City of Iowa City

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Personnel Policies

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TABLE OF CONTENTS

Section 1 Introduction 1

Section 2 Administration 1

Section 3 Equal Employment Opportunity 1

Section 4 Labor Relations 2

Section 5 Civil Service Coverage 2
- 5.1 Rights and Benefits
- 5.2 Appeal Rights

Section 6 Harassment and Discrimination 3
- 6.1 Harassment
- 6.2 Sexual Harassment
- 6.3 Discrimination
- 6.4 Complaint Procedure
- 6.5 Confidentiality
- 6.6 Retaliation
- 6.7 Consequences of Harassment
- 6.8 Duty to Prevent and Report

Section 7 Workplace Violence Prevention 5
- 7.1 Policy
- 7.2 Definition
- 7.3 Employee Responsibilities
- 7.4 Investigation and Follow-Up
- 7.5 Confidentiality and Retaliation
- 7.6 Post-incident Responses
- 7.7 Violent Situations Outside the Workplace
- 7.8 Workplace Security Suggestions and Recommendations

Section 8 Employee Relations and Conduct 7
- 8.1 Employee Conduct and Ethical Standards of Behavior
  - a. Impartiality
  - b. Use of Information
  - c. Use of City Resources
  - d. Gifts
  - e. Employment Conflicts
  - f. Political Activity
- 8.2 Discipline
- 8.3 Weapons
- 8.4 Appearance-Grooming
- 8.5 Scented products
- 8.6 Personal Activities
- 8.7 Supplemental Employment
- 8.8 Religious Holidays
- 8.9 Education
- 8.10 Medication/Work Restriction Notification
- 8.11 Breastfeeding Breaks
- 8.12 Criminal Convictions

Section 9 Whistleblower Policy & State Ombudsman's Office 13
9.1 Definition of Improper Governmental Action
9.2 Complaint Procedure
9.3 Retaliation Prohibited
9.4 State Ombudsman's Office

Section 10 Employee Assistance Program 14

Section 11 Substance Abuse Policy 15
11.1 Policy
11.2 Purpose
11.3 Applicability
11.4 Prohibited Substances/Behaviors
a. Illegally Used Controlled Substances or Drugs
b. Misuse/Abuse of Legal Drugs
c. Alcohol
11.5 Prohibited Conduct
a. Manufacture, Trafficking, Possession, and Use
b. Alcohol Use
c. Treatment
d. Notifying the City of Criminal Drug Conviction
11.6 Proper Application of the Policy
11.7 Testing Procedures
a. Pre-Employment Drug Testing
b. Unfit for Duty/Impaired
c. Reasonable Suspicion Testing
d. Post-Accident Testing
e. Refuse to Test
11.8 Consequences for Policy Violations
a. Positive Test Results
b. Second Positive Test Results
c. Refusal Consequences
d. Follow-Up
e. Invalid Drug Tests
f. Violations

Section 12 License, Certification, and Insurability Requirements 20
12.1 Maintaining a Valid License
12.2 CDL Notification Requirements
12.3 Insurability

Section 13 Personnel Transactions 22
13.1 Personnel Files
13.2. Medical Files
13.3 Public Information
13.4 Job Description
13.5 Position Classification
13.6 Fair Labor Standards Act (FLSA) Classification
13.7 Employment of Relatives
a. Management Conflict
b. Chain of Command Conflict
13.8 Termination of Employment
a. Resignation
b. Retirement
c. Benefits Termination

d. Exit Interviews
Section 14 Safety 25

Section 1: Introduction

The purpose of this document is to set forth the policies by which personnel-related decisions, made by either supervisor or employee, are to be guided and to express mutual expectations for conduct in the workplace. The City's ability to manage and provide public services with efficiency and effectiveness is dependent upon the capability and performance of its employees. The City strives to provide a positive working environment which promotes and supports diversity and inclusivity, professional development, open communication, and sensitivity to employee needs.

Section 2: Administration

These policies generally cover all City employees. However, not all provisions may apply to variable hour and seasonal staff. Iowa City Public Library employees are subject to Personnel Policies as approved by the Library Board of Trustees.

These policies work to ensure decisions will be made consistently and in accordance with overall City goals regarding employee relations. Questions of policy interpretation should be addressed to Human Resources. The City Manager or their designee shall be responsible for final interpretation and application of these policies. The principles expressed herein will be used as a guide regarding issues not specifically addressed in these policies.

This document should be read in conjunction with negotiated labor contracts, administrative regulations, and operating policies and procedures published by Human Resources and other City departments.

Upon initial appointment to a budgeted position, all employees of the City shall be furnished a copy of these policies. Any substantive changes or amendments shall be posted to the City's website. Employees will be notified that updated policies are available online and hardcopies will be provided upon request.

Section 3: Equal Employment Opportunity

It is the policy of the City of Iowa City to prohibit discrimination and harassment of any type and to afford equal employment opportunities for all employees or applicants without regard to race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, or other class/category protected by federal, state, or local law, except where age, sex, or physical ability constitute a bona fide occupational qualification necessary for job performance. This extends to all areas of personnel administration including but not limited to recruitment, employment, promotion, transfer, training, working conditions, wages, benefits, and application of personnel policies, and shall be consistent with all protections afforded by applicable federal, state and local law. No personnel decision, action, term, condition or privilege of employment shall be unlawfully influenced in any manner by consideration of an individual's membership in a protected class.

It is the goal of the City of Iowa City to ensure equitable and non-discriminatory treatment of all applicants and employees, to remove barriers to employment for underrepresented populations and to achieve a diverse and inclusive work force that reflects the diversity within our

community.

The City of Iowa City shall also encourage or require equal employment opportunity efforts from vendors, contractors, consultants, and firms with which the City does business.

The City will use recruitment and selection practices that support this policy by displaying required equal employment opportunity posters in areas visible to employees and by identifying the City as an Equal Opportunity Employer on its job advertisements, postings, self-service employment opportunities site and online application form, website, and other recruitment sources. The City will make efforts to inform individuals from historically disadvantaged populations of both employment opportunities and the City's hiring process through targeted distribution of job postings, general recruitment and hiring information and events such as job fairs. The City will also periodically review its outreach efforts and recruitment, hiring, and selection procedures, adjusting as appropriate to ensure best practices to promote diversity and reduce implicit bias are being implemented and used as appropriate and feasible. City personnel who have responsibility for selection and hiring shall be trained in and held responsible for using legal interviewing and selection techniques and criteria.

Section 4: Labor Relations

The City recognizes its duty to bargain collectively with employee organizations certified by the Public Employment Relations Board, as provided by state law. Pursuant to this requirement, the duties, obligations, and rights of the City and each certified employee organization are set forth in the collective bargaining agreements mutually entered into by the City and the employee organization. Please refer to the appropriate collective bargaining agreement for specific details.

