

Greenville City Council Workshop Agenda

Thursday, August 13, 2015
6:00 p.m.
City Hall Conference Room 337
200 West Fifth Street

- I. Call Meeting to Order
- II. Roll Call
- III. Approval of Agenda

- Public Comment Period

The Public Comment Period is a period reserved for comments by the public. Items that were or are scheduled to be the subject of public hearings conducted at the same meeting or another meeting during the same week shall not be discussed. A total of 30 minutes is allocated with each individual being allowed no more than 3 minutes. Individuals who registered with the City Clerk to speak will speak in the order registered until the allocated 30 minutes expires. If time remains after all persons who registered have spoken, individuals who did not register will have an opportunity to speak until the allocated 30 minutes expires.

- IV. Review of Draft Revised Personnel Policies
- V. Adjournment



Find yourself in good company

Memorandum

To: Honorable Mayor and City Council Members
From: Barbara Lipscomb, City Manager *BL*
Date: August 5, 2015
Subject: Revised City of Greenville Personnel Policies

Please find attached the proposed revisions to the City of Greenville Personnel Policies for your review. The City Council workshop to review the revised personnel policies is scheduled for Thursday, April 13, 2015, beginning at 6:00 p.m. in City Hall Conference Room 337.

The current City of Greenville Personnel Policies were adopted on June 11, 1993, and have not been revised in their entirety since that time. In 2014, City staff began the work of reviewing and revising the City's Personnel Policies so that they reflect general best practices with regard to human resources management and to ensure compliance with applicable federal and state laws and regulations.

The City contracted with Drake Maynard Human Resources Consulting to assist with the revisions to the City's Personnel Policies. Prior to retiring and becoming a consultant for state and local government agencies, Mr. Maynard worked for the North Carolina Office of State Personnel for over 30 years where he wrote or assisted with writing many statewide policies, including assisting in the writing of numerous portions of the State Personnel Act.

City staff representing all departments and various levels of the organization, both supervisory and non-supervisory, served as members of the focus group to provide their ideas, suggestions, and comments. A separate meeting was held with department heads to obtain their feedback. Where feasible, input from the focus group and the department heads has been incorporated into the revised Personnel Policies.

Every current Article within the City's Personnel Policies has been reviewed and contains revisions. The Equal Opportunity Protection policy has been expanded. Further, the revised policies relating to disciplinary action and the grievance procedure have been totally rewritten to mirror best practices and to address consistency across the organization. These are just a few examples of some of the major revisions included in the revised Personnel Policies. Staff has also included current personnel policies in your notebook for your reference.

Attachment

City of Greenville
PERSONNEL POLICIES

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City of Greenville Personnel Policies Acknowledgement

By signing below, I acknowledge that I have received, read, and understand the City of Greenville Personnel Policies. I understand that the City of Greenville Personnel Policies are provided to me for general guidance and are not an exhaustive statement of City policies or procedures.

In addition, I understand that the City of Greenville Personnel Policies do not constitute a contract of employment and that the City may change, revoke, interpret, or add to any of these policies at any time at its sole discretion without prior notice. I understand that the City of Greenville is an at-will employer and retains the right to terminate my employment at any time and for any reason not prohibited by law.

Finally, I understand that any amendment of the City of Greenville Personnel Policies will always govern and supersede any prior version. I also understand that if I have questions or concerns regarding my terms of employment or working conditions with the City of Greenville, I should contact my supervisor, department head, or the Human Resources Department.

Employee's Name (please print): _____

Employee's Signature: _____

Date: _____

ARTICLE I
THE HUMAN RESOURCES SYSTEM

SECTION 1.0 Policy

The purpose of these policies is to provide a system of human resources administration that shall provide effective, best practice means to recruit, select, develop, and maintain an effective, diverse, and responsive workforce. These policies shall include policies and procedures for recruitment, selection, training and career development, promotion, transfer, position classification, salary administration, conditions of employment, benefits including leave, and discipline of the employees of the City of Greenville under the supervision of the City Manager.

SECTION 2.0 Merit Principle

It is the policy of the City that persons will be recruited and selected for appointments and promotions on the basis of knowledge, skills, ability, qualifications and experience, and other characteristics which best suit an individual to the job to be performed. Decisions regarding selection shall be made solely on the basis of job-related criteria and the person's ability to perform the essential functions of the position successfully, with or without reasonable accommodations.

SECTION 3.0 Authority and Responsibility of the City Manager

The City Manager is hereby authorized and responsible for establishing, administering, and revising policies, plans, and all rules and procedures necessary for the implementation of this Resolution consistent with all applicable federal and state laws, and the following Articles of this Resolution, subject to the approval of the City Council.

SECTION 4.0 Responsibility of the Director of Human Resources

The City Manager shall appoint a Director of Human Resources who will assist in the administration of the position classification plan, the pay plan, and the salary administration policies of the City. The Director shall be responsible for developing the schedule of benefits for City employees for approval by the Council, recommending changes to the policies of this Resolution to the City Manager for consideration by the Council, and performing such other duties required to administer a modern human resources system, as the City Manager shall require. The Director of Human Resources shall have responsibility for operating all human resources programs and functions for the City. The Director of Human Resources shall maintain a complete system of personnel files and records.

SECTION 5.0 Employees Subject to Personnel Policies

The provisions of these regulations shall be applicable to all employees of the City, except as exempted by the City Council.

SECTION 6.0 Violations of these Policies

Any employee violating any of the provisions of these regulations shall be subject to disciplinary action, up to and including dismissal, consistent with the provisions of this Resolution.

SECTION 7.0 Departmental Policies and Rules

With the prior approval of the City Manager, each department may establish supplemental policies and rules, applicable only to the personnel of that department. Such rules and regulations shall be subject to the approval of the City Manager, and shall not in any way conflict with the provisions of this Resolution, but shall be deemed supplemental.

ARTICLE II EQUAL EMPLOYMENT OPPORTUNITY

SECTION 1.0 Statement of Policy

The City of Greenville is an equal opportunity employer and strictly prohibits discrimination against any employee or applicant for employment because of the individual's race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, marital status, or any characteristic protected by applicable law.

The City will provide reasonable accommodation to qualified individuals with a disability consistent with the Americans with Disabilities Act, as amended.

All employment decisions, including but not limited to those involving recruitment, selection, promotion, training, compensation, benefits, transfer, discipline, and discharge shall be free from unlawful and prohibited discrimination. The City of Greenville shall utilize personnel practices designed to ensure equal employment opportunity. Every manager and supervisor shall implement this policy through uniform and consistent employment practices.

SECTION 2.0 Implementation of Policy

All personnel responsible for recruitment and employment shall continue to review regularly the implementation of these personnel policies and relevant practices to assure that equal employment opportunity based on reasonable performance-related job requirements is being actively observed to the end that no employee or applicant for employment shall suffer prohibited and unlawful discrimination.

SECTION 3.0 Harassment

It is the City's policy that harassment (or retaliation for reporting harassment) on the basis of race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, or marital status is unacceptable and will not be tolerated. Employees who are found to have harassed other employees or members of the public are subject to disciplinary action up to and including dismissal.

Sexual harassment is further defined as unsolicited and unwelcomed advances, requests, verbal or physical contact in which:

- (a) submission is an explicit or implicit condition of employment;
- (b) submission or rejection is the basis of an employment decision; and/or
- (c) the conduct has unreasonably interfered with an affected person's work performance or created an intimidating, hostile, or offensive work environment.

SECTION 3.1 *Types of Prohibited Behavior in Sexual Harassment*

Some types of prohibited sexual advancement include, but are not limited to:

- Verbal – propositions or innuendo; lewd or sexually offensive comments; humor, jokes, or teasing about sex or gender; rumors about other employees, verbal abuse, and insults; making either explicit or implicit job threats or promises in return for sexual favors; telling sexually oriented jokes or stories that would reasonably be construed as offensive.
- Nonverbal – making sexually oriented gestures; displaying signs, cartoons, pictures, cards, books, magazines, graffiti, or paraphernalia of a sexual nature; whistling; email, Internet, or other computer transmissions of a sexual nature.
- Physical – any unwelcome touching which includes rubbing, patting, pinching, or brushing the body or sexual assaults by supervisors, fellow employees, or non-employees.

SECTION 3.2 *Complaint Procedure for Discrimination and/or Workplace Harassment*

Any employee who believes that he or she has been discriminated against or harassed on the basis of race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, or marital status shall immediately report the behavior to his or her department head or the Director of Human Resources. If the report is made to the department head, the department head shall immediately (within two business days) notify the Director of Human Resources of the complaint. It is the responsibility of the Director of Human Resources, or his/her designee, to investigate the matter in a timely manner to determine if the complaint has merit. If the complaint is founded, the department head and the Director of Human Resources shall make a determination as to the appropriate disciplinary action. If the decision is to seek termination of the employee who has been determined to be the harasser, the City Manager must approve the dismissal. Both the complainant and the alleged harasser shall be informed of the results of the investigation.

No employee shall be discriminated against, harassed, intimidated, nor suffer any reprisal as a result of reporting violations of this policy in good faith.

SECTION 3.3 *Employee Responsibilities*

Any employee who observes workplace harassment on the basis of race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, or marital status shall report this observation immediately to his/her supervisor or department head. Employees are obligated to cooperate in any investigation of unlawful workplace harassment. Employees are also obligated to refrain from reporting fraudulent or “bad

faith” complaints of workplace harassment.

Disciplinary action up to and including dismissal may also be taken against any employee who fails to report instances of harassment on the basis of race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, or marital status, who fails or refuses to cooperate in the investigation into a complaint of harassment, or who files a complaint of harassment in bad faith.

SECTION 4.0 Recruitment Sources

Recruitment sources shall be advised periodically of the City's equal employment opportunity policy. The City shall include among its recruitment sources organizations and media which are utilized by and are available to female and minority applicants. Information about job openings and employment qualifications shall be provided to a diversity of recruitment sources.

SECTION 5.0 Job Advertisements

Employment advertisements shall contain assurances of equal employment opportunity and shall comply with federal and state statutes regarding discrimination in employment matters.

SECTION 6.0 Applications for Employment

All persons expressing interest in employment with the City for a posted position shall be given the opportunity to submit an application for employment within the posted time frame.

SECTION 7.0 Application Retention

Applications for employment shall be retained for a period of three (3) years in accordance with Equal Employment Opportunity Commission guidelines.

SECTION 8.0 Qualifications and Testing

The City's policy includes the responsibility for insuring that hiring qualifications for both entry-level and promotional level jobs are representative of actual job requirements and are consistently administered for all applicants, both internal and external. The Human Resources Department will review position qualifications as needed to ensure that job qualifications conform to the actual job performance requirements and to the current situation in the workplace.

Tests administered by or for the City shall be only those that will measure the skills actually required for the job. Tests shall conform to applicable legal regulations and shall be appropriately validated.

All tests given to applicants shall be administered and evaluated by qualified employees

or personnel who are fully acquainted with the City's policy on equal employment opportunity and the job description requirements.

SECTION 9.0 Compensation

The policy of the City is to pay compensation that is market competitive for the work performed. Opportunities for performing overtime work or otherwise increasing compensation will be distributed as equally as practicable among employees in the same job class, department, and shift regardless of race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, marital status, or any other characteristic protected by applicable law. It is the policy of the City to pay all employees equitably and consistently, based upon job classification, experience, and demonstrated performance.

SECTION 10.0 Equal Employment Opportunity Notices

Notices with regard to equal employment opportunity matters shall be posted in conspicuous places on City premises in places where notices are customarily posted.

SECTION 11.0 Promotion and Employee Development.

Employees will be provided reasonable means to succeed in their jobs and will be given opportunities to prepare themselves for full use of their talents and potential. Examples of such means and opportunities include mentoring, orientation, and development opportunities. Employees are responsible for pursuing such opportunities and initiative to succeed.

SECTION 12.0 Records and Reports

The Director of Human Resources will maintain up-to-date records which reflect the City's efforts in equal opportunity employment. Such records will include data necessary to accomplish required reports under the provisions of the Equal Employment Opportunity Act of 1972.

The bi-annual EEO-4 report shall provide a basis for an analysis of the status of actual equal employment opportunity with the City and for an evaluation of progress made in this regard.

SECTION 13.0 Affirmative Action Statement

It is the goal of the City of Greenville to become a civic leader in creating opportunities for all who live in the area. The City's objectives are to develop and promote positive programs that reflect, encourage, and increase diversity in the employment and promotional opportunities at all levels of the City's workforce. The coordinator of this program is the City Manager, who, with the assistance of the Director of Human Resources, will develop and annually update an Affirmative Action strategy to fulfill this purpose. The City Manager will report annually to the City Council on the progress of

implementing the current Affirmative Action program. All department heads and supervisors are charged with the responsibility for implementing the program in their departments. The objectives are as follows:

- To promote the City of Greenville's role as a civic leader in the promotion of job opportunities, each department is encouraged to develop programs, actions, and methods to promote job vacancies within its department consistent with the City of Greenville's Affirmative Action Statement. The various departments within the City of Greenville have developed and implemented numerous programs to promote employment opportunities such as job fairs, advertisements, and training for contractors in bidding city projects and various community programs.
- The purpose of the Affirmative Action program is to showcase, create interest in, and develop dialogue within and between the various departments of the City in the execution of the Affirmative Action Statement.
- Each department within the City will submit an annual report to the Director of Human Resources by January 15 of each year, documenting the actions of the department for the previous calendar year concerning the implementation of the Affirmative Action Statement. The report will contain a statement of the various actions or activities of the department to promote and implement the Affirmative Action Statement, the number and type of position vacancies for the year, the success of the department's implementation programs, and any proposed improvements for the upcoming year.
- The Director of Human Resources will, no later than February 15, compile an annual report for the City Manager from the departmental reports. The City Manager will report to the City Council the results of the previous year's activities and any proposed actions for the upcoming year. A copy of the final report shall be distributed to each City department.

ARTICLE III THE CLASSIFICATION PLAN

SECTION 1.0 Purpose

The classification plan provides the complete inventory of all regular full-time positions in the City, except those specifically exempted by the City Council. The positions of City Manager, City Attorney, and City Clerk are specifically exempted by the City Council.

The classification plan groups like jobs within classes and pay grades based on factors such as the type of work involved, the level of difficulty, the level of responsibility, and the minimum qualifications required for the job. The listing of classes as shown in the Appendix shall be the classification plan of the City.

SECTION 2.0 Administration and Maintenance of Classification Plan

The City Manager shall designate the Director of Human Resources as responsible for the administration and maintenance of the classification plan and for periodic review of the plan. Department heads shall be responsible for bringing to the attention of the City Manager (1) the need for new positions and (2) material changes in the nature of duties, working conditions, responsibilities, or other factors affecting the classification of any existing position.

The Director of Human Resources will make recommendations for any changes in the plan to the City Manager. The Human Resources Department shall maintain all official class descriptions as well as a record of all budgeted and authorized positions.

SECTION 3.0 Composition of the Classification Plan

The classification plan shall consist of the following:

- a. A grouping of positions in classes which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions;
- b. Class titles descriptive of the work of the class which identify the class;
- c. Written specifications for each class of positions; and
- d. An allocation list showing the class title of each position in the classified service.

SECTION 4.0 Use of Classification Plan

The classification plan is to be used:

- a. to determine salary to be paid for various types of work;
- b. as a guide in recruiting and selecting applicants for employment;
- c. in developing work plans and evaluating the performance of employees;
- d. in determining lines of promotion and in developing employee training programs;
- e. in projecting personnel and operational costs for department budgets; and
- f. in providing uniform and meaningful titles for all positions.

SECTION 5.0 Classification of New Positions

New positions shall be established upon the recommendation of the City Manager and approval of the City Council. After a new position has been proposed and approved for review by the City Manager, the department head will submit to the Director of Human Resources a Job Description Questionnaire and Job Evaluation Manual which detail the primary purpose, essential functions, level of supervision, decision-making responsibilities, supervisory responsibilities, working conditions, and other factors so that the position can be evaluated. This evaluation also will determine whether the position is subject to overtime compensation or exempt from it. Once this analysis is completed, the position will be assigned to the appropriate pay grade in the pay plan, upon recommendation of the City Manager and approval of the City Council.

SECTION 6.0 Classification of Existing Positions

Department heads must obtain prior approval from the City Manager or his or her designee before making significant organizational changes that affect classifications.

A reclassification is the reassignment of a position to a new or existing classification. Requests for reclassifications of positions should be submitted when the responsibilities of the position have significantly changed. Requests for reclassifications require the approval of the respective department head and require submittal of a Job Description Questionnaire and Job Evaluation Manual so that the proposed classification can be evaluated. Reclassification requests must reflect bona fide changes consistent with departmental needs rather than alterations submitted merely to increase employee pay. The classification of positions is based upon the duties and responsibilities required for the position, rather than upon the abilities of the employee.

All requests for reclassification shall be submitted in writing by the department head to the Director of Human Resources with justification for reclassification. After review by the Director of Human Resources, a recommendation shall be forwarded to the City Manager.

SECTION 7.0 Use of Class Titles

Class titles are to be used in all personnel, accounting, budget appropriation, and financial records. Every regular full-time position utilized by the City of Greenville shall be included in the classification plan, with the exception of positions exempted by the City Council pursuant to Section 1.0 of this Article. Other job titles, including working titles, may be used in the course of departmental routine to indicate authority, status in the organization, a description of work performed, or administrative rank.

SECTION 8.0 Use of Class Specifications

Class specifications describe the primary duties and responsibilities of the position. Specifications are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed.

SECTION 9.0 Amendment of Classification Plan

Classes of positions shall be added to and deleted from the position classification plan upon the recommendation of the City Manager and with the approval of the City Council.

SECTION 10.0 Equal Employment Opportunity

Job descriptions will be reviewed periodically for accuracy as to content and educational and experience requirements to ensure the widest range of opportunities for qualified applicants consistent with federal and state equal employment laws.

SECTION 11.0 Americans with Disabilities Act

Each job description shall address and identify the essential functions of the job. Each identified essential function must address what is necessary for the successful completion of the position's work and duties. In identifying the functions of a job, the Director of Human Resources and department head will comply with the requirements of the Americans with Disabilities Act, as amended.

ARTICLE IV THE PAY PLAN

SECTION 1.0 Policy

The City of Greenville's pay plan is intended to provide competitive and equitable pay that allows the City to recruit and retain highly qualified employees, to furnish flexibility in recognizing individual differences among positions allocated to the same class, to provide employee incentives, and to reward employees for meritorious service.

The pay plan includes the basic pay schedule as adopted by the City Council and subsequent amendments and a schedule of pay ranges consisting of minimum and maximum rates of pay for all classes of positions included in the classification plan. This pay plan is intended to provide reasonable compensation that is proportionate to City resources, that motivates employees to perform to the best of their abilities, and that encourages employees to improve their knowledge, skills, and abilities.

SECTION 2.0 Administration and Maintenance of the Pay Plan

The Director of Human Resources shall be responsible for the administration and maintenance of the pay plan for the City of Greenville. The City's Director of Human Resources will work jointly with the Director of Human Resources for the Greenville Utilities Commission (GUC) to review and/or update, on an annual basis, the joint pay and benefits plan for the City and GUC.

The Directors of Human Resources for the City and GUC will work with their respective managers (City Manager in the case of the City and General Manager/CEO in the case of GUC) to determine the appropriate market(s) for pay comparisons for jobs with the City and the GUC. Based on comparisons with these markets, there will be a recommendation for adjustments to the pay structure (minimums, midpoints, and maximums) and salary ranges presented to the Joint Pay and Benefits Committee to maintain a competitive pay position to the market. The Joint Pay and Benefits Committee shall present a recommendation for any necessary adjustments to the full boards (the Greenville City Council and the GUC Board of Commissioners) for their final approval.

SECTION 3.0 Transition to a New Pay Plan

The following four principles shall govern the transition to a new pay plan:

- a. No employee shall receive a salary reduction as a result of the transition to a new pay plan.
- b. An employee being paid at a rate lower than the minimum rate established for his/her respective class shall have the salary raised to the new minimum for his/her class; except, if an employee is considered not fully qualified for the class, the amount of the initial salary adjustment may

be set at a salary rate below the minimum.

- c. An employee being paid at a rate below the maximum rate established for his/her respective class shall be paid at a rate within the salary schedule.
- d. An employee being paid at a rate above the maximum rate established for his/her respective class shall remain at his/her present salary as long as the maximum rate is below the present salary.

SECTION 4.0 Pay Periods

All employees shall be paid on a biweekly pay period. Employees shall be paid on Friday following the end of the respective payroll period. Should a regular payday occur on a holiday, employees may be paid on an earlier day in the week. Payment shall be made for all hours worked during the payroll period, including any overtime hours or other special pay allowances as approved in the pay plan.

SECTION 5.0 Pay Within the Range

All employees covered by the pay plan shall be paid at a rate within the pay ranges established for their respective position classifications, except employees in a "trainee" status or employees whose present salaries are above the established maximum rate following transition to a new pay plan.

SECTION 6.0 Use of Pay Ranges

Pay ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class, in providing employee incentives, and in rewarding employees for meritorious service. The following provisions shall govern the granting of within-the-range increases:

- a. **Hiring Rate:** The minimum rate established for the class is the normal hiring rate, except in those cases where circumstances, including documented difficulty in recruiting and retention, appear to warrant appointment at a higher rate. Appointment above the minimum step may be made on the recommendation of the department head and Director of Human Resources, and when the City Manager determines that it is necessary in the best interest of the City. Approval will be based on the degree to which the qualifications of the applicant are in excess of the requirements for the class, or that there is a demonstrated shortage of qualified applicants available at the minimum step, or that qualified applicants decline employment at a minimum step.
- b. **Completion of Six Months of Service at Hiring Rate:** Upon completion of six months of service at the hiring rate, the supervisor shall review the employee's progress. Based upon the supervisor's and department head's recommendation, and with the approval of the Director of Human Resources, the employee's salary may be increased by 5%.

- c. The remaining pay range is to be used to reward employees for meritorious service.

SECTION 7.0 Entrance at the Minimum

Each new employee who meets the minimum requirements for the classification in which employed shall be appointed to the minimum step of the pay range to which that classification is allocated except that:

Trainee Salary: If the new employee does not meet the minimum requirements of the position and qualified applicants for the position are not available, the Director of Human Resources may designate the employee as a "trainee" to be appointed at a salary below the minimum;

Justification for Hiring Above the Minimum Salary: When the Director of Human Resources shall determine that there has been a demonstrated inability to recruit at the minimum salary, that there has been documented difficulty in retaining employees, or that an applicant possesses exceptional qualifications, the Director of Human Resources may authorize the employment of an applicant at a higher rate than the minimum in the pay range, when recommended and justified in writing by the department head.

SECTION 8.0 Pay for Trainee

A new employee who does not fully meet the education and/or experience requirements, or who may lack certain abilities required to perform the work of the position to which hired, may be appointed with the recommendation of the appointing department head and the approval of the Director of Human Resources as a "trainee" at a pay rate below the minimum of the pay range for the class to which appointed. Trainee pay rates should be set at 10% below the minimum for each year of experience required to meet the desirable requirements.

A trainee's performance and progress on the job, as well as salary, are to be closely reviewed at six-month intervals from the date of appointment until the supervising department head certifies that the employee fully meets all requirements of the position and is raised to the minimum of the pay range. This period of time, referred to as a training period, is a probationary period in which satisfactory performance is essential for advancement. The employee may be dismissed if it is documented that the employee cannot meet the specified work requirements or perform at the expected level of competence.

SECTION 9.0 Merit Raises

A raise above the minimum established for each class of positions shall be granted only in recognition of performance that merits a pay increase.

Employees are eligible for merit increases in their base pay, provided their current pay

rate is within and not at the maximum of the pay range to which the class has been assigned. Employees at the top of their pay range may also receive a merit increase, but the increase will be in the form of a lump sum payment and will not be added to the base pay. Merit raises shall be based upon the employee's annual performance evaluation and the recommendations of the immediate supervisor, division head, and department head. Meritorious service does not include and is not a reward for longevity or time in service or position.

Salary adjustments shall be effective only upon the recommendation of the supervising department head, the approval of the Director of Human Resources, and the approval of the City Manager.

A performance evaluation shall be scheduled for each eligible employee at least once each year. Consultation between the employee and supervisor regarding performance at times other than the annual performance evaluation is anticipated and encouraged under this policy and shall be considered to supplement rather than replace the annual performance evaluation.

Upward movement within the established salary range for an employee is not automatic but rather based upon specific performance-related reasons. Employees may be considered for advancement within the established salary range based on the quality of their overall performance. Procedures for determining performance levels and performance pay increases shall be established in procedures approved by the City Manager. Performance pay is subject to annual appropriation.

SECTION 10.0 Pay of Reclassified Employee/Pay for Employee Affected by Reorganization or Restructuring

A reclassification occurs as a result of a review of job content and is based upon job duties and responsibilities rather than individual performance. With a reclassification, the duties and responsibilities of the position will be changed permanently, materially, and significantly.

A reorganization or job restructuring occurs in response to organizational, operational, and/or technological needs. In both situations, an entire class of positions or only one or more individual positions within a class may be affected.

