



## **EMPLOYEE HANDBOOK**

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## Welcome

Welcome to the City! We are pleased that you are joining us, and we know that your contributions will assist us in shaping our community.

As one of our employees, you will want to know what you can expect from us and what we expect from you. This Handbook will give you that information by outlining our City's current benefits, practices and policies.

You should keep this Handbook handy as a guide and ready reference throughout your employment here. If you have questions as you read through this Handbook, please do not hesitate to discuss them with us.



## Our Organization's Leadership and Values Statement

### Overview and Purpose

The purpose of this leadership and values statement is to establish accountability and baseline standards and expectations for the actions of all employees of the City of Albemarle. It is acknowledged that changes occur with time and experience, but many of the values and standards supported and provided in this document will remain constant over time. It is not the purpose to dictate personal values or beliefs. The goal is to provide direction and leadership by specifying the core values needed for the organization. These core values transcend the specific type of work that each of us undertakes and is applicable to all aspects of the City organization.

It is extremely important to set standards to work under and toward. By establishing standards, expectations become clear and assist in creating organizational values. These values set the framework around which our daily job-related decisions can be made. All of us will be asked to be patient as we work together, recognizing there is always room for improvement. Every single one of us has a responsibility to help achieve success for ourselves, our organization, and our community.



## Our Organizational Philosophy

We all find ourselves in the role of either a leader, facilitator, someone who implements what we do as a City, or all of the above, with each of these elements being critical to our success. Our overall success depends on co-workers collectively moving the organization toward the achievement of our overall goals. The short-term and long-term goals are often set for us, but there exists a need for a core set of principles to guide us. In this organization we believe in and value:

- **Humility & Respect** – Use every opportunity to learn from the perspective, background and experience of others. Treat everyone you encounter with humility and respect. It is the right thing to do and will pay off for each of us in the long run.
- **Integrity** – A set of moral and ethical principles will guide us through all situations. By applying these core principles consistently, others know that our actions and words are synonymous. A core principle is to be fair and consistent.
- **Honesty** – Honesty is not a judgment call or a philosophical notion. It is just being honest.
- **Teamwork** - What we do has meaning at every level and position. We are shaping a community that affects lives. Each one of us has a role to play in achieving our organizational goals and responsibilities. Teams are more creative, efficient, and effective when there is a sense of purpose and ownership from each team member. We have a commitment to each other and our community that requires teamwork and its elements – integrity, respect, understanding, and flexibility.

## What This Organization Expects and What We Should Expect from Ourselves

- **Be Proud of this Organization and Your Role** – We are entrusted to make Albemarle a better place to live and work. There is no other organization in the community that has a greater responsibility or more opportunity to make a positive impact.
- **Be the Best** – We won't always reach our most ambitious goals, but if we make this our goal, we will be far ahead of where we would be otherwise.
- **Provide the Best Service** – Each of our jobs has rules we must follow. However, within that framework we have a great deal of discretionary input that has an impact on the customer's overall experience.

- **Take Initiative** – No one should have a fear of criticism or reprisal when common sense, good customer service, courtesy, respect and organizational goals were used. Sometimes the best learning experiences come from our mistakes. They never come from inaction.
- **Support Your Co-Workers** – We have a shared responsibility for the success of the City of Albemarle. Departmental lines do not matter to the public. Be a good co-worker.
- **Enjoy Your Work** – All of our jobs can be frustrating and overwhelming at times and if we let this consume us, it will. Spend time thinking about the positives and what you do enjoy. We spend as much time at work and with co-workers as we do our families and others we care about. Enjoy this time.
- **Provide Respectful Feedback** – We are all in this together and no one person has all the right answers. We have different backgrounds, experiences and perspectives. This is an invaluable resource for us so find the right time and right way to share your thoughts and ideas. We all have a role to play in our success.
- **Be a Good Listener** - Listen in order to understand the interests of citizens, customers, and your co-workers. Sharing and understanding rather than staking positions will allow us greater opportunities for cooperation and success.

## Purpose of the Handbook

This Handbook is designed to acquaint you with us and to give you a ready reference to answer many of your questions regarding your employment with the City. Of course, please remember that conditions change, and this Handbook is only a summary of the employee benefits, personnel policies, and employment rules that are in effect at the time this Handbook was published.

This Handbook does not create an “employment contract” or other contractual rights. Although the City intends that the benefits, policies and regulations outlined in this Handbook will generally remain in effect, the City reserves the right at any time to amend, curtail or to otherwise revise the benefits, policies or regulations outlined in this Handbook.

This Handbook applies to all employees. However, where it conflicts with any contract, such as insurance summary plan descriptions, that contract shall control. This Handbook supersedes all prior Handbooks or policies.

Departmental Policy Manuals approved by the City Manager may serve as a supplement to, but not be inconsistent with, the purpose of this handbook.

## Overview / Policies and Practices

Employment guidelines are an important part of the employer/employee relationship. Both employees and candidates for employment should have a good understanding of the employment opportunities available. Numerous federal, state and local laws govern many of the systems established in the employment process. We have added some reasonable steps to ensure that the workforce is comprised of qualified, talented, and diverse employees who are willing to work in a mutually supportive manner. The City expects all employees with hiring and supervisory authority to be uncompromising in their management of employees by following these policies.

Employees should read this Employee Handbook carefully to understand the basic guidelines of behavior that is expected. If you have any problems reading or understanding any information included in this handbook, or have questions about anything, please let us know.

## Core Responsibility for Policy Administration/Compensation Structure

**City Council:** The Council delegated the responsibility of amending personnel policies to the City Manager (Resolution 2020-11; Adopted September 8, 2020). Any personnel policy changes with substantial budgetary implications will be approved by the City Council. The City Council shall also make and confirm appointments when so specified by the general statutes and the City ordinances.

The State of North Carolina requires that a position pay and classification schedule be adopted by the governing body, please see the following for more information: [§ 160A-162. Compensation](#)

### Administration and Maintenance

1. **Human Resources:** Responsible for the administration and maintenance of the salary and classification plan.
2. **Adjustments to Salary and Classification Plan:** The City Manager in consultation with Human Resources can recommend to the City Council changes in the salary and classification plan based on market inflation, wage growth or other determining factors. Changes could include increase or decreases to all classifications in the plan; any employees earning the minimum of the classification will be moved to the new minimum as described in the plan if there is an increase to a grade or entire compensation plan. These changes can occur at any time, but typically on July 1st.
3. **Comprehensive Review:** In order to provide internal equity and external competitiveness, a comprehensive classification and pay study and job description review will be conducted every two to three years, in whole or in part, as allowed by the budget. When major adjustments encompassing numerous positions are needed, or when a general adjustment is needed to the plan, Human Resources shall recommend such changes in salary ranges to the City Manager for consideration by City Council.
4. **New Positions:** New permanent positions, with a grade and class, shall be established by Human Resources and the City Manager with final approval by City Council.



## Part 1 – EMPLOYMENT POLICIES

### 1.1. Employment-At-Will

All employees, regardless of their classification or position, are employed on an at-will basis. This means that your employment can be terminated at your will or the City's will at any time, with or without cause and with or without notice. Only the City of Albemarle City Manager has any authority to enter into any agreement with an employee or applicant for employment on other than an at-will basis.

**This Employee Handbook is not a contract.** It does not create any agreement, express nor implied, guaranteeing you any specific terms or conditions of employment. Nothing contained in this Handbook should be construed as creating a contract guaranteeing employment for any specific duration, nor does the Handbook obligate you to continue your employment for a specific period of time. Unless you have entered into an employment agreement which supersedes this document, either you or the City may terminate the employment relationship at any time. The Handbook does not guarantee any prescribed process for discipline and discharge.

The City of Albemarle reserves the right to modify any of our policies and procedures, including those covered in this Handbook, at any time. We will seek to notify you of such changes by email and other appropriate means. However, such a notice is not required for changes to be effective.

### 1.2. Equal Employment Opportunity (EEO)

Equal opportunity is and will be provided for all Employees and applicants for employment on the basis of their demonstrated ability and competence without discrimination on the basis of their race, color, religion, sex, gender identity, gender expression, age, national origin or ancestry, disability, sexual orientation, marital status, veteran status, membership in the uniformed services, genetic information, or any other basis defined or protected by federal, state or local laws. Also, to the extent required by law, equal employment opportunity will be provided to all individuals regardless of any perception that the individual has a protected characteristic, or associates with a person who has or is perceived as having any protected characteristic(s).



The policy of equal employment opportunity applies to all aspects of the relationship between the City and its Employees, including but not limited to:

- Recruitment
- Employment
- Promotion and Transfer
- Demotion, layoffs and recalls
- Training and development
- Working conditions
- Wages and salary administration
- Employee benefits
- City -sponsored social activities
- The application of City policies

Violations of this policy will not be tolerated. The City will promptly and thoroughly investigate every issue which is brought to its attention in this area and will take appropriate disciplinary action, up to and including termination of employment.

### **1.3. Religious Accommodations**

Federal and state equal opportunity laws generally require employers to reasonably accommodate the religious beliefs and practices of employees unless doing so would cause more than a minimal burden on the operations of the employer's business. The City respects your religious beliefs and will make an effort to accommodate requests for accommodations for religious reasons.

### **1.4. Health Insurance Portability and Accountability Act (HIPAA)**

We are committed to complying with applicable legislation outlined in the Health Insurance Portability and Accountability Act of 1986 (HIPAA). The use and disclosure of Protected Health Information (PHI) is regulated by HIPAA. The City is committed to protecting the privacy of its employees and to complying with all legislation surrounding the confidentiality of personal health information which may be collected during the employment relationship. Any employee in violation of the HIPAA policy may be subject to disciplinary action, up to and including termination.

### **1.5. Genetic Information Nondiscrimination Act (GINA)**

The City does not collect, consider or make employment or benefit decisions based on genetic information. Nor does the City use genetic information or genetic testing to identify individuals (applicants or employees) who are especially susceptible to general workplace risks, who may become unable to work or who are likely to incur significant health care costs for either themselves or their dependents. Accordingly, applicants for employment or employees of the City of Albemarle will not be required to undergo any genetic testing or reveal genetic information to the City.

### **1.6. Americans with Disabilities Act Amendments Act (ADAAA)**

If you have a disability, you are protected under the Americans with Disabilities Act of 1990 (ADA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). The ADAAA prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training and other terms, conditions and privileges of employment. The ADAAA does not alter the

City's right to hire the best-qualified applicant, but it does prohibit discrimination against a qualified applicant or employee because of his or her disability, or because of a perceived disability. As a matter of City policy, the City prohibits discrimination of any kind against people with disabilities.



Qualified applicants or employees who are disabled should request reasonable accommodation from the City in order to allow them to perform the essential functions of a particular job. If you are disabled and you desire such reasonable accommodation, contact the Director of Human Resources.

## 1.7. Immigration Law (I-9/E-Verify)



In compliance with the Immigration Reform and Control Act of 1986, each new Employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility within three (3) days of beginning work. The City uses E-Verify, an automated verification system which validates work authorization immediately upon hire. Former Employees who are re-hired must also complete the form if they have not completed an I-9 with the City within the past three years, or if their previous I-9 is no longer retained or valid.

In addition, applicants must be of legal hiring age and must satisfy City-approved screening and selection procedures.

## 1.8. Whistleblower Protection Policy

The information disclosed under this section will include reporting of any violation or suspected violation of federal, state or local laws, City policy by a City employee, or independent contractor, which presents a substantial and specific danger to interests of the City. Additionally, information disclosed, which indicates acts or suspected acts of neglect, gross waste of funds or neglect of duty committed by an agency, will be included.

Definitions: As used in this section, the following words or terms will have the meanings indicated:

- Employee means any person hired by the City after completing the onboarding personnel procedures required by City.
- Independent contractor means any person or business other than a City employee, who provides goods and/or services to the City and enters into a contractual agreement with the City.
- Adverse personnel action means discharge, suspension, transfer, demotion, reprimand, warning, withholding or reduction of salary or benefits of employee, or any other adverse action taken against an employee within the terms and conditions of employment by the City; or suspension or cancellation of contract of an independent contractor.

Neither the City, nor its managers and supervisors, will take or recommend to the City to take adverse personnel actions against an employee for disclosing information pursuant to the provisions of this policy.

The City will not take any adverse personnel action that affects the rights or interests of an independent contractor in retaliation for the contractor's disclosure of the information under this policy.

The information will be disclosed to the appropriate entity having the authority to investigate, police, manage, or otherwise remedy the violation or act.

This policy, along with the Defense of Trade Secrets Act of 2016, protects employees and other persons who disclose information on their own motive in a written and signed complaint to a City, state agency or federal government, or who are requested to participate in an investigation, hearing or other inquiry conducted by the City, state agency or federal government.

The provisions of this policy will not be applicable when an employee or independent contractor discloses information known to be false.

**Any employee who is subject to adverse personnel action has a right to report or file a complaint by contacting the City Attorney.**

## **1.9            Residency Requirements**

A Core Value of the City of Albemarle is to Be Proud of this Organization and Your Role. We are entrusted to make Albemarle a better place to live and work. There is no other organization in the community that has a greater responsibility or more opportunity to make a positive impact.

With this in mind, the City Manager shall reside within the corporate limits of the city. All other employees must reside within a 50-mile radius of Albemarle City Hall located at 144 North Second Street, Albemarle, NC.

## Part 2 – WORKPLACE CONDUCT

### 2.1 Professional Conduct

Our goal at the City of Albemarle is to create a work environment that promotes job satisfaction, respect, responsibility, integrity, and value for all of our employees and other stakeholders. Every employee has a shared responsibility toward improving the quality of our work environment. As a condition of employment, each person employed by the City of Albemarle must abide by the following:

- Act in a professional and respectful manner toward visitors, employees, and colleagues.
- Avoid the use of language that is abusive, demeaning, threatening, or otherwise inappropriate;
- Express criticism in a tone that is mature, constructive, and non-personal;
- Be responsive to reasonable requests for assistance; and
- Maintain competence in his or her area of expertise.

While it is impossible to list every item that could be considered misconduct in the workplace, what is outlined here is a list of common-sense infractions that could result in corrective action, up to and including immediate termination of employment. This policy is not intended to limit the City's right to discipline or discharge employees for any reason permitted by law. In fact, while we value our employees, the City retains the right to terminate an employee on an "at-will" basis.