Section 5: Civil Service Coverage

The rules and regulations as set forth in Chapter 400 of the Code of Iowa shall apply to all permanent positions within the employment of the City of Iowa City with the exception of the positions of:

City Manager, Assistant City Manager, the Directors of Finance, Public Works, Neighborhood and Development Services, Parks and Recreation, Transportation Services, and the Directors of any other city department as may be created; Police Chief*, Fire Chief*; Human Resources Administrator; City Attorney; Assistant City Attorneys; Human Rights Coordinator/Equity Director; City Clerk, Deputy City Clerk; all Division Heads; Assistants to the City Manager; Secretaries to the Department Directors; employees of the Library Board or Airport Commission; and any other positions specifically excluded by the Code of Iowa.

*The positions of Police Chief and Fire Chief shall receive the benefits of the Iowa Civil Service Act for selection purposes and Civil Service status under Iowa Code Sections 400.13 and 400.14.

5.1 Rights and Benefits

Applicants for entry level or promotional civil service positions will be tested through impartial

examinations which fairly test each applicant's ability to perform in the position. Examinations may consist of review of application materials, oral interviews, and/or written, practical, or physical agility examinations as are appropriate to the position.

5.2 Appeal Rights

Following completion of probation, an employee covered by Civil Service who is removed, discharged, demoted, or suspended may appeal the disciplinary action to the Civil Service Commission, and will be entitled to a hearing before the Civil Service Commission. Appeals must be filed with the Clerk of the Commission (City Clerk) within 14 calendar days after the removal, discharge, demotion, or suspension.

Section 6: Harassment and Discrimination

The City of Iowa City is committed to providing a work environment in which people are treated with dignity, decency, and respect, and which is free of harassment and unlawful discrimination.

6.1 Harassment

Harassment may take many forms, including behaviors that are overt or subtle. Harassment may occur between or among members of the same or opposite sex or gender identity, employees and the public, contractors or vendors, co-workers, or subordinates and supervisors. Harassing behavior of any nature can have the effect of creating a hostile or offensive work environment and is prohibited. This can include conduct occurring outside of the workplace which has an impact on the work environment

For the purposes of this policy, harassment is any verbal or physical conduct that threatens, intimidates, demeans, humiliates, or coerces an employee or any person working for or on behalf of the City. Verbal taunting that impairs an individual's ability to perform their job is included in the definition of harassment.

Harassment may take the form of, but is not limited to:

- Comments that are offensive or unwelcome regarding a person's race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, or other class/category protected by federal, state, or local law, body, or appearance including epithets, slurs, and negative stereotyping.

- Abusive and offensive language, insults, teasing, name-calling, spreading rumor and innuendo, unreasonable criticism, isolating people from normal work interaction, excessive demands, and practical jokes.

6.2 Sexual Harassment

Sexual harassment is defined as unwelcome conduct that affects terms or conditions of employment or creates an intimidating, hostile, or offensive work environments. Such harassment is prohibited for all employees, regardless of status, including supervisors, subordinates, administrators, and co-workers. No employee, regardless of gender identity, should be subjected to such conduct. Sexual harassment may also occur between same

sex employees.

Sexual harassment may take the form of, but is not limited to the following and may include more subtle actions:

a. Deliberate or repeated unsolicited verbal comments, questions, representations, or physical conduct of a sexual nature that is unwelcome to the recipient.

b. Making or threatening to make decisions affecting an employee's job on the basis of the acceptance or refusal of a request for sexual intimacy.

c. Unwelcome sexually explicit, lewd, threatening or vulgar language, sexual jokes, innuendo, or propositions; suggestive comments; lewd gestures; requests for any type of sexual behavior (including repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature.

d. Distribution, display or discussion or any written, electronic or graphic material, including calendars, posters, cartoons, that are sexually suggestive or show hostility toward an individual or group because of sex, suggestive or insulting sounds; leering, staring; whistling; content in letters and notes, facsimiles, e-mails, photos, text messages, Internet/social media postings; or other form of communication that is sexual in nature and offensive.

e. Unwelcome, unwanted physical contact including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

6.3 Discrimination

It is a violation of City policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use evaluative standards that discriminate, in whole or in part, based on a person's race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, or other class/category protected by federal, state, or local law. Discrimination of this kind may also be prohibited by federal, state, or local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with these laws.

6.4 Complaint Procedure

The City will thoroughly pursue and investigate complaints of harassment, discrimination, or denial of civil rights and appropriate action will be taken. Conduct which may be in violation this policy should be reported to the Human Resources Administrator, a department supervisor, or the City Attorney's office. Human Resources, the City Attorney's office, and/or other administrative staff as appropriate will investigate, including interviews of complainant, respondent, and witnesses as necessary. If an investigation determines that an employee has violated this policy, appropriate discipline will be issued.

6.5 Confidentiality

Throughout the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person will be protected to the extent possible, while allowing the City to meet its obligation to investigate such complaints. The expressed wishes of the complaining person for confidentiality will be considered in the context of the City's legal obligation to act on the complaint and the right of the respondent to obtain information.

6.6 Retaliation

Retaliation against any person for filing or responding to a complaint either formally or informally, for participating in the complaint and investigation process, or for participating as a witness in an investigation is prohibited and will be considered a violation of this policy. Employees who believe they are being retaliated against in violation of this policy should follow the reporting process outlined in Section 6.4. The City will thoroughly investigate claims of retaliation. Any person who is found to have engaged in retaliation in violation of this policy will be subject to disciplinary action up to and including termination of employment.

6.7 Consequences of Harassment or Discrimination

Harassment and discrimination is unacceptable conduct in any form, and can be the basis for a discrimination claim against the City and/or an individual employee. It is the City's position that every employee has the right to work in an environment free of any type of harassment or discrimination. Consequently, any employee who engages in prohibited conduct will be subject to disciplinary action, up to and including termination of employment.

6.8 Duty to Prevent and Report

All employees have an affirmative duty to prevent harassment and discrimination in the workplace by supporting an environment that discourages harassment or discrimination of any kind and which promotes and supports diversity and inclusivity in the workplace and community. This includes reporting any conduct that may constitute harassment, discrimination, or denial of civil rights to a department supervisor, the Human Resources Administrator or the City Attorney's Office. Supervisors are required to forward all reports to Human Resources or the City Attorney's Office to ensure appropriate follow-up and investigation.

Section 7: Workplace Violence Prevention

7.1 Policy

Providing a safe and healthy work environment is essential to the City of Iowa City. Violence or the threat of violence by or against any City employee, or any other person, is prohibited. All reports of violence will be promptly investigated and appropriate action will be taken.

7.2 Definition

The City defines workplace violence as any act of physical, verbal, written, or electronic

aggression affecting the workplace. This includes the destruction or abuse of property and any visual, verbal, or physical act, that warns of or expresses an ability or intent to harm or kill; is intended to intimidate or create fear, or has the purpose of unreasonably interfering with an individual's reasonable expectation of a safe, non-hostile, or respectful work environment, whether made in person, by telephone, mail, written or electronic communications, or other means, including conduct that occurs outside of the workplace or during non-working hours.

7.3 Employee Responsibilities

All employees are required to refrain from any conduct that violates this policy, to promptly report to the Human Resources Administrator, a department supervisor, or the City Attorney's Office any incidents or threats of workplace violence, and to cooperate with any investigation of workplace violence. Employees are also expected to report any situation or threats of violence which may follow them into the workplace or otherwise impact other City employees.