The salary and annual performance review date of an employee whose position is reclassified to a lower or lateral classification shall not be affected by the change. The employee whose position is reclassified to a higher pay grade due to significant changes in job responsibilities will receive a 5% salary increase or be increased to the minimum of the new pay grade, whichever is greater. The purpose of the reclassification pay increase is to recognize and compensate the employee for taking on increased responsibility. The annual performance review date will be changed to one year from the date of the reclassification. An employee who successfully completes the six-month probationary period following reclassification shall receive a 5% salary increase. In no event shall the initial or probationary increase exceed the maximum step of the pay plan.

SECTION 11.0 Pay of Reclassified Employee Affected by Labor Market Factors

Labor market factors, as opposed to a change in the duties or responsibilities of a position, may result in the reclassification of a position. The salary and annual performance review date of an employee whose position is reclassified to a lower or lateral classification shall not be affected by the change. When a position is reclassified to a higher pay grade due to labor market factors as opposed to a change in job duties/responsibilities, the employee will receive a 5% salary increase or be increased to the minimum of the new pay grade, whichever is greater. If an employee's current pay rate is above the maximum of the new pay grade, the pay shall remain unchanged until the rate falls within the established range.

SECTION 12.0 Pay of Promoted Employee

- a. **Promotion Definition:** A promotion occurs as a result of substantial and documented increased responsibility, more extensive or advanced educational and professional requirements, and proven qualifications for the position (usually in a competitive selection process).
- b. **Initial Promotional Increase:** An employee who is promoted to a new position in a higher pay grade shall receive a 5% salary increase or be increased to the minimum of the new pay grade, whichever is greater. The purpose of the promotion pay increase is to recognize and compensate the employee for taking on increased responsibility.
- c. **Completion of Six-Month Probationary Period:** An employee who successfully completes the six-month probationary period following promotion shall receive a 5% salary increase. In no event shall the initial or probationary promotion increase exceed the maximum step of the pay grade.
- d. **Failure to Satisfactorily Complete the Probationary Period:** If an employee fails to satisfactorily complete the probationary period following promotion, every attempt will be made to reinstate the employee in the former classification or in another classification at the former salary.
- e. **Salary Inequity Definition:** A salary inequity is defined as a situation where the salaries of employees in positions of the same classification differ by more than 10% when considering these factors:
 - a. Relevant education for the position;
 - b. Relevant skills for the position;
 - c. Related work experience;
 - d. Performance level.
- f. **Resolving a Salary Inequity Resulting from a Promotion:** A department head may recommend to the Director of Human Resources to award a promotional increase greater than that provided for in b. and c. of this Section, if those salary

limitations create a salary inequity between the newly promoted employee and current employees in that work unit. It is the responsibility of the Director of Human Resources to review, to determine if a salary inequity exists, and to develop a plan to resolve that inequity.

SECTION 13.0 Pay of Transferred Employee

The salary of an employee reassigned to a position in the same class or to a position in a different class with the same pay range shall not be increased or decreased as a result of the reassignment.

SECTION 14.0 Pay of Demoted Employee

The salary of an employee disciplinarily demoted to a position in a class with a lower pay range shall be adjusted to the maximum of the new pay range or to 5% below the former salary, whichever is less.

SECTION 15.0 Pay of Employee Approved for Voluntary Reassignment Down

A voluntary reassignment down is requested by an employee for personal reasons and is not due to the imposition of a disciplinary action. The salary of an employee who voluntarily accepts a reassignment to a position in a class with a lower salary range shall be adjusted to the maximum of the new pay range or to 5% below the former salary, whichever is less.

SECTION 16.0 Pay for Designated Part-Time and Regular Part-Time Employees

The pay plan established by these policies is for regular full-time employees. Designated part-time and regular part-time employees shall be paid the rate to which a full-time employee would be paid, but at the percentage of part-time employment. For example, a part-time employee who is working half-time (20 hours per week) would be paid 50% of the full-time salary. For part-time positions for which there is not an equivalent full-time position on the City's pay plan, the pay rate shall be at a rate recommended by the department head and Director of Human Resources, with the approval of the City Manager or his/her designee.

Regular part-time employees do not accrue vacation leave, sick leave, holidays, or other benefits of regular full-time or designated part-time employees.

SECTION 17.0 Holiday Pay

Regular full-time employees shall be paid their regular hourly rate of pay for all days designated as City holidays, except that Fire/Rescue Officers, Police Officers, and other Police Department employees designated by the Chief of Police shall have holidays credited on a monthly basis such that 1/12th of the total annual hours of holiday time shall be credited each month.

Non-exempt employees eligible for holiday pay who are required to work on a City-observed holiday shall be paid their regular rate of pay as follows:

- If operational requirements of the department do not allow the employee to take a day off within the same workweek as the City-observed holiday, the employee will be paid for the holiday and the hours worked on the City-observed holiday.
- If operational requirements of the department allow the employee to take a day off within the same workweek as the City-observed holiday, the employee will be allowed to take a day off with pay within the same workweek and will be paid for the hours worked on the City-observed holiday.

Police and Fire/Rescue personnel will be allowed to take time off for the holiday in accordance with Section 17.1 of this Article.

SECTION 17.1 Crediting and Accumulation of Holiday Time for Police and Fire/Rescue Officers

- a. Fire/Rescue Officers working a 24-hour 15-minute rotating shift, sworn Police Officers, and other Police Department employees designated by the Chief will be credited with holiday time in accordance with this Section.
- b. Fire/Rescue Officers shall be credited with twelve (12) annual holidays at a total of 168 hours of holiday time per year. Police Officers and other designated Police Department employees shall be credited with twelve (12) annual holidays at a total of 96 hours of holiday time per year.
- c. Holiday time will be credited on a monthly basis of fourteen (14) hours per month for Fire/Rescue Officers and eight (8) hours per month for Police Officers and other designated Police Department employees.
- d. Holiday time may be accumulated up to a maximum of 72 hours for Fire/Rescue Officers and up to a maximum of 40 hours for Police Officers and other designated Police Department employees. Upon occurrence, any amount of accumulated holiday time that exceeds the specified maximum accumulation automatically rolls over to the employee's sick leave balance.
- e. Only Police Officers, other designated Police Department employees designated by the Police Chief, and Fire/Rescue Officers may accumulate holiday leave.

SECTION 18.0 Emergency Call Back Pay

- a. Emergency call back in all departments will be paid at the rate of time and one-half. For purposes of this section, emergency call back shall mean work performed by off-duty employees requested to return to work that was necessitated by a major emergency or extraordinary fires or public safety

incidents, as determined by the City Manager or his/her designee. A major emergency shall include natural disasters and civil disturbances and the clean-up period immediately following. For purposes of this section, emergency call back also shall mean work performed by Police and Fire/Rescue personnel working additional shifts to maintain minimum staffing requirements.

- b. An employee called back to work shall be paid from the time they leave home until their work is completed, with a minimum call back payment of one hour at the rate set in a. above.

SECTION 19.0 Stand-by Duty Pay

The major task of providing service after regular working hours falls upon certain positions and employees. Certain non-exempt employees will be assigned, in writing, to stand-by duty in order to be available to respond to service calls after regular working hours. The department head, Director of Human Resources, and City Manager or his/her designee must approve the positions approved for stand-by duty prior to assigning a position and employee to such duty.

Section 19.1 Records Kept of Positions Designated for Stand-By Duty

Department heads shall keep a list of all positions and employees assigned to stand-by duty. Department heads are required to provide stand-by duty lists to the Director of Human Resources on at least an annual basis. It is the responsibility of department heads to update such a list as changes occur. Positions designated for stand-by duty will be so identified in recruiting efforts. Acceptance of stand-by duty is a condition of employment for anyone hired into such a position.

Section 19.2 Payment for Stand-by Duty

The following rules will govern payment for stand-by duty:

- a. Employees assigned to stand-by duty will receive a payment of five and one-half (5 ½) hours of overtime pay per week for each week of assignment to stand-by duty. To receive this stand-by pay, the employee must be assigned to a position that has been designated as a stand-by duty position by the department head.
- b. A position will be designated as a stand-by duty position if the department head has determined it to be a position which, during a one (1) year period, has averaged at least three (3) calls per week that required the employee to respond to a site to provide service after regular working hours and for which the response was not prearranged. Designation of the positions that have averaged at least three (3) calls per week will be made in writing by the department head at least once each year, and the designation will apply until the next annual designation occurs.
- c. An employee shall receive the stand-by pay as set forth in this section only if

all requirements of this section are applicable and only if the employee is subject to the overtime provisions of the Fair Labor Standards Act or is in a designated overtime position. An employee receiving stand-by pay will also be paid for time worked in excess of fifteen (15) minutes as a result of responding to a call for service (including time spent on the telephone) while being assigned to stand-by duty.

- d. Employees assigned to stand-by duty must respond to a call for service within 30 minutes. Failure to do so may result in disciplinary action, up to and including dismissal.

Section 19.3 Stand-By Duty Responsibilities

- a. All employees assigned to stand-by duty shall have a telephone in their residence or a cell phone, at their own expense. Such employees are required to notify the department head of all telephone numbers at which they may be reached.
- b. Any employee assigned to stand-by duty who is not available when called by dispatching personnel or the designated departmental representative shall forfeit the stand-by pay for the entire week and the employee shall be subject to disciplinary action. This shall not relieve the employee of the responsibility of completing the stand-by duty for the scheduled week. Employees on stand-by duty will be paid for time worked in excess of 15 minutes as a result of responding to a call for service while being on stand-by duty. Dispatching personnel or the designated departmental representative shall report to the department head every instance in which an employee assigned to stand-by duty is not available or does not respond.
- c. Employees who are on stand-by duty shall not be under the influence of alcohol or drugs while on stand-by duty. Reporting to work under the influence of alcohol or drugs shall result in disciplinary action, up to and including dismissal.
- d. An employee shall receive the pay for stand-by duty as set forth in this Section only if all requirements are met for the week the employee is on stand-by duty.

Section 19.4 Stand-By Duty Distinct from Being On-Call

Assignment to stand-by duty is separate and distinct from being on-call or any other duty, however designated, which may involve a response outside normal work hours. Employees do not receive extra pay for being on-call. An employee who is required to remain on-call away from the City's premises or who is allowed to leave a message where he or she can be reached is not working.

Employees who are on-call must be available to be called back to work outside scheduled working hours. Employees who are on-call shall not be under the influence

of drugs or alcohol while on-call. Reporting to work under the influence of alcohol or drugs shall result in disciplinary action, up to and including dismissal.

Employees who are on-call are required to respond to phone calls by their supervisor or his or her designee. Employees designated for on-call duty who fail to report to work for assigned duty or who fail to respond to phone calls or efforts to contact them may be subject to disciplinary action, up to and including dismissal.

SECTION 20.0 Seniority Equalization Program

The City Manager may authorize salary incentives to encourage Police employees to volunteer for specific shift assignments. Such assignments shall be for the purpose of balancing seniority among the patrol shifts and must be recommended and approved by the department head, the Director of Human Resources, and the City Manager.

SECTION 21.0 Supplemental Interim Assignment Pay

From time to time, to meet the needs of the City of Greenville, an employee may be placed in a temporary or interim assignment to perform some or all of the duties of a higher level position that is temporarily vacant. An employee placed in a temporary or interim assignment is not considered to have received a temporary promotion, as the employee retains his or her classification and base rate of pay. The employee shall be eligible for supplemental pay during such an assignment provided that the temporary or interim assignment meets all of the following criteria:

- The temporary or interim assignment is determined in writing by the Director of Human Resources to exceed 30 consecutive days.
- The temporary or interim assignment requires the employee to assume all of the duties of the higher level position.
- The duties of the higher level position to be performed in the temporary or interim assignment should be clearly differentiated from the types of duties the employee normally performs in the employee's current job description.
- The duties of the higher level position to be performed in the temporary or interim assignment must require a minimum of 90% of the employee's workday. These duties must be defined as essential job functions, not peripheral duties.
- The employee must be fully qualified to perform the duties of the higher level position during the temporary or interim assignment, as determined by a proficiency examination or judgment of the supervisor, considering such characteristics as the employee's training, experience, education, reliability, and total work performance record.

For non-department head level positions, the supplemental pay, during the assignment, shall be five (5) percent of the employee's regular base pay or the minimum of the salary range for the position for which the interim assignment is made, whichever is greater.

For department head level positions, the supplemental pay during the assignment shall be an amount, approved by the City Manager or his/her designee, of up to fifteen (15) percent of the employee's regular base pay. The supplemental pay is not part of the regular base pay but a separate pay entry. Supplemental interim pay is governed by these rules:

1. Supplemental pay becomes effective when the assignment commences after approval by the City Manager or his/her designee.
2. Temporary or interim assignments are limited to a period not to exceed (6) six months unless an extension is recommended by the department head and the Director of Human Resources and approved by the City Manager or his/her designee due to extenuating circumstances. At the end of a temporary or interim assignment, the employee's supplemental pay will cease.
3. Temporary or interim assignments must be recommended in writing by the Department Head, reviewed and recommended by the Director of Human Resources, and approved by the City Manager or his/her designee.

SECTION 22.0 Special Pay Adjustments

The City Manager or his/her designee may approve a special pay adjustment for limited circumstances such as skills enhancements received by an employee during the course of employment, to retain a valued employee, to compensate an employee for taking on additional responsibilities for a defined period of time (when supplemental interim pay is not applicable), to resolve internal equity issues, and for other justifiable reasons. The City Manager will state in writing why the special pay adjustment has been approved; this documentation will be included in the employee's personnel file.

SECTION 23.0 Pay Policy for Emergency and Adverse Weather

The following provisions shall govern employee pay during situations of adverse weather or emergency conditions:

- a. If City offices remain open during adverse weather or emergency conditions, any employee who does not come to work as scheduled must account for time not worked by using vacation leave or accumulated holiday leave for time not worked. If no vacation or accumulated holiday leave time is available or if the employee chooses not to use vacation or accumulated holiday leave, the non-exempt employee will not be paid.
- b. If an emergency or weather conditions cause the closing of City offices, then all employees not required to work as part of an emergency response or through emergency callback will be paid their usual hourly rate for the first two (2) days of office closure. Should City offices remain closed for more than two (2) consecutive working days per adverse weather event, then employees not required to work as part of an emergency response or emergency callback will be required to account for time not worked by use of vacation leave or

accumulated holiday leave. If no vacation or accumulated holiday leave time is available or if the employee chooses not to use vacation or accumulated holiday leave, the nonexempt employee will not be paid for the hours after the first two (2) days of closure.

- c. Employees who are required to work as part of an emergency response or emergency callback when City offices are closed shall be paid one and one-half times their current hourly rate of pay for all hours they are required to work. The City Manager or his/her designee will announce the time period that the rate of time and-a-half shall be paid.
- d. The nature of municipal jobs requires employees in some classifications to work through the duration of an emergency and to return the City to a pre-emergency state afterwards. Telecommunicators (including Lead) and non-civilian Police and Fire/Rescue personnel are considered to be emergency personnel. Emergency personnel do not receive any additional compensation for working their normally scheduled shift during the designated closed period. Emergency personnel called in or who work extended shifts will be paid time and a half during the designated period. [See Section 18.0 Emergency Call Back Pay]
- e. Depending on the emergency, employees other than those designated as emergency personnel may be required to work through the duration of an emergency. These employees will be identified as “essential personnel” by their department head. Department heads will inform employees who will be designated as essential personnel as soon as reasonably possible. Lists of those so designated will be provided to Human Resources for payroll purposes. Essential personnel who are required to work during the designated emergency period shall be paid one and one-half times their regular rate of pay for all hours worked during the designated emergency period. Essential personnel include exempt and non-exempt personnel so designated by the department head. The City Manager may include department heads as essential personnel, at his or her discretion.
- f. Disciplinary action may result if emergency or essential personnel fail to report to work or fail to remain at work as required during the emergency period.
- g. If the City Manager announces a delayed opening or early closure of City offices, an employee not required to work shall be paid the straight time rate for the regular work schedule missed. An employee must report to work or remain at work as scheduled. Failure to do so shall result in the loss of adverse weather pay.
- h. Employees who are on prearranged vacation leave or sick leave must charge leave to the appropriate account.

SECTION 24.0 Management Time Pay Policy

Management Time is a program adopted by the City of Greenville to recognize and

reward outstanding effort and performance by employees who are exempt from overtime compensation.

Management Time is the concept of granting time off to reward outstanding effort and performance, which meet two basic criteria:

- Effort and performance that is above and beyond what is expected in that job and/or special assignment; and
- Effort and performance that requires productive time outside the normal 40-hour workweek.

Management Time is a privilege given at the discretion of the supervising department head or City Manager, not a right to which an employee is entitled or a benefit to be dispensed liberally. It is an immediate tangible reward for those who make outstanding contributions to City operations. Arrangements should be made to grant the time off as soon as practical after it is awarded. This practice will serve to reinforce the significance of the bonus and the performance that earned it.

In evaluating an employee's achievements for Management Time consideration, job duties regularly assigned to or expected of an individual are not compensable. Examples include Council, board, commission, committee, and staff meetings; in-town and out-of-town conferences, meetings, and training; speakers bureau and other general public relations/information engagements; and completion of work outside regular working hours. Exempt employees are expected to direct or to participate in such activities as a normal job function, and the annual performance appraisal review addresses the effectiveness of such. The key element in Management Time is that "above expected" or "exceptional" performance that deserves immediate reward is noted on a specific endeavor.

A secondary element is the time spent to accomplish the "above expected" or "exceptional" performance. Although Management Time has no direct relationship to actual hours worked in excess of the normal workweek, it may be considered as a factor when determining the number of hours of Management Time given, since exempt employees generally do not receive compensatory time off nor overtime payment for additional time worked. However, as previously stated, the time element is a secondary consideration; performance quality is the primary factor.

Management Time is limited to 40 hours per exempt employee per calendar year.

SECTION 25.0 Wage and Hour Administration

It is the policy of the City of Greenville to comply with all provisions of the Fair Labor Standards Act that apply to municipalities. The determination of "hours worked" in any given workweek or pay period shall be in accordance with provisions of the Fair Labor Standards Act, except as otherwise provided in the City of Greenville Personnel Policies, or as provided by an Administrative Directive of the City Manager, provided that in all cases the minimum requirements of the Fair Labor Standards Act shall be met.

The Director of Human Resources is authorized and directed to establish policies and

processes for at least the following aspects of wage and hour administration: definition of work periods, definition of pay periods, the process to be used for classifying positions as exempt or as non-exempt, determining "hours worked", establishing a "time off" plan, establishing a process for requesting the use of compensatory time, and any other policies reasonably necessary to ensure compliance with the requirements of the Fair Labor Standards Act.

SECTION 26.0 Designation of Workweek and Work Period

The workweek for the City of Greenville will begin at 8:00 a.m. on Saturday and run to 8:00 a.m. the next Saturday, except as indicated below:

- a. Shift Police Officers will begin at 7:00 a.m. on Saturday and end two weeks later at 7:00 a.m.
- b. Shift Fire/Rescue Officers will begin at 8:00 a.m. on Saturday and end two weeks later at 8:00 a.m.
- c. Telecommunicators will begin at 7:00 a.m. on Saturday and end the next Saturday at 7:00 a.m.

Section 26.1 Total Hours in a Workweek

The total hours in a workweek for employees shall be 40 hours unless otherwise specified below:

- a. Police Officers shall have a work period of 14 days with 86 hours worked. Time worked beyond 86 hours in the 14-day work period shall be paid at the overtime rate of time and one-half the regular hourly rate, except as provided for in the emergency call back policy [Section 18.0 of this Article].
- b. Fire/Rescue Officers working a twenty-four (24) hour 15-minute rotating shift will be paid at the regular rate of pay for the first 106 hours in the 14-day work period and shall be paid time and one-half for hours worked beyond 106 in the 14-day work period, except as provided for in the emergency call back policy [Section 18.0 of this Article].
- c. The City will operate on a biweekly pay period for all employees.

Section 26.2 Time Records

Time records must be submitted on a timely basis for each respective pay period. It is the employee's responsibility to provide a true and accurate time record for each pay period. It is the responsibility of the employee's supervisor and/or department head to verify and approve time records for each pay period. Falsification or misrepresentation of time records may result in disciplinary action, up to and including termination of employment.

SECTION 27.0 Exempt Positions

A list of positions determined by the Director of Human Resources to be exempt from the overtime provisions of the Fair Labor Standards Act will be maintained in the Human Resources Department. Exempt employees are salaried and are not eligible for overtime compensation. The exempt or non-exempt status of a regular full-time position will be specified in recruitment advertising for the position.

Section 27.1 Exempt Employees – Work Beyond 40 Hours in a Workweek

Exempt employees shall not be compensated for work beyond 40 hours in a workweek. Exempt employees, however, who are required to work a significant number of hours beyond 40 in a workweek on an ongoing basis due to a project may be paid a temporary salary increase at the discretion of the City Manager or his/her designee to compensate them for this additional work for the duration of the project.

SECTION 28.0 Non-exempt Positions

Employees who work in non-exempt positions are not exempt from the overtime pay requirements of the Fair Labor Standards Act and are eligible for overtime as required by law. A non-exempt employee cannot volunteer to work “off the clock”. Work includes responding to emails and telephone calls. All overtime must be authorized in advance by the employee’s department head or a supervisor who has been designated by the department head to make such decisions. A non-exempt employee who works overtime without such authorization may be disciplined, up to and including dismissal.

SECTION 29.0 Hours Worked

The determination of hours worked in any workweek or work period shall be in accordance with the provisions of the Fair Labor Standards Act. Holiday, vacation, sick leave, and other paid leave not actually worked shall not be counted as hours worked in the computation of overtime hours. The following exceptions apply to Fire/Rescue Officers and Police Officers:

- a. Meal break time for Fire/Rescue Officers shall be counted as hours worked when computing total hours.
- b. Court time for Police Officers shall be counted as hours worked when computing total hours.
- c. In accordance with the provisions of the Fair Labor Standards Act, sleep time in the Fire/Rescue Department will not be counted towards hours worked if the sleep period complies with regulations under the Act for exemption.

SECTION 30.0 Breaks

Break periods are not required by the Fair Labor Standards Act. However, as operational requirements permit and working conditions warrant, employees may be permitted to take one fifteen (15) minute break for every four (4) hours worked. Break periods enhance productivity by providing an opportunity for employees to refresh and

refocus. Break periods are counted as work time.

Break periods may not be combined with the meal/lunch period or with another break period nor may they be used in order to report to work late or leave early. Breaks can also not be used in conjunction with any type of leave. Break periods may not be accrued.

Section 30.1 Break Time for Nursing Mothers

In accordance with the Fair Labor Standards Act, the City of Greenville provides “reasonable break time for an employee to express breast milk for her nursing child for one (1) year after the child’s birth each time such employee has need to express the milk.” Employees and supervisors are encouraged to contact the Human Resources Department if they have questions related to break time for nursing mothers.

SECTION 31.0 Time Off Plan

- a. Except for sworn Police Officers and Fire/Rescue Officers working a 24-hour 15-minute rotating shift, each 40-hour workweek shall stand alone for determining overtime liability. However, to reduce total payroll liability, department heads are encouraged to grant time off during biweekly payroll periods to reduce overtime wage payments made necessary by overtime work.
- b. The following guidelines shall be used to grant time off under this plan:
 1. If hours worked on a given day exceed the normal work day, straight time off may be given only during that workweek.
 2. If an employee works over 40 hours in the first week of a biweekly pay period, the employee must be paid at the rate of time and one-half for the hours worked over 40. Time off may be given during the second week of that biweekly pay period at the rate of one and one-half the number of overtime hours in the first week.
 3. For Fire/Rescue Officers working a 24-hour 15-minute rotating shift, straight time off may be given anytime during the 14-day pay period as long as the total hours worked are not over 106 hours. For sworn Police Officers, straight time off may be given anytime during the 14-day pay period as long as the total hours worked are not over 86 hours.
 4. Time off for emergency call back hours shall be given at the rate of one and one-half times the number of emergency call back hours worked.
 5. When an employee works overtime in any given week (or work period for sworn Police and Fire/Rescue Officers), the department head shall first attempt to give the employee time off under the provisions of subsections a. and b. of this Section. If it is not feasible to give time off, overtime

wages shall be paid to the employee.

6. All adjustments to hours worked made in accordance with this section shall be accurately reflected on employee timesheets.

SECTION 32.0 Departmental Policies

The City-wide policies of this Article may not be adjusted or amended by any departmental policy except with the advance review and written approval of the Director of Human Resources and the City Manager or his/her designee.

SECTION 33.0 Payroll Deductions

Federal and state income taxes, Social Security tax, retirement contributions, insurance premiums, credit union payments, United Way contributions, and other employer-sponsored benefit programs or options shall be deducted at each pay period as mandated or authorized.

In the event the City becomes aware of a deduction which may have been made improperly, the City will fully investigate the situation and reimburse any employees who have had an improper deduction from their pay and take actions to prevent continued improper deductions of this kind.

SECTION 34.0 Effective Date of Pay Adjustments

Pay adjustments approved after the first working day of a pay period shall become effective at the beginning of the next pay period, or at such specific dates as may be approved. Pay adjustments shall not be made retroactive unless approved by the Director of Human Resources and the City Manager or his/her designee.

