



City of Soledad

Personnel Rules and Regulations

Manual

September 2025

Adopted: September 3, 2025
Resolution No. 6281

City Manager's Message

As an employee, you are part of a dedicated team committed to delivering quality service to our community. This Personnel Manual has been updated in accordance with modern personnel standards to help you understand the City's policies, procedures, and expectations, as well as the benefits and resources available to you.

Our employees are the City's most valuable asset. The policies in this manual are intended to ensure consistency, fairness, and transparency across the organization, while also supporting your success in your role. By establishing clear expectations, we strengthen our ability to promote a respectful, inclusive, and professional workplace.

The Personnel Manual reflects the City's goal of building a strong organizational foundation that allows us to operate as an effective and efficient leader, highly regarded in South Monterey County. It is a living document that is updated periodically to ensure alignment with best practices, legal requirements, and the changing needs of our community and workforce.

I encourage you to review this manual carefully and keep it as a reference throughout your career with the City. If you have questions, please reach out to your supervisor or the Human Resources Department for guidance.

Thank you for your dedication, professionalism, and service to the people of Soledad. Together, we make a positive difference every day.

Megan Hunter, City Manager

Below is a list of recognized labor organizations for the City of Soledad as of the date this updated Manual was adopted by the City Council. Upon approval and adoption by resolution of this Manual by the Council, all previous personnel rules and regulations manuals, administrative orders, personnel policies, and past practices within the scope of this Manual, whether in writing or oral, are superseded and become null and void. The labor organizations representatives whose signatures appear below confirm that the City of Soledad has met all obligations of the meet and confer process, as required by the Meyers-Milias-Brown Act (MMBA), Government Code Section 3500. *et. seq.*, and any applicable provisions of the State Employer-Employees Relations Act of 1978 (SEERA or Dills Act), Government Code Section 3512, *et. seq.*, and agree to the implementation of these Rules and Regulations. In the event of any conflict between this Manual and a current ratified and approved MOU, it is understood the provisions of the MOU take precedent.

As used in this Manual, "ratified" shall mean an initial or successor MOU ratified by a majority of employees in that bargaining unit prior to being submitted to the City Council for approval. "Approved" shall mean an initial or successor MOU approved by a vote of the majority of the City Council. It is understood and agreed that disputes or disagreements concerning the application and interpretation of this Manual shall be adjudicated exclusively as an appeal to the City Manager, whose decision will be final and binding on all parties.

For the Soledad Police Officers Association:

Stacy McPherson

Stacy R. McPherson, Labor Relations Consultant
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Date

For the Mid-Managers SEIU Local 521:

Victor Caravez

Victor Caravez (Feb 19, 2026 10:44:10 PST)

Victor Caravez, SEIU Representative

Date

For the General Employees SEIU Local 521:

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Victor Caravez (Feb 19, 2026 10:44:10 PST)

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September 2025

City of Soledad Personnel Rules and Regulations

For the City of Soledad, a Municipal Corporation:

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Francine Uy, Human Resources Manager

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TABLE OF CONTENTS

	<u>Page</u>
Section 1 Introduction and Administrative Provisions	1
1.01. Objective of Personnel Rules and Regulations Manual	1
1.02. Adoption of Personnel Rules and Regulations Manual	1
1.03. Amendment and Revision of the Personnel Rules and Regulations Manual	2
1.04. Administration of the Personnel Classification Plan	2
1.05. Right to Contract for Special Service	3
1.06. Application of Rules	3
1.07. Status of Present Employees	4
1.08. Employment Constitutes Acceptance of Rules	4
1.09. Severability	4
Section 2 Definition of Terms	1
2.01. Alternate Employment List	1
2.02. Anniversary Date	1
2.03. At Will	1
2.04. Business Day	1
2.05. City	1
2.06. City Council	1
2.07. City Manager	1
2.08. Classification Plan	1
2.09. Classification Seniority	2
2.10. Classification and Compensation Plan	2
2.11. Confidential Employee	2
2.12. Classified Service	2
2.13. Continuous Service	3
2.14. Day	3
2.15. Eligible	3
2.16. Eligibility List	3
2.17. Employee Relations Officer	3

TABLE OF CONTENTS

(continued)

	<u>Page</u>
2.18. Employment List	3
2.19. Examination	3
2.20. Exempt.....	3
2.21. Full-Time Employee	3
2.22. Non-Exempt.....	4
2.23. Non-Pay Status.....	4
2.24. Part-Time Employee	4
2.25. Pay/Paid Status	4
2.26. Performance Review Date	4
2.27. Personnel Officer	4
2.28. Position	4
2.29. Probationary Period	4
2.30. Promotion	5
2.31. Protected Classification	5
2.32. Provisional Appointment	5
2.33. Reassignment.....	5
2.34. Reclassification.....	5
2.35. Regular/Permanent Employee	5
2.36. Reinstatement.....	5
2.37. Salary Steps	6
2.38. Seniority.....	6
2.39. Separation	6
2.40. Supervisory Employee	6
2.41. Suspension	6
2.42. Temporary Employee.....	6
2.43. Volunteer	6
2.44. Y-Rating.....	7
Section 3 Non-Discrimination Policy	1
3.01. Equal Employment Opportunity	1

TABLE OF CONTENTS

(continued)

	<u>Page</u>
3.02. Disabled Applicants and Employees.....	1
3.03. Lactation Breaks and Accommodation.....	2
3.04. Religious Accommodation	4
Section 4 Policy Against Harassment, Discrimination, and Retaliation.....	1
Section 5 Whistleblowing Policy	1
5.01. Definition of “Whistleblowing”	1
5.02. Scope of Policy	1
5.03. Procedure	1
5.04. Protection From Retaliation Because of Good Faith Complaints, Reports, or Inquiries.....	1
Section 6 Additional Employment Policies and Working Conditions.....	1
6.01. Violence in the Workplace; Bullying	1
6.02. Alcohol and Controlled Substance Abuse and Testing	1
6.03. Nepotism; Employment of Relatives	1
6.04. Consensual Romantic Relationships	5
6.05. Conflict of Interest.....	7
6.06. Solicitation	7
6.07. Outside Employment; Off-Duty Notification.....	7
6.08. Request for Assistance from Private Citizen.....	9
6.09. Financial Affairs	9
6.10. Gifts or Payments	9
6.11. Personal Conduct	9
6.12. Tobacco Products in the Workplace	10
6.13. Dress and Grooming Standards	10
Section 7 Employment, Selection and Appointment.....	1
7.01. Application Forms	1
7.02. Application	1
7.03. Announcement.....	2
7.04. Recruitment	3
7.05. Special Provisions	3

TABLE OF CONTENTS

(continued)

	<u>Page</u>
7.06. Conduct of Examination.....	3
7.07. Nature and Types of Examination.....	3
7.08. Notification of Examination Results and Review of Papers.....	3
7.09. Promotional Examinations	3
7.10. Scoring Examinations and Qualifying Scores	4
7.11. Eligibility Lists	5
7.12. Re-Employment Lists.....	5
7.13. Certification and Appointment.....	5
7.14. Removal of Names From List	7
7.15. Temporary Appointments.....	7
7.16. Types and Categories of Appointment.....	7
7.17. Personnel Officer's Discretion Regarding Vacant Position	8
7.18. Citizenship	8
7.19. Legal Authority to Work.....	8
7.20. Minimum Employment Age	8
7.21. Pre-Employment Medical Examination	9
7.22. Background/Reference Checks	10
7.23. Reappointment; Break in Service	10
7.24. Acting Appointment.....	10
7.25. Transfer	11
7.26. Demotion	11
7.27. Termination.....	11
Section 8 Probationary Period and Seniority	1
8.01. Objective of Probationary Period	1
8.02. Performance Evaluation Reports	1
8.03. Probationary Period	2
8.04. Rejection of Probationer	2
8.05. Rejection Following Promotion	2
8.06. Seniority for Lay Off Purposes	3

