prescription medication misuse, personal health, safety, the work environment, and on the signs and symptoms which may indicate a substance issue. The materials shall include but are not limited to:

The information provided will include:

- The name and phone number of a Human Resources representative who is designated to answer employee questions.
- The categories of employees who are subject to this policy.
- Information about the safety-sensitive functions performed by these employees to make clear what period of the workday the covered employee is subject to testing.
- Overview of the Prohibited Conduct and Consequences of Prohibited Conduct.
- The types of testing employees are subject to.
- The procedures that will be used to test for the presence of drugs and/or alcohol.
- The testing procedures.
- Definition of what constitutes a refusal to test.
- Effects of Alcohol and/or Controlled Substance use on an individual's health, work and personal life; signs and symptoms of an alcohol and/or drug problem; and, available methods of intervention and rehabilitation.

Refresher training of sixty (60) minutes for Alcohol and Controlled Substance Awareness is recommended each year.

In addition, employees designated to supervise employees subject to FMCSA requirements are recommended to receive annual training of at least an additional 60 minutes of training on controlled substances use. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substance.

K. Employee Assistance Program

The Town maintains an Employee Assistance Program (EAP). The EAP offers confidential counseling, assessment, and other professional services in an effort to aid the employee who has substance abuse or related problems.

Employees needing assistance in dealing with substance abuse problems are encouraged to voluntarily use the Town's EAP and/or health insurance plan or counseling and treatment. Absences for voluntary treatment may qualify for sick leave or FMLA leave for eligible employees.

ADMINISTRATIVE PROCEDURE			
Subject:	**Medical Inquiries**		
Revision Date:		**Policy Number:**	1030
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

In certain situations, the Town may have a need to determine the physical or mental fitness of an employee to perform the essential functions of their job without endangering themselves or others. The process for conducting these independent medical examinations, including the circumstances under which they would be conducted, will be outlined in this administrative procedure.

Policy Communication

The procedure establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedures

A. Circumstances Leading to a Medical Evaluation

The Department Director, with the approval of the Human Resources Director, may request an employee submit to a medical evaluation under the following circumstances:

1. When the employee presents medical documentation that limits their ability to perform the essential functions of the job.
2. When the employee refuses to seek medical attention to treat conditions that affect their ability to perform the essential functions of the job.
3. When an employee returns to work after being on medical leave.
4. When an employee is injured on the job and the Town desires a second opinion on the employee's medical condition.

B. Steps to be Taken to Initiate a Medical Evaluation

1. When a Department Director is aware of a situation where the medical condition of the employee limits or restricts the employee's ability to perform the essential functions of the job, the Department Director should contact the Human Resources Director for assistance.

2. The Human Resources Director will coordinate an appointment for the employee and ensure the employee has the necessary information to attend the appointment. The Town will pay the cost of the medical evaluation.

3. Results of the medical evaluation will be given to the employee and a copy sent to the Human Resources Director, or designee, with any job-related restrictions or limitations conveyed to the Human Resources Director and a copy of the restrictions given to the employee.

4. The Human Resources Director will share with the Department Director any confirmed medical restrictions.

5. If there are restrictions, a determination will be made by the Department Director and Human Resources Director to see if reasonable accommodations under the American with Disabilities Act can be made and if the employee can perform the essential functions of their positions.

6. If an employee is not capable of performing the essential functions of their position with or without reasonable accommodation, they will be given the opportunity to transfer to any open position they are qualified and for which they can perform the essential functions with or without reasonable accommodation. If no position is available, the Department Director will initiate a letter to the employee the Town's intent for the employee's dismissal.

C. Confidentiality

Results of any Town-ordered medical evaluation are strictly confidential and are to be shared only with the Human Resources Director, or designee, and individuals with a compelling need to have such information as outlined in the Health Insurance Portability and Accountability Act (HIPAA).

D. Employee Rights

Upon receipt of the results of the medical evaluation, the employer or employee has the right to dispute the results and restrictions and request a second opinion. The Town will pay the cost of the second opinion and the medical doctor issuing the second opinion will be chosen by the Town. If the employee or the Town disputes the results of the second opinion, either party may request a third and final opinion. The final opinion will be paid by the employee and will be issued by a medical doctor that is mutually agreed upon by both parties. The third opinion will be binding. The results of the third examination shall guide personnel decisions affecting the employee and shall be kept confidential and only shared with others on a need to know basis.

ADMINISTRATIVE PROCEDURE			
Subject:	**Tobacco Use**		
Revision Date:		**Policy Number:**	1040
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

This procedure is provided in recognition of the Town's duties under the Health and Safety at Work Act of 1974 and the Smoke Free Arizona Act (ARS 36.601.01) to take all reasonable steps to provide a healthy working environment for all its employees, customers, and visitors.

Policy Communication

The procedure establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedure

The Town does not encourage the use of cigarettes or other tobacco products by Town employees as per Resolution No. 53-92. Employees who choose to use such substances during working hours should do so in designated areas only. Smoking is prohibited within all enclosed Town work areas and public spaces including conference areas, restrooms, stairwells, hallways, work stations and break rooms. The success of this procedure depends upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All employees share in the responsibility for adhering to and enforcing this procedure.

A. Prohibited Areas

Smoking is also prohibited in the external locations which are covered by existing statutory provision:

- 20 feet of any door and within any Town vehicle.
- On the balcony of buildings.
- Either in or adjacent to paint, chemical or solvent stores.
- Storage areas or areas housing flammable industrial gases or in the immediate vicinity of such areas.
- Either in or adjacent to battery rooms or location where batteries are charged.

- Any other area as required by OSHA Safety Standards where there is a flammable hazard or risk of ill health.

The decision to provide or not provide designates smoking areas outside the building where smoke does not filter into the doorways, windows, or air intake systems will be at the discretion of management or other decision-making body.

Supervisors will discuss the issue of smoking breaks with their staff. Together they will develop effective solutions that do not interfere with the productivity of the staff.

B. Signage

Prominent "No Smoking" signs or "Open Flames within Fifty Feet" are posted at visible prohibited areas such as:

- All building entrances;
- In and around all flammable storage areas and fuel dispensing facilities;
- Work areas in which flammable materials such as paints, lacquers, gas, oil compressed gasses/oxygen, acids or other volatile chemicals are used.