SECTION 35.0 Direct Deposit

The City requires all employees to receive payment in electronic format (direct deposit). The City administers payroll fund distribution through a direct deposit system that allows employees to directly deposit payments to checking and/or savings accounts. Employees are responsible for maintaining accurate, up-to-date direct deposit information. Any erroneously deposited funds resulting from the failure of the employee to communicate updated information to the City may cause a delay in payment while the erroneously deposited funds are recovered from the incorrect financial institution.

SECTION 36.0 Final Paychecks

When employment is terminated with the City, all obligations and debts shall be settled with the City, including the return of personal safety equipment, uniforms, and any City-issued equipment such as cell phones, laptops, etc. Deductions may be withheld from the employee's final pay if all obligations and debts are not settled with the City, in accordance with applicable wage and hour regulations.

SECTION 37.0 Compensatory Time

- a. Compensatory time off may be given to personnel who are exempt from the wage and hour provisions of the Fair Labor Standards Act only in compliance with an established and approved policy. A department head wishing to use compensatory time for exempt employees must first have a written policy that has been approved by the Director of Human Resources and the City Manager or his or her designee. In the case of department heads, compensatory time off may be given at the discretion of the City Manager. In general, it is the policy of the City of Greenville not to provide compensatory time off to exempt employees. Compensatory time off for exempt employees will be provided only in very limited circumstances as approved by the City Manager.
- b. It is the policy of the City of Greenville that nonexempt employees shall be paid overtime pay for all time worked that qualifies as overtime under the particular workweek or work period arrangement the employee is assigned to, with the exception of Bradford Creek employees as outlined in Section 37.1 of this Article. **The granting of compensatory time in lieu of overtime wages is permitted only with the advance written approval of the Director of Human Resources and the City Manager.**
- c. It is a condition of employment with the City of Greenville that any person appointed to or serving in a position designated as nonexempt agrees to accept compensatory time off in lieu of overtime wage payments at the discretion of the City.
- d. Any nonexempt employee that separates from employment with the City of Greenville who has accumulated compensatory time that has not been used shall be paid out for all compensatory time remaining at the employee's current hourly rate of pay.

SECTION 37.1 Compensatory Time – Bradford Creek Golf Course employees

The seasonal nature of operations at the Bradford Creek Golf Course has a direct impact on the hours necessary to staff the facility. To better schedule staff to meet those needs, the use of compensatory time for non-exempt employees at Bradford Creek Golf Course is hereby authorized under the following conditions:

1. Non-exempt, regular full-time employees may be given compensatory time in lieu of overtime wage payments in accordance with rules and regulations established by the City as long as the rules and regulations comply with the minimum requirements of the Fair Labor Standards Act.
2. Compensatory time earned will be provided at a rate of not less than one and one-half hours for each hour of overtime worked. The maximum accumulation of compensatory time for any employee will be 210 hours (which equals 140 hours of actual overtime work). Any employee who has accrued the maximum number of compensatory hours will be paid overtime compensation for any additional

overtime hours of work unless time off is given during the same workweek. When the accumulation of compensatory time is reduced below 210 hours, the employee may be credited with additional compensatory hours until reaching the maximum accumulation.

3. Compensatory time may be earned only during the months of April through October. At all other times during the year, extra hours worked must be compensated through the use of the Time Off Plan (adjusted work schedule during the same workweek) or through the payment of hours at the overtime pay rate in accordance with the standard pay policies of the City.
4. All accrued compensatory time must be used prior to April 1st of each year. Any remaining balance of compensatory time as of April 1st of each year will be paid at the overtime rate in the next regular paycheck. In the event of voluntary or involuntary termination of employment, an employee will be paid for unused compensatory time in the final paycheck.
5. The department head or his or her designee will implement work schedules during the non-peak workweeks to grant compensatory time off to employees with compensatory time accruals. In order to exhaust the compensatory time accruals, the department head may designate employee requested leave as compensatory time off in lieu of vacation leave throughout the year. In addition, employees may request the use of accrued compensatory time off and will be permitted to use the time off within a reasonable period after making the request if it does not unduly disrupt the operations of the golf course.

ARTICLE V
RECRUITMENT, SELECTION, AND EMPLOYMENT

SECTION 1.0 Recruitment Policy

Individuals shall be recruited from the geographic area as wide as is necessary to assure obtaining well-qualified candidates for the various types of positions. Upon approval of the Director of Human Resources and the City Manager, certain vacancies may be made available only to current employees. The purpose of an internal-only recruitment and/or selection process is to provide current employees the opportunity for career growth and advancement within the City of Greenville. The City reserves the right to recruit externally if the internal recruitment and selection process does not result in the appropriate match of an employee's skills, knowledge, and experience with a given position's job requirements.

SECTION 2.0 Residency Requirement

Within six months following the completion of the initial employment probationary period, all employees of the Fire/Rescue Department and Police Department are required to maintain their primary residence within an area delineated on the map designated as "Greenville Fire/Rescue and Police Residency Area" on file in the Human Resources Department. The City Manager may extend this time for relocation if, in the City Manager's opinion, the employee is making a diligent effort to relocate within the area delineated on said map. Notwithstanding the provisions of this paragraph, an employee of the Fire/Rescue Department or the Police Department who is a member of the management team as designated by the City Manager shall comply with the management team residency requirements established in this section. Additionally, notwithstanding the provisions of this paragraph, an employee of the Fire/Rescue Department or the Police Department, who has a residency requirement established administratively by the City Manager in accordance with this section of an area which is more limited than the area delineated on the map referred to in this paragraph, shall comply with the residency requirement established administratively by the City Manager.

SECTION 2.1 City Manager to Establish Residency Requirement

The City Manager may administratively establish residency requirements within or immediately adjacent to City service areas for designated employees in any department. These residency requirements for designated employees established administratively by the City Manager shall be on file in the Human Resources Department.

SECTION 2.2 Residency Requirement for Management Team

Members of the management team as designated by the City Manager shall be required to maintain their primary residency within the Greenville city limits, except that employees promoted into such positions and who reside in the City's extraterritorial jurisdiction (ETJ) at the time of promotion may continue residing in the ETJ following

promotion provided that the individual continues to maintain his/her primary residence at the same address. If the promoted employee does not continue to maintain his/her primary residence at the same address within the ETJ, the employee shall be required to maintain his/her primary residency within the Greenville city limits. The list of the positions that are designated by the City Manager as being members of the management team shall be on file in the Human Resources Department.

At the time of appointment to the management team position, the employee can be a non-City resident, but must relocate to the City within six (6) months following the completion of the probationary period for the management team position (unless maintaining his/her primary residence at the same address within the City's ETJ). The City Manager may extend this time for relocation if, in the City Manager's opinion, the employee is making a diligent effort to relocate to the City. For the purposes of this section, appointment shall mean a regular appointment as opposed to a temporary, interim, or acting appointment.

SECTION 2.3 *Re-certification of Residency Requirement*

Employees subject to a residency requirement under this Article shall periodically re-certify their compliance with the residency requirement as required by their department head or the City Manager.

SECTION 3.0 **Employment Opportunities**

The Human Resources Department shall publicize opportunities for employment with the City, including pay ranges, employment qualifications for positions to be filled, and any other relevant information. Applications will be received and appointments made without regard to race, color, religion, gender, age, national origin, disability, sexual orientation, genetic information, gender identity/reassignment or expression, military or veteran status, or marital status. The City of Greenville shall make reasonable accommodations for qualified persons with disabilities in the recruitment and selection processes, provided the City is notified of the disability and the need for a reasonable accommodation and provided the reasonable accommodation does not pose an undue hardship.

SECTION 4.0 **Appointments**

It is the policy of the City to employ according to merit and fitness. To that end, the City shall use all available means to attract qualified candidates for employment and to make such investigations and examinations as is deemed appropriate and consistent with existing law to fairly assess the aptitude, education and experience, knowledge and skills, character, physical and mental fitness, and other qualities required for positions in the service of the City. It is the policy of the City of Greenville to comply with all laws, state and federal, and associated rules and regulations pertaining to non-discriminatory employment practices.

SECTION 5.0 Notifications to Human Resources of Vacancies

When positions are to be filled, department heads shall notify the Director of Human Resources as to the number and classifications of positions that are to be filled. The Director of Human Resources or his or her designee shall publicize opportunities for employment, including the salary ranges, employment qualifications, and any other relevant information for positions to be filled. Such relevant information includes, but is not limited to, the exempt/non-exempt status of the position, the on-call/emergency callback status of the position, regular hours of work, and other matters. In addition, notice of vacancies shall be posted at designated sites within departments.

The Director of Human Resources may, at his/her discretion, choose to advertise vacancies on the City's website, other Internet sites, newspapers, professional publications, publications directed toward government employees, and various other sources. To increase the likelihood of receiving applications from female and minority candidates, recruitment sources such as female and minority and professional associations may be used to recruit and attract female and minority candidates. The Director of Human Resources, in consultation with the hiring supervisor or department head, has the responsibility to advertise vacancies in the most effective and cost efficient manner.

Unless specifically exempted by the Director of Human Resources and the City Manager or his/her designee, position vacancy announcements shall be posted for a minimum of fourteen (14) calendar days to allow sufficient time for recruitment.

SECTION 6.0 Selection Process

Any individual interested in employment with the City must complete an employment application for the posted position before the application deadline. The Human Resources Department is responsible for screening all applications for minimum qualifications. The Human Resources Department will forward to the hiring manager(s) the applications of those applicants meeting the minimum requirements of the job posting.

Selection procedures used to determine the qualifications of applicants for any position may include, but are not limited to:

- An evaluation of the employment application and other submitted materials;
- Structured interviews;
- Reference checks;
- Driver's license checks;
- Academic verifications;
- Criminal background checks; and
- Controlled substances testing.

The City Manager delegates the responsibility to department heads of investigating the qualifications and experience of candidates for employment. Therefore, selection of

employees shall be the responsibility of each department head. Department heads shall develop, use, and document a selection process that best suits the City's needs in filling positions within each department. All selection methods developed and utilized by the department head shall be valid measures of job performance and must be reviewed and approved by the Director of Human Resources or his/her designee prior to beginning the selection process.

The Director of Human Resources is responsible for an active recruitment program to meet current and projected staffing needs and using procedures that will ensure equal employment opportunities based on job-related requirements and working with department heads and hiring supervisors to develop effective and non-discriminatory selection procedures, as well as making training and information available on various selection processes such as panel interviews, presentations, and skill demonstrations.

Applicants selected for interview will be evaluated by more than one individual (i.e., panel interview) to minimize the potential for personal bias. Prior to any City employee serving on an interview panel, he or she shall complete training related to effective interviewing, equal employment opportunity laws, and other relevant training. To the extent possible, each interview panel shall represent a diverse representation of perspectives and backgrounds (e.g., gender, race, etc.). When feasible, a Human Resources Department employee will serve as a member of the interview panel.

The Director of Human Resources is also responsible for developing and administering standards of recordkeeping for the selection process.

SECTION 6.1 Qualification Standards

Employees shall meet the employment standards established by the position classification plan and such other reasonable minimum standards as to character, aptitude, and physical and mental condition as may be established by the Director of Human Resources and the department head.

Minimum qualifications are the minimum amounts of education or experience and the minimum level of knowledge, skills, abilities, licensures, certifications, or other job-related requirements that must be met for a candidate to be considered for appointment or promotion. Some positions allow for equivalencies. An equivalency is a minimum qualification that allows for experience to substitute for some education or education to substitute for some experience. Positions that allow equivalencies will clearly state such in the job description, along with the acceptable substitutions to meet minimum qualifications.

Meeting a position's minimum qualifications does not guarantee that an individual will be selected for interview or selected to move forward in the selection process. Rather, meeting a position's minimum qualifications means that the applicant will be considered for the position, along with the other applicants who meet the position's minimum qualifications. Employees interested in being considered for higher-level positions are encouraged to prepare themselves so that they possess qualifications above the position's minimum qualifications in order to more effectively compete for the position.

Preferred or desirable qualifications may be included in job postings. Although preferred or desirable qualifications may be considered by the hiring manager, preferred qualifications shall not be used to screen candidates out. Rather, they shall be used to screen candidates in and to help narrow down the selection process.

Section 6.2 *Reference Checks*

Satisfactory reference checks are a condition of employment. The hiring manager is responsible for verification of the applicant's work background, performance, attendance, and other job-related information. The hiring manager must contact as many references as needed to obtain pertinent, job-related information about the applicant, one of which must be the current employer.

Section 6.3 *Criminal Records Check*

All applicants who have completed an initial interview and are being considered for hire will undergo a criminal records check. Unless otherwise required by law or applicable regulation, applicants will not be asked about their criminal history prior to an initial interview. As a condition of employment, applicants are required to complete a form that authorizes the City of Greenville to have a criminal records check performed. If the applicant does not complete the form or if the results of the investigation are unsatisfactory, an employment offer will not be extended.

Criminal offenses may not necessarily result in a bar to employment. Offenses will be evaluated on a case-by-case basis, considering the nature and gravity of the offense(s), the number of offenses, the time that has elapsed since the offense(s), and the job relatedness of the offense(s).

Section 6.4 *Recordkeeping for the Selection Process*

Following the selection process, department heads shall forward to the Director of Human Resources the following documents:

- a. Notation on which applicants were interviewed;
- b. Reasons for the selection of the successful candidate;
- c. Documentation of selection process (e.g., interview questions, notes, rating sheets, etc.)

Subject to the final approval of the City Manager (or his/her designee), the department head shall make the final personnel selection recommendation. Before any commitment is made to an applicant either internal or external, the department head shall make a recommendation to the Director of Human Resources regarding the position to be filled. Only after the steps in this Section have been completed may the Director of Human Resources (or his/her designee) extend the conditional and final job offers to the candidate. The City Manager shall extend conditional and final job offers for positions that are at or above department-head level.

SECTION 7.0 Probationary Period

All employees appointed or promoted to designated part-time or regular full-time positions shall serve a probationary period of six months, with the following exceptions:

- Sworn law enforcement personnel, subject to North Carolina Criminal Justice Education and Training Standards regulations, who will serve a probationary period of twelve months, and
- Employees in a trainee status (including sworn Police and Fire/Rescue trainees) who will serve an extended probationary period as established by the City Manager in order to obtain desirable education and experience requirements.

The probationary period provides a specific time frame for supervisors to monitor, evaluate, and assist an employee in adjustment to service with the City in general and to the position in particular. Proper use of the probationary period will result in identification and retention of those employees who demonstrate the skills and meet the performance levels required of various positions. Successful completion of a probationary period should not be construed as guaranteeing continued employment or as creating a contract of employment.

During the probationary period, the supervisor of the employee serving in a probationary status shall closely monitor the progress of that employee and shall frequently discuss with the employee his or her performance. Before the end of the probationary period, a performance evaluation shall be completed by the supervisor and the supervisor shall meet with the employee to discuss accomplishments, strengths, and any needed improvements. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. Probationary periods may be extended for a maximum of six (6) additional months.

An employee may be dismissed during the probationary period at any time the department head has documented that the employee is not satisfactorily performing the assigned duties. An employee who is dismissed while serving a probationary period following initial employment may not appeal such action. If an employee fails to successfully complete the probationary period including any approved extension, the probationary employee shall be dismissed from employment.

SECTION 7.1 Restrictions on Benefits in Probationary Period

An employee serving a probationary period following initial employment in a regular full-time or designated part-time position shall receive all benefits in accordance with these Policies with the following exceptions or as otherwise provided:

- a. An employee may accumulate vacation leave but shall not be permitted to take vacation leave during the probationary period unless the denial of such leave will create an unusual hardship. Vacation leave may be granted to such employees only with the approval of the department head. Fire/Rescue

and law enforcement officers shall be permitted to take accumulated vacation after six months of service.

- b. An employee terminating employment with the City for any reason during the probationary period shall not be eligible for terminal pay for accumulated leave.

SECTION 7.2 Benefits in Probation Following Promotion

Employees serving a probationary period following a promotion shall continue to receive all benefits provided in accordance with these Policies and under supplementary rules and regulations.

SECTION 7.3 Evaluation of Initial Probationary Period

During and upon completion of the probationary period, the appointing department head shall indicate in writing to the Director of Human Resources:

- a. That the employee's supervisor has discussed the employee's progress (accomplishments, strengths, and weaknesses) with the employee;
- b. Whether the employee is performing satisfactory work;
- c. Whether the employee should be given a merit salary increase;
- d. Whether the probationary period should be extended;
- e. Whether the employee should be retained in the present position or should be transferred, demoted, or dismissed.

If the recommendation of the appointing department head is to demote, transfer, or terminate the employee at the end of the probationary period, the Director of Human Resources shall assist the appointing department head with implementing that decision.

Under special circumstances, an extension of the probationary period, for no more than six (6) months, may be granted. Prior to the end of the probationary period, the employee shall be informed in writing of the reason for and the period of the extension. During the extended probationary period, the supervisor shall carefully evaluate and document the employee's performance and general suitability for employment. To make this decision, the supervisor shall develop performance expectations and objectives, observe the employee, and provide feedback to the employee.

SECTION 7.4 Evaluation of Probationary Period Following Promotion

An employee who is promoted shall be required to successfully complete a probationary period of a minimum of six months. During and upon completion of the probationary period, the department head shall indicate in writing to the Director of Human Resources:

- a. That the employee's supervisor has discussed the employee's progress (accomplishments, strengths, and weaknesses) with the employee;
- b. Whether the employee is performing satisfactory work and should be given a merit salary increase;
- c. Whether the probationary period should be extended;
- d. Whether the employee should be retained in the present position, reinstated in the former position or in a position in the same class at the former salary, transferred at the former salary, or released.

If the recommendation of the appointing department head is to demote, transfer or terminate the employee at the end of the probationary period, the Director of Human Resources shall assist the appointing department head with implementing that decision.

Under special circumstances, an extension of the probationary period, for no more than six (6) months, may be granted. Prior to the end of the probationary period, the employee shall be informed in writing of the reason for and the period of the extension. During the extended probationary period, the supervisor shall carefully evaluate and document the employee's performance and general suitability for employment. To make this decision, the supervisor shall develop performance expectations and objectives, observe the employee, and provide feedback to the employee.

The effective anniversary date for merit consideration shall be one year from the date of the end of the probationary period following promotion. Employees serving a probationary period following promotion shall continue to receive all benefits provided by this policy and under supplementary rules and regulations.

SECTION 8.0 Regular Full-Time Employment

A regular full-time position is a budgeted position that requires working a full, regularly scheduled work period established by the department and includes eligibility for benefits.

SECTION 9.0 Designated Part-Time Employment

The City Council may designate positions needed on a year-round basis and requiring a minimum of 20 hours per week as designated part-time. Upon appointment to a half-time (20-29 hours per week) or three-quarter time (30-39 hours per week) position, designated part-time employees will be eligible to participate in the following benefit programs:

- a. Merit pay program
- b. Across-the-board wage adjustments
- c. Basic retirement (mandatory enrollment)
- d. Flexible spending account
- e. Vacation, sick, and holiday leave accruals

- f. 401(k) program
- g. Greenville Aquatics and Fitness Center membership
- h. Uniforms and safety shoes program
- i. GREAT bus passes
- j. Social activities such as holiday parties and picnics

Three-quarter designated part-time employees may also enroll for health and dental benefits coverage (refer to Article VII for terms and conditions for coverage) and may participate in the Educational Tuition Assistance Program.

SECTION 10.0 Regular Part-Time Employment

Regular part-time employees may be hired with the approval of the City Manager for work that can be performed in less than a regular work day and/or workweek. Regular part-time employees may not work more than 1,000 hours in any 12-month period with the City. Regular part-time employees are not eligible for benefits except those required by law.

SECTION 11.0 Temporary or Seasonal Employment

Positions needed for a specific and short period of time, normally not to exceed twelve (12) months, are classified as temporary or seasonal. Such positions are ineligible for benefits. Temporary employees may be hired with the approval of the Director of Human Resources and City Manager or his/her designee for specific assignments of a definite duration. The rate of pay shall be the average rate for similar positions for this area unless stipulated otherwise under the terms of a federal or state grant contract.

Temporary and seasonal employees shall be released from their association with the City at the completion of their assignments or when funding for the positions is exhausted. If the temporary or seasonal employee is transferred to a regular full-time or designated part-time position, all benefits of a regular full-time employee will begin to accrue upon the effective date of the transfer.

SECTION 12.0 Employment of Relatives/Nepotism

Members of an immediate family shall not be employed at the same time if such employment would result in:

- a. An employee directly or indirectly supervising a member of the immediate family;
- b. An employee occupying a position that has influence over the family member's employment, promotion, or salary administration;
- c. Operational conflicts within the division or department; or
- d. Any adverse management or personnel considerations.

SECTION 12.1 *Change in Status/Nepotism*

If, through change in family status, position assignment, job classification, or other personnel action, a working relationship is affected, one or more family members shall be reassigned to another position within a reasonable period of time. Should reassignment not be feasible, the affected employee(s) shall be given the option of resignation or, in the event this option is not accepted, the affected employee(s) will be dismissed with notice.

SECTION 12.2 *Definition of Immediate Family/Nepotism*

Immediate family is defined for the purpose of Sections 12.0 and 12.1 as spouse, mother, father, guardian, child, sister, brother, grandparent, grandchild, aunt, uncle, niece, nephew, and members of the employee's household plus various combinations of half, step, in-law, and adopted relationships that can be derived from these named. This policy also applies to romantic relationships.

ARTICLE VI CONDITIONS OF EMPLOYMENT

SECTION 1.0 Workweek

Full-time employees are required to work a minimum of 40 hours weekly or 80 hours biweekly. The work period for Police and Fire/Rescue personnel working on a rotating shift basis without reference to hours in a given day shall be set by the City Manager in compliance with the provisions of the Fair Labor Standards Act.

Department heads and other exempt employees shall work those hours necessary to assure the satisfactory performance of their departments, but not less than 40 hours per week. When activities of a particular administrative unit require some other schedule to meet work needs, the City Manager or his/her designee may authorize a deviation from the normal schedule. Departments may adopt alternate work schedules in compliance with Section 18.0 of this Article.

SECTION 2.0 Acceptance of Gifts and Favors

Public employees are to serve all persons fairly and equitably without regard to personal and financial benefit. Therefore, no official or employee of the City shall accept any gift (whether in the form of service, loan, thing, or promise) from any person who, to the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the City.

No official or employee shall accept any gift, favor, or thing of value that may tend to influence that employee in the discharge of duties. Furthermore, no official or employee shall grant in the discharge of duties any improper favor, service, or thing of value.

Nominal gifts that are provided to a department or group of City employees, such as cookie tins, Christmas gift baskets, etc., may be accepted provided they are approved by the department head and made available to all employees in the department or group.

Any employee who violates this policy is subject to disciplinary action up to and including dismissal.

SECTION 3.0 Secondary Employment

The work of the City shall have precedence over the other occupational interests of employees. All secondary employment for salaries, wages, or commission and all self-employment must be reported to and approved by the department head. Failure to report and obtain approval may be grounds for disciplinary action, up to and including dismissal.

Secondary employment which is in conflict with the City's public purpose or which

interferes with job performance with the City may be grounds for disciplinary action, up to and including dismissal. Secondary employment with another department of the City of Greenville is strictly prohibited. Secondary employment while on paid or unpaid leave must be approved in advance.

Employees participating in secondary employment must re-certify annually with their department head that the secondary employment does not violate the policies of the City of Greenville.

SECTION 4.0 Political Activity Restricted

No employee while on duty or in the workplace may use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for political office, or coerce, solicit, or compel contributions for political or partisan purposes by another employee. Further, no employee may use City funds, supplies, or equipment for partisan purposes, or for political purposes, except where such political uses are otherwise permitted by law. The words and phrases in this regulation shall be interpreted according to the provisions of State law (G.S. 160A-169). This regulation shall be construed to prohibit employees from seeking election for an elective office with the City of Greenville.

SECTION 5.0 Requirement to Obtain or Maintain Required Licenses, Registrations, or Certifications

Employees who fail to obtain or maintain any license, registration, or certification by relevant law, rule, or provision when the duties of the position require that license, registration, or certification may result in dismissal. Employees are required to obtain or maintain current, valid credentials as required by law, rule, regulation, and occupational boards.

SECTION 6.0 City Property

Employees may be issued or have access to City property in the course and scope of employment. Employees are expected to maintain City property in proper and safe working condition and report any loss or damage to their supervisor immediately. Employees may be held responsible for assigned City property that is lost or damaged due to negligence, misuse, or abuse. Employees are expected to return any City property that is assigned or otherwise in their possession upon termination of their employment.

SECTION 7.0 Use of City Vehicles

- a. Except as provided in Subsection (b) of this Section, vehicles owned by the City may be provided to one or more employees in connection with municipal business and shall be used only on municipal business. Vehicles provided under this Subsection shall be used for City business and shall be kept on City premises when not in use for City business.

- b. Vehicles owned by the City may be provided to one or more employees in connection with municipal business and shall be used only on municipal business except that for bona fide non-compensatory business reasons, the City requires certain employees to commute to and from work in municipal vehicles. In such a case, employees assigned a vehicle and given permission to use it to commute to and from work may use the vehicle for municipal purposes including commuting, and shall not use the vehicle for personal purposes other than commuting.
- c. Whenever a City vehicle is involved in an accident either on public or private property, the Police Department and the Human Resources Department shall be notified immediately and the proper reports shall be completed.