TABLE OF CONTENTS

(continued)

	<u>Page</u>
8.07. Loss of Seniority	3
Section 9 Position Classification Plan.....	1
9.01. Classified Service Plan	1
9.02. Adoption, Amendment and Revision of Plan.....	1
9.03. Assignment of Positions.....	1
9.04. New Positions	1
9.05. Reclassification	1
9.06. Salary Schedule Conformance	1
9.07. Interpretation of Class Specifications.....	2
9.08. Use of Class Title.....	2
Section 10 Compensation and Salary Administration	1
10.01. Application of Salary Ranges and Rates.....	1
10.02. Advancement within Salary Range	1
10.03. Criteria for Step Increase	2
10.04. Request for Step Increase	2
10.05. Assignment for Reclassification and Demotion	2
10.06. Computation of Salary	3
10.07. Compensation during Attendance at Training Courses During Vacation, Holidays, and Days Off	3
Section 11 General Working Conditions	1
11.01. Attendance.....	1
11.02. Meal and Break Periods.....	1
11.03. Standard Workweek.....	1
11.04. Standard Work Schedule	1
11.05. Overtime and Compensatory Time	2
11.06. Compensatory Time Accumulation and Use	2
11.07. Bilingual Pay	3
11.08. Paid Holidays.....	3
11.09. Tuition Reimbursement.....	4
11.10. Credit for Training	4

TABLE OF CONTENTS

(continued)

	<u>Page</u>
11.11. Training Responsibility.....	4
11.12. Uniform, Official Badge or Insignia	4
11.13. Compensation for Use of Private Automobile on City Business and City Vehicle Assignment	4
11.14. Pay Periods	5
11.15. Deductions from Pay.....	6
11.16. On-The-Job Injuries/Workers' Compensation	6
11.17. Modified Duty: Return to Work Program	7
11.18. Reports of Change Status.....	8
11.19. Absence Without Leave/ Job Abandonment	8
11.20. Resignation and Exit Interview.....	8
Section 12 Personnel Files and Records Policy	1
12.01. In General	1
12.02. Inspection of Current or Former Employee's Personnel File.....	2
12.03. Obtaining Copies of a Current or Former Employee's Personnel File	3
Section 13 Leave of Absence Provisions	1
13.01. Effect of Leave of Absence	1
13.02. Annual Vacation Leave	1
13.03. Use of Vacation	2
13.04. Holidays Falling During Vacation	3
13.05. Vacation at Termination	3
13.06. Sick Leave for Full-time Employees.....	3
13.07. Bereavement Leave.....	6
13.08. Catastrophic Leave; Medical Leave of Absence Without Pay	7
13.09. Authorized Leave Without Pay	9
13.10. Pregnancy Disability Leave (PDL)	9
13.11. Family Care Leave	10
13.12. Worker's Compensation Leave and Benefits	10
13.13. Fitness for Duty Leave	10

TABLE OF CONTENTS

(continued)

	<u>Page</u>
13.14. Jury Duty Leave	12
13.15. Witness Duty	13
13.16. Military Leave	13
13.17. Paid Administrative Leave	13
13.18. School Leave	14
13.19. Reproductive Loss Leave	15
13.20. Employee Time Off to Vote	17
Section 14 Layoff Procedure	1
14.01. Layoff Due to Lack of Work, Funds or Other Reasons	1
Section 15 Grievance Procedure	1
15.01. Grievance Procedure	1
15.02. Advisory Arbitration Procedure	3
Section 16 Disciplinary Procedure	1
16.01. Purpose	1
16.02. Causes for Disciplinary Action	1
16.03. Types of Disciplinary Action	4
16.04. Administrative Leave With Pay	5
16.05. Notice of Intended Disciplinary Action and Skelly Conference	5
16.06. Appeal of Discipline	6
Section 17 Disaster And Emergency Service Workers	1
17.01. Employees Designated as Disaster Service Workers	1
17.02. Oath or Affirmation	1
17.03. Declaration of Disaster or Emergency	1
17.04. Employee Disaster Responsibilities	1

Section 1 Introduction and Administrative Provisions

1.01. Objective of Personnel Rules and Regulations Manual

The objective of this Personnel Rules and Regulations Manual ("Manual") is to give credit and recognition to City service, assure effective and economic service to the public, and provide a fair and equitable system of personnel management in the municipal service. This Manual sets forth procedures which assure equal treatment of employees, and define the obligations, rights, privileges, benefits, and prohibitions placed upon all employees in the municipal service. The tenure of every employee shall be conditioned on good behavior and satisfactory performance of duties. Disciplinary actions are intended to be corrective and, although not required, progressive in nature with the objective of obtaining compliance with rules, orders, procedures, standards of conduct, and expected job performance.

1.02. Adoption of Personnel Rules and Regulations Manual

This Manual, once adopted by resolution of the City Council, establishes regulations governing the Personnel System, including:

- A. Preparation, revision, and maintenance of a Classification Plan covering all positions in the Classified Service, including employment standards and qualifications for each class. See Compensation and Benefit Plan.
- B. Preparation, revision, and administration of a Compensation Plan correlated to the position Classification Plan, providing a rate or range of pay for each class. See Compensation and Benefit Plan.
- C. Announcement of all tests and acceptance of applications for employment.
- D. Preparation and conduct of tests, and the use of employment lists containing names of persons eligible for appointment.
- E. Certification and appointment of persons from employment eligibility lists, and procedures for provisional and emergency appointments.
- F. Performance evaluations of employees during probationary periods, and special evaluations at the discretion of the City Manager.
- G. Transfer, promotion, demotion, reinstatement, disciplinary action, and layoff of employees.
- H. Separation of employees from City Service.
- I. Standardization of hours of work, attendance and leave regulations, working conditions, and development of employee performance standards, welfare, and training.

- J. The establishment of access to personnel records.
- K. The establishment of grievance and appeal procedures.
- L. Other related matters deemed necessary for the proper functions of City organization and its employees.

1.03. Amendment and Revision of the Personnel Rules and Regulations Manual

Unless it involves an emergency, the parties agree to meet and confer as soon as requested, on those changes to the Manual which impact terms and conditions of employment. Proposed amendments or revisions to this Manual are subject to City Council approval and shall be placed on the City Council Agenda for consideration. At the time of consideration, any interested party may appear and be heard. The City may adopt revisions to this Manual as deemed necessary to facilitate the efficient conduct of City business.

The provisions of these sections shall not prohibit the adoption of a revision to this Manual by emergency ordinance or resolution in compliance with current law relating to the adoption of such emergency ordinance or resolution.

1.04. Administration of the Personnel Classification Plan

The City Manager shall oversee the administration of the Classification Plan. Recommendations for removal or appointment to fill positions in various departments of the City shall be made by Department Directors to the City Manager who shall consider the recommendations. The City Manager has the power to hire, layoff and terminate employees at all levels, except the City Attorney.