C. Designated Smoking Areas:

NE side door of the Development Services Building (DSB)

- SW corner area of DSB
- West side of DSB near parking lot
- North side of Town Hall at back door to council chambers
- East side of Town Hall near large building sign only during meetings and for visitors
- South side of Town hall near hitching rail
- Rear of the Annex by picnic table
- North side of carport at Annex
- South side of the community center, by east end of building
- Parks & Recreation at rear door (west side)
- Parks & Recreation north of front door at end of side walk
- Youth Center north side of building by back door

D. Enforcement

It is the responsibility of each employee to comply and to duly notify his or her visitors of the provisions to ensure compliance of this procedure.

ADMINISTRATIVE PROCEDURE			
Subject:	**Workers' Compensation**		
Revision Date:		**Policy Number:**	1050
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is to describe the protections afforded to employees under the State Workers' Compensation Act. Work-related injuries should be avoided at all costs. However, when an employee is injured on the job or becomes ill as a result of a job-related condition, they are entitled to medical treatment and compensation for qualifying time lost, under the Act. Employees and supervisors should be familiar with the steps outlined in this procedure to ensure compliance with the State regulations.

Policy Communication

The procedure establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedures

A. Provisions

Workers' Compensation shall be provided to Town employees for injuries sustained or illness contracted while in the official performance of job assignments with the Town. When light duty is not permitted by the treating physician, the employee will receive the workers' compensation payment directly from the workers compensation carrier, for as long as the payments are authorized or until light duty is authorized. Employees are not allowed to work at secondary employment while on injury leave or light duty.

During the first ninety-(90) days, if the treating physician has not released the employee to "Light Duty", the employee will be able to use any accrued leave, including sick leave, or vacation leave to supplement the Workers' Compensation provided income.

B. Notification Requirement

During the period of time an employee is on Workers' Compensation and the employee receives his/her regular salary, he/she is required to report to the Risk Manager and Department Director or designee of the Department, at least once a week regarding the status of the injury or illness. Failure to comply with this notification requirement may result in termination of Town wages under Administrative Procedure #660 letter E, Injury Leave.

C. Procedures to follow if there is a Work-Related Injury other than First Aid

1. Employees must report the injury to their supervisor immediately. The supervisor will immediately notify the Department Director or designee and the Risk Manager. The supervisor shall direct the employee to obtain the appropriate medical treatment. Supervisors shall complete the Supervisor's report of Industrial Injury form and forward it to the Risk Manager within 24 hours of the injury. Nothing in this procedure should be construed as to require the delay of necessary medical attention for the injured persons.

2. All employees who are injured and require medical treatment will be required to do a post-accident drug and alcohol test at the Town's chosen Workers' Compensation medical provider. The process is defined under Procedure #1020.

3. The employee may refuse treatment. The refusal shall be in writing to the Risk Manager.

4. The Risk Manager will complete the Employer's Report of Industrial Injury immediately upon receipt of the Supervisor's Report of Industrial Injury (form 1060).

   If treatment is required:

   a. The Employer's Report is to be submitted to the workers' compensation provider no later than three (3) business days after the injury.

   b. The Employer's Report is then forwarded to the Industrial Commission of Arizona by the Risk Manager.

5. The industrial injury medical provider will advise the Risk Manager if recuperation is required or if medical restrictions apply. The industrial injury medical provider will also give a probable date of return to work or a list of light duty restrictions. The Risk Manager will inform the employee's immediate supervisor and Department Director as to the employee's work status.

6. An employee may be required to obtain a second opinion from a physician on the condition of the injury (see Procedure #1030-Medical Inquiries.)

7. As required by law, the Town will post the injury time lost (OSHA 300 log), each February and March. All employees will have access to the Town's time lost and injury statistics.

D. Leave Accounting

Time off for industrial leave will also count towards the employee's annual Family and Medical Leave Act (FMLA) leave. FMLA leave runs concurrent with industrial leave time (see Procedure #650).

E. Refusal of Light Duty

The employee may refuse light duty. If the employee chooses to refuse light duty, no Workers' Compensation or injury leave from the Town will be paid until the employee agrees to take a light duty assignment. Leave donations will not be authorized under this circumstance.

F. Doctor's Release

The Town will require that the treating physician provide a final release. Upon final evaluation, if the release is other than for full duty, we will request that the treating physician provide documentation as to whether the employee can perform the essential functions of the position with or without accommodation.

ADMINISTRATIVE PROCEDURE			
Subject:	**Accident and Loss Reporting**		
Revision Date:		**Policy Number:**	1060
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

While employees should work in the safest manner possible, work-related accidents may occur. When an accident occurs, the employee and the immediate supervisor must appropriately report the incident and take the prescribed action. The purpose of this procedure is to describe the appropriate steps to be taken in the event of a motor vehicle accident, an accident resulting in property damage, or if there is injury as the result of an accident. In addition, this procedure will establish a process for employees to notify the Town of any potential hazards.

Policy Communication

The policy establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedures

A. Reporting Motor Vehicle Accidents

These procedures are to be followed after the appropriate medical treatment has been rendered. The employee's immediate supervisor must make every attempt to meet the required timelines as established by Town policy.

All employees who are involved in a vehicle accident or incident or injury, shall notify their immediate supervisor as soon as practical. If the supervisor cannot be reached, the employee should call the Town Center and have the supervisor paged. If the supervisor is not available, then the employee should proceed through the chain-of-command or contact a Human Resources representative.

Accidents and incidents involving Town-owned vehicles, which occur within the Town limits, shall be investigated by the Maricopa County Sheriff's Department at the time of their occurrence. An employee involved in an accident/incident must fill out an Incident and/or Accident Report form (Form 1060). The completed Incident and/or Accident Report Form should be forwarded to the immediate supervisor within twelve (12) hours of the incident. The immediate supervisor will forward the completed Incident and/or Accident Report Form along with any supporting documentation, through the appropriate chain of command to the Risk Manager or the Human Resources Director within twenty-four (24) hours of the injury/accident/incident. Employees shall not conduct the investigation of an occurrence in which they are personally involved. Each Town

vehicle **is supplied a Vehicle Accident Report Kit in the glove box of** the vehicle. It is the responsibility of the driver to follow these instructions and complete the form provided.

Drug, alcohol, and controlled substance testing may be required for an employee that is injured and/or involved in an accident. To determine whether an employee should be required to submit to a drug and/or alcohol test, please see Procedure #1020.