Supervisors, with assistance from Human Resources, are responsible for ensuring proper response, investigation and follow up on any reported or observed incidents of workplace violence. Violence, the threat of violence or any other conduct that would fall under this policy must be reported to Human Resources as soon as the reporting party becomes aware of it.

7.4 Investigation and Follow-Up

Any reported or alleged violation of this policy will be promptly investigated by the appropriate management staff, Human Resources, and/or the City Attorney's Office. Violations of this policy may result in disciplinary action up to and including termination of employment and/or a report to law enforcement.

7.5 Confidentiality and Retaliation

To the greatest extent possible, anonymity will be maintained during the investigation. However, anonymity will be maintained at the discretion of those investigating and resolving the complaint only to the degree that it does not compromise the investigation. There is no right to or guarantee of anonymity.

Any employee who acts in good faith by reporting real, threatened, or implied violent behavior will not be subjected to any form of retaliation or harassment. Any retaliatory behavior resulting from a report of violence must be reported to the Human Resources Administrator or City Attorney's Office for investigation and appropriate action.

7.6 Post-incident Response

Injured staff will receive prompt medical treatment and appropriate post-incident counsel. Human Resources will assist the supervisor with coordination of appropriate post-incident response which may include a critical incident debriefing session and/or counseling through the Employee Assistance Program.

7.7 Violent Situations Outside the Workplace

In order to fulfill its obligation to protect employees from violence, the City requires that an employee apprise their supervisor or Human Resources of any situation involving violence or

the threat of violence that may carry over into the workplace such as a restraining order issued for the protection of the employee, harassing or threatening phone calls, email or other electronic messages, being or suspicion of being stalked, and any other circumstance the employee perceives as threatening to the health and safety of the employee or others in the workplace.

7.8 Workplace Security Suggestions and Recommendations

Employees are strongly encouraged to offer recommendations for improving safety within work sites throughout the City. These suggestions may be made directly to supervisors, Human Resources, or Risk Management.

Section 8: Employee Relations and Conduct

The work of every employee is important. Employee performance and conduct have an effect on an employee's success with the City and the work environment, as well as effecting the quality of service to the Iowa City community. Employees have a right to expect fair treatment and fair compensation from the City. In return, employees are expected to work diligently toward providing high levels of public service and conducting themselves in a manner that positively contributes to a respectful and productive work environment.

8.1 Employee Conduct and Ethical Standards of Behavior

City employees are expected to conduct themselves in a courteous, respectful, responsive manner and in a manner which demonstrates high ethical standards, professionalism, and inspires public trust. All City employees are required to:

- Refrain from engaging in conduct which could violate federal, state or local laws and/or reflect unfavorably upon the City or their department.
- Refrain from engaging in conduct which represents or could reasonably be interpreted to represent a conflict of interest.
- Put forth honest effort in the performance of their duties.
- Carry-out and support the established policies of the City in the performance of their job duties, regardless of their personal opinions of said policies.
- Decline any extraneous fee or gratuity for work performed on behalf of the City.
- Refrain from granting or making available to any person, any consideration, treatment, advantage or favor beyond that which is granted or made available to the public.
- Immediately report to their supervisor any outside interests that may be affected by City of Iowa City plans or activities or result in a conflict of interest or the appearance of such conflict.

a. Impartiality

Employees must:

- Avoid any action which might result in or create the impression of using public office, employment with the City for private gain, giving preferential treatment to any person or entity, or losing impartiality in conducting City business.

- Refrain from securing privileges or exemptions for themselves or others beyond that which would be available to the public at large.

b. Use of Information

Employees may not use confidential information for their own financial advantage or to provide others with financial advantages or information which could be used for financial advantage. Each employee is charged with the responsibility for ensuring that they release or provide only information that should be or already is available to the public at large.

c. Use of City Resources

Employees may not use or permit the use of any publicly owned resource (property, vehicle, equipment, labor, service or supplies (new, surplus, scrap, or obsolete)) for the personal convenience or advantage of the employee or any other person other than what is generally available to the public. No City-owned property may be removed from the workplace except for the purpose of conducting City business. Use of City facilities, supplies, equipment, or worktime for supplemental employment is prohibited.

d. Gifts

State law (Iowa Code section 68B.22, as amended) restricts gifts that can be received by public employees or their families. As the law states, "the acceptance of personal benefits from those who could gain advantage by influencing official actions raises suspicions that tend to undermine the public trust." Compliance with the law, for the reasons identified therein, is of crucial importance to the City.

There are exceptions to the restrictions, including accepting nonmonetary items with a value of three dollars ($3.00) or less, or accepting items made available free of charge to members of the general public without regard to their employment. However, before accepting any other gift, employees should consult with the City Attorney's Office for confirmation of an available exception.

e. Employment Conflicts

City employees may not work for an outside employer whose interests might conflict with those of the City. City employees may not use their jobs with the City to further their interest in any supplemental job. City employees may not work for, or directly invest in, businesses with whom they must deal in the course of their employment with the City.

f. Political Activity

City of Iowa City employees are free to exercise all rights of citizenship. However, in order to obey federal and state laws, and to ensure that the City will operate effectively and fairly, some guidelines are necessary. Therefore, the following restrictions have been established:

(1) An employee shall not, while performing official duties or while using City equipment at the employee's disposal by reason of their position, solicit contributions for any political party or candidate, or engage in any political activity, including distribution of political

messaging or materials. Employees shall also refrain from wearing hats, buttons, or other items with political messaging while working, unless otherwise permitted under Chapter 20 of the Iowa Code.

(2) An employee shall not attempt to influence the vote or political action of another by advocating for an appointment, increase in pay, or other business or employment advantage for that person with the City.

(3) An employee who supervises employees shall not directly or indirectly solicit the persons supervised to contribute money, anything of value, or service to a candidate, a political party, or a political committee.

(4) An employee who becomes a candidate for public office may request a leave of absence without pay. An employee who is a candidate for any elective office shall not campaign while on duty as an employee.

8.2 Discipline

The responsibility of the City to appropriately manage its operations may occasionally require it to take disciplinary action against employees. The objective of disciplinary action is to correct behavior that violates City policies, expectations or is otherwise inappropriate, and maintain efficient City operations. Failure of the employee, after notice, to modify behavior may result in further disciplinary action up to and including termination of employment. Furthermore, serious infractions may result in disciplinary action up to and including termination of employment without prior notice. Each case will be considered on its merits with due consideration as to the nature of the offense, the cause, the background, and the attitude of the employee.

Employees in bargaining units should refer to the appropriate collective bargaining agreement for further clarification.