As used herein, the City Manager, Personnel Officer, Equal Employment Officer, and Employer Relations Officer are one and the same, unless modified at a later date by action of the City Council. Therefore, the words City Manager and the other noted designations in this paragraph are used interchangeably in this Manual.

The City Manager may delegate any of the powers and duties to any other officer or confidential employee of the City. The Personnel Officer shall:

- A. Administer all the provisions of this Manual and other personnel rules and policies not specifically reserved to the City Council.
- B. Prepare and recommend to the City Council any and all revisions and amendments to this Manual.
- C. Prepare or cause to be prepared a position Classification Plan, including class specifications and revisions to the plan. The plan, and any revisions thereof, shall become effective upon approval by the City Council.

- D. Prepare or cause to be prepared a Compensation Plan, and revisions thereof, covering all classifications in the Classified Service. The plan, and any revisions thereof, shall become effective upon approval by the City Council.
- E. When required, provide for the publishing or posting of notices of tests for positions in the Classified Service; the receiving of applications thereof; the conducting and grading of tests; and the certification of the appointment to the appropriate position in the Classified Service.

1.05. Right to Contract for Special Service

The City Manager shall consider and make recommendations to the City Council regarding the extent to which the City should contract for the performance of technical or special services in connection with the operation of City as it pertains to personnel administration. The City Manager with City Council approval may contract with any qualified person or agency for the performance of all or any of the following responsibilities and duties:

- A. The preparation of Personnel Rules and Regulations Manual and subsequent revisions and amendments;
- B. The preparation of a position Classification Plan, and subsequent revisions and amendments;
- C. The preparation of a Compensation Plan, and subsequent revisions and amendments;
- D. The preparation, conduct and grading of competitive tests; and
- E. Special and technical services of an advisory or informational nature on matters relating to personnel administration.

1.06. Application of Rules

This Manual shall apply to all departments. Any Department Director may, with the specific approval of the City Manager, establish special rules to meet the needs of that department or any of its divisions if said rules and regulations are consistent with and do not conflict with this Manual, federal law, state law, local law, or a ratified and approved MOU then in effect. Where the written provisions of a ratified and approved MOU are in conflict with this Manual, the MOU shall prevail.

This Manual applies to employees in the Classified Service. Temporary employees are only covered by section 7.15 and section 14.

1.07. Status of Present Employees

Any person holding a position included in the Classified Service, as referenced in Section 2.12, who, on the effective date of the adoption of this Manual, has served continuously in such position or in some other position in the Classified Service, for a period equal to the probationary period prescribed in Section 2.29 of this Manual for the employee's class, shall assume regular status in the Classified Service in the position held on such effective date without a qualifying test, and shall thereafter be subject in all respects to the provisions of this Manual.

Any other employees holding positions in the Classified Service shall be regarded as probationers serving the balance of their probationary periods as prescribed in this Manual before obtaining regular/permanent status, as referenced in Section 2.37. The probationary period in Section 2.29 shall be computed from the date of employment.

1.08. Employment Constitutes Acceptance of Rules

In accepting employment with the City, each employee agrees to be governed by and comply with this Manual, and administrative procedures established by the Personnel Officer, and agree that he or she has read this Manual and understand directives of the department in which employed. The tenure and continued employment of every employee shall be conditioned on good behavior and satisfactory performance of duties. Disciplinary actions are intended to be corrective and progressive in nature with the objective of obtaining compliance with rules, orders, procedures, standards of conduct, and expected job performance.

Upon accepting employment with the City, each employee shall be given a copy of this manual and sign a receipt. A signed receipt constitutes the employee's acceptance of this Manual. The receipt will be made part of the personnel file of each employee.

1.09. Severability

If any provision of this Manual, or the application of such provision to any person or circumstance is held invalid, the remainder of this Manual or the application of such provision to persons, or circumstance other than those as to which it is held invalid, shall not be affected.

Section 2 Definition of Terms

2.01. Alternate Employment List

An existing list of qualified candidates in a classification which has similar or equivalent skills and qualifications at an equivalent salary range.

2.02. Anniversary Date

Anniversary date means the date of hire to City classified service. Subsequent salary increases in a new classification do not alter an employee's anniversary date.

2.03. At Will

At Will employees are categorized as unclassified employees not represented by any recognized labor organization. These employees work at the pleasure of the City Manager and/or the City Council, and may be dismissed at any time without the benefit of appeal or administrative hearing, unless otherwise required by law.

2.04. Business Day

Business Day means a day in which City Hall is open and doing business with the public.

2.05. City

City means the City of Soledad, a Municipal Corporation, and, where appropriate, also refers to the City Council or any duly authorized City representative as defined in this Manual.

2.06. City Council

City Council shall mean the City Council of the City of Soledad.

2.07. City Manager

The City Manager is the Chief Executive Officer of the City and shall have the powers and duties as provided under Chapter 2.08 of the City's Municipal Code, as amended from time to time. The City Manager is also the City's Personnel Officer, Equal Employment Officer, and Employee Relations Officer.

2.08. Classification Plan

Classification Plan shall mean a list of class titles for all regular positions in the Classified Service. It shall include job descriptions, a written specification including the class title and general description of the work, a summary statement of required duties and responsibilities, desirable qualifications for appointment, and other pertinent information, as the Personnel Officer may deem necessary.

2.09. Classification Seniority

Classification seniority shall refer to the length of time an employee has been in a specific classification approved by the City Council Classification resolution, and listed in the Classification and Compensation Plan, sometimes referred to as the Classification Plan. Classification seniority is distinctly different from anniversary date, which refers to the date of hire and start of City service.

2.10. Classification and Compensation Plan

Classification and Compensation Plan shall mean a list of job classifications, salary pay rates, ranges and steps covering all classes and positions in the Classified Service.

2.11. Confidential Employee

Confidential employees are employees who in the course of their duties have access to confidential information related to the City's administration of employer-employee relations. Confidential positions may be added or deleted upon recommendation by the City Manager and authorization of the City Council.

2.12. Classified Service

The offices, positions, and employments in the service of the City, except:

- A. Elective and appointed officials;
- B. City Manager;
- C. Assistant City Manager;
- D. City Clerk;
- E. Department Directors;
- F. Persons engaged under contract to provide expert, professional, technical or other services;
- G. Volunteer personnel;
- H. Non-permanent part-time, Temporary and/or provisional positions;
- I. Emergency employees hired to meet the immediate requirements of an emergency condition, such as fire, flood, or earthquake which threatens life or property.

2.13. Continuous Service

Continuous Service shall mean employment on a regular basis which is not interrupted by lay-off for a period not to exceed one year.

2.14. Day

Day means calendar day unless expressly stated otherwise.

2.15. Eligible

A person whose name is on an Employment List.

2.16. Eligibility List

A list of eligible candidates for filling vacancies in specific classifications. An Eligibility List is typically developed following an open competitive recruitment.

2.17. Employee Relations Officer

Employee Relations Officer shall mean the City Manager or his or her designee.

2.18. Employment List

A list of eligible candidates for filling position vacancies in specific classifications. An employment List may be an Eligibility List, Re-employment List, or Promotional List.

2.19. Examination

- A. Open-competitive examination: A structured examination process for a particular position which is open to all persons meeting the qualifications for the position.
- B. Promotional examination: An examination for a particular position. Admission to the examination is limited to employees in the Classified Service meeting the qualifications for the position.