SECTION 8.0 Driver's License and Insurance Requirements

- a. Employees who operate City vehicles or privately owned vehicles while conducting official City business are required to meet the minimum standards set by the City and have possession of an appropriate driver's license valid in the State of North Carolina and proof of coverage as an insured driver.
- b. Any employee, as identified in 8.0(a) of this Article, whose license is revoked or suspended (whether by the court or DMV or other administrative agency), or whose insurance coverage on their personal motor vehicle is terminated, must notify his/her immediate supervisor by the first working day following the revocation, suspension, or loss of insurance coverage. The employee will be unable to resume operating a City vehicle or utilize his/her privately owned vehicle for City business until providing proof of a valid driver's license and/or insurance coverage to the department head and Human Resources Department. Failure to report the revocation, suspension, or loss of insurance coverage as outlined in this Section may result in disciplinary action, up to and including dismissal.
- c. Employees who are not able to perform essential job duties due to the suspension or revocation of their driver's license may be dismissed.

SECTION 9.0 Retirement System

Each regular full-time and designated part-time employee shall be required to join the North Carolina Local Governmental Employees' Retirement System as a condition of employment.

SECTION 10.0 Physical Examination

Before being extended a final offer of employment, candidates for regular full-time and designated part-time employment will be required to have a medical examination completed as administered by the City's physician and be recommended for employment. Candidates for positions such as Police Officer and Fire/Rescue Officer shall be required to have a psychological evaluation completed and be recommended for employment. Required examinations will be at the expense of the City.

It shall be the continuing responsibility of each employee to maintain the standards of physical and mental health fitness required for performing his/her position. When the physical or mental health conditions of an employee constitutes a hazard to persons or property or prevents the employee from effectively performing the assigned duties, the employee may be required to submit to a medical examination, when requested by the department head and approved by the Director of Human Resources.

Employees may also be required to submit to an examination provided through the City's Employee Assistance Program and/or other providers qualified to determine an employee's fitness for duty, when requested by the department head and approved by the Director of Human Resources. The employee will be paid for the time required for such examination which shall be conducted at no cost to the employee for the purpose of determining the employee's fitness for duty.

SECTION 11.0 Selective Service Registration

All persons subject to the United States Selective Service registration must register to be eligible for employment with the City of Greenville. Failure to comply with this requirement may be grounds for disciplinary action, up to and including dismissal.

SECTION 12.0 Workplace Threats and Violence

It is the obligation of each employee to contribute to the safety of the work environment by refraining from threats, threatening behaviors, violent acts, or other activities that may provoke violence.

SECTION 12.1 Prohibited Acts

While on City property, in City vehicles, on work sites, or in the course of carrying out City duties, an employee is prohibited from:

- a. Carrying or wielding a weapon. For the purposes of this policy, weapons include firearms, explosives, ammunition, knives, and any other objects or chemicals that may be used to threaten, injure, or cause damage to a person or to property. Unless prohibited by departmental rules, the carrying of a small canister (<150cc) of tear gas/pepper spray/mace for personal defense is permissible as long as it is out of view of the public. The provisions of this subsection shall not apply to a law enforcement officer to the extent that the officer is authorized by law to carry or wield a weapon in the performance of his/her official duties.
- b. Fighting, shoving, hitting, pushing, grabbing, or otherwise engaging in improper or reckless behavior which may cause physical harm to others.
- c. Using language that would be regarded by reasonable people as likely to provoke violence in others, including threats of bodily harm and violent outbursts of anger.

- d. Making harassing, obscene, or other offensive communications and images in any manner, including through electronic mail systems.
- e. Injuring another person, deliberately or recklessly damaging City or employee property, or threatening to injure or damage property.

SECTION 12.2 *Discipline for Prohibited Acts*

An employee who makes threats, exhibits threatening behavior, or engages in violent acts against another employee, a customer, or the general public will be subject to disciplinary action, up to and including dismissal. An employee who fails to comply with departmental policies, procedures, training and safety rules in the use and operation of City-owned equipment and deliberately, negligently, or recklessly damages City-owned equipment or equipment or property of another person or business will be subject to disciplinary action, up to and including dismissal.

SECTION 12.3 *Responsibility to Report*

Any employee who witnesses or experiences any acts, conduct, behavior, or communication which indicate possible internal and external threats to safety (including domestic violence) must immediately report such information to his/her supervisor, the Human Resources Department, or law enforcement authorities. Such reports will be kept confidential except when the safety and protection of other employees or the public are threatened.

SECTION 13.0 **Acceptance of Compensatory Time in Lieu of Overtime Pay**

It is a condition of employment with the City of Greenville that any person appointed to or serving in a Fair Labor Standards Act nonexempt position agrees to accept compensatory time off in lieu of overtime wage payments at the discretion of the City Manager or his/her designee.

SECTION 14.0 **Drug-Free Workplace Program**

SECTION 14.1 *Purpose*

The City of Greenville is committed to providing a drug and alcohol-free workplace for its employees and those who conduct business with the City. To achieve the goal of a drug-free workplace, a three-part program has been developed to:

- 1) educate;
- 2) test; and
- 3) rehabilitate individuals within the City's workforce

SECTION 14.2 *Applicability to Employees, Applicants, and Specified Personnel*

Employees. This policy and supporting program shall apply to all full-time and part-time

employees.

Applicants. All selected candidates for full-time, designated part-time, and selective part-time positions will be required to submit to a drug test as part of the pre-employment physical. A refusal to submit to the drug test or a confirmed positive result on the drug test will disqualify the applicant for employment consideration with the City for a period of two (2) years.

Police Officers, Firefighters/EMS Personnel, and Federally Defined Vehicle and Equipment Operators. Police Officers, Firefighters/EMS Personnel, and federally defined vehicle and equipment operators are required by their respective regulatory agency to develop their own, more stringent policy. Personnel assigned to those departments are directed to the policies of their specific department.

SECTION 14.3 Definitions

The following definitions are used in this program:

Alcohol and drug abuse. Consists of any of the following:

- Excessive use or misuse of lawfully obtained prescription drugs or any use of alcohol when such use impairs job performance, alters behavior, and/or creates a risk to the health and/or safety of the employee or others.
- Use of illegal drugs including synthetic drugs or controlled prescription drugs obtained unlawfully.

Applicant. A person who applies for employment or appointment with the City of Greenville.

Conviction. A finding of guilt and/or imposition of a sentence (including deferred adjudication and a plea of nolo contendere) by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

Drug Test. This is the compulsory production and submission of urine by an applicant or employee in accordance with departmental or City-wide procedures, for chemical analysis to detect prohibited drug use. This term also includes the use of a breathalyzer or other chemical analysis for the detection of alcohol or drug use.

Employee. Any person employed by the City of Greenville.

Reasonable Suspicion. An articulable belief that an employee used or is using illegal drugs, synthetic drugs, or alcohol drawn from specific and particularized facts and reasonable inferences from those facts.

SECTION 14.4 Prohibited Activity

The following rules regarding prohibited activity shall apply to all applicants and

employees, while on or off-duty:

1. No employee shall illegally possess any controlled substance including synthetic drugs/substances as prohibited by law.
2. No employee shall ingest any controlled or other dangerous substances, unless as prescribed by a licensed medical practitioner.
 - a. Employees shall notify their immediate supervisor when required to use prescription medicine that they have been informed has the potential to impair job performance. The employee shall advise the supervisor of the known side effects of such medication as well as the prescribed period of use. Employees who fail to disclose to their supervisor their use of prescribed medication that they have been informed has the potential to impair job performance is misconduct and willful violation of the City's personnel policies.
 - b. Supervisors shall document this information and maintain the information in a secured file.
 - c. The employee may be temporarily assigned to other duties, where appropriate.
3. No employee shall ingest any prescribed or over-the-counter medication in amounts beyond the recommended dosage.
4. Any employee who unintentionally ingests, or is made to ingest, a controlled substance including synthetic controlled substances shall immediately report the incident to his or her supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.
5. Any employee having a reasonable basis to believe that another employee is illegally using, or is in possession of, any alcohol or controlled substance (including synthetic controlled substances) on the job shall immediately report the facts and circumstances to his or her supervisor.
6. Any employee found in engaging in prohibited activity will be subject to disciplinary action, up to and including termination of employment.
7. Any employee charged with violating a criminal drug statute must inform his or her supervisor of such charge by the first working day following the charge. Failure to do so will result in disciplinary action, up to and including termination.

SECTION 14.5 Education Program

With the knowledge that education is a most powerful weapon in an effort to maintain a drug-free workplace, the City of Greenville is committed to providing all employees with an opportunity to receive a thorough drug and alcohol education program. This

education program is specifically targeted to supervisors and non-supervisors.

Supervisors - A specific training effort for supervisors will emphasize drug detection skills, coaching and confrontation skills, legal documentation requirements, rehabilitative programs available, as well as general drug information.

Non-Supervisors - The non-supervisory training program will concentrate on general drug information, the effects of drugs in the workplace, the employer's rights and efforts to ensure a drug-free workplace, the rights of the employee, and programs available to those who need help.

Ongoing Training - The City of Greenville will provide ongoing training for all employees. To acquaint all new employees to their role in maintaining a drug-free workplace, they will receive training within sixty (60) days of their date of hire.

SECTION 14.6 Testing Program

The City of Greenville conducts the types of alcohol and drug testing described below. Refusal to submit to a drug and/or alcohol test may result in the employee's termination. Drug tests must follow the procedures and chain of custody requirements adopted by the City.

- 1) Pre-employment testing: All candidates selected for full-time and selective part-time positions must submit to a urine drug screen no more than thirty (30) days before beginning employment. Candidates will be advised that any job offer is contingent upon negative drug test results. Pre-hire drug screenings will test for the presence of illegal drugs and substances and the illegal use of prescription drugs. This screen does not include an alcohol test.

A refusal to submit to the drug test or a confirmed positive result on the drug test will disqualify the applicant for employment consideration with the City for a period of two (2) years. Existing employees who are transferred from a non-safety sensitive position to a safety-sensitive position will be required to submit to a drug screen prior to beginning employment in the safety-sensitive position.

- 2) Critical incident (post-accident) testing: The City of Greenville reserves the right to test any employee involved in an accident while on the job. Employees will be subject to critical incident testing as follows:
 - when they are involved in accidents that seriously damage a vehicle, machinery, equipment, or property. The classification of damage as serious involves accidents in which the actual or estimated damage is in excess of \$2,500. For employees in safety-sensitive positions, the actual or estimated damage threshold is lowered to \$1,000;
 - in the event of a fatality;
 - accident results in an injury to the employee, another City employee, or any other person that requires offsite medical attention;
 - the removal by towing of a vehicle involved in an accident;

- when the employee receives a citation for a moving traffic violation arising from the accident.

The investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A supervisor or manager must escort the employee to the testing facility.

- 3) Random testing: Random testing is conducted without cause for employees in safety-sensitive positions. Employees in safety-sensitive positions will be required to submit to drug testing from time to time without advance notice. An employee could be randomly selected for testing more than once each year. Employees subject to random drug and alcohol testing under this policy will be so advised. Covered employees who are randomly selected for testing will be notified by a supervisor and will be required to report to the specimen collection site immediately.
- 4) Reasonable Suspicion Testing: An employee will be required to submit to drug and/or alcohol testing if the City has reason to believe the employee is impaired, under the influence of, in possession of, or using prohibited drugs or alcohol. Generally, the need for this type of testing is determined from behavioral observation or other indications that the employee has been involved with illegal or controlled substances. Any supervisor recommending drug testing must have documented specific observations and behaviors that create a reasonable suspicion the person is under the influence of illegal drugs or alcohol. Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of supervision/management must escort the employee to the testing facility. The supervisor/manager will make arrangements for the employee to be transported home from testing. Reasonable suspicion that an employee uses or is using or possessing illegal drugs or alcohol may be based on, but is not limited to:
 - Observable phenomena, such as direct observation of drug or alcohol use or possession, and/or the physical symptoms of being under the influence of drugs or alcohol;
 - A pattern of abnormal conduct or erratic behavior, including abnormal leave patterns;
 - Arrest or conviction for a drug or alcohol-related offense;
 - Information provided either by reliable and credible sources or independently corroborated;
 - Evidence that an employee has tampered with a previous drug test;
 - Facts or circumstances developed in the course of an authorized investigation of an accident or unsafe work practice.

- 5) Reinstatement, Return-to-Duty, and Follow-Up Testing: After signing an agreement or participating in substance abuse counseling established by the City, the employee must complete a drug and/or alcohol screen before returning to active employment.

SECTION 14.7 Suspension Pending Test Results

An employee required to take a drug test because of either reasonable suspicion or a critical incident may be suspended with pay until the results of the drug test can be reviewed and a decision made. An employee who tests positive for drug use may be terminated. The decision on what level of discipline to impose, if any, will be made on a case-by-case basis.

SECTION 14.8 Drugs Tested For

- a. Employees, other than sworn police officers, who are tested for drug use will be tested for the presence in urine of these drugs:
 1. Amphetamines
 2. Methamphetamines
 3. Cannabinoid
 4. Cocaine
 5. Opiates
 6. Phencyclidine
 7. Methadone
- b. Sworn police officers will undergo a urinalysis drug screen and be tested for the presence of illegal drugs as required by the North Carolina Criminal Justice Education and Training Standards Commission.
- c. The City reserves the right to test for additional substances when the circumstances warrant. Testing for substances in addition to a. and b. above will occur when testing is changed for an entire classification of employees.

SECTION 14.9 Testing Procedure

The drug testing procedures used by the City of Greenville may be found in the City of Greenville/Greenville Area Transit (GREAT) Drug and Alcohol Testing Policy, the City of Greenville Substance Abuse Policy for Commercial Motor Vehicle Drivers, and other applicable drug testing procedures.

SECTION 14.10 Rehabilitation Program

The City of Greenville has an agreement with a behavioral health agency to provide confidential professional counseling to employees as its Employee Assistance Program (EAP). This treatment by the EAP may be either in the form of in-patient or out-patient care.

The City of Greenville will support the employee in his or her efforts to rehabilitate him or herself when the employee initiates treatment. The employee may be given an extended leave to receive in-patient care. Upon release to duty by a qualified professional, the employee will be required to sign a document which gives the City of Greenville the right to request the employee to submit to periodic, random drug tests for up to 24 months after his or her return to work. The employee may be reassigned to another position, where possible, if the supervisor deems necessary. An employee in rehabilitation is still required to maintain acceptable work performance standards. A confirmed positive drug test result during the two years will result in immediate termination of that employee. Misconduct by the employee is not excused by participation in EAP services whether voluntary or involuntary participation.

SECTION 15.0 Smoking and Tobacco Use in City Buildings and Vehicles

Smoking or tobacco use in any form is prohibited in all City of Greenville buildings and vehicles. Smoking shall mean the inhaling, exhaling, burning, or carrying of a lighted pipe, cigar, cigarette, or other combustible tobacco product. This includes the use of electronic cigarettes.

Smoking by City employees on City property will be permitted in the following designated areas:

- Outdoors except that near City buildings smoking shall be allowed only in areas designated by the appropriate department head and approved by the City Manager;
- Truck bays at Fire/Rescue stations at the discretion of the Fire/Rescue Chief.

Employees who violate this policy shall be subject to disciplinary action.

SECTION 16.0 Workplace Attire

Workplace attire must be appropriate for the work being performed and for the setting in which the work is performed. Uniforms may be required for certain positions. Department heads may determine appropriate workplace attire for their area and will communicate their department's workplace attire and appearance guidelines to employees. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor or department head.

SECTION 17.0 Attendance

It is the policy of the City that employees report for work in accordance with work schedules established by their department. Employees shall accurately report hours worked and leave taken in accordance with City policy and applicable laws.

SECTION 18.0 Alternate Work Schedules

Each department of the City of Greenville may adopt alternate work schedules to the

standard five-day/40-hour workweek (usually Monday through Friday). Each department head has the responsibility for developing, receiving approval, implementing, and administering alternate work schedules. Adequate staffing at all times is a requirement of a department having an alternate work schedule; this may require amending the established work schedule due to vacations, illness, or other absences in the department. The shortest alternate work schedule permitted under this policy is a four (4) day workweek.

SECTION 18.1 *Guidelines for Establishing a Departmental Alternate Work Schedule*

- a. Include supervisors and employees in the planning stage.
- b. All City offices must be open during regular business hours of 8 a.m. to 5 p.m., Monday through Friday.
- c. Work may start no earlier than 6 a.m.; the workday must end by 6 p.m. for all administrative (office) staff.
- d. Each employee must have at least a thirty (30) minute meal break.
- e. The work day may last no more than ten (10) hours.
- f. In developing an alternate work schedule, the department's operational needs must be the primary consideration; individual schedule preferences are secondary.
- g. Department heads shall coordinate alternate work schedules with other departments to avoid disruption or other work difficulty.
- h. The department head is responsible for monitoring and evaluating alternate work schedules.
- i. The department head shall be responsible for reporting to the City Manager or his or her designee on the effectiveness of alternate work schedules as requested.
- j. Once approved by the City Manager, the department head shall inform employees of the alternate work schedule.
- k. During such periods of alternate work schedules, employees, unless prior written approval is given, shall not work off-duty, secondary employment, or self-employment activities. The employee must present to the department head a written request to work off-duty, secondary employment, or self-employment activities.

SECTION 18.2 *Approval of City Manager*

All alternate work schedules must be submitted to the City Manager or his/her designee for review and approval. The City Manager may amend or revoke a department's alternate work schedule should the need arise. Copies of approved alternate work schedules shall be filed with the Director of Human Resources.

SECTION 19.0 **Compliance with Form I-9 (Employment Eligibility Verification) Process**

Federal law requires employers to verify the identity and employment authorization of new employees and to reverify employment authorization only in certain instances at a

later date. Employers must use Form I-9 to do so. The City uses E-Verify which is an Internet-based system that compares information from the Form I-9 to government records to confirm that an employee is authorized to work in the United States. All employees are expected to cooperate with the City in order to fulfill the City's obligations under this federally required process. Failure to comply with the I-9 process will result in termination of employment.

SECTION 20.0 Provide Social Security Number to the City

All employees are required to provide the City with their Social Security number so that the City may comply with federal statutes and regulations that require the use of that number. The City will safeguard the confidentiality of such numbers to the extent legally permissible. Any Social Security number provided by an employee must be verifiable as to that employee. If such number provided cannot be verified, the employee will be suspended without pay pending Social Security number verification.

SECTION 21.0 Submission to Background Check

All persons selected to be employed by the City must agree to a background check (including a criminal records check) before an offer of employment is officially extended. Refusal to agree to the background check will terminate consideration of that person's candidacy for employment with the City.

SECTION 22.0 Residency Requirements for Employment with the City

In accordance with Article V of these policies, certain positions are subject to residency requirements as a condition of employment.

**ARTICLE VII
EMPLOYEE BENEFITS**

SECTION 1.0 Policy

The City is committed to providing cost-effective benefits which assist employees in being physically and mentally healthy. The benefits offered by the City may be changed or terminated at any time upon approval of the City Council and do not constitute a guarantee of continued employment with the City.

Benefits are accompanied by eligibility requirements which must first be met by the employee and eligible dependents (if applicable) before being able to be covered. The provisions of and eligibility for the various benefits are governed by each Plan document.

SECTION 2.0 Group Health Insurance – Active Employees

The City and Greenville Utilities Commission will make available to its eligible employees and their dependents a base plan and one or more alternate group health and hospitalization plans. The City and Commission will share in the premium costs for employees and their eligible dependents on a schedule set by City Council and the Greenville Utilities Board.

Plan enrollments are on the first of the month following regular employment. Information concerning the cost and benefits of the insurance program shall be available to employees through the Human Resources Department.

SECTION 3.0 Group Health Insurance – Retired Employees Who Were Hired Prior to July 1, 2011

The provisions of this section shall apply only to employees who commenced their period of employment prior to July 1, 2011, with the City and/or Greenville Utilities Commission which establishes the continuous years of service at the time of retirement for the purpose of eligibility to continue insurance coverage. Upon service, early, or disability retirement as approved by the State Retirement System and upon meeting the criteria established by City Council, employees who have a minimum of five (5) continuous years of service with the City and/or Greenville Utilities Commission at the time of retirement shall be eligible to continue insurance coverage.

Premium contributions by the City for base plan participation are subject to the following schedule:

Years of Service	Base Plan Contribution Percentage
5 – 20 years	0% for retiree and dependents
20 or more years	95% for retiree; 0% for dependents

For those retirees choosing an alternate pre-65 medical plan, the City will pay the same dollars toward premium costs as it pays for retirees under the base pre-65 plan. Any premium costs for dependents shall be the full responsibility of the retired employee.

Participating retired employees with a minimum of twenty (20) years of service and/or their eligible dependents shall have their coverage transferred to a Medicare supplemental plan after qualifying for Medicare, with the City continuing to pay the same dollars toward the premium cost as it pays for retirees and their dependents under the base plan.

Participating retired employees with less than twenty (20) years of service and/or their eligible dependents shall be dropped from all group plans after qualifying for Medicare or other group insurance in accordance with state and federal guidelines.

Retiring employees who do not meet the minimum age and continuous years of service requirements to qualify for the contribution from the City, but do have a minimum of five (5) continuous years of service at the time of retirement, may continue to maintain insurance coverage on the City's plan by paying 100% of the monthly costs until qualifying for Medicare coverage.

SECTION 4.0 Group Health Insurance – Retired Employees Who Were Hired On or After July 1, 2011

The provisions of this section shall apply only to employees who were initially employed by the City and/or Greenville Utilities Commission on or after July 1, 2011, or who, when reemployed by the City and/or Greenville Utilities Commission, commenced their period of employment on or after July 1, 2011, with the City and/or Greenville Utilities Commission which establishes the continuous years of service at the time of retirement for the purpose of eligibility to continue insurance coverage. Upon service, early, or disability retirement as approved by the State Retirement System and upon meeting the criteria established by City Council, employees who are at least 55 years of age and who have a minimum of twenty continuous years of service with the City and/or Greenville Utilities Commission at the time of retirement shall be eligible to continue insurance coverage. Premium contributions by the City for base plan participation are subject to the following schedule:

Years of Service	Base Plan Contribution Percentage at Age 55-59	Base Plan Contribution Percentage at Age 60-64
20 to 24 years	50% for retiree; 0% for dependents	65% for retiree; 0% for dependents
25 or more years	75% for retiree; 0% for dependents	95% for retiree; 0% for dependents

For those retirees choosing an alternate pre-65 medical plan, the City will pay the same dollars toward premium costs as it pays for retirees under the base pre-65 plan. Any premium costs for dependents shall be the full responsibility of the retired employee.

Participating retired employees with a minimum of twenty (20) years of service who

qualify for Medicare and/or their eligible dependents who qualify for Medicare are ineligible to continue on the City's group insurance plans. The City will issue to the retiree a \$250 monthly stipend or \$250 contribution to a medical savings account for the purpose of obtaining other insurance coverage.

Retiring employees who do not meet the minimum age and continuous years of service requirements are ineligible to participate in the City's health insurance program at retirement.

SECTION 5.0 Group Health Insurance – Special Coverage Benefit

Upon the death of a City employee as a direct and proximate result of an injury sustained while the employee is on duty, the eligible dependents of the employee shall be eligible to continue the group health and hospitalization coverage for a period of six (6) months commencing on the first day of the month after the month in which the death occurs with the City paying the employer share of the premium at the active employee rate for said continuation of coverage and the covered dependents paying the employee share of the premium at the active employee rate for the continuation of coverage.

Notwithstanding the foregoing, the eligibility for the continuation of such coverage with said City payment shall not be available in the event one or more of the following occurs: (1) the injury which results in the death is caused by intentional misconduct of the employee, (2) the employee was voluntarily under the influence of any intoxicant, medication, or controlled substance at the time of the injury which results in the death, (3) any of the eligible dependents contributed to the injury which results in the death, or (4) the injury which results in the death is a heart attack or stroke. The eligibility for the continuation of coverage provided in accordance with this paragraph shall run concurrently with the period of availability of group health and hospitalization coverage required pursuant to federal law (COBRA) and will not extend the period of time which said coverage is to be available.

SECTION 6.0 Dental Insurance

The City provides dental insurance to all regular full-time employees and three-quarter designated part-time employees and their eligible dependents. The City will share in the premium costs for regular full-time employees and their dependents on a schedule set by City Council. Three-quarter designated part-time employees may elect to purchase dental insurance for themselves and/or qualified dependents.

Plan enrollments are on the first of the month following regular employment. Information concerning the cost and covered benefits is available to all employees from the Human Resources Department or through the supervisors. Dental Plan coverage continuation is not available upon retirement.

SECTION 7.0 Life Insurance

The City will make group life insurance available to regular full-time employees. The amount of life insurance to be taken by each employee will be one times the employee's

base annual salary rounded up to the next highest thousand with a maximum of \$100,000. The City will pay 100% of the premium cost of the basic life insurance.

