

City of

PARAGOULD

PERSONNEL HANDBOOK



OCTOBER 2024

Table of Contents

MAYOR’S WELCOME.....	6
CHAPTER 1	
INTRODUCTORY STATEMENTS	7
PURPOSE	7
SCOPE	7
AMENDMENTS AND REVISIONS.....	7
DISTRIBUTION LIST	8
CHAPTER 2	
EQUAL EMPLOYMENT OPPORTUNITY	9
EQUAL OPPORTUNITY EMPLOYER	9
AMERICANS WITH DISABILITIES ACT	9
UNLAWFUL DISCRIMINATION AND HARASSMENT	9
COMPLAINT REPORTING AND INVESTIGATION.....	11
COMPLAINT PROCEDURES.....	12
RETALIATION	12
FALSE ACCUSATIONS	13
CHAPTER 3	
GENERAL EMPLOYMENT POLICIES	14
AT-WILL EMPLOYER.....	14
AUTHORITY TO HIRE AND FIRE.....	14
EMPLOYMENT APPLICATIONS	14
JOB POSTINGS AND ADVERTISING	15
TESTING	15
JOB DESCRIPTIONS	16
POST-OFFER PRE-EMPLOYMENT PHYSICALS	16

FITNESS FOR DUTY EXAMS 16

THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991 17

DRUG AND ALCOHOL TESTING 17

MEDICAL MARIJUANA 17

FITNESS FOR DUTY 17

NOTIFICATION 18

GENETIC INFORMATION 18

CHAPTER 4

COMPENSATION AND MATTERS AFFECTING EMPLOYMENT STATUS..... 19

ATTENDANCE AND PUNCTUALITY..... 19

WORK HOURS..... 19

REFUSAL TO WORK 20

TIME AND ATTENDANCE / PAY 20

PROBATION PERIOD 21

PAYROLL ERRORS 21

COMPENSATION 21

PAYROLL RECORDS..... 22

PAYROLL PROCEDURES AND PAYDAYS 22

WITHHOLDING OF MEMBERSHIP DUES 22

OVERTIME AND COMPENSATORY TIME..... 22

TEMPORARY AND SEASONAL EMPLOYEES..... 23

EMERGENCY SITUATIONS..... 24

NEPOTISM 24

RE-EMPLOYMENT 24

RESIGNATION / TERMINATION..... 24

OUT PROCESS..... 25

CHAPTER 5

BENEFITS..... 26

VACATION LEAVE 26

HOLIDAYS AND HOLIDAY PAY 28

SICK LEAVE..... 29

PHYSICAL FITNESS BONUS / FIRE AND POLICE 31

HOLIDAY BONUS 31

DONATED LEAVE TIME 31

FUNERAL OR BEREAVEMENT LEAVE..... 32

INCLEMENT WEATHER 33

JURY DUTY / COURT LEAVE 33

VOTING LEAVE..... 33

UNIFORMED SERVICES 33

PREGNANCY, CHILDBIRTH AND PREGNANCY RELATED CONDITIONS..... 35

FAMILY MEDICAL LEAVE 35

LEAVE OF ABSENCE WITHOUT PAY 39

HEALTH INSURANCE BENEFITS 39

RETIREMENT SYSTEM 40

EMPLOYEE ASSISTANCE PROGRAM 40

OCCUPATIONAL INJURIES 40

ACCIDENTAL INJURY 41

CHAPTER 6

STANDARDS OF CONDUCT 42

CONDUCT TOWARDS THE PUBLIC 42

COMMUNICATING ON BEHALF OF THE CITY 42

HANDLING REQUESTS FOR INFORMATION PURSUANT TO FOIA 42

HANDLING MEDIA REQUESTS..... 43

PERSONAL COMMUNICATIONS..... 43

UNIFORMS AND PERSONAL APPEARANCE 44

GUIDELINES FOR APPROPRIATE CONDUCT 44

DIVERSITY, EQUITY, AND INCLUSION 45

ANTI-BULLYING POLICY 45

ABSENTEEISM AND TARDINESS 47

FAILURE TO REPORT (NO CALL/NO SHOW) 47

OUTSIDE EMPLOYMENT OR MOONLIGHTING 47

OUTSIDE COMPENSATION 48

SMOKING..... 48

DRUG FREE WORKPLACE 48

USE OF CITY ASSETS AND RESOURCES 49

REMOVAL OF CITY PROPERTY 50

**USE OF PRIVATELY OWNED ELECTRONIC COMMUNICATIONS EQUIPMENT FOR PUBLIC
JOB RELATED PURPOSES 51**

WAIVER OF PRIVACY 51

CITY VEHICLES..... 51

CITY CREDIT CARDS 52

POLITICAL ACTIVITY 52

PERFORMANCE IMPROVEMENT PLANS..... 52

CHAPTER 7

TRAINING / TRAVEL EXPENSES 53

TRAINING AND EDUCATION LEAVE INCLUDING SEMINARS AND CONVENTIONS..... 53

BUSINESS TRAVEL EXPENSES..... 54

GENERAL TRAVEL GUIDANCE..... 55

CHAPTER 8

RISK MANAGEMENT..... 56

SAFE WORKPLACE 56

WORKPLACE VIOLENCE..... 57

APPENDIX A: YOUR RIGHTS UNDER USERRA..... 58



MAYOR'S WELCOME

We are thrilled to welcome you as the newest employee to the city of Paragould. Congratulations on joining our dynamic team, and we are excited to have you on board.

As Mayor, I believe it is essential to provide amenities that contribute to a high quality of life in our city. The city of Paragould offers police and fire protection, Emergency 911, street and drainage maintenance, sanitation, parks and recreation, animal services, building inspections and code enforcement, and other general municipal services.

We cannot offer these services without important, productive employees like you.

Your skills and talents stood out during the hiring process, and we believe you will make significant contributions to our continued success. As you embark on this new chapter with us, we want to ensure you have all the information you need for a smooth transition.

At the city of Paragould, we take pride in our inclusive and innovative culture. We value open communication, creativity, and a commitment to excellence. As you settle in, feel free to share your ideas and perspectives – your unique contributions are essential to our growth.

I call it the opportunity of a lifetime to represent the citizens and employees of the city of Paragould, and my door is always open. Welcome to the team.

Josh Agee
Mayor
City of Paragould

CHAPTER 1

INTRODUCTORY STATEMENTS

PURPOSE

This Personnel Handbook contains policies, practices and procedures which are necessary to implement and administer the City's personnel system. By adopting this Handbook, the City endeavors to achieve consistent treatment for all employees through the establishment of uniform guidelines and systematic procedures. The City of Paragould hopes this Handbook will continue to be helpful to you and that you will have a better understanding of the City of Paragould as a result of this information. Please refer to this Handbook often.

You must read, make yourself familiar, and comply with all provisions of this handbook. This handbook contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your Department Director or Human Resources Director.

This Handbook does not represent an employment contract or any aspect of an employment contract and should not be construed as such. The City of Paragould is an at-will employer under law and nothing in this handbook shall waive the city's at-will status.

SCOPE

All employees of the City of Paragould are subject to the application of the personnel policies and procedures described in this Handbook.

AMENDMENTS AND REVISIONS

This manual may be amended and revised periodically as necessary at the direction of the Mayor and/or the City Council.

Since personnel practices and procedures are in a constant state of change, the City will continuously review this Handbook for amendments or revisions which might better serve the needs of the City and its employees. As such, this Handbook has been designed to be routinely updated and amended as the need arises.

The City of Paragould shall have the exclusive right to change, alter, delete, add or modify any provision of these personnel policies at any time, with or without notice. Final approval of all changes to the personnel policies shall be approved by action of the City Council. Changes made to these policies shall be communicated through standard communication channels and/or through revisions to this manual, however advance notice may not always be possible.

This policy manual supersedes all previous manuals, letters, memoranda, resolutions, and understandings unless otherwise noted.

DISTRIBUTION LIST

A copy of this manual and all subsequent revisions or amendments shall be distributed to all employees and elected or appointed City officials.

CHAPTER 2

EQUAL EMPLOYMENT OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

The City of Paragould provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race; color; religion; sex; pregnancy; national origin; age; disability; genetic information; or any classification or activity protected by the equal protection clause or other provision of the United States or Arkansas Constitution; in accordance with applicable federal, state and local laws. The City's commitment in this regard extends to all employment-related decisions and terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, discipline, and training.

AMERICANS WITH DISABILITIES ACT

The City of Paragould abides by the requirements of the Americans with Disabilities Act ("ADA"), the ADA Amendments Act, and state laws governing employment of individuals with disabilities. Qualified individuals with disabilities may be entitled to accommodation in the application process and/or in the workplace, unless doing so would cause undue hardship. Any qualified individual with a disability who requires reasonable accommodation in the employment process and/or in the workplace shall notify their supervisor or the Human Resources Director. If the individual notifies their supervisor, the supervisor must immediately notify the Human Resources Director. When the disability and/or need for accommodation are not obvious, the City may require the individual to provide documentation from the appropriate medical provider concerning the disability and the need for reasonable accommodation. It shall be the responsibility of a qualified individual with a disability to request reasonable accommodation in the hiring process or in the workplace.

UNLAWFUL DISCRIMINATION AND HARASSMENT

POLICY

The City of Paragould expressly prohibits its officials or employees from engaging in any form of unlawful harassment or discrimination, on grounds such as those listed in Chapter 1: Equal Opportunity Employer section of this policy or any other grounds protected by state or federal constitutions or laws.

Harassment or discrimination of any employee is a serious violation of City policy and will not be tolerated. Neither will workplace retaliation against someone for having complained of harassment or discrimination.

PROHIBITED CONDUCT DEFINED:

For the purposes of this policy, "harassment" refers to any annoying, persistent act or actions that single out an employee, to that employee's objection or detriment, because of the employee's membership in any legally protected class or for some other trait the employee was born with (i.e., race, sex, religion, color, national origin, age, genetic information, political status, marital status, or status as a veteran or special disabled veteran, or the presence of any physical, mental or sensory handicap). Harassment may be considered a violation of federal and/or state law.

Employees should know that they should not participate in (and do not have to tolerate) the following types of protected class harassment regardless of whether the harasser is a co-worker, supervisor, citizen, or any other person with whom the employee's job brings him/her them into contact:

- Racial harassment
- Harassment due to religion or views concerning religion
- Harassment due to national origin
- Sexual harassment (gender neutral)
- Harassment due to age of employees who are at least 40 years old
- Harassment because of disability or perceived disability
- Harassment based on color
- Harassment based on other protected categories

DISCRIMINATION AND HARASSMENT GENERALLY

Discrimination or harassment can take many forms and can include slurs, comments, jokes, innuendos, unwelcome compliments, pictures, cartoons, pranks, or other verbal or physical conduct, including but is not limited to the following actions:

- Verbal abuse or ridicule. This includes epithets, derogatory comments, slurs or unwanted sexual advances, unwanted sexual invitations, or negative comments because of the employee's protected class membership.
- Interference with an employee's work. This includes physical contact such as assault, blocking normal movement, or interference with the work directed at an individual because of the employee's protected status.
- Displaying or distributing offensive materials. This includes derogatory or sexual posters, cartoons, emails, calendars, magazines, drawings, or gestures.
- Discriminating against any employee in work assignments or job-related training because of one of the above-referenced biases.
- Unwanted, intentional physical contact whether it be of a sexual or other nature.
- Making protected status innuendos.
- Requesting favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer or any other term or condition of employment.
- Gender-based harassment, including sexual harassment and harassment based on pregnancy, childbirth, or related medical conditions; and/or
- Retaliation for having reported harassment or discrimination.

Discrimination or harassment based upon a person's protected status is prohibited by federal and state anti-discrimination laws and violates City policy where it:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise unreasonably and adversely affects an individual employment opportunity.

SEXUAL HARASSMENT

Sexual harassment is illegal and is a serious form of misconduct. Sexual harassment of employees, non-employees, and/or citizens with whom the City of Paragould has a business, service, or professional relationship, including vendors and clients, is prohibited and will not be tolerated. The City of Paragould is committed to maintaining a working environment, free from all forms of sexual harassment.

Sexual harassment occurs when the verbal and physical contact described above is sexual in nature or is gender-based, that is, directed at a person because of their gender. Sexual harassment does not refer to casual conversation or occasional compliments of a socially acceptable nature.