For vehicle accidents occurring outside Queen Creek Town Limits, the appropriate jurisdiction should respond to the accident and take an official report. The employee must request a copy of the report and forward it through the Chain of Command to the Risk Manager immediately upon receipt.

For out-of-area or out-of-state injuries and/or accidents, the employee must report to a local medical facility (by a means other than themselves) for any immediate medical care. The medical facility should also be informed that a worker's compensation claim will be filed with the Arizona Municipal Risk and Retention Pool (AMRRP). The provider may contact AMRRP, the Risk Manager or Human Resources Director with any questions.

B. Reporting Property Damage, Loss, or Theft

All personnel are accountable for equipment used to perform assigned duties. Care of equipment entails proper maintenance and security. When equipment is damaged, lost, or stolen, documentation is required for claims processing and notification.

The employee discovering the damage, loss, or theft of equipment shall immediately report the incident to their immediate supervisor and the Maricopa County Sheriff's Office, if applicable. The completed Incident and/or Accident Report Form (Form 1060) should be forwarded to the immediate supervisor within twelve (12) hours of the incident. The immediate Supervisor will forward the completed Incident and/or Accident Report form with any supporting documentation to the Risk Manager within twenty-four (24) hours of the accident/incident. Employees shall not conduct the investigation of an occurrence in which they are personally involved.

Questions concerning the replacement of lost or stolen property or the repair or replacement of damaged property should be directed to the appropriate Department Director.

C. Reporting On-the-Job Injuries

On-the-job injuries should be reported according to Administrative Procedure #1050 Workers' Compensation.

D. Reporting Potential Safety Hazards

Employees who are aware of potential safety hazards in the workplace are expected to report the hazard immediately, either verbally or in writing, to their immediate supervisor. The supervisor should act to correct the hazard and report it to the Department Director. The Department Director

is responsible for ensuring that resources are in place to correct potential safety hazards as soon as possible.

E. Legal Claims Against the Town

Persons wishing to file an official claim against the Town will need to fill out a Notice of Claim Form. Forms can be obtained from the Risk Manager or Town Clerk. The "Notice of Claim" must be filed with the Town Clerk. It is important that all employees refrain from discussion with persons wishing to file a claim. The Town's insurance management firm, Southwest Risk Services, will administer and handle all claims and correspondence on behalf of the Town.

ADMINISTRATIVE PROCEDURE			
Subject:	**Light Duty**		
Revision Date:		**Policy Number:**	1070
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

Employees are the Town's most valued asset. The Town recognizes that employees strive to be diligent in exercising safe work habits but that an on-the-job accident could occur. To protect employees and their income in the event of an on-the-job accident, the Town will make every attempt to provide temporary early return to work opportunities, based on the physician's recommendations. Light Duty pay will be at the same rate of pay as the time before the employee's work-related injury.

The purpose of this procedure is to require the practice of light duty arrangements to encourage the prompt and safe return of the Town's injured employees to some form of employment. Injuries or illness on the job are eligible for light duty. Injuries or illness not work related may be eligible for light duty as determined by the Department Director or designee and the Risk Manager. The light duty assignment is not intended to exceed six (6) calendar months in duration commencing on the date of the injury or first diagnosis of an illness requiring light duty. Additional time requires Town Manager approval.

Policy Communication

The policy for establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedures

Employees recovering from a work-related injury or illness, who cannot return to full-time full duty status, are eligible, if released with restrictions by their treating physician, for light duty.

The light duty program is designed to permit employees with temporary medical restrictions to return to work at their regular hourly pay for a temporary period of time, which may require a change in duties to less strenuous tasks or some other change of the employee's normal work duties.

For a work-related injury or illness, when the treating physician has determined that the employee is eligible for light duty, the employee shall report to the Department Director or designee on the next scheduled workday. When reporting, the employee shall present a release to work, with the physical limitations and any medical recommendations, signed by the treating physician, nurse, or physician assistant working at the direction of the physician. The Department Director or designee will consult with Risk Manager and will attempt to assign the employee to temporary light duty based on the

physical limitations and medical recommendations. This temporary light duty is not limited to the employee's department. The employee may be assigned to other departments within the Town if no light duty is available within the employee's department.

If an employee chooses to refuse light duty, no Workers' Compensation wages from the insurance carrier or injury leave from the Town will be paid. The employee may use sick time or vacation time if approved by the Department Director or designee and the Human Resources Director in the event of a refusal of the light duty offer (donated hours from other employees may not be used).

For a non work-related injury or illness, if the employee wishes to be considered for light duty, they must report to the Department Director or designee and present a release to work with the physical limitations and medical recommendations, signed by the treating physician, nurse, or medical assistant working at the direction of the physician. After review by the Department Director and Risk Manager, the department may assign the employee to temporary light duty within the employee's department, based on the physical limitations, medical recommendation, and availability of light duty work. If, in the sole determination of the department, light duty is not available within the department where the employee works, the employee will be required to use sick leave, other accumulated leave, or leave without pay (donated hours from other employees may be used in accordance with Town policy and procedures).

ADMINISTRATIVE PROCEDURE			
Subject:	**Visitors in the Workplace**		
Revision Date:		**Policy Number:**	1080
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town recognizes that allowing visitors in the workplace can be beneficial to the employees, their family and friends, and the organization. While the Town allows visitors on the Town premise, this procedure is provided in recognition of the Town's duties to meet the needs of employee visitors while taking all reasonable steps that are compatible with our goal of a safe workplace.

Policy Communication

The procedure establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedure

The Town workplace is a diverse environment of conference rooms, offices, meeting halls, classrooms, workshops, and computers rooms where many different activities are performed. Visitors to the workplace are generally welcome, and in some settings even encouraged. However, appropriate precautions and limitations on visitation are necessary to protect health and safety, and to maintain productivity and regulatory compliance.

Hazardous Workplaces

There are many workplaces where hazardous materials or equipment are located or where hazardous operations are conducted. These include computer rooms, shops, custodial closets, chemical storage, and material storage. It is, therefore, necessary to restrict access to these areas for visitors, especially minors. For the purpose of this policy, hazardous areas are defined as any Town operation or space where any of the following are present:

- chemicals or radioactive materials in use or storage,
- computer data rooms,
- biological or infectious hazards,
- construction or renovation activities,

- utility equipment spaces, tunnels, rooftops, mechanical rooms, heavy machinery, cranes, high noise levels, electrical hazards, or
- other areas deemed hazardous by the department.