SECTION 8.0 Optional Life Insurance

Optional term life insurance is a voluntary, employee-paid group term life insurance plan in which regular full-time employees may choose to participate to supplement their City-provided life insurance. Employees may select coverage for themselves and their eligible dependents. Optional universal life insurance is also available to regular full-time employees. Optional life insurance plans are employee funded and paid through payroll deduction.

SECTION 9.0 Disability Insurance

For regular full-time employees, the City offers disability insurance to provide them a portion of their salary if they are unable to work as a result of illness or injury. Participation is voluntary, employee funded, and available through payroll deduction. Brochures explaining disability insurance are available upon request from the Human Resources Department or directly from the insurance company or their agent.

SECTION 10.0 Employees' Credit Union

The City does not participate as a member of the GUCO Credit Union and does not accept any responsibility for the functions of this organization. However, the City acknowledges the benefits to the employees participating in the GUCO Credit Union and will permit properly authorized payroll deductions to be made for the Credit Union's operation.

SECTION 11.0 Local Governmental Employees' Retirement System

The City and employees participate in the cost of the state-administered retirement plans to which all regular full-time and designated part-time employees are required to join. Benefits and related information are available online and in printed brochures circulated to the employees and through the Human Resources Department.

SECTION 12.0 Death Benefit - Retirement System

Under the provisions of the North Carolina Local Governmental Employees' Retirement System, the City has elected to provide death benefits at no cost to the employee. This constitutes a payment to the member's designated beneficiary in an amount equal to the compensation earned in the previous twelve (12) months or last calendar year, whichever is higher. The payment is subject to a maximum of \$50,000 and to the rules and regulations governing the retirement system.

SECTION 13.0 Workers' Compensation Insurance

City employees are fully covered by workers' compensation insurance and are required to report all injuries and illnesses arising out of and in the course of employment to the

immediate supervisor at the time of the injury or illness in order that appropriate action may be taken at once.

Responsibility for claiming compensation under the Workers' Compensation Act is on the injured employee. Such claim must be filed by the affected employee with the North Carolina Industrial Commission within two (2) years from date of injury; otherwise, the claim is barred by law. Leave time under the provisions of the Workers' Compensation Act and under supplemental provisions of the City is defined in Article VIII, Sections 10.0 and 10.1.

SECTION 14.0 Longevity Pay

In addition to regular salaries, a longevity payment will be made annually in recognition of long years of continuous and meritorious service to those employees hired prior to July 1, 1993, whose overall performance on the job is satisfactory or above. Employees hired on or after July 1, 1993 are not eligible to receive longevity pay. Longevity payments will be made on or about December 1st of each year except for eligible retiring employees and those who died in service, who will be paid in the final month of employment. The longevity payment will be 4.5% of base salary as of December 1st.

Payment will be made only to those in regular full-time employment on December 1st and to those who retired or to the estate of those who died in service during the previous twelve (12) months prior to the date of payment in proportion to the full months of service rendered prior to retirement or death. Years of service must be continuous, except for leaves of absence approved by the City.

All longevity pay is taxable (the same as any other pay) and is subject to all deductions, including retirement. Employees hired before July 1, 1993 are not eligible to receive longevity in any year their overall performance on the job is rated below satisfactory.

SECTION 15.0 Employee Recognition/Service Awards

The Employee Recognition/Service Awards Program recognizes employees for their loyal and dedicated service to the City. Funding permitting, all regular full-time employees who have completed 5, 10, 15, 20, 25, 30, 35, and 40 consecutive years of service with the City will receive a service award. The Human Resources Department will notify each department of the names of employees eligible for service awards and specify the years of service. Whenever possible, this recognition is to occur within one month of the employee's service anniversary date. Planning of the actual service award presentation will be at the discretion of each department head.

SECTION 16.0 Legal Defense of Employees

The policy of the City is to provide for the defense of employees for acts or omissions allegedly committed while in the course and scope of their employment or duty as an employee of the City. Upon request made by or on behalf of any employee or former employee, the City shall provide for the defense of any civil or criminal action or proceeding brought against him/her either in his/her official or individual capacity, or

both, on account of any act done or omission made, or any act allegedly done or omission allegedly made in the scope of his/her employment or duty as an employee of the City. The City may provide this defense by its own counsel, or by employing other counsel, or by purchasing insurance that requires that the insured provide the counsel. Limits on the amount of defense expenditures may be set by the City Manager, in relation to prevailing local rates and in consideration of available budget funding.

Nothing, however, in this section shall be deemed to require the City to provide for the defense of any action or proceeding of any nature when the City is directly or indirectly an adverse party or where the City's interest is adverse to that of such an employee so as to create a conflict of interest between the City and such an employee.

SECTION 17.0 Tuition Assistance

The City's tuition assistance program is intended to grant financial assistance to eligible employees who independently pursue and successfully complete a course of study which directly relates to current job duties or will help prepare the employee for a job with the City at a higher level of responsibility and/or skill. The program generally supports technical and academic courses at accredited schools and institutions. Regular full-time and three-quarter designated part-time employees are eligible to participate in the tuition assistance program with the exception of those employees on initial probation following employment and those employees on a disciplinary probation status. Contact the Human Resources Department for additional information regarding the tuition assistance program.

SECTION 18.0 Computer Purchase Program

The Employee Computer Purchase Program (ECPP) is a year-round program designed to encourage employees to become proficient with computer technology, encourage transfer of skills learned to the workplace, and strengthen skills in computer use by facilitating the purchase of computing equipment. The ECPP is an interest-free loan program with a maximum loan amount that can be repaid over a 24-month period through payroll deduction.

The computer equipment allowed for purchase under ECPP includes items such as personal computer, laptop, tablet, software, printer, and other peripherals. Items such as personal software/games are not eligible under the plan.

Only regular full-time employees are eligible to participate and must be in "good standing", i.e. the employee is meeting minimum job requirements, the employee is not on probation, and the employee is not subject to current or pending disciplinary action. The employee is eligible to receive only one (1) loan at a time. Contact the Human Resources Department for additional information regarding the ECPP.

SECTION 19.0 Personal Safety Equipment

The City is committed to providing a safe and healthful working environment for all employees and will supply the appropriate personal protective equipment that will result

in safe working conditions and efficient operations.

The City will participate in the cost of safety shoes for those employees required to wear safety shoes on the job. For employees who buy safety shoes to be worn on the job, the City will contribute up to \$120 of the total purchase price towards the cost of one pair of safety shoes per twelve (12)-month period. The employee's department head must approve any safety shoes purchased in excess of one pair per employee per 12-month period.

SECTION 20.0 Uniforms

The City will furnish uniforms for certain classes of employees whose work requires uniformity of appearance. All employees are expected to wear uniforms furnished and to keep their appearance as neat and clean as job requirements will permit.

City uniforms shall not be worn during off-hours when an employee is working for a private business or in self-employment. Police Officers, when performing police-related work in off-duty hours, may wear their uniforms if approved by the Chief of Police.

The City's uniform supplier, at no cost to the employee, will replace all uniforms worn out through normal usage and laundering.

SECTION 21.0 Blood Donation

An employee requesting the opportunity to donate blood to the Red Cross Blood Bank during one of the scheduled Red Cross Bloodmobile visits will be allowed up to four (4) hours of time off with pay to do so. Employees must return to work after donating blood and recovering (including partaking nourishment after donating), unless they are donating blood near the end of their work shift. Upon request, the employee shall provide the supervisor with written verification of having donated to the Red Cross. However, if for some reason the employee is unable to donate blood, he/she shall return to work as soon as possible. All blood donations will be coordinated and scheduled by the employee's immediate supervisor.

SECTION 22.0 Major Emergency Expenses

During conditions incident to natural or civil emergencies, the City may provide meals and housing for employees called out to perform emergency relief work, upon the authorization of the City Manager.

SECTION 23.0 Employee Memorial Fund

The City has established a memorial fund for regular full-time and retired employees. Upon the death of an employee or a member of his/her immediate family, this fund will be used by the Human Resources Department to send flowers to the family or make a memorial contribution. For the purpose of this Section, immediate family is defined as a spouse, child, or parent.

SECTION 24.0 Deferred Compensation Program

The City offers deferred compensation plans to allow eligible employees to save and invest for retirement. The deferred compensation program is a voluntary, tax-deferred program designed to help supplement eligible employees' income at retirement. Through this program, eligible employees may designate an amount to be deducted from their gross salary on a before-tax or after-tax basis each pay period and placed in an investment account(s) selected by the employee.

Funding permitted, the City shall make contributions to the 401(k) accounts of regular full-time and designated part-time employees. Brochures explaining the deferred compensation plans are available upon request from the Human Resources Department or directly from the administrators.

Sworn law enforcement officers shall be enrolled in the state retirement system's approved 401(k) program, and the City shall make contributions to each officer's account as required by statute.

SECTION 25.0 Separation Allowance

The City provides a monthly separation allowance to retired law enforcement officers as required in Chapter 143, Article 12D of the North Carolina General Statutes.

SECTION 26.0 Cafeteria (Tax Shelter) Plan

The City makes a tax-sheltered plan called the City of Greenville Cafeteria Plan available to all eligible employees. Under the City's Cafeteria Plan, employees can elect to pay health, life, disability, dental, and other qualified insurance premiums with pre-tax dollars instead of after-tax dollars.

An employee can also volunteer to reduce his/her pay by a specific amount and place that money in spending accounts to be used for uninsured medical, vision, dental and/or child care expenses. This income would also bypass Federal and State taxes and Social Security, thereby increasing the employee's take home pay without an increase in gross pay. All reductions will be by payroll deduction only.

If the funds accumulated to the individual employee's salary reduction account(s) are not to be used for benefits during the plan year, any remaining balance not approved for rollover by the City in accordance with Internal Revenue Service regulations will be forfeited. An employee who elects to reduce his/her salary at the beginning of the plan year or when the employee is first eligible for the Plan cannot change his/her deduction unless there is a qualifying event change (i.e., marriage, divorce, death of spouse or child, birth or adoption of a child, or any change in the employment status of the spouse) or at the beginning of the next plan year.

Booklets explaining the Plan in detail are available upon request from the Human Resources Department.

SECTION 27.0 Attendance Incentive Pay

The purpose of attendance incentive pay is to reward employees for exemplary attendance. Regular full-time employees who have completed one (1) full calendar year of employment prior to January 1 of each year and who have used less than thirty-two (32) hours of sick leave during said calendar year will be eligible for incentive pay. For the purpose of this section, sick leave will include sick (excluding sick leave used as funeral leave), FMLA, and workers' compensation leave, and leave without pay for any reason. Attendance incentive pay will be granted, subject to the availability of budgeted funding, in accordance with the following schedule:

Leave taken (in hours)	Incentive Pay (in hours) at current base hourly rate
0	16
8 to 15	12
16 to 23	8
24 to 31	4
32 or more	0

The number of hours of sick leave accumulated for the year will be unchanged by any incentive pay.

Section 28.0 Training and Development Program

In order to meet individual and organizational needs, the City of Greenville provides various training and development opportunities to encourage high-quality performance to prepare employees for new or increased responsibilities, skills, and to extend opportunities for individual growth, development, and self-fulfillment.

SECTION 29.0 Employee Assistance Program

The City's Employee Assistance Program (EAP) provides services designed to help employees meet life challenges and remain healthy, engaged, and productive. The EAP is provided to employees as an additional benefit, at no cost to the employee. Professionally trained counselors are retained to provide confidential assistance with family, personal, financial, substance abuse, or work-related problems.

SECTION 30.0 Wellness Program

The City provides a wellness program which provides eligible employees access to a variety of wellness-related activities and programs. Evidence shows that workplace wellness programs have the potential to promote healthy behaviors; improve employees' health knowledge and skills; and help employees get necessary health screenings, immunizations, and follow-up care.

Participation in the wellness program is not a condition of employment but may be required for participation in certain City-provided benefits. Any injuries, damages, serious illness, accident, or death occurring while participating in a wellness program

activity is not a work-related injury or injury by accident or by occupation.

SECTION 31.0 Bus Passes

The City may subsidize, when economically feasible, the cost of GREAT bus passes for regular full-time and designated part-time employees. When this benefit is provided by the City, eligible employees may receive GREAT bus passes at reduced or no cost.

**ARTICLE VIII
LEAVE**

SECTION 1.0 Policy

Leave is a privilege granted by City Council and is subject to change including elimination by City Council. The City Council, by action, may modify the policies concerning accumulation and conversion. In the event of a change, modification, accumulation and conversion including elimination, all such changes shall apply to all current and future employees.

SECTION 2.0 Workday

For the purpose of this Article, the phrase "workday" shall mean any day on which an employee of the City actually works or would work under ordinary circumstances. Saturday and Sunday shall not be considered as workdays unless the employee is normally scheduled to work on that day.

Designated holidays, Saturdays, and Sundays which may fall or occur during a vacation, sick, or other leave period of an employee shall not be considered as a day's vacation, sick, or other leave unless the employee is normally scheduled to work on that day.

SECTION 3.0 Holidays

The following and such other days as the City Council may designate are holidays with pay for all regular full-time employees of the City:

Holiday	Date
New Year's Day	January 1
Martin Luther King, Jr. Birthday	Third Monday in January
Good Friday	Date varies according to observation of Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Day after Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25
One (1) "Floating Holiday" as designated by the City Manager	Date varies

Holiday leave for designated part-time employees will be prorated if the employee is scheduled to work on the City-observed holiday.

Due to the nature of their work, certain departments are unable to close on all City-observed holidays. In addition, under some circumstances, employees of departments that are closed for the holiday may be required to report to work in order to provide services to the citizens of Greenville. Department heads shall advise employees if they will be required to work on a City-observed holiday as far as advance of the holiday as circumstances warrant.

When a holiday falls on a Saturday, the preceding Friday will be observed as the holiday, and when a holiday falls on a Sunday, the following Monday will be observed as the holiday, except that the City Manager or his/her designee may designate that the holiday will be observed on another day in order to have uniformity with other governmental units for the day of holiday observance. An employee must work or be on paid leave the day before and the day after a holiday to be entitled to pay for that holiday.

City-observed holidays occurring during an employee's vacation leave shall not be charged against their vacation leave.

The City Manager will issue an annual memo designating the specific dates that holidays will be observed.

SECTION 3.1 *Maximum Accumulation of Holiday Leave*

Police and Fire/Rescue personnel who work rotating shifts and are credited with holiday time on a monthly basis shall be subject to maximum accumulation limits established by the City Manager or his/her designee. In establishing such limits, the City Manager shall be guided by the need to maintain adequate scheduling and staffing in the Police and Fire/Rescue Departments and the prevention of excessive accumulated liabilities for wage payment.

SECTION 4.0 **Vacation Leave**

Regular full-time employees shall earn vacation leave after having worked or been on paid leave for more than half the scheduled work days in a given month in accordance with the following schedule:

Employees on a 40-hour work schedule		
Service Factor	Hours Earned Per Month	Hours Earned Per Year
Under 5 years of service	8	96
After 5 years of service	10	120
After 10 years of service	12	144
After 20 years of service	14	168

Fire/Rescue Employees on a 56-hour work schedule		
Service Factor	Hours Earned Per Month	Hours Earned Per Year
Under 5 years of service	12	144
After 5 years of service	14	168
After 10 years of service	17	204
After 20 years of service	20	240

Designated part-time employees accrue vacation leave on a pro-rated basis using the following schedule:

- Average work week of 20 hours but less than 30 hours weekly: one-half the rate received by regular, full-time employees;
- Average work week of 30 hours or more: three-fourths the rate received by regular, full-time employees.

SECTION 4.1 Maximum Accumulation of Vacation Leave

The maximum vacation leave that can be carried forward as of December 31 each year shall be the leave time that can be earned in two calendar years. After this accumulation, excess vacation leave can be transferred to sick leave, where it can accumulate without limits. Any payments and retirement credits for accumulated vacation leave shall be subject to the two-year maximum accumulation.

SECTION 4.2 Manner of Taking Vacation Leave

Employees shall be granted the use of earned vacation leave at those times designated by the department head which will least obstruct normal operations of the City. Department heads are responsible for ensuring that approved vacation leave does not hinder the effectiveness of service delivery. An employee shall not be granted vacation leave while serving on the initial probationary period unless denial of the leave would create an unusual hardship, as approved by the department head.

The maximum amount of continuous vacation leave time which can be granted to an employee is two weeks, except as approved by the department head or when vacation leave is taken as family or medical leave under FMLA. Vacation leave can be taken in minimum intervals of one-quarter hour.

SECTION 4.3 Terminal Pay

An employee who is separated from employment with the City shall be paid for vacation leave accumulated to the date of separation, subject to the maximum accumulation, with the following exceptions:

- (a) an employee who resigns without giving proper notice as specified in Article X, Section 2.0;
- (b) an employee separated under the resigned without notice provisions of that Article; and
- (c) an employee serving on the initial probationary period as specified in Article V, Section 7.1.

If an employee is laid off because of a reduction in force or an employee is dismissed, a separation payment may be authorized by the department head if it is felt in the best interest of the department's operation and the City. Employees will not be paid out for accumulated sick leave upon separating from employment with the City.

SECTION 4.4 *Payment of Accumulated Leave Upon Death*

Upon death, regular full-time and designated part-time employees will be entitled to payment for all of the accumulated vacation leave credited to his/her account, subject to the maximum accumulation. All such leave computation shall be at the regular rate of pay of the employee at the time of death and shall be paid to the estate of the deceased.

SECTION 5.0 **Sick Leave**

Sick leave with pay is not a right that an employee may demand, but a privilege granted by the City Council for the benefit of an employee when sick.

Sick leave may be used by regular full-time and designated part-time employees as follows:

- (a) due to the illness, injury, or incapacity of an employee;
- (b) for medical or dental appointments of an employee or the employee's immediate family member;
- (c) when an employee is required to care for a member of his/her immediate family who is ill or incapacitated due to a medical condition; and
- (d) for death in the employee's immediate family.

For (a) above, employees with accrued sick leave must use sick leave rather than vacation leave. After an employee's accrued sick leave has been exhausted, vacation leave may be used as sick leave.

Immediate family shall be defined to include legally married spouse, parent, legal guardian, child, sister, and brother--plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named. Immediate family shall also include the employee's grandparent and grandchild.

Eligibility to use sick leave begins immediately upon employment with the City. Employees are eligible to take sick leave intermittently or on a reduced leave schedule only when medically necessary.

The use of sick leave for a death in the employee's immediate family will be limited to three (3) consecutive work days per occurrence. For Fire/Rescue employees working a 56-hour work schedule, the use of sick leave for a death in the employee's immediate family will be limited to one (1) work day per occurrence. Sick leave for death in the employee's immediately family is for the purpose of attending the funeral or memorial service, making arrangements, or otherwise attending to the affairs of the deceased. An

employee may be requested to provide information which will document the necessity of the absence. Additional time off, if approved, must be taken as vacation leave or unpaid leave.

Notification of the need to take sick leave shall be submitted to the employee's supervisor prior to the beginning of the scheduled work day or shift, or in a timely manner specified by the department head. Employees must call in each day they are out and inform their supervisor, unless the supervisor and employee have made alternative arrangements. Because supervisors may need to discuss rearranging work assignments, the employee — not a member of his or her family, unless the medical condition prevents the employee from doing so — must call when he or she will be out of work and speak directly to the supervisor or his or her designee. Proper notification will not be considered as leaving a voicemail or message with the employee's immediate supervisor. Lack of such notification may result in charge to leave without pay for the time missed in addition to any disciplinary actions for failure to report to work.

A department head may require satisfactory proof of the proper use of sick leave and may disallow sick leave in the absence of such proof. An employee who misuses sick leave is subject to disciplinary action, up to and including dismissal. An example of misuse or abuse of sick leave is to use such leave to perform off-duty, secondary, or self-employment work.

An employee who is on sick leave for personal illness for four consecutive working days or more must provide an FMLA Certification of Health Care Provider Form to determine if the leave is FMLA-qualifying and a return to work release from the employee's health care provider before the employee will be permitted to return to work. The return to work release must state that the employee is able to resume work. Any restriction or limitation will be evaluated to determine if the restriction or limitation can be accommodated.

SECTION 5.1 Accumulation of Sick Leave

Sick leave accumulates as follows:

- Each regular full-time employee shall earn sick leave at the rate of eight (8) hours per full calendar month of service, for 96 hours annually.
- Fire/Rescue personnel working other than the basic 40-hour work week shall earn sick leave at the rate of twelve (12) hours per full calendar month of service, or 144 hours annually.
- Half-time designated part-time employees earn sick leave at a prorated rate of four (4) hours per full calendar month of service, or 48 hours annually; three-quarter designated part-time employees earn sick leave at a prorated rate of six (6) hours per full calendar month of service, or 72 hours annually.
- Employees shall earn sick leave after having worked or been on paid leave for more than half the scheduled working days in the month.

- Sick leave shall be cumulative with no limit on the maximum amount.
- Once an employee separates from City employment for any reason, any unused sick leave shall terminate. There is no payment of unused sick leave upon termination. However, unused sick leave may be used as creditable service for retirement in accordance with Section 5.2 of this Article.

SECTION 5.2 *Creditable Service Retirement*

At retirement and as part of the state administered retirement plans, sick leave may be used as creditable service. One month of credit is allowed for each 20 days or any portion thereof of accumulated sick leave. For creditable service retirement purposes, sick leave will be reported in accordance with the monthly accumulation rate at the time of retirement.

SECTION 5.3 *Sick Leave – Transfer*

Employees hired by the City, whose immediate past employer within the last 90 days was the State of North Carolina, any of its political subdivisions, any local government entity or authority or municipality in North Carolina, may transfer to the City up to 240 hours of unused sick leave, provided the employee has not requested, or is receiving retirement benefits from the North Carolina Department of State Treasurer Retirement System. The employee must request this transfer within 90 days of the beginning of employment with the City, and it is the responsibility of the employee to provide bona-fide documentation of the amount of unused sick leave from the immediate past employer. Upon verification of the unused sick leave by Human Resources, the employee will be credited with the transferred sick leave.

SECTION 6.0 **Sick Leave Without Pay**

A regular full-time or designated part-time employee may request a leave of absence without pay of up to one (1) year for the employee's own serious health condition if:

- (a) He/She has exhausted or will exhaust all accumulated sick leave and earned vacation leave and all leave available to the employee under the FMLA; and
- (b) He/She is not eligible for, has been denied, or has exhausted sick leave available through the Leave Bank, if applicable; and
- (c) He/She has a reasonable prospect of being able to return to work at or before the end of the leave.

The treating physician's statement that the leave is necessary and that the employee has a reasonable prospect of being able to return to work at or before the end of the leave will be required and used as a basis for a decision. Documentation in the employee's personnel file of prior abuses of sick leave privileges may be deemed grounds for denial of sick leave without pay.

The employee shall apply in writing to the department head for leave. The leave request must be approved by the Director of Human Resources and the City Manager or his or her designee. The employee is obligated to return to duty within or at the end of the time as stated in the written request. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position as held at the time leave was granted or to one of like classification, pay, and seniority. If the employee decides not to return to work, the department head should be notified immediately in writing. Failure to report at the expiration of a leave of absence, unless an extension has been approved, shall be considered a resignation.

An employee shall retain all accrued vacation and sick leave and all retirement credits while on leave without pay. An employee ceases to earn leave credits on the date leave without pay begins. The employee may continue to be eligible for benefits under the City's group insurance plans provided he/she pays both the employee's and the employer's share of the premium costs. An employee on sick leave without pay must provide a physician's release to return to work.

SECTION 7.0 Leave of Absence Without Pay

Regular full-time and designated part-time employees who have completed the initial probationary period may request a leave of absence without pay for absence from work not covered by any other type of eligible paid leave. Accumulated vacation and other applicable paid leave must be exhausted before leave without pay may be granted. Leave without pay may be granted to an employee for a period not to exceed three (3) months upon the recommendation of the department head and the written approval of the City Manager or his or her designee.

A leave of absence without pay may be granted for special work that will permit the City to benefit by the experience gained or the work performed or for other reasons deemed justified by the City Manager. A leave of absence without pay will not be granted for incarceration, misconduct, or other reasons deemed ineligible by the City Manager.

Generally, a leave of absence without pay shall be limited to one per three-year period, unless the City Manager approves an additional leave of absence without pay due to extenuating circumstances. Requests for leave without pay must be submitted in writing to the employee's department head. If the department head recommends approval of the request for leave, then the request will be forwarded to the Director of Human Resources and the City Manager for approval. Employees will be notified in writing by the Director of Human Resources whether their request for a leave of absence without pay has been approved.

The employee granted leave is obligated to return to duty within or at the end of the approved leave period. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position as held at the time leave was granted or to one of like classification, pay, and seniority. If the employee decides not to return to work, the supervisor should be notified immediately in writing. Failure to report at the expiration of a leave of absence, unless an extension has been approved, shall

be considered a resignation.

An employee ceases to earn leave credits on the date leave without pay begins. The employee may continue to be eligible for benefits under the City's group insurance plans provided he/she pays both the employee's and the employer's share of the premium costs.

A leave of absence without pay is not for intermittent use; rather, a leave of absence without pay must be for a minimum of one workweek up to a maximum of three (3) consecutive months.