Causes for Discipline:

It is not possible to list all forms of employee conduct that are considered unacceptable and impact the workplace. The following list is illustrative of, but does not include all, types of behavior or conduct for which disciplinary action may be taken.

a. Insubordination including disobedience, disrespect, failure to perform work assignments or duties, or failure to accept direction from authorized personnel. Deliberately attempting to undermine morale.

b. Theft of city property, money, or services or acting in a careless or negligent manner with City money, property, or vehicles. Theft of personal property during the performance of duty or on City property.

c. Violation of City policies including but not limited to Personnel Policies, Administrative Regulations, the City of Iowa City's Substance Abuse Policy, and/or the City's Drug and Alcohol Policy; violation of departmental rules, or any other rules, policies, or regulations issued by the City.

d. Abusive or discourteous treatment during the performance of duty to any member of the public, fellow employee or city official, including harassment on the basis of race, creed,

color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, or genetic information; or any behavior, including behavior occurring outside the workplace, which has the effect of producing a hostile work environment.

e. Tardiness, failure to report to work, or failure to maintain a satisfactory attendance record; failure to inform the appropriate person of the inability to report to work or the need to leave work for any reason.

f. Working (straight time or overtime) without proper authorization. Failure to accurately and timely report hours worked. Intentional abuse of the City's time keeping system, including unauthorized punching in/out of another employee.

g. Failure to satisfactorily and consistently perform the duties of the employee's position; incompetency, inefficiency, or negligence in the performance of assigned duties; loafing, loitering, or engaging in unauthorized personal business during work hours; excessive use of personal mobile devices.

h. Failure to maintain the appropriate qualifications, certifications or licenses necessary for the performance of job duties or failure to report any change or loss of said qualifications, certifications or licenses.

i. Unauthorized dissemination of non-public information acquired during the performance of duties for the City.

j. Breach of confidentiality.

k. Violations of the Federal Drug Free Workplace Act or other state or federal regulations.

l. Lying or providing false or inaccurate information, either verbally or in writing; falsification, alteration, deletion of required information, or failure to include material information on any application or City record.

m. Cheating on an employment-related exam.

n. Inappropriate use of telephone lines, long-distance service, FAX/photocopy services, computer or internet usage, cell phones, mobile or electronic devices or other City-owned property.

o. Operating City equipment or vehicles without proper license or permit, failure to maintain any required license or permit, or failure to notify the City of loss of any such license or permit.

p. Failure to make payment in a timely manner for any employment related charges including costs for return-to-duty or follow-up drug tests.

q. Illegal activities and/or conviction of a crime that is closely or directly related to the ability of employees to perform their job effectively or is otherwise job related, or failure of employees in positions subject to criminal background checks to provide timely notification of a criminal conviction to Human Resources.

r. Disregard for safety policies and procedures, including improper use of safety gear, clothing, or equipment; failure to report a workplace injury or illness to supervisory personnel in a timely manner.

s. Preventable accidents; conduct resulting in damage to City equipment or property or the injury of others. Willful destruction of property of the City or any employee.

t. Failure to provide required notification of over-the-counter or prescription medication that may impact ability to drive or operate heavy equipment (when driving or equipment operation is a required duty of the position); failure to provide copies of any work restrictions applicable to the required duties of the employee's position; failure to comply with work restrictions.

u. Activity which involves conflict of interest or use of city employment for personal gain.

v. Conduct which negatively impacts the City's ability to effectively conduct its operations; disruptive behavior; sleeping or giving the appearance of sleeping during working hours; engaging in horseplay, roughhousing, or disorderly behavior during work hours or while on work premises.

8.3 Weapons

No employee of the City of Iowa City shall carry a weapon while on duty. Weapons include but are not limited to firearms, knives, explosives, and tasers or other similar electronic immobilizers. Weapons are not allowed on City property or in an employee's vehicle when parked on City property. Issuance of a weapons permit does not exempt an employee from these provisions. However, sworn officers of the Iowa City Police Department and the Fire Marshal are exempt from this restriction.

8.4 Appearance-Grooming

Employees are expected to maintain a level of personal appearance and grooming that is considerate of other employees, and projects an image that inspires the confidence of the community and others with whom the employee must associate in the course of work.

(1) For employees in the field during hot summer weather, dress shorts and a T-shirt appropriate for the workplace are acceptable attire, unless safety concerns require long pants for protection. For employees working in air-conditioned buildings, shorts are not allowed. All employees are expected to wear clothing appropriate for a business office and public contact.

(2) Employees provided uniforms are required to wear the uniform provided.

(3) Dress down or casual day, generally observed on Friday unless otherwise designated by the City Manager, is an opportunity for employees to deviate from more formal attire for the day. Employees must dress appropriately for an office environment, even when casually dressed.

(4) Employees should refrain from wearing clothing which depicts images or text that are not appropriate when acting as a representative of the City such as images of guns, political messaging, vulgar language, etc.

Employees are required to adhere to health, safety, and sanitation standards while at work.

8.5 Scented products

The City aims to be sensitive to individuals with perfume and chemical sensitivities. Employees should minimize use of scented personal products including but not limited to cologne, after-shave, perfume, deodorant, lotions, hair products, air fresheners, room deodorizers or similar products.

8.6 Personal Activities

Conducting personal or non-work related activities is discouraged during work hours, except in emergencies and with the approval of the supervisor. Personal business should be conducted during designated break times or during unpaid lunch breaks. When possible, personal phone calls should be made from a phone away from areas used by the public to conduct business and away from other employees who may be distracted by such personal calls.

8.7 Supplemental Employment

Supplemental employment outside the employee's assigned City working hours must in no way interfere or conflict with the satisfactory performance of an employee's City duties. Supplemental employment that either creates or gives the appearance of a conflict of interest is prohibited. No employee is to conduct any supplemental employment during their scheduled working hours unless they are using pre-approved leave. Supplemental employment is not encouraged.

If an employee is unable to perform their job for the City due to injury or illness, work for another employer during what would be the employee's City work hours is expressly prohibited. A waiver of this provision may be given if the employee presents sufficient evidence to Human Resources from their physician that the employee's medical condition would preclude fulfillment of the employee's duties with the City, but that the nature of the condition would permit work at alternative outside employment. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

8.8 Religious Holidays

Every reasonable effort will be made to accommodate employee requests for release from work to participate in bona fide religious holidays or services. Once approved, personal leave, accrued vacation time, compensatory time, or in the absence of any of these, unpaid leave may be used to cover such absences.

8.9 Education

Advance approval from the City Manager is necessary for an employee to attend or engage in any educational program during normal working hours, other than that which may be provided or directed by the City. Consideration of such requests will be based upon the direct benefit to the City, and a demonstrated ability of employees to effectively carry out the responsibilities of their positions. Employees are encouraged to schedule educational programs outside of regular hours, whenever possible.

8.10 Medication/Work Restriction Notification

Employees who are required to drive vehicles or operate heavy machinery are required to inform their supervisor when taking over-the-counter or prescribed medication which carries a warning label indicating that the medication may impact the ability to perform those duties safely.

Employees who are issued work restrictions by a health care provider, including for conditions which are not work-related, must provide a copy of those restrictions to their immediate supervisor. Employees with questions about whether a physical restriction is considered a work restriction should discuss the restriction with Human Resources before providing the information to the employee's supervisor.

Failure to comply with these requirements will be grounds for discipline up to and including termination of employment.