Sexual harassment violates federal and state law and is prohibited under the City's harassment policy when:

- Submission to the conduct is either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of the conduct is used as a basis for an employment decision affecting such individual.
- The conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile or offensive.

Sexual harassment includes but is not limited to:

- Unwelcome verbal behavior such as comments, suggestions, jokes, demeaning remarks, insults, requests, sexual innuendos, suggestive statements, slurs, or derogatory remarks based on sex.
- Unwelcome or invasive flirting.
- Continued requests for dates and propositioning an individual.
- Inappropriate visual contact including leering, obscene gestures, and staring.
- Inappropriate physical contact, including blocking of movement, brushing against the body, coercive sexual involvement, cornering, grabbing, hugging, kissing, patting, pinching, poking, stalking, any form of sexual assault, and touching.
- Posting of sexually suggestive or derogatory pictures, cartoons, or drawings, even at one's individual workstation; and/or
- Unwanted sexual advances, requests or pressure for sexual favors and/or basing employment decisions (such as an employee's performance evaluation, work assignments, advancement) upon the employee's compliance to sexually harassing behavior in the workplace.

COMPLAINT REPORTING AND INVESTIGATION

The City is committed to diligently enforcing its harassment policy by promptly and impartially investigating all complaints. When harassment is discovered, the City shall take appropriate disciplinary action, up to and including termination. The complaint procedure is designed to deal with complaints in a fair, discreet and timely manner to:

- Determine if the conduct alleged in the complaint took place and constitutes harassment which violates federal and/or state law and City policy or constitutes harassment in the form of inappropriate or offensive behavior which violates City policy.
- Stop the offending behavior.

- Restore the complainant's working environment.
- Take steps to prevent retaliation and repetition of the harassment.
- Educate, sanction, or discipline the harasser consistent with the seriousness of the offense.

COMPLAINT PROCEDURES

It is every employee's and official's responsibility to ensure that their conduct does not include or imply discrimination or harassment in any form. If, however, discrimination/harassment or suspected discrimination/harassment has or is taking place:

- An employee must immediately report the discrimination/harassment or suspected discrimination /harassment, verbally or in writing, to their immediate supervisor. If the immediate supervisor is the source of the alleged discrimination/harassment, or is so closely associated with the source of the discrimination/harassment that the employee does not feel comfortable reporting to that person, the employee may report the complaint to the Department Director or the Human Resources Director
- Employees have a responsibility to report discrimination/harassment. Employees should not wait to report the harassment or discrimination until the acts become so pervasive or offensive that they create a hostile working environment. Employees should note that failure to report discrimination / harassment creates a situation where the affected employee's situation is much more likely to remain unresolved. The very worst thing for an employee to do in a discrimination/harassment situation is to fail to report it.
- If the complaint involves sexual harassment and the complaining employee prefers to speak with a person of the employee's same gender, the city will make every effort to accommodate that request.
- Any supervisor or Department Director who learns of or receives a complaint of discrimination / harassment through any means (including witnessing, overhearing, learning of a rumor, or otherwise becoming aware of alleged discrimination/harassment in the workplace) is obligated to report it to the Human Resources Director.
- Each complaint shall be treated confidentially and be fully investigated internally and a determination of the facts and appropriate response will be made on a case-by-case basis.

If it is determined that discrimination or harassment has occurred, the City shall take appropriate corrective disciplinary action, which may include but not limited to, verbal and/or written warnings, probation, suspension, demotion and/or termination.

RETALIATION

No employee shall be subject to any form of retaliation or discipline for pursuing a discrimination/harassment complaint, and no witnesses shall suffer retaliation as a result of their involvement in the investigation. The City of Paragould will not tolerate discrimination/harassment or any

form of retaliation against an employee who has either instigated or cooperated in the investigation of alleged discrimination/harassment. Disciplinary action will be taken against those who are found to have violated the City's policy against such retaliation.

FALSE ACCUSATIONS

Employees who have genuinely been subjected to discrimination/harassment are encouraged to come forward and report it, so that the city can take action to stop the problematic behavior. This type of behavior is harmful to others and cannot be tolerated.

Conversely, if false accusations are proven to have been intentionally made against others by an employee who knows (or has reason to know) that the allegations are false, this would be considered equally harmful by the City, and – as in the case of someone proven to be harassing others – would result in appropriate disciplinary action.

CHAPTER 3

GENERAL EMPLOYMENT POLICIES

AT-WILL EMPLOYER

The City of Paragould is an at-will employer. This means that the City of Paragould or any of its employees may terminate the employment relationship at any time for any reason with the understanding that neither has an obligation to base that decision on anything but his or her intent to discontinue the employment relationship. No policies, comments, or writings made herein or during the employment process shall be construed in any way to waive this provision.

This Handbook is not intended to create any contractual or other legal rights. It does not alter the City's at-will employment policy nor does it create an employment contract for any period of time.

AUTHORITY TO HIRE AND FIRE

Full-time elected officials are the hiring authority for their appointive personal staff positions.

The Mayor is the hiring authority for all Department Directors.

For all other hiring, the Department Director, in cooperation with the Human Resources Director, will administer and coordinate the hiring process for all position vacancies. This is to ensure compliance with contractual, legal, and equal opportunity requirements. All hiring efforts are conducted in the spirit of equal opportunity. The final decision regarding hiring new employees and promoting existing employees will be made by the Department Director provided that the applicant has met the minimum qualifications for the position, has received acceptable references, and passed a background check.

With regard to all suspensions or terminations, a prior review by the Department Director and the Human Resources Director is required. Any decision resulting in suspension or termination may be appealed to the mayor in writing or in person by calling and making an appointment. The final decision regarding suspension or termination will be made by the Mayor.

EMPLOYMENT APPLICATIONS

An application for employment will be accepted online via the City's website. Paper applications are available at City Hall. All information provided on the application must be true and correct with the provision of false information being grounds for elimination of consideration for hiring and/or dismissal from city employment.

The City of Paragould relies upon the accuracy of information contained in the employment applications and résumés submitted by prospective employees, as well as other information provided throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, in termination or other disciplinary measures.

JOB POSTINGS AND ADVERTISING

The Department Directors will notify the Human Resources Office immediately of all position vacancies. The affected department may be asked to assist the Human Resources office, as necessary, in formulating the job announcement, job advertisement, job description, etc., and in determining special applicant sources.

The City of Paragould believes in promoting employees from within the organization. The City has established a job-posting program to give all employees an opportunity to apply for positions in which they are interested and for which they are qualified, although the City reserves its discretionary right to not post or advertise a particular job opening. Vacancies below the Assistant Department Directors level are normally posted on designated bulletin boards within each department and emailed to all employees who have a city email. Postings will generally include the title of the position, the minimum hiring specifications and a job description. Positions are normally posted for five (5) workdays.

To be eligible to apply for a posted job, employees must meet the minimum hiring specifications for the position, be capable of performing the essential functions of the job, with or without a reasonable accommodation, and must have performed competently in their current position. Employees who have a written warning or suspension on file within 6 months prior to the posting are not eligible to apply for posted jobs. Exceptions to this will only occur if all parties involved are in agreement (i.e. receiving and sending Department Director, Human Resources Director and the Employee) and with the approval of the Mayor.

To apply for an open position, employees should submit a signed job description and/or other information as stated in the job posting to the Human Resources Director. In some instances, testing will be required.

Open positions may be advertised publicly in any way the City of Paragould determines necessary. Copies of the job announcement will be distributed to public and private employment agencies, City of Paragould website, social media outlets, local newspapers, and other sources that might recruit applicants. Recruitment resources will be notified at least ten (10) days prior to the predetermined cut-off date for receiving applications.

Applications for full-time employment will not be accepted from anyone under eighteen (18) years of age.

TESTING

Certain positions may require testing based on the position's responsibilities, the qualifications required and resources available. The examination may consist of oral interview/application review, a structured questionnaire, agility test, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills and abilities for the position. The testing process will be administered by the appropriate Department Director or designees, in cooperation with the Human Resources Director.

JOB DESCRIPTIONS

It shall be the responsibility of the Human Resources Director to maintain a job description on file for each position within the City. The job description should include scope of responsibility, essential duties, qualifications, knowledge, skills and abilities, physical demands and environment, and an employee acknowledgement.

POST-OFFER PRE-EMPLOYMENT PHYSICALS

Post-offer pre-employment physicals and drug tests will be required for every applicant to be hired by the City in a safety-sensitive position or position that requires a Commercial Driver's License. Such examinations shall be paid for by the City. The examinations shall be performed by a licensed physician selected by the City. A summary report of the examining physician shall be provided to the Human Resources Director as to whether the applicant can perform the essential functions of the job sought and what, if any restrictions are necessary to determine any necessary work restructuring or accommodations. Although the physicians may make the medical determinations relative to physical / mental requirements of the job and any direct safety threat determinations, their determinations are only recommendations; final authority to hire rests with the City. Only in cases of emergency may an applicant begin work prior to the post-employment job offer medical examination, but employment is subject to the applicant's passing such examination.

Reports and records of all physical, psychological, and mental exams shall be kept in the offices of the physicians or mental health practitioners with only a summary report provided to the Human Resources Director to be kept in a confidential file apart from the individual's personnel file. The City may share such information only in limited circumstances with supervisors, managers, first aid and safety personnel, government officials investigating compliance with the ADA, state workers' compensation offices, state second injury funds, workers' compensation insurance carriers, health care professionals when seeking advice in making reasonable accommodation determinations, and for insurance purposes.

Should there be a dispute concerning the exam, or should a supervisor be informed as to the need of reasonable accommodation including job restructuring, the report shall be made available to the necessary legal and supervisory or administrative personnel within City Government.

FITNESS FOR DUTY EXAMS

Employees who, due to mental or physical limitations, are rendered unable to perform their essential job functions with or without a reasonable accommodation or who pose a direct safety threat to themselves, or others shall be subject to a fitness for duty examination. Based on the findings of the exam and other job restructuring factors, the Human Resources Director and the Mayor shall take such action that is necessary to ensure that the requirements of the individual's position are satisfied as well as the safety and general welfare of the employee, fellow employees, and public at large.

THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991

It is the City of Paragould's intent to comply with all regulations and requirements of the Omnibus Transportation Employee Testing Act of 1991 and its amendments. City employees required to have a Commercial Driver's License (CDL) must comply with all regulations in the 1991 Omnibus Transportation Act. The Act requires alcohol and drug testing for all City employees whose jobs require a CDL. These tests include pre-employment, post-accident, random, reasonable suspicion, return to duty and follow-up testing. The City will not permit an employee who refuses to submit to requisite testing to perform or continue to perform any activity that requires a CDL. All CDL drivers will be given a copy of the City's DOT CDL drug and alcohol testing policy which outlines these requirements. CDL drivers are required to read this material and sign a statement acknowledging that they have received a copy of the policy.

DRUG AND ALCOHOL TESTING

The City of Paragould has a responsibility to ensure safe working conditions for its employees and a productive City workforce unimpaired by chemical substance abuse. To satisfy these responsibilities, the City is committed to maintaining a workplace that is free from the effects of drugs, alcohol, or other performance-impairing substances. All employees are expected to obey all laws regarding the use of illegal drugs or alcohol. The City prohibits the possession, unlawful manufacturing, distribution of illegal drugs or the abuse of alcohol or prescription drugs while on City premises during work hours.

Employees other than those with a CDL, may be subject to testing for the use of alcohol and illegal substances as outlined in the City's Non-DOT Drug-free Workplace policy. All employees will be given a copy of the City's Non-DOT Drug-free Workplace policy. Employees are required to read this material and sign a statement acknowledging that they have received a copy of the policy.

MEDICAL MARIJUANA

The City of Paragould will comply with the Medical Marijuana Amendment and related statutes with regard to employees who have been issued a medical marijuana card. The City of Paragould prohibits the possession, sale, distribution, or otherwise use of medical marijuana on City premises or during work hours. Applicants or employees who have been issued a medical marijuana card are excluded from holding safety sensitive positions. Job descriptions for City employees designate whether a position is safety sensitive.

FITNESS FOR DUTY

Current abuse of drugs is not a protected disability under the American with Disabilities Act (ADA). The City will not hire anyone who is known to currently abuse drugs. Furthermore, all employees are expected to report to work in a fit condition to perform their duties. Employees on official business or representing the City on or off of the workplace are prohibited from purchasing, transferring, using or possessing illegal drugs or from abusing alcohol or prescription drugs in any way that is illegal.