2.20. Exempt

An employee who is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

2.21. Full-Time Employee

A permanent full time employee whose normal work hours equal or exceed forty (40) hours per week.

2.22. Non-Exempt

An employee who is subject to the overtime pay provisions of the Fair Labor Standards Act (FLSA).

2.23. Non-Pay Status

Non-Pay Status shall mean any period in which an employee is not at work and on leave of absence without pay.

2.24. Part-Time Employee

An employee in the classified service in a regular position whose normal work week is less than the standard forty-hour week, shall be entitled to participate in City-sponsored health and welfare programs. Leave benefits such as vacation, sick leave, holiday, etc. shall be prorated based on a percentage of their regular work week, unless otherwise required by law.

2.25. Pay/Paid Status

Pay Status shall mean the period in which an employee is at work, or on vacation, sick leave, leave with full pay in lieu of temporary disability benefits pursuant to Labor Code § 4850, compensatory time off, paid military leave, or on an approved leave of absence with pay.

2.26. Performance Review Date

Performance review date refers to the date on which a performance review shall be performed on the employee's anniversary date in the existing classification. Performance review dates are not to be confused with Anniversary dates, which refers to the date the employee was first hired for City service.

2.27. Personnel Officer

Personnel Officer shall mean the City Manager.

2.28. Position

A position consists of a variety of duties, responsibilities, or things to be done and assigned by a competent authority requiring the full or part-time employment of one person.

2.29. Probationary Period

An evaluation period that is considered part of the selection process during which employees are required to demonstrate satisfactory performance for the duties to which they are appointed. Employees that satisfy the requisite probationary period and are subsequently reclassified do not serve a new probationary period.

Employees that are reassigned to a new position are required to serve a new probationary period.

2.30. Promotion

Promotion shall mean the movement of an employee from one classification to another classification having a higher rate of pay.

2.31. Protected Classification

Protected classification includes race, religion, color, sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions), reproductive health decision making, gender identity, gender expression, sexual orientation, national origin, creed, ancestry, military or veteran status, marital status, age (40 and over), medical condition, genetic information, physical or mental disability (whether perceived or actual).

2.32. Provisional Appointment

An appointment of a person, not currently employed by the City, possessing desired qualifications needed for a specified period of time to perform specialized duties at the discretion of the City Manager.

2.33. Reassignment

A change of an employee from one position to another position with the same pay grade.

2.34. Reclassification

The duties of any position which have changed materially so as to necessitate reclassification, shall be allocated by the Personnel Officer to a more appropriate class, whether new or already created. Reclassification shall not be used for the purpose of avoiding restrictions concerning demotions and promotions. A reclassification shall become effective after approval of the City Manager.

2.35. Regular/Permanent Employee

A full-time or part-time employee in the classified service who has successfully completed the required probationary period, and has been retained as provided in this Manual.

2.36. Reinstatement

The reinstatement of a former regular or probationary employee. The Personnel Officer may reinstate any employee for good cause and may, upon such reinstatement, compensate, in whole or in part, such employee for past tenure in the position.

2.37. Salary Steps

Salary Steps shall mean a series of progressive steps between a specific minimum and maximum rate, as approved or modified from time to time by the City Council, or ratified and approved MOU.

2.38. Seniority

Seniority are of two varieties: (1) the "anniversary date" which refers to when an employee started City service, and (2) "classification seniority" which refers to the length of time an employee has occupied a specific classification approved by City Council resolution and listed in the Classification and Compensation Plan.

2.39. Separation

The separation of any employee under this Manual, including termination by the City, retirement, death, lay-off, or resignation.

2.40. Supervisory Employee

Any employee authorized, on behalf of the City, to supervise, assign, direct, discipline, or adjust the grievances of other employees, or effectively recommend such action, if the exercise of such authority is not merely routine or clerical in nature and requires the use of independent judgment.

2.41. Suspension

Suspension shall mean the temporary removal of an employee from pay status as a result of disciplinary action.

2.42. Temporary Employee

An appointment of a person for a limited time to meet a temporary or seasonal should not exceed one thousand (1,000) hours per fiscal year. Temporary employees do not serve a probationary period, may be terminated at any time without advance notice to the extent allowed by law, and receive no City-sponsored benefits, unless otherwise required by law. Temporary employees are not meant to be appointed indefinitely, nor shall their employment term in any way be construed to be indefinite.

2.43. Volunteer

An individual who performs service for civic, charitable, or humanitarian reasons, without promise, expectation, or receipts of compensation. Reimbursement or payments for expenses and/or the granting of benefits shall not constitute compensation for the purpose of determining volunteer status. It should be specifically noted that City employees may not be asked, directed or volunteer to perform work or functions for which they would otherwise be compensated.

2.44. Y-Rating

A salary paid above the maximum established salary range for the incumbent's classification. Y-rating may occur when a position is reclassified to a lower pay grade or an employee is demoted from his/her class to a lower class. An employee whose salary is Y-rated will retain his/her current rate of pay until such time that the class has a higher maximum salary rate.

Section 3 Non-Discrimination Policy

3.01. Equal Employment Opportunity

The City is committed to a policy of equal employment opportunities for applicants and employees. The City does not discriminate against applicants or employees with respect to terms or conditions of employment on the basis of race (including traits associated with race, such as hair texture and hairstyles), religious creed, color, national origin, ancestry, sex, age over 40, physical or mental disability, medical condition, pregnancy (including childbirth and related medical conditions or disabilities), sexual orientation, marital status, gender identity, gender expression, genetic characteristics or information, military or veteran's status, reproductive health decision making, any other category protected by federal and/or state law, or any combination of such protected characteristics, a perception that the individual has any of those characteristics or any combination of those characteristics; nor does the City discriminate against applicants or employees who associate with an individual having such characteristics, or any combination of these characteristics.

3.02. Disabled Applicants and Employees

As used in this Section, Personnel Officer shall mean the City Manager, or any officer or employee the City Manager may delegate to perform any of the powers and duties contained herein.

The City's employment practices (e.g., hiring, training, testing, transfer, promotion, compensation, benefits, and discharge) will not discriminate unlawfully against disabled employees or applicants. The City will engage in the interactive process, as defined by the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA), to determine whether an applicant or employee is able to perform the essential functions of his/her position. During this process, the City will examine possible reasonable accommodations that will make it possible for the employee or applicant to so perform.

An applicant or employee who desires a reasonable accommodation in order to perform essential job functions should make such a request in writing to the Personnel Officer. The request must identify: 1) the job-related functions at issue; and 2) the desired accommodation(s). Reasonable accommodation can include, but is not limited to job restructuring, reassignment to a vacant position for which the employee is qualified, and making facilities accessible. In accordance with applicable law, the City may permit use of accrued leave or authorize a temporary unpaid leave as a reasonable accommodation, if such leave is reasonably expected to result in the employee's return to work, with or without additional reasonable accommodation

The City determines, in its sole discretion, whether reasonable accommodations(s) can be made, and the type of reasonable accommodations(s) to provide.

Medical Examinations.