8.11 Breastfeeding Breaks

The City will provide reasonable break time for nursing mothers to express breast milk for a nursing child for one year after the child's birth each time such employee has need to express the milk. In addition, the City will provide a private space, other than a bathroom, which may be used by the employee to express milk. If assistance is needed in coordinating the use of private space, employees may contact Human Resources.

8.12 Criminal Convictions

Employees in positions which are subject to criminal background checks under the City's administrative regulation on Criminal Background Checks in Hiring, as noted in the job description, are required to notify Human Resources within ten business days of being convicted of a crime other than a simple misdemeanor traffic offense. Human Resources will conduct an individualized assessment to determine the impact a conviction may have on an employee's ability to continue in their current role and will consult with appropriate supervisory staff and the City Attorney's Office as necessary. Employees in a position designated as sensitive under the Criminal Background Checks in Hiring policy who are convicted of a crime which would have precluded them from being hired into the position, may likewise be determined to no longer meet the requirements of the position and may be subject to termination of employment or other discipline.

Section 9: Whistleblower Policy & State Ombudsman's Office

It is the policy of the City that all employees are encouraged to report information or conduct the employee reasonably believes to be improper governmental actions by any City official or employee, to the extent such a report is not expressly prohibited by law. The City prohibits reprisal or retaliation against any employee who in good faith makes such a report.

9.1 Definition of Improper Governmental Action

Any action by any employee or official that:

- Is undertaken in the performance of their duties, whether or not the action is within the scope of the employee's or official's employment; and
- Is in violation of any federal, state or local law or rule;
- Is mismanagement;
- Is an abuse of authority;
- Is of substantial and specific danger to the public health or safety; or
- Is a gross abuse of public funds.

9.2 Complaint Procedure

The City will thoroughly investigate complaints of improper governmental action. Employees should promptly report information or conduct they reasonably believe constitutes improper government action to their supervisor, the City's Human Resources Administrator, or the City Attorney's Office. Supervisors receiving reports of potential improper governmental action are required to promptly notify the Human Resources Administrator or City Attorney's Office of the report to ensure appropriate investigation, documentation and follow-up takes place.

9.3 Retaliation Prohibited

The City may not retaliate against an employee who makes a good-faith report of conduct the employee reasonably believes to be improper governmental action, including an internal report as outlined above or the disclosure of information the employee believes constitutes improper governmental action to a member or employee of the general assembly, an official of or person providing human resources management for that political subdivision or any other public official or law enforcement agency.

9.4 State Ombudsman's Office

In addition to the reporting procedure described above, employees may contact the State Ombudsman with reports of improper governmental action. Pursuant to the Iowa Ombudsman Act, Iowa Code Chapter 2C, the State Ombudsman's Office has authority to investigate complaints about improper action or inaction taken by governmental entities. The State Ombudsman's Office is a non-partisan agency and may be reached at 1-888-426-6283.

Section 10: Employee Assistance Program

The City sponsors an Employee Assistance Program (EAP) as a means of assisting employees and their family members with a variety of challenges including marital, family or financial difficulties, physical, emotional or personal problems, and substance or alcohol use. It is available as a confidential service for information, short-term counseling, and referral to other community resources. While the program is in no way meant to interfere with the private life of the employee, employees are encouraged to contact the EAP to discuss a personal problem before it affects their work performance. Any voluntary involvement with the EAP will be strictly confidential and not reported to the City. **Employees may contact the EAP by calling 319-351-9072.** In the event work performance is affected, a mandatory referral may be made by an employee's supervisor. When a mandatory referral is made, the employee is required to be

seen by an EAP Counselor who may report the employee's attendance, ability to work, and completion of any recommended follow-up treatment to the City. The City is not provided a diagnosis and all discussions between the employee and counselor remains confidential.

Substance Abuse
All City employees are eligible for and encouraged to seek treatment and rehabilitation for alcoholism, problem drinking, or substance abuse through the City's Employee Assistance Program, or other available community resources. Alcoholism or drug addiction as conditions are not causes for discipline. However, if they impact job performance, including attendance, work performance, ability to carry out required duties, inter-personal or public relations, etc., disciplinary action may be taken. Nothing in this section relieves employees of responsibility for their own conduct on the job.

Section 11: Substance Abuse Policy

11.1 Policy

The City of Iowa City is dedicated to providing safe, dependable, and efficient services to our citizens. City of Iowa City employees are our most valuable resource and it is our goal to provide a healthy, satisfying working environment. In meeting these goals, it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and (4) to encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

11.2 Purpose

The purpose of this policy is to assure worker fitness for duty and to protect our employees and the public from the risks posed by the misuse of drugs or alcohol or by the use of prohibited drugs while balancing respect for individual privacy. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs, including the federal Drug Free Workplace Act of 1988.

11.3 Applicability

This policy applies to all City employees, as well as contractors or volunteers; when they are on City property or when performing any City-related business. This policy also applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Compliance with the terms and requirements of this policy is a condition of employment for all employees. Nothing herein relieves employees also subject to the City of Iowa City Drug and Alcohol Policy of their responsibilities under that Policy.

11.4 Prohibited Substances/Behaviors

a. Illegally Used Controlled Substances or Drugs
Any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15. This includes, but is not limited to: marijuana, amphetamines, opiates,

phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, or use of illegally obtained prescription drugs.

b. Misuse/Abuse of Legal Drugs

The appropriate use of legally prescribed drugs and over-the-counter medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel and medical advice should be sought by the employee, as appropriate, before performing work-related duties.

A legally prescribed drug means that individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. Legally prescribed drugs must be carried in their original container with a label which includes the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business is prohibited.

The City reserves the right to take appropriate action (including relieving the employee from work) if the use of a prescribed or over-the-counter medication is impairing or is deemed likely to impair the employee's faculties or work performance.

c. Alcohol

City employees are prohibited from consuming alcoholic beverages and from possessing containers of alcoholic beverages with a broken seal while on City premises or on duty.

11.5 Prohibited Conduct

a. Manufacture, Trafficking, Possession, and Use

City of Iowa City employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances while working, on City premises, in City vehicles, in uniform, or while *on City business,* or from reporting to work following use of a prohibited substance. Employees who violate this provision will be subject to disciplinary action up to and including termination of employment. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

b. Alcohol Use

No employee shall report for duty or remain on duty when their ability to perform assigned duties is impaired by alcohol. No employee shall use alcohol while on duty, or during the hours that they are on call. City employees are prohibited from consuming alcoholic beverages on breaks or at lunch. Violation of these provisions is prohibited and subject to disciplinary action up to and including termination of employment.

c. Treatment

The City recognizes that drug and alcohol dependency is an illness and a major health problem. The City also recognizes drug and alcohol abuse as a potential health, safety and security problem. All employees are encouraged to use the Employee Assistance Program (EAP) for treatment of drug or alcohol misuse and/or illegal drug use problems. Under certain circumstances, employees may be required to undergo treatment for substance abuse or alcohol misuse. Any employee who refuses or fails to comply with

City requirements for treatment, after care, or return to duty shall be subject to disciplinary action, up to and including termination of employment. Employees will be allowed to use accumulated sick leave and other accruals as appropriate to participate in a prescribed rehabilitation program.