An employee reporting or returning to work whose behavior reflects the abuse of alcoholic beverages or drugs may be referred for a medical evaluation to determine fitness for work. Failure to report for an evaluation or follow the recommendations of the City will result in appropriate disciplinary action, up to and including termination, as allowed by federal, state, and local law.

NOTIFICATION

As a condition of employment with the City, employees must abide by the terms of this drug and alcohol policy and report any citation under a criminal drug or alcohol statute including DWI citations for violations occurring on or off City premises. A report of citation shall be made to the Department Director or Human Resources Director within twenty-four (24) hours after the citation. Failure to report a citation within the twenty-four (24) hour period may result in disciplinary action, including immediate termination.

GENETIC INFORMATION

The City shall not request or require genetic information from an individual or family member, except as specifically allowed by the Genetic Information Nondiscrimination Act of 2008 (GINA). In making any request for medical information, the City shall include the following language to the medical provider.

“The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information.

‘Genetic information’, as defined by GINA, means, with respect to any individual, information about an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.”

CHAPTER 4

COMPENSATION AND MATTERS AFFECTING EMPLOYMENT STATUS

ATTENDANCE AND PUNCTUALITY

Employees are expected to be at work on time and on a regular basis. When employees are unnecessarily absent or late, it is expensive, disruptive, and places an unnecessary burden on fellow employees, supervisors, City government, and the taxpayers who receive City services. Consequently, regular attendance and punctuality is considered to be an essential function of all jobs with the City.

Employees shall report to their workstations in accordance with the rules established by their Department Director. Should an employee be unable to report to work on time because of illness or personal emergency, the employee should provide their supervisor with proper notice prior to the start of their scheduled work or as soon as possible.

“Proper notice” is defined by the City to be at least one (1) hour notice in advance of the time an employee is scheduled to report for work. Department Directors may require more of a notice in advance to ensure adequate staffing. If advance notice is not possible, notice should be given as soon as possible but no later than one (1) hour thereafter.

Any absence of an employee from duty, (other than an absence authorized by this personnel handbook or by law), that is not authorized by the Department Director or the employee’s supervisor should be deemed an unauthorized absence. This also includes leaving the employee’s designated work area without notifying a supervisor or Department Director first. Such an absence shall be subject to disciplinary action, up to and including termination.

WORK HOURS

Except for police officers and firefighters, the standard workweek for full-time employees shall consist of not more than 40 hours per week within a seven-day period unless otherwise arranged by the Department Director to meet specific departmental needs. Work hours for police and fire employees shall be in accordance with state statutes and departmental regulations.

The City reserves the right to adjust and change hours of work, days of work and schedules to fulfill its responsibility to the citizens of Paragould. In an emergency, previously scheduled hours of work, days of work and work arrangements may be altered at the discretion of the Department Director. Changes in work schedules will be announced as far in advance as possible but can be changed with little or no notice.

Whenever possible, employee work schedules shall provide a rest period (break) during each four-hour work shift. Reasonable time off for a meal will be provided. It is the responsibility of the Department Director to manage and set meal and break schedules. Abuse of breaks or lunch periods may result in disciplinary action.

REFUSAL TO WORK

A City employee's commitment is to public service. Any work stoppage, slowdown, strike or other intentional interruption of the operations of the City shall cause the employee to forfeit their employment and result in the termination of the employee from the City of Paragould as allowed by federal, state and local law.

TIME AND ATTENDANCE / PAY

Non-Exempt Employees

The City uses an electronic system to track time and attendance. Hours worked may be tracked by either a physical time clock or by computer software. Each non-exempt employee is required to clock in and out each day for all hours worked. Employees and supervisors are to ensure all electronic timesheets are reviewed and approved by 10:00 a.m. on the Monday of payroll week. Falsifying or tampering with timesheets or time clocks will result in disciplinary action, up to and including termination.

If an employee is not present to approve their hours worked, the supervisor will approve the time in the employee capacity so payroll can be processed.

Arriving early or leaving late for the employee's own convenience is not to be included work time and the employee is not to engage in work until the scheduled work time. If any employee does perform duties during such intervals, the actual number of hours or minutes worked should be accurately recorded. If an employee is late, leaves early, takes a long lunch, etc., they must clock out or appropriate entries should be made on the electronic timesheets.

Because of FLSA regulations, non-exempt employees are not to commence work prior to the scheduled starting time, work during their meal break, or work past the scheduled end of their shift without prior approval of their immediate supervisor. FLSA non-exempt employees who work unauthorized hours will be subject to disciplinary action, up to and including termination. If a non-exempt employee has a scheduled break period of 30 minutes or more, the employee will be relieved of all active-duty responsibilities during the break period and will not be compensated for that time. If the employee is not relieved of all active responsibilities for thirty (30) uninterrupted minutes, then they will be compensated for that time even if part of the time was spent not working. Also, non-exempt employees may not have a lunch period deducted if the employee does not leave their office or desk.

Exempt Employees

Exempt employees do not have to clock in or out for time worked. If for any reason an exempt employee will be absent for an entire day, then the exempt employee is to request paid time off in the system in accordance with the City's bona fide plan. If an exempt employee works during the day, they are not to request time off. If an exempt employee shows repeated abuse of the exempt status, it may result in disciplinary action, up to and including losing exempt status, disciplinary action or termination. Also, the City is not required to pay the full salary in the initial or terminal week of employment. The only exception to this rule will be if an exempt employee is engaging in any sort of campaigning or election process during normal City business hours. If this occurs, the exempt employee must use vacation or personal time or mark those hours as unpaid leave.

PROBATION PERIOD

Non-uniformed Employees

All non-uniformed employees will be on probationary status for the first six (6) months of employment. During the probationary period, these employees are still at-will and the probation period does not create a contract of employment for any duration and employees may be discharged at any time during or after probation.

Uniformed Employees

All uniformed employees, including Dispatch, will be on a probationary status for the first twelve (12) months of employment. During the probationary period, these employees are still at-will and the probation period does not create a contract of employment for any duration and employees may be discharged at any time during or after probation.

PAYROLL ERRORS

The City takes every reasonable step to ensure that all employees receive the correct amount of pay in each payroll and that the employees are paid promptly on the scheduled payday. In the event there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their supervisor or Department Director so that corrections can be made as soon as possible. The City will not be responsible for fees assessed by a third-party should a payroll error occur causing an employee to receive their payroll later than scheduled. The City will not retaliate against an employee who reports a discrepancy.

COMPENSATION

BASE PAY RATE

The City of Paragould has established a base pay rate for each regular full and part-time position within the City. The base pay rate is a guideline for Department Directors to use to ensure that you are paid a rate that is internally equitable and externally competitive for the duties you perform in your job. The Human Resources Director and Department Director evaluate the overall responsibilities of each job and assigns a base pay rate which is kept on file in the Human Resources office. As a new employee, your Department Director will recommend a starting pay rate based on your experience, skills, and the department's budgeted salary for the position.

Your base pay rate may be increased in one or more of the following ways:

- New Hire Pay Adjustment – During the first year of employment with the City you may receive pay increases up to the base pay rate based on your job performance and/or necessary certifications and requirements.
- Shift Differential / Incentive Pay – Paragould Police Department and Emergency Services personnel assigned to the second shift (6 p.m. to 6 a.m.), SWAT members, Field Training Officers, and/or SRO supervisor shall receive additional compensation.

- Adjustment to Base Rate – The Human Resources Director and Department Director may re-evaluate a job, or a group of jobs, to determine if they are properly classified. With approval by the Mayor and by the City Council, the base pay rate may be adjusted to a higher pay rate.
- Cost of Living/General Pay Adjustment – Annual salary increases for current employees may be recommended by the Mayor and approved by the City Council.

PAYROLL RECORDS

The Payroll Department shall keep and maintain a record of work attendance, vacation and sick leave earned, used and accrued; and any other leave whether with or without pay. These records shall be available to the Department Director, and individual employees shall be able to inspect their own records during normal business hours as the requirements of the employee’s work duties permits.

PAYROLL PROCEDURES AND PAYDAYS

Employees are paid biweekly on every other Friday. Each paycheck will include regular earnings for all work performed through the end of the payroll period. When a holiday falls on a regular payday, employees will be paid on the last working day prior to the holiday.

Each employee is responsible for monitoring the accuracy of each paycheck received. Any employee who believes that their pay does not properly compensate for all hours worked in a given payroll should immediately report their concerns to the Payroll Department. The City will make corrections in the next pay cycle.

Paystubs will be available through the employee dashboard in the time and attendance portal.

WITHHOLDING OF MEMBERSHIP DUES

Upon receipt of a written request signed by a full-time employee who is represented by a union or professional association, the City will withhold membership dues of the union or professional organization from the salary of the employee. The City will transmit all dues that are withheld under this section to the union or professional association representing the employee within five (5) days of the end of the pay period.

A withholding initiated under this section shall be discontinued only upon receipt of a written notice of cancellation signed by the employee.

OVERTIME AND COMPENSATORY TIME

OVERTIME

The City will pay overtime in accordance with the Fair Labor Standards Act (FLSA) at one and one-half times the base rate or hourly rate for all hours worked in excess of the hours per week or work period set forth in the WORK HOURS section of this handbook.

Uniformed Police Officers: Any hours worked in excess of 86 hours within a 14 day pay period.

Uniformed Fire Fighters: Any hours worked in excess of 106 hours within a 14 day pay period.

Overtime will be permitted only with prior approval of the Department Director prior to the commencement of such work or when absolutely necessary due to emergency conditions. Failure to work scheduled overtime or obtain prior approval before working overtime may result in disciplinary action, up to, and including termination.

COMPENSATORY TIME

As a public employer, the City may offer its employees compensatory time (comp time). Comp time shall accrue at the same rate as overtime (time and a half for all hours worked in excess of 40 hours per workweek, unless the employee is working in a classification with special overtime rules under FLSA (i.e., police officers and firefighters).

Employees must report all accrued and used compensatory time (accrued and taken) on their time record. Only hours classified as overtime shall be accrued as compensatory time.

No civilian employee may accumulate more than 240 hours of compensatory time and no uniformed employee may accumulate more than 480 hours at any given time during the calendar year. The City of Paragould has a goal of keeping compensatory time balances at a minimum. Therefore, On December 31st each year no employee shall have more than 40 accumulated unused hours. Hours in excess of the specified maximum shall be paid at the appropriate overtime rate. Upon termination of employment, any unused compensatory time is to be paid at a rate equal to the employee's then-prevailing rate of pay. The Mayor may approve payment of accumulated comp time up to 40 hours.

Each employee shall be responsible for maintaining accurate records of overtime hours worked. The overtime and compensatory records of the Payroll Office shall be final with respect to the number of compensatory leave days earned by an employee.

TEMPORARY AND SEASONAL EMPLOYEES

On occasion, the City may hire temporary or seasonal employees who are hired for a set duration (i.e., in the form of a seasonal employee, such as a lifeguard for an outdoor swimming pool) or for a specific project. These employees are not intended to be employed on a regular basis and are employed at-will. Temporary employees may be hired full- or part-time and are paid for actual hours worked at a rate determined by the Human Resources Director and approved by the Mayor. Temporary, non-exempt employees are eligible for overtime for hours exceeding 40 hours per workweek, subject to all other overtime policies set forth in this handbook. Unless otherwise authorized by the City Council, temporary and seasonal employees do not qualify for annual leave, sick leave, or other City benefits.

EMERGENCY SITUATIONS

It is the policy of the City to maintain hours of operation, which make the best use of employees and resources in serving the needs of the public. Emergency situations may from time to time necessitate the closure of City offices. Such situations shall be determined by the Mayor after consideration of all facts. Essential personnel required to be at work in emergency situations shall receive their normal rate of pay.

At times it may become necessary to close individual offices due to limited staffing levels, special departmental meetings, etc. Department closures shall be approved by the Mayor. Arrangements shall be made with other departments to handle any emergency situations during the department's closure. A skeleton crew shall remain in each department to cover phones and assist the public when at all possible.

NEPOTISM

A policy regulating the employment of relatives is necessary in order to ensure fairness and impartiality in the best interest of the City. This policy applies to all classes of employees. The intent of this policy is to avoid conflicts of interest, morale problems, the possibility or appearance of favoritism, and the potential for emotional interference with job performance.