Visiting adults who are not employees (visiting contractors, etc.) who work for two weeks or more in hazardous areas must receive safety training equivalent to that required for employees in the same environment. Documentation of training received from other employers or institutions may be accepted if approved by the Risk Manager. The host department is responsible for providing all visitors with specific safety instructions for local conditions and procedures, and for providing all necessary personal protective equipment. All safety training must be properly documented by the host department and kept on file in that department.

Visiting adults who are not employees (visiting contractors, etc.) who visit or work for two weeks or less in hazardous areas must, at a minimum, have local safety measures and emergency procedures explained to them, and must be provided with personal protective equipment appropriate to the environment being visited. Short-term visitors must be escorted and/or supervised by the host department at all times during their visit.

Children

In general, the workplace is not an appropriate place for minor children on a frequent or continuing basis, as children in the workplace create an atmosphere that may not be conducive to achievement of the unit's specific goals and objectives.

Special occasions that are employer-sanctioned and at which attendance by children is encouraged, should be coordinated with and approved by the department. The employee's schedule for that day should take the child's presence into consideration to eliminate potential hazards.

Children may be brought to workplaces by parent employees for brief visits or other times when common sense would dictate that it is more efficient for the employee to bring the child into an office (following or before a physician's appointment, for example). The parent employee must supervise the child(ren) on such visits. It is generally not appropriate for children of any age to be in the workplace on a regular basis, such as after school each school day or on regularly scheduled school holidays.

The Town recognizes that, occasionally, situations may arise that leave an employee with no acceptable alternative but to bring his or her child(ren) to work. In the event of an emergency, or if there are no other alternatives, employees who are parents may have children present in the workplace provided the parent secures prior departmental approval. Departments may implement an internal departmental policy allowing short-term visits by employees' children or may request employees to seek approval at the time of the visit. Such arrangements may be granted only in circumstances where safety issues (such as stairs and stairwells, automatically closing doors, open windows, office machines, etc.) have been satisfactorily addressed. This exception is not applicable to hazardous areas. Parent employees may not leave such child(ren) in the custody of another Town employee, even for brief periods of time.

Minor children are not permitted as regular visitors in any hazardous area as defined above. Short-term visits may be authorized for approved guided tours or other reasons if appropriate precautionary measures are taken, and hazards have been fully controlled or removed during the visit. Direct adult supervision of children is required at all times. Department heads may require additional safety measures prior to such visits, and may wish to require written parental consent authorizing the site visit.

Office and work space is not designed with the safety of children in mind. There are safety hazards and possible Town and supervisory liability in the event of accident or injury. Although the town-at-large strives to be a family friendly environment, it must be recognized that it is not appropriate to bring children to work as a substitute for making arrangements for regular child care while at work. Such a practice is not permitted by town insurance policies.

The Town staff is encouraged to remain sensitive to the needs of working parents. Supervisors and managers are asked to attempt to accommodate working parents who have special needs as a result of family obligations. The Family and Medical Leave Act is an example of an appropriate approach to family issues.

Vehicles

As a general rule, all occupants of Town vehicles must have an official purpose to ride in the vehicle. This may typically include employees, students, or adult participants in an official Town program or activity that uses the vehicle. As a general policy employee children are not to be transported by Town vehicles and are not allowed at any time to go to construction projects.

ADMINISTRATIVE PROCEDURE			
Subject:	**Pets and Animals**		
Revision Date:		**Policy Number:**	1085
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this procedure is provided in recognition of the Town's duties to meet the needs of employee pet owners while taking all reasonable steps that are compatible with our goal of a safe workplace.

Policy Communication

The procedure establishing the Town's support for a safe work environment can be found in Policy #1000.

Procedure

Helping animals, such as guide dogs, are permitted at work sites as they assist their owner.

Pets (other than fish) are occasionally allowed at the work site only with Department Director and Town Manager approval and the requirements listed below are met.

The Town recognizes that, on occasion, allowing pets in the workplace can improve staff morale, camaraderie and contentment. However, the Town takes the stance that allowing pets in the workplace shall be limited and owners wishing to bring pets (other than fish) to the work site shall:

- have prior written approval from a supervisor;
- keep their pet(s) on a leash and muzzled, or in a cage and muzzled, if appropriate;
- not leave their pet(s) unattended, either in automobiles or tied outside of work sites;
- be held responsible for any personal or property damage inflicted by their pet(s);
- clean up after their pet(s) including the grounds outside;
- remove disruptive pets immediately (the pet will not be allowed to return and the employee will need to use vacation leave to transport the pet);
- remove pet immediately if staff or visitors have an allergic reaction or aversion to animals (the pet will not be allowed to return and the employee will need to use vacation leave to transport the pet).

Employees are responsible to advise their immediate supervisor of health risks to animals. Sick and/or injured pets will not be allowed. The supervisor will take reasonable steps to ensure appropriate action is taken to protect the staff and visitors' health and safety.

Animals on Town Property

Only authorized and trained individuals shall trap and/or handle stray, abandoned, or injured cats in accordance with Maricopa County Animal Care and Control Services, the Arizona Humane Society, and/or the Friends for Life Animal Shelter. All dog-related matters shall be forwarded to the Maricopa County Animal Care and Control Services. All livestock matters shall be forwarded to the appropriate state agency. The Public Works Department is responsible for the disposal of all dead animals on Town-owned property and right-of-way.

ADMINISTRATIVE PROCEDURE			
Subject:	**Infectious Disease Outbreak (Pandemic) Response**		
Revision Date:		**Policy Number:**	1090
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The Town of Queen Creek will take proactive steps to protect employees and the workplace in the event of an infectious disease outbreak. The Town's goal is to limit exposure and health risks to its employees during a pandemic while continuing to provide essential services to the Town's citizens.

Under the direction of the Town Manager and Fire Chief, an Emergency Operations Center (EOC)/Department Operations Center (DOC) will be designated to monitor and coordinate events around an infectious disease outbreak, as well as create work rules to promote safety through infection control. The Town of Queen Creek is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, posters, as well as required steps to be taken in the event of an illness or outbreak.