The EAP provides a constructive way for employees to deal with alcohol or drug-related problems before they interfere with continued employment. However, an employee must continue to comply with City policies, meet attendance, job performance, and safe and sober behavior standards while seeking assistance from EAP or another treatment provider.

d. Notifying the City of Criminal Drug Conviction

The Drug Free Workplace Act of 1988 mandates that employees are required to notify the City of any criminal drug statute conviction for a violation occurring in the workplace or off City premises while conducting City business within five days after such conviction. The City will take appropriate disciplinary action and/or require the employee to participate in a rehabilitation program within 30 days of receiving notice of any conviction under a criminal drug statute. Failure to comply with this provision shall result in disciplinary action, up to and including termination of employment.

11.6 Proper Application of the Policy

The City of Iowa City is dedicated to assuring fair and equitable application of this substance abuse policy. Supervisors are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or is found to have deliberately misused the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination of employment.

11.7 Testing Procedures

a. Pre-Employment Drug Testing

All applicants for positions covered by Federal regulations governing workplace anti-drug and alcohol programs shall undergo urine drug testing following a conditional offer of employment. Receipt by the City of a negative drug test result is required prior to starting employment. Failure of a pre-employment drug test will result in rescission of the conditional offer of employment and will disqualify an applicant for employment for a period of one year.

City employees not currently in a position covered by Federal regulations governing workplace anti-drug and alcohol programs who apply for a position covered by said Federal regulations must pass a urine drug test following the offer of a transfer into a position covered by Federal regulations governing workplace anti-drug and alcohol programs.

b. Reasonable Suspicion Testing

Employees are expected and required to report to work on time in an appropriate mental and physical condition. The City reserves the right to test employees when there is reasonable suspicion that the employee is impaired, that their work performance or on-the-job behavior has been affected in any way by drugs or alcohol or the employee is otherwise unfit for duty.

Reasonable suspicion testing is drug or alcohol testing based upon the evidence that an employee is using or has used alcohol or other drugs in violation of this policy. This evidence is drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in the light of experience. For the purposes of this policy and procedure, facts and inferences may be based upon, but not limited to, any of the following:

(1) Direct observation of alcohol or drug use or abuse.
(2) Physical symptoms or manifestations of being impaired while at work due to alcohol or other drug use such as, but not limited to, the smell of alcoholic beverages or drugs emanating from the individual, reddened eyes, dilated or constricted pupils, flushed or pale complexion, extensive sweating or skin clamminess, unfocused/blank stare, disheveled clothing, unkempt grooming, runny or bleeding nose, possible puncture marks, wetting lips frequently, complaining of dry mouth or nystagmus (involuntary jerky eye movement) deterioration of work performance, errors and irregularities in work performance.
(3) Unexplained changes in behavior or personality such as, but not limited to, hyperactivity, fidgety, agitated, breathing irregularly or with difficulty, nausea, slow reactions, unstable walking, poor coordination, hand tremors, shaking, sleeping on the job, irritable, moody, suspicious, paranoid, depressed, withdrawn or a lackadaisical attitude.
(4) Unexplained changes in speech such as, but not limited to, slurred/slowed, loud/boisterous, quiet/whispering, incoherent/nonsensical, repetitious/rambling, clicking sound with tongue, rapid, excessive talkativeness, exaggerated enunciation or cursing/inappropriate speech.
(5) A report of alcohol or other drug use while at work provided by a reliable and credible source.
(6) Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used, or transferred illicit drugs or consumed alcoholic beverages while at work for the City, or while operating City vehicles, machinery or equipment.

Employees found to be impaired by prohibited substances or employees who fail to pass a reasonable suspicion drug or alcohol test administered under federal or state regulations shall be removed from duty and be subject to disciplinary action, up to and including termination of employment.

c. Post Accident Testing.
The City reserves the right to test employees for drugs and alcohol after a work-related accident when one or more of the following conditions are present:

- a fatality in which a City employee was involved;
- any individual suffers bodily injury known at the time of the accident;
- one or more vehicles incur disabling damage and require towing/removal from the scene;
- the accident results in cumulative property damage of $5,000 or greater as reasonably estimated at the time of the accident;* or
- the City employee receives a citation for a moving violation.*

If none of the above conditions are present, and the employee involved in the accident would like to be tested voluntarily for drugs and alcohol, the employee may submit to testing at the City's expense.

Following an accident, the employee will be tested as soon as possible, but time elapsed before testing may not to exceed eight (8) hours for alcohol and thirty-two (32) hours for drugs. An employee subject to post-accident testing shall remain readily available or may be deemed by the employer to have refused to submit to testing.

*Employees subject to DOT guidelines are subject to the post-accident testing requirements of the Drug and Alcohol Policy.

d. Refuse to Test

Refusal to submit to an alcohol or drug test is classified as a positive test and subject to the consequences of a positive test.

Refusal to test includes, but is not limited to, such behavior as:

(1) Failure to report in a timely manner to a collection site (except for a pre-employment test). Once notified an employee is to immediately go directly to the testing site.

(2) Failure to remain at the testing site until the testing process is complete (except for a pre-employment test).

(3) Failure to provide a urine specimen for any drug test required by this part or DOT agency regulations (except for a pre-employment test).

(4) In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of provision of a specimen.

(5) Failure to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.

(6) Failure or decline to take a second test the City or collector has directed them to take.

(7) Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the City as part of the procedures for situations in which an employee does not provide a sufficient amount of urine to permit a drug test.

(8) Failure to cooperate with any part of the testing process (e.g., refusal to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process) or verbal or written refusal to provide a required urine/breath specimen.

(9) For an observed collection, failure to follow the observer's instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if there are any types of prosthetic or other devices that could be used to interfere with the collection process.

(10) Possess or wear a prosthetic or other device that could be used to interfere with the collection process.

(11) Admit to the collector or MRO that the specimen was adulterated or substituted.

(12) Failure to sign the certification at Step 2 of the Alcohol Test Form.

(13) * The refusal to take a non-DOT drug or alcohol test or sign a non-DOT form is not a refusal to take a DOT test.

11.8 Consequences for Policy Violations

Violations of this policy resulting in personal injury, injury to another employee or member of the public or violations resulting in damage to public or private property may result in termination on the first offense.

a. Positive Test Results
An employee who is in their initial probationary period and receives a positive drug and/or alcohol test result will have their employment terminated. A non-probationary employee's first confirmed positive drug or alcohol test will result in a requirement that the employee be evaluated by an EAP counselor with subsequent referral and aftercare if necessary. Failure to undergo the required EAP evaluation or to comply with the treatment plan, including required testing, will result in termination of employment.

b. Second Positive Test Results
If an employee who has previously tested positive under the City's drug or alcohol testing program tests positive on a second occasion, the employee will be terminated.

c. Refusal Consequences
An employee who refuses to submit to a reasonable suspicion or post-accident drug/alcohol test will be treated as if the employee had a positive test result. The employee shall not be permitted to finish their shift and shall immediately be placed on administrative leave pending disciplinary action up to and including termination of employment.

d. Follow-Up
Once returned to duty, employees may be required to undergo unannounced follow-up testing. Such testing will take place just before job duties are performed, during job duties, or just after the employee performed job duties. The frequency and duration of the follow-up testing will be recommended by the EAP counselor or treating entity.

e. Invalid Drug Tests
The result of a urine drug test is considered invalid if it contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

f. Violations
Violations of this policy will result in disciplinary action, up to and including termination of employment.