A leave of absence without pay may not be used to extend Family and Medical Leave, Sick Leave Without Pay, or any other type of leave whether paid or unpaid.

SECTION 8.0 Sick Leave Bank

SECTION 8.1 Purpose

To establish guidelines for the administration of a Sick Leave Bank that allows eligible employees to donate accrued sick leave for allocation to other participating employees and to receive benefits in accordance with this policy.

SECTION 8.2 Policy

The City of Greenville recognizes that major illnesses and catastrophic injuries may warrant the need for additional sick leave by an employee. Through this policy, the City shall create and maintain a Sick Leave Bank that provides an opportunity for employees to donate sick leave that may be used by employees in eligible situations when their own sick leave has been exhausted.

SECTION 8.3 Definitions

Abuse of sick leave – abuse of sick leave shall be indicated when an employee has a pattern of absences, for example a pattern of every Friday or Monday absences, absences following holidays, and using his/her sick leave accrual as soon as it is earned. Employees whose absences show these or similar signs of use may be denied benefits from the Sick Leave Bank.

Sick Leave Bank (Bank) – the collective donated hours available to award to employees in accordance with this policy.

SECTION 8.4 Eligibility to Enroll and Participate in the Sick Leave Bank

All regular full-time employees who have completed one (1) year of continuous full-time service with the City of Greenville shall be eligible to participate. Contribution of sick leave time from employees shall be made directly to the Bank and not directly to individual employees. Therefore, employees may not designate a particular employee to receive their donated leave. Annual participation in the Bank is voluntary, but requires

contributions to the Bank. Contributions shall be made at the annual open enrollment period in November of each year. Eligible employees who do not elect to join the Bank within the annual enrollment period shall not be permitted to join until the subsequent annual open enrollment period.

SECTION 8.5 Enrollment Process

To become a member of the Sick Leave Bank, an employee must complete an enrollment form and contribute eight (8) hours of accumulated sick leave from his/her accumulated sick leave for the current year during the annual open enrollment period. This contribution shall be subtracted from the employee's sick leave record at the time of contribution and shall not be returned to the employee for any reason. Once executed, all contributions are irrevocable.

Employees must re-enroll annually during the open enrollment period in order to participate in subsequent years. Eligible employees must complete an enrollment form and contribute eight (8) hours of accumulated sick leave from his/her accumulated sick leave, unless the Director of Human Resources determines that fewer hours are required to be donated based on the number of hours accumulated in the Bank. No member shall be required or permitted to contribute more than 8 hours of sick leave per year unless a special assessment is deemed necessary by the Director of Human Resources. If a special assessment is warranted to ensure the solvency of the Bank, each participating employee shall be required to donate up to eight (8) additional hours of accumulated sick leave from his/or accumulated sick leave.

SECTION 8.6 Benefits

The maximum number of sick days that can be drawn by an employee from the Bank during their employment with the City of Greenville is 180 days. No employee shall be entitled to draw more than 60 days for one absence from work or during a rolling 12-month period. An employee who is approved for disability benefits (whether short-term or long-term) or Social Security is ineligible to draw from the Bank. Sick leave bank benefits may not be used for the care of family members.

SECTION 8.7 Membership in the Sick Leave Bank

Only contributors to the Bank shall be eligible to apply for benefits to use the Bank for payment for qualifying extended illness during regularly scheduled duty days and beyond all other available leave options (i.e. sick leave, vacation leave, or any other available paid leave). Enrollment in the Bank does not guarantee that an employee shall receive benefits from the Bank. Each request for withdrawal of benefits shall be evaluated, and a decision will be made based on the specifics of the requests.

SECTION 8.8 Application For and Approval To Receive Benefits from the Sick Leave Bank

Members who have participated in the Bank and who meet all eligibility requirements of the policy are eligible to apply for sick leave days from the bank. The following

conditions apply to approval of such a request:

1. The employee must be a current member of the Bank;
2. The employee must have exhausted all accumulated vacation, sick, or other paid leave;
3. The employee must have a serious health condition as defined by the Family and Medical Leave Act;
4. As a result of the serious health condition, the continuous period of incapacity must be expected to last at least 15 calendar days, as verified by the licensed health care provider having primary responsibility for the employee's serious health condition;
5. The 15-day waiting period will begin on the first day the employee is absent from work as a result of the serious health condition. If an employee does not have sufficient leave to use leading up to the 15-day waiting period, the employee shall be placed on leave without pay status until he or she has been absent from work for 15 days as a result of the serious health condition;
6. The employee's health care provider must certify that the employee will be able to return to work and the expected date of return to work;
7. Application for benefits shall be made in a manner required by the Human Resources Department;
8. The Human Resources Department may request further information as necessary to make a decision on the request.

SECTION 8.9 *Termination of Membership in the Sick Leave Bank*

A member of the Sick Leave Bank shall lose the right to apply and be eligible for benefits by:

1. Termination of employment;
2. During a suspension without pay;
3. A member's voluntary cancellation of his/her membership;
4. Failure to provide required physician certification;
5. Any abuse or misuse of the rules of the Sick Leave Bank or of sick leave;
6. Exhaustion of maximum Sick Leave Bank days;
7. Fraud or misrepresentation in requesting or use of Sick Leave Bank benefits.

SECTION 8.10 *Human Resources Department to Administer Sick Leave Bank*

The Human Resources Department of the City of Greenville is designated as the administrator of the Bank. Human Resources shall conduct the annual open enrollment period in November of each year, maintain a list of all current members of the Bank, maintain a database showing requests for leave, requests approved and denied, amount of leave provided for each approved request, and any other task necessary to maintain and monitor the Bank.

The Director of Human Resources shall render a written decision to the employee within five (5) business days of receipt of the request. If a request is denied, an employee may

appeal the decision to the City Manager whose decision will be final and conclusive.

Section 8.11 *Exclusions, Limitations, and Termination of Benefits*

Serious health conditions resulting from the following shall be excluded from eligibility for Bank benefits:

- Any occupationally related accident or illness for which Workers' Compensation benefits are payable;
- Horseplay or intoxication by alcohol or drugs while at work, or a failure to obey instructions or use a safety device while at work;
- Intentional self-inflicted injuries;
- Injury occurring in the course of committing a crime;
- Active duty service in the armed forces;
- War, insurrection, rebellion, or active and illegal participation in a riot;
- Cosmetic surgery or treatment, or surgery or treatment deemed medically unnecessary by a physician.

Section 8.12 *Termination or Modification of the Sick Leave Bank*

The City intends to continue the Sick Leave Bank but it reserves the right to institute termination or modification thereof unilaterally and without prior notice. However, all existing and pending withdrawals shall be honored by the Sick Leave Bank to the extent Sick Leave Bank days remain available. Should the Sick Leave Bank be terminated, all unused sick leave days shall be distributed to the then current participating employees based on the number of years each has participated in the Bank.

SECTION 9.0 **Family and Medical Leave**

(a) *Eligibility*: The Family and Medical Leave Act (FMLA) entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons. An employee who has been employed by the City of Greenville for at least twelve (12) months and who has worked 1,250 hours during the twelve-month period immediately preceding the commencement of the leave is entitled to a total of twelve (12) workweeks of Family and Medical Leave (FML) without pay during any twelve-month period. The term "twelve-month period" shall be defined as a rolling twelve-month period measured backward from the date an employee uses any FML.

(b) *Definitions*:

Parent – a biological, adoptive, step, or foster father or mother (or an individual in the position or place of a parent to an employee when the employee was a child). This term does not include parent "in-law".

Child – a son or daughter who is:

- under 18 years of age, or
- is 18 years of age or older and incapable of self-care because of a mental or physical disability and who is:

- a biological child,
- an adopted child,
- a foster child (a child for whom the employee performs the duties of a parent as if it were the employee's child),
- a step-child (a child of the employee's spouse from a former marriage),
- a legal ward (a minor child placed by the court under the care of a guardian), or
- a child of an employee in the position or place of a parent.

Spouse – a husband or wife recognized by the State of North Carolina.

(c) *Basis for Granting Family and Medical Leave:* The City will grant Family and Medical Leave (FML) for one or more of the following reasons:

- 1) For the birth of a child, and to care for the newborn child, provided the leave is taken within a twelve-month period following birth;
- 2) For the placement with the employee of a child for adoption or foster care, provided the leave is taken within a twelve-month period following adoption;
- 3) To care for the employee's spouse, child, or parent with a serious health condition; and
- 4) Because the employee has a serious health condition that makes the employee unable to perform the essential functions of his or her job.

(d) *Both Parents Employed by the City:* If both parents requesting leave are City employees, a combined total of twelve (12) workweeks during a twelve-month period is available to the parents for the birth or adoption of a child or placement for foster care.

(e) *Coordination of Leave:* If FML is requested for a purpose for which the City grants sick or vacation leave, the employee shall be required to first use all but one week of his/her accumulated leave before being placed on unpaid FML. If the employee uses sick or vacation leave for an FML qualifying purpose, such leave taken shall be counted against the employee's twelve week FML entitlement. Leave without pay beyond the twelve-week period or for employees not covered under the Family and Medical Leave Act will be administered under the City's other leaves without pay policies. Under these provisions, the employee must pay for health benefits coverage while on leave.

(f) *Notice and Form for Request:* An employee requesting FML must submit a completed "Request for Family and Medical Leave" form to the Human Resources Department at least thirty (30) days in advance of the start of the leave when the leave is foreseeable. The employee must attempt to schedule the leave so as not to unduly disrupt City operations. Leave for unexpected or emergency reasons must be requested on this form as soon as possible.

(g) *Certification:* Within ten (10) calendar days following the submittal of the initial

request form, a completed "Medical Certification for Family and Medical Leave" form must be presented. During the period of approved FML, the City may require periodic reports on the employee's medical condition and return to work intentions. Recertification may be required if the employee requests an extension of leave or if circumstances described by the original certification have changed significantly. Prior to returning to work, each employee shall provide a fitness-for-duty certification from his or her health care provider.

(h) Continuation of Insurance and Premiums: While an employee is on FML, the City will pay the employer's portion of the monthly health insurance premium. The employee will be responsible for his or her portion of the premium.

(i) Reinstatement and Failure to Return: Following the exhaustion of Family and Medical Leave under this section, the employee shall be reinstated to the same position held when the leave began or one with the same pay grade, pay, benefits, and other conditions of employment. The employee shall be reinstated without loss of benefits accrued when the leave began. An employee on FML with pay shall continue to accrue all benefits. No benefits will accrue during any period of FML that is without pay.

Failure to report to duty at the expiration of a leave of absence, unless an extension has been requested and granted, shall be considered a resignation.

(j) Requests for Intermittent Leave or Alternate Assignments: Consistent with the FMLA, an employee may request intermittent leave, a reduced work schedule, or placement in an alternate job. An employee may take intermittent leave on the basis of birth, adoption, or placement of a child only with the written approval of the department head and the Director of Human Resources. Intermittent leave may be taken in quarter-hour increments.

(k) Military caregiver leave: The FMLA entitles eligible employees to take unpaid, job-protected leave to care for a family member who is a current servicemember or a covered veteran with a serious injury or illness. FMLA leave for this purpose is called "military caregiver leave." For further information about military caregiver leave, employees should contact the Human Resources Department.

(l) Qualifying exigency leave: The FMLA entitles eligible employees to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for a "qualifying exigency" arising out of the foreign deployment of the employee's spouse, son, daughter, or parent. FMLA leave for this purpose is called qualifying exigency leave. An employee's eligibility for qualifying exigency leave shall be determined using the same requirements (appointment type, months of cumulative service and hours in pay status) as used for regular Family Medical Leave. For further information about qualifying exigency leave, employees should contact the Human Resources Department.

SECTION 10.0 Workers' Compensation Leave

Employees injured by an accident arising out of and in the course of employment shall

be eligible for the following benefits under the Workers' Compensation Act, provided the sickness or disability claim is approved by the North Carolina Industrial Commission and subject to its rules and regulations:

- (a) Wage compensation payments to the affected employee for the duration of approved time away from the job.
- (b) Payments for medically necessary treatments and drugs for the approved sickness or disability.
- (c) Standard payment for any permanent disability resulting from the accident or illness.

SECTION 10.1 Workers' Compensation Leave - City Benefits

The City has elected to continue the employee's regular salary, without charge to accumulated leave time, for the remainder of the day of injury provided absence from work is necessary to receive medical treatment. This benefit is granted when the injury is properly reported, when the employee accepts City referral to a medical provider, and when the department head determines that the injury is reasonably job-related under workers' compensation definitions.

For the duration of any medically required absence from work, an employee may elect a) to receive only those payments under the workers' compensation laws without using accumulated sick or other leave, or b) to use accumulated sick and/or other leave and receive a supplemental payment equal to the difference between the regular base salary and the workers' compensation benefit payments. Deductions from the accumulated leave balances will be fractions proportionate to the supplemental payment. Such payments are taxable (the same as any other pay) and are subject to all authorized deductions.

To receive approved leave, paid or unpaid, it is the employee's responsibility to provide a physician's statement stating the reason and duration of the absence. Such notification shall be submitted to the employee's supervisor prior to the beginning of the scheduled work day or shift, or in a timely manner specified by the department head. Unauthorized or unreported absence from the job for three consecutive work days shall be considered as an employee's resignation, and thereby, he/she shall automatically be dropped from the payroll, in accordance with Article X, Section 3.0 of these Policies.

Any salary leave payments to an employee for a period of time later determined to be covered by workers' compensation insurance must be reimbursed in full to the City upon receipt of such workers' compensation payments. Any leave used by an employee prior to going on workers' compensation leave shall be credited back to the employee's accumulated leave record upon salary reimbursement to the City.

In no instance is the combination of accumulated leave time and workers' compensation payments to exceed 100% of the employee's regular base pay.

In the event that an employee on workers' compensation leave is determined by his/her treating health care professional to be unable to return to work either indefinitely or permanently, the City will review the case and make a decision on separating the employee for his/her inability to return to work.

Workers' compensation leave will run concurrently with Family and Medical Leave (FMLA).

SECTION 11.0 Military Leave

A regular full-time employee who is a member of the National Guard or Armed Forces Reserve shall be granted two (2) calendar weeks of leave with pay for required military training in a calendar year. While on military leave, benefits will accrue as though the employee were present for duty. Any salary payment that the employee receives from the military shall be deducted from the sum paid by the City. Should the pay for military service exceed the amount earned as a City employee for that period of leave, the employee will receive no salary from the City during the leave period.

City employees also have rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), including the right to reemployment following military service and protection while on military service. Employees with questions about their rights under USERRA should contact the Human Resources Department.

SECTION 12.0 Civil Leave

Civil leave will be granted to regular full-time employees who are summoned to attend court as a juror or witness, except when involved in personal litigation or when the employee or a member of the employee's family is a party to the proceedings. A regular full-time employee called for jury duty or as a witness shall receive leave with pay for such duty during the required absence, without charge to accumulated vacation or sick leave, in addition to any fees paid by the court for such duty. An employee required to serve as a witness as a result of his or her official duties must remit to the City any witness fees paid by the court.

An employee on civil leave shall be required to report back to work between court sessions and during any other period that his/her presence is not required in the court room. While on civil leave, benefits and leave shall accrue as though on regular duty.

Before civil leave is granted, the employee must submit a copy of the official summons for jury duty or subpoena for witness service to his or her supervisor prior to the beginning date of such service.

SECTION 13.0 Leave for Parental Involvement in School

A City employee who is a parent, guardian, or person standing in loco parentis (in place of the parent) will be granted up to four (4) hours of unpaid leave per school year so that the employee may attend or otherwise be involved in his/her child's school. The leave

shall be at a mutually agreed upon time between the employee and his/her supervisor.

For purposes of this section, “school” means any public school, private church school, church of religious charter, non-public school, preschool, and child daycare facilities.

SECTION 14.0 School Involvement Leave for South Greenville Elementary School

To encourage City employees to volunteer at South Greenville Elementary School, any regular full-time employee may use one (1) hour per week of paid administrative leave (school involvement leave) to volunteer at South Greenville Elementary School. Such leave shall be coordinated through the employee’s immediate supervisor.

**ARTICLE IX
PROMOTIONS, RECLASSIFICATIONS, TRANSFERS, AND
REASSIGNMENTS**

SECTION 1.0 Policy

It is the policy of the City of Greenville that current employees shall be considered for promotions, reclassifications, transfers, and reassignments based upon their eligibility and qualifications as determined by education, experience, demonstrated work habits, documented work performance, and other job-related factors. The City's policy is to ensure that all employment decisions, including promotions, are based solely on individual qualifications and suitability for the job.

SECTION 2.0 Definitions

Promotion: A promotion is the movement of an employee from a position at a lower pay grade to a position at a higher pay grade.

Reclassification: When a position is reclassified to a higher pay grade due to significant changes in job responsibilities, this shall be considered a promotion for the employee in the position.

Transfer: A transfer is the movement of an employee from one position to another position within the same pay grade.

Voluntary reassignment downward: This occurs when an employee voluntarily requests to be moved from a position in a higher pay grade to a position in a lower pay grade. A voluntary reassignment downward is not a disciplinary demotion or disciplinary action.

SECTION 3.0 Promotion

When a vacancy occurs or new positions are established, current employees may apply for such a position according to the procedures established by policies in this Resolution, and any additional procedures approved by the Director of Human Resources. Recognizing that there may be occasions where a direct appointment rather than an appointment through competition is appropriate to address unique staffing circumstances, the City Manager may authorize such a direct appointment. An employee appointed through a direct appointment must be well-qualified for the position, and the appointment must be in the best interest of the City. Direct appointments are rare and are used only after a careful review on a case-by-case basis. They may be considered in situations such as when a current employee is uniquely qualified for the position. Only the City Manager may authorize a direct appointment. The department head shall prepare his/her recommendations for the review and approval of the City Manager.

SECTION 4.0 Reclassification

An employee whose present position is reclassified to a higher pay grade due to significant changes in job responsibilities shall be treated as having received a promotion, for the purposes of salary administration, even though there has been no open competition for the position.

SECTION 5.0 Transfer

Any employee desiring to be transferred from one division or department to another must make the request in writing to the Director of Human Resources. If, within six months of the request, a vacancy occurs in other departments to which the employee would be eligible for transfer, his/her name will be submitted to the department head for consideration. Approval by the supervising department head, the receiving department head, and the City Manager must be made on the appropriate forms.

SECTION 6.0 Voluntary Reassignment Downward

An employee who wishes to accept a position with fewer complex duties and responsibilities may request to be moved to another position at a lower pay grade. The request shall be made in writing to the immediate supervisor. The request will be reviewed, taking into consideration operational and other organizational requirements, and must be approved by the department head, Director of Human Resources, and the City Manager. The salary of an employee voluntarily reassigned to a lower pay grade shall be adjusted in accordance with Article IV, Section 15.0, of these Policies.

ARTICLE X SEPARATION AND REINSTATEMENT

SECTION 1.0 Types of Separation

All separations of employees from service with the City shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, resigned without notice, retirement, separation due to unavailability, dismissal, lay off, release (end of season or assignment), retirement, disability, or death.

SECTION 2.0 Resignation

Any employee may resign by submitting in writing the reason for the resignation and the effective date to his or her supervisor and/or department head as far in advance as possible, but a minimum of two weeks' notice is required. Failure to comply with this requirement may be cause for denying future employment with the City. An employee who fails to provide at least two weeks' notice before resigning or fails to actually work the remaining two weeks, unless circumstances such as disability prevent such, shall lose the right to receive payout of accumulated vacation leave as specified in Article VIII, Section 4.3.

The City of Greenville reserves the right to make any notice of resignation effective immediately.

SECTION 3.0 Resigned without Notice (Left Job)

Unauthorized or unreported absence from the job for three (3) consecutive workdays shall be considered as an employee's resignation, and, thereby, he/she shall automatically be dropped from the payroll effective the last day worked. An employee who resigns without notice may be denied future employment with the City and will forfeit accumulated vacation leave.

SECTION 4.0 Retirement

When an employee meets the conditions set forth under the provisions of the North Carolina Local Governmental Employees' Retirement System, he/she may elect to retire and receive all benefits earned under the provisions of the retirement plan.

SECTION 5.0 Separation Due to Unavailability

An employee may be separated on the basis of unavailability when the employee becomes or remains unavailable for work after all applicable leave credits have been exhausted and the City does not grant or extend leave without pay.

SECTION 6.0 Dismissal

Dismissal is an involuntary separation in accordance with Article XI (Disciplinary Action).

SECTION 7.0 Layoff

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's past performance, the needs of the City, and seniority in determining those employees to be retained. Employees who are laid off because of a reduction in force will be given proper notice and/or separation pay, as may be determined by the City Manager in accordance with each employee's prior record of service. See Section 11.0 of this Article for reinstatement.

SECTION 8.0 Release

Release is the end of temporary or seasonal employment.

SECTION 9.0 Disability

An employee may be separated for reasons of disability when that employee cannot perform the required duties because of physical and/or mental impairment. Action may be initiated by the employee or the City, but in all cases it must be supported by medical evidence as certified by a competent physician. The City may require an examination at its expense and performed by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the City's service for which the employee may be suited.

SECTION 10.0 Death

Separation shall be effective as of the date of death. All compensation due in accordance with Article VIII, Section 4.4 of these Policies shall be paid to the estate of the deceased employee.

SECTION 11.0 Reinstatement

Reinstatement is the return to work of a person who was formerly employed by the City. This reinstatement may be the result of the person's completion of extended active duty with the United States military forces or for other reasons.

- a. A regular full-time employee called into extended active duty with the United States military forces shall be reinstated and credited with previous service and accrued leave and shall receive all benefits provided in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).
- b. A regular full-time employee dismissed because of reduction in force (layoff) may be reinstated within one (1) year of the date of separation, with the approval of the department head and City Manager, provided a position with the City is available. Such employees reinstated shall be credited with previous service and

accrued sick leave and may receive all benefits provided in accordance with these Policies and under supplementary rules and regulations.

The salary paid a reinstated employee shall be as close as reasonably possible, given the circumstances of each employee's case, to the salary previously attained by the employee in the salary range for the previous class of work. However, if the employee is reinstated into a position other than the one he/she was formerly employed in, then the salary shall be appropriate to his/her qualifications for that position and equitable with other employees in that classification.

- c. All other former employees who voluntarily left the City in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resources Department during the recruitment process, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, where required. Hiring managers must obtain approval from the Director of Human Resources or his or her designee prior to rehiring a former employee. Upon the approval of reappointment, the former employee shall begin as any other new employee, with no credit for previous accruals or years of service.
- d. The salary paid a reinstated employee under c. shall be the minimum salary established for the pay grade, unless a higher salary is requested by the department head and approved by the Director of Human Resources and the City Manager. The City of Greenville is under no obligation to pay the salary that the employee last received prior to his or her separation from the City of Greenville.

ARTICLE XI DISCIPLINARY ACTION

SECTION 1.0 **Policy**

It is the policy of the City of Greenville to encourage fair, efficient, and equitable solutions for problems arising out of the employment relationship. The purpose of this policy is to set and maintain standards of performance and conduct within the City, and in doing so, ensure that all employees are treated fairly and consistently. It is designed to help and encourage all employees to achieve and maintain satisfactory standards of performance and conduct.

All employees are responsible for acquainting themselves with performance criteria for their particular job, along with rules, procedures, and standards of conduct established by their department, and maintain standards of performance and conduct suitable and acceptable to the work environment.

SECTION 2.0 **Scope**

This policy shall apply to all City employees who have successfully completed the initial probationary period.

SECTION 3.0 **Definitions**

(a) *Active Written Warning* - A written warning is active for a period of twenty-four (24) months after being issued. After twenty-four (24) months of satisfactory job performance as documented by a satisfactory performance evaluation, the written warning shall become inactive and is not to be used as the basis for any human resources action from that point forward. Any additional active written warning received during the 24-month period will extend the active period of the initial warning by the full period of the subsequent warning(s). Serious disciplinary actions (i.e., suspension without pay, demotion, dismissal) shall not be expunged.

(b) *Current Unresolved Incident* - A current act of unsatisfactory job performance, detrimental personal conduct, or negligence in the performance of duties for which no disciplinary action has previously been taken.

(c) *Demotion* - Demotion is an involuntary movement from a higher level position to a lower level position for disciplinary reasons, with a corresponding permanent reduction in pay. The salary of an employee demoted to a position in a class with a lower pay range shall be adjusted to the maximum of the new pay range or to 5% below the former salary, whichever is lower.

(d) *Disciplinary Probation* – Disciplinary probation may be used alone or in conjunction with written warnings regarding misconduct issues of the employee that have not been resolved by counseling and/or warnings (both oral and written). The disciplinary

probation status serves as a period of formal notice to an employee that a problem exists which may jeopardize continued employment with the City.

(e) *Disciplinary Suspension Without Pay* - A disciplinary suspension without pay is the removal of an employee from work for disciplinary reasons without paying the employee. A disciplinary suspension without pay shall be of a length determined appropriate based on the circumstances, but in any case not less than eight (8) hours nor more than ten (10) consecutive workdays.

(f) *Dismissal* - Dismissal is a decision to separate the employee from employment for documented failure to achieve and maintain satisfactory performance, for an unresolved incident of detrimental personal conduct, or for an unresolved incident of negligence in the performance of duties.