**Examples of inappropriate conduct include (but are not limited to):**

- a) Sleeping on the job
- c) Sexual or other unlawful harassment or conduct approaching sexual or other unlawful harassment, telling sexist or racial-type jokes, or making racial or ethnic slurs.
- e) Violation or failure to observe safety or security rules or practices, negligence, or intentional conduct which results or could result in damage to the City of Albemarle property or injury to yourself or a fellow employee.
- f) Willful or unnecessary waste, damage, abuse, or misuse of equipment, materials, supplies, or other property of the City of Albemarle.
- g) Possession of weapons (including a handgun for which you have a valid permit), ammunition, firearms, firecrackers, or other explosives on the City of Albemarle premises or during working hours.
- h) Provoking or instigating a fight; fighting; striking; threatening, intimidating, or coercing fellow employees, residents, or vendors.

*NOTE: Nothing in this policy is intended to limit employee rights under the National Labor Relations Act.*

#### 2.1.1 Code of Ethics

While working at the City of Albemarle, all of us are expected to perform our work with integrity, honesty and purpose. These principles are reflected in our Code of Ethics. Our Code, as well as other City policies and procedures, should be followed at all times, wherever we do business or interact with the public.

Our Code is a guide for making sound decisions in complex situations. It provides information, support and resources to help us act ethically and to comply with the laws and regulations that affect our business. Our conduct is the foundation of our reputation, and our individual business decisions help us maintain the trust we have built with our colleagues and our community. For this reason, we have a continuing responsibility to understand and comply with our Code and other City policies and to seek

guidance where appropriate. We also encourage you to report violations that you observe. This is an important dimension of accountability.

If you are ever unsure whether an action or decision is ethical and acceptable under our Code, ask yourself:

- Am I adhering to the spirit and meaning of all applicable laws, regulations and our Code and City policies?
- Do my actions reflect the highest standards of honesty, integrity and accountability?
- Is my decision responsible and in furtherance of long- and short-term City goals?
- Are my actions explainable and justifiable to my colleagues, managers, senior management, clients and other stakeholders?

If the answer to any of these questions is not a resounding “Yes,” you should reconsider your proposed course of action and seek guidance.

Similarly, if the answer to any of the below questions is other than a resounding “No,” you should stop immediately and ask yourself:

- Would I be embarrassed if my actions were reported publicly?
- Would the City suffer any potentially negative consequences due to my actions?

### **2.1.2 Gifts, Gratuities and Business Favors**

We should avoid any actions that create a perception that favorable treatment of outside entities by the City was sought, received or given in exchange for personal business courtesies. Business courtesies include gifts, gratuities, meals, refreshments, entertainment or other benefits from persons or companies with whom the City does or may do business. We will neither give nor accept business courtesies that constitute, or could reasonably be perceived as constituting, unfair business inducements that would violate law, regulation or policies of the City or would cause embarrassment or reflect negatively on the City’s reputation.

## **2.2 Unsatisfactory Job Performance and Detrimental Personal Conduct**

### **2.2.1 Disciplinary Action for Unsatisfactory Job Performance**

An employee may be placed on disciplinary suspension, demoted, or dismissed for unsatisfactory job performance, if after following the procedure outlined below, the employee's job performance is still deemed to be unsatisfactory. The Human Resources Director will be available to assist all parties with the procedures in taking or responding to disciplinary actions. All cases of disciplinary suspension, demotion, or dismissal must be approved by the City Manager prior to giving final notice to the employee.

#### **2.2.1.1 Unsatisfactory Job Performance Defined**

Unsatisfactory job performance includes any aspects of the employee's job which are not performed as required to meet the standards set by the Department Director or City Manager.

*Examples of unsatisfactory job performance include, but are not limited to, the following:*

- a) Demonstrated inefficiency, negligence, or incompetence in the performance of duties;
- b) Careless, negligent or improper use of City property or equipment;
- c) Discourteous treatment of the public or other employees;
- d) Absence without approved leave;

### **2.2.1.2 Communication and Warning Procedures Preceding Disciplinary Action for Unsatisfactory Job Performance**

When an employee's job performance is unsatisfactory, or when incidents or inappropriate actions warrant, the supervisor shall meet with the employee as soon as possible in one or more counseling sessions to discuss specific performance problems. A brief summary of these counseling sessions shall be noted in the employee's file by the supervisor.

If the employee's performance continues to be unsatisfactory, the supervisor may use the following steps:

- a) A final written warning from the supervisor serving notice upon the employee that corrected performance must take place immediately in order to avoid suspension, demotion, or dismissal.
- b) If performance does not improve, a written recommendation should be sent to the Department Director and City Manager for disciplinary action such as suspension, demotion, or dismissal.

Disciplinary suspensions are for the purpose of communicating the seriousness of the performance deficiency, not for the purpose of punishment. Disciplinary suspensions are for the purpose of communicating the seriousness of the performance deficiency, not for the purpose of punishment, and should not generally exceed three days (24 hours) for non-exempt employees. Suspensions for exempt employees shall be for one full work week in accordance with Fair Labor Standards Act (FLSA) requirements to maintain exempt status. Under FLSA suspensions of less than a week are authorized for major safety violations or infractions of workplace conduct rules (detrimental personal conduct).

Demotions are appropriate when an employee has demonstrated inability to perform successfully in the current job, but shows promise and commitment to performing successfully in a lower level job

If after suspension or demotion, the employee's performance does not reach an acceptable level, the employee may subject to additional disciplinary action up to and including termination.

## **2.2.2 Disciplinary Action for Detrimental Personal Conduct**

Normally, the Department Director or City Manager would place the employee on non-disciplinary suspension prior to making a disciplinary determination to allow time to gather facts regarding the detrimental personal conduct and make a determination regarding the severity of the conduct.

## **2.2.3 Non-Disciplinary Suspension**

During the investigation, hearing, or trial of an employee on any criminal charge, or during an investigation related to alleged detrimental personal conduct, or during the course of any civil action involving an employee, when suspension would, in the opinion of the Department Director or City Manager, be in the best interest of the City, the Department Director with approval of the City Manager has authority to suspend the employee for part or all of the proceedings as a non-disciplinary action. In such cases, the City Manager has authority to:

- 1) Temporarily relieve the employee of all duties and responsibilities and place the employee on paid or unpaid leave for the duration of the suspension, or
- 2) Assign the employee new duties and responsibilities and allow the employee to receive such compensation as is in keeping with the new duties and responsibilities.

If the employee is reinstated following the suspension such employee shall not lose any compensation or benefits to which otherwise the employee would have been entitled had the suspension not



occurred. If the employee is terminated following suspension, the employee shall not be eligible for any pay from the date of suspension; provided, however, all other benefits with the exception of accrued vacation and sick leave shall be maintained during the period of suspension.

## **2.2.4 Pre-Dismissal Conference**

Before dismissal action is taken, whether for failure in personal conduct or failure in performance of duties, the Department Director or City Manager (in the case of disciplinary action of a Department Director) will conduct a pre-dismissal conference. At this conference, the employee may present any response to the proposed dismissal to Department Director. The Department Director will consider the employee's response, if any, to the proposed dismissal, and will, within three working days following the pre-dismissal conference, notify the employee in writing of the final decision after obtaining approval from the City Manager. If the employee is dismissed, the notice shall contain a statement of the reasons for the action and the employee's appeal rights.

## **2.3 Grievance Procedure and Adverse Action Appeal**

### **2.3.1 Policy**

It is the policy of the City to provide a just procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this article is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair. The Human Resources Director will be available to assist all parties with the procedures during the grievance process.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this Policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from City service.

### **2.3.2 Grievance Procedure**

When an employee has a grievance, the following successive steps are to be followed unless otherwise provided. The number of calendar days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. However, the time limits set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. A decision to rescind a disciplinary suspension or demotion must be approved by the Department Director or City Manager and rescinding a dismissal must be approved by the City Manager before the decision becomes effective.

**Informal Resolution.** Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the respective Department Director or the Human Resources Director as a resource to help resolve the grievance.

In some instances, if both parties agree, and with the approval of the City Manager, the parties may request mediation assistance from a neutral party to assist in identifying mutually agreeable solutions or understandings. Mediation may be used at any step in the process if agreed to by the parties and with the approval of the City Manager.

**Step 1.** If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to the appropriate supervisor in writing. The grievance must be presented within fifteen calendar days of the event or within fifteen calendar



days of learning of the event or condition. The supervisor shall respond to the grievance within ten calendar days after receipt of the grievance. The supervisor should consult with any employee of the City in order to reach a correct, impartial, fair and equitable determination or decision concerning the grievance. Any employee consulted by the supervisor is required to cooperate to the fullest extent possible.

The response from the supervisor for each step in the formal grievance process shall be in writing and signed by the supervisor. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Human Resources Director.

**Step 2.** If the grievance is not resolved to the satisfaction of the employee by the supervisor, the employee may appeal, in writing, to the appropriate Department Director within ten (10) calendar days after receipt of the response from Step 1. The Department Director shall respond to the appeal, stating the determination of decision within ten calendar days after receipt of the appeal.

**Step 3.** If the grievance is not resolved to the satisfaction of the employee at the end of Step 2, the employee may appeal, in writing, to the City Manager within ten calendar days after receipt of the response from Step 2. The City Manager shall respond to the appeal, stating the determination of decision within ten calendar days after receipt of the appeal. The City Manager's decision shall be the final decision. The City Manager will notify the City Council of any impending legal action.

**Department Directors.** In the case of Department Directors or other employees where the City Manager has been significantly involved in determining disciplinary action, including dismissal, the City may wish to obtain a neutral outside party to either:

- 1) provide mediation between the grieving Department Director and the City Manager (see definition of mediation in "informal resolution" above); or
- 2) consider an appeal and make recommendations back to the City Manager concerning the appeal. Such parties might consist of human resource professionals, attorneys trained in mediation, mediators, or other parties appropriate to the situation.

The City Manager's decision shall be the final decision. The City Manager will notify the City Council of any impending legal action.

### **Grievance and Adverse Action Appeal Procedure for Discrimination**

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion, creed, political affiliation, non-job related disability, or genetic information), he or she has the right to appeal such action using the grievance procedure outlined in this Article. While such persons are encouraged to use the grievance procedure, they shall also have the right to go directly to the Human Resources Director or to appeal directly to the City Manager.

Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant should appeal an alleged act of discrimination within thirty (30) calendar days of the alleged discriminatory action and may appeal for up to six (6) months following the action.

## 2.4 Discrimination and Harassment are prohibited

The City of Albemarle will not tolerate workplace discrimination and harassment. Harassment and discrimination of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their relationship with the City is unlawful and will not be tolerated.

Because the City takes allegations of harassment and discrimination seriously, we will respond promptly to reports and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace which is free of harassment and discrimination, the policy is not designed or intended to limit our authority to discipline or take action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment and/or discrimination.

It is the policy of the City to promote a professional and productive work environment where all employees are treated with dignity, courtesy and respect. We will not tolerate actions, words, jokes or comments based on an individual's race, color, religion, sex, gender identity, gender expression, age, national origin or ancestry, disability, sexual orientation, marital status, veteran status, membership in the uniformed services, genetic information, or any other basis defined or protected by federal, state or local laws. In keeping with this commitment, we will not allow our employees to be harassed by or discriminated against by anyone, (including any supervisor, co-worker, or vendor of the City).

Harassment can take on many forms and should be recognized as unacceptable if it involves comments or offensive remarks not just in regard to a person's race, national origin or sexual orientation but also in regard to a person's religious beliefs or practices. The City regards all forms of harassment as unacceptable and prohibits teasing and offensive remarks along with incidents which create a hostile or offensive work environment when it results in an adverse action within the workplace.

**Definition of Sexual Harassment:** "Sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a manager, or employee at any level, for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually-oriented conduct, whether it is intended or not, which is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to employees may also constitute sexual harassment.

**Reporting a Complaint:** Any employee who believes that he or she may have a complaint of harassment should follow the Grievance procedure or may file a complaint directly with the Human Resources Director or Department Director who will immediately notify the City Manager. The employee may file

the complaint directly with the City Manager if it involves a Department Director. Any employee that believes they have been subjected to harassment or discrimination of any type or has witnessed an incident of harassment has the right and obligation to report the incident within our City

**Complaint Investigation:** When the City receives the complaint, we will promptly investigate the allegation in a fair and timely manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent possible under the circumstances. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action up to, and including termination of the offending employee.

**No Retaliation:** All employees should take special note that, as stated above, retaliation against an individual who has reported any incidence of harassment or discrimination, and retaliation against individuals for cooperating with an investigation of any allegation, is unlawful and will not be tolerated by this organization.

## 2.5 Drug and Alcohol-Free Workplace

The City takes seriously the problem of drug and alcohol abuse and is committed to providing a drug and alcohol-free workplace for its employees. Substance abuse of any kind is inconsistent with the behavior expected of our employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and undermines our ability to operate effectively and efficiently.

The City expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs or other intoxicating substances. Compliance with this drug and alcohol-free policy is made a condition of employment, and violations of the policy may lead to disciplinary action up to, and including, termination.

The use, possession, purchase, sale or manufacture of alcohol, illegal drugs, or non-prescribed drugs or being under the influence of alcohol, illegal drugs, or non-prescribed drugs while on City property, while operating City vehicles, or while engaging in City business is strictly prohibited.

The City always encourages you to behave responsibly and appropriately at all times. Any off-duty activity, including drug or alcohol related activity, which leads to your arrest or which causes embarrassment to the City may be grounds for discipline and/or discharge. All employees are required to report to their jobs in appropriate mental and physical condition.. The City's Employee Assistance Program (EAP) provides resources to address ongoing challenges employees may face.

**Drug testing may be required under any of the following circumstances:**

- **Pre-employment Testing:** All applicants with an offer of employment and employees being considered for, or currently performing safety sensitive duties are subject to testing. This applies to every person who operates a commercial motor vehicle and is subject to the commercial driver's license requirements.



- **Post-Accident Testing:** Employees may be required to submit to an alcohol and controlled substance test following an accident. This will be determined on a case by case basis.
- **Random Testing:** Random testing is conducted to identify employees who are using drugs or misusing alcohol. All employees of the City may be subject to random testing for alcohol and controlled substances.

### **Reporting an Incident/Conviction**

Employees must, as a condition of continuing employment, contact their immediate manager and the Human Resources Director immediately following an arrest and within five (5) calendar days after any conviction for the manufacture, distribution, dispensation, possession, or use of narcotics, drugs, alcohol or other controlled substances. A conviction includes a finding of guilt, including a plea of no contest, or imposition of sentence, or both. The employee may be suspended with or without pay, or duties modified pending the outcome.