- A. Depending on the essential functions of a position, a job related medical examination may be required for:
 - 1. Applicants who have received a conditional offer of employment;
 - 2. Employees seeking a transfer from one position requiring general physical abilities to another position requiring physical abilities of a different nature;
 - 3. Employees returning to work from a medical leave of absence. The physician conducting the medical examination will be supplied with a current job description indicating the essential functions of the position; or
 - 4. When a supervisor observes or receives a reliable report of an employee's possible lack of fitness for duty. Observations and reports may be based on, but are not limited to, employee's own self-report of potential unfitness, dexterity, coordination, alertness, speech, vision acuity, concentration, response to criticism, interactions with the public, co-workers, and supervisors.
- B. The results of all medical examinations will be kept in a confidential medical file separated from the personnel file in conformity with the Confidentiality of Medical Information Act ("CMIA"). No employee will hold any position in which the employee is not able to perform the essential functions of the job, with or without reasonable accommodation.

3.03. Lactation Breaks and Accommodation

In accordance with applicable state and federal law, an employee who needs to express breast milk for the employee's infant child will be permitted to take a reasonable amount of break time for that purpose, as a lactation accommodation. The break time must, if possible, run concurrently with, and not exceed, any break time already provided to the employee. For non-exempt employees, any additional break time (that exceeds or takes place outside of authorized paid rest time) is unpaid if the employee is otherwise relieved of all work during that time. If approved by Human Resources Manager, employees may use available accrued leave or may make up time that is otherwise unpaid. To the extent an employee's requested use of additional break time would seriously disrupt the City's operations, the City may limit or delay the employee's use of such time. Once a lactation break has been approved, the break should not be interrupted by another person except for a non-intrusive announcement of emergency or urgent circumstances.

- A. Requesting a Lactation Accommodation. An employee seeking lactation accommodation must contact Human Resources by email, or via other written communication. The City will respond via email or other written document within a reasonable period of time to acknowledge the request.

Before implementing a lactation accommodation the City will request input from the employee and the employee's supervisor(s) regarding the anticipated timing of lactation break(s) and the proposed location(s) for taking lactation breaks.

- B. City Response to Accommodation Request. Following a lactation accommodation request, the City will provide written details to the employee regarding the terms of the lactation accommodation that will be provided. The written response will include:

1. Identification of a room or space, other than a bathroom, that is in, or is in close proximity to, the employee's work area, is safe, clean, free of hazardous materials, and is otherwise functional as a space for expressing milk. The room or space will contain a place to sit and a surface to place a breast pump and personal items and contains access to electricity or alternative devices (such as extension cords or charging stations) needed to operate an electric or battery-powered breast pump.
2. Identification of a sink with running water and a refrigerator (or if not available, another City-provided cooling device suitable for storing expressed milk) that are in close proximity to the employee's work area and that will be accessible for the employee's use.
3. Assurance that while using the space to express milk, the employee will be shielded from view and free from intrusion by co-workers or the public.
4. Assurance that if the designated space is a room that may also be used for purposes other than lactation, the City will ensure that the use of the room for the expression of milk will take priority over other uses for the duration of each lactation break.

- C. Employee Complaints. Employees who believe they have been denied appropriate accommodation under this section or have been subjected to discrimination or retaliation in violation of the lactation accommodation requirements under California law are encouraged to notify Human Resources. Employees also have the right to file a complaint with the nearest Labor Commissioner's Bureau of Field Enforcement (BOFE) Office and may visit:

<http://www.dir.ca.gov/dlse/HowToReportViolationtoBOFE.htm>

for more information regarding California's complaint process.

3.04. Religious Accommodation

The City will make reasonable accommodations to the known religious creed of an applicant during the hiring process and of an employee in the course of employment, unless doing so would impose an undue hardship on the City.

Section 4 Policy Against Harassment, Discrimination, and Retaliation

City policy prohibits unlawful harassment and discrimination based on an employee's race (including traits associated with race, such as hair texture and hairstyles), color, ancestry, sex, gender, sexual orientation, gender identity, gender expression, age (over 40), religion, ethnicity, national origin, creed, physical or mental disability, medical condition, genetic information, marital status, pregnancy, reproductive health decision-making, childbirth or related medical conditions, breastfeeding, military or veteran's status, any other characteristic protected by state or federal law or local ordinance, or any combination of such protected characteristics, a perception that the individual has any of those characteristics or any combination of those characteristics, including based on association with individuals with these protected characteristics, or any combination of these characteristics. In addition, City policy prohibits retaliation because of the employee's opposition to a practice the employee reasonably believes to constitute employment discrimination or harassment or because of the employee's participation in an employment discrimination or harassment investigation, proceeding or hearing, or request for reasonable accommodation. The City's full policy against unlawful harassment, discrimination, and retaliation is set forth in a council adopted policy, and may be accessed by accessing City website. Additionally employees may receive a hard copy by making a request to Human Resources.

Section 5 Whistleblowing Policy

5.01. Definition of “Whistleblowing”

- A. For purposes of this provision, "Whistleblowing" consists of disclosure of information that the employee reasonably believes constitutes a violation of state or federal law, or a violation of or noncompliance with a local, state, or federal rule or regulation, regardless of whether disclosing the information is part of the employee's job duties, when that disclosure is made to one or more of the following:
1. A government or law enforcement agency;
 2. A person with authority over the employee;
 3. Another employee who has authority to investigate, discover, or correct the violation or noncompliance; or
 4. Any public body conducting an investigation, hearing, or inquiry, including, but not limited to, information given as testimony.

5.02. Scope of Policy

The City encourages employee complaints, reports or inquiries about practices believed to be unlawful or constitute serious violation of the City policies, including illegal or improper conduct by the City itself, by its leadership, or by others on its behalf. Other subjects for which the City has existing complaint procedures shall be addressed under those other procedures. This policy is not intended to provide a means of appeal from outcomes in those other procedures.

5.03. Procedure

Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the bases for the complaints, reports or inquiries. They may be directed to the Personnel Officer or City Manager, or to the City Attorney if involving the Personnel Officer or City Manager. The City will conduct a prompt, discreet, and objective review or investigation in response. However, employees must recognize that the City may be unable to fully evaluate or address a report or inquiry that is made anonymously or made in a vague or general manner.

5.04. Protection From Retaliation Because of Good Faith Complaints, Reports, or Inquiries

- A. The City prohibits retaliation by or on behalf of the City against employees for making good faith complaints, reports or inquiries under this policy or by participating in a review or investigation under this policy. Any employee who makes a complaint using this procedure or otherwise engages in

“Whistleblowing” will not suffer adverse employment actions (discharge, demotion, suspension, harassment, or other forms of discrimination) due to making such complaint. This protection extends to those whose allegations are made in good faith but prove to be mistaken or unsubstantiated. Employees who participate or assist in an investigation will also be protected. Every reasonable effort will be made to protect the anonymity of the “whistleblowing” employee however, anonymity cannot be guaranteed.

- B. The City reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

Section 6 Additional Employment Policies and Working Conditions

6.01. Violence in the Workplace; Bullying

The City is committed to providing a safe, violence-free workplace and strictly prohibits employees, consultants, customers, visitors, or anyone else on City premises or engaging in a City related activity from behaving in a violent or threatening manner. Employees should refer to the City's Workplace Violence Prevention Plan, which is attached to this Manual as an appendix, for further details.

Further, the City maintains a stand-alone policy prohibiting bullying in the workplace, which is attached to this Manual as an appendix. Employees should refer to the City's Anti-Bullying Policy for further details.