Section 12: License, Certification and Insurability Requirements

Certain positions within the City require the possession and maintenance of a specific license or certification. If a position has such a requirement, it will be listed in the job announcement when the job is posted and will be included in the job description. If the requirement changes while an employee is in a position, the employee will receive notice of such change and will be given a reasonable amount of time to comply with the requirement. If an employee loses or fails to obtain a license or certification required for the position they hold, the employee may be subject to discipline up to and including termination for failure to meet minimum job requirements.

No City employee may operate a City vehicle without proper licensing. Any individual who operates a City vehicle on the public right-of-way without a valid license appropriate to the vehicle being driven will be subject to disciplinary action up to and including termination.

12.1 Maintaining a Valid License

Employees required to possess and maintain a valid Iowa driver's license, chauffeur's license, or Commercial Driver's License (CDL) are responsible for monitoring the expiration date and renewing their license prior to the expiration date. If an employee's license is suspended, revoked, or cancelled, it is the employee's responsibility to notify their supervisor at the beginning of the first work day after receiving notice of the action. Employees are prohibited from driving any City vehicle without the appropriate valid license and are required to carry their license with them while operating City vehicles or driving on behalf of the City.

The City periodically runs driver's license checks on employees who must have a license as a job requirement, as well as employees who drive City vehicles in the course of their employment. An employee who has a license that is current at the time of the license check, but whose record shows it was suspended, revoked, or cancelled in the period of time since the last check, is subject to disciplinary action if they drove a City vehicle during that time and/or failed to notify their supervisor of the suspension, revocation, or cancellation. Employees who are required to have a valid license will be subject to disciplinary action up to and including termination of employment if they allow their license to expire and are unable to perform their work duties.

12.2 CDL Notification Requirements

Employees required to possess and maintain a valid Commercial Driver's License must meet the following notification requirements:

a) Notify the Human Resources Office within 30 days of a conviction for any traffic violation, except parking (this includes pleading guilty and paying a fine). Notification is required no matter what type of vehicle the individual was driving at the time of the infraction or if the infraction occurred off duty. Such notice must be provided by filling out a Notification of Conviction for Driver Violations Form and submitting to the Human Resources Office.

b) Notify employee's supervisor if their license is suspended, revoked, or cancelled, or if the employee is otherwise disqualified from driving. Such notice must be made at the beginning of the first work day following knowledge of the suspension, revocation, or cancellation. Employees must provide such notice to their immediate supervisor (or in their absence to the individual acting in that capacity).

   Failure to provide required notice of a traffic violation or license suspension, revocation or cancellation may result in disciplinary action up to and including discharge.

12.3 Insurability

Employees required to possess and maintain a valid driver's license must also remain insurable under the City's established standards for insurability. Failure to remain insurable due to excessive or serious violations will subject an employee to disciplinary action up to and

including termination of employment.

A work permit does not meet the City's requirement for a valid license. In no event will the City install an ignition interlock device on any City vehicle to meet the requirements of a work permit.

Section 13: Personnel Transactions

13.1 Personnel Files

Personnel files are the property of the City. It is the policy of the City to permit access by all City employees to their personnel file maintained in the Human Resources office. Access to these files and the information contained in them is generally limited to the employee (or former employee), appropriate supervisory personnel, appropriate administrative personnel and third parties authorized in writing by the employee (i.e., union stewards, attorneys, etc.). The file information may also be accessed and utilized in situations involving business operations. Information related to education, employment and job performance will be maintained in these files. Confidential medical records and benefits information are maintained separately from an employee's personnel file.

City employees are permitted access to their personnel files during regular Human Resources office hours. Employees are permitted to examine, take notes, and make copies of any materials in their file. Employees wishing to examine their files during work hours must have the permission of their supervisor to leave their work site. A Human Resources staff member must be present during this examination. An employee may request correction of any alleged misinformation contained in the file. If this request is denied, the employee will receive an explanation of the reason thereof, and will be permitted to place a concise statement of disagreement in the file.

Employees are encouraged to keep their personnel files up-to-date with all job-related information such as degrees obtained. Certification and training records can be maintained through the Neogov learning management system. In addition, employees are required to update personal information when they experience a change of name, address, phone, or emergency contact. Employees may maintain this information through the Munis self-services portal.

13.2 Medical Files

Employee medical records* are personal and confidential and will be maintained in a separate medical file. Medical files are subject to the privacy restrictions imposed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The City of Iowa City will not release such information without the express written consent of the employee, except as required by law.

*Worker's compensation files are maintained by Finance and are subject to Finance Department policy addressing access and security of those records.

13.3 Public Information

The following employee information is classified as "Public Information" under Section 22.7 (11) of the Iowa Code and will, upon request, be provided to any individual or institution by Human Resources:

- Employee name
- Employee compensation including any written agreement establishing compensation or any other terms of employment excluding any information otherwise excludable from public information pursuant to Iowa Code Chapter 22.7 or any other applicable provision of law. Compensation includes any money, thing of value, or financial benefit conferred in return for labor or services rendered by an official or employee plus the value of benefits conferred including but not limited to casualty, disability, life, or health insurance, other health or wellness benefits, vacation, holiday, and sick leave, severance payments, retirement benefits, and deferred compensation.
- Dates of employment
- Positions held with the City
- Educational institutions attended and degrees and/or diplomas earned
- Previous employment information including names of previous employers, positions previously held, and dates of previous employment
- The fact that an individual resigned in lieu of termination, was discharged, or was demoted as the result of disciplinary action, and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion.

Should Iowa Code Section 22.7(11) or other Iowa law be amended to either enlarge or restrict what employee information is classified as "Public Information" under Iowa law, the City will modify its practices accordingly without further notice to employees.

Information such as address, telephone number, birth date, social security number, etc. is not public information and will not be released unless requested in writing by the employee.

13.4 Job Description

Copies of job descriptions are maintained by Human Resources and are available upon request or on the City's website. Job descriptions are periodically reviewed and updated as job duties and requirements change.

13.5 Position Classification

All positions are classified according to job duties, responsibilities, entry requirements, and departmental needs. A major change in these factors may necessitate a review of job classification. Requests for review of a job classification may be addressed to the Human Resources Administrator by any employee, by a supervisor, or may be initiated by the Human Resources Administrator. All position classification review requests will be reviewed in accordance with applicable labor contract provisions.

13.6 Fair Labor Standards Act (FLSA) Classification

All City positions have been classified as *non-exempt* or *exempt* under the Fair Labor Standards Act (FLSA). Non-exempt positions are eligible for overtime at a rate of one-and-one-half times their regular hourly rate for work in excess of 40 hours in a week. Exempt positions are not eligible for FLSA overtime. To be eligible for FLSA overtime a non-exempt employee must perform 40 hours of work in a week; paid time off such as sick leave and vacation does not count toward the 40 hours. Overtime is subject to supervisory authorization. Employees who work overtime without appropriate authorization may be subject to disciplinary action.