(g) *Performance Probation* – Performance probation may be used when the employee’s performance continues to remain unsatisfactory after counseling or written warnings, when performance evaluations are unsatisfactory, or performance requires significant improvement.

(h) *Pre-Disciplinary Conference*. A pre-disciplinary conference is a meeting between the department head, a Human Resources Department representative as an observer, and the employee who may be subject to disciplinary action, up to and including dismissal. The employee may request a City employee be present during the conference. The conference is not adversarial and no outside third parties (non-City employee) may be present. A pre-disciplinary conference must be held before the City may demote, suspend without pay, or dismiss an employee.

(i) *Serious Disciplinary Action* - Suspension without pay, demotion, and dismissal shall be considered serious disciplinary actions. A written warning is not considered a serious disciplinary action.

(j) *Written Warning* - A written warning is a disciplinary action that may be used as a first step in the disciplinary process based on unsatisfactory job performance or minor conduct issues.

SECTION 4.0 Basis for Disciplinary Action

Offenses constituting grounds for disciplinary action include, but shall not be limited to, the following major categories:

- a. Unsatisfactory Job Performance
- b. Detrimental Personal Conduct
- c. Negligence in the Performance of Duties

a. Unsatisfactory Job Performance - Work-related performance that fails to satisfactorily meet job requirements as set out in the relevant job description, work plan, or as directed by the department head or his/her designee is deemed

unsatisfactory job performance. The following are examples of unsatisfactory job performance:

- i. Absence without approved leave;
- ii. Repeated improper use of leave privileges;
- iii. Habitual pattern or failure to report for duty at the assigned time and place;
- iv. Failure to complete or submit work within time frames established in work plan or work standards;
- v. Poor quality of work;
- vi. Insufficient quantity of work;
- vii. Physical or mental incapacity to perform duties after reasonable accommodation;
- viii. Discourteous treatment of the public or other employees.

Note: The above are intended to be examples, not an exhaustive list, of the types of conduct considered to be unsatisfactory job performance.

b. Detrimental Personal Conduct – Detrimental personal conduct includes, but is not limited to, behavior of such a serious detrimental nature that the functioning of the City may be or has been impaired; the safety of persons or property may be or has been threatened; or the laws of the federal, state, or local government may be or have been violated. Detrimental personal conduct is intentional behavior, rather than inadvertent or negligent behavior. The following are examples of detrimental personal conduct:

- i. Fraud or theft;
- ii. Communication or acts of threats or violence in the workplace;
- iii. Harassing of an employee(s) and/or the public with threatening or obscene language and/or gestures;
- iv. Possession of firearms or other lethal weapons on the job, unless required to possess the firearm or weapon as part of the employee's job duties with the City of Greenville;
- v. Request or acceptance of gifts in exchange for favors;
- vi. Harassment of an employee(s) and/or the public on the basis of sex or any other legally protected class status;
- vii. Retaliation against an employee for using the City's grievance procedure or engaging in protected activity, as defined by equal employment laws;
- viii. Reporting to work under the influence of alcohol or drugs or partaking of such while on duty. Prescribed medication may be taken within the limits set by a physician as long as medically necessary;
- ix. Falsification of official City records;
- x. Willful violation of known or written work rules;
- xi. Insubordination - the willful failure or refusal to carry out a reasonable order from an authorized supervisor;
- xii. Conviction of a felony or an offense that is detrimental to or impacts the employee's service to the City;
- xiii. Wanton or careless disregard of the safety, personnel, performance, work rules, or policies of the City or department to which the employee is assigned;

- xiv. Conduct for which no reasonable person should expect to receive a prior warning.

Note: The above are intended to be examples, not an exhaustive list, of the types of conduct considered to be detrimental personal conduct.

c. Negligence in the Performance of Duties - Failure to satisfactorily perform job requirements as set out in the job description, work plan, or as directed by supervision; and, the act or failure to act causes, may cause, or results in:

- death or bodily injury or creates conditions that increase the chance for death or bodily injury to an employee(s), to members of the public, or to a person(s) for whom the employee has responsibility; or
- the loss of or damage to City property or funds that results in an adverse impact to the operations of the City and/or the employee's work unit.

The following are examples of negligent job performance:

- i. Operation of City equipment in such a way that results in an accident, with or without injury to persons or property damage; for example, while driving a City vehicle or operating City equipment, use of a cell phone causes lack of attention that results in an accident;
- ii. Lack of attention that causes damage or a loss of funds to the City.

Note: The above are intended to be examples, not an exhaustive list, of negligent job performance behaviors.

SECTION 5.0 Procedure for Implementing Disciplinary Action

Before taking any disciplinary action, the supervisor or department head shall discuss the proposed disciplinary action with Human Resources Department (HRD) management personnel. Supervisors and department heads shall have HRD management personnel review any letter of disciplinary action, including a written warning, before it is discussed with and provided to the employee. Supervisors and department heads shall use the Serious Disciplinary Action Checklist in evaluating whether to proceed with serious disciplinary action against an employee. No regular full-time employee may be disciplinarily terminated until after a pre-disciplinary conference and with the review and approval of the City Manager or his/her designee.

SECTION 6.0 Discipline for Unsatisfactory Job Performance

Discipline for unsatisfactory job performance is progressive. This means the employee should be notified of the deficiency and provided an opportunity to correct the deficiency and improve performance prior to the initiation of disciplinary action. Though not exhaustive or mandatory, the following should be considered and, where appropriate, used to address unsatisfactory performance:

1. Prior to the issuance of a written warning, the supervisor must have already

- counseled the employee of his or her unsatisfactory job performance and recommended specific areas for improvement. A written record of the counseling must be completed and retained within the employee's departmental file and submitted to Human Resources along with the written warning for inclusion in the employee's personnel file.
2. A department head may discipline any employee under his/her supervision for unsatisfactory job performance at any time. The first step of discipline for unsatisfactory job performance is the issuance of a written warning.
 3. A written warning may be preceded by a rating of below acceptable (or other less than satisfactory rating) in the most recent performance evaluation. Should this occur, no discipline may take place until the employee has been given a written performance improvement plan (PIP) and has failed to demonstrate the required correction through the PIP. The PIP must include the time frame within which the employee has to show improved performance. A maximum of 90 days is considered a reasonable timeframe for performance improvement. The PIP must state the consequences of failing to make the required improvements or correction (i.e., further disciplinary action, dismissal, etc.).
 4. It is not required that a written warning be preceded by a rating of below acceptable in the most recent performance evaluation. Unsatisfactory job performance may occur between performance evaluations. However, supervisors should understand that prior evaluations that are inconsistent with discipline for unsatisfactory performance will need to be put into context. The supervisor must be able to document in writing why prior evaluations were inconsistent with the asserted unsatisfactory performance. *For illustrative purposes only: if an employee received all outstanding or above standard ratings on the previous evaluation(s) and the supervisor asserts the employee has since established a pattern of unsatisfactory performance, the supervisor must justify with documentation why the proposed action is appropriate at this time.*
 5. If an employee has an active written warning, further disciplinary action for unsatisfactory job performance may be disciplinary suspension without pay or demotion. After an employee has two active disciplinary actions of any kind for unsatisfactory job performance, the next disciplinary action may be dismissal.
 6. Before disciplining an employee for unsatisfactory job performance, the following should be considered. It is not mandatory that each of the listed actions be taken before disciplinary action is taken when the circumstances are such that the actions are not appropriate. Supervisors and/or department heads need to be able to support why a different course of action is appropriate for the particular case in question.
 - a. Written Warning
Before issuing a written warning for unsatisfactory job performance, the supervisor must show a current unresolved incident of unsatisfactory job performance.

b. Disciplinary Suspension Without Pay

The following guidelines should be used, where appropriate, before a disciplinary suspension without pay for unsatisfactory job performance is imposed:

1. a current unresolved incident of unsatisfactory job performance; **and**
2. at least one prior active warning or other disciplinary action for unsatisfactory job performance, detrimental personal conduct, or negligence in the performance of duties; **and**
3. a pre-disciplinary conference.

A disciplinary suspension without pay is a minimum of 8 hours and a maximum of one (1) workweek for unsatisfactory performance.

NOTE: Only employees classified as non-exempt under the Fair Labor Standards Act (FLSA) may be suspended without pay for unsatisfactory job performance. FLSA exempt employees may NOT be suspended without pay for unsatisfactory job performance.

c. Demotion

The following guidelines should be used, where appropriate, before a demotion for unsatisfactory job performance is imposed:

1. a current unresolved incident of unsatisfactory job performance; **and**
2. at least one prior active warning or other disciplinary action for unsatisfactory job performance, detrimental personal conduct, or negligence in the performance of duties; **and**
3. a pre-disciplinary conference.

d. Dismissal

The following guidelines should be used, where appropriate, before a dismissal for unsatisfactory job performance is imposed:

1. a current unresolved incident of unsatisfactory job performance; **and**
2. at least two prior active warnings or other disciplinary actions for unsatisfactory job performance, detrimental personal conduct, or negligence in the performance of duties; **and**
3. a pre-disciplinary conference; **and**
4. the City Manager concurs with the proposed action of dismissal.

Note: HRD management personnel is available to assist supervisors and department heads with investigating potential disciplinary action, reviewing precedent for taking (or not taking) disciplinary action, and developing disciplinary documents.

SECTION 7.0 Discipline for Detrimental Personal Conduct and Negligence in the Performance of Duties

Discipline imposed for detrimental personal conduct or negligence in the performance of duties is not progressive. That means that, depending on the severity of the occurrence, the employee's employment history with the City, and precedential actions

with similar occurrences, the City may impose serious disciplinary action up to and including dismissal without the requirement of any prior existing disciplinary action.

NOTE: As an example of the type of negligent performance that this policy addresses, a City employee who is determined to be at fault in an accident in a City vehicle while on the job may be disciplined for negligence in the performance of duties. The severity of the discipline imposed should be based on the degree to which the employee was responsible for the accident, the severity of the damage to the vehicles involved, whether there were any injuries to the employee or other persons, and whether or not the employee has had previous accidents in a City vehicle.

Before an employee can be dismissed for detrimental personal conduct or negligence in the performance of duties, the City Manager or his/her designee must have reviewed the circumstances and approved the dismissal.

HRD management personnel is available to assist supervisors and department heads with investigating potential disciplinary action for detrimental personal conduct or negligence in the performance of duties, reviewing any precedent for taking (or not taking) disciplinary action, and developing disciplinary documents.

NOTE: Only FLSA non-exempt employees may be suspended without pay for negligence in the performance of duties for periods of less than one full workweek. FLSA exempt employees MAY be suspended without pay for negligence in the performance of duties for a period of one full workweek. FLSA exempt employees MAY be suspended without pay for any period allowed by this policy for detrimental personal conduct.

SECTION 8.0 The Pre-Disciplinary Conference

Where serious disciplinary action is proposed, a pre-disciplinary conference must take place. A pre-disciplinary conference must be held in accordance with these requirements:

- a) The supervisor or department head considering serious disciplinary action must discuss the recommendation with HRD management personnel. If the supervisor or department head is considering demotion, suspension without pay, or recommending dismissal, the Serious Disciplinary Action Checklist must be filled out and discussed with HRD management personnel. If HRD management personnel determines, based on the available information, that serious disciplinary action should not go forward, the City Manager or his/her designee may approve conducting a pre-disciplinary conference.
- b) The supervisor or department head must provide the employee with written, advance notice of the date, time, location, and reason(s) for the pre-disciplinary conference. This notice should inform the employee that his/her attendance at the pre-disciplinary conference is not mandatory, but that this conference is the employee's opportunity to provide information to be used in the City's decision.

- c) Persons in attendance at the pre-disciplinary conference are:
 - The employee;
 - The supervisor and/or department head;
 - A representative of the Human Resources Department whose role is that of observer;
 - The employee may request a co-worker be present during the conference. The representative must be a City employee and not an outside third party. The conference will not be delayed if the representative is not available on the date of the conference.

- d) The supervisor or department head, during the conference, must give to the employee oral or written notice of the recommendation for disciplinary action including the specific reason(s) for the proposed disciplinary action and a summary of the facts supporting the recommendation for disciplinary action.

- e) The supervisor must then give the employee an opportunity to respond with information regarding the recommended disciplinary action, offer facts that are different from those offered by management, and offer facts in support of the employee's case. The employee has the opportunity to respond, but is not required to respond if he/she chooses not to do so.

- f) Following the conference the department head shall:
 - 1. Suspend the employee with pay pending a decision;
 - 2. Review and consider the response of the employee and make a decision on the recommended disciplinary action;
 - 3. Communicate the decision not earlier than the start of the next business day after the conference. The decision should be communicated within a reasonable period of time, not to exceed ten (10) calendar days.

- g) If the City's decision is to take disciplinary action, it must provide the employee with a letter setting out:
 - 1. The specific reasons for the disciplinary action taken;
 - 2. The effective date of the disciplinary action; and
 - 3. The employee's right to appeal this action in accordance with the City's Grievance Procedure, if applicable.

The effective date of the disciplinary action shall be no sooner than the date of the written notice of the action.

SECTION 9.0 Right to Appeal Action in Accordance with the City's Grievance Procedure

Any employee subject to this policy who has been demoted, suspended without pay, or dismissed has the right to appeal the action through the City's Grievance Procedure. In addition to the specific reasons for the disciplinary action, the letter of demotion, suspension without pay, or dismissal shall include the time limit for filing a grievance, a

copy of the City's Grievance Procedure, and information on how to contact the Human Resources Department. The time for filing a grievance as a result of serious disciplinary action does not start until the employee receives a written notice of his/her appeal rights. Grievances filed after the ending date of the filing period set out in the grievance procedure shall be dismissed and not processed.

SECTION 10.0 Special Provision: Failure to Meet or Maintain Required Conditions of Employment

An employee may be suspended, demoted, transferred, placed on disciplinary probation, or dismissed for causes relating to employment qualifications and standards which are not met or maintained. Representative of such conditions of employment are requirements concerning residency, certifications or licenses, education and training levels, physical/mental condition or appearance, or any other condition stipulated in an employment or subsequent agreement.

SECTION 10.1 Credentials

By statute, regulation, and City policy, some duties assigned to City positions may be performed only by persons who are duly licensed, registered, or certified as required by relevant law or policy. These requirements are specified in the list of qualifications for classifications in the City's Position Classification plan.

A. Obtaining And Maintaining Credentials

Employees in such classifications are responsible for obtaining and maintaining current, valid credentials as required by law, rule, or regulation. Failure to obtain or maintain the required credentials constitutes a basis for immediate dismissal without prior warning, consistent with dismissal for detrimental personal conduct or negligence in the performance of duties. An employee who fails to obtain or maintain required credentials may be dismissed without prior warning following a pre-disciplinary conference. An employee who has completed the probationary period and is dismissed on this basis shall be given a written letter of dismissal with the specific reason for the dismissal and written notice of the right of appeal.

B. Falsification of Credentials

Falsifying employment credentials or other documentation in connection with securing employment shall be grounds for immediate dismissal without prior notice.

SECTION 11.0 Non-Disciplinary Suspension

During the investigation, hearing, or trial of an employee on any criminal charge, or during required substance abuse screenings, the City Manager may suspend the employee for the duration of the proceedings as a non-disciplinary action. In such cases, based upon the circumstances involved, the City Manager may:

- a. Relieve the employee temporarily of all duties and responsibilities and allow the employee no compensation or leave privileges for the period of

suspension. If the suspension is ended by full reinstatement of the employee, the City Manager may authorize full or partial recovery of pay and benefits for that period of suspension. At the discretion of the City Manager or his/her designee, the employee may be placed on paid administrative leave during the suspension period. If the suspension is ended by a disciplinary suspension, demotion, transfer, or dismissal, procedures as stated in this Article shall be applied, and there shall be no recovery of pay and benefits for the period of the non-disciplinary suspension without pay; or

- b. Assign the employee new duties and responsibilities and allow the employee to receive such compensation as is in keeping with the new duties.

During the course of any civil trial or internal investigation, the City Manager or his/her designee may place the employee on administrative leave with pay during the pendency of the proceedings or investigation. Such leave shall not be considered a disciplinary suspension. As an alternative, based on the circumstances involved, the City Manager may authorize the employee be relieved of current duties and responsibilities and reassigned temporary duties as directed by the Department Head. Such action shall not be considered as a disciplinary probation or demotion.

ARTICLE XII GRIEVANCE PROCEDURE

SECTION 1.0 Purpose

The purpose of this procedure is to provide the City of Greenville and its employees a fair, effective, and prompt method of resolving an employee's complaint with the City.

SECTION 2.0 Policy

It is the policy of the City to provide a means whereby employees may freely discuss problems with supervisors and to provide a procedure for the presentation and mutual adjustment of points of disagreement that arise between employees and their supervisors. This grievance procedure is designed to assure all employees that their grievances will be answered and decided fairly, quickly, and without reprisal or threat.

The grievance procedure does not apply to employees completing their initial probationary period.

SECTION 3.0 Definitions

The following are definitions used in this procedure:

Days: Whenever used in this procedure, "days" shall mean calendar days, not working days. If a deadline for appealing or taking any action under this procedure falls on a weekend or holiday, the deadline shall move to the next business day for the City.

Grievability Determination: When the question of whether or not an employee has just cause for a grievance cannot be satisfactorily resolved at the department head level, the employee may make a request for a ruling on grievability from the Director of Human Resources, who shall respond within two (2) complete working days of the request. Decisions of the Director of Human Resources concerning the grievability of a complaint may be appealed to the City Manager or his or her designee within two (2) complete working days of receipt. The City Manager or his/her designee shall make a ruling within five (5) complete working days and shall notify the employee in writing. The decision of the City Manager or his or her designee shall be conclusive and final, and there shall be no further appeal.

Grievance: A grievance shall be defined as a complaint or dispute of an employee relating to his/her employment, including but not limited to:

- (1) application of policies governing personnel practices;
- (2) working conditions relevant to safety and health;
- (3) acts of retaliation as the result of utilizing the grievance procedure;

(4) decisions of the City relative to disciplinary suspension without pay, demotion, or dismissal; or

(5) an allegation of prohibited discrimination, including allegations of harassment or retaliation as defined by federal or state equal employment laws (*note: a grievance alleging prohibited discrimination, harassment, or retaliation will be conducted in accordance with the City's EEO Policy*).

Any other issue shall not be considered a grievance, although the "open door" policy of City departments may be utilized for such non-grievable concerns.

Grievant: A grievant is either a current or former employee who has timely filed a grievance under this procedure that is within the authority of the procedure to deal with.

Management Representative: As used in this procedure, a management representative is any person selected by the grievant's department head to represent the department. It may be the department head or any other person in the department chosen by the department head.

Non-grievable issues: Non-grievable issues include:

- (1) the negotiation of wages, salaries, or fringe benefits;
- (2) performance evaluation ratings;
- (3) any work activity accepted by the employee as a condition of employment;
- (4) operating and/or organizational changes adopted by the City for the efficient and economical operation of City services, including but not limited to hours of work, licenses and certifications, residency requirements, work assignments including temporary assignments, and other specified conditions of employment;
- (5) denial of promotion or transfer (unless due to illegal discrimination, harassment, or retaliation);
- (6) disciplinary actions of less severity than suspension without pay, demotion, or dismissal (e.g., oral or written warnings, performance improvement plans, etc.); and
- (7) subjects covered by existing regulations or established personnel policies and procedures.

Non-grievable complaints may, however, be provided customary administrative review through the "open door" policy outside the scope of this grievance procedure.

Open Door Policy: This is an informal first step by which any employee may bring an issue to his/her supervisor's attention verbally and without documentation. Many

problems may be resolved by an informal meeting at which an opportunity for discussion of issues is permitted. Employees are therefore encouraged to first discuss their complaints with the person closest to the problem. The Open Door Policy is informal and optional; it may be bypassed by the grievant. No negative consequences shall occur when an employee chooses to utilize the Open Door Policy.

The Human Resources Department has an open door policy and encourages employees to contact Human Resources Department management personnel if they have questions related to City personnel policies or other matters.

SECTION 4.0 Filing a Grievance and Steps in Grievance Procedure

- a. Filing a Grievance. An employee or former employee shall begin the grievance process by filing a written grievance request with the Director of Human Resources within fifteen (15) days of the occurrence or decision the employee is grieving. After determining that the grievance is a grievable issue and that it has been filed in a timely fashion, the Director of Human Resources shall forward to the employee's department head all information received relating to the grievance.
- b. Step 1 – Review by Employee's Department Head. The first step of the grievance procedure will be to the employee's department head. The department head shall make a decision within ten (10) days and shall notify the employee in writing. The employee shall sign and date a copy of the department head's response to acknowledge receipt. This copy shall be sent to the Human Resources Department as part of the record of the grievance.
- c. Step 2 – Hearing by Personnel Appeal Review Committee, Decision by City Manager. If the grievance is not resolved to the satisfaction of the employee during Step 1, the employee may appeal by giving notice to the Director of Human Resources within five (5) days after receipt of the department head's response. The Director of Human Resources shall assemble a panel of three (3) City employees from a pool approved by the City Manager and who are trained in conducting employee grievance hearings. This pool is the Personnel Advisory Review Committee.

A hearing before the Personnel Advisory Review Committee is available only for grievances involving disciplinary demotions, suspensions without pay, or dismissals. Any other grievance issue will go from the department head to a review by the City Manager or his/her designee which will be the final decision of the grievance procedure.

SECTION 5.0 Personnel Advisory Review Committee

In January of each year, the Director of Human Resources will recommend a list of at least fifteen (15) City employees to the City Manager to be appointed as members of the Personnel Advisory Review Committee (Committee). The Director of Human Resources may use any method for assembling this pool, including calling for volunteers, asking for nominations, and seeking names from department heads. The City Manager will

choose at least ten (10) employees to be Committee members for at least one (1) calendar year. Once the City Manager has named the Committee members, the Director of Human Resources is responsible for seeing these persons receive training in participating in grievance hearings and in making recommendations to the City Manager in employee grievances. The Director of Human Resources is responsible for seeing that the list of recommended members includes persons from as many City departments as possible, includes both supervisory and non-supervisory employees, and is representative of the diversity of the City's workforce.

No employee of the City who has participated in making a decision adverse to the aggrieved party during any level of the grievance procedure may serve on the Committee. No employee of the Human Resources Department or City Attorney's Office shall be eligible or appointed to sit as a member of the Committee.

SECTION 5.1 Appointment of the Committee

Once the Director of Human Resources has received a request from a grievant for a Personnel Advisory Review Committee hearing, the Director of Human Resources shall choose three (3) members from the Committee roster approved by the City Manager to hear the grievance. The committee should contain at least one (1) supervisory member; no member from the grievant's home department/division shall be appointed to hear the grievance. The Director of Human Resources will notify the grievant of the Committee members. The grievant has three (3) days in which to strike any member of the Committee he/she deems inappropriate for any reason. If the grievant strikes a Committee member, then the Director of Human Resources shall appoint a new member. No further strikes are allowed.

SECTION 5.2 Representation of Parties at the Hearing

The grievant may choose any other City employee, except a supervisory level employee from his or her department, to assist him/her at the Committee hearing. Such assistance shall not include presenting or representing the grievant during the hearing. The grievant's department head shall choose someone to represent the department, or may choose to represent the department himself/herself. If an employee chooses to be represented by an attorney, the City will be represented by an attorney during the PARC process.

SECTION 5.3 Conducting the Hearing

Within three (3) working days of appointment, the board will review the written documentation and any other material it deems relevant to the issue. The Director of Human Resources will appoint a chair for the committee. The chair of the committee, the Director of Human Resources, and the grievant will work together to establish a date, time, and location for the hearing. The Committee will conduct the hearing with all involved parties in attendance, although its recommendation may be made after adjournment of the hearing. The Committee shall make a recommendation in writing within five (5) days of the conclusion of the hearing and shall be sent to the City Manager and both parties. The decision of the Committee is a recommendation to the

City Manager, who is not required to follow the Committee's recommendation(s). However, if the City Manager should overrule the recommendation of any Personnel Advisory Review Committee, he/she must state the reason in writing in the final decision. The City Manager shall render a decision in writing within ten (10) days of receiving the Committee's report, unless an extension is approved.

SECTION 5.4 *Finality of Decision*

The decision of the City Manager or his/her designee shall be conclusive and final, and there shall be no further appeal.

SECTION 6.0 **No Conflict**

No decision or determination of any grievance at any level in this procedure shall in any way conflict with the City policies, ordinances, or applicable statutes.

SECTION 7.0 **Education**

The Director of Human Resources shall include as part of the City's new employee orientation program such instruction as may be needed to acquaint all new employees with this Article. The Director of Human Resources shall provide training to members of the Personnel Appeal Review Committee as soon as possible after their appointment by the City Manager.

SECTION 8.0 **Role of the Director of Human Resources in the Grievance Process**

Throughout the grievance process, the Director of Human Resources shall:

- (1) advise parties, including employee, supervisors, and City Manager, of their rights and responsibilities under this procedure;
- (2) be a clearinghouse for information and decisions in the matter;
- (3) give notices to parties concerning timetables of the process, etc.;
- (4) assist employees and supervisors in drafting statements;
- (5) resolve conflicts in the procedures; and
- (6) help locate resources as needed.