6.02. Alcohol and Controlled Substance Abuse and Testing

The City maintains a drug and alcohol free workplace. Employees should refer to the City's Drug and Alcohol Free Workplace Policy for additional details. Further, employees who are required to maintain a Commercial Driver's License are also subject to the City's Drug-Free Workplace Policy for Drivers of Commercial Vehicles. The City's Drug and Alcohol Free Workplace Policy and Drug Free Workplace Policy for Drivers of Commercial Vehicles are attached as an appendix.

6.03. Nepotism; Employment of Relatives

A. Definitions:

1. Applicant: A person who applies for a position at the City and is not a Current Employee
2. Change of Status: A change in the legal status or personnel status of one or more Current Employees.
 - a. Changes in legal status include but are not limited to marriage, divorce, separation, or any such change through which a Current Employee becomes a Family Member or ceases to be a Family Member of another Current Employee.
 - b. Changes in personnel status include but are not limited to promotion, demotion, transfer, resignation, retirement, or termination of a Current Employee who is a Family Member of another Current Employee.
3. Current Employee: A person who is presently a City employee.

4. Direct Supervision: One or more of the following roles, undertaken on a regular, acting, overtime, or other basis, shall constitute Direct Supervision:
 - a. Occupying a position in an employee's line of supervision; or
 - b. Functional supervision, such as a lead worker, crew leader, or shift supervisor; or
 - c. Participating in personnel actions, including, but not limited to, appointment, transfer, promotion, demotion, layoff, suspension, termination, assignments, approval of merit increases, evaluations, and grievance adjustments.
 5. Family Member: A spouse, domestic partner, parent, parent-in-law, step-parent, legal guardian, sister, step-sister, sister-in-law, brother, step-brother, brother-in-law, child, step-child, legal ward, daughter-in-law, son-in-law, grandchild, or grandparent.
 6. Prohibited Conduct: Conduct by Family Members including, but not limited to, one or more of the following:
 - a. Participation directly or indirectly in the recruitment or selection process for a position for which a Family Member is an Applicant.
 - b. Direct Supervision of a Family Member that does not comply with limitations set forth in this Section.
 - c. Conduct by one or more Family Members that has an adverse effect on supervision, safety, security, or morale.
- B. Applicants for Employment:
1. No qualified Applicant may be denied the right to file an application for employment and compete in the examination process. However, consistent with this Section, the City may reasonably regulate, condition, or prohibit the employment of an Applicant.
 2. Disclosure of Relationship: Each Applicant is required to disclose the identity of any Family Member who is a Current Employee.
 3. Review of Human Resources Manager: For each Applicant who has a Family Member who is a Current Employee, the Human Resources Manager shall assess whether any of the following circumstances exist:

- a. Business reasons of supervision, safety, security or morale warrant the City's refusal to place the Applicant under Direct Supervision by the Family Member; or
 - b. Business reasons of supervision, security, or morale that involve potential conflicts of interest or other hazards that are greater for Family Members than for other employees, which warrant the City's refusal to permit employment of Family Members in the same department, division, or facility.
 - 4. Decision of Human Resources Manager: If the Human Resources Manager determines that either of the above circumstances exist, the Human Resources Manager shall exercise his or her discretion to either reject the Applicant or consider the Applicant for employment in a position that does not present either of the above circumstances.
 - a. Following examination, if the Applicant is successfully certified as eligible, he or she may be employed in a position for which the Human Resources Manager has determined that neither circumstance exists pursuant to Section 6.03.
 - b. When an eligible Applicant is refused appointment by virtue of this Section 6.04, his or her name shall remain on any employment list that has been created for openings in the same classification. For each opening, the Human Resources Manager shall make a determination consistent with Section 6.03.
- C. Guidelines for Current Employees.
- 1. Employees shall report a Change of Status to the Human Resources Manager within a reasonable time after the effective date of the Change of Status. Wherever feasible, Employees shall report a Change of Status in advance of the effective date.
 - 2. Within thirty days from receipt of notice, the Human Resources Manager shall undertake a case-by-case consideration and individualized assessment of the particular work situation to determine whether the Change of Status has the potential for creating an adverse impact on supervision, safety, security, or morale.
 - a. The Human Resources Manager shall consult with an affected Department Director to make a good faith effort to regulate, transfer, condition, or assign duties in such a way as to minimize potential problems of supervision, safety, security, or morale.

- b. Notwithstanding the above provisions, the City retains the right to exercise its discretion to determine that the likelihood for creating an adverse impact on supervision, safety, security, or morale cannot be sufficiently minimized and to take further action as set forth in Sections 6.04.

D. Monitoring by Department Director.

1. Following a Change of Status or new hire of a Family Member, affected Department Directors shall reasonably monitor and regulate both Family Members' conduct and performance for a period of one year from the date of the Human Resources Manager's determination. The Department Director shall document these actions. Successive Department Directors may re-visit such a determination at their discretion.
2. If the Department Director determines, subject to any applicable requirements of due process, that an employee has engaged in Prohibited Conduct, the Department Director shall re-visit the Human Resources Manager's determination. Depending on the severity of the Prohibited Conduct, the Department Director may recommend that the Human Resources Manager take one or more of the following additional measures:
 - a. Transfer one of the Family Members to a similar position that would not be in violation of this policy. The transfer will be granted provided the Family Member qualifies, and there is an opening to be filled. There can be no guarantee that the new position will be within the same classification or at the same salary level. Upon the Department Director's recommendation, the Human Resources Manager will make an effort to transfer the employee who engaged in the prohibited conduct, however, in certain circumstances, such as availability of positions, the City may transfer either of the Family Members to avoid separation of an employee to the extent possible.
 - b. If the situation cannot be resolved by transfer, one of the Family Members must separate from City employment. If one of the employees does not voluntarily resign, the employee with primary responsibility for the Prohibited Conduct will be discharged.
3. Department Directors who receive complaints from other employees that one or more Family Members has engaged in Prohibited Conduct shall respond in accordance with existing complaint and disciplinary procedures, where applicable.

4. Where situations exist prior to the effective date of this section that may be in conflict with this section, every effort shall be made to reasonably address the situation so as to avoid any future conflict.

E. Appeal of Human Resources Manager Determination.

Current Employees and Applicants affected by the application of this section, may appeal the action to the Human Resources Manager within ten days of the action. The Human Resources Manager shall hear the individual's concerns and issue a written decision within 30 days of receipt of the individual's appeal. An individual who is dissatisfied with the Human Resources Manager's decision may appeal to the City Manager within five days of receipt of the Human Resources Manager's decision. The City Manager shall hear the individual's concerns and issue a written decision within 30 days of the receipt of the individual's appeal. The decision of the City Manager is final and binding, and no other appeal may be had unless the employee is entitled to further administrative appeal under other provisions of this Manual or by law.

F. Employee Complaints:

Employees who believe that they have been adversely affected by Prohibited Conduct by one or more Family Member should submit complaints to a Department Director or to the Human Resources Manager.

G. Savings Clause:

Should any provision of this section, or any application thereof, be unlawful by virtue of any federal, state, or local laws and regulations, or by court decision, such provision shall be effective and implemented only to the extent permitted by such law, regulation or court decision, but in all other aspects, the provisions of this section shall continue in full force and effect.

6.04. Consensual Romantic Relationships

A. General:

Consensual romantic or sexual relationships between City employees can lead to misunderstandings, complaints of favoritism, adverse effects on employee morale, and possible claims of sexual harassment during or after termination of the relationship. As a result, such relationships present existing or potential conflicts that adversely affect efficient operation of the City. Relationships that present an actual conflict under this section are therefore prohibited.