It is impossible to fully anticipate circumstances that may occur in the event of a pandemic. In such event, the Town Manager has broad discretion in taking steps deemed appropriate under the circumstances. Set forth below are general guidelines that may be followed, or as needed, altered, in the event of a pandemic.

Definition

According to the World Health Organization (WHO), a pandemic can start when three conditions have been met:

- Emergence of a disease new to a population.
- Agents infect humans, causing serious illness.
- Agents spread easily and sustainably among humans.

A disease or condition is not a pandemic merely because it is widespread or kills many people; it must also be infectious.

Policy Communication

The policy for establishing the Town's support for a safe work environment can be found in Employee Safety and Health Policy Statement (#1000).

Procedures

A flu pandemic or other infectious disease may have a personnel policy impact on any or all of the following:

- Cancellation of scheduled vacations/required use of paid sick leave or accrued vacations;
- Requirement of overtime;
- Shut-down/closure of non-essential operations;
- Re-assignment of staff to a different department, division, or section;
- Additional use of part-time/contract staff.

A. Business Continuity and Essential Functions

The Town Manager has the discretion to require employees to work outside their job description as deemed appropriate under the circumstances. The Town Manager may require workgroups to cross-train and redeploy across departments, divisions, or sections in order to ensure essential functions are completed. In some cases, contractors or part-time employees will be hired on a temporary basis to fulfill essential service requirements. In these instances, provisions will be made to allow for temporary access to Town resources (door badges, access to shared physical and digital files, etc.) as necessary.

B. Prevention and Hygiene Practices

At all times employees are encouraged to engage in good hygiene practices while at work, especially hand washing with soap and water or, if water is not available, using alcohol-based disposable hand wipes or gel sanitizers. Employees are also encouraged to participate in any annual influenza shot program for employees.

In the event of a pandemic, screening of employees by qualified healthcare personnel for any symptoms of viruses may be required prior to the beginning of the work shift. Any employee refusing to be screened will be sent home.

Social distancing may be required to decrease possible pandemic exposure. This may include limiting/eliminating public events and face to face meetings. Other forms of communication mediums will be used to reduce face to face meetings, including telecommunications, cell phones, email, VPN connectivity, mobile offices and use of radio. As needed, Information Technology will install VPN software only on Town-owned computers for remote use and assist with forwarding of office telephones to Town cell phones or external telephone numbers.

Employees will be encouraged to use only their assigned phone and/or work station.

Antimicrobial wipes will be available to clean contact surfaces like countertops, door handles, phones, etc.

Personal protective equipment including gloves and surgical masks will be purchased and stored to provide protective equipment for personnel. The EOC/DOC will determine when to require all employees to wear masks at all times.

The EOC/DOC will evaluate additional access to and availability of healthcare services for employees during a pandemic, as needed.

C. Leave

Employees who have 1) been exposed to the pandemic; 2) have a current health condition that makes them susceptible to infection or illness, or 3) become ill at the worksite will be required to immediately leave the worksite and use leave. Supervisors will be required to exercise mandatory leave of employees during a pandemic that rise to any of the above criteria. A Return to Work notice by a medical practitioner indicating *a clean bill of health* of the employee will be required for any employee displaying symptoms prior to returning to the worksite.

Paid-time off procedures, such a sick and vacation leave, is provided in an effort to make all reasonable attempts to ensure that employees not attend the workplace while displaying symptoms of illness or if subject to quarantine directives. Additional paid sick leave may be awarded in the event that the Town Manager (in conjunction with the EOC/DOC) declares a pandemic in the organization. Pandemic status will be monitored and confirmed by the Human Resource Department.

Human Resources and the Town will allow employee absences during a pandemic due to factors other than their own personal illness, such as family member illnesses, community containment measures and quarantines, and school closures. If applicable, the employee may be required to take FMLA leave for these purposes.

In some cases, a section of employees may be quarantined, evacuated, and/or sent home if exposed at the worksite until after the incubation period of the virus or disease is completed. If feasible, the Town may offer off-site opportunities for work, such as telecommuting, VPN access, or other types of remote access, in order for the employee to continue working off-site.

D. Communications

The Town will provide timely and accurate communications to employees during a pandemic through the EOC/DOC. The EOC/DOC will establish procedure for timely, coordinated, and approved dissemination of information regarding Town operations and status. Human Resources will ensure employees that remain off-site due to their own or family illnesses are also updated. Employees are encouraged to contact the Town Employee Assistance Program (EAP), if necessary.

The EOC/DOC will determine the timing and manner of notice at the end of the pandemic emergency.

ADMINISTRATIVE PROCEDURE			
Subject:	**Glossary of Terms**		
Revision Date:		**Policy Number:**	1100
Authorized Approval:	Council/Kross/Coffman	**Effective Date:**	4/1/10

Purpose

The purpose of this Section is to define the critical terms used in the Town's policies and administrative procedures. This document should be used to clarify what is meant by the terms in these documents.

A

Administrative Leave

The non-disciplinary suspension of an employee with pay.

Alcohol

The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol, and any medication, food, or other alcohol-containing products.

Alcohol Use

The consumption of any beverage, mixture, preparation, or medication containing alcohol.

Allegation Memorandum

First step in the disciplinary process in which, prior to making a final action determination, the supervisor outlines the misconduct, violations of policies and procedures or other Town rule, and/or poor work performance allegations for the employee to respond to in writing.

Allegation Response

Second step in the disciplinary process in which the employee responds in writing to the allegation memorandum given to him/her by his/her supervisor regarding the employee's alleged misconduct, violations of policies and procedures or other Town rule, and/or poor work performance allegations.

Anniversary Date

The anniversary date shall be the date the employee is placed in their original position and shall be used as the date to determine years of service.

If an employee leaves the employment of the Town of Queen Creek and returns within two calendar weeks of their date of separation, the Department Director may allow the employee to return with original salary, full benefits and original anniversary date, subject to continuing availability of funds and vacancy in the position.

Appointing Authority

The person or any group of persons having the authority by virtue of Town Charter, ordinances, resolutions, or policies to make appointments to specific positions in the municipal service of the Town, subject to the provision of these policies and administrative procedures. Except for the positions filled through appointment by the Town Council, the Town Manager is the appointing authority.

Appointment

The designation of a person to a position by the Town Council, or by the Town Manager, as appropriate.

ARS

Arizona Revised Statutes

Assignment

The allocation of a single position to its proper class in accordance with the duties performed and the authority and responsibilities exercised.