Substance abuse is an illness which can be treated. Employees who have an alcohol or drug abuse problem are encouraged to seek appropriate professional assistance. You are encouraged to inform your immediate supervisor or the Human Resources Director for assistance in seeking help to address substance abuse. The HR Director can also help you determine coverage available under the City's medical insurance plan. When work performance is impaired, admission to or use of a treatment or other program does not preclude appropriate action by the City.

The presence of any illegal drug, inhalant or other mind-altering substance in the body is a violation of this policy. Refusal of an employee to undergo testing, failing to cooperate fully when asked to submit to a test, and tampering with or providing a diluted specimen are also violations of our policy and grounds for immediate termination.

## **2.6 Employee Safety**

The City of Albemarle's most valuable assets are the employees. The safety and wellbeing of each and every employee is the most important element in protecting that asset. Consequently, the City of Albemarle is committed to equipping employees to perform their assigned tasks safely.

The safety program cannot be successful without active participation of all employees. As a condition of employment, employees MUST become familiar with, observe, and obey the City's rules and established policies for health, safety, and preventing injuries while at work. Additionally, employees MUST learn the approved safe practices and procedures that apply to their work.

The health and well-being of our employees are foremost among our concerns. You must follow common-sense safety practices and correct or report any unsafe condition, or defective or malfunctioning tool or equipment. All employees must cooperate with the City in maintaining safe working conditions.

All employees are required to adhere completely to all City and OSHA safety requirements, as well as state and federal laws and insurance requirements. Failure to comply with safety requirements will result in discipline, up to and including termination. The following Safety Rules are to be complied with by all employees at all times while on the City's premises:

- a) Do not operate any equipment until you have received instructions.
- b) Turn off equipment to oil, clean or adjust.

- c) Turn off any electrical power before performing maintenance or service on equipment.
- d) If you don't know how to operate a piece of equipment, please ask for assistance from someone who does know.
- e) Do not wear loose or torn clothing near moving equipment.
- f) Report all accidents.
- g) Report unsafe or broken instruments, supplies, or equipment.
- h) Lift with your legs, not your back - keep object close to your body.
- i) Wet floors are slippery, so walk, don't run, and watch your footing.
- j) When handling chemicals or sprays, be sure you have been instructed and use the safety equipment.
- k) Drivers must have a valid driver's license and a driving record acceptable to the City and its insurance carrier.
- l) Floors and any work areas should be clear of tools not in use, rubbish and waste.
- m) Toxic materials must be stored under lock and key and only used with special instructions.
- n) No drinking of alcoholic beverages or use of drugs is permitted on the job, as set forth in our Drug and Alcohol – Free Workplace Policy.
- o) All employees returning from a medical leave of absence may be required to present a medical release to the City, prior to returning to actual work. The City reserves the right, in its sole discretion, to require such employees to submit to a medical examination at a doctor of its own choosing, at the City's cost, to ensure that the employee is physically and/or mentally capable of returning to his or her former employment without posing a direct threat to the health or safety of the employee or other employees.
- p) Employees are required to immediately report to their manager the existence of any hazardous condition discovered in the workplace. In such cases, the employee shall refrain from performing any work in the immediate vicinity of hazardous condition.

Other safety rules may be required depending upon the nature of a particular job or task. In any event, employees are required to work safely and to follow all applicable safety-related laws, rules or directives.

## **2.7 Solicitation and Distribution**

The City of Albemarle regularly promotes community involvement through approved City activities. In the interest of maintaining productivity and a proper business environment, employees may not distribute literature or other materials of any kind or solicit for any cause during the working time of any employee involved. Furthermore, employees may not distribute literature or other materials of any kind in working areas, at any time, whether or not the employees are on working time. Non-employees are prohibited from soliciting or distributing materials or goods to employees on City premises at any time.

## **2.8 Social Media**

We understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or

affiliated with the City, as well as any other form of electronic communication. The same principles and guidelines found in our policies and three basic beliefs apply to your activities online.

#### Tips for Social Media Usage:

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of the City or the City's legitimate business interests may result in disciplinary action up to and including termination. We are exceptionally sensitive to this issue and for that reason, strongly encourage you to think twice before you post!! When in doubt – don't post!!!

**Know and follow the rules:** Carefully read these guidelines, as well as our policies on Discrimination and Anti-Harassment and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

**Be respectful:** Always be fair and courteous to fellow employees, customers, suppliers or people who work on behalf of the City. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Grievance Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, and threatening or intimidating, that disparage customers, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

**Be honest and accurate:** Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the City, fellow employees, customers, suppliers, and people working on behalf of the City.

- Post only appropriate and respectful content.
- Maintain the confidentiality, trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Do not create a link from your blog, website or other social networking site to the City website without identifying yourself as an employee.
- Express only your personal opinions. Never represent yourself as a spokesperson. If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City, fellow employees, customers, suppliers or people working on behalf of the City. If you do publish a blog or post online related to the work you do or subjects associated with the City, make it clear



that you are not speaking on behalf of the City. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of the City of Albemarle.”

## **2.9 Conflicts of Interest**

Employees are expected to represent the City of Albemarle in a positive and ethical manner. Employees have an obligation both to avoid conflicts of interest and to refer questions and concerns about potential conflicts to his or her manager or another member of management. In addition, the City of Albemarle prohibits any employee from directly or indirectly maintaining or engaging in any outside business or financial interest that conflicts with the interests of the City of Albemarle or that interferes with the employee’s ability to discharge his or her job duties fully. Employees are required to disclose to management any proprietary or financial interest they may have in any organization with which the City of Albemarle does business or with, so that a determination may be made as to whether a conflict of interest exists.

### **2.9.1 Relationships with Co-workers**

The City strives to avoid the appearance of favoritism and potential problems in the area of supervision, control, and audit. For example, a supervisor should not have a relationship with a subordinate employee that could potentially appear to create or promote favoritism or special treatment for the subordinate employee. Relationships that call into question your ability to carry out your job functions in the best interest of the City are not appropriate.

Whenever an employee enters into a relationship with another employee he or she should ask whether there may be an appearance of favoritism or whether an audit or supervisory function may be compromised. When in doubt about the application of this policy, contact the Human Resources Director.

This policy does not restrict off-duty conduct, such as religious practices, political activity, or association with protected groups.

Any violation of City of Albemarle’ policy against conflicts of interest by an employee may result in disciplinary action, up to and including termination.

## **2.10 Outside Employment**

The work of the City shall have precedence over other occupational interests of employees. All outside employment for salaries, wages, or commissions and all self-employment must be reported in writing in advance to the employee’s supervisor, who in turn will report it to the Department Director. The Department Director will review such employment for possible conflict of interest and then submit a record of the employment to the City Manager for review and approval. Conflicting and/or unreported external employment are grounds for disciplinary action up to and including dismissal. Documentation of the approval of outside employment will be placed in the employee’s personnel file.

Examples of conflicts of interest in outside employment include *but are not limited to*:

- a) employment with organizations or in capacities that are regulated by the employee or employee’s department; or
- b) employment with organizations or in capacities that negatively impact the employee’s perceived integrity, neutrality, or reputation related to performance of the employee’s City duties.

An employee who sustains an injury or illness in connection with external employment and is receiving worker's compensation from that employer shall not be entitled to receive City worker's compensation benefits. Any law enforcement officer working off duty in a position that requires law enforcement authority and approved by the department shall be covered under the City worker's compensation.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

### **2.10.1 Dual Employment**

The City prohibits any employee from holding more than one position with the City if the combined positions will result in the employee working more than 40 hours per week in any week of the year unless approved by the City Manager. The City will consult FLSA regulations in all dual employment cases to ensure that the regulations are followed.

## **2.11 Political Activity**

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the United States and the State of North Carolina. However, no employee shall:

- a) Engage in any political or partisan activity while on duty;
- b) Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- c) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- d) Coerce or compel contributions from another employee of the City for political or partisan purposes;
- e) Use any supplies or equipment of the City for political or partisan purposes; or

Any violation of this section shall subject the employee to disciplinary action including dismissal.

## **2.12 Employment of Relatives**

The City prohibits the hiring and employment of immediate family in full or part-time positions within the same work unit if such employment would result in one family member supervising another or if one member will occupy a position of influence over another member's employment or any condition of employment. Examples of potential influence include but are not limited to hiring, promotions, salary administration and disciplinary action.

For the purposes of this Article, immediate family shall be defined as spouse, child, parent, sibling, grandparent, grandchild, to include in-law, step and half relationships. The definition for this Article also includes individuals living in the same household who share a relationship comparable to immediate family members.

The City also prohibits the employment of any person into a position who is an immediate family member of individuals holding the following positions: Mayor, City Council Member, City Manager, Assistant City Manager, Finance Director, Human Resources Director, City Clerk, or City Attorney. Otherwise, the City will consider employing family members or related persons in the service of the City, provided that such employment does not:



- 1) result in a relative supervising another relative;
- 2) result in a relative auditing the work of a relative;
- 3) create a conflict of interest with either relative and the City; or
- 4) create the potential or perception of favoritism.

This provision shall not apply retroactively to anyone employed when the provision was adopted by the City.

## **2.13 Non-Disclosure of Confidential Information**

Employees may, by virtue of their employment with the City, obtain access to sensitive, confidential, restricted and proprietary information that is not generally known or made available to the public and that the City has made reasonable efforts to keep confidential, including but not limited to financial records, vendor information, referral or mailing lists, credit card numbers, and similar information whether stored electronically or in paper format.

Such confidential information shall be used solely by employees in the performance of their job duties for the City and shall not be used in any other manner whatsoever during their employment. Employees shall not, without prior written consent, use, disclose, divulge, or publish to others any such confidential information acquired in the course of their employment. Such confidential information is the exclusive property of the City and under no circumstances whatsoever shall employees have any rights to use, disclose or publish to others such confidential information subsequent to the termination of their employment.

Unauthorized use or disclosure of confidential information may result in discipline, up to and including immediate discharge, prosecution, or other available action.

Upon termination of employment, employees must deliver to the City any and all confidential information, whether stored electronically or in paper format, including but not limited to all copies of such documents prepared or produced in connection with their employment with the City that pertain to the City's business or the employee's services for the City, whether made or compiled by the employee or furnished to the employee in connection with such services to the City. In addition, at termination, employees must return to the City all of the City's non-confidential property, documents, or electronic information.

This policy does not limit the common law and statutory rights of the City.

## **2.14 Weapons and Violence Prevention**

This Weapons and Violence Prevention policy applies to all employees of City of Albemarle, visitors, and any other persons on the City of Albemarle' premises.

All persons are prohibited from possessing weapons as defined in G.S. 14-269 in city owned buildings, their appurtenant premises, parks and all city owned property except as defined below.

This prohibition shall not apply to the following persons:

- Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under Orders requiring them to carry arms and weapons;
- Civil officers of the United States while in the discharge of their official duties;
- Officers and soldiers of the militia and the National Guard when called into actual service.
- Animal Control Officers while in the discharge of their official duties;

- Sworn law enforcement officers;
- Persons possessing a lawful concealed carry permit within city parks except for the specific areas of the parks delineated in the **City Ordinances**; more generally defined as athletic fields, courts, and gymnasiums including appurtenant spectator areas; swimming pools and appurtenant pool decks including bath houses.

A conspicuous notice shall be posted at each entrance to any property set forth above, stating:  
"Possession of weapons or carrying a concealed handgun is prohibited."

Any person in violation of this section shall be guilty of a misdemeanor and upon conviction shall be fined \$500 or imprisoned for six months, or both.

For purposes of this policy, "prohibited weapon" includes any device or other implement designed or which may be used for the infliction of bodily injury or death. Examples include any gun or other firearm (including a handgun for which an individual possesses a valid permit); ammunition, firecrackers, or other explosives; a knife or other cutting device or instrument; or other similar implements.

### **2.14.1 Violence in the Workplace**

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, customer, vendor or business associate will not be tolerated. City resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. The City of Albemarle treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a manager, security personnel, Human Resources, or any member of senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform Human Resources of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. We will not retaliate against employees making good-faith reports. We are committed to supporting victims of intimate partner violence by providing referrals to the City's employee assistance program (EAP) and community resources and providing time off for reasons related to intimate partner violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported to a member of the Management team immediately. Employees should take all threats of violence seriously, and not place themselves in any danger and/or attempt to intercede during an incident.

In the unlikely event that there is a safety breach with a potential active shooter on the premises, employees should follow these guidelines:

- Immediately exit the building at the nearest exit if it is safe to do so.
- If you are in an office or other enclosed area, secure the door if possible.

- If you are in an open area, try to get to a secure area or hide behind equipment, in closets, etc.
- Call 911 if it is safe to do so.

The City of Albemarle will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. We will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, we may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation. Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The City encourages employees to bring their disputes to the attention of their Manager or Human Resources before the situation escalates. We will not discipline employees for raising such concerns.

## **2.15 Workplace Bullying**

The purpose of this policy is to communicate to all employees, that the City will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

Bullying is defined as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.

Bullying may be intentional or unintentional. However, it must be noted that when an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior on the individual that is important.

## **2.16 Video and Audio Recording Devices**

The use of personal camera or other video or audio recording-capable devices on city premises is prohibited without the express prior permission of the City Manager and of the person(s) subject to recording. Video or audio recording in restrooms and/or locker rooms is strictly prohibited.

## Part 3 – GENERAL PRACTICES

### 3.1 Employment Classifications

All employees are classified either as exempt or non-exempt as defined by Federal and State laws. The following terms will be used to describe employment classifications and status:

**Exempt Employees:** Exempt employees are not subject to the overtime pay provisions of the federal Fair Labor Standards Act (FLSA). An exempt employee is one whose specific job duties and salary meet all of the requirements of the U.S. Department of Labor's regulations. In general, an exempt employee is one who is paid on a salary basis at the minimum salary threshold and who holds a position which meets one of the FLSA exemption tests, such as administrative, professional, or executive. Certain outside sales persons and a few other job categories are also exempt. As an exempt employee if you believe an improper deduction has been made to your salary, you must immediately report this information to your immediate supervisor or the Human Resources Director. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

**Non-Exempt Employees:** Salaried employees who are not administrative, professional, or managerial employees (as defined by the U.S. Department of Labor) and many hourly employees are generally not exempt from the FLSA's overtime provisions and are therefore eligible for overtime pay.