Relatives (spouse, parent, child, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, or cousin), significant others or life partners (a person of the opposite or same sex with whom the employee is engaged in a common law or domestic relationship) of persons currently employed by the City may be hired if they will not be working directly for or supervising a relative, significant other or life partner.

If a nepotism problem is created through marriage or living in the same household, the problem must be reported immediately to the Department Director and the Human Resources Director. The Mayor, Department Director and the Human Resources Director shall consult and determine the best approach of resolving any conflicts. Those situations already in existence on the date this handbook takes effect will be "grandfathered" and allowed to continue.

RE-EMPLOYMENT

A former employee who separated from the City's employment in good standing may be considered for rehire. If rehired within one (1) calendar year, the employee shall be compensated at any rate between the entry level range up to the salary received at separation, upon the approval of the Mayor and/or Human Resources Director. A former employee seeking reemployment after one (1) calendar year of absence shall be considered a new applicant.

RESIGNATION / TERMINATION

Employees desiring to terminate their employment relationship with the City of Paragould are urged to notify the City at least two (2) weeks in advance of their intended last day of employment. Such notice should preferably be given in writing to the employee's Department Director or supervisor. Although not required, proper notice generally allows the City sufficient time to calculate all final accrued monies due the employee for their final paycheck.

Employees who plan to retire are urged to contact the retirement system they are vested in and the Human Resources Department within a minimum of two (2) months before their desired retirement date. Due to

deadlines, this will allow ample time for the processing of appropriate pension forms to ensure that retirement benefits, which an employee may be entitled, will commence in a timely manner.

All employment relationships with the City of Paragould are on an at-will basis. Although the City of Paragould hopes that the relationship with employees is rewarding, the City reserves the right to terminate the employment relationship of any employee at any time for any lawful reason.

OUT PROCESS

The official date of termination will be the last day the employee reports for work. Employees shall receive pay for work performed through the last hour worked and for unused vacation, compensatory time, holidays and in some cases sick leave as stipulated by policy and laws governing such payments. Compensation for unused leave time will be paid as a lump sum payment and will not be extended for a specific period of time unless approved by the Mayor. Termination pay shall be reduced by any authorized legal deduction and any other amounts due to the City.

Before the final paycheck is issued to the employee, the employee shall be required to return all City equipment and property to the appropriate issuing authority. Failure to return City equipment or property to the issuing authority within two (2) days of the employee's last day worked will result in a deduction of the value of this property from the employee's final paycheck (an authorization must be signed by the employee).

CHAPTER 5

BENEFITS

All Full-Time employees assigned to a position working a shift schedule of 2080 hours per 12-month period will be eligible for all employee benefits, subject to the terms, conditions, and limitations of each benefit program

VACATION LEAVE

Police Department Uniformed Members

Pursuant to Ark. Code Ann. §14-52-106, each employee shall be granted a minimum accrual of an annual vacation of not less than fifteen (15) working days with full pay. A working day is defined for purposes of this section as eight (8) hours, regardless of the length of a shift typically worked by the employee.

Beginning January 1, 2020, after you have continuously worked 20 years for the City as a full-time employee, you shall be granted eighteen (18) days of vacation per year. Vacation will be accrued at the rate of 1/26th of the annual allowance each bi-weekly pay period. You may accumulate more than 120 hours of vacation in any given year, but you will forfeit any amounts greater than 120 hours on the first payday after December 31st of each year. You may not take vacation time before it has accumulated.

Upon the first day after the end of the term of service or retirement, an employee may be paid for unused accumulated vacation leave at the employee's regular rate of pay, not to exceed two hundred sixty-four (264) hours.

Fire Department Uniformed Members

Pursuant to Ark. Code Ann. §14-53-107, each employee shall be granted a minimum accrual of an annual vacation of not less than fifteen (15) working days with full pay. A working day is defined for purposes of this section as eight (8) hours for administrative employees and twelve (12) hours for all other employees, regardless of the length of a shift typically worked by the employee.

Beginning January 1, 2020, administrative employees who have continuously worked 20 years for the City as a full-time employee, shall be granted eighteen (18) days of vacation per year. Vacation will be accrued at the rate of 1/26th of the annual allowance each bi-weekly pay period. You may accumulate more than 120 hours of vacation in any given year, but you will forfeit any amounts greater than 120 hours on the first payday after December 31st of each year. You may not take vacation time before it has accumulated.

All other employees who have continuously worked 20 years for the City as a full-time employee shall be granted nineteen (19) days of vacation per year. Vacation will be accrued at the rate of 1/26th of the annual allowance per bi-weekly pay period. You may accumulate more than 180 hours of vacation in any given year, but you will forfeit any amounts greater than 180 hours on the first payday after December 31st of each year. You may not take vacation time before it has accumulated.

Upon the first day after the end of the term of service or retirement, an employee may be paid for unused accumulated vacation leave at the employee's regular rate of pay, not to exceed four hundred eight (408) hours.

Non-Uniformed Employees

All regular full-time employees who have been employed by the City continuously for a period of six (6) months or more shall be allowed paid vacation as listed below. After completion of the first year of employment, vacation will be accrued at the rate of 1/26th of the annual allowance each bi-weekly pay period. An employee will not accrue vacation leave when on leave without pay or when using donated time. Employees must be paid a minimum of forty (40) hours of their own time to accrue vacation leave for that pay period.

You may accumulate more than 64 hours of vacation in any given year, but you will forfeit any amounts greater than 64 hours on the first payday after December 31st of each year. You may not take vacation time before it has accumulated.

YEARS OF SERVICE	YEARLY VACATION FOR EMPLOYEES
	2080 HRS ANNUALLY
6 months	20.00 Hours
Completion of 1 year	20.00 Hours
2 yrs but less than 5 yrs	80.00 Hours
5 yrs but less than 10 yrs	96.00 Hours
10+ years	120.00 Hours
20 + years*	144.00 Hours

*Beginning January 1, 2025

Upon the first day after the end of the term of service or retirement, an employee may be paid for unused accumulated vacation leave at the employee's regular rate of pay, not to exceed two hundred eight (208) hours.

General

All vacation leave must have the advance approval of the employee's supervisor, so that the leave fits in to the overall scheduling of the department. The permissible number of employees taking vacation at any one time will be governed by the Department Director based upon departmental workloads. The City reserves the right to alter vacation schedules.

HOLIDAYS AND HOLIDAY PAY

Holidays (Except Police and Fire Department Uniformed Members)

All full-time employees shall be entitled to the following holidays. Holidays will be paid at the employee's regular rate of pay and based on an 8-hour day.

New Year's Day	January 1
Robert E. Lee / Martin L. King, Jr.	3 rd Monday in January
Presidents Day	3 rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1 st Monday in September
Veterans Day	November 11
Thanksgiving Day	4 th Thursday in November
Day After Thanksgiving	4 th Friday in November
Christmas Eve	December 24
Christmas Day	December 25

When a holiday falls on a Saturday, it will be observed the preceding Friday. If the holiday falls on a Sunday, the succeeding Monday will be observed. The Mayor may issue an order granting additional days as holidays in observance of special events or for other reasons.

In order to be eligible for holiday pay, you must be on the active payroll of the City of Paragould and must have been at work or on authorized leave drawing pay from your own leave bank on the regularly scheduled workday before and after the holiday.

Due to departmental demands, taking the actual holiday off is not guaranteed. When your Department Director requires you to work on a holiday, you will be paid at your regular rate of pay for all hours worked. You will also receive holiday pay in addition to hours worked. Holidays should be taken by December 31st of each year, employees will be paid in December for holidays not taken.

Uniformed Police and Fire Department / E-911 Personnel

In accordance with Arkansas Code Annotated § 14-52-105 and § 14-53-106, all uniform Police and Fire employees shall be compensated for all legal holidays established by the governing body of the City. For purposes of this personnel policy, this shall include E-911 personnel. All Police, Fire department, and E-911 employees shall receive one lump sum payment annually in December.

In computing holidays for uniformed members of the Fire Department, the yearly base salary shall be divided by 26 (the number of pay periods in a year), then divided by ten (the number of working days of other departments in two weeks). The result will equal the amount of one paid holiday. Police officers and E-911 personnel will receive an additional eight (8) hours pay for each holiday.

SICK LEAVE

Police Department Uniformed Members

Pursuant to Ark. Code Ann. §14-52-107, law enforcement officers shall accumulate sick leave at the rate of twenty (20) working days per year. Sick leave will be accrued at the rate of 1/26th of the annual allowance each bi-weekly pay period. If unused, sick leave shall accumulate to a maximum of sixty (60) days. A working day is defined for purposes of this section as eight (8) hours, regardless of the length of a shift typically worked by the employee.

If, upon pension-receiving retirement or death whichever occurs first, any police officer has unused accumulated sick leave, he shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death. Payment for unused sick leave in the case of a police officer shall not exceed sixty (60) days' salary.

Fire Department Uniformed Members

In accordance with municipal ordinance and Ark. Code Ann. §14-53-108, all firefighters shall accumulate sick leave at the rate of twenty (20) working days per year. As used in this section, "working day" means that period of time a firefighter is on duty within a twenty-four-hour period.

Sick leave will be accrued at the rate of 1/26th of the annual allowance each bi-weekly pay period. If unused, sick leave shall accumulate to a maximum of one thousand four hundred forty (1,440) hours for employees who work twenty-four (24)-hour shifts and a maximum of four hundred eighty (480) hours for employees who work eight (8) hour shifts.

Unused accumulated sick leave shall not be used for the purpose of computing years of service for retirement purposes.

If, upon pension-receiving retirement or death, whichever occurs first, any firefighter has unused accumulated sick leave, he shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death. Payment for unused sick leave in the case of a firefighter who works twenty-four (24) hour shifts shall be paid up to a maximum of seven hundred twenty (720) hours. Payment for unused sick leave in the case of a firefighter who works eight (8) hour shifts shall be paid up to a maximum of four hundred eighty (480) hours.

Non-Uniformed Employees

All regular full-time employees with the City are eligible for paid sick leave as listed below. Sick leave will be accrued at the rate of 1/26th of the annual allowance each bi-weekly pay period.

LENGTH OF SERVICE	TOTAL HRS PER YEAR FOR EMPLOYEES WORKING
	2080 HRS ANNUALLY
Date of Hire up thru 1 year	48.00
2 years up thru 9 years	72.00
After 10 years	96.00

Employees who are separated from employment with the City will be paid for accumulated sick leave up to the maximum of sixty (60) days (based on the defined leave day) according to the following guidelines. Sick leave will be paid at the current rate of pay.

All employees who have a minimum of ten (10) years but less than twenty (20) years continuous employment with the City, shall be paid for 50% of accumulated sick leave. Employees who have twenty (20) plus years of continuous employment with the City shall be paid for all accumulated sick leave, up to the maximum of sixty (60) days.

Guidelines

All accumulated leave not used in any year may be carried over as accumulated leave for the succeeding years up to a maximum of sixty (60) days (based on the defined leave day).

Sick leave must be earned before it can be used. Employees cannot borrow from anticipated future accruals. An employee will not accrue sick leave when on leave without pay or when using donated time. Employees must be paid a minimum of forty (40) hours of their own time to accrue sick leave for that pay period.

Sick leave may only be used for the following purposes:

- Personal illness or physical incapacity.
- Illness or injury in the employee's immediate family which requires the employee's presence.
- Medical, dental, and optical visits.

Use of sick leave time for any other purpose is considered abuse of sick leave, and employees will be disciplined for any violations.

Notification of absence due to illness shall be reported to the supervisor (or designee) as soon as possible, but no later than one (1) hour before the scheduled start of their workday unless they are incapacitated. The supervisor (or designee) must also be contacted on each additional day of absence unless the employee's physician has designated a defined period of time off. Requests to use sick leave for the purpose of medical, dental, or optical examinations, treatments, etc. must be made in advance.

Sick leave with pay may not be allowed unless the guidelines above are followed. If an employee misses work for a reason that qualifies as sick leave, and that employee performs work for any other employer within the twenty-four (24) hour period for which sick leave is authorized, that employee may not receive sick leave pay. Once an employee resigns and gives two weeks' notice, the employee will not be allowed to use sick leave unless approved by the Department Director. The employee must use any remaining comp, vacation, or holiday leave when requesting time off. If no comp, vacation, or holiday time is available, the employee will have to take the day off without pay. Claiming sick leave under false pretense to obtain a day off with pay shall be grounds for immediate dismissal from work.