At-Will

An employee who is subject to termination at any time with or without cause or notice at the discretion of the Town Council, Town Manager, or Department Director with the Town Manager's approval, whichever is appropriate. At-will positions will normally consist of Department Director and above, any appointed position, any temporary and/or seasonal part-time positions, and other positions as designated by the Town Manager.

At-Will Status

The Town Council authorizes the Town Manager to enter into employment contracts with positions titled "Department Director" and above and, any other position designated by the Town Manager, to establish levels of compensation, fringe benefits, and other matters affecting their employment. Specifications provided in these employment contracts shall prevail over the provisions of the Town Policies and Administrative Procedures to the extent that there is inconsistency between the two.

B

C

Certified

Designation given to qualified applicants.

Class

A grouping of positions or jobs that share the same descriptive title and share similar duties, authority, responsibilities, and skills required to perform duties for the purpose of grouping under a common title and the application with equity of common standards of selection, transfer, promotion and salary determination.

Classification

The original assignment of the position to an appropriate class on the basis of the kind, difficulty, responsibility of work and skills required to perform duties.

Classification Plan

A plan which groups all positions in the municipal service into classes based upon their duties, authority, responsibility and skills required to perform duties.

Class Series (Job Family)

A grouping of positions in sequence of classes that are alike in kind of work but not in the level of assigned work and responsibility, starting with an entry level position and advancing upward in duties, complexity, authority, skill and responsibility. Also known as a job family. (Example: Planner and Senior Planner)

Class Specification (Job Description)

The official written general statement of the characteristics, duties, responsibilities, and qualification requirements that distinguish a specific class from other classes. The specific description depends upon exact job activities and may be developed with class specifications for recruitment, hiring and employment. Also known as a job description.

Commercial Vehicle

A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property as defined by the Federal and State Departments of Transportation.

Compensation Plan

A plan which establishes a salary range for each class and includes a minimum and maximum pay rate and such intermediate pay steps as are necessary and equitable.

Compensatory Time

Time off from work for non-exempt employees in lieu of monetary payment for work performed over the standard work week. Compensatory time is accrued at a rate of one and one half hours per each hour worked. The Town allows department directors to grant up to a maximum of 40 hours of compensatory time banked. It is the Town's policy to pay overtime for all overtime worked if the employee has maximized his/her banked compensatory time.

Computer Devices

This term includes, but is not limited to

- Personal computer hardware and software, including blackberry devices.
- Printers, modems monitors, and other peripheral devices.
- Computerized personal organizers.
- Electronic whiteboards and other presentation equipment.

Constructive Discharge

An employee feels compelled to resign due to perceived duress or intolerable working conditions.

Controlled Substance

Any dangerous narcotic, prescribed or un-prescribed drug, as defined by State and Federal Law.

D

Demotion

The movement of an employee from a position currently held to another position resulting in a lower salary range. A voluntary demotion is a demotion initiated by that employee. An involuntary demotion is a demotion initiated by a Department Director or above.

Department

A major functional unit of the Town government.

Department Director

The single administrative head of each department employed for the discharge of duties provided by law or of particular delegated functions.

Discipline

Discipline is defined as actions taken to address and correct an employee's work behavior or performance. Types of discipline may include a verbal reprimand, written reprimand, suspension without pay, involuntary demotion, pay rate reduction, or dismissal.

Dismissal

The separation of an employee from the Town service by any means other than lay-off or retirement, whether it is voluntarily or involuntarily.

Driver

Any person who operates a vehicle on a regular, intermittent, or occasional basis to conduct Town business.

Drugs

Any substance considered unlawful under the controlled substances act (21 U.S. code sections 812) or the metabolite of the substance.

E

Education

The formal enrollment and participation in collegiate courses for which academic credit is earned.

Electronic Mail (E-Mail)

Electronic mail refers to the internal and Internet e-mail hardware and software systems that the Town utilizes to conduct business**.**

Employee Break

A period of time taken by an employee during the course of a regular scheduled work day. Breaks are to be taken at a place other than the designated workstation and are governed by departmental policies and procedures.

Emergency

A sudden and unforeseen happening that requires the unscheduled service of an employee to protect the health, welfare and safety of the community.

Essential Functions of the Job

A job function may be considered essential because:

a. The position exists to perform that function;

b. A limited number of employees are available and therefore, that job function cannot be distributed to another employee; or

c. The incumbent was hired for his or her expertise or ability to perform the highly specialized job function.

Examination

The evaluation procedure used to determine the relative knowledge, skills, abilities, training, and experience of applicants.

Exceptional Performance Award

The Town Manager has the authority to award an employee who has performed exceptionally by granting the employee a bonus and/or a day off with pay.

Exempt

An employee who is not eligible for overtime compensation as determined by the Fair Labor Standards Act (FLSA). Positions are designated as exempt or non-exempt by the Town.

F

Final Action Determination

Step three in the disciplinary process in which the supervisor provides official notification to an employee on whether there is sufficient cause or justification to discipline the employee due to dissatisfaction with the employee's poor work performance, due to violation of policy, procedure, other Town rule, or act of misconduct. A final action is determined after the employee has had an opportunity to respond, in writing, to the supervisor's allegation memorandum of misconduct, poor work performance, and/or violations of policies and procedures or other Town rule.

First Aid

First aid is defined by the U.S. Department of Labor Occupational Safety and Health Administration as requiring only the following types of treatment:

1. Using non-prescription medications at non-prescription strength.

2. Administering tetanus immunizations.

3. Cleaning, flushing, or soaking wounds on the skin surface.

4. Using wound coverings, such as bandages, Band-Aids, gauze pads, etc., or using SteriStrips or butterfly bandages.

5. Using hot or cold therapy.

6. Using any totally non-rigid means of support, such as elastic bandages, wraps, non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc.
7. Using temporary immobilization devices while transporting an accident victim (splints, slings, neck collars, or backboards).
8. Drilling a fingernail or toenail to relieve pressure, or draining fluids from blisters.
9. Using simple irrigation or cotton swab to remove foreign bodies not embedded in or adhered to the eye.
10. Using eye patches
11. Using irrigation, tweezers, cotton swab or other simple means to remove splinters or foreign material from areas other than the eye.
12. Using finger guards.
13. Drinking fluids to relieve heat stress.