**Full-time employee.** An employee who is in a position for which an average work week equals more than 30 hours, and continuous employment of at least 12 months, as required by the City.

**Part-time employee.** An employee who is in a position for which an average work week is less than 30 hours and continuous employment of at least 12 months are required by the City.

**Regular employee.** An employee appointed to a full or part-time position who has successfully completed the designated introductory period.

**Introductory employee.** An employee appointed to a full or part-time position who has not yet successfully completed the designated introductory period.

**Temporary employee.** An employee, not in a regular position, for which either the average work week required by the City over the course of a year is less than 30 hours, or continuous employment required by the City is less than 12 months.

**Trainee.** An employee status when an applicant is hired (or employee promoted) who does not meet all of the requirements for the position. During the duration of a trainee appointment, the employee is on introductory status.

### 3.2 Introductory Period

An employee appointed or promoted to a regular position shall serve an introductory period. Employees shall serve a six-month introductory period, except that employees in sworn police and fire positions shall serve a twelve-month introductory period. Employees hired as "trainees" shall remain on introduction until the provisions of their traineeship are satisfied. During this period, supervisors shall

monitor an employee's performance and communicate with the employee concerning performance progress. Employees serving a twelve-month introduction shall have a review at the end of six months as well as before the end of twelve months.

An important purpose of the introductory period is to provide an opportunity for the appointee to adjust to the new job. Likewise it serves as a trial period during which the employee demonstrates his or her ability to perform the work, to demonstrate good work habits and to work well with the public and coworkers. Before the end of this period, the supervisor shall conduct a performance evaluation conference with the employee and discuss accomplishments, strengths, and needed improvements. A summary of this discussion shall be documented in the employee's personnel file. The supervisor shall recommend in writing whether the introductory period should be completed, extended, or the employee transferred, demoted, or dismissed. With approval of the City Manager introductory periods may be extended for a maximum of six additional months.

Disciplinary action, including demotion and dismissal, may be taken at any time during this period of a new hire without following the steps outlined in this policy for disciplinary action. An introductory employee dismissed during their introductory period is not eligible for pay for accrued annual leave.

A promoted employee who does not successfully complete the introductory period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee shall be dismissed. Promoted and demoted employees who are on introduction retain all other rights and benefits.

An introductory period will typically not be applicable in rehire or reinstatement situations.

### **3.3 Hours of Work and Meal Periods**

Your working hours will be set and communicated to you by your manager and may be changed from time to time by the City of Albemarle. While you are allowed to enter the premises before your work schedule starts, you should not perform any work before your normal schedule begins. Do not clock in more than seven (7) minutes prior to your shift and likewise, stop working and clock out no more than seven (7) minutes after the end of your scheduled shift. In either instance, do not perform work unless you are clocked in.

Any break exceeding 20 minutes will be regarded as a meal period. The meal period will be unpaid and is not considered time worked. Generally, your meal period will not be interrupted by work activities. If interruptions do occur and you are unable to take your meal period, you will be compensated for this time. Employees are not authorized to work during their meal period unless they are requested to work by their manager.

### **3.4 On- Call and Call-back**

**On-call** time is defined as the time when an employee must carry a communication device and must respond immediately to calls for service. Non-exempt employees required to be on-call will be paid the equivalent of one hour pay for each day of on-call time they serve. On-call time requiring an employee to remain at a designated location or otherwise substantially restrict personal activities in order to be ready to respond when called is considered work time and therefore paid.

**Call back:** Non-exempt employees will be guaranteed a payment of two hours, or the total call back hours worked in a 24-hour period, whichever is greater, for being called back to work outside of normal

working hours. This will be paid in wages or compensatory time, at 1 1/2 times their current hourly rate of pay. Hours actually worked while on call back are calculated beginning with the employee reports to the work site and are added to the regular total of hours worked for the week. Call back provisions do not apply to previously scheduled work outside the normal workday or work that would extend beyond normal workday period

### **3.5 Break Time for Nursing Mothers**

The federal Fair Labor Standards Act (FLSA) allows employees to take reasonable break time to express breast milk as needed for up to one (1) year after the birth of a child. The City will provide a place for the employee to express breast milk, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public. Employees will not be discharged or in any other manner discriminated against in exercising their rights under this policy. Employees with further questions or concerns regarding this policy should contact their supervisor or the HR Director.

### **3.6 Job Descriptions**

We expect and require our employees to do a variety of tasks from day to day. Every employee will receive a copy of their job description upon hire. During the course of the year and from time to time a person's job may change. At that time, a new job description will be presented and the supervisor and the employee will review it and both will sign off on it.

Please understand that a Job Description is no more than an outline of duties and tasks which you may be required to perform during an average workday and not every duty and task may be represented.

A copy of your job description is available on the City shared drive, and is available for your review. Ask your Supervisor if you have any questions about your job description or duties.

### **3.7 Telework**

This policy provides for a consistent application of telework practices across City departments, to ensure the security of City information and systems, to manage Continuity of City operations, to reduce the environmental impact of commuting and to increase employee morale and satisfaction which will lead to increased work productivity.

Telework is defined as allowing employees to work at an alternate location. Employees perform essentially the same work that they would in the central work place in accordance with their same performance expectations and other agreed upon terms. Telework arrangements may be established for long-term or short-term periods.

Although many of the City's services are normally performed in City office facilities and require the presence of employees at a central work place, department directors have the authority to designate employees eligible for telework or alternative work arrangements. While alternative work arrangements may meet the needs of both the department and the employee, the City Manager has the sole discretion to determine when this is appropriate.

Work performed in an alternative work location is considered official City business; therefore, departments shall maintain specific conditions that apply to employees engaged in telework, including but not limited to confidentiality and communications systems' requirements. Prior to beginning a telework arrangement, a formal telework agreement must be executed by both the employee and the

department director. These agreements must be approved by the City Manager and/or Assistant City Manager prior to the start of a telework arrangement.

### **3.8 Employee Personnel Records and Release of Information**

All information contained in a City employee's personnel file shall be open to inspection by the employee or his/her duly authorized agent. He/she may examine all portions of their personnel file except letters of reference. Records are available for review upon request.

It is important that the City maintain accurate personnel records at all times. Employees are responsible for updating their personal information (including any change in name, home address, telephone number, marital status, number of dependents, immigration status, or any other pertinent information). By promptly notifying the City of such changes, you will avoid compromise of your benefit eligibility, the return of W-2 forms, or similar inconvenience. Any change in your immediate contact information (address or phone number) should be provided directly to your manager and Human Resources department.

### **3.9 Salary Ranges and Pay Adjustments**

A salary range is designed to accommodate a wide range of skills, experiences and performance levels, and each salary range may contain many different jobs. For example, Finance Technician, Plant Maintenance Mechanic, and Public Housing Specialist may all have the same salary range because they each have the same relative value as determined by the career ladders and the market analysis. Each level on a career ladder is assigned a unique salary range that Human Resources develops and maintains, based on the appropriate competitive labor market.

The range minimum refers to the lowest pay rate the City is willing to pay for a position and is typically offered to employees who possess the minimum qualifications.

The range midpoint typically reflects median pay in the competitive labor market and is considered appropriate for experienced and fully qualified employees (in the role or similar role for nine years) whose performance fulfills the major requirements of their position.

The range maximum of the range is considered the upper limit of salary opportunity in a level for a highly experienced employee.

#### **External Market Data**

The City of Albemarle participates in ongoing salary surveys to gather information about competitive pay practices and uses these surveys to determine adjustments to established salary ranges, as well as to identify positions that may require a targeted equity adjustment. The City's salary schedule is updated annually.

#### **Salaries/Pay Rates for Newly Hired, Promoted, or Transferred Positions**

Starting salaries for City of Albemarle employees who are new hires or transfers, or who were promoted, primarily reflect several factors at the time of hire. These factors include the employee's qualifications related to the position, their internal equity, and market pricing of the job family in the markets where the City recruits.

## **Pay Adjustments**

An employee's compensation may change under a variety of circumstances, such as through the regular merit process, or through a change in position classification that results in changing the employee's title and salary.

Some situations in which an employee may receive a change in compensation appear below.

### **Performance-Based (Merit)**

Performance-based adjustments are delivered in the form of annual increases, typically referred to as merit increases, and are used to recognize and reward staff who meet or exceed performance standards. Merit increases are not entitlements and should be aligned with the staff member's level of performance.

Human Resources and the City Manager will determine the annual merit increase budget by considering relevant market data as well as relevant budget constraints. This budget will be communicated across the organization. Annual merit increases will be effective during the first three months of each new fiscal year if approved in the budget.

Managers will recommend merit increases based on the evaluation of each eligible staff member. Department Directors must then in turn allocate their merit budget based on these recommendations, and within the guidelines established by Human Resources.

### **Promotion**

A promotion is defined as an employee's movement to a higher position in the same level, or to a position in a higher level on the same or different career ladder.

A promotion within level typically represents new responsibilities that are different from the employee's current ones. Such new responsibilities may require training and the development of new competencies.

A promotion to a higher level on the same or different career ladder typically represents the addition of significantly greater responsibilities.

Staff members may receive a promotion either by successfully applying for a new position, or by having their current position reclassified.

### **Equity Adjustment**

The City of Albemarle may need to make salary adjustments/equity increases from time to time as a result of external market factors or internal salary compression.

## **Transition to a New Pay Plan**

Transitioning to a new Pay Plan occurs after a comprehensive pay and classification study or a market pay comparison study. As a result of these studies, the current pay plan may be changed, updated or modified to reflect the current competitive market and where individual positions are assigned to a pay grade range that is supported by and commensurate with the comparative market.



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

1. No employee shall receive a salary reduction as a result of the transition to a new salary plan.
2. All employees being paid at a rate lower than the minimum rate established for their respective classes shall have their salaries raised at least to the new minimum rate for their classes; or, to the rate established for employees who have completed their introductory period of employment.
3. All employees being paid at a rate above the maximum rate established for their respective classes shall have their salaries maintained at that salary level with no increases until such time as the employees' salary range is increased above the employees' current salary.

### **3.10 Position Changes**

#### **Eligibility for Transfer/Promotion**

In order to be eligible for a transfer or promotion, an employee should:

- Have been in their current role for a minimum of two years
- Be meeting all performance expectations in their current position

#### **Promotions**

The purpose of the promotion pay increase is to recognize and compensate employees for taking on increased responsibility. When an employee is promoted, the salary shall normally be advanced to the minimum rate of the new position, or to a salary which provides an increase of at least 5% over the employee's salary before the promotion, whichever is greater. In the event of highly skilled and qualified employees, shortage of qualified applicants, or other reasons related to the merit principle of employment, the City Manager may set the salary at an appropriate rate in the range of the position to which the employee is promoted that best reflects the employee's qualifications for the job and relative worth to the City, taking into account the range of the position and relative qualifications of other employees in the same classification. In no event, however, shall the new salary exceed the maximum rate of the new salary range. In setting the promotion salary, the City shall consider internal comparisons with other employees in the same or similar jobs.

#### **Demotions**

Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. When an employee is demoted to a position for which qualified, the salary shall be set at the rate in the lower pay range which provides a salary commensurate with the employees' qualifications to perform the job and consistent with the placement of other employees within the same classification in that salary range. If the current salary is within the new range, the employee's salary may be retained at the previous rate if appropriate. If the demotion is the result of discipline, the salary shall be decreased at least 5%. Salaries of demoted employees may be no greater than the maximum of the new range.

#### **Transfers**

The salary of an employee reassigned to a position in the same class or to a position in a different class within the same salary range shall not be changed by the reassignment.

## Reclassifications

A reclassification of a position may occur only when there have been demonstrated significant and permanent changes to the overall, or specific, duties, responsibilities and / or authorities.

An employee whose position is reclassified to a class having a higher salary range, shall receive a pay increase of 5% or an increase to the minimum rate of the new pay range, whichever is higher. If the employee has completed an introductory/"trainee" period, the employee's salary shall be advanced to at least the introductory completion amount in the new range.

If the position is reclassified to a lower pay range, the employee's salary shall remain the same. If the employee's salary is above the maximum established for the new range, the salary of that employee shall be maintained at the current level until the range is increased above the employee's salary.

## Interim Assignments

An employee who is formally designated, for a period of at least one month, by the City Manager to perform the duties of a job that is assigned to a higher salary grade than that of the employee's regular classification shall normally receive an increase for the duration of the interim assignment. The employee shall receive a salary adjustment to the minimum rate of the job in which the employee is acting or an increase of 5%, whichever is greater. Criteria involved in determining the amount of the compensation will include:

- a) the difference between the existing job and that being filled on a temporary basis, and
- b) the degree to which the employee is expected to fulfill all the duties of the temporary assignment.

The salary increase shall be temporary and upon completion of the assignment, the employee shall go back to the salary he or she would have had if not assigned in the interim role, taking into account any increase the employee would have received if not placed in the interim role.

### 3.11 Longevity Pay

The City provides a lump sum payment to employees in recognition of their service to the City. Longevity pay is discretionary and is subject to the availability of funds, budgetary constraints and the approval of the City Council.

Years of Service Longevity Amounts are as follows:

5 to 9 years	2%
10 to 14 years	3%
15 to 19 years	4%
20 and over	5%

If budgeted, longevity pay will normally be issued in December based on the length of service and pay rate effective November 30 of each year. Appropriate federal, state, retirement, etc. deductions will be made. Staff must be actively employed on November 30 in order to receive payment.

### 3.12 Payroll Practices

Employees are paid every other Friday, on a biweekly basis. If a Friday is a City holiday/bank holiday, the employees will be paid on the Thursday. Each workweek starts at 12:01 a.m. Sunday and ends at midnight the following Sunday. Fire and Police work periods are described below.

Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a 7-day period; 171 hours for sworn police in a 28 day cycle and 159 in a 21 day cycle for fire or other cycle consistent with FLSA). Hours worked beyond the FLSA established limit will be compensated in either time or pay at the appropriate overtime rate.

Fire Department personnel who work on a shift basis will have a work period of 21 days. Personnel will work 159 hours in a 21-day cycle before being eligible for overtime.

Police Department personnel who work on a shift basis will have a work period of 28 days beginning at 6:01 AM on Sunday morning and ending at 6:00 AM on Sunday, four (4) weeks following. Sworn police will work 171 hours on a 28-day cycle before being eligible for overtime.

Funds will be direct deposited into your bank account. Employees who change banking accounts or require updates to their W-4 withholdings should contact the HR Director to update their direct deposit or tax withholding forms.