An employee may use earned sick leave while receiving workers' compensation benefits only to the extent that the leave augments the employee's workers' compensation benefit to the amount equal to that employee's regular rate of pay.

Employees who are on sick leave may be required to furnish a physician's certificate of illness from an attending physician to the Department Director for each occasion on which an employee uses sick leave. Any employee who misses three (3) consecutive shifts may qualify for Family Medical Leave. For more information regarding FMLA please refer to the section titled Family Medical Leave Act. Even if an employee's absence does not qualify for FMLA, a medical doctor's release is required for all City employees who return to work from a medical leave of five (5) calendar days or longer in which the employee was scheduled to work (two (2) or more consecutive, regularly scheduled shifts for the fire department personnel working 24-hour shifts). No employee will be allowed to return to work without the medical release. Such verification may be required as a condition to receive sick leave benefits. The employee's Department Director shall be responsible for the application of this provision to the end that there will be no abuse of sick leave privileges.

PHYSICAL FITNESS BONUS / FIRE AND POLICE

Uniformed members of the Fire and Police Department will run a physical agility course annually. The agility course for each department will be the same course used for pre-employment testing. Course dates will be scheduled twice per year, if the member passes the course during their first run, they will receive \$1000.00. If the member passes on their second attempt, they will receive \$500.00. The member must pass to receive the bonus.

HOLIDAY BONUS

If approved, all active employees will receive a holiday bonus. Each active employee will be paid a holiday bonus at a rate determined by the governing body of the City.

DONATED LEAVE TIME

The City recognizes that employees may have a Medical emergency resulting in a need for additional time off in excess of their sick/personal time. To address this need, all eligible employees will be allowed to donate accrued paid sick or personal leave hours from their unused balance to their co-workers in need of additional paid time off.

Employees who would like to make a request to receive donated time from their co-workers must have a catastrophic illness, defined as a severe medical condition of the employee or an immediate family member (not applicable to maternity leave unless there is a medical emergency) that will require prolonged hospitalization or recovery and result in the extended absence of the employee from duty and a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child or parent.

Employees requesting donated time are required to complete a Donation Request form and submit it to Human Resources. Requests for donations of sick/personal time must be approved by Human Resources and the Department Director. Requests that do not meet the following eligibility guidelines must be approved by the Mayor.

- Be employed with the City for a minimum of one year to donate and/or receive donated time.

- The donation of sick/personal time is strictly voluntary.
- Recipient identity will not be disclosed unless a permission form is signed.
- If the employee's spouse is also employed by the City, donated time must first be given by them prior to requesting donated time from other employees.
- The donation of sick/personal time is on an hourly basis, without regard to the dollar value of the donated or used leave.
- Recipients available leave balances must be exhausted prior to receiving donated time.
- Employees cannot borrow against future sick/personal time to donate.
- Vacation and Sick leave will not accrue while receiving donated time.
- Donated time may only be used for time off related to the approved request.
- Maximum of 480 hours (12 weeks) within a rolling 12-month period allowed.
- If donated time is allowed, the Family Medical leave status will not be affected.

An employee may use donated sick leave while receiving workers' compensation benefits only to the extent that the leave augments the employee's workers' compensation benefit to the amount equal to that employee's regular rate of pay.

FUNERAL OR BEREAVEMENT LEAVE

Full-time employees may be granted pay up to a maximum of three (3) calendar days (two scheduled shifts for Fire department employees on a 48-hour schedule) of absence with pay due to the death of a member of the employees' or spouses' immediate family.

The immediate family for the purposes of this policy will include the spouse, parents, siblings, children, grandparents, grandchildren, and guardian or any of the spouse's family members listed above.

Any leave requested for more than three (3) calendar days (two scheduled shifts for Fire department employees on a 48-hour schedule) must be charged to accrued vacation or compensatory leave.

Employees must notify their supervisor as soon as possible to let them know the amount of time off that will be required for travel, services, family business, etc.

The Department Director may grant funeral leave of not more than one (1) day for an employee to be a pallbearer or attend a funeral of someone not within the immediate family. Any exceptions to this policy will be made only at the discretion of the Mayor.

Pets

The City understands the bond between an animal and a family. Therefore, the City will grant one (1) paid day of leave under the bereavement policy if an employee's dog or cat dies during an employee's shift or before an employee is scheduled to go on shift. This paid day of leave must be approved by the Department Director and the Human Resources Director.

An employee wanting to take off work to care for a sick or injured animal may do so at the supervisor's discretion and must use vacation, comp, or personal time.

INCLEMENT WEATHER

In exceptional circumstances beyond the employee's control, such as weather causing hazardous conditions, the employee should adhere to the following protocol. If an employee's department is open for business, and no instruction from the Department Director has been received, the employee is expected to report for work. However, if in the employee's opinion, the conditions are too hazardous to get to work safely, they will have the option of taking the time off as a vacation or comp day.

Regardless of the situation, an employee is expected to give their supervisor "proper notice" if they are unable to report to work. "Proper notice" is defined by the City to be at least one (1) hour notice in advance of the time an employee is scheduled to report for work. Department Directors may require more of a notice in advance to ensure adequate staffing. If advance notice is not possible, notice should be given as soon as possible but no later than one (1) hour thereafter.

Full-time employees who show up for work and are not allowed to work by the City because of weather conditions shall receive two (2) hours compensation.

Essential personnel are those employees required to provide mandatory services, and who must be on the job regardless of weather conditions. The Mayor / Department Director will ensure that those employees designated as essential services for their department are aware of this designation and understand that they are required to report to or remain at work.

JURY DUTY / COURT LEAVE

Full-time employees will be granted leave with pay for jury duty or when subpoenaed as a witness by any judicial court or commission as a direct result of being employed by the City, as long as they are not a party to the case. Employees are permitted to retain the allowance for services from the court for such service.

Employees must submit to the supervisor a copy of the summons or other relevant court-related paperwork immediately in order that arrangements may be made to cover the position. Employees are expected to report for work whenever the court schedule permits. In addition, proof of service must be submitted to the employee's supervisor when the employee's period of jury duty is completed.

VOTING LEAVE

City employees are encouraged to exercise their legal right to vote in any local, state, or federal election. If voting in the election causes an employee to vote during their scheduled work hours, the City will grant a reasonable amount of paid time off to vote.

UNIFORMED SERVICES

Certain rights to re-employment after service in the uniformed services, as well as provisions relating to pension and health benefits are established in the Uniformed Services Employment and Re-employment Rights

Act of 1994, 38 USC 4301 et seq., and in Ark. Code Ann § 21-4-102. It is the City's policy to honor and comply with the provisions of those statutes.

The Uniformed Services Employment and Re-employment Rights Act (USERRA), prohibits discrimination against persons because of their service in the military. USERRA prohibits an employer from denying any benefit of employment on the basis of an individual's membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services. USERRA also protects the rights of veterans, reservists, National Guard members, and certain other members of the uniformed services to reclaim their civilian employment after being absent due to military service or training.

A summary of rights afforded by the Uniformed Services Employment and Re-employment Rights Act (USERRA) is contained in a poster developed by the U.S. Department of Labor and re-printed in Appendix A of this Handbook. As an employer, the City shall provide to persons entitled to rights and benefits under USERRA a notice of the rights, benefits, and obligations of such persons and such employers under USERRA.

In addition, employees who are members of a military service organization or National Guard unit shall be entitled to a military leave of one hundred sixty-eight (168) hours with pay plus necessary travel time.

Full-time employees who are a member of the Armed Forces Reserve or National Guard, who are called to duty in an emergency situation by the Governor or by the President of the United States, shall be granted up to thirty (30) working days of paid leave (based on no more than eight (8) hours per day).

"Emergency situation" means:

- A. (A) Any case of invasion, disaster, insurrection, riot, breach of peace, or imminent danger thereof;
- B. (B) Threats to the public health or security; or
- C. (C) Threats to the maintenance of law and order.

After an employee is deployed to active military duty and receives the thirty (30) working days of paid leave, the employee is not eligible to receive any further military pay from the City until they return from active duty and either attends annual training or is deployed to active duty again.

Employee's Responsibilities

The employee is responsible to provide, to their Department Director and the Human Resources Department, copies of all military orders that will result in a leave of absence for active military duty before leave is granted. Orders should specify the dates of absence, promulgation authority, letter order number and signature of issuing authority. Employees are required to notify their Department Director at the earliest possible date upon learning of scheduled military duty.

Employees who fail to return to work, on the date specified in the leave request without receiving an extension in advance, are subject to disciplinary actions up to and including termination.

Inactive duty training dates (weekend drills) should be provided to the Department Director as soon as available if the dates conflict with scheduled employment with the City.

The Payroll Administrator is responsible for the creation and maintenance of an annual Military Leave Register for each affected employee to ensure accurate accountability of leave expended.

PREGNANCY, CHILDBIRTH AND PREGNANCY RELATED CONDITIONS

Employees affected by pregnancy, childbirth or pregnancy related conditions shall be treated the same for all employment-related purposes as persons with non-pregnancy-related health conditions. Therefore, accrued sick leave, compensatory time, and vacation leave will be granted for maternity use, after which leave without pay must be used, in accordance with the City's Family Medical Leave Policy, if applicable.

In the event the Family Medical Leave Act is inapplicable, the employee may use accrued sick leave, compensatory leave and/or accrued vacation leave as required to the extent the exhaustion of sick leave, compensatory leave and vacation leave benefits.

During and after birth, the City will comply with all guidelines of the Pregnancy Workers Fairness Act and the PUMP Act. For any questions regarding this policy, please reach out to the Human Resources Department.

FAMILY MEDICAL LEAVE

The Family Medical Leave Act (FMLA) of 1993 requires the City of Paragould to offer up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. The FMLA also allows an employee who is the spouse, son, daughter, or parent, or nearest blood relative of an injured Armed Services member to take the twelve (12) weeks of unpaid leave plus an additional fourteen (14) weeks, for a total of twenty-six (26) weeks. Eligible city employees may take unpaid leave for the following reasons:

The birth and care of the employee's child;

The placement of a child into the employee's family by adoption or by foster-care arrangement and to care for the newly placed child;

For spouse, son, daughter, or next of kin of an eligible service member to care for an injured service member that is seriously injured or ill in the line of active duty, up to twenty-six (26) weeks during a "single 12-month period;"

The care of an immediate family member (spouse, child or parent not a parent "in-law") who has a serious health condition;

The inability of a city employee to work because of a serious health condition which renders the employee unable to perform the essential functions of the job; and for any qualifying exigency when the employee's spouse, son, daughter, or parent is a covered military member (on active duty or is notified of an impending call to active duty) in support of contingency operation.

You must conclude leave for the birth of a child or for adoption or foster care within twelve (12) months after the event. However, leave may begin prior to birth or placement, as circumstances dictate.

Leave entitlements for medical reasons are predicated upon the existence of a serious health condition suffered by you or an immediate family member. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

Inpatient care in a hospital, hospice, or residential medical care facility; or

Continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, and for prenatal care.

Generally, a condition will be considered a serious health condition if the condition or its treatment causes an employee to be absent from work on a recurring basis or for more than three calendar days.

The Family Medical Leave Act (FMLA) requires that the City maintain the health care coverage of an employee eligible for FMLA under any group plan during the time the employee is on FMLA leave.

FMLA Eligibility

To be eligible for FMLA benefits employees must: 1) be employed by the City for at least one (1) year; and 2) have worked 1250 hours over the previous twelve (12) months preceding the date of the leave is requested to begin. In addition, the employee must work at a location where at least 50 employees are employed by the employer within 75 miles. An employee returning from fulfilling a National Guard or Reserve military obligation shall be credited with the hours of service that would have been performed but for the period of military service in determining whether the employee worked the 1250 hours of service.

Calculation of Leave

Employees eligible for FMLA may use up to twelve (12) weeks of leave during a 12-month period measured forward from the date the employee's first FMLA leave begins. Therefore, the 12-month period will begin on the first date FMLA leave is taken. The next 12-month period will begin on the first day FMLA leave is taken after completion of any previous 12-month period.

Use of Paid and Unpaid Leave

When leave is taken under the Family Medical Leave Act, you will be required to first use your available accrued sick, compensatory, holiday and vacation leave concurrently with FMLA leave during the twelve (12) week family leave before becoming eligible for unpaid leave.

An employee taking leave for the birth of a child must use paid sick leave for the physical recovery following child birth. The employee must then use all paid vacation and personal leave prior to being eligible for unpaid leave.