B. Application:

This section shall apply to all City employees, regardless of gender or sexual orientation, who have a romantic or sexual relationship with another City employee. The provisions of Section 6.03 regarding nepotism shall govern employees who marry or become domestic partners with another City employee.

C. Definition of Conflict:

For purposes of this section, there is a conflict if business issues of supervision, safety, security, and/or morale would be impacted by a romantic or sexual relationship between two employees.

D. Supervisor's Duty to Report:

If a romantic or sexual relationship exists between a Supervisor and another employee (including another Supervisor), the Supervisor shall promptly disclose the relationship to the Human Resources Manager and request a determination as to whether the relationship presents a conflict. The disclosure must identify the names and positions of both employees. A Supervisor's failure to comply with this section shall be grounds for discipline up to and including termination.

E. Determination by Human Resources Manager.

Within five working days, the Human Resources Manager shall issue a written determination as to whether the relationship presents a conflict, and is thereby prohibited. The Human Resources Manager, in consultation with the City Manager, shall have exclusive discretion in making the determination.

F. Resolution of Conflicts.

Subject to limitations imposed by the Municipal Code and applicable provisions of this Manual, the Human Resources Manager will attempt in good faith to work with the Supervisor and the other employee to consider options to eliminate the conflict, including removing the Supervisory authority that created the conflict, reassignment, transfer or voluntary demotion of a Supervisory employee, or where the Human Resources Manager determines that modification of a Supervisor's assignment is not feasible, reassignment, transfer or voluntary demotion of a non-Supervisory employee. The Human Resources Manager retains discretion to determine that the conflict may be resolved via voluntary resignation or termination only.

G. Prohibited On-Duty Conduct.

All City employees are prohibited from engaging in intimate, physical, or other conduct in furtherance of a romantic or sexual relationship with

another City employee at City facilities or assigned work locations, including off-site meetings, conferences, and similar activities. Such conduct is further prohibited during work hours. Moreover, upon termination of a sexual or romantic relationship with another City employee, employees are prohibited from engaging in behavior that adversely affects the working conditions of any City employee. In general, all employees are expected to observe appropriate standards of workplace conduct in their interactions with other City employees.

H. Complaints.

Employees who believe that they have been adversely affected by romantic or sexual relationships between City employees should follow the complaint procedures provided under the City's Policy Against Harassment, Discrimination, and Retaliation, which is attached to this Manual as an appendix. The complaint procedures are available to all employees regardless of their past or present participation in a romantic or sexual relationship with another City employee.

6.05. Conflict of Interest

No employee shall engage in any business transaction, or have a financial interest, direct or indirect, which is incompatible with the proper discharge of the employee's official duties, is against public interest, or would tend to impair independence of judgment or action in the performance of official duties, or in otherwise contrary to existing State or federal laws or regulations of the City.

6.06. Solicitation

Employees are prohibited from soliciting funds, donations, or anything of value during working hours from other employees, members of the public, vendors, or other third parties, or while wearing a City uniform, unless the activity relates to a City-sponsored event and has been fully authorized by the City Manager or Department Director. Any infraction of this nature will result in appropriate disciplinary action up to and including termination.

6.07. Outside Employment; Off-Duty Notification

In accordance with California Government Code Section 1125 *et seq.*, no employee may engage in any outside employment, enterprise, or activity that is inconsistent, incompatible, in conflict with, or adverse to their employment or their ability to perform their duties and responsibilities, including performance of overtime work and emergency duties, or any other aspect of City operations. Employees must notify their Department Director in writing of all actual or planned outside employment so that the City may assess whether such outside employment conflicts with the employee's City employment.

- A. Employees may be permitted to engage in off-duty employment or activity if such secondary employment or activity meets the following standards:
 - 1. The outside employment or activity does not conflict with the interests of the City.
 - 2. The outside employment or activity does not involve the receipt or acceptance by the employee of any money or other consideration from anyone other than the City for the performance of an act which the employee would be required or expected to render in the regular course of their City employment or as part of their duties as a City employee.
 - 3. The outside employment or activity must not adversely affect the employee's duties at the City.
 - 4. The outside employment or activity does not involve the use of the employee's City time, facilities, equipment, supplies, badge, uniform, prestige, and/or influence for private gain or advantage.
 - 5. The outside employment or activity must be such that the City bears no responsibility or liability for injury incurred on the outside job.
 - 6. The outside employment or activity does not involve the performance of an act, outside their capacity as an City employee, which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee of the City.
- B. Subject to review by the Personnel Officer or designee, the basis for approval by the immediate supervisor and Department Director is as follows:
 - 1. No employee will be allowed to engage in any outside employment or activity for compensation, which is inconsistent, incompatible, in conflict with, or inimical to their duties as an employee, without first filling out an off-duty employment permit, which in turn is to be approved or denied by the employee's Department Director. A copy of each permit shall be approved by the Department Director and the Personnel Officer, and renewed at least on a yearly basis. Forms for this purpose are available at Human Resources. Approved permits will be maintained in the employee's personnel file.
 - 2. Each request to engage in outside employment or activity is to be considered individually. Work which is incompatible to the department, may be so designated in writing by the Department Director and the Department Director may refuse permits for such outside employment.

- C. Department Director Determination. When an employee reports outside employment or activity, the Department Director will determine whether the employee's outside employment or activity conflicts with the performance of their duties, and shall advise the employee of their determination in writing.
- D. Appeal of Department Director's Decision. Within 14 days of the employee's receipt of the Department Director's written determination, the employee may appeal the decision by filing a written appeal with the Human Resources Manager. The employee shall specify the grounds on which they challenge the Department Director's decision, and shall attach all relevant documentary evidence. The Human Resources Manager shall schedule a meeting with the employee and the Department Director to discuss the Department Director's decision. The Human Resources Manager shall issue a written decision to the employee and the Department Director no later than 14 days from the date of the meeting. The decision of the Human Resources Manager shall be binding and final, and is not subject to further appeal or grievance.

6.08. Request for Assistance from Private Citizen

Under no circumstances shall a City employee request or authorize a private individual to assist in any manner in the performance of the employee's job function or duties, except for volunteers or public safety personnel engaged in an emergency.

6.09. Financial Affairs

Employees shall so arrange their personal financial affairs in order that creditors and collection agencies will not cause disruptions in the workplace by using the offices of the City, contacting Department Directors or the Personnel Officer for the purpose of making collections.

6.10. Gifts or Payments

No City employee shall accept any gift, service, money or thing of value including, but not limited to, tickets to events or trips from members of the public, vendors, or other third parties with which the employee has or may have official dealings. It should be understood that such gifts are not for personal use or benefit, and should be shared by all employees. Any questions should be referred to the Personnel Officer for proper disposition or disposal.

6.11. Personal Conduct

The conduct of all employees shall be governed at all times by ordinary and reasonable rules of behavior observed by law-abiding citizens, and shall not reflect unfavorably upon City service. This shall apply whether or not the employee is

acting in an official employment capacity. Failure to do so may result in disciplinary action up to and including termination.

6.12. Tobacco Products in the Workplace

Smoking or tobacco products shall not be permitted in any workplace, meeting room, classroom, or restroom of any City facility except for designated areas. Smoking or tobacco products shall not be permitted in any City vehicle, or within twenty (20) feet of any City building or worksite.