Certain payroll deductions will be made in accordance with federal and state laws in addition to voluntary employee deductions. Employees may authorize us to make deductions for benefit premiums, 401(k), flexible spending accounts etc. Employees must review their paychecks for errors. If an employee finds a mistake, it must be immediately reported to your manager who will take the steps necessary to correct the error.

By law, the City of Albemarle is required to comply with any and all court, government orders and applicable laws. Upon receiving a court order or government mandate, the City will notify the employee and begin withholding wages.

### **Effective Date of Pay Changes**

All changes that impact an employee's rate of pay (promotions, salary changes, reclassifications, etc.) must be made effective on the first day of a new pay period.

## **3.13 Overtime and Compensatory Time**

Non-exempt employees of the City can be requested and may be required to work in excess of their regularly scheduled hours as necessitated by the needs of the City and determined by the Department Director. Overtime work should normally be approved in advance by the Department Director, City Manager or other designee.

In determining eligibility for overtime in a work period, only hours actually worked shall be considered; in no event will holidays, vacation or sick leave be included in the computation of hours worked for FLSA purposes.

**Determination of Overtime:** Department Directors have the authority to designate whether the department's non-exempt employees will receive overtime pay, compensatory time, or a combination of both, for overtime worked. The Department Director is the final authority for the compensation method and will take into account the department's overtime budget and operational demands.

**Overtime Rate:** Overtime rate for non-exempt employees shall be at one and a half (1.5) times the employee's hourly rate of pay.

**Compensatory Time:** Official compensatory time records shall reflect the product of *actual hours worked* multiplied by one and a half (1.5).

**Accumulation Maximum:**

Employees cannot accumulate more than maximum compensatory limits listed below at any given time:

	<b>Regular Scheduled Hours/Pay Period</b>	<b>Maximum Balance of Hours (hours x 1.5)</b>
General Employees	80	120
Law Enforcement	84	126
Fire Protection Employees	106	159

If on rare occasion, employees that have accrued leave over the thresholds established above, the employee will be paid out any additional hours over the balance thresholds on the last payroll of the fiscal year. It is the employee's responsibility to monitor compensatory time balances.

In emergency conditions, when long and continuous work is required over multiple days, the City Manager may approve special overtime compensation.

### **3.14 Compensating for Travel Time**

**Special One-Day Assignment in another City**

When an employee travels to an out-of-town site for a special one-day assignment, the time commuting in excess of the normal commute time will be counted as working time.

**Overnight Travel Away from Home**

Trips that take employees away from home overnight have certain guidelines. Travel away from home is clearly work time when it cuts across the employee's workday. The employee is simply substituting travel for other duties. The time is not only hours worked on regular working days during normal working hours, but also during the corresponding hours on non-working days.

### **3.15 Attendance and Punctuality (No Call/No Show)**

The City of Albemarle requires and expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness are disruptive and place a burden on other employees and on the City.

Employees should consult their immediate supervisor on individual start times and schedules and should be notified as soon as possible in advance of any tardy arrival or unscheduled absence. If illness is the cause given for the absence, the City may require a doctor's note documenting the date and reason for the absence.

The Attendance and Punctuality Policy is applicable to all employees (exempt and nonexempt). Employees who fail to follow the policy may be subject to corrective action/discipline up to, and including, termination.

**Scheduled absence:** A preapproved, planned absence from work by your supervisor is considered a scheduled absence. You are expected to schedule planned absences as far in advance as possible. Only requests which receive a supervisor's approval are scheduled absences.

**Unscheduled absence:** An absence during your regularly scheduled work hours without prior approval from your manager is considered an unscheduled absence.

**Protected absence:** A protected absence is not subject to corrective action/discipline and is protected by a specific City policy or federal or state laws such as Family Medical Leave Act (FMLA) or Americans with Disabilities Act (ADA).

This includes but is not limited to:

- Time away for approved Family or Medical Leave.
- Time away for work-related injury or illness.
- Other paid time away, including bereavement, jury duty, or testifying in court.
- Qualified military time away including annual training or active duty leave.
- Qualified military time away will be approved as leave provided the
- City receives a copy of the military leave paperwork.

**Tardiness:** Tardiness can occur if you are late for your work shift or late returning from your lunch period or break, or if you leave early from your shift without prior approval.

**Job Abandonment (No Call/No Show):** If you are absent from work without notifying your manager for three (3) or more consecutive scheduled business days, you will be considered to have voluntarily abandoned your job. The same is true if you don't contact the City when you are available for work at the end of an approved leave of absence. The City will consider extenuating circumstances on a case by case basis.

**Notification Procedures:** When you are absent from work and your absence has not been previously scheduled, you must personally notify your immediate supervisor or manager as soon as you are aware that you will be late or unable to report to work. Leaving a voicemail or message with another staff member does not qualify as notifying your supervisor. As a last resort, employees may contact Human Resources.

When absence is due to illness, the City reserves the right to require appropriate medical documentation. Such documentation need only include the employee's name, the date and time the employee was seen, and if applicable, a specific instruction regarding the employee's incapacity to perform his or her job. Excessive absenteeism or tardiness can result in discipline, up to and including termination. (Also see the section on Family & Medical Leave for extended leave situations.)

### **3.16 Time Records**

Federal and state laws require City of Albemarle to keep accurate records of the hours a non-exempt employee works, and the employee's time record accomplishes this. All employees must record their time when they start working, at the beginning and end of their meal period, any time they leave the City of Albemarle' premises for non-business reasons and upon their return, and at the end of the workday when they finish working.

Please remember to record your time accurately. Should you forget to record your time or make an error on your time record, you should notify your supervisor immediately, so that the time worked may be recorded or corrected and authorized.

Employees should verify their time record at the end of each pay period. It is your responsibility to make sure your time record is correct and verified. An employee should only record his or her own time. Recording hours worked on another employee's time record, tampering with another employee's time record, falsely recording time, or allowing someone to record time on your time record is prohibited and may result in disciplinary action, up to and including termination, both for you and for the other employee. In addition, employees should not work "off the clock."

### **3.17 Inclement Weather and Emergency Closings**

It is the policy of the City of Albemarle that all departments and offices operate on a normal schedule, regardless of weather conditions or circumstances. In the event of inclement weather, every City employee is to make every attempt to safely report to work as usual.

If local weather conditions make it impossible for an employee to report to work, he/she is expected to notify his/her supervisor in the same manner used for any other absence. The day will be charged as a vacation day, or as compensatory time, or, if the employee had not accumulated vacation or compensatory time, as a day without pay.

If an employee is unavoidably late due to severe weather conditions, the employee will not lose paid time unless the delay is longer than one (1) hour. Delays of longer than one (1) hour will either be charged to compensatory time, vacation leave, or will be without pay.

Any deviation from this policy can only be authorized by the City Manager, or their designee.

### **3.18 Parking**

All employees are expected to drive safely and to demonstrate courtesy, safety, and concern for pedestrians and other vehicles on city property. The City does not assume responsibility for accidents, fire, theft, etc., that occur in the parking lot.

### **3.19 Smoking and Tobacco**

In compliance with state law and City ordinance in order to provide a safe and comfortable working environment for all employees, smoking (including the use of electronic smoking devices and the use of smokeless tobacco products) is strictly prohibited except in specially designated smoking areas. Smoking is prohibited in all municipal vehicles. This policy applies to all employees, visitors, contractors and consultants and/or their employees working on the City premises, all temporary employees, and all interns. Employees who violate this policy will be subject to disciplinary action up to and including immediate termination.

The City also strongly urges any employee who smokes to seek help with a smoking cessation specialist and special arrangements may even be made to assist with this process.

### **3.20 Dress Code and Public Image**

Our City's professional atmosphere is maintained, in part, by the image we present to our citizens and the community. We expect all employees to present a neat, well-groomed appearance and a courteous disposition. These qualities go further than any other factors in making a favorable impression on the public and your fellow workers.

In keeping with this approach, the City allows reasonable self-expression through personal appearance, unless a) it conflicts with an employee's ability to perform his or her position effectively or with his or her

specific work environment, or b) it is regarded as offensive or harassing toward co-workers or others with whom the City conducts business and has contact with employees.

Employees are expected to observe our Dress Code and Public Image Policy at all times while at work. Employees who report to work in unacceptable attire or appearance may be requested to leave work and return in acceptable attire or appearance. Such time away from work will be without pay.

### **3.21 Communication Systems**

#### **Purpose**

The City of Albemarle recognizes the increase in technology resources available to employees designed to enable the City of Albemarle to provide services in a timely and efficient manner. This policy covers the use of all electronic communication technology resources belonging to the City of Albemarle. Electronic communication devices include but are not limited to radios, telephones, cellular phone, faxes, all computer systems and the peripherals, e-mail system, Internet, and network resources. Employees, volunteers and contractors of the City are expected to use any City owned electronic communications devices in a manner consistent with this policy.

#### **Access and Ownership of Information**

All electronic communication devices are provided to increase the level of service to citizens and to increase the productivity of employees. Any information sent, stored or received on such devices shall be considered the property of the City of Albemarle and shall be subject to inspection by City officials. The City reserves the right to inspect the devices for City business purposes without advance notice for purposes including but not limited to:

1. Investigation of theft.
2. Unauthorized disclosure of confidential or proprietary information.
3. Personal abuse of the device.
4. Monitoring of workflow productivity.
5. Investigation of violation of City policies.

The City may also find it necessary to access information stored on electronic communication equipment to continue a level of efficient and responsive government service in the case of an employee absence, transfer, vacation or termination. Police Department records shall be accessible 24 hours per day by the Police Department records personnel and supervisory personnel.

#### **Monitoring**

The City of Albemarle shall not routinely monitor the electronic communications of its employees but reserves the right to do so for the circumstances contained in this policy and as necessary.

This policy shall comply with all federal wiretapping laws pertaining to listening to telephone communications, direct line telephone communications or the recording of such conversations. The employee's right to privacy shall be protected at all times.

#### **Personal Use**

The City of Albemarle understands that incidental personal use of City electronic communication devices is a reasonable and acceptable use of the equipment. Employees shall be aware that communication conducted on electronic devices must comply with existing City policies governing harassment, political activity, use for outside employment, abuse of time and any other previously adopted City of Albemarle policies.



Personal use shall be permitted upon the following conditions:

1. Employee should be aware that any use, even personal, is still subject to all provisions of this policy.
2. There must be no cost to the City of Albemarle.
3. Use must be conducted on employee's own time. However, minimal personal use of non-cellular telephones and the e-mail system is permitted provided that it does not interfere with the employee's ability to carry out the City's business.
4. Use must not interfere with the ability of other employees to do their jobs.
5. Use of the City's electronic communication devices is prohibited for the purpose of conducting outside business.
6. Use of cellular phones in emergency situations is permitted providing that the employee reimburse the City for any expenses should expenses be incurred
7. Individuals who are not employees, volunteers or contractors of the City are not permitted to use the City's electronic communication devices.
8. Keep It Professional. All Communication Systems users must keep their messages businesslike and refrain from using these systems for personal messages. The Communication Systems may NOT be used in such a way as to be disruptive or offensive to others. Messages containing offensive sexual material, racial or ethnic slurs or epithets, or other material of a harassing nature are strictly prohibited. Remember – the City of Albemarle's policies against discrimination and sexual and other unlawful harassment apply to communications through the Communication Systems or otherwise. Employees learning of the misuse of City of Albemarle's Communication Systems or of violations of this policy have the responsibility to notify the IS Director immediately.

Employees should keep in mind that, as outlined in this policy, the City reserves the right to conduct inspections of communication devices for City business purposes and the ownership of such information shall rest with the City of Albemarle.

#### **Authorizing Use of E-mail and Internet**

The use of the Internet and e-mail systems is designed to increase efficiency and improve communications both internally and outside the organization. The City of Albemarle will provide its employees with access to email and Internet resources as appropriate. It shall be at the discretion of each Department Director as to who shall have access to these devices. Department Directors shall be responsible for notifying the IS Director of any necessary additions, deletions and changes to employee access.

#### **Confidential Information/Security**

Because information transmitted via the use of e-mail is not completely secure and can possibly be viewed by individuals other than the intended recipient, the transmission of confidential information over the e-mail system is prohibited. If it is necessary to transmit in writing such information, employees shall do so by a printed memorandum, letter, etc.

Except where permitted by this policy, the viewing, altering, transmitting, accessing, copying or deleting of files belonging to another employee without their prior consent is prohibited.

Each user of the City's network will be responsible for his/her own actions, therefore; each individual user of the City's network will be assigned a user access code or password. This password or access code shall not be provided to any other employee and shall not be stored in written form by the assigned employee. In the instance that it is necessary to view the files of a City employee



under circumstances contained within this policy, the Department Director may provide his/her approval to the City or Department IS Director to provide for the access to the files.

Due to the damaging effect of computer viruses, employees are required to receive the approval of the City or Department IS Director prior to downloading any file or program received on CD ROM, diskette, and tape or through the Internet. This is designed to prevent viruses from infecting the City's network.

### **Appropriate/Inappropriate Uses**

Electronic communication devices are provided to City of Albemarle employees as a business tool. Just as with any other City resource, employees are representing the City of Albemarle when using these devices. It is established legal precedence that even when using such devices for personal use, employers can be held liable in a court of law for the inappropriate uses of its employees. Therefore, any violation of this policy or inappropriate use of electronic communication devices will be considered a serious offense.

Inappropriate uses include but are not limited to:

1. Violations of this policy.
2. Use of electronic communication devices for activity relating to outside employment.
3. Disclosure of confidential information.
4. Use for political purpose.
5. Use to store, transmit, load or download sexually explicit images and material, violent images and material, or any other material or language deemed inappropriate or offensive by the City.
6. Using harassing, intimidating, discriminating, or threatening language.
7. Violations of federal copyright laws.
8. Use of computer equipment to add or play computer games.
9. Violations of the City Code of Ordinances or policies.

Employees shall not tamper with or alter the hardware or configuration of any computer without receiving approval to do so from the City or Department IS Director. Employees shall also contact the Department or City Information Systems (IS) Director when any network program seizes or becomes non-operating. The resolution procedures shall be at the discretion of the Administrator.

Employees are urged to remember that items deleted by the user are not necessarily irretrievable by computer experts. Therefore, inappropriate information between individuals may be discovered even when it is thought to have been deleted.

### **Maintenance Procedures**

The following maintenance procedure are set forth in an effort to prevent the contamination of the computer network systems as well as to ensure the upkeep of the system. The IS Director shall be responsible for:

1. Review all passwords and codes annually for accuracy, their current status, and for access violations.
2. Review any software wishing to be downloaded to a personal computer for the existence of viruses.
3. Back up network system files a minimum of once per week.

### **Penalties**

Employees in violation of this policy shall be subject to the disciplinary actions up to and including termination.

## **Authority**

By accessing and using the Communication Systems provided or made available by City of Albemarle, you expressly consent to such monitoring, access, use, and disclosure by City of Albemarle and acknowledge that YOU HAVE NO EXPECTATION OF PRIVACY WITH RESPECT TO ANY INFORMATION ON THE COMMUNICATION SYSTEMS PROVIDED OR MADE AVAILABLE BY the CITY OF ALBEMARLE.

## **3.22 Media Relations**

### **Purpose**

The purpose of this media policy is to provide City personnel with guidelines for interacting with news media and coordinating media interaction through the City's Communications Director. The goal is to have a positive exchange with media and to present communications to the media and public that is timely, accurate and consistent with the City's mission.

### **Media Interaction**

1. All media queries and requests for interviews and information should be directed to the Communications Director.
2. The Communications Director can best direct a media representative to the most appropriate department/person as well as ensure the City is best represented as we work to avoid confusion, the reporting of inaccurate information, ensure transparency to the public, and deliver consistent information.
3. City staff is required to be responsive to the media in a timely fashion. When a member of the media contacts a City employee, it is expected that the employee refer the inquiry to their department head and the Communications Director as soon as possible.
4. No employee should speak with the media without receiving approval from their Supervisor/Director and the Communications Director.
5. When communicating with the media, City staff should be mindful that they are perceived to be acting on behalf of the City. All employees should behave professionally, courteously and avoid editorializing as much as possible. Employees should be dressed professionally and/or in uniform when interviewed by media.

### **Media Interaction**

1. News releases should be submitted to the Communications Director for review, approval, and distribution.
2. Once approved, the Communications Director will be responsible for distribution to the news media.
3. All news releases issued should follow generally accepted media formatting.

## **3.23 Equipment and City Property**

City equipment, materials, tools and supplies shall not be available for personal use and are not to be removed from the premises except in the conduct of official City business, unless approved by the City Manager. All City property issued to the employee shall be returned to the employee's supervisor upon termination of employment.

## **3.24 Use of Cellular Phones while Driving**

If you are driving a vehicle (**personal or City**) on City business, you **MUST** use a hands-free device while using your cell phone. Calls made while using hands-free devices should be made only when necessary

and kept as brief as possible. If use of a hands-free device is not possible, you are expected to pull off of the road to a safe area before using your cell phone. It is unlawful for any motor vehicle operator to text message while driving.

Compliance with all local, state, and federal laws is required. Any ticket or citation received while operating a City vehicle will be the sole responsibility of the employee. Employees found at fault in a collision may be required to pay all or a portion of the cost of repair and/or are subject to disciplinary action including termination.

## **Part 4 –Benefits**

### **4.1 Employee Group Health, Dental and Vision Insurance**

The City provides group health, dental and vision insurance programs for employees and their families as specified under the terms of the group insurance contract. The City pays the entire cost of health insurance for full-time employees. The City will comply with the Affordable Care Act by providing health insurance for all employees expected to work 30 or more hours per week for three or more months when required. Full-time employees may, if they so desire, purchase available group health, dental and/or vision coverage through the City for qualified dependents within the stipulations of the insurance contract. Employees will pay the amount stipulated by the City for their qualified dependents. Information concerning cost and benefits shall be available to all employees from the Human Resources office. Elected officials will be eligible for coverage throughout their elected term.

### **4.2 Continuation of Benefits (COBRA)**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible employees and their beneficiaries to continue health insurance coverage under the City health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements. Please contact the Human Resources Department to ask about COBRA.

### **4.3 Retiree Health Insurance**

City of Albemarle employees who qualify for retirement under the provisions set forth under the North Carolina Local Government Employees' Retirement System before Medicare eligibility may continue the group health insurance coverage until they reach Medicare eligibility, based upon the following schedule:

- a. Under five (5) years of continuous service with the City – no group health insurance benefits available.
- b. Five (5) years, but less than ten (10) years of continuous service – group health insurance benefits available at the current premium rate to be paid for in full by the retiree.
- c. Ten (10) years, but less than fifteen (15) years of continuous service – group health insurance benefits available at the current premium rate to be paid 25% by the City and the retiree will pay the remaining amount.
- d. Fifteen (15) years, but less than twenty (20) years of continuous service – group health insurance benefits available at the current premium rate to be paid 50% by the City and the retiree will pay the remaining amount.
- e. Twenty (20) years, but less than twenty-five (25) years of continuous service – group health insurance benefits available at the current premium rate to be paid 75% by the City and the retiree will pay the remaining amount.
- f. Twenty-five (25) years or more of continuous service – group health insurance benefits available at the current premium rate to be paid 100% by the City.

Retired elected officials may be eligible for retiree coverage after completion of twenty (20) or more years of continuous service to the City of Albemarle.

Staff initially employed in a regular part-time position and then became a full-time employee with no break in service, will receive partial credit for their years of part-time employment toward their "continuous service" calculation.

Group health insurance benefits will be available at the current premium rate and will be paid for in full by the retiree. Coverage will be continued under the type coverage (Individual, Family, etc.) as was in effect immediately preceding retirement date and benefits will be provided under the same provisions and at the same amounts as for other active employees (i.e. premiums are paid on time, etc.).

Coverage will be available only to those eligible dependents of the member covered on the day immediately preceding the date of retirement. Coverage will remain available until the retiree ceases to be eligible, in accordance with the provisions of the Plan, i.e. children who reach the maximum age limit cannot continue to be covered.

Coverage for eligible retirees will continue until:

- Retiree ceases to be eligible as a retired employee as specified under the North Carolina Local Government Employees' Retirement System;
- Retiree fails to pay any applicable fees on or before the date due;
- Retiree becomes eligible for benefits under Title XVIII Medicare of the Social Security Act; .

This policy is subject to the approval of the insurance carrier(s) selected to provide group medical coverage for employees of the City of Albemarle. Any and all of the provisions of this policy is subject to change, including amendments and termination, without prior notice. Rates are subject to change on an annual basis.

#### **4.4 Retirement**

Each employee who is expected to work for the City more than 1,000 hours annually shall join the North Carolina Local Governmental Employees' Retirement System the first of the month following their date of hire. (This applies to all employees hired on or following September 20, 2021; Employees hired prior to September 20, 2021 did not begin retirement contributions until 90-days after their date of hire.).

Employees contribute a designated percent of salary each payroll with an actuarial match by the City as determined by the North Carolina Local Governmental Employee's Retirement System.

An employee who meets the conditions set forth under the provisions of the North Carolina Local Governmental Employee's Retirement System may elect to retire and receive all benefits earned under the retirement plan.

#### **4.5 Supplemental Retirement Benefits**

The City provides supplemental retirement benefits for its full-time employees. As prescribed by North Carolina State Law, the City will contribute a percentage of salary to the State 401-K plan for each sworn law enforcement officer (currently 5%). Contributions begin once an officer is sworn.

All full-time employees may make voluntary contributions to the 401-K plan up to the limits established by law and the 401-K provider. The City may choose to make contributions to non-law enforcement employees as it deems appropriate.

The City also provides a 457b deferred compensation plan that is available to all full-time and part-time employees.

#### **4.6 Social Security**

The City, to the extent of its lawful authority and power, has extended Social Security benefits to its eligible employees.

## **4.7 Workers' Compensation**

All employees of the City (full-time, part-time, and temporary) are covered by the North Carolina Workers' Compensation Act and are required to report all injuries arising out of and in the course of employment to their immediate supervisors at the time of the injury in order that appropriate action may be taken at once.

Responsibility for claiming compensation under the Workers' Compensation Act is on the injured employee, and such claims must be filed by the employee with the North Carolina Industrial Commission within two years from date of injury. The Department Director and the Human Resources Director will assist the employee in filing the claim.

An employee absent from duty because of sickness or disability covered by the North Carolina Workers' Compensation Act may elect to use accrued sick leave, vacation, or compensatory time during the first waiting period of seven days. The employee will not be required to reimburse the City for this paid leave in the event the absence extends beyond twenty-one days and the first seven days is paid by workers' compensation.

Once the waiting period is over, workers' compensation covers two thirds of regular pay. An employee may elect to use sick leave, vacation or compensatory time to supplement the other one third of time not to exceed regular gross pay. While on paid leave, an employee continues to receive paid health insurance.

Any worker's compensation disability that qualifies under the requirements of FMLA shall run concurrently with FMLA. An employee on worker's compensation leave will be permitted to continue to be eligible for benefits under the City's group insurance plans. Other insurance and payroll deductions are the responsibility of the employee and the employee must make those payments for continued coverage of that benefit. Any amounts owed are due and payable by the first of the month.

An employee shall retain all unused vacation and sick leave while on Worker's Compensation Leave without Pay. An employee ceases to earn holiday or leave credits on the date Worker's Compensation Leave without Pay begins.

Pursuant to a declaration invoking Section 304 of the Homeland Security Act, this provision will also apply to reactions to smallpox vaccinations administered to City employees under the Homeland Security Act. Such reactions shall be treated the same as any other workers' compensation claim.

## **4.8 Law Enforcement Separation Allowance**

Every sworn law enforcement officer, as defined by N.C. Gen. Statute 128-21(11b) or N.C. Gen. Statute 143-166.50, shall be eligible for a separation allowance, as provided by N.C. Gen. Statute 143-166.42, in the amount specified in N.C. Gen. Statute 143-166.41(a).

Currently the law enforcement separation allowance is *"equal to eighty-five hundredths percent (0.85%) of the annual equivalent of the base rate of compensation most recently applicable to the officer for each year of creditable service"*. The City will pay this benefit on a monthly basis in accordance with the payroll frequency used by the employer.

Eligibility and continuation of these benefits are subject to the following conditions:

- a) The officer shall have completed 30 or more year of creditable service, or have attained 55 years of age and completed five or more years of creditable service (as defined in General Statute 143-166.42); and
- b) The officer shall not have attained 62 years of age;
- c) The officer shall have completed at least five years of continuous service as a law enforcement officer immediately preceding a service retirement, as defined by N.C. Gen. Statute 143-166.41(a)(3) and 143-166.41(b).
- d) The law enforcement officer, after separation from City employment, notifies the City of any new employment involving local law enforcement duties. Such notification shall include the nature and extent of the employment, and any change of employment status.

As used in this section, "creditable service" means the service for which credit is allowed under the retirement system of which the officer is a member, provided that at least fifty percent (50%) of the service is as a law enforcement officer as herein defined or as a probation/parole officer as defined in G.S. 135-1(17a).

Payment of separation allowance benefits to a retired officer shall cease at the first of:

- a) The death of the officer;
- b) The last day of the month in which the officer attains 62 years of age; or
- c) The first day of re-employment in any position in any local government in North Carolina. The City may employ retired officers in a public safety position in a capacity not requiring participation in the Local Governmental Employees' Retirement System and doing so shall not cause payment to cease to those officers under these benefits. Participation in the retirement system is required by anyone scheduled to work 1000 hours per year or more. Should the separation allowance for law enforcement officers, now required by law, be rescinded, this separation allowance shall be rescinded at the same time.

## **4.9 Credit Union Membership**

Employees of the City of Albemarle are eligible for membership in the North Carolina Local Government Federal Credit Union.

## **4.10 Tuition Assistance**

Full-time employees who have completed the initial introductory period may apply for tuition reimbursement for courses taken on their own time, which will improve their skills for their current job or prepare them for promotional opportunities within the City service. Tuition, registration, fees, laboratory fees, and student fees are eligible expenses. Satisfactory completion of the courses will be required for reimbursement. Requests for tuition assistance shall be submitted to the Department Director prior to course registration and are subject to the review by the Human Resources Director and approval of City Manager.

## **4.11 Employee Referral Program**

### **Employee Referral Program**

The City of Albemarle is always seeking great talent to add to our team. We understand that often our existing employees can be a great resource in helping with this effort. Employees that follow the referral program guidelines described below will qualify for a \$250 award (less taxes) provided all requirements are met.



**Referral Process:**

1. Share current opportunities with friends, family, prior co-workers, or neighbors that you believe would be strong contributors to the performance and culture of the City of Albemarle.
2. Openings are posted on our career site at the following web address:

<https://www.governmentjobs.com/careers/albemarle>

3. To get credit for the referral, the applicant must list in the notes of the online application, or on top of the paper application, that they heard about the opportunity through an Employee Referral and must include the referring employee's name (current employee).

**Program Rules:**

1. To qualify for the award, the preferred candidate must list they were referred by the current employee at the time they complete the paper application or online submittal.
2. Referrals can be made at any time whether roles are open or not. Those referrals will be maintained on file for up to six (6) months.
3. The date of hire of a referred employee must occur within six (6) months of the initial referral date.
4. Referred employees must be satisfactorily employed for one year, employment must be in good standing, and currently employed to receive payout.
5. The referring employee must be actively employed at the time of the award payout to qualify.
6. All current City employees are eligible to refer candidates. However, Directors and the Administrative Leadership team are not eligible for a referral award payout. Managers or Supervisors may participate in the program but only if the referral is outside of their accountability chain and the manager/supervisor is not influential to the employment decision which would create a conflict of interest.
7. Temporary, contract, or seasonal employees are not eligible for the award.
8. The City reserves the right to discontinue the program or edit the program at any time.

**Payout:**

- The \$250 award will be paid as soon as administratively practical following the one year anniversary of the referred employee.

Payouts are income according to the IRS. As such, it will be recorded as income via payroll with applicable withholding taxes.

## **Part 5 – Holidays, Vacation and Other Leave**

### **5.1 Holidays**

The City will follow the holiday schedule as published by the State of North Carolina for state employees. In order to receive a paid holiday, an employee must have worked the day before and the day after the holiday(s), or have been given approved paid leave.

**Holidays: Effect on Other Types of Leave**

Regular holidays which occur during a vacation, sick or other leave period of any employee shall not be considered as vacation, sick, or other leave.

**Holidays: Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel**

Employees whose job assignments are not closed during holidays will receive equal amounts time to be accrued at the end of the first and second payroll of each month (24 times per year). This time may be taken when scheduled in advance with the supervisor. Employees should not accrue holiday time in excess of the amount equal to one-half their annual accrual amount.