FLSA

The Fair Labor Standards Act of 1938 (and related amendments) is the federal law that governs work time and the payment of overtime.

Flex Day

Flex day means, in conjunction with an alternative work schedule, the day of the week or pay period in which the employee does not work (in cases of a 4/10 or 9/80 schedule) or the day the employee reduces the number of hours worked (in case of a 4/9s + one 4 hour day schedule).

Flextime

The temporary adjustment of the employee's daily work schedule.

Full Time Status

A person who is appointed to perform the duties of a position requiring 37.5 hours or more a week. Positions considered under the full-time status will require the incumbent to minimally work 37.5 hours per week. Full-time positions may need to work more than the standard forty hours per week, depending on the job assignment (expectation of employees classified as exempt (salaried) is to work 40+ hours a week).

G

Grievance

A written complaint by an employee of the Town concerning the interpretations and application of these policies governing personnel practices or procedures, department work rules, unsafe or unhealthy working conditions, alleged discrimination or alleged improper treatment.

H

Harassment

Harassment is defined as any conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating any intimidating, hostile, or offensive work environment, based on that individual's race, color, gender, national origin, religion, age, or disability.

Holiday

The twenty-four (24) hour period starting at midnight and ending at 11:59 pm of the day observed. Holiday compensation is paid at the employee's regular hourly rate of pay, not to exceed nine (9) hours (11.2 hours for sworn fire personnel working 56-hours shifts). Any increase to the amount received by employees is based on approval of the Town Manager.

Hostile Work Environment

A hostile work environment exists when an employee is regularly exposed to offensive comments, jokes, cartoons, pictures, or any conduct that makes it difficult for the employee to perform their job. A work environment may be deemed hostile not only based on sexually-related behaviors, but on other factors as well, including race, religion, age, gender, disability, color, or national origin.

I

Immediate Family

Immediate family is defined in terms of consanguinity and affinity, based on the list:

Consanguinity (Blood)		
First Degree:	Father Mother Son Daughter Brother Sister	
Second Degree:	Grandfather Grandmother Grandson Granddaughter Uncle Aunt Nephew Niece	 (Your mother's or father's brother) (Your mother's or father's sister) (Your brother's or sister's son) (Your brother's or sister's daughter)
Third Degree:	Great Grandfather Great Grandmother	

Affinity (Marriage)		
First Degree	Wife Husband Father-in law Mother-in-law Son-in-law Daughter-in-law Brother-in-law Sister-in-law Step-Son Step-Daughter Step-Father Step-Mother	 (Your spouse's brother or your sister's husband) (Your spouse's sister or your brother's wife)
Second Degree:	Grandfather-in law Grandmother-in-law Uncle-in-law Aunt-in-law Nephew-in-law Niece-in-law	 (Your spouse's uncle or your aunt's husband) (Your spouse's aunt or your uncle's wife) (Your spouse's nephew or your niece's husband) (Your spouse's niece or your nephew's wife)

Immediate Supervisor

The person with direct administrative or supervisory responsibility.

Improper Conduct

Improper conduct shall mean any improper actions by an employee or Town official, which tends to affect that person's ability to perform their duties efficiently and effectively, any violation of personnel policies or procedures, or any improper use of their duties for personal advantage.

Intangible Suggestion

A suggestion where savings or net revenue is inconsequential after the first year of implementation or when savings/revenue cannot be accurately quantified or verified.

J

Job Announcement

A public notice by the Town advertising a position to be filled by open competition, or the notice to Town employees of a position to be filled internally.

Job Description

(See Class Specification)

Job Family

(See Class Series)

K

L

Leave

An authorized absence from regularly scheduled work hours, which has been approved by the proper authority.

M

Mediation

Mediation is a voluntary process in which a neutral person facilitates communication between disputants to assist them in reaching a mutually acceptable agreement.

Medical Evaluation

The physical or mental evaluation of an employee by a certified medical doctor paid by the Town and completed upon the Town's request.

Medical Review Officer (MRO)

A medical review officer is the physician certified and hired to review the results of employee drug and controlled substance tests and issue a binding opinion.

Merit Increase

Merit increases for employees may be in single or multiple step increments on the same pay grade of the Compensation Plan which is granted to an employee who meets work performance expectations over a period of time (usually one year for full-time employees), and contingent upon funds being budgeted and approved by Council.

Merit Status Employment

Merited status includes all employees who have successfully completed their initial trial period and whose positions have been approved and budgeted by the Town Council and have not been included in the at-will service status.

N

Non-Exempt

Employees who, due to the nature of their employment with the Town, are eligible for overtime compensation as defined and governed by the Fair Labor Standards Act. Positions are designated as exempt or non-exempt by the Town.

O

Oral Reprimand

A counseling discussion between an employee and their immediate supervisor where the supervisor puts the employee on notice that their work performance, behavior, attitude, attendance, etc, needs improving.

P

Part-time Status

A person who is appointed to perform the duties of a position regularly scheduled to work fewer than 37 hours per week.

Pay Range

The minimum to maximum pay associated with a class of positions in the Classification Plan**.**

Pay Step

A 1% pay increment within the pay range.

Performance Evaluation

A written evaluation of an employee's work performance given at the completion of the trial employment period and given annually thereafter (exceptions apply to part-time, temporary and seasonal employees).

Performance Improvement Plan (PIP)

A development tool that may be used to correct performance deficiencies of employees, or to develop the potential of an employee.

Performance Review Date

A performance review date is the date the employee completes his/her trial employment period as a new employee. The employee's performance review date may change with a promotion, reclassification, demotion, or transfer based upon the Department Director or designee approval of a new trial employment period in conjunction with any of these changes. Once the trial employment period is completed, future performance evaluations would occur on that date.

In the case of an employee receiving a promotion or lateral transfer, the performance review process begins again at the time of promotion or lateral transfer. Upon promotion or lateral transfer, the employee may be required to serve a new trial employment period at the discretion of the Department Director. Employees receiving a promotion or lateral transfer are strongly encouraged to give a two-week notice (if applicable) for leaving their old job before assuming their new duties, in order to give time for the department to find and train a replacement.

Personnel Change

Any official action taken with reference to appointment, compensation, promotion, suspension, transfer, layoff, demotion, dismissal, or any other action effecting the status of an employee.

Pre-Dismissal Notice

A letter given to a merit-status employee to notify them that the Town intends to involuntarily dismiss the employee from Town employment.