6.13. Dress and Grooming Standards

The professional environment of the City is maintained by the image employees present to the public. It is expected that all employees will dress in a manner consistent with good hygiene and safety. Neatness and cleanliness are necessary at all times. Individual City departments may adopt different dress and grooming standards, depending on the needs of their operations, subject to approval by the Personnel Officer.

Section 7 Employment, Selection and Appointment

7.01. Application Forms

Application forms shall be made as prescribed on the job announcement. Application forms shall require information covering training, experience, education and other pertinent information. All applications must be signed by the individual applying. Incomplete applications are subject to rejection.

7.02. Application

- A. All candidates for employment and volunteer positions without pay, shall file with Human Resources an application on an official City application form. Applications for open recruitments are available on website designated for the purpose of processing applications by the City, and applications for internal recruitments and volunteer roles are provided by the Human Resources Department. Such application may be rejected if it is not signed, dated and completed in its entirety, or if the applicant does not meet all the qualifications specified in the job description to warrant acceptance.
- B. Criminal Conviction History.
 - 1. The City shall not ask any applicant for employment to disclose, through any written form or verbally, at any time, information concerning an arrest or detention that did not result in conviction, or information concerning a referral to, and participation in, any pretrial or post trial diversion program, or concerning a conviction that has been judicially dismissed or ordered sealed pursuant to law, including, but not limited to, Sections 1203.4, 1203.4a, 1203.45, and 1210.1 of the Penal Code.
 - 2. Unless otherwise required by law, the City shall not ask an applicant for employment to disclose, orally or in writing, information concerning the conviction history of the applicant, until the City makes the applicant a conditional offer of employment. The job announcement for the position in question will advise whether a lawful exception to this provision applies, such as for positions subject to the stringent requirements of Public Resources Code Section 5164.
 - 3. Applicants who receive a conditional offer of employment will be requested to complete a supplemental application regarding criminal conviction history for review by the City, and a background screening, as part of the examination process.

C. Ineligibility or Disqualification.

1. The Personnel Officer may withdraw anyone from consideration if the candidate does not meet required qualifications and whose appointment is not in the best interest of the City. Whenever an application is disqualified or rejected, written notice shall be mailed to the applicant. Except as otherwise required by law, no specific reason need to be given for the rejection, other than the applicant was not qualified for the position.
2. Reasons for disqualification may include, but shall not be limited to the following:
 - a. Lack of any of the requirements and qualifications established for the examination or position for which applied.
 - b. Failing to successfully complete pre-employment drug screening as may be required.
 - c. Conviction of a felony, or plea of no contest, or conviction of a misdemeanor involving moral turpitude, as may be permitted by law.
 - d. Resignation from any position to avoid dismissal.
 - e. Deception or fraud in making the application.
 - f. Unacceptable driving record, as determined by most recent DMV readout, when a license is required for the position sought.
 - g. Request by applicants that their names be withdrawn from consideration.
 - h. Failure to apply within the time frame specified by the Personnel Officer to an advertised/posted position.
 - i. Disqualification or unsuitability for employment for any reason specified in any City or pertinent department rules and regulations.

7.03. Announcement

All announcements for positions in the Classified Service shall be publicized by posting in City Hall, on official bulletin boards, on the City's website, and by such other methods as the Personnel Officer deems advisable. The announcements shall specify the title and pay of the class for which the position is announced, the nature of the work to be performed, and minimum qualifications.

7.04. Recruitment

Recruitment for qualified applicants may be a continuing process so the City may have available applications of interested, qualified persons for possible future employment. Notices of employment opportunities may be placed in newspapers, magazines, announcements, college placement offices, community organizations, the City's website, or professional agencies offering services that will result in response from qualified persons. However, the City shall not pay any fee or service charge for any applicant referred to City by any employment agency, unless it is the result of a contractual agreement with the employment agency.

7.05. Special Provisions

- A. The Personnel Officer may authorize the expenditure of funds or reimburse applicants for cost and expenses related to the recruiting and selection process where it is in the best interest of the City to do so.
- B. The Personnel Officer may limit the number of qualified applicants to be examined in the selection process when there is a large pool of qualified applicants compared to the number of anticipated vacancies. Qualified applicants to be examined may be determined by lot, date of application or other means as determined by the Personnel Officer.

7.06. Conduct of Examination

The Personnel Officer may contract with any industry recognized agency for the development and conduct of examinations. The Personnel Officer shall see that grading of examinations are performed by an employee in Human Resources.

7.07. Nature and Types of Examination

The selection techniques used in the examination process shall be impartial, and relate to subjects which, in the opinion of the Personnel Officer, fairly measure the relative capacities of the persons examined to execute the duties and responsibilities of the class to which applicants seek to be appointed. Examinations shall consist of selection techniques which test fairly for knowledge, skills, and abilities of candidates.

7.08. Notification of Examination Results and Review of Papers

Each candidate taking an examination shall be given written notice of the results thereof within thirty (30) days.

7.09. Promotional Examinations

- A. The City, at its sole discretion, may provide existing qualified regular or probationary employees the opportunity to apply before positions become available to applicants who are not in City service.

- B. Only regular or probationary employees who meet the requirements set forth in the promotional examination announcements may compete in promotional examinations. For each promotional examination, if there is only one qualified candidate for a vacancy, the pertinent Department Director, at their sole discretion, may request Human Resources to initiate an open recruitment for external candidates for such vacancy.
- C. Promotional recruitment announcements will be posted for a minimum of five (5) business days in all departments and at a central location in Human Resources and by electronic mail to City employees until the final filing date specified in the announcement. The announcement will specify a selection process which may include any one or a combination of the following: application appraisal, written test, performance test, physical fitness test, personal interview, or any other selection techniques as may be determined by the Personnel Officer's judgement in consultation with the pertinent Department Director. The City may utilize a Subject Matter Expert, at its sole discretion, as may be necessary to evaluate the candidate's capacity to perform the job tasks.
- D. The Personnel Officer may extend the filing period for any recruitment based upon consideration of the quantity and quality of applications received.

7.10. Scoring Examinations and Qualifying Scores

- A. Upon scoring of all selection components, the names of applicants will be placed on eligibility lists, ranked according to scores.
- B. A candidate's score in a given examination shall be the average scores on each competitive part of the examination, weighed as shown in the examination announcement. Failure in one part of the examination may be grounds for declaring such applicants as failing the entire examination, or disqualified for subsequent parts of an examination.
- C. In case of tied scores, the following rules shall apply:
 - 1. For purposes of placement on the list of eligibles, if an applicant who has a tied score is a veteran, as that term is defined in Section 50088 of the California Government Code, or as may be amended, the tie will be broken in favor of the veteran, such that the veteran will be placed at a higher position than the non-veteran.
 - 2. All other candidates with tied scores shall be listed in alphabetical order.

7.11. Eligibility Lists

- A. Eligibility Lists: Within a reasonable time after successful completion of all phases of the City's recruitment process, the Personnel Officer or designee shall prepare and keep available an Eligibility List. If there are less than three (3) candidates on the list, the Personnel Officer may cause the list to expire, and may commence a new recruitment.
- B. Duration of Lists: Employment/Eligibility lists may remain in effect for a period between six and twelve months, at the Personnel Officer's sole discretion, unless exhausted, and may be extended prior to the expiration date by action of the Personnel Officer. All open-competitive and promotional lists shall remain in effect for a period between six and twelve months, at the Personnel Officer's sole discretion, unless exhausted or abolished within that period as provided below. The Personