

**CITY OF BETHEL**



**EMPLOYEE HANDBOOK**



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## WELCOME

### THE CITY OF BETHEL

The City of Bethel employs an average of 107 people working in eight (8) distinct departments. The Bethel City Council provides leadership and direction to the City Manager, who is responsible for the City staff and all day-to-day operations. As a second class city, the City Manager serves as the Chief Executive Officer and head of personnel, unless the personnel functions are explicitly delegated by either the City Manager or the City Council. Employees serve the public by providing public safety, utilities, road maintenance, parks and recreation opportunities, commercial port and small boat harbor. The City supports Bethel's business community with business licensing, sales tax collection, and property management (leases). In addition, the City provides the community with a public transit system and cemeteries.

### ABOUT THE HANDBOOK

#### PURPOSE

Whether you have just joined our staff or have been working at the City for a while, the City is providing you with this Employee Handbook to answer some of the questions you may have concerning the City and its policies. Abiding by City policies is a condition of employment and we want to be sure that you are provided your own copy of our most basic expectations.

This Handbook summarizes most, but not all, of the principal personnel policies in effect at the time it was issued or revised. However, policies can and do change. Where the Handbook differs from new or revised policies and practices later adopted by the City, the new or revised policy shall apply.

As it pertains to employees covered by a Collective Bargaining Agreement (CBA), where this Handbook differs from the CBA, the provisions of the CBA shall apply.

As it pertains to individuals hired and working solely under a special grant program, where this Handbook differs from the provisions of the grant, the grant rules shall apply.

Please read this Handbook carefully and refer to it frequently. It is your responsibility to be familiar with the contents, any amendments to the Handbook, and the policies and practices of the City. You can obtain additional information or clarification about the other benefits and policies of the City from your supervisor, Department Head or Human Resources (HR).

#### SOURCE

The Handbook has been prepared from individual personnel policies and general federal and state labor laws. Additional information may be found in other documents and standards, to include Title 3 of the Bethel Municipal Code, resolutions of the City Council, other adopted policies and procedures, applicable bargaining agreements, and the official plan documents of the City's employee benefit plans.

Department Heads may establish written policies for their functional areas that may be in addition to, or more strict than, these rules so long as they do not conflict with the Handbook, Code, or CBA and do not violate federal or state labor laws.

## WHAT THE HANDBOOK ISN'T (DISCLAIMERS)

There are several things to keep in mind about this Handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive and policies are subject to change at the sole discretion of the City. Some subjects described in this Handbook are covered in detail in other official policy and/or procedural documents. Please note that the terms of any written insurance policies are controlling and override any statements made in this or other documents. Refer to the full text of the relevant policy, procedures or insurance documents for specific information because the Handbook only briefly summarizes those guidelines and benefits. 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 HR.

This Handbook is not a contract, express or implied, guaranteeing your employment with the City. Nor does it guarantee any fixed terms and conditions of your employment. Although the City hopes that your employment with us will be long-term, the City may terminate this relationship at will with or without cause and without prior notice or you may resign for any reason at any time. No supervisor or other representative of the City, (other than the City Manager<sup>1</sup>.) has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the above.

You should familiarize yourself with the contents of this Handbook and, when in doubt about any policy or procedure, or any information contained in it, you should contact your supervisor or HR.

## HANDBOOK UPDATES/CHANGES IN POLICY

From time to time, you may receive updated information concerning changes in policy. While the City makes every effort to keep this Handbook up to date, and in compliance with changes in the law, there may be times when a discrepancy exists between what's stated in the Handbook and applicable federal or state law. Of course, in such instances, the applicable law will always apply. Nothing in this Handbook is intended to interfere with the rights of any employee to engage in protected activity, or any other rights provided under the National Labor Relations Act.

The City expressly reserves the right to administer, interpret, discontinue, review, modify and change any of its respective benefits, policies, and plans, including those covered in this Handbook, at any time with or without prior notice. Employees will be notified about such changes by notice posted on the Employee bulletin boards, electronic communication and/or by written memo. Changes shall become effective on the dates determined by the City. Employees may not rely on policies that have been amended, rescinded or replaced. No supervisor, manager or representative of the City has the authority to alter the foregoing. If you are uncertain about any policy or procedure, please check with your supervisor or HR.

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<sup>1</sup> For the City Manager, City Clerk and City Attorney positions, only the City Council acting as a whole may enter into an Agreement. Such agreement must be in writing signed by the Mayor and approved by the majority of the City Council.

## NATURE OF EMPLOYMENT

This Handbook is not an employment contract, and only summarizes policies existing at the time of publication. As such, nothing in this Handbook is intended to alter the fact that employment with the City is voluntary, indefinite in nature and subject to termination by you or the City “at-will”, with or without cause, and with or without notice, at any time in accordance with federal, state and/or local laws.

## DIVERSITY AND RESPECT

### EQUAL OPPORTUNITY

In order to provide equal employment opportunities to all applicants and employees, the City's employment decisions are made without regard to race, creed, color, religion, gender, sex, gender identity, sexual orientation, age, national origin or ancestry, marital status, change in marital status, physical or mental disability, political affiliation, genetic information, pregnancy, parenthood, status as a disabled veteran, or any other status or condition protected under federal, state and local laws. This policy applies to all terms and conditions of employment, to include hiring, placement, promotion, termination, layoff, leaves of absence, compensation, and training, as well as City-sponsored social and recreational programs.

### REASONABLE ACCOMMODATION OF QUALIFYING DISABILITIES

The City is committed to providing equal employment opportunities to qualified individuals with disabilities, which may include providing reasonable accommodations where appropriate. In general, it is your responsibility to notify HR of the need for accommodation. Upon doing so, HR may ask you for your input on the type of accommodation you believe may be necessary for the functional limitations related to your disability. When appropriate, the City may seek your permission to obtain additional information from your health care provider regarding your capacity to perform the essential functions of your job position, with or without reasonable accommodation.

The City will determine the feasibility of your requested accommodation considering various factors, including, but not limited to, the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, the City's overall financial resources and organization, and the accommodation's impact on the operation of the City, including its impact on the ability of other employees to perform their essential job functions and on the City's ability to conduct business.

### ZERO-TOLERANCE FOR HARASSMENT OR DISCRIMINATION

The City is committed to providing a work environment in which all individuals are treated with respect and dignity. You have the right to work in a professional atmosphere and the City expects that all relationships will be business-like and free of bias, prejudice and harassment.

The City expressly prohibits any form of employee harassment based on race, creed, color, religion, gender, sex, gender identity, sexual orientation, , age, national origin or ancestry, marital status, change in marital status, physical or mental disability, political affiliation, genetic information, pregnancy, parenthood, status as a disabled veteran, or any other status or condition protected by federal, state or local laws. Actions that interfere with an employee's ability to perform his/her expected job duties is not tolerated.

Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that (a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (b) has the purpose or effect of unreasonably interfering with an individual's work performance; or (c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the City's premises or circulated in the workplace, on City time or using City equipment via e-mail, phone (including voice messages), text messages, blogs, social networking sites or other means.

Sexual harassment is specifically prohibited. The Equal Employment Opportunity Commission defines unlawful sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when submission to such conduct is (a) made either explicitly or implicitly a term or condition of an individual's employment; (b) used as the basis of employment decisions affecting an individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include

- Unwelcome touch (massaging shoulders, stroking hair, brushing against another person)
- Violating someone's "personal space"
- Offensive whistling, jokes, comments, or language
- Leering, staring, stalking
- Suggestive or explicit posters, calendars, graffiti or other displays
- Unwanted or offensive communication: letters, poems, email, voice mail
- Repeated requests for dates

If you believe that you or another employee is or has been the subject of discrimination or harassment, you must report the alleged conduct immediately to your supervisor or HR. Any supervisor or manager who learns of potential sexual or other unlawful harassment or discrimination must promptly consult HR.

The Alaska Human Rights Commission's address is 800 A Street, Suite 204, Anchorage, AK 99501 and its telephone number is (907) 274-4692.

## COMPLAINT/REPORTING PROCESS

If you believe you have been the victim of prohibited conduct, or believe you have witnessed prohibited conduct, you must discuss your concerns with your supervisor, any manager or HR. Although no fixed reporting period is established, early reporting and intervention is encouraged.

The City takes complaints of discrimination and harassment very seriously. Any written or sworn allegations will be investigated promptly, thoroughly, and fairly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The length of time it

takes to perform the investigation will depend on the nature of the complaint. However, you are free at any time to inquire about the status of the investigation.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. The existence and nature of the complaint will be disclosed only to the extent necessary to make a prompt and thorough investigation or as may be necessary to take appropriate corrective measures.

The facts will determine the response to each allegation. Employee conduct which is found to constitute unlawful discrimination or harassment will be disciplined, up to and including termination. If the City determines that an employee was dishonest or hampered an investigation, or made false and/or malicious complaints of harassment, discrimination or retaliation, that employee may be subject to appropriate disciplinary action.

## NON-RETALIATION

The City prohibits any form of retaliation against any employee for reporting discrimination/harassment concerns or a violation of policy, filing a complaint, or assisting in a complaint investigation. However, if after investigating any complaint, the City determines that the complaint is frivolous and was not made in good faith, or that the employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who made the complaint or provided the false information, up to and including termination.

## A SAFE AND HEALTHY ENVIRONMENT

### WORKPLACE VIOLENCE

The City is committed to preventing workplace violence and to maintaining a safe work environment. All employees, including supervisors, temporary employees, and volunteers, should be treated with courtesy and respect at all times. Physical violence, threats, harassment, intimidation and other disruptive behavior in the workplace, whether committed by customers, vendors or City employees, will not be tolerated. Individuals who commit such acts may be removed from City premises and subject to criminal penalties in addition to disciplinary action up to and including termination.

Conduct prohibited by this policy includes, but is not limited to the following:

- Oral or written statements, gestures, or expressions that communicate a threat, or perceived threat of physical harm;
- Physically harming or attempting to harm a person or property;
- Coercion, intimidation, or stalking of another;
- Any form of non-consensual physical contact such as shoving or grabbing;
- Bringing any unauthorized weapon to City premises, including parking lots;
- Any other conduct that would cause a reasonable person to believe violence may occur.

If you are facing a situation that may result in violence, you should avoid confrontation and, if possible, retreat to a safe location. If you notice, witness, or are impacted by conduct you think is suspicious, immediately report it to your supervisor or any manager. If you believe there is a threat to personal safety, call the police immediately.

## NO FIREARMS

Weapons or firearms are prohibited anywhere on City premises, except those carried by law enforcement officials while on duty. This policy also applies to any visitors on City property.

## TOBACCO, ALCOHOL AND DRUG-FREE WORKPLACE

To provide a safe and healthy environment for our employees and customers, the City maintains a work environment free of tobacco, alcohol and drugs.

### SMOKING AND TOBACCO USE

Except for specifically-designated smoking areas, smoking and/or the use of tobacco is not permitted anywhere on City property at any time. This includes all buildings, structures, foyer areas, parking lots, City-owned vehicles or land. The prohibition also includes any private property where employees are engaged in City business.

The City will designate outdoor smoking areas 25 feet away from public buildings to comply with Section 8.10 of Bethel Municipal Code

Smoking includes, but is not limited to, tobacco products, cigarettes, cigars, pipes, electronic cigarettes, vaporizers (“vaping”), “joints”, etc.

### ALCOHOL PROHIBITIONS

You may not report to work while under the influence of alcohol, which can affect your performance and place others in jeopardy. Possession of alcohol, including possession of medicines containing alcohol, is prohibited. Alcohol use during the four (4) hours prior to reporting to a designated safety sensitive-position (or a position that includes safety-sensitive functions) is prohibited. Alcohol use during the thirty-two (32) hours following an accident in a City-owned vehicle or until you have been administered a post-accident drug and alcohol test is prohibited.

### DRUG (ILLEGAL AND LEGAL) PROHIBITIONS – INCLUDING MARIJUANA

You may not report to work while under the influence of illegal drugs or legal drugs used in an illegal manner. You may not report to work while under the influence of marijuana, which can affect your performance and place others in jeopardy. Employees in safety-sensitive positions subject to drug testing under the U.S. Department of Transportation drug testing regulations may not use marijuana at all, regardless of the State of Alaska’s marijuana-related legislation. You may also not report to work while taking any legally-prescribed or over-the-counter medication that may adversely affect your performance of safety-sensitive functions.

### DRUG AND ALCOHOL SCREENINGS

As a condition of employment, you may be required to undergo periodic alcohol and drug screenings, at times specified by the City. To ensure compliance with our drug-free workplace and maintain a safe work environment, you may be directed to report for a random, post-accident or return-to-duty screen. In addition, the City may require you to participate in a screening test if you are exhibiting signs and symptoms of being under the influence. Employees who test positive during a screening test will be subject to discipline. The City considers a failure to report for a screening test when directed to do so the same as a positive test result.

## COMMERCIAL DRIVERS/TRANSIT SYSTEM DRUG AND ALCOHOL PROGRAMS

Employees who serve in safety-sensitive positions must, in addition to the City's prohibition against drugs and alcohol in the workplace, comply with additional federal and state Department of Transportation laws (49 CFR Parts 40, 382, and 655).

Employees who hold a valid Commercial Driver's License (CDL) as part of their position requirements are subject to 49 CFR Parts 40 and 382. Employees who either serve as drivers for the City of Bethel Transit System, or those employees that make repairs on any transit vehicles, are subject to 49 CFR Part 655. Both classes of safety-sensitive employees are subject to pre-employment and random drug and alcohol testing.

Committing a DOT violation will result in your immediate removal from your position until you successfully complete the DOT return-to-duty conditions. This requirement supersedes any and all negotiated employment provisions in either Title III of the Bethel Municipal Code or the collective bargaining agreement (CBA).

## INVESTIGATION AND SEARCHES

When a Department Head or supervisor has reasonable suspicion that an employee has violated the above policies, the supervisor, or designee, may inspect vehicles, lockers, work areas, desks, purses, briefcases, toolboxes, and other locations or belongings without prior notice, in order to ensure a work environment free of prohibited items. Any such searches will be coordinated with a representative of the union (classified employees) or HR (exempt employees). If you are the subject of such a search, you may be asked to be present and may be asked to remove a personal lock. Locked areas or containers do not prevent a search, and thus you should understand there is no expectation of privacy on City premises. If you are not present or you refuse to remove a personal lock, the City may forcibly remove the lock without compensating you for the lock.

The City may use unannounced drug detection methods in any City-owned facility and on any City-owned property, to include personal vehicles parked on City property, should reasonable suspicion exist.

## SAFETY

You are responsible for performing your job functions in a safe and efficient manner, complying with all federal, state and local regulations and program standards.

Regardless of your specific job description, every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow safety guidelines or engaging in conduct that places you, another employee, a member of the public, or the City at risk can lead to disciplinary action and/or termination.

The City will provide you with equipment and/or clothing necessary for your safety in accordance with applicable laws. You are responsible for taking care of that equipment or clothing and using it when directed and as intended.

You are responsible for completing an Accident/Incident Report whenever you are involved in or witness a safety infraction.

You or your supervisor must report any work-related fatalities to OSHA within 8 hours, and must report any work-related inpatient hospitalizations, amputations or eye loss within 24 hours. You can do this by using the 24-hour OSHA hotline at 1-800-321-OSHA (6742). You are also responsible for notifying HR if you have reported a fatality or injury to OSHA.

## REPORTING EMPLOYEE INJURIES

In addition to the OSHA reporting requirements, you must report all workplace illnesses or injuries within 24 hours of the injury to your supervisor. You are also responsible for submitting a completed Report of Occupational Injury or Illness Form 6100 to HR as soon as you can after you've been injured – no matter how insignificant the injury may seem. Failure to complete this form may keep you from being able to claim any workers compensation benefits. Fraudulent or intentionally inaccurate statements in the Report of Occupational Injury or Illness Form or an unreasonable failure to report an occupational injury or illness is cause for disciplinary action.

## CHILDREN IN THE WORKPLACE

The presence of children in the workplace during the workday is inappropriate and to be avoided except in emergency situations. The presence of children at work causes disruptions for you and your co-workers, increases the City's liability, and presents the City as an unprofessional work environment. A child with an illness is not allowed to come to work with you.

If bringing a child to work with you is unavoidable, you must first contact your supervisor for permission. You may be required to take personal leave as an alternative. Before approving your request, your supervisor will consider the number and age of the child(ren), how long the child needs to be present, your work environment, and any possible disruption to your work. You are responsible for any child you have permission for, and the child must be with you and under your direct supervision at all times.

## PETS IN THE WORKPLACE

Pets are not allowed in City facilities other than the City pound. The exception to this rule is for certified service animals or those affiliated with Bethel Police Department or other law enforcement agencies serving on duty in a K-9 capacity. Animals under the control of an employee tasked with animal control are to be maintained at the City pound and not transported to other City facilities, nor allowed to remain in City-owned vehicles beyond the period of time necessary to secure the animal at the City pound.

## EMPLOYMENT

### EMPLOYEE CLASSIFICATIONS

All positions are classified as either nonexempt or exempt under federal and state wage and hour laws. The following is intended to help you understand employment classifications, your employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both you and the City.

Nonexempt employees perform work covered by the Fair Labor Standards Act (FLSA) rules concerning minimum wage and overtime pay. State labor laws may provide these employees additional rights. These federal and/or state rights can only be modified through a CBA.

Exempt employees are generally managers or professional, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. The U.S. Department of Labor sets the criteria that determine whether a position is classified as overtime exempt.

The City has established the following employment types for nonexempt and exempt employees:

**Regular, full time status:** Employees regularly scheduled to work at least 30 hours per week, or for exempt employees, the whole of the work day that their department is regularly open for business and as many hours as needed to do their job. Regular, full time employees are eligible for all City benefits subject to the terms, conditions and limitations of each program.

**Regular, part time status:** Employees regularly scheduled to work less than 30 hours but at least 15 hours each week. Regular, part-time employees are eligible for some of the benefits offered by the City subject to the terms, conditions and limitations of each benefit program.

**Regular, contract employee:** Employees who are not independent contractors but report to (or directly assist employees who report to) the City Council. Work schedules and benefits for regular, contract employees are determined individually between the employee and City Council.

**Temporary, full time or part time status:** Employees who are hired as an interim replacement for a current employee that is expected to return, to assist in the completion of a specific project or to perform a seasonal function. Temporary, full time employees are scheduled to work a minimum of 30 hours per week for a limited duration, not to exceed 6 months. Temporary employees are not eligible for most City-offered benefits but may be eligible for some voluntary, employee-funded benefits.

**Volunteers:** While not City employees, those volunteers that receive payment from the City are subject to some in-processing and tax reporting requirements. Volunteers are not eligible for City-offered benefits.

## POSITION DESCRIPTIONS

A position description is a useful, plain-language tool that describes the tasks, duties, functions and responsibilities of your position. Position descriptions do not include each and every one of your duties when hired for that position.

The City will develop and maintain current position descriptions for all established and authorized positions. HR, in consultation with department managers, will develop all position descriptions and recommend salary or range assignments based on the essential functions and requirements of the position. All City position descriptions will be written in such a way as to maintain compliance with the FLSA and the Americans with Disabilities Act (ADA).

The City's position descriptions are used for a variety of reasons, such as a tool for recruiting, determining salary levels, conducting performance reviews, clarifying missions, establishing titles and pay grades, and creating reasonable accommodation controls, as well as for career planning and training. When hired, you will be given a copy of your position description and will acknowledge in writing that you have received it and understand your responsibilities. A copy of your signed position description will be maintained in your personnel file.

## RECRUITMENT

HR shall recruit all candidates for employment through, at minimum, the City's web site and the State of Alaska's online job posting system.

## PRE-EMPLOYMENT

### BACKGROUND AND REFERENCE CHECKS

To ensure the City's employees are well-qualified and to maintain a safe and productive work environment, the City conducts pre-employment background checks on all applicants who have been selected by the Department Head as the number one finalist for a position. The City will obtain reports only for the purposes of considering an individual for employment, promotion, reassignment or retention and for no other purpose. Applicants selected for a background check must first agree to the check and complete a disclosure and authorization form. Authorizations will be kept for a minimum of seven years from the date of inquiry.

All offers of employment are conditioned on receipt of a background check report that is acceptable to the City. Each Department Head, in coordination with HR, has identified specific criteria, based on the essential functions of each position, for a background check to be considered acceptable. The background check includes verification of information provided by the applicant as well as criminal history and reference checks. A criminal conviction does not automatically bar an applicant from employment. Additional checks such as a driving record or credit report may be made for particular job categories if appropriate and job-related.

The screening reports are kept confidential and are only viewed by the HR manager in support of the hiring process. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and federal and state privacy and anti-discrimination laws.

When an employment decision is based in whole or part on the background information, the applicant has the opportunity to dispute any information contained in the report. If information obtained in a background check leads the City to deny employment based on pre-established criteria, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy.

The City also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

### DRUG TESTING

As part of the City's employment procedures, an applicant may be required to undergo a pre-employment drug and alcohol screening that is conducted by a laboratory designated by the City. Any offer of employment from the City is contingent upon, among other things, satisfactory completion of this screening if required for the specific position.

### VERIFICATION OF EMPLOYMENT ELIGIBILITY

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

## NEPOTISM, EMPLOYMENT OF RELATIVES AND PERSONAL RELATIONSHIPS

Relationships between employees must not result in a conflict of interest, favoritism, or the appearance of either. This extends to practices that involve employee hiring, promotion and transfer. No employee may have supervisory authority over an immediate family member.

### EMPLOYMENT OF RELATIVES

The City permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the City, create actual or perceived conflicts of interest. This applies to all categories of employment including regular and temporary positions. The City will endeavor to exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

- No employee is permitted to work within the "chain of command" of a relative such that one relative's work responsibilities, salary or career progress could be influenced by the other relative.
- Relatives are permitted to work in the same City facility, provided no direct reporting or supervisory/management relationship exists.
- No person may serve in a supervisory capacity over a member of the employee's immediate family.
- No person may be hired, transferred or otherwise put into a position to be a direct supervisor or direct report of an immediate family member.
- If two (2) employees marry or otherwise become related, as defined by "immediate family member", neither of the employees will be allowed to hold supervisory authority over the other.
- No relatives are permitted to work in the same department or in any other positions in which the City believes an inherent conflict of interest may exist.
- No person may be employed in any position who is an immediate family member of the City Manager or Human Resources Manager; no person may be hired as a manager if they are an immediate family member of a member of the City Council.
- The city may, at any time, correct appointments and continued employment prohibited in this section by transfer, layoff, demotion or termination of employment. In doing so, the City Manager shall take such corrective action which has the least adverse impact on the employees necessary to cure the prohibited appointment or continued employment, provided such corrective action shall always be in the best interests of the City.

"Immediate family member" means:

1. The spouse of the person;
2. Another person cohabitating with the person in a conjugal relationship that is not a legal marriage;
3. A child, including a stepchild and an adoptive child, of the person;
4. A parent, stepparent, sibling, stepsibling, grandparent, aunt or uncle of the person; and
5. A parent, stepparent, sibling or stepsibling of the person's spouse.

## EMPLOYEE CONSENSUAL RELATIONSHIPS

If you are involved in relationship with a co-worker, either due to a new involvement or due to a “close friend” or “significant other” being assigned to a new position, you have a duty to report your relationship to HR. When the relationship and employee assignments create a situation of perceived or actual conflict of interest or favoritism, the City will investigate the option of reassigning one employee to resolve the conflict.

Employees involved in relationships with other employees have a duty to ensure that they act professionally at all times and do not engage in any conduct which is harmful or offensive to others.

## PROBATIONARY PERIOD

New employees, rehires and transfers may be subject to a probationary period. You are expected to actively participate in any orientation and training during this time, as your supervisor will be assessing your skills and suitability for the position. Assessments may be informal and a formal written evaluation may not be provided to you. If needed, your probationary period may be extended to better understand your skills, training and abilities. If the City determines that you are not suited for the position, you may be separated at any time. Completion of the probationary period should not be construed as creating a contract or a guarantee of employment for any specific duration. All employees are considered “at-will” at all times and for all purposes.

## PROGRESSIVE DISCIPLINE

You have the duty and the responsibility to be aware of and abide by existing rules and policies. You also have the responsibility to perform your duties to the best of your ability and to the standards as set forth in your job description or as otherwise established.

The City uses progressive discipline to address issues such as poor work performance or misconduct. Progressive discipline is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues while allowing the City the opportunity to mentor employees that may need infrequent “course corrections”.

While the below steps generally occur in sequence, the City may combine or skip steps in the process depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on others' performance and the City as a whole. The City reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and termination. Depending on the situation, in certain limited circumstances, the City may pursue terminating an employee without following the progressive disciplinary process.

**Verbal warning:** A supervisor verbally counsels you about an issue of concern. Depending on the situation, a written record of the discussion may be placed in your file for future reference.

**Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in repeat situations when a previous verbal warning did not help change unacceptable behavior. Written warnings should include a plan of action for correcting the behavior or violation. You will always acknowledge a written warning in writing and have an opportunity to respond on

the document itself. The written warning is placed in your personnel file. While we don't expect it to happen, if you do receive one, you should recognize the grave nature of the written warning. **Suspension, Demotion or Termination:** More significant and/or final steps may be imposed whenever an employee has been involved in a disciplinary situation that has not been readily resolved, has demonstrated an inability to perform assigned work responsibilities efficiently, has significantly violated the law or a City policy or placed others in danger by their actions.

## SEPARATION OF EMPLOYMENT

### REASONS FOR SEPARATION

Separation from City employment can occur for several different reasons.

**Resignation:** Although the City hopes your employment with us will be a mutually rewarding experience, the City understands that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide written notice, to facilitate a smooth transition out of the organization. If you provide minimal or no notice, you may be ineligible for rehire depending on the circumstances.

**Medical Separation:** If you are unable to return to work following approved medical leave you may be separated in good standing. Depending on the type of injury or illness, and whether it happened on or off the job, you may be able to take part in either the long-term disability program with the City health plan or the long-term disability plan under PERS.

**Retirement:** If you are qualified and wish to retire, you must notify your Department Head and HR in writing at least one (1) month before your planned retirement date.

**Layoff:** Periodically, the City may find that positions are no longer necessary to support programs and operations or can no longer be funded. If this occurs with your position, you will be provided a 30-day notice of impending layoff and you retain rehire rights following the layoff.

**Job abandonment:** If you fail to report to work or contact your supervisor, or you "walk off the job" before completing a shift, you may be considered to have abandoned the job. If you are separated due to job abandonment, you may be ineligible to receive accrued benefits (no PTO payout) and may not be eligible for rehire.

**Involuntary Termination:** Employees of the City are employed on an at-will basis, and the City retains the right to terminate an employee at any time.

### RETURN OF CITY PROPERTY

If you leave City service for any reason, you must return all City property at the time of separation, including uniforms, cell phones, keys, equipment and identification cards. Failure to return some items may result in deductions from your final paycheck as well as possible legal action.

### EMPLOYEE OUT-PROCESSING

After you notify your supervisor that you intend to resign or retire, you must contact HR to schedule an exit interview. The interview will generally be on your last day of work. Your supervisor or Department Head will complete a Supervisor Termination form, which accounts for the return of all City property, will complete a PAR and sign your final timesheet. You will bring all three documents to HR when you report for the exit interview.

If you have been continuously employed by the City for a minimum of twelve (12) months, the value of accumulated PTO will be paid in your final paycheck. Your final paycheck will be paid on

the next regular pay day, unless you were involuntarily terminated, in which case the final pay and any accrued leave for which you are eligible will be paid within three working days. Accumulated sick leave (up to 720 hours) will be paid under the same process, but only for employees who have been continuously employed by the City for more than eleven (11) years.

When you leave City service, your health insurance coverage ends on the last day of your departing month. You may opt to continue health coverage through the Consolidated Omnibus Budget Reconciliation (COBRA) program, and you should expect to receive more information about COBRA in the mail from the City's insurance provider.

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## REHIRE

Former employees who left the City in good standing and eligible for rehire may be considered for reemployment. To be considered for rehire, an application must be submitted to HR, and the applicant must meet all minimum qualifications and requirements of the position.

Supervisors must obtain approval from HR prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

An employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation may be ineligible for rehire.

## WORKPLACE EXPECTATIONS

### CONFIDENTIALITY

When hired, and as needed, the City will request you provide personal information about yourself and your dependents. The City will only collect personal information that is required to provide benefits, process your payroll, and comply with government reporting and disclosure requirements. The City is committed to safeguarding and maintaining the confidentiality of your personal information and shares it only as required and with those who have a "need to know," balancing your right to privacy with information necessary to accomplish City functions.

All individuals having access to employee information or records of any kind will regard the contents as confidential and will not divulge such contents to prospective employers, credit agencies, other employees, benefit providers, contracted individuals, or other individuals without the express written consent of the employee. Accessing employee information for any reason not related to the employee's job responsibilities is strictly forbidden. Individuals will not improperly access, copy or disclose any document included in the employee's personnel file.

If you become aware of a material breach in maintaining the confidentiality of your personal information, you should report the incident to HR. HR is responsible for investigating the incident and taking corrective action. Please be aware that a standard of reasonableness will apply in these circumstances. Examples of the release of personal employee information that will not be considered a breach include the following:

- Release of partial employee birth dates, i.e., day and month is not considered confidential and will be shared with Department Heads who elect to recognize employees on such dates.
- Personal telephone numbers or e-mail addresses may be distributed to Department Heads in order to facilitate City work schedules or business operations.

- Employee wage and payroll information used in budget planning, timekeeping review, or step/merit review will be shared with Department Heads. Additionally, this information is subject to public disclosure if properly requested.
- Employee's hiring anniversary or service recognition information will be distributed to appropriate Department Heads periodically.
- Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or periodic benefits statement updates.

City-assigned information, which may include organizational charts, department titles and staff charts, job titles, department budgets, telephone directories, e-mail lists, facility or location information and addresses, is considered proprietary information to be used for internal purposes only or distributed as necessary to conduct business operations.

Breach of confidentiality by any employee, to include impermissible disclosure or unauthorized removal, destruction, or loss of any employee or proprietary information will be considered cause for disciplinary action up to and including termination.

## OPEN DOOR POLICY

All employees assigned to individual offices, either by themselves or in a shared workspace, are expected to keep office doors open (not just unlocked) unless specific circumstances arise. No employee serves in a position which requires routine privacy, nor should there be an expectation of privacy for most functions.

## ETHICS AND CONFLICT OF INTEREST

The successful operation and reputation of the City is built upon the ethical conduct of our employees. The City complies with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct. To that end, you will not take advantage of your status with the City to profit personally. You must avoid conflicts of interest and situations where there might be the appearance of a conflict of interest, to include interests outside of work that interfere with your ability to perform your job functions.

## OUTSIDE EMPLOYMENT

As a City employee, you may only pursue outside employment, personal business ventures or voluntary positions that do not create a conflict of interest or interfere with your job performance at the City. You may not use any City property (tools, equipment, resources) or City-paid work time to conduct any volunteer or outside business. The City requests that you notify your supervisor if you work for another employer or are engaged in a personal business or partnership so that the City can confirm that no conflict of interest exists. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours.

## GIFTS AND GRATUITIES

You may not accept a gift or gratuity under circumstances which could reasonably be construed to create the appearance of a conflict of interest. If offered, you shall immediately report such offer to the City Manager.

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## POLITICAL ACTIVITY

You may not serve as an elected member of the Bethel City Council or state or national elected representative. You may not engage in political campaigning activities, to include seeking donations, during work hours or on City premises.

## ATTENDANCE AND PUNCTUALITY

You must schedule time off in advance. Absences due to illness may occur in the case of an emergency or sudden illness without prior scheduling. If the absence, either scheduled or unexpected, lasts longer than 3 days, the City requires physician's documentation. The City may at any time, regardless of the length of absence, require physician's documentation to support an absence due to illness or the taking of sick leave. Absences due to workplace injury or illnesses that have been approved under the Family and Medical Leave Act (FMLA) will not be counted against your attendance record, although you will be charged leave as appropriate.

Patterns of absenteeism or tardiness may result in discipline even if you have not yet exhausted available paid time off. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter; repeated instances can lead to termination of your employment.

## ATTIRE AND GROOMING

You will be issued and required to wear an ID badge while performing work for the City.

It is important for all employees to project a professional image while at work by being appropriately attired. You are expected to be neat, clean and well groomed while on the job. Your clothing must be consistent with the standards for a business environment and must be appropriate for the type of work you do.

Natural and artificial scents may become a distraction from a well-functioning workplace, and can create a negative work environment for individuals with chemical sensitivities. You should keep this in mind when considering your attire and dress in the workplace.

The City is confident that you will use your best judgment regarding attire and appearance. The City reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change clothes.

## ELECTRONIC COMMUNICATION AND INTERNET USE

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### USAGE GUIDELINES

The following guidelines have been established for using the Internet, City-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, City-provided equipment (e.g., cell phone, computer) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon the City or be contrary to the City's best interests; and engaging in any illegal

activities, including piracy, extortion, blackmail, copyright infringement, and unauthorized access of any computers and provided equipment such as cell phones.

- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved or transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT immediately with any questions or concerns.
- Internal and external e-mails and text messages are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending messages within and outside the City.

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## RIGHT TO MONITOR

All City-supplied technology and City-related work records belong to the City and not to you or your co-workers. This includes any records, documents, files, or data created on City-supplied technology. The City routinely monitors the use of City-supplied technology. **YOU SHOULD NOT EXPECT ANY RIGHT OF PRIVACY WHEN USING CITY EQUIPMENT SUCH AS CITY EMAIL, COMPUTERS, CELL PHONES OR OTHER CITY TECHNOLOGY.**

## EMPLOYEE PERSONNEL RECORDS

Employee personnel records are maintained by HR and are considered confidential.

Your personnel file includes any documents related to your hiring, job performance, personnel actions and termination of employment. Pre-employment information such as interview results, background screenings or reference check information is not maintained as part of your file.

Each employee also has a “Confidential” file, which is maintained by HR separately from your personnel file. Your confidential file holds medical records related to medical leave, workers’ compensation or disability accommodation. Your confidential file also includes any documents that include personal identifiers (social security number, drivers license number, birth date); identify your dependents; or personal information that is not specifically relevant to your job functions (financial data, benefit enrollments, etc.)

To keep insurance benefits and records of employment up to date, you must notify HR of any change in name, address, marital status, dependents, beneficiary designations, telephone number, emergency contact information, training, certifications or licensure.

Your personnel file is available to you for review in person, or you may request a copy (for a fee). “Need to know” access to an employee’s confidential file is strictly controlled, normally limited to the City Manager and HR, and in the case of workers’ compensation matters, the City’s designated insurance agent. Supervisors and managers may be informed by HR regarding necessary restrictions on the work or duties of the employee and necessary accommodations resulting from medical information; supervisors and managers do not have access to the actual medical documents. Participants in City benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs. Current or past employees who wish the contents of their personnel file be released to another party must complete a written release that can be obtained from HR. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information and HR will provide access to files in response to court orders and subpoenas.

## COMPENSATION

### WORKDAY AND WORKWEEK

For the purposes of payroll and overtime calculations, the workday is defined as 12:00 a.m. to 11:59 p.m. However, the City may establish shift schedules in order to avoid calculating a single shift on two separate calendar dates. If your shift rolls across the midnight hour, your hours worked are recorded on the workday on which the shift began.

The workweek is defined as 12:00 am Monday through 11:59 pm Sunday.

### TIME REPORTING

All non-exempt employees must record their hours worked on a time sheet, for purposes of calculating pay, benefits and the accrual and use of leave. Under no circumstances should you fill out a time sheet for another employee or have another employee fill out your time sheet. All employees are required to accurately record all time worked and all break periods.

You are responsible for submitting a true and accurate record of the hours you actually work. Your signature on the time sheet is considered a certification that the document provides a true and correct statement of dates and time actually worked.

Unless otherwise defined, overtime hours are those worked by an hourly or nonexempt employee in excess of 40 hours in a workweek. Overtime is calculated based on actual hours worked which includes only hours worked and hours worked during call back. Paid leave and paid holidays are not work hours and therefore do not apply towards the 40 hours. Hours that an employee serves in an on-call status but does not get called in do not apply towards the 40 hours. Hours compensated at a higher-than-regular rate (i.e. pay for working on a holiday) do not count towards the 40 hours. Every attempt is made to schedule work so that the need for overtime is kept to a minimum. Overtime must be approved in advance by your Department Head or supervisor, depending on your Department's policy.

Your supervisor will complete the justification section on your timesheet if you have any of the following: (a) approved FMLA leave; (b) workers' compensation-related leave; (c) special leave situations; and/or (d) sick leave. Your supervisor should note when sick leave was verified by physician's documentation, but should not submit or keep the doctor's note.

When you take leave, you are responsible for turning in a completed Leave Request form (approved via signature) with any time sheet that includes paid leave or leave without pay.

### MEAL PERIODS AND BREAKS

Department Heads are responsible for setting meal periods for their work areas to provide the least possible disruption to City operations. Meal periods are not included in the total hours of work per day and are not compensable. Non-exempt employees are to be completely relieved of all job duties while on meal breaks and must clock out for that time.

Periodic breaks (15 minutes or less) in the work schedule may be authorized by the Department Head but they are not mandatory.

Due to the impact on operations and coworkers when one individual enjoys a change from their regular schedule, and the potential perception of favoritism, neither the lunch period nor any break periods may be used to account for an employee's late arrival or early departure or to cover time off for other purposes. Allowed breaks may not be accumulated and combined to extend a meal period or create a longer break.

## PERFORMANCE AND SALARY REVIEWS

Performance evaluations are prepared for you and your supervisor to communicate regularly about your position requirements, your strengths and weaknesses, opportunities for improvement and training, and goals for your performance.

### REGULAR ASSESSMENTS

Written performance evaluations will be provided for regular employees annually, usually at or near your anniversary date of hire. Both you and your supervisor are responsible for participating in the process, which may include a self-evaluation and discussion. You may add comments or dispute the evaluation in writing. Any evaluations are maintained in your personnel file.

### FOLLOWING PROBATIONARY PERIOD

A written evaluation may be provided but is not required before deciding to release an employee at the end of or during the probationary period or an extension; a written evaluation is optional in the judgment of the supervisor in consultation with HR.

### UNSATISFACTORY RATING

An unsatisfactory performance rating in two or more categories indicates the supervisor should discuss a plan of action with you to help you improve your performance. Your supervisor should document any expectations and schedule a follow-up review.

### INCREASES IN PAY

All employees are paid in accordance with the wage scale adopted by City Council. Across-the-board cost of living increases must be approved by City Council.

Merit increases are based on performance and available when the City's financials permit. A performance review does not necessarily result in an automatic salary increase.

Budget allocations for salary adjustments, wage scale changes and merit increases are planned for and allocated before the start of each fiscal year.

## PAYMENT OF WAGES

### PAY PERIOD AND METHOD

The City's pay period is biweekly, with scheduled paydays every other Friday after the end of the pay period. We encourage you to be paid through direct deposit of funds to either a checking or savings account at the financial institution of your choice. Pay statements and/or checks are distributed by payroll individually or to the individual departments via the City Hall interdepartmental mail boxes or electronically.

## PAYROLL DEDUCTIONS

All amounts required by federal or state law or by benefit plans, (to include PERS,) will be deducted from your paychecks. Other required or voluntary deductions may be withheld if you've authorized them in writing. You will see all deductions listed on your pay statement.

## PAY ADVANCES

Payroll advances are not allowed.

## WAGE SCALE

All employees shall be paid in accordance with the wage scale adopted by City Council as part of the annual budget process.

## HOLIDAY PAY

The City recognizes 12 paid holidays each year:

- New Year's Day (January 1)
- President's Day (3<sup>rd</sup> Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (1<sup>st</sup> Monday in September)
- Alaska Day (October 18)
- Veterans Day (November 11)
- Thanksgiving (4<sup>th</sup> Thursday in November)
- Day after Thanksgiving
- Chief Eddie Hoffman's Day (2<sup>nd</sup> Friday in December)
- Christmas Day
- Floating Holiday\*

Should a holiday fall on a weekend, the holiday will be observed on the work day closest to the holiday.

Paid time off may be granted to employees who desire to observe a religious holiday that is not recognized by the City.

\*Employees with more than one (1) year of continuous service receive one (1) floating holiday at the start of the calendar year. You may take your floating holiday at any time during the year approved by your supervisor. You must take your floating holiday before the end of the calendar year, or forfeit it.

## TIME OFF/LEAVES OF ABSENCE

### VACATION OR PAID TIME OFF (PTO)

All regular employees are eligible for PTO benefits. You earn PTO through service time and will begin to accrue leave from your first pay period in a regular full- or part-time status. You will not earn PTO during unpaid leaves of absence, including Injury (Workers' Compensation) and/or FMLA leave.

To ensure adequate staffing, each Department Manager will schedule and approve PTO requests. Each Department may set standards for planning leave in advance. To request PTO, you must complete a leave request form, which must be approved (with your supervisor or Department Head's signature) before you take the PTO. You can only use PTO after you earn it and it's your responsibility to make sure you have enough leave available to cover the dates you request. PTO cannot be advanced and you cannot draw your PTO bank into a negative balance.

Requests to take PTO will be approved based on a number of factors, including department operations and staffing requirements. Once approved, be sure to keep the signed form, because you will need to submit it with your timesheet when you take the leave. The City will pay your PTO at your base rate at the time you take the leave. PTO hours do not count towards overtime calculations. If a holiday falls during the PTO period, that day will be paid as a holiday and not charged to your PTO balance.

Your PTO balance may be subject to annual usage requirements and/or an annual cap, effective December 31 of any year.

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## CASH OUT/DONATIONS

You may cash-out leave under emergency conditions following written approval by the City Manager. Emergency is defined as a critical situation over which the employee has no control.

You may request permission to donate annual leave to a fellow employee in dire medical situations. Donations are limited to 40 hours, and any donations must be approved by the City Manager.

## SICK LEAVE

Eligible employees accrue sick leave from the date of hire. If you have a sick leave benefit, you may use the leave for your own illness, well-care and medical and dental appointments. You may also use it to care for a dependent that is ill. Federal law requires that when a sick leave bank is provided, exempt employees unable to work during their normal work hours due to a reason covered under sick leave, must take sick leave. The hours cannot be "made up" on another day or through extended work hours. If you do not have a sick leave benefit, or if you have used up all your sick leave, you will be charged PTO in its place.

If you are absent from the workplace more than three consecutive working days, you must present physician's documentation to support the absence. You may also be required to present physician's documentation for absences shorter in duration.

## FAMILY AND MEDICAL LEAVE

City employees are entitled to leave benefits under a federal law known as the Family and Medical Leave Act (FMLA) as well as the Alaska Family Leave Act (AFLA). The acts promote preservation of the integrity and stability of your family unit, job security for you, as well as accommodating the business interests of the City. In addition to leave for medical reasons, FMLA also includes a provision for Military Family Leave under specific conditions.

FMLA, AFLA, and your paid leave benefits run concurrently, as permitted by law.

You have the right to request FMLA/AFLA leave. In addition, supervisors have a responsibility to notify HR when they have a reason to believe you are taking leave for a qualifying condition.

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## MEDICAL LEAVE

### ELIGIBILITY

For FMLA, you must have worked for the City for 12 months and accumulated at least 1,250 work hours (paid leave and holidays do not count) during the 12-month period immediately before your requested leave is to start. To be eligible for AFLA, you must have worked for the City for at least 35 hours per week for 6 consecutive months or 17.5 hours per week for 12 consecutive months. You will not be eligible for medical leave if you have exhausted your medical leave entitlement in the 12 calendar months (or 24 months, if appropriate) immediately preceding each day of leave requested.

### TYPE OF LEAVE COVERED

- The birth of a child or the placement of a child through adoption or foster care and to care for the child; this leave must be taken within a year after the child is born, adopted or placed in the employee's home. When both the mother and father are eligible employees of the City, they are jointly entitled to a total of 18 weeks, which may be divided between them as they agree;
- To care for a spouse (as defined in Alaska law), child, or parent with a serious health condition
- When you are unable to work due to a serious health condition, require inpatient care, require continued care or for a period of incapacity.

### WHEN MEDICAL CERTIFICATION IS REQUIRED

When you request FMLA or AFLA, you will probably be required to provide a medical certification (on a City-supplied form) supporting the need for leave due to a serious health condition affecting you or a family member. If you are taking leave on an intermittent or reduced work schedule basis, the medical certification must indicate that such a schedule is medically necessary.

Prior to returning to work from leave due to your own serious health condition, you must provide the City with a fitness for duty certification from your health care provider stating that you are able to perform the essential functions of your position. You will not be allowed to return to work without this. If you fail to return from leave or contact the City on the scheduled return date, you will be considered to have voluntarily terminated your employment with the City.

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## MILITARY FAMILY LEAVE

### QUALIFIED EXIGENCY LEAVE

An employee whose spouse, son, daughter or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: (a) short-notice deployment, (b) military events and activities, (c) child care and school activities, (d) financial and legal arrangements, (e) counseling, (f) rest and recuperation, (g) post-deployment activities, and (h) additional activities that arise out of active duty, provided that the City and employee agree, including agreement on timing and duration of the leave. This type of leave would be counted toward your 12-week maximum of FMLA leave in a 12-month period.

## MILITARY CAREGIVER LEAVE

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks of unpaid leave during a single 12-month period to take care of that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

Covered service member means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

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## COMPENSATION

Family and Medical Leave is unpaid, however, the City requires employees eligible for FMLA/AFLA or Military Family Leave to substitute their accumulated PTO, sick leave, and/or donated leave for unpaid leave. The City has no obligation to pay you more than any accumulated PTO, which must be used at the beginning of your leave (paid time off is counted as part of the FMLA/AFLA entitlement, not in addition to it). PTO and/or Sick Leave do not accrue during a period of unpaid leave. Paid holidays are counted as part of the FMLA/AFLA leave and do not serve to “extend” your leave. If you run out of paid time off while on FMLA/AFLA and a holiday falls in the time in which you are on unpaid leave, you will not be paid for that holiday. Where appropriate, the City will coordinate workers’ compensation leave with FMLA/AFLA leave so that the two run concurrently.

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## BENEFITS CONTINUATION

During the time that you are on leave under FMLA, you maintain the opportunity for continued health benefits coverage. Leave afforded under AFLA alone offers no such continuation of benefits. Other City-funded benefits and/or employee-funded programs may be available to you during periods of unpaid leave under FMLA/AFLA, provided certain conditions are met. When employee payments are required to maintain a benefit under this section, failure to make your payments will result in cancellation of the benefit due to nonpayment.

During periods of absence under this section, the City may require that you pay all or part of the costs for maintaining health insurance coverage and/or other employee benefits during a period of unpaid leave.

## GROUP HEALTH BENEFITS

You may continue your group health insurance coverage during FMLA or Military Family Leave on the same terms as before such leave. If you elect to continue group health coverage, and there is an already-established employee portion (premium), you will be required to continue to make those premium payments to the City while on leave. Payment will be automatically deducted from your paycheck while on paid leave. When paid leave is exhausted, you are

responsible for contacting the Finance Director regarding the options available to you to pay for continued health insurance during the unpaid portion of your FMLA leave. Failure to pay the employee portion will result in cancellation of health insurance benefits due to nonpayment.

Health insurance benefits do not continue for your absence under the provisions of AFLA, unless you have contacted the Finance Director and arranged to pay the City the full premium cost (employer and employee portions) of the benefits being received. Failure to do so will result in cancellation of health insurance benefits due to nonpayment.

## LIFE INSURANCE

An employee who is on unpaid FMLA/AFLA leave may continue his or her life insurance by paying the full premium cost for coverage. If you are interested in maintaining your life insurance benefit, you must consult the Finance Director to arrange payment terms.

## UTILITY BENEFIT

While on unpaid FMLA/AFLA leave, you may continue to receive the utility benefit provided you contact the Finance Department to make payments while on leave. At no time will the City subsidize the utility benefit for an employee.

The City may recover from you the City's portion of the utility costs during the FMLA/AFLA-approved leave if you fail to return to work after the leave entitlement ends or terminate employment within the first 30 days following your return. The City may not recover costs if your failure to return or departure is due to the continuation, recurrence or onset of a serious health condition, as documented by a qualified health professional.

## VOLUNTARY BENEFIT PROGRAMS

Payroll-based contributions to voluntary benefit programs such as deferred compensation will immediately cease once you are on unpaid leave under this section. You are responsible for contacting your service providers to maintain any allowed benefits.

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## JOB RESTORATION

Upon returning from Family or Medical leave, you will be restored to your original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

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## EMPLOYEE NOTICE

Eligible employees seeking to use FMLA/AFLA or Military Family Leave are required to provide:

- A. 30-day advance notice of the need to take leave when the need is foreseeable;
- B. Notice "as soon as practicable" when the need to take leave is not foreseeable. Except in the most extraordinary circumstances, this requires you to report your need for leave before the start of your shift in accordance with the normal absence-reporting procedures; and
- C. Sufficient information for the City to understand that the employee needs leave for qualifying reasons (the employee need not mention FMLA, AFLA, or Military Family leave)

when requesting leave to meet this requirement but must provide sufficient information to put the City on notice that the absence may be so-protected).

Where the City was not made aware that you were absent for FMLA/AFLA reasons, leave will be retroactively designated as FMLA/AFLA leave provided you meet the eligibility criteria.

## EMPLOYER NOTICE

In addition to the information provided in this Handbook, the City has posted a notice explaining your rights and responsibilities under FMLA/AFLA on employee bulletin boards.

If family or medical leave is requested, HR will provide you a notice of eligibility, informing you whether you qualify for the leave you are requesting and will provide you a written notice designating the leave as FMLA/AFLA leave and detailing specific employee expectations and obligations under the entitlement.

## INJURY LEAVE (WORKERS' COMPENSATION)

Employees injured on the job are entitled to compensation and benefits in accordance with the Alaska Workers' Compensation Act. All employees who experience an injury while on the job will report the details on a Form 6100, which will then be sent to HR to complete the required reporting to the City's insurance carrier and the Alaska Department of Labor. It is your responsibility to complete the Form 6100 when you experience any workplace injury.

If you are injured at work and placed on injury leave as a result, you may not use your PTO/sick leave while on injury leave. In lieu of City-paid wages, you are eligible for paid Workers' Compensation benefits.

## COURT LEAVE

If you receive a jury duty notice from the federal or state courts, you must notify your supervisor and provide a copy of the jury summons as soon as you can. The City will pay regular employees (full and part time) for missed work due to court service. All fees paid by the court must be remitted to the City and you must immediately return to work any time you are released by the court during your normal duty day (except for lunch and other court-determined breaks).

## UNIFORMED SERVICE LEAVE

The City is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

If you are requesting leave for military duty, you must contact HR as soon as you are aware of the need for leave.

## FUNERAL LEAVE

An employee who wishes to take time off due to the death of an immediate family should notify his or her supervisor immediately. Each full-time employee is eligible for one paid day of leave for each instance, which will not be deducted from your leave balance.

## EMERGENCY LEAVE

The City Manager may approve paid emergency leave to employees not to exceed forty (40) hours when critical illness or death has occurred in the employee's immediate family\*. An emergency need is unexpected and non-elective. Critical illness is one that certified by a physician to be life-threatening. Emergency leave is not available to employees for their own condition.

\*Immediate family means your spouse, another person cohabitating with you in a conjugal relationship that is not a legal marriage, your children – including step- or adoptive children, your parent, stepparent, sibling, stepsibling, grandparent, aunt or uncle. Immediate family also includes your spouse's parent, stepparent, sibling or stepsibling.

## LEAVE WITHOUT PAY

Employees who require time off in addition to accrued PTO may request up to 3 months leave without pay. The granting of such leave is at the sole and exclusive direction of the City Manager and may only be used after all other available leave has been exhausted. It shall not be granted if the employee's absence will impact the provision of City services or operations.

If approved, the Department may fill your position with an acting, or temporary hire. You must return to work on the scheduled return date or be considered to have voluntarily resigned from City employment.

Leave benefits will not accrue during periods of leave without pay under this section; nor will the City make any contributions for retirement, health, dental, or life insurance benefits. You may contact the Finance Department and make self-pay arrangements to maintain your health insurance benefits during this period.

## EMPLOYEE BENEFITS

### EMPLOYEE BENEFIT PLANS

The City sponsors and/or participates in several welfare and retirement plans for the benefit of eligible employees. In general, part-time employees are eligible for limited benefits and temporary employees are only eligible to participate in voluntary programs that are completely employee-funded. Detailed information regarding these benefits is contained in summary plan descriptions, insurance policies, the City's official plan documents and the plan documents maintained by the state of Alaska PERS system. The City has sole discretion to interpret the employee benefit plan documents, including questions of eligibility, availability or amount of benefits, terms, conditions and limitations. The official plan documents and not this Handbook or any other document or verbal representation will govern the City's determination of all questions regarding plan benefits. While it is the City's present intention to continue these benefits for the indefinite future, the City reserves the right to amend, modify, curtail, reduce or eliminate any benefit, in whole or in part at

any time. No amendment or termination will take away vested benefits. However, future accruals or benefits may be reduced or eliminated. Neither the benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment. For more information regarding benefits, please refer to HR.

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## GROUP HEALTH INSURANCE

The City provides full-time regular employees who are normally scheduled to work thirty (30) or more hours a week and their eligible dependents with group medical, dental and vision insurance benefits.

Eligible employees have up to 30 days from their date of hire to enroll in the City's plan. Changes in family status, as defined in the Plan document, allow you to make midyear changes in coverage consistent with the family status change, otherwise, changes are limited to the open enrollment period.

Your basic coverage begins on the first of the month following 30 days of eligible employment. Keep in mind, this is not always the month after you were hired – you may have to wait an additional month, depending on the date you begin employment. It is important that you review your insurance plan document carefully, as some components have lengthier waiting periods.

At the end of each calendar year during open enrollment, (month of December,) you may make changes to your enrolled dependents for the following calendar year.

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## LIFE AND DISABILITY INSURANCE

Eligible employees are enrolled in life, long-term, and short-term disability insurance at the time of hire. Coverage begins following 30 days of employment.

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## RETIREMENT PLAN (PERS)

The City participates in the State of Alaska's Public Employees Retirement System (PERS). All regular employees hired after June 1, 1991 are required to participate in this plan. Retirement benefits and other details regarding the retirement system may be obtained from HR or directly from the State of Alaska's Division of Retirement and Benefits.

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## EMPLOYEE ASSISTANCE PROGRAM (EAP)

Through the employee assistance program (EAP), the City provides confidential access to professional counseling services. The EAP is available to you and your immediate family members, and offers problem assessment, short-term counseling and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Contact with and/or information given to the EAP counselor may be released to the City only if you request it in writing. There is no cost for you to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will provide you with information about community and private services available. The counselor will also let you know whether any costs associated with private services may be covered by your health insurance plan. Costs that are not covered are your responsibility.

## WORKERS' COMPENSATION BENEFITS

The City is covered under Alaska statutes regarding workers' compensation. The program works together with the City's Injury Leave and provides financial benefits to offset the time you are unable to work and earn wages because of a workplace injury. If you sustain a work-related injury, you must immediately notify your supervisor and submit a completed Form 6100 to HR. Once filed, the City's workers' compensation administrator (not the City) will coordinate your claim and any potential benefits directly with you.

## 457 DEFERRED COMPENSATION PLAN (VOLUNTARY)

The City offers several voluntary pretax salary reduction plans in which you may elect to participate beginning with the first payroll period after employment. These programs are completely employee-funded and each employee is able to control the investment options associated with his or her individual account.

## REDUCED-FEE UTILITY BENEFIT (UTILITY ACCOUNT HOLDERS)

Regular employees (full-time and part-time) shall receive water and sewer services from the City for a reduced fee, subject to delivery limitations. The utility benefit is not available to employees who reside in multi-family dwellings and/or share water and/or sewer tanks.

## SPECIAL SITUATIONS

### EMPLOYEE TRAVEL

The City encourages you to attend professional conferences and training which will improve your job knowledge and introduce innovative techniques to improve City operations and the delivery of services to the public.

You must get your travel approved by the Department Head and City Manager on a properly completed Travel Request Form. A travel advance may be authorized by the City Manager when requested in writing a minimum of two weeks prior to the travel.

Upon approval and submission of a travel request form, the City will generally pay registration fees (to include materials and meals already incorporated into the registration fee); lodging costs (you may be required to share a room or facility); per diem meal allowance (prorated based on the time periods in travel status), transportation of the most direct and efficient means and/or mileage reimbursement at the federally-approved rate, and other incidental expenses such as business phone calls or parking. Vehicle rentals must be pre-approved by the City Manager and are not a guaranteed travel benefit.

Any additional expense resulting from an interruption of travel for your convenience (deviation of travel) shall be borne solely by you. Any additional time away from duty because of an itinerary or interruption for your convenience will be charged as PTO and must be pre-approved.

Employees must complete a Trip report and Travel Expense Report within one week of return from travel. This form must be submitted to your Department Head. If you fail to submit a trip report and/or Travel Expense Report on time, the City may deduct the full cost of your travel from your next paycheck. Employees who separate employment from the City within thirty days of travel may be required to reimburse the City for the cost of the travel/training.

## PURCHASING

No City employee may enter into a purchase agreement, make commitments to purchase, or otherwise obligate expenditure of City funds except with proper authorization and through the established procedures.

If you inappropriately commit City funds or use City funds to purchase items or services that are not approved through established procedures you will be subject to disciplinary measures and required to reimburse the City for all incurred costs through direct payment or payroll deduction.

## EDUCATION AND TRAINING/TUITION ASSISTANCE

The City encourages you to pursue training and education related to your profession. When financially feasible, tuition assistance may be available to reimburse some costs following successful completion of seminars, training or other formal education.

Tuition assistance must be requested in writing and can only be approved by the City Manager. Approval and payment is subject to the City's written tuition assistance program guidelines.

## VEHICLES

The City's fleet of vehicles is intended to support City operations and the delivery of services to the public. Employees granted driving privileges must hold a valid Alaska drivers license and must adhere to established guidelines for vehicle use. If you have been given driving privileges and there is any change to your license status (expiration, revocation, other restriction), you must notify HR immediately. A failure to maintain a valid license when required for your job will result in removal from your position until your license is re-instated. A failure to notify the City of a change in your licensure status is subject to discipline.

Only the City Manager may approve the use of take-home vehicles by employees, and those employees granted that privilege must understand that it is a taxable benefit with personal insurance liability when the vehicle is used for non-City business purposes.

## APPENDIX A – POLICIES SPECIFICALLY SUPERSEDED

All policies not specifically named in Appendix B are hereby superseded and no longer valid.

New policies, either City-wide, or specific to a Department, may only be added to Appendix B after appropriate review and approval by the City Manager.

HR is responsible for distributing new policies and updating Appendix B with an updated index of Policies currently in force.

## APPENDIX B – POLICIES CURRENTLY IN FORCE

POL 51-200 City Vehicles Policy – September 12, 2017

POL-51-210 Drug Free Workplace Policy - Dated February 9, 2017

POL-51-220 Zero Tolerance, Transit System – Dated September 27, 2016

CDL Drug and Alcohol Policy – Dated January 2, 2013

POL-51-340 Social Media – Dated May 10, 2016

POL-51-411 Release of Accident-Related Information – Dated May 3, 2017

Credit Card Use Policy - Dated February 1, 2015

## EMPLOYEE ACKNOWLEDGEMENT AND RECEIPT

### **I have received my copy of the Employee Handbook.**

The employee Handbook describes important information about the City of Bethel, and I understand that I should consult my supervisor, Department Head or Human Resources regarding any questions I have that aren't answered in the Handbook. I have entered into my employment relationship with the City voluntarily and acknowledge that there is no specified length of employment. **Either the City or I can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.**

This Handbook and the policies and procedures it contains supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the City. By distributing this Handbook, the City expressly revokes any and all previous policies and procedures that are inconsistent with those contained in this Handbook.

I understand that any and all policies and practices may be changed at any time by the City. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the City Manager has the ability to adopt any revisions to the policies in this Handbook.

**I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at the City of Bethel is employment at will, which may be terminated at the will of either the City or myself. Furthermore, I acknowledge that this Handbook is neither a contract of employment nor a legal document.**

I have received the Handbook, and I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

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Employee's Signature

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Employee's Name (Print)

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Date

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**