Promotion

The movement of an employee from a position in one class to a position in another class having a higher salary range.

Q

Qualified Individual with a Disability

Under the Americans with Disabilities Act, a *qualified individual with a disability* is a person who meets the qualification standards of a job and can satisfactorily perform the essential functions with or without reasonable accommodation, and who a) has been diagnosed with a non-temporary physical or mental disability which substantially limits one or more major life activities, b) has a known record of such impairment, or c) is regarded as having such impairment.

R

Reasonable Accommodation

A change or adjustment to a job or work environment that permits a qualified employee with a disability to satisfactorily perform the essential functions of a job, or to enjoy the same employment benefits and privileges as those enjoyed by employees without disabilities. Consistent with business necessity, a reasonable accommodation does not impose an undue hardship with the Town. Examples of undue hardship may include significant difficulty for implementation, service deterioration, expense, or a fundamental alteration in the nature of the service, program, or activity. Reasonable accommodations shall not pose a direct threat to the employee or others with whom the employee regularly comes in contact.

Reclassification

A change in an individual position by raising the position to a higher class, reducing to a lower class or by moving to another class at the same level on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in such a position.

Resident

A person whose place of resident is within the Town boundaries of the Town of Queen Creek**.**

Resignation

A written notice filed with the Town Manager or designee indicating an employee's intention to terminate employment with the Town.

Retiree

Any employee covered by either the Public Safety or Arizona State Retirement Plan who has reached the designated age and possesses the appropriate number of years of service, and who elects to receive an annuity benefit from either plan.

S

Safety Sensitive Function

For employees who are required to drive commercial vehicles on the job, a safety-sensitive function is any time waiting to be dispatched (including "on call" time); all time inspecting, servicing, or conditioning any commercial motor vehicle at any time; all time spent at the driving controls of a commercial motor vehicle; all time, other than driving, spent in or on a commercial vehicle; all time loading or unloading, attending a vehicle being loaded or unloaded, and remaining ready to operate the vehicle; all time spent performing the driver requirements associated with an accident; all time repairing, obtaining assistance, or remaining in attendance with a disabled vehicle**.**

Employees occupying public safety positions, such as sworn fire, also are considered occupying a safety sensitive function.

Salary Reduction

A salary decrease within the pay range of a particular class.

Secondary Employment

Any employment that is in addition to employment with the Town of Queen Creek.

Sexual Harassment

Any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sick Leave

An absence with pay due to personal illness or physical incapacity caused by factors over which the employee has no reasonable or immediate control or for other reasons allowed in the sick leave policy.

Social media

Types of media that includes various forms of discussion and information sharing including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include photo-sharing, wall-postings, e-mail, instant messaging, and music sharing for example. Examples of social media applications include, but are not limited to, Google and Yahoo groups (reference, social networking), Wikipedia (reference), Facebook (social networking), MySpace (social networking), YouTube (social networking and video sharing), Flickr (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.

Social networking

The practice of expanding the number of business and/or social contacts by making connections through web-based applications.

Special Pay Increase

A special pay increase granted in recognition of outstanding, exceptional and meritorious service as recommended by the Department Director and approved by the Town Manager, or designee, within the limits of a pay range established for a position.

Strike

A concerted action by an employee that disrupts or interferes with the carrying out of a Town function for the purpose of inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges or obligations of employment.

Substance Abuse Professional (SAP)

A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

Suspension

Suspension is a form of discipline consisting of relieving an employee from work with or without pay for a special period of time, depending upon the circumstances.

T

Tangible Suggestion

A suggestion that yields a net savings or net revenue after the first year of implementation.

Temporary Status

Temporary employment is limited in nature and does not normally exceed one-year of employment except under special circumstances with the approval of the Human Resources Director. Temporary employment normally is limited to less than twenty (20) hours per week. Recruitment for temporary positions is subject to the recruitment and selection procedures (310) of this handbook.

Town

Town of Queen Creek

Transfer (Lateral)

A change of an employee from one position to another position in the same class or in a comparable class with the same pay range.

Trial Employment Period

A pre-determined period of time during which an employee is required to demonstrate ability to perform the duties of the job in a satisfactory manner. Although there is no guarantee of employment for any specific length of time, the trial employment period shall be, in the case of a full-time employee, six (6) months from the date of hire. In the case of a part-time employee, the trial employment period consists of the first 12 months worked from the anniversary date. Upon promotion or lateral transfer, the employee may be required to serve a new trial employment period at the discretion of the Department Director.

During this period the Town reserves the right to "employ-at-will." The employee or the employer may terminate the employment relationship at anytime with or without notice and with or without cause. Trial employment employees do not have access to the appeal process or other disciplinary or dismissal rights laid out in the Town's policies or administrative procedures. Upon satisfactory completion of the trial employment period the employee becomes a merited status employee. In order to maintain employment, regardless of status or duration, all employees must meet and maintain Town standards for job performance and behavior.

U

V

Vacancy

A Town Council authorized and budgeted position which is not occupied and for which funds are available.

Vacation

Time off with pay granted in accordance with the provisions of this policy, to the employee at the convenience of the Town in recognition of service and of the employee's need for a period of rest and recreation.

Vehicle Accident

An accident has occurred when a moving vehicle contacts another vehicle or object when a non-moving vehicle is struck by another vehicle causing physical damage and/or injury.

Violence

"Violence" means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behavior that gives a worker reasonable cause to believe that the worker is at risk of injury.

- Incidents of violence include *attempted* or *actual* assaults or any threatening statement or behavior towards a worker made by any person, which gives the worker reasonable cause to believe that he or she is at risk of injury.
- The regulation covers the conduct of everyone at the place of employment, including the public, customers, employers, supervisors, managers and co-workers.
- Incidents of violence may occur at the place of employment, at a worksite or in other work-related areas.

W

Worker's Compensation

Benefits received by an employee for an injury or illness which occurs during the course and scope of employment.

Work Week

For payroll purposes, the work week begins on Saturday 12:00 a.m. (midnight) and ends the following Friday at 11:59 p.m. for employees that work 40-hour work weeks.

Written Reprimand

A memorandum given to an employee to notify the employee that his/her work-related behavior and/or poor performance is violating a policy, procedure, or other Town rule and that the employee is expected to change the behavior immediately.

X

Y

Z

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