- 40-hour employees will accrue 4 hours per payroll (24 times each year)
- 42-hour employees will accrue 4.5 hours per payroll (24 times each year)
- 53-hour employees will accrue 5.3 hours per payroll (24 times each year)

In determining eligibility for overtime in a work period, only hours actually worked shall be considered.

**Floating Holidays**

Employees will also be granted one day of Floating Holiday per calendar year. The Floating Holiday must be scheduled and approved in advance by the employee's supervisor. The leave may be used by eligible employees for any single shift or calendar day of personal significance, including but not limited to days of cultural or religious importance, including Juneteenth. This floating Holiday may also be used for employee birthday, employee work anniversaries, or other scheduled workdays. Employee's taking their Floating Holiday should utilize the process established in their department for taking paid time off. All other rules and conditions of Holiday Pay outlined in this policy apply to Floating Holiday.

- The Floating Holiday must be taken during the calendar year and will not roll over into another calendar year.
- The total amount of Personal Observance Leave allotted to an employee must be used on a single work shift.

## **5.2 Vacation Leave**

Vacation is a privilege granted to employees by the City. Vacation leave is intended to be used for rest and relaxation, school appointments, and other personal needs. Vacation should be requested in advance in methods determined by the department and approved by the supervisor.

Vacation leave may also be used by employees who wish to observe religious holidays other than those granted by the City. Employees who wish to use leave for religious observances must request leave from their respective Department Directors. The Department Director will attempt to arrange the work schedule so that an employee may be granted vacation leave for the religious observance. Vacation leave for religious observance may be denied only when granting the leave would create an undue hardship for the City.

In determining eligibility for overtime in a work period, only hours actually worked shall be considered.

**Vacation Leave: Accrual Rate**

Each full-time employee of the City will accrue vacation on the following schedule. Sworn law enforcement officers who work an average workweek of 42 hours (168 hours in a 28-day cycle) and fire shift staff who work 159 hours in a 21-day cycle will earn a prorated amount based on the average number of regular hours in the work week.

### **Years of Service Approximate Days Accrued Per Year**

0 – 4 years	10
5 - 9 years	12
10 – 14 years	15
15 – 20 years	18
20 plus years	21

### **Accrual Rate Adjustment for Prior Government Employees**

Effective November 1, 2023, new hires who transfer to the City of Albemarle from an entity covered by the North Carolina State or Local Government Retirement Systems will receive years of service credit in determining eligibility for vacation leave accrual.

In addition, employees hired before November 1, 2023, can request an adjustment to their vacation accrual rate for future accruals if the accrual rate would be greater with years of service credit. Years of service credit is determined by active time in the North Carolina Local Government Retirement System (NC LGERS).

The accrual rate adjustment based on years of creditable service for new and existing employees will be effective on the first pay period following receipt of the required documentation and will not be retroactive.

All documentation will be submitted to Human Resources who will verify active years of creditable service.

### **Credit for Accumulation from Previous Employment**

Effective November 1, 2023, new hires who transfer to the City of Albemarle from an entity covered by the North Carolina State or Local Government Retirement Systems may receive credit with the City of Albemarle for up to 80 hours unused accumulated vacation leave earned provided:

- the local governmental entity was the employee's most recent employer immediately preceding the employee's employment with the City of Albemarle,
- the employee presents to Human Resources a written statement on agency letterhead confirming the employee's ending vacation leave balance, and
- the employee was not reimbursed for the unused hours.

### **Vacation Leave: Maximum Accumulation**

Vacation leave may be accumulated without any applicable maximum until the pay period containing December 31 of each fiscal year. During the pay period containing December 31, any employee with a balance exceeding 200 hours shall have the excess accumulation transferred to sick leave so that only a balance of 200 hours is carried forward to January 1st.

If an employee separates from service, the payment for accumulated vacation leave shall not exceed 200 hours. Retiring employees may transfer any amount of accrued vacation leave up to their maximum accrued balance to sick leave at termination to be used toward retirement credit. At the time of retirement, the payment of accumulated vacation leave shall not exceed 200 hours.

Current employees are not eligible to receive pay for vacation time not taken.

Employees are cautioned not to retain excess accumulated vacation leave until late in the fiscal year. Because of the necessity to keep all functions in operation, large numbers of employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having vacation leave scheduled or in receiving any exception to the maximum accumulation.

#### **Vacation Leave: Manner of Taking**

Employees shall be granted the use of accrued vacation leave upon request in advance at those times designated by the Department Director which will least obstruct normal operations of the City.

Department Directors are responsible for ensuring that approved vacation leave does not hinder the effectiveness of service delivery.

#### **Vacation Leave: Payment upon Separation**

An employee who has successfully completed six months of the introductory period will normally be paid for accumulated vacation leave upon separation not to exceed the 200 hour maximum provided notice is given to the supervisor at least two weeks in advance of the effective date of resignation, thirty calendar days for Department Directors.

Any employee failing to give the notice required by this section shall forfeit payment for accumulated leave. The notice requirement may be waived by the City Manager when deemed to be in the best interest of the City. Employees who are involuntarily separated shall receive payment for accumulated vacation leave not to exceed the 200 hour maximum. At the discretion of the City Manager, employees dismissed for serious violations of personal or criminal conduct are ineligible to receive vacation pay.

#### **Vacation Leave: Payment upon Death**

The estate of an employee who dies while employed by the City shall be entitled to payment of all the accumulated vacation leave credited to the employee's account not to exceed the maximums established in this policy.

### **5.3 Sick Leave**

Sick Leave may be used for the following reasons: sickness, non-job related bodily injury, the first seven days of Workers' Compensation Leave, required physical or dental examinations or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others.

Sick leave may be used when an employee must care for a member of his or her immediate family who is ill. For the purposes of this benefit, immediate family is defined as spouse, child, parents of employee or spouse, grandparent, grandchild, brother or sister, or someone living in the home or in-law or step relations of same. Sick leave may not be used to care for a healthy child.

Sick leave may also be used to supplement worker's compensation disability leave for the seven day waiting period before worker's compensation benefits begin, not to exceed normal gross pay.

Sick Leave with pay is granted to employees by the City Council and may be used only for the purposes described in this Policy. Abuse of sick leave privileges will subject the employee to disciplinary action. Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave or according to departmental procedures.

In determining eligibility for overtime in a work period, only hours actually worked shall be considered

#### **Sick Leave: Accrual Rate and Accumulation**

Sick leave shall accrue at a rate of approximately one day per month of service or twelve days per year. Sick leave for full-time employees working other than the basic forty-hour work schedule (sworn law enforcement officers who work an average workweek of 42 regular hours-168 hours in a 28 day cycle or fire shift staff who work an average workweek of 53 regular hours-159 in a 21 day cycle) shall be prorated as described in this Article. Sick leave will be cumulative for an indefinite period of time and may be converted upon retirement for service credit consistent with the provisions of the North Carolina Local Governmental Employees Retirement System.

All sick leave accumulated by an employee shall end and terminate without compensation when the employee resigns or is separated from the City, except as stated above for retirement or upon reinstatement with one year of separation.

#### **Transfer of Sick Leave from Previous Employer**

The City will accept sick leave balances when documented by a previous employer when the employee worked for a previous employer covered by the North Carolina State or Local Government Retirement Systems and the employee did not withdraw accumulated retirement contributions from that employer when leaving employment.

The sick leave will be treated as though it were earned with the City of Albemarle and may be used as any other accrued sick leave by the employee. The sick leave amount must be certified by the previous employer and it is the employee's responsibility to provide documentation from his or her previous employer.

#### **Sick Leave: Medical Certification**

The employee's supervisor or Department Director may require a physician's certificate certifying the employee's or employee's family member's illness and the employee's capacity to resume duties, for each occasion on which an employee uses sick leave or whenever the supervisor observes a "pattern of absenteeism." The employee may be required to submit to such medical examination or inquiry as the Department Director deems desirable. The Department Director shall be responsible for the application of this provision to the end that:

1. Employees shall not be on duty when they might endanger their health or the health of other employees; and
2. There will be no abuse of leave privileges.

Claiming sick leave under false pretense to obtain a day off with pay shall subject the employee to disciplinary action up to and including dismissal.

#### **Pro-rated Leave**

Holiday, annual, and sick leave earned by full-time employees with more or fewer hours than the basic work week (40 hours) shall be pro-rated.

## **5.4 Military Leave and National Guard/Active Reserve**

The City will grant a military leave to eligible employees consistent with the requirements of Federal law (USERRA). Employee taking leave under USERRA shall be eligible to take accumulated vacation leave, accrued compensatory time or be placed in a leave without pay status, and the provisions of that leave

shall apply. While taking USERRA leave, the employee's unused leave balances will be retained and any seniority based benefits such as leave accrual rates will continue to accrue.

Employees performing USERRA duty of more than 30 days may elect to continue the City's health care for up to 24 months but will be responsible for paying the insurance premiums up to 102% of the premium costs. Employees whose USERRA duty is less than 31 days will have their health insurance coverage paid as if they were at work with the City.

### **Military Pay**

In addition to complying with the requirements of USERRA, the City provides additional benefits for military training. Full-time employees who are members of an Armed Forces Reserve organization or National Guard shall be granted fifteen calendar days per year for military leave with pay should they be called into training or active service.

If such duty is required beyond the fifteen calendar days, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status, and the provisions of that leave shall apply. While on military leave, seniority-based benefits such as leave accrual rates shall continue to accrue as if the employee was actively at work. Employees on extended military leave will remain eligible for health benefits on a voluntary basis, at the employee's expense for a period of 24 months.

Part-time and temporary employees will be granted time off without pay to meet their military reserve or National Guard training obligations.

### **Reinstatement Following Military and other USERRA Service**

An employee who volunteers or is called to active duty with the United States military forces, and who returns to work in less than five years will be returned to the same or like position he or she occupied prior to the active duty enlistment with full seniority, status, leave accrual rates and pay as if there had been no break in employment. A military discharge form "DD214" with an honorable discharge must be submitted with the notification of intent to return to work.

Time limits for employees to reapply for return to work after release from military service are:

- 1) Less than 31 days absence - employee must report to employer by the next business day.
- 2) 31 days-180 days absence - notification to the supervisor must be submitted within 14 days.
- 3) More than 180 days absence - notification to the supervisor must be submitted within 90 days.

All reporting deadlines are extended for two years if the employee is injured during USERRA service.

## **5.5 Civic Responsibilities**

We encourage each of our employees to accept his or her civic responsibilities. As a good corporate citizen, we are pleased to assist you in the performance of your civic duties.

A full-time City employee called for jury duty or as a court witness for the federal or state governments, or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated leave. The employee may keep fees and travel allowances received for jury or witness duty in addition to regular compensation; except, that employees must turn over to the City any witness fees or travel allowance awarded by that court for court appearances in connection with official duties. While on civil leave, benefits and leave shall accrue as though on regular duty.

## Voting

Voting is key to our civic responsibilities. If you need assistance finding time to vote, please let us know so that we can make arrangements for you to have the necessary time to get to the polls.

### **5.6 Parental School Leave**

A City employee who is a parent, guardian, or person standing in loco parentis (in place of the parent) may take up to four hours of unpaid leave annually to involve him or herself in school activities of his or her child(ren). This leave is subject to the three (3) following conditions:

- 1) The leave must be taken at a time mutually agreed upon by the employee and the City;
- 2) The City may require the employee to request the leave in writing at least 48 hours prior to the time of the desired leave; and
- 3) The City may require written verification from the child's school that the employee was involved at the school during the leave time.

Paid leave (vacation time) taken by a full-time employee to attend to school activities of his or her child shall count toward the fulfillment of this provision by the City.

### **5.7 Voluntary Shared Leave**

Shared sick leave provides full-time employees the opportunity to donate sick leave and/or vacation leave hours directly to a regular a full-time employee. Full-time employees are eligible to request shared leave when needed because of a catastrophic or prolonged serious personal medical condition requiring extended absence in excess of normally accrued leave. Employees are also eligible for this leave because of catastrophic or prolonged serious medical conditions of a spouse, parent or child requiring extended absence in excess of normally accrued leave to care for that family member. Employees are not eligible for shared leave for normally chronic or short-term medical conditions.

Employees may request transfer of sick and vacation leave from the accounts of one or more consenting employees. Employees donating leave must retain a balance of at least 80 hours of sick leave and 80 hours of vacation leave. Recipients of shared leave must have already been approved for the leave of absence. Donated leave will run concurrently with all applicable unpaid leave provisions.

#### **Eligibility**

- The recipient employee must be a full-time or part-time employee working over 1,000 hours annually.
- In order to be eligible an employee must have exhausted all paid leave at the time of donation.
- An employee who has active discipline due to attendance issues or is not meeting attendance expectations on the performance evaluation is ineligible for participation in this program.

#### **Provisions**

- a) Leave must be donated on a one hour to one hour basis.
- b) An employee of supervisor may not directly or indirectly intimidate, threaten, coerce or attempt to intimidate, threaten or coerce, any other employee for the purpose of interfering with any right an employee may have to donate, receive, or use sick leave under this program. Such action shall be grounds for disciplinary action up to and including dismissal on the basis of the personal conduct. Individual leave records are confidential and only individual employees may



reveal their donation or receipt of leave. The donating employee may not receive remuneration for the donation of sick.

- c) Recipients may not bank leave donations.
- d) Funds to pay the donated leave must be available in the recipient department's budget.
- e) Any donated leave is taxable to the recipient. The dollar amount of any donated leave will be added to the recipients W-2 as income.
- f) Donated sick time is not eligible to count towards service years in the Local Government Retirement System. The use of donated leave does not waive the "at will" employment status.

## 5.8 Leave Without Pay

A full-time employee may be granted a leave of absence without pay for a period of up to twelve months by the City Manager. The leave may be used for reasons of personal disability, sickness or disability of immediate family members, continuation of education, 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.

The employee shall apply in writing to the City Manager for leave. The employee is obligated to return to duty within or at the end of the time determined appropriate by the City Manager. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay.

If the employee decides not to return to work, the Department Director shall be notified immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested and granted, shall be considered a resignation.

An employee shall retain all unused vacation and sick leave while on Leave Without Pay. An employee ceases to earn holiday or 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 at his or her own expense, subject to any regulation adopted by the City and the regulations of the insurance carrier. If the Leave Without Pay is for a circumstance that coincides with FMLA, Workers' Compensation Leave, or USERRA then the provisions of those policies will apply.