An employee who is taking leave for the adoption or foster care of a child must use all paid vacation and personal leave prior to being eligible for unpaid leave. The use of Paid Sick leave will be limited to the amounts specified in the appropriate portion of this section.

Donated Leave, if received, must be approved and will be counted toward the total of twelve (12) weeks of FMLA.

Intermittent or Reduced Leave

In circumstances where FMLA leave is sought for your own serious health condition or that of a family member, you may take leave intermittently or be placed on a reduced work schedule, if medically necessary. In addition, when you choose to use FMLA for the birth or adoption of a child, you may also take leave intermittently or be placed on a reduced work schedule. However, this may only be done with prior permission and approval of the Department Director and the Mayor. If you request intermittent or reduced leave status, the City may at its sole discretion temporarily transfer you to another job, with equivalent pay and benefits, if another position would better accommodate the intermittent or reduced schedule. Furthermore, if the need to use leave is foreseeable and based on pre-planned and pre-scheduled medical treatment, you should schedule the treatment in a manner that does not unduly disrupt the City's operations.

Notification

You must provide your Department Director or Human Resources Director with thirty (30) days' written notice of your need to be absent for FMLA purposes when the need is foreseeable or predictable. The City will provide appropriate forms on which to make known your need to be absent. Forms may be picked up at the Human Resource's Office. However, if emergency circumstances prevent 30 days' written notification, you must notify the Department Director or Human Resources as soon as possible.

Leave Provisions for Spouses Both Working for the City

In the event both spouses work for the City, the maximum combined leave for both spouses is twelve (12) weeks, if FMLA leave is taken for the adoption or birth of a healthy child, or to take care of a sick parent.

If FMLA leave is taken to care for an ill child, spouse, or for the employee's own serious illness, then each spouse is entitled to twelve (12) total weeks of leave.

Job Restoration

Employees granted FMLA leave will be returned to the same position held prior to the leave or one that is equivalent in pay, benefits and other terms and conditions of employment. However, certain highly-compensated "key" salaried employees, although eligible for FMLA leave, are not guaranteed restoration to their positions if they choose to take leave. Such employees will be informed of this status when they request leave. If the City deems it necessary to deny job restoration for such employees while they are on FMLA leave, the City will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Employee Benefits

During an employee's FMLA leave of absence, health care benefits will continue. Both the City and the employee will be required to pay the customary portions of the monthly health insurance premium. The employee's failure to pay their share of the premium may result in loss of coverage. The Human Resources Office will advise the employee of the payment due dates. If the employee's payment is more than 30 days

overdue, the health care coverage will be dropped by the City. Prior to dropping an employee from coverage for non-payment, the Human Resources Office will provide the employee with at least 15 days written notice before the date coverage is to cease.

If the employee unequivocally informs the City that they do not intend to work at the end of the leave period, the City's obligation to provide health benefits ends. If the employee chooses not to return to work for reasons other than a continued serious health condition which would otherwise entitle the employee to FMLA leave or other circumstances beyond the employee's control, the employee is required to reimburse the City the amount which it contributed toward the employee's health coverage during the leave period.

For purposes of this section, an employee who returns to work, from FMLA leave, for at least 30 calendar days is deemed to have returned to work. In addition, an employee who transfers directly from FMLA leave to retirement or who retires within the first 30 days after returning from FMLA leave is deemed to have returned to work.

An employee on FMLA leave will not be allowed to accrue employment benefits, such as vacation, sick leave, pension, etc. However, employment benefits which accrued up to the day on which the FMLA leave began will not be lost. The use of FMLA leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Employees who fail to return to work on the first working day following the end of their FMLA leave will be deemed to have terminated their employment with the City, unless the employee otherwise notifies the Human Resources Director prior to the end of the FMLA leave.

Certification

Medical certification, by a qualified health care provider, of the need for FMLA leave for medical reasons is required. A certification form may be obtained from the Human Resources Office. This form should be filled out and returned to the Human Resources Director. When the leave is foreseeable and at least 30-days notice has been provided, the employee must provide certification before the leave begins. When prior notice of the leave is not possible, the employee must provide the requested certification within 15 calendar days of the employee's departure, unless it is not practicable under the circumstances to do so, despite the employee's diligent good faith efforts. Employees who do not provide certification within these 15 calendar days must provide a reasonable explanation for the delay along with the certification.

Release to Return to Work

A medical doctor's release is required for all City employees who return to work from a medical leave of five (5) working days or longer, which is taken for the employee's own serious health condition. Such a release shall be provided to the Human Resources Director prior to returning to work.

Dispute Resolution

If a disagreement occurs over the medical opinion provided by your physician, the City may require a second medical opinion, from a qualified health care provider chosen by the City. The City will pay for a second or, if necessary, a third medical opinion. In the event a third opinion is deemed necessary, the City

and the employee will jointly select the third qualified health care provider. The third opinion will be considered final.

Additional information and forms may be obtained from the Human Resources Office.

LEAVE OF ABSENCE WITHOUT PAY

Requests for leave of absence without pay shall be in writing and shall state specifically the reasons for the request, the date desired to begin the leave and the date of return. The request shall be submitted by the employee to the affected Department Director. The Department Director shall recommend to the Human Resources Director whether the request should be granted, modified or denied. The Human Resources Director shall then make a recommendation to the Mayor based upon the best interest of the City, giving due consideration to the reasons given by the employee, and the requirements of any applicable State and Federal laws. Based upon these recommendations the Mayor will make the final decision whether or not to grant a full-time employee a leave of absence without pay not to exceed ninety (90 days). Such leaves may be granted after all accumulated time in leave banks have been exhausted. Sick leave may not be used for non-medical leaves.

No sick leave, holiday, vacation benefits or any other fringe benefits shall accrue while the employee is on leave of absence without pay.

Any employee on an approved leave of absence without pay may continue insurance coverage by COBRA options and the employee will be responsible for paying the full cost of such insurance (employee deduction and employer matching plus the administrative fee). The employee must pay in advance for each month they are absent, subject to limitations set by the insurance carrier. (This paragraph does not apply when taking Family & Medical Leave). If an employee has reason to believe they may be covered by FMLA, they should submit an FMLA request to the Human Resources Department as soon as possible.

Upon expiration of the leave of absence, the employee may be reinstated in the position held at the time the leave was granted or another equivalent position if such position is available.

Upon extenuating circumstances, the Mayor or his designee may grant an extension of a leave period upon written request by the employee. Such extension may not exceed three months and will be based on departmental, as well as, employee considerations.

Employees who fail to return to work on the date specified in the leave request, without receiving an extension in advance, are subject to disciplinary action up to and including termination. Any employee on an unauthorized leave without pay status for more than two working days will be considered to have abandoned their job.

HEALTH INSURANCE BENEFITS

The City of Paragould provides a group health plan for all its full-time employees and elected officials. An employee becomes eligible for coverage on the first day of the month following 30 days of employment. Detailed information on the policy and coverage will be given to the employee at the time of hire. Additional information may be obtained through the Human Resources Department.

RETIREMENT SYSTEM

All City of Paragould full-time employees are covered by a retirement plan.

NON-UNIFORMED EMPLOYEES INCLUDING EMERGENCY SERVICES PERSONNEL

All full-time, non-uniformed employees, including emergency services personnel shall participate in the Arkansas Public Employees Retirement System (APERS). Employees and the City shall contribute at the rate designated by APERS. For additional information regarding APERS, employees are encouraged to go online to the APERS website or contact the Human Resources Department.

UNIFORMED POLICE AND FIRE EMPLOYEES

All uniformed Police Officers and Firefighters shall participate in the Arkansas Local Police and Fire Retirement System (LOPFI). Police employees shall contribute at the rate designated by LOPFI and pay into Social Security. Fire employees shall contribute at the rate designated by LOPFI and will not pay into Social Security. The City shall contribute at the rate designated by LOPFI. For additional information regarding LOPFI, employees are encouraged to go online to the LOPFI website or contact the Human Resources Department.

EMPLOYEE ASSISTANCE PROGRAM

As part of the City's responsibility and efforts to promote health and wellness, the City offers employees an Employee Assistance Program (EAP) at no charge to the employee.

The EAP offers counseling services to employees and their spouses / children. EAP will assist employees with a variety of concerns including but not limited to anxiety, depression, grief, divorce, substance abuse, etc. The EAP is strictly confidential and the City will have no records of an employee's voluntary visit to the EAP.

The City reserves the right to mandate employees to attend EAP sessions where the employee's employment may be in jeopardy. Mandates will be determined at the discretion of the Department Director, Human Resources, and the Mayor. Any failure to attend or comply with an EAP mandate will result in disciplinary action, up to and including termination. All mandated EAP sessions will be compensated.

OCCUPATIONAL INJURIES

All City employees are covered under the Arkansas State Workers' Compensation laws. Any employee incurring an "on-the-job" injury should immediately notify their supervisor who will arrange for appropriate medical treatment and prepare the necessary reports required for the employee to be compensated. No matter how minor the injury may appear, it must be reported immediately. Rules and regulations concerning Workers' Compensation claims have been posted on Department bulletin boards.

Employees who are on Authorized Injury (AI) leave shall participate only in activities expressly permitted by the attending physician. They shall not participate in activities causing a delay in their recovery.

ACCIDENTAL INJURY

If any full-time employee is involved in an accident (except while performing work for compensation for another employer) and the injury sustained in such accident necessitates that the employee be absent from work, the employee shall be entitled to receive pay at a regular salary for the number of days of accumulated sick leave credited to that employee at the time the accident occurred.

CHAPTER 6

STANDARDS OF CONDUCT

CONDUCT TOWARDS THE PUBLIC

Employees of the City of Paragould shall always be civil, orderly and courteous in their conduct and demeanor. In each contact with the public, an employee must be aware that their appearance, actions and statements are in essence those of the City. In dealing with the public, each employee must attempt to make their conduct one that inspires respect for both the employee and the City and further, one that generates the cooperation and approval of the public.

Not everyone an employee may meet in the course of their duties will be courteous. However, an employee should treat the public as they would like to be treated: with courtesy, patience, respect and understanding. This attitude or approach to public service cannot be overemphasized.

When an employee is not certain of the correct response to an inquiry or request from the public, he or she should refer the inquiry to the individual or the department that can provide the most satisfactory response to the inquiry. It is better to admit lack of knowledge than to provide erroneous information.

COMMUNICATING ON BEHALF OF THE CITY

The Mayor or his designees are authorized to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications. Other employees may represent the city if approved by one of these individuals to communicate on a specific topic. When speaking on behalf of the City or while carrying out your official duties:

- Employees must identify themselves as representing the City. Account names on social media sites must clearly be connected to the City and approved by the IT department.
- All information must be respectful, professional, and truthful. Corrections must be issued when needed.
- Employees need to notify the IT department if they will be using their personal technology (cell phones, home computers, cameras, etc.) for City business. Employees should be aware that the data transmitted or stored may be subject to the Freedom of Information Act (FOIA).

HANDLING REQUESTS FOR INFORMATION PURSUANT TO FOIA

Any citizen of the State of Arkansas may request to inspect, copy, or receive copies of public records pursuant to the Freedom of Information Act. Any requests must immediately be forwarded to the public records custodian. If the employee receiving the request is not the custodian, the employee must notify the requester of this fact and identify the custodian. If you are unsure who the custodian of records is for the specific

request, please notify your Department Director or the City Clerk as soon as possible due to certain time limits on FOIA requests.

HANDLING MEDIA REQUESTS

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the Department Director or the custodian of the records in the case of a records request. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media and websites. When responding to media requests, employees should follow these steps:

- If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify your Department Director of the request.
- If the request is regarding information about city personnel, potential litigation, controversial issues, and opinion on a city matter, or if you are unsure if it is a "routine" question, immediately forward to the Department Director or in the case of a records request, to the City Clerk. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as possible."
- Ask the media representative's name, questions, deadline, and contact information.

PERSONAL COMMUNICATIONS

It is important for employees to remember that the personal communications of employees may reflect on the City, especially if employees are commenting on City business. The following guidelines apply to personal communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what you write is public and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- If you publish something related to city business, identify yourself and use a disclaimer such as, "I am an employee of the City of Paragould. However, these are my own opinions and do not represent those of the City of Paragould."
- City resources, working time, or official City positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the City's logo, email, or working time to promote their side business as a plumber.