Police Officers and Firefighters are subject to the FLSA 207(k) exemption. Firefighters are

assigned to a 27-day/204 hour FLSA cycle and Police Officers are assigned to a 14-day/86 hour FLSA cycle.

To report a FLSA complaint or violation employees may contact the Human Resources Administrator or City Attorney's office.

13.7 Employment of Relatives

a. Management Conflict

It shall be a violation of this policy for the spouse, domestic partner or partner by cohabitation, children[1], mother, father, son-in-law, daughter-in-law, mother-in-law, father-in-law, step-parent, brother[2], sister[2], brother-in-law, sister-in-law, grandparents and grandchildren, foster child, persons who are parents of the same child, and persons with whom the employee is in an intimate relationship[3] of the City Manager, Assistant City Manager, Assistants to the City Manager, City Clerk, City Attorney, Department Directors, Division Heads, or Human Resources staff to become employed by any department of the City.

b. Chain of Command Conflict

It shall be the general policy of the City that no person shall be hired, assigned, promoted, or transferred to a department of the City or to a division thereof when, as a result, the employee would routinely be directly or indirectly supervising or receiving direct or indirect supervision from a member of the employee's immediate family. For the purpose of this subsection "members of the immediate family" include all of the relationships identified under the Management Conflict provision (13.7 a) and also include aunt, uncle, niece, nephew, and first cousin.

When a prohibited familial relationship is created during the course of employment, reasonable efforts will be made to find an acceptable alternative or to eliminate the situation by transfer or reassignment of one of the employees. Affected employees will first be given the option of deciding which employee will transfer or be reassigned. If no choice is indicated, seniority will be the governing factor and the least senior employee will be subject to transfer, reassignment, or termination.

Individuals actively employed by the City in violation of this expanded policy on November 1, 2011 will be grandfathered under the previous policy and allowed to remain City employees.

[1]This includes step-children and children for whom the employee stands in loco parentis (assumes parental responsibility).

[2]Brother and sister are defined to include step-siblings and half-siblings.

[3]An intimate relationship means a significant romantic involvement that need not include sexual involvement. An intimate relationship does not include casual social relationships or associations in a business or professional capacity.

13.8 Termination of Employment

a. Resignation

Employees are expected to give at least ten (10) working days' notice prior to the effective date of resignation. The notice should be in writing and directed to the immediate supervisor. Generally, the termination date shall be the employee's last day in attendance at work, except in cases of medical disability.

Generally, employees will be required to be at work on their last day. Use of extended vacation time prior to separation from service is not allowed. Supervisors may approve no more than two calendars weeks of paid time off within the same calendar month immediately preceding the employee's resignation effective date.

b. Retirement

Terminating employees may be considered retirees if they have submitted the appropriate forms to receive a retirement benefit from their applicable pension or retirement programs. Sworn employees in the Police and Fire Departments will retire under the Municipal Fire and Police Retirement System of Iowa (MFPRSI); other City employees will retire under the Iowa Public Employee Retirement System (IPERS).

Employees must contact the retirement system directly to initiate the retirement application process. Generally, employees will be required to be at work on their last day. Extended vacation time prior to separation from service is not allowed. Supervisors may approve no more than two calendars weeks of paid time off within the same calendar month immediately preceding the employee's retirement effective date.

c. Benefits Termination

Upon notice of resignation, termination, or retirement being received by Human Resources, applicable information regarding continuation of insurance coverage, benefits payout, IPERS benefit or refund, final check, and other information will be forwarded to the employee.

Human Resources will provide information to terminating employees, answer questions, and assist employees. However, it is the employee's responsibility to complete and submit all forms to the applicable agency.

d. Exit Interviews

Permanent employees will be provided an exit survey prior to their last day of employment. If an employee wishes to participate in an exit interview in addition to or in lieu of providing feedback via the exit survey, exit interviews will be conducted by Human Resources staff or City Manager's Office.

Section 14: Safety

All City employees are responsible for completion of job assignments in the safest manner possible. Prime consideration will be given to the safety of City employees and the public. Employees will not be required to and should not work in areas or operate equipment which is a safety hazard to themselves or the public. Employees are required to report unsafe working conditions to their immediate supervisor. The Iowa Occupational Health and Safety Administration establishes industrial standards for many City work functions. The City is

committed to compliance with these and other applicable standards.

a. Employees must wear appropriate safety equipment/clothing, as required. Employees will receive appropriate training and are expected to follow appropriate safety standards.

b. Employees must wear seatbelts in all vehicles that are equipped with seatbelts, as provided by state law.

c. Smoking, including use of e-cigarettes or other vaping devices, is prohibited in all City vehicles, equipment, buildings, and grounds.

d. City employees shall not wear or use radio headphones, earphones, or other similar devices at any time while at work, unless such devices are authorized by the Department Director/Division Head. Telephone headphones are permitted for business phones with the supervisor's approval.

e. Employees will handle property and equipment of the City with due care appropriate to the nature of the work and equipment used. Writing, sending, viewing an electronic message or talking on a hand-held communication device while driving is strictly prohibited. Employees who act in a manner which endangers the safety of themselves or others are subject to disciplinary action up to and including termination of employment.

f. Treatment for work related injuries must be provided by the provider designated by the City. Treatment by another physician will be allowed only upon referral from the City's designated treatment provider. Failure to use the City's designated treatment provider for a work-related injury may result in denial of payment of claims by Worker's Compensation. Worker's Compensation questions should be directed to the City's Risk Manager.

6.j

Prepared by: Karen Jennings, Human Resources Administrator, 410 E. Washington St, Iowa City, IA 52240 (319) 356-5025

Resolution No. 19-303

Resolution rescinding Resolution No. 17-198 and adopting updated Personnel Policies

Whereas, Section 1-6-1 of the City Code provides that personnel procedures, rules, and regulations for the employees of the City shall be established by resolution of the City Council; and

Whereas, Resolution No. 17-198, adopted by the City Council on June 20, 2017 established the existing Personnel Policies; and

Whereas, the Personnel Policies have been reviewed by staff and updated with regard to best practices and legislative updates, to streamline policy documents by incorporating other existing standalone policies, and to better communicate organizational expectations.

Now therefore be it resolved by the City Council of the City of Iowa City, Iowa that:

1. The 2017 Personnel Policies established by Resolution No. 17-198 are hereby rescinded.
2. The Personnel Policies attached to this resolution and by this reference made part hereof are hereby established and adopted.

Passed and approved this 17th day of December, 2019.

Mayor

Attest: City Clerk

Approved by City Attorney's Office

It was moved by Salih and seconded by Taylor the Resolution be adopted, and upon roll call there were:

AYES:	NAYS:	ABSENT:
X		Cole
X		Mims
X		Salih
X		Taylor
X		Teague
X		Thomas
X		Throgmorton