## 5.9 Family Medical Leave Act (FMLA)

In accordance with the Family Medical Leave Act that went into effect on August 5, 1993, the City of Albemarle provides eligible employees up to twelve weeks of leave for family and medical reasons. Additional time away from the job beyond the 12-week period may be approved in accordance with the City's Leave without Pay policy.

Guidelines:

- **Eligibility.** Employees are eligible to take up to twelve (12) weeks of unpaid family/medical leave within a twelve (12) month period, rolling back and be restored to the same or an equivalent position upon their return from leave provided they: a) have worked for the City for at least twelve (12) months, and for at least 1250 hours in the last 12 months; and b) are employed at a worksite that has fifty (50) or more employees within a 75 mile radius.
- **Reasons for Leave.** Eligible employees may take family/medical leave for any of the following reasons: a) the birth of a son or daughter and in order to care for such son or daughter; b) the placement of a son or daughter with the employee for adoption or foster care; c) to care for a spouse, son, daughter, or parent with a serious health condition; d) because of their own serious

health condition which renders the employee unable to perform the essential functions of the position, e) In accordance with the National Defense Authorization Act

- Eligible employees may take up to twelve (12) weeks family medical leave for a qualifying exigency related to a covered service member on active duty or who has been notified of an impending call or order to active duty. Covered family members include spouse, parent, and child.
- Or an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of twenty-six (26) workweeks for military related medical treatment to care for the service member. Under the caregiver leave the twelve-month period will be calculated rolling forward from the first day of leave.
- Leave because of reasons "a" or "b" must be completed within the twelve (12) -month period beginning on the date of birth or placement.

- a) **Notice of Leave.** If an employee finds that he/she must be out of work for more than five days, he/she should contact the Human Resources department to determine if a leave of absence may be necessary. A scheduled vacation is not considered a leave of absence.

If the need for family/medical leave is foreseeable, the employee must give the City at least thirty (30) days prior written notice. If this is not possible, the employee must at least give notice as soon as is practicable (within 1 to 2 business days of learning of their need for leave). Failure to provide such notice may be grounds for delay of leave. Where the need for leave is not foreseeable, the employee is expected to notify the City within 1 to 2 business days of learning of their need for leave, except in extraordinary circumstances. The City has Family Medical Leave forms available from the Human Resources Department. These forms must be used when employees request leave.

- b) **Medical Certification.** If employees are requesting leave because of their own or a covered relation's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The City has the right to request second or third medical opinions, at its expense. Medical Certification Forms are available from the office managers. When an employee requests leave, the City will notify them of the requirement for medical certification and when it is due (at least 15 calendar days after the employee requests leave). Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The City may require subsequent medical recertification on a reasonable basis.
- c) **Reporting While on Leave.** If an employee takes leave because of their own serious health condition or to care for a covered relation, the employee must contact the City every thirty (30) days. Regarding the status of the condition, and their intent to return to work.
- d) **Leave is Unpaid.** Family/medical leave is unpaid leave. Employees are required to exhaust all vacation, sick and compensatory time off at the onset of an FMLA leave. The substitution of paid leave time for unpaid leave time does not extend the twelve (12)-week leave period.
- e) **Medical and Other Benefits.** When an employee is on leave under FMLA, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If an employee chooses not to return to work for reasons other than a continued serious health condition, the City will require the reimbursement of the amount paid for the employee's health insurance premium during the FMLA leave period. Other insurance and payroll deductions are the responsibility of the employee and the employee must make those payments for continued coverage of that benefit by the first of each month. After using all paid leave for which the employee qualifies, the employee on FMLA may use Leave without Pay for the remainder of the FMLA 12/26 week entitlement. An employee ceases to earn holiday or leave credits on the date leave without pay begins.

- f) **Secondary employment** (otherwise known as “moonlighting”) while out of work on FMLA or medical leave of absence without the express written permission of the City Manager is prohibited.
- g) **Intermittent and Reduced Schedule Leave.** Leave because of a serious health condition, may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours the employee works in each work week or workday) if medically necessary. In addition, while the employee is on an intermittent or reduced schedule leave, the City may temporarily transfer the employee to an available alternative position which better accommodates the employee's recurring leave, and which has equivalent pay and benefits.
- h) **Returning from Leave.** Upon return from FMLA leave, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and employment terms, unless business conditions have so changed to make this impossible. The City may deny restoration to certain highly compensated employees, but only if necessary, to avoid substantial and grievous economic injury to the City’s operations. If an employee takes leave because of their own serious health condition, he/she is required to provide medical certification that he/she is fit to resume work. Employees failing to provide the Return to Work Medical Certification will not be permitted to resume work until it is provided.

## **5.10 Bereavement**

The City of Albemarle recognizes the importance of taking leave on the occasion of a death in the family. Employees are entitled to up to three (3) days off with pay for the death of an immediate relative: mother, father, guardian, sister, brother, spouse, domestic partner, child, aunt, uncle, nephew, niece, mother-in-law, father-in-law, grandparent, or grandchild, plus combinations of half, step, in-law, and adopted relationships that can be derived from those named.

Employees are entitled to one (1) day for the death of a relative other than an immediate family member.

Employees are eligible for up to four (4) hours of paid leave to attend the funeral of a co-worker.

Authorized leave without pay is available for extended funeral matters or employees may request to use annual leave time for additional leave. Personal leave time may also be taken when necessary. Employees taking bereavement leave must notify Human Resources of their intention to do so. The City may request documentation to support absences for bereavement leave.

## **Part 6 – Resignation and Separation**

### **6.1 Employee Resignation and Termination**

City of Albemarle and its employees share a working relationship defined as employment-at-will. Simply stated, employment-at-will means that in the absence of a specific written agreement, you are free to resign at any time and the City reserves the right to terminate your employment for any reason (which does not violate any applicable law) with or without prior notice. An employee may resign by submitting the reasons for resignation and the effective date in writing to the immediate supervisor as far in advance as possible. In all instances, the minimum notice requested is two calendar weeks. Failure to provide minimum proper notice shall result in forfeit of payment for accumulated vacation unless the notification requirement is waived upon recommendation of the Department Director and approval by the City Manager. Thirty days of notice is expected of Department Directors and the City Manager.

Sick leave will only be approved during the final two weeks of a notice with a physician's certification or comparable documentation.

### **6.2 Reduction in Force**

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance, organizational needs, and seniority in determining those employees to be retained. Employees who are separated because of a reduction in force shall be given at least two weeks of notice of the anticipated action. No regular employee shall be separated because of a reduction in force while there are temporary or introductory employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary or introductory employee.

### **6.3 Disability**

The City will comply with the Americans with Disabilities act and will make all responsible efforts to provide reasonable accommodation to employees who may be or become disabled. An employee who cannot perform the essential duties of a position because of a physical or mental impairment may be separated for disability. Action may be initiated by the employee or the City. In cases initiated by the employee, such action must be accompanied by medical evidence acceptable to the City Manager. The City may require an examination, at the City's expense, performed by a physician of the City's choice.

Employees who meet the requirements of the North Carolina Local Governmental Employees Retirement System may qualify for a disability retirement. Information about this option is available from the Human Resources Director or the Retirement System.

### **6.4 Death**

Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.

### **6.5 Reinstatement**

An employee who is separated because of a reduction in force or who resigns while in good standing may be reinstated within one year of the date of separation, upon recommendation of the Department Director, and upon approval of the City Manager. An employee who is reinstated in this manner shall be re-credited with his or her previously accrued sick leave.

## 6.6 Rehiring

To be eligible for rehire, all former employees must:

- Have resigned from their earlier employment with the City with timely notice in compliance with City policy;
- Received performance evaluations showing satisfactory performance in terms of job performance, attendance, and similar measuring factors. If an employee resigned prior to receiving an evaluation, the employee must have successfully completed the introductory period and have no disciplinary or similar record in the employee's prior employment file;
- Pass the City's current drug/alcohol screening test applicable to all new hires; and
- Receive a favorable report from a background check.

### 6.6.1 Rehiring within 180 Days Following the Termination Date

**Rehire Date:** The employee will be deemed hired on the original hire date with no break in service for purposes of determining eligibility for employee benefits. For seniority purposes, if relevant, the employee will be treated as if he or she was hired on the original hire date but took a leave of absence for the period between the termination date and the rehire date.

**Compensation:** If the employee is rehired for the same position or a comparable position to the one formerly held, the employee's compensation will be unchanged from the compensation on the termination date. If the employee is hired into a different job for which the pay level is greater or less than that of the employee's former position, the employee will receive the compensation earned by similarly situated employees in the new position.

**Insurance and Similar Benefits:** Medical Insurance and Group Life Insurance will be restored as soon as is practicable based on the terms of the plans and the rehire date.

**Retirement Benefits:** The rehired employee may participate in the City's retirement program, e.g., 401(k) or similar plan, as soon as is practicable based on the terms of the plan and the rehire date.

**Accrual of Leave:** The rehired employee will accrue vacation time, personal or discretionary leave, and sick leave at the same rate as the employee accrued such leave prior to the termination date. If the employee fills a new position with a higher rate of accrual for any category of leave, the newly rehired employee will accrue such leave at the higher rate. No vacation time, personal or discretionary leave, or sick live is accrued during the period between the termination date and the rehire date.

**Past Accrual:** If the employee had accrued but unused leave at the time of termination and the employee was not paid for such leave at the time of termination, the accrued but unused leave will be restored to the employee.

### 6.6.2 Rehiring More than 180 Calendar Days, But Less than 365 Calendar Days after the Termination Date

**Compensation:** If the employee is rehired for the same position or a position comparable to the one formerly held, the employee's compensation will be unchanged from his or her compensation on the termination date. If the employee is hired into a different job for which the pay level is greater or less than that of the employee's former position, the employee will be entitled to the compensation earned by similarly situated employees in the new position.

**Insurance and Similar Benefits:** Medical Insurance and Group Life Insurance will be restored as soon as is practicable based on the terms of the plans and the rehire date.

**Retirement Benefits:** The rehired employee may participate in the City's retirement program, e.g., 401(k) or similar plan as soon as is practicable based on the terms of the plan and the rehire date.

**Accrual of Leave:** The rehired employee will accrue vacation time, personal or discretionary time, and sick leave at the same rate as a newly hired employee. If the employee fills a new position with a higher rate of accrual for any leave, the employee will accrue such leave at the higher rate. No vacation time, personal or discretionary leave, or sick leave is accrued during the period between the termination date and the rehire date.

**Past Accrual:** The employee will not be credited with any accrued but unused leave held at the time of termination.

### **6.6.3 Rehiring One Year or More after Termination**

Any employee rehired more than one year after the termination date will be treated as a new hire with regard to compensation, leave, and all other terms and conditions of employment.



## Acknowledgement of Receipt - Employee Handbook

**I acknowledge that I have received a copy / have been given access to the City of Albemarle Handbook ("Handbook") issued beginning September 2020.** I understand that I am responsible for reading and abiding by all policies and procedures in this Handbook, as well as other policies and procedures of the City that are provided to me during the course of my employment.

I also understand that the purpose of this Handbook is to inform me of the City's policies and procedures, and it is not a contract of employment. Nothing in this Handbook provides any entitlement to me or to any City employee, nor is it intended to create contractual obligations of any kind. Employment at the City is at-will. I understand that the City has the right to change any provision of this Handbook at any time and that I will be bound by any such changes.

### **Translation Assistance**

All employees are required to abide by City policies. **If you have any problems reading or understanding any information included in this handbook, please notify your supervisor.** We will gladly provide you with language assistance, but you must let management know if you are having a problem. Unless we hear otherwise, we will assume that you are thoroughly familiar with the policies and procedures discussed in this handbook.

I acknowledge receipt of the Handbook **AND UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT – EXPRESS OR IMPLIED.**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Full Name (please print)*

Please sign and date one copy of this acknowledgement and return it to the Human Resources Department.





## Acknowledgement of Receipt - Drug- and Alcohol-Free Workplace

The City of Albemarle is committed to a safe, healthy and productive work environment for all employees. We recognize that alcohol, drug or other substance abuse by an employee may impair their ability to perform properly and can have serious adverse effects on the safety, efficiency and productivity of other employees and the office as a whole.

The unlawful manufacture, distribution, dispensation, possession or use of illegal drugs, controlled substances or alcoholic beverages on City property, including personal and City vehicles, or in the performance of services for City of Albemarle is strictly prohibited. Disciplinary action may be imposed, up to and including termination of employment, at the sole discretion of the City.

As a condition of continuing employment, I acknowledge that I must:

- Abide by the terms of this policy; and
- **Notify my immediate manager and the HR Director immediately following an arrest and within five (5) calendar days after any conviction for the manufacture, distribution, dispensation, possession, or use of narcotics, drugs, alcohol or other controlled substances.**

I further acknowledge that disciplinary action for violation of this policy may include any and/or all of the following:

- Suspension without pay up to five (5) working days.
- Demotion or reduction in pay.
- Termination of employment.

I acknowledge that I have received and understand the **Drug- and Alcohol-Free Workplace Policy**.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Full Name (please print)*

Please sign and date one copy of this acknowledgement and return it to the Human Resources Department.



## Acknowledgement of Receipt - Anti-Harassment and Harassment Complaint Procedures

The City of Albemarle is committed to providing a work environment that is free of discrimination and unlawful harassment. The City does not tolerate harassment of any kind and forbids retaliation against anyone who has reported harassment in good faith.

### REPORTING A COMPLAINT

In the event an employee feels they have been subjected to a form of harassment or witnessed harassment, regardless of whether it is by a fellow worker, any member of management or a member of the general public, they should report the incident(s).

I acknowledge and understand that:

- various laws and regulations prohibit employment decisions from being made on the basis of **race, color, religion, sex, gender identity, gender expression, age, national origin or ancestry, disability, sexual orientation, marital status, veteran status, membership in the uniformed services, genetic information, or any other basis defined or protected by federal, state or local laws.**
- within the work environment, employees should be free from discomfort or pressure resulting from jokes, ridicule, slurs, threats and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.
- sexual harassment (both overt and subtle) is strictly prohibited.
- anyone engaging in sexual or other unlawful harassment, as defined in the Employee Handbook, may be subject to disciplinary action, up to and including immediate termination of employment.

I acknowledge that I have received and understand the **Anti-Harassment Policy**. I further acknowledge receipt of the **Harassment Complaint Procedure** outlined in the Employee Handbook and accept responsibility to report any incidents of harassment as outlined in the procedure.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

*Full Name (please print)*

Please sign and date one copy of this acknowledgement and return it to the Human Resources Department.