UNIFORMS AND PERSONAL APPEARANCE

Personal Appearance - The City expects you to be clean and neat at all times. Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the business image the City presents to the community. Just as the cleanliness of each of our facilities is of utmost importance, so is each employee's grooming. Employees not required to wear uniforms should dress in appropriate professional departmental attire. If an employee is not sure what appropriate attire is, then the employee should check with his or her supervisor or Department Director.

Uniforms or uniform allowance will be provided to police officers and firefighters as authorized by the Governing Body of the City of Paragould. Personnel who are provided uniforms or uniform reimbursement shall wear uniforms at all times while on duty. Uniforms shall be kept as neat and presentable as working conditions permit.

GUIDELINES FOR APPROPRIATE CONDUCT

The City of Paragould expects its employees to accept certain responsibilities, adhere to acceptable principles in matters of personal conduct and exhibit a high degree of personal integrity at all times. This not only involves a sincere respect for the rights and feelings of others, but also demands that both while at work and in their personal lives, employees refrain from behavior that might be harmful to the employees, co-workers, the citizens and/or the City.

Whether an employee is on duty or off duty, their conduct reflects on the City. An employee should observe the highest standards of professionalism at all times.

Any employee charged or cited with a crime/violation must report the incident to their supervisor and the Human Resources Director. A decision will then be made to determine if the nature of the charge or citation will warrant further action.

Types of behavior and conduct that the City considers inappropriate include, but are not limited to the following:

- Falsifying time worked, employment or other City records.
- Violating any city nondiscrimination and/or harassment policy.
- Excessive absenteeism, tardiness or any absence without notice for any reason.
- Excessive, unnecessary or unauthorized use of city property or equipment.
- Reporting to work under the influence of intoxicants or non-prescribed drugs/illegal drugs, or participating in the illegal manufacture, possession, use, sale, distribution or transportation of drugs.
- Buying or using alcoholic beverages while on city property or using alcoholic beverages while engaged in city business on city premises, except where authorized.
- Fighting or using profane, obscene, abusive or threatening language or gestures.
- Theft or inappropriate removal or possession of property from co-workers, citizens or the city.
- Unauthorized possession of firearms or weapons of any type on city premises or while on city business.
- Violation of safety or security regulations.
- Insubordination or other disrespectful conduct.
- Negligence or carelessness resulting in damage to city property or equipment.
- The improper release of confidential information.
- Conviction of a felony, or the entry of a plea of nolo contendere to such crime.
- Sleeping during work hours (except as authorized at the fire department).
- Misuse of City funds.

- Any form of inappropriate or sexual activity in a City facility or City vehicle.

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory and in violation of any of the above referenced items or any of the City's policies, rules or regulations, an employee will be subject to disciplinary action up to and including termination.

DIVERSITY, EQUITY, AND INCLUSION

The City of Paragould is committed to fostering, cultivating and preserving a culture of diversity, equity and inclusion.

We embrace and encourage our employees' differences. Individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees invest in their work represent a significant part of our culture.

The City's diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for diversity.

All employees have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other company-sponsored and participative events. All employees are also required to attend and complete diversity awareness training to enhance their knowledge to fulfill this responsibility.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with this diversity policy and initiatives should seek assistance from a supervisor or a Human Resources representative.

ANTI-BULLYING POLICY

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

BULLYING DEFINED

The City of Paragould defines bullying as repeated, health-harming, mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:

Threatening, humiliating or intimidating behaviors.
Work interference/sabotage that prevents work from getting done.
Verbal abuse.
Such behavior violates the City's Standards of Conduct policies.

PROHIBITED CONDUCT DEFINED

The City considers the following types of behavior examples of bullying:

- Verbal bullying. Slandering, ridiculing or maligning a person or their family; persistent name-calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical bullying. Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- Gesture bullying. Nonverbal gestures that can convey threatening messages.
- Exclusion. Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Not allowing the person to speak or express themselves (i.e., ignoring or interrupting.)
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accuse someone of errors that cannot be documented.
- Deliberately interfering with mail and other communication.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do their work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, giving deliberately ambiguous instructions.)
- Assigning menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating them from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

Individuals who feel they have experienced bullying should report this to their supervisor, Department Director or to Human Resources before the conduct becomes severe or pervasive. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible to allow the City to take appropriate action.

ABSENTEEISM AND TARDINESS

The City of Paragould expects all of its employees to be at work on time and on a regular basis. When employees are unnecessarily absent or late, it is expensive, disruptive and places an unnecessary burden on fellow employees, supervisors, City government as a whole and the taxpayers who receive City services. Should an employee be unable to report to work on time because of illness or personal emergency, that employee should give "proper notice" to his or her supervisor.

Excessive absences or tardiness, unexcused absences and tardiness, falsification of reasons for any absence or tardiness, absences/tardiness which form unacceptable patterns (i.e., regularly reporting late on Monday mornings or calling in absent on Fridays), or failing to provide proper medical documentation to support absences / tardiness may result in disciplinary action.

"Proper notice" is defined by the City to be at least one (1) hour notice in advance of the time an employee is scheduled to report for work. Department Directors may require more of a notice in advance to ensure adequate staffing. If advance notice is not possible, notice should be given as soon as possible but no later than one (1) hour thereafter.

TARDY You are considered tardy if you are not at your workstation prepared to work at the start of your shift or if you leave your workstation before the end of your shift without permission.

ABSENT Excused absences include approved leaves of absence; pre-approved Vacation; pre-approved Sick time; pre-approved Comp Time; and leave under the Family Medical Leave Act. These absences will not be considered as absent periods for disciplinary purposes.

An absence of an employee from duty, including any absence of one (1) day or part thereof, (other than an absence authorized by this personnel handbook or by law) that is not authorized in advance by the Department Director or the employee's supervisor will be deemed an unexcused absence. Such absence shall be without pay.

FAILURE TO REPORT (NO CALL/NO SHOW)

If you fail to report to work and to provide notification to your supervisor or Department Director for two (2) consecutive workdays, you will be terminated due to job abandonment and may not be eligible for rehire.

If you have provided a doctor's note to your Department Director taking you off work for a specific period of time, you are not required to provide notification each day.

OUTSIDE EMPLOYMENT OR MOONLIGHTING

If an employee is considering additional employment, they must discuss the additional employment with their Department Director and must obtain written approval by their respective Department Director and Human Resources Director. All requests will then be submitted to the Mayor for final approval.

If, as an employee of the City, an employee participates in additional employment, it must not interfere with the proper and effective performance of their job with the City. All employees will be subject to the City's scheduling demand, regardless of any existing outside work requirements. Your employment with the City of Paragould must be considered your primary employment.

An employees outside employment must not be of a nature that adversely affects the image of the City, or of a type that may be construed by the public to be an official act of the City or which in any way violates these policies. City uniforms shall not be worn during outside employment unless approved in advance by the Mayor.

Patrol Officers additional outside employment in uniformed positions must be contracted through the City of Paragould. This policy is to protect our uniformed officers' benefits such as worker's compensation, sick leave, health insurance and other fringe benefits.

OUTSIDE COMPENSATION

It is against City policy for any and all employees to accept tips, gifts, rewards, or other forms of payment in addition to regular compensation from any source for the performance of municipal services for which one is regularly employed. However, it is recognized that citizens sometimes want to reward an employee or group of employees for a job well done. In such a case, an employee may receive a gift of less than one hundred dollars (\$100) in value with pre-approval of the employee's Department Director or the Mayor. Gifts valued above one hundred dollars (\$100) or more are in violation of the Arkansas Code of Ethics and shall not be accepted.

SMOKING

In keeping with the City's efforts to provide a safe and healthy environment for both employees and citizens, smoking and vaping is prohibited throughout all City owned workplaces except outside in designated areas.

Smoking and vaping are prohibited inside any vehicles and enclosed areas owned, leased, or operated by the City of Paragould. Vaping refers to the use of any and all electronic smoking devices. The City complies with all aspects of the Arkansas Clean Indoor Act of 2006. Any employee violating this policy is subject to disciplinary action up to and including termination and may be required to pay a fine if levied by the Arkansas Department of Health. All employees, guests, and other visitors are expected to comply with this policy.

DRUG FREE WORKPLACE

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

To educate employees on the danger of drug abuse, the City has established a drug-free awareness program. Periodically, employees will be required to attend training sessions at which the dangers of drug abuse and the City's policy regarding drugs will be discussed. Employees arrested or cited with a substance crime / violation must report the incident to their supervisor and the Human Resources Director within 24 hours. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination as allowed by federal, state and local laws. At its discretion, the City may require employees who violate this policy to successfully complete a drug-abuse assistance or rehabilitation program as a condition of continued employment.

PRESCRIPTIONS

Employees have the responsibility to know the impact of any prescription drugs they may be using. If an employee has a prescription for any medicinal drug or controlled substance that will cause the employee to be impaired or prevent the employee from safely and successfully doing the essential functions of the job during work hours, the employee is to report this information to their Department Director and the Human Resources Department. With public or safety-sensitive positions, certain prescriptions may prevent employees from safely fulfilling the essential duties of the job. Failure to disclose this information could result in discipline, up to and including termination. Each employee's job description will designate whether or not the employee is in a safety-sensitive position.

EMPLOYEE ASSISTANCE PROGRAM

Any employee who needs assistance with controlled substance abuse or rehabilitation may reach out to the City's Employee Assistance Program which is provided to every full-time employee. For more information, please read the section titled Employee Assistance Program under the Benefits section or contact the Human Resources Department.

USE OF CITY ASSETS AND RESOURCES

Internet, Phone and E-Mail Use

The City of Paragould provides nearly all City employees with access to City owned devices necessary to perform the functions of the employee's job duties and are intended primarily for business use. This includes electronic mail and internet systems along with various software and applications. A City issued cell phone, or tablet may act in the same manner as a computer.

Please remember all of these tools are City property and must be used in a manner that reflects positively on the City and all who work here. Occasional, limited personal use of these resources is permitted, but it should not interfere with work performance. The only exception is the Fire Department employees who work 24-hour shifts. These employees have more time designated for personal use. These employees must not abuse this exception and must follow City policies.

While all of these devices provide an efficient method to exchange information and perform tasks within City offices, any damage or misuse of City-owned computers or other City-issued devices may be subject to disciplinary action, up to and including termination. Any replacement of a phone, computer or tablet due to damage or misuse must be documented and submitted to the IT Director and Mayor by the Department Director.

The City will not tolerate inappropriate or illegal use of technological resources and reserves the right to take appropriate disciplinary action, as needed, up to and including termination of employment. Examples of misuse include but are not limited to:

- Overuse of the internet or devices for personal matters during scheduled work hours.
- Transmitting material that contains bullying, sexual harassment, threatening, pornographic, obscene, false, defamatory, or any material that is or could be construed as offensive.
- Using the internet for anything that would not be deemed as appropriate material. This includes but is not limited to pornographic sites, gambling sites, sites advocating hate, etc.
- Misuse or overuse of social media during work hours not designated as "breaks" or emergency purposes. Examples include Facebook, X (Twitter), Instagram, etc.
- Using the system for any illegal, immoral, or unethical purpose.
- Downloading, installing or deleting content not authorized by the Information Technology Director.
- Purposely accessing other employees' or supervisors' files, emails, etc., without proper authorization.
- Connecting non-City issued devices to the City's network without prior consent of the Information Technology Director.
- Illegal reproduction of software and other intellectual property protected by U.S. copy-right laws and by licensing agreements.
- Decryption of system or user passwords.
- Distributing literature for outside entities.
- Using City owned technology for secondary jobs.

All City-owned devices and property belong to the City. Therefore, all materials on these devices belong to the City. Department Directors may gain access to a City employee's e-mail, Internet cache or files without that employee's permission for any reason at any time. There is no individual right to privacy on any City computer system or device. Passwords do not guarantee confidentiality. This does not apply to personal social media accounts and City employees will never be asked for passwords to these social media accounts.

All of these guidelines also pertain to the use of City programs and software even if the employee is not on City property. Misuse of City issued software, such as company e-mail or internet-based programs, can also lead to disciplinary action, up to and including termination.

The City reserves the right to install anti-spam, anti-malware, and spyware filters and similar devices or software if necessary, in the judgment of the City's Information Technology Director to protect the security and integrity of the City's computer resources. Employees who install their own malware or programs without permission from the IT Director will be disciplined.