The Director of Human Resources shall be the official recordkeeper for all grievances, documents, filings, and decisions in this procedure. The Director of Human Resources shall determine whether or not additional time shall be allowed to either side in unusual circumstances if the parties cannot agree upon extensions when needed or indicated. The Director of Human Resources shall also provide any administrative assistance required by the Personnel Advisory Review Committee during the pre-hearing, hearing, and post-hearing portions of the grievance.

Section 9.0 **No Retaliation**

It is prohibited for any employee of the City of Greenville to retaliate, whether directly or

indirectly, against any City employee who has participated in any way in a grievance in this procedure. Any person who has been found to have retaliated in any way against a City employee for his/her participation in any form in a grievance under this procedure shall be subject to disciplinary action up to and including dismissal.

Section 10.0 Report to City Manager

On an annual basis, at a date to be established by the City Manager, the Director of Human Resources shall provide a report to the City Manager on grievance activity in the City during the previous calendar year. The City Manager and the Director of Human Resources shall establish the content of the report.

ARTICLE XIII USE OF SOCIAL MEDIA AND CITY RESOURCES

SECTION 1.0 Purpose

The purpose of this policy is to provide direction and guidelines to City departments and employees in the appropriate use of social media on behalf of the City of Greenville.

SECTION 2.0 Policy

City of Greenville departments may utilize social media and online social media sites to further enhance communications with various stakeholder organizations and members of the public in support of City goals and objectives. City officials and City organizations have the ability to publish articles, facilitate discussions, and communicate information through various media related to conducting City business. Social media facilitates further discussion of City issues, operations, and services by providing members of the public the opportunity to participate in many ways using the Internet.

SECTION 3.0 Scope

This policy applies to all employees in all departments of the City of Greenville.

SECTION 4.0 Definitions

The following terms are defined as provided below:

Blog. An abridgment of the term web log; a website with regular entries (or posts) of commentary, descriptions of events, or other material such as graphics or video

city. The geographical location known as Greenville

City. The municipal government of Greenville

City of Greenville Author. An authorized administrator who creates and is responsible for posting information on social media sites.

City of Greenville Moderator. An authorized City of Greenville official who reviews, authorizes, and allows content submitted by City of Greenville authors and public commentators to be posted to a City of Greenville social media site

Comment. A response to a City of Greenville post or social media content submitted by a commenter

Commenter. A City of Greenville official or member of the public who submits a comment for posting in response to the content of a particular City of Greenville article or social media content

Post. An original placing of content to a City of Greenville social media site by a City of Greenville author

Social media. Content created by individuals using accessible and scalable technologies through the Internet. Examples of social media include Facebook, blogs, Myspace, YouTube, Second Life, Twitter, LinkedIn, Delicious, Flickr, etc.

SECTION 5.0 Procedure

The following guidelines are established for use of social media for the City of Greenville.

Approval of Social Media Sites. All City of Greenville social media sites shall be (1) approved by the Communications Manager/PIO and the requesting department head or his/her designee; (2) published using approved City social media platforms and tools; and (3) administered by the Communications Manager/PIO or the designee of the requesting department head. Designees can be any department employee or volunteer designated by the requesting department head that has a complete understanding of this policy and has appropriate content and technical experience.

Applicability of Relevant Laws. All City of Greenville social media sites shall adhere to applicable City, State, and Federal laws, regulations, and policies including Information Technology and Records Management, public records, and e-discovery.

Public Records. City of Greenville social media sites are subject to the North Carolina public records laws and records retention laws. Requests for services are to be referred by staff to appropriate channels owned and operated by the City (such as City email or WebDAV), which can better retain records than public social media sites (such as Facebook, Twitter, and other sites). All City social media sites shall clearly indicate that all content posted or submitted for posting is subject to public disclosure.

Complaints. When dealing with a complaint, if a resolution is not easy to come by, the complaining party shall be directed to either a City email address or a telephone number to better serve the resident and resolve the issue.

Content. Content must reflect the City's official position on topics, not an employee's personal view. The content and records maintenance of each City of Greenville social media site shall be the sole responsibility of the department producing and using it.

Official Site Identification. Each City of Greenville social media site shall include an introductory statement that clearly identifies the site as an official site of the City of Greenville. Where possible, social media sites are to link back to the official City of Greenville website for forms, documents, and other information or correspondence. All City of Greenville social media sites shall clearly indicate they are maintained by the City of Greenville and shall have City of Greenville contact information prominently displayed.

Family Friendly. City of Greenville social media sites must be “family friendly”. All content and comments containing any of the following forms of content shall not be allowed and shall be removed by the site’s administrator, who may also ban that person from further posting:

- a. Profane language or content
- b. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation/identity
- c. Sexual content or links to sexual content
- d. Solicitations of commerce
- e. Conduct or encouragement of illegal activity
- f. Spam
- g. Information that may tend to compromise the safety or security of the public or public systems
- h. Content that violates a legal ownership of any other party

The following forms of content may be removed at the discretion of the site’s administrator:

- a. Comments not specifically about the posting or blog article being commented upon
- b. Content posted by anonymous posters or those using a fake moniker
- c. Where appropriate, City Information Technology (IT) security policies shall apply to all social media sites.

SECTION 6.0 Training

The Communications Manager/PIO shall provide training to all City social media moderators/administrators regarding the terms of this policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy. Training will be held at least twice annually. A primer will be presented for new users, and a refresher class will be available for current users.

SECTION 7.0 Reporting

The Communications Manager/PIO shall compile an annual report on social media use of each department and submit it to the Assistant City Manager on or before June 30th of

each year. Said report shall conform to the form prescribed by the Assistant City Manager. At a minimum, the report should provide an assessment of the effectiveness of social media use, opportunities for improvements, and a report on social media training provided.

SECTION 8.0 Social Media Guidelines for Employees

The City of Greenville understands that online social media has become a common form of communication. Employees who choose to participate in online social media should adhere to these guidelines. Items and comments posted on the Internet live on forever and could have serious repercussions on an individual's employment as well as the City of Greenville's image and/or ability to provide quality services to our residents. The following guidelines apply to the use of social media as a City employee:

- a. Departments have the option of allowing employees to participate in approved social media sites as part of their job duties. Department heads may allow or disallow employee participation in any social media activities in their departments.
- b. Use of a City e-mail address and communicating in the official capacity of a City position will constitute conducting City business.
- c. City policies, rules, regulations, and standards of conduct apply to employees who engage in social media activities while conducting City business.
- d. Employees representing the City government via social media sites must conduct themselves at all times as a representative of the City and in accordance with all personnel administrative and operating procedures and policies.
- e. Employees should identify themselves as a City employee and ensure the profile and related content are consistent with how you wish to present yourself to colleagues, citizens, and other stakeholders.
- f. Employees should protect their personal privacy, the privacy of citizens, and the information the City holds. Follow all privacy protection laws, e.g., HIPAA, and protect sensitive and confidential City information.
- g. Do not disclose any information that would jeopardize the safety of City staff or the disclosure of personal or confidential information.
- h. Protect sensitive information that could jeopardize ongoing City activities and investigations, particularly in Police and Fire/Rescue.
- i. Follow all copyright laws, public records laws, retention laws, fair use and financial disclosure laws, and any other laws that might apply to the City or a functional area of the City.

- j. Do not cite vendors, suppliers, citizens, co-workers, or other stakeholders without their approval. Further, employees shall not promote or endorse or criticize any vendor, contractor, or supplier. Any social media content must be neutral in that regard.
- k. Do not use ethnic slurs, personal insults, or engage in any conduct that would not be acceptable in the City's workplace. Avoid comments or topics that may be considered objectionable or inflammatory.
- l. Use good writing basics such as grammar and spelling.
- m. Correct mistakes and do not alter previous posts without indicating that a change has been made. Frame any comments or opposing views in a positive manner. If there are questions about how to do this, contact the Communications Manager/PIO for guidance.
- n. Add value to the City of Greenville through your interaction. Provide worthwhile information and perspective.
- o. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

SECTION 9.0 Use of Social Media as a Private Citizen (on personal sites)

Employees should observe the following guidelines when participating in social media not as an employee of the City of Greenville, but as a private citizen:

- a. If an individual/group posts comments about City business on your personal site, please refer them to the official City sites, phone numbers, or email addresses. In order to ensure compliance with open records and records retention laws, do not conduct City business on your personal site. Use of a personal site for City business will likely make that site subject to the same public disclosure and other standards as the City's official business social media sites.
- b. Do not use City seals, logos, or other identifiers known to represent the City or City website on your personal site or any site that is not an official City site.
- c. It is recommended that you do not make posts about the City on your personal site. However, if you choose to post about the City and its employees, it is required that you make it clear that you are speaking for yourself and not on behalf of the City of Greenville. If you publish content that is related to the work you do or subjects associated with the City, you should use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the City of Greenville's positions or opinions." Items related to City business, even on a personal site, can be subject to North Carolina public disclosure laws, and any content that violates City rules, regulations, or laws

may be cause for disciplinary action, up to and including termination.

- d. Do not post pictures of yourself in a City uniform, on City equipment, or in settings that are easily identifiable with the City of Greenville that would reflect negatively on the City. Postings that reflect negatively on the City will be categorized as detrimental personal conduct and subject to disciplinary action.

[Sections 10.0 – 11.0 Reserved]

ARTICLE XIV TRAVEL

SECTION 1.0 Travel Authorization

Travel on official business must be pre-approved and conducted in accordance with the City of Greenville Travel Procedures.

SECTION 2.0 Mileage

City employees traveling on official business are encouraged to use a City vehicle whenever practical. Travel reimbursement shall follow the rate schedule below:

- a. Travel by official City vehicle - City pays total cost of operation and maintenance.
- b. Travel by personal vehicle - City pays a uniform rate per mile to cover all costs incidental to travel. This rate shall be established and periodically revised by the City Manager based on the rate set by the Internal Revenue Service.
- c. Travel by public conveyance - City pays actual cost of fare.
- d. Mileage for travel will be paid only for the shortest usually traveled route plus mileage related to official business activity.

SECTION 3.0 Living Expenses

Living expenses, other than meals, will be authorized only for trips lasting overnight or longer.

Employees will be expected to commence the return trip to Greenville as soon as practical after the conclusion of their business, except that no employee will be expected to depart between the hours of 10:00 p.m. and 7:00 a.m.

Personnel traveling away from Greenville on official business will be compensated for all living expenses paid for out of pocket including meals, hotel/motel accommodations, tips, taxes, buses, baggage handling, etc., as well as other out-of-pocket expenses such as registration fees, tuition, tours, and other related expenses.

SECTION 4.0 Expense Accounting

Employees will be compensated for all approved expenses paid for out of pocket in accordance with the City of Greenville Travel Procedures.

SECTION 5.0 Status of Employee

When an employee is away from the job on official business or is participating in authorized training courses or authorized professional conferences and meetings, he/she will be considered as officially at work.

SECTION 6.0 Workers' Compensation

Employees and officers absent from Greenville on official business will be covered by workers' compensation insurance in accordance with the North Carolina Workers' Compensation Act and Article VII, Section 13 of this resolution.

SECTION 7.0 Determination of Hours Worked

The determination of "hours worked" for time spent in travel and training shall be computed in accordance with the provisions of the Fair Labor Standards Act and in accordance with applicable Articles of this resolution.

ARTICLE XV RECORDS AND REPORTS

SECTION 1.0 Records

Personnel records and reports, such as the Personnel Policies, Pay Plan, etc., relating to the City's personnel program shall be public records and shall be open for public inspection during the office hours at reasonable times in accordance with such procedures and guidelines as the City Manager may prescribe.

SECTION 2.0 Employee Personnel Records

The Director of Human Resources shall maintain such employee personnel records as are necessary for the proper administration of the personnel system. Each personnel file shall contain such documents as the employment application and resume, record of all personnel actions, performance evaluations, retirement and insurance records, test results, certificates of achievement, letters of recommendation and commendation, letters of reprimand, records of disciplinary action, and other documents relevant to accomplishing human resources administration purposes.

Employees will be given a copy of any written record of a disciplinary or performance counseling that is added to their personnel file. Personnel records maintained within each department are subject to the same provisions as those records maintained by the Human Resources Department. Upon an employee's termination from employment, personnel records maintained within a department are to be forwarded to the Human Resources Department.

An employee may examine all portions of his or her personnel file except those portions specifically identified in General Statute 160A-168.

In accordance with General Statute 160A-168, Privacy of Employee Personnel Records, certain personnel information noted below shall be considered public records and as such shall be open for public inspection during regular City Hall business hours.

- a. Employee information that is considered a public record and subject to public inspection includes:
 - name;
 - age;
 - date of original employment or appointment to the service;
 - the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the City of Greenville has the written contract or a record of the oral contract in its possession;
 - current position;
 - title;
 - current salary;

- date and amount of each increase or decrease in salary with the City of Greenville;
 - date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the City of Greenville;
 - date and general description of the reasons for each promotion with the City of Greenville;
 - date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the City of Greenville. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the City of Greenville setting forth the specific acts or omissions that are the basis of the dismissal; and
 - the office to which the employee is currently assigned.
- b. All other information contained in an employee's personnel file that is not noted in subsection (a) above is confidential and shall not be open to inspection except as specifically provided by GS160A-168.
- c. If an employee objects to material in his/her file on the grounds that it is inaccurate or misleading, the employee may place in the file a statement relating to the questionable material, or the employee may seek to have the material removed from his/her file by following the grievance procedure as outlined in Article XII of these Policies.

SECTION 3.0 Personnel Transactions

The Director of Human Resources shall prescribe necessary forms and reports for all personnel transactions.

<p style="text-align: center;">ARTICLE XVI CONFLICTING POLICIES</p>

SECTION 1.0 Policies Repealed

All policies and resolutions, either of a department of the City, or a City policy or resolution, that conflict with the provisions of these policies are hereby repealed.

**ARTICLE XVII
SEPARABILITY**

SECTION 1.0 General

If any provision of these policies or any rule, regulation, or order thereunder of the application of such provision to any person or circumstances is held invalid, the remainder of these policies and the application of such remaining provisions of these policies of such rules, regulations, or orders to persons or circumstances other than those invalid will not be affected thereby.

ARTICLE XVIII
ADOPTION BY RESOLUTION AND EFFECTIVE DATE

SECTION 1.0 Effective Date

These policies have been adopted by resolution by the Greenville City Council. The effective date of these policies is specified in the adopted resolution located in the appendix of this policy manual.

**ARTICLE XIX
ADMINISTRATIVE MODIFICATIONS TO COMPLY WITH FEDERAL
OR STATE CHANGES IN LABOR AND EMPLOYMENT LAWS AND
REGULATIONS**

SECTION 1.0 Amendment Provision

The City Manager may amend provisions of the City of Greenville Personnel Policies manual where modification is necessary to remain in compliance with federal or state laws and regulations. All other amendments and modifications shall be made by resolution of the Greenville City Council.



**Appendix 1: Resolution Amending the City of Greenville
Personnel Policies**

RESOLUTION NO. _____
A RESOLUTION AMENDING THE CITY OF GREENVILLE
PERSONNEL POLICIES

WHEREAS, the City of Greenville Personnel Policies were approved on June 11, 1993, by resolution; and

WHEREAS, since that time, there have been new legislation and best practices with regard to human resources management, requiring revisions to the current Personnel Policies; and

WHEREAS, City staff has completed an extensive redrafting and revision of the City of Greenville's Personnel Policies Manual which updates the policies to current laws and practices; and

WHEREAS, the City Council has considered these revised personnel policies at its workshop on August 13, 2015, and all changes have been incorporated;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, RESOLVES:

Section 1. The revised City of Greenville Personnel Policies, dated August 13, 2015, be and are hereby adopted herein by reference.

Section 2. All inconsistent provisions of former resolutions, ordinances, or policies are hereby repealed.

Section 3. This resolution shall be effective upon its adoption.

ADOPTED this the 13th day of August, 2015.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



**Appendix 2: Assignment of Classes to Salary Grades and Ranges
(Pay Plan)**



ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES

Adopted August 22, 2011 and Effective July 2, 2011
Last Amended June 27, 2015

<u>Grade</u>	<u>Salary Range</u>			<u>Position Title</u>
	<u>Min</u>	<u>Mid</u>	<u>Max</u>	
105	\$ 26,332.80	\$ 32,905.60	\$ 39,499.20	Collections Clerk Custodian Equipment Operator I/II Grounds Maintenance Technician I Grounds Maintenance Worker Laborer Library Assistant Library Clerk Parks Maintenance Technician I Refuse Collector Staff Support Specialist I
106	\$ 27,643.20	\$ 34,548.80	\$ 41,475.20	Auto Service Worker Community Services Clerk Parking Control Officer Pro Shop Associate
107	\$ 29,036.80	\$ 36,275.20	\$ 43,534.40	Animal Control Officer Equipment Operator III False Alarm Coordinator Grounds Maintenance Technician II Parks Maintenance Technician II Staff Support Specialist II
108	\$ 30,472.00	\$ 38,105.60	\$ 45,718.40	Collections Technician I Custodial Crew Leader Family Services Victims Advocate Loan Administrator Property & Evidence Technician Recreation Assistant ROW (Right-of-Way) Maintenance Technician Sanitation Crew Leader I Staff Support Specialist III Transit Driver
109	\$ 32,302.40	\$ 40,372.80	\$ 48,464.00	Building Facilities Technician I Equipment Operator IV Grounds Maintenance Technician III Lead Transit Driver Park Ranger Permit Officer Sanitation Crew Leader II Telecommunicator Traffic Control Worker
110	\$ 34,257.60	\$ 42,806.40	\$ 51,376.00	Collections Technician II-EMS



ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES

Adopted August 22, 2011 and Effective July 2, 2011
Last Amended June 27, 2015

<u>Grade</u>	<u>Salary Range</u>			<u>Position Title</u>
	<u>Min</u>	<u>Mid</u>	<u>Max</u>	
				Crime Analyst I Lead Telecommunicator Parks Crew Leader Pesticide Control Officer Senior Construction Worker
111	\$ 36,296.00	\$ 45,364.80	\$ 54,454.40	Accounting Generalist Administrative Assistant Assistant Greens Supervisor Building & Grounds Crew Leader Buyer I Code Enforcement Officer Collections Officer Communications Technician Engineering Assistant I Equipment Operator V Facilities Maintenance Supervisor HR Specialist I Librarian I Parks Program Assistant Police Technology Specialist Senior Parking Control Officer Streets Coordinator Traffic Control Crew Leader Traffic Signal Technician I
112	\$ 38,833.60	\$ 48,547.20	\$ 58,260.80	Accounting Specialist Animal Control Supervisor Building Facilities Technician II Crime Analyst II Housing Rehab Specialist IT Support Specialist I Lead Code Enforcement Officer Librarian II Parks Facilities Supervisor I Planner I Police Accreditation Coordinator Property & Evidence Custodian Senior Administrative Assistant
113	\$ 41,558.40	\$ 51,958.40	\$ 62,337.60	Administrative Services Specialist Building Facilities Coordinator Community Relations Officer Deputy City Clerk GIS Technician I HR Specialist II



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<u>Grade</u>	<u>Salary Range</u>			<u>Position Title</u>
	<u>Min</u>	<u>Mid</u>	<u>Max</u>	
				Library Business Manager Neighborhood Liaison/Community Ombudsman Paint/Body Technician Police Research Specialist Sanitation Supervisor Streets Supervisor Welder
114	\$ 44,886.40	\$ 56,097.60	\$ 67,329.60	Building Inspector Community Projects Coordinator Engineering Assistant II Executive Assistant to City Manager F/R Administrative Assistant IT Support Specialist II Librarian III Master Mechanic MWBE Coordinator Network Analyst I Parts Manager Planner II Public Works Coordinator Quality Control Technician Recreation Supervisor Safety Specialist Traffic Signal Technician II
115	\$ 48,484.80	\$ 60,590.40	\$ 72,716.80	Business Analyst Collections Supervisor Community Services Supervisor GIS Technician II Greens Supervisor Lead Planner Parks Facilities Supervisor II Police Public Information Officer Recycling Coordinator Sanitation Operations Supervisor Surveyor/Floodplain Coordinator
116	\$ 52,353.60	\$ 65,436.80	\$ 78,540.80	Accounting Supervisor Building & Grounds Supervisor Building Inspector/Plans Reviewer Cemetery Supervisor Civil Engineer I Financial Analyst HR Specialist III Librarian IV



ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES

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<u>Grade</u>	<u>Salary Range</u>			<u>Position Title</u>
	<u>Min</u>	<u>Mid</u>	<u>Max</u>	
				Mechanic Supervisor Network Analyst II Parks Coordinator Sanitation Route Supervisor Systems Analyst I Traffic Services Supervisor
117	\$ 56,534.40	\$ 70,678.40	\$ 84,801.60	Assistant Street Superintendent Assistant Traffic Engineer Code Enforcement Coordinator Golf Operations Manager Human Resources Generalist Parks Facilities Manager Parks Planner Public Safety Systems Administrator Recreation Manager Senior Planner Systems Analyst II Transportation Planner
118	\$ 61,068.80	\$ 76,336.00	\$ 91,603.20	Civil Engineer II Communications Manager/PIO Network Analyst III Purchasing Manager Server/Security Analyst Systems Analyst III Telecommunications Analyst
119	\$ 65,956.80	\$ 82,430.40	\$ 98,924.80	Building & Grounds Superintendent Chief Building Inspector Chief Planner Database Administrator Economic Development and Revitalization Manager Fleet Superintendent Human Resources Manager Internal Auditor Parks Superintendent Recreation Superintendent Safety/Risk Manager Senior Database Administrator Street Superintendent Systems Analyst IV Transit Manager
120	\$ 71,219.20	\$ 89,024.00	\$ 106,828.80	Civil Engineer III Public Works Operations Manager



ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES

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Last Amended June 27, 2015

<u>Grade</u>	<u>Salary Range</u>			<u>Position Title</u>
	<u>Min</u>	<u>Mid</u>	<u>Max</u>	
				Sanitation Manager
121	\$ 77,625.60	\$ 97,052.80	\$ 116,459.20	Senior Financial Services Manager Traffic Engineer
122	\$ 84,614.40	\$ 105,768.00	\$ 126,942.40	Applications Manager Assistant City Attorney City Engineer Director of Libraries IT Infrastructure Manager Support Services Manager
123	\$ 92,248.00	\$ 115,294.40	\$ 138,361.60	Director of Community Development Director of Human Resources
124	\$ 100,547.20	\$ 125,673.60	\$ 150,800.00	Director of Financial Services Director of Information Technology Director of Recreation & Parks
125	\$ 109,595.20	\$ 136,988.80	\$ 164,382.40	Chief of Police Director of Public Works F/R Chief
126	\$ 119,454.40	\$ 149,323.20	\$ 179,171.20	Assistant City Manager
FIRE/RESCUE				
300	\$ 31,616.00	\$ 32,406.40	\$ 33,196.80	F/R Trainee
310	\$ 35,443.20	\$ 43,971.20	\$ 52,478.40	F/R Officer I
320	\$ 42,556.80	\$ 51,084.80	\$ 61,360.00	F/R Officer II Life Safety Educator
330	\$ 46,987.20	\$ 57,387.20	\$ 67,766.40	EMS Specialist Deputy Fire Marshal
340	\$ 51,147.20	\$ 61,776.00	\$ 72,384.00	F/R Lieutenant
350	\$ 59,196.80	\$ 73,985.60	\$ 88,712.00	F/R Captain
360	\$ 65,124.80	\$ 78,228.80	\$ 91,332.80	
370	\$ 73,736.00	\$ 92,185.60	\$ 110,635.20	Battalion Chief



ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES

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<u>Grade</u>	<u>Salary Range</u>			<u>Position Title</u>
	<u>Min</u>	<u>Mid</u>	<u>Max</u>	
				EMS Manager Fire Marshal/Battalion Chief
380	\$ 82,846.40	\$ 103,584.00	\$ 124,259.20	Deputy F/R Chief
POLICE				
500	\$ 33,425.60	\$ 34,257.60	\$ 35,089.60	Police Officer Trainee
510	\$ 40,872.00	\$ 51,126.40	\$ 61,360.00	Police Officer
520	\$ 43,804.80	\$ 54,704.00	\$ 65,624.00	Master Police Officer Police Corporal
530	\$ 52,374.40	\$ 62,379.20	\$ 72,384.00	Police Sergeant
540	\$ 60,070.40	\$ 74,380.80	\$ 88,712.00	Police Lieutenant
550	\$ 73,736.00	\$ 92,185.60	\$ 110,635.20	Police Captain
560	\$ 82,846.40	\$ 103,584.00	\$ 124,259.20	Deputy Police Chief



Appendix 3: Positions Subject to Residency Requirement

CITY OF GREENVILLE

Members of the Management Team:

Assistant City Manager

Chief of Police

Communications Manager/PIO

Fire/Rescue Chief

Director of Community Development

Director of Financial Services

Director of Human Resources

Director of Information Technology

Director of Public Works

Director of Recreation & Parks

Barbara Lipscomb 8/2/2015

Barbara Lipscomb
City Manager

Date



Appendix 4: Reserved [Performance Management System/Pay for Performance]