As a public sector employer, all electronic files (including e-mail files) are subject to public inspection and copying under the Freedom of Information Act (FOIA). This access by the outside public further warrants the need for employees to only use City issued devices appropriately and only for City related tasks as much as possible. Employees should not use City email for personal use and upon separation of employment, all City emails will be shut down and not reopened for employees to gain personal information.

REMOVAL OF CITY PROPERTY

No city owned, leased, or licensed equipment or documents may be removed from city premises without prior written approval from the Mayor or City Clerk.

USE OF PRIVATELY OWNED ELECTRONIC COMMUNICATIONS EQUIPMENT FOR PUBLIC JOB-RELATED PURPOSES

Employees with personal privacy concerns should be aware that there may be consequences to using privately owned electronic communications equipment (including privately owned cell phones) for work related purposes. If an employee uses privately owned equipment for work related purposes, such as work related text messages or emails, the records of the privately owned equipment might be subject to disclosure to the public by the Arkansas Freedom of Information Act. Employees are therefore encouraged to use city-owned communications equipment and city-owned software (such as city email) when communicating for job related purposes.

WAIVER OF PRIVACY

Employees waive their right to privacy in anything created, stored, sent, or received on the city's computer or telecommunications system. The City reserves the right to inspect any data, emails, social media content, files, settings, or any other aspect of access made by a city-owned computer or related system and will do so on an as-needed basis as determined by the IT department. Employees understand that any information created, stored, sent, or received on the city's computer or telecommunications system may be subject to the provisions of the Freedom of Information Act, regardless of whether the information is business-related or personal to the employee. Therefore, any such information may be accessed and/or inspected at any time by any member of the public unless it is exempted by law from disclosure.

CITY VEHICLES

The City may permit certain employees to use its vehicles to conduct City business. A valid or current driver's license must be in the possession of the operator and maintained at all times. When using City vehicles, employees shall exhibit due care at all times. No City employee shall text while operating a City vehicle. City employees should try to refrain from using a cell phone or any device while operating a City vehicle unless using a Bluetooth or hands-free device. City employees shall comply with all federal, state, and local laws pertaining to the operation of the vehicle.

The use of City vehicles is restricted to City business purposes only. Employees using City vehicles shall not pick up or transport any private parties not directly involved with the work of the City. With prior permission of the Mayor, employees may transport family members in City vehicles when necessary.

Employees using City vehicles are individually responsible for all fines or penalties assessed to the employee as a result of speeding tickets or other traffic offenses for which the employee is cited while using a City vehicle.

Thefts or accidents involving City vehicles must be reported immediately to the police and Department Director. The improper, careless, negligent, destructive, reckless, or unsafe use of City equipment or vehicles may result in disciplinary action up to and including termination.

CITY CREDIT CARDS

The City of Paragould credit card is a purchase card system benefiting the City and the City's authorized users of the credit card by allowing purchases to be made from vendors for certain types of goods and/or services that are not available through other procurement means or from other vendors and to use in securing hotel accommodations that are related to City travel/training. Each department credit card will have a specified limit not to exceed \$10,000.

The City has developed a credit card policy that outlines the requirements of being an authorized user of a City issued credit card. Each authorized user must sign an acknowledgement that they have read and agree to the terms of the policy prior to using the credit card.

The City Clerk's office will be responsible for maintaining the current authorized user list. Employees found in violation of the City's Credit Card Policy will be disciplined, up to and including termination.

POLITICAL ACTIVITY

No City employee shall campaign on city time (excludes those on vacation or comp paid time off) for any candidate or ballot measure at a federal, state, or local level. Employees are prohibited by law and this policy from using city equipment, property, funds, or other resources to campaign for a candidate or ballot measure. After working hours, employees are free to campaign and support candidates and ballot measures in federal, state, county, and local campaigns as long as they do not use city property, funds, equipment or resources. No campaign banners, campaign signs, or other campaign literature shall be placed on any cars, trucks, tractors, or other vehicles belonging to the City.

PERFORMANCE IMPROVEMENT PLANS

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory including, but not limited to, violations listed in this Handbook, or any other City policy, rule or regulation, directive or ideal, the employee may be subject to disciplinary action up to and including termination. It is the City's policy that Performance Improvement Plans should be used to help an employee improve their performance to the reasonable expectations of the City.

Types of disciplinary action may include but are not limited to verbal warning, written warning, suspension, demotion, or termination. The severity of the offense will determine the type of disciplinary action issued. All disciplinary actions involving demotions, suspensions or terminations require concurrence of the Human Resources Director and/or the Mayor.

All disciplinary suspensions are without pay and benefits accrual unless otherwise indicated in writing by the Department Director and/or Human Resources Director. Employees on disciplinary suspension may not use personal time during the disciplinary period. Every Disciplinary action will be entered in the employee's personnel file.

CHAPTER 7

TRAINING / TRAVEL EXPENSES

TRAINING AND EDUCATION LEAVE INCLUDING SEMINARS AND CONVENTIONS

It is the policy of the City of Paragould to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to the City will be more efficient and effective. All active status employees may apply for training and educational opportunities. The following guidelines shall apply:

- Courses that are reimbursed by the City shall be limited to those that lead to an improvement in job performance.
- Course credits and any documentation required by this policy will be maintained by the Human Resources Department for all departments except Police, Fire, and E911. Those departments will maintain their own documentation. Copies may be submitted to HR to be added to the employees personnel file.
- When the City requires you to attend training, you will be compensated for both the time and the expenses of the training or education.
- When you request to attend training or education opportunities, you may request reimbursement for the cost of the training or education and materials. Time spent in attendance at these courses outside of normal working hours shall be considered the employee's personal time and is not counted as time worked.
- Consideration of employee requests for training or education reimbursement is dependent upon budgetary constraints and the recommendation of that employee's Department Director.
- Any reimbursement shall only be after successful completion of the course/program. Successful completion shall be defined as a receipt of a certificate of satisfactory completion or a grade of C (2.0 grade point) or better in the case of academically related courses (or attainment of pass, in a pass/fail grading system).

The employee is responsible for providing a copy of the official course schedule to the Department Director prior to beginning classes. The employee is responsible for providing a certified copy of the official transcript showing the final grade and /or credits within forty-five (45) days of completion of the course to the Human Resources Department. The transcript shall be placed in the employee's personnel file.

City-sponsored and required training shall generally be arranged during regularly scheduled work hours. A Department Director may change the standard work hours to accommodate or require attendance at such training activities. If employees are required to attend training at a location requiring an overnight stay or travel time in excess of the employee's normal workday, overtime will not be paid.

Employees who acquire training on their own time and expense are encouraged to notify the Human Resources Office so the information can be noted in the employee's personnel file.

BUSINESS TRAVEL EXPENSES

The City will reimburse employees for reasonable authorized business travel expenses incurred while on assignments away from the normal work location. However, no such expenses will be reimbursed without itemized receipts documenting payments of such expenses. All department business travel must be approved in advance by the Department Director.

MILEAGE ALLOWANCE

Employees approved to utilize their personal vehicles on official City business/travel, will be reimbursed for actual miles as well as tolls and parking fees. Under no circumstances will fees for any kind of traffic/parking violation be reimbursed. Mileage, tolls, and parking fees incurred in connection with an overnight trip will be reported on the reimbursement report provided by the City Clerk's office.

The Mayor will designate the current approved mileage rate. Each employee who drives a private vehicle on City business must have liability insurance on said vehicle.

LODGING

When possible, all lodging arrangements should be made in advance by the City. Additional charges paid by the employee will be reimbursed after submission and approval of the request. A reasonable class of accommodation shall be selected where choice is available.

MEALS

Meal costs will be reimbursed when overnight travel is required according to the following allowance.

Breakfast	\$13.00
Lunch	\$15.00
Dinner	\$26.00
Total daily	\$54.00

The cost allowance per meal can be used for that meal only. The unused portion of the cost allowance per meal cannot be applied toward another meal. Alcoholic beverages and tips will not be reimbursed. If it is necessary to exceed the above guidelines when travel is required to a high-cost area approval by the Mayor in advance is required.

PERSONAL CREDIT CARDS

An employee's use of personal credit cards while on City Business is considered a matter of convenience. Employees using such cards will be reimbursed for expenses in the normal manner, and no obligation by the City to the credit card company is recognized.

NO-SHOW CHARGES

No-Show charges billed to the City are considered an expense of the employee unless provisions are made for credit at a later date.

ELECTED OFFICIALS

The Mayor will be the approving authority for all budgeted travel by elected officials. Only those expenditures relating to budgeted travel, as outlined above, are authorized and all reimbursement rules apply.

GENERAL TRAVEL GUIDANCE

Employees who are involved in an accident while traveling on City business must promptly report the incident to the police and their immediate supervisor.

Employees on business travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful completion of business objectives. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports within seven days. Reports should be accompanied by itemized receipts for all individual expenses.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses or any other business travel issues.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred, will subject an employee to disciplinary actions up to and including termination.

CHAPTER 8

RISK MANAGEMENT

SAFE WORKPLACE

The City of Paragould strives to provide a healthy and safe working environment. Safety is largely the use of good judgment and careful work habits. If an employee is unsure of how to perform a task safely, they should ask the supervisor or Department Director for the correct method.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, Department Director or a member of the Safety Committee. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear or reprisal.

Unsafe conduct is misconduct. The following safety rules should always be observed:

- Follow all departmental safety rules.
- Use all mechanical safeguards on or for employee equipment.
- Immediately cease using and report any faulty or potentially faulty equipment to the supervisor or Department Director.
- Immediately report any unsafe or potentially unsafe working conditions or equipment.
- Immediately report any and every (no matter how small) accident to the supervisor or Department Director.
- Observe and obey all signs, notices, posters or tags. They are posted to alert you to hazards and are for your safety and the safety of others.
- Wear protective equipment as required by your job. All City employees are required to wear seat belts when using a city vehicle or piece of city equipment.
- Learn the safe way to lift. Do not try to lift beyond your capacity and stand close to the load. Keep back straight. Set feet firmly. Bend knees. Lift slowly and steadily by straightening your legs.
- Use ladders that are properly set up and supported.
- Do not interfere or distract a fellow worker who is operating a machine in motion.
- Do not use defective tools or improper tools for the work to be performed.
- Never attempt to operate any piece of equipment unless you are authorized to do so.
- Employees must know the location and operation of all safety switches and safety devices connected with their jobs.
- Do not adjust or clean machinery while it is in motion except under exceptional circumstances which have been approved by your supervisor.
- Obey all smoking rules and signs.
- Take pride in your working area. Keep it clean. Dirt or disorderly conditions are the cause of many injuries.

The above-mentioned rules are not meant to be a complete list of rules applied at the City of Paragould. Other rules and regulations will come from departmental policies, job participation and the City's Health and Safety Program.

WORKPLACE VIOLENCE

The City of Paragould observes a zero-tolerance policy regarding workplace violence. Violence or threats of violence are strictly prohibited and, if confirmed, may result in immediate termination. Examples of such conduct include harassing or threatening phone calls, email or written communication directed towards an employee or their friends/family members; stalking; and the destruction of personal and/or city property.

Dangerous items of any nature such as weapons, explosives, or firearms will not be permitted in buildings, owned and maintained by the City, or on an employee's person while conducting offsite city business unless the employee is a law enforcement officer or a security guard employed by a state agency, or a city or county, or any state or federal military personnel. If an employee is undergoing disciplinary proceedings, or is terminated and must return to work for any reason, the employee shall neither possess nor store the dangerous items on the employee's person or in the employee's vehicle.

Employees are encouraged to report violent, potentially violent, or questionable behavior of co-workers, family members of co-workers, citizens, and/or vendors occurring on the worksite or while on duty to their supervisors.

To reduce the risk of violence to employees, supervisors and Department Directors should take appropriate action including notifying local authorities, requesting the disruptive person to leave the premises, and/or documenting and discussing the incident with the Human Resources Department and the Mayor.

APPENDIX A

FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS



YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- ☆ you ensure that your employer receives advance written or verbal notice of your service;
- ☆ you have five years or less of cumulative service in the uniformed services while with that particular employer;
- ☆ you return to work or apply for reemployment in a timely manner after conclusion of service; and
- ☆ you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ☆ are a past or present member of the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.
- ☆ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the Internet at this address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



U.S. Department of Labor
1-866-487-2365



U.S. Department of Justice



Office of Special Counsel



1-800-336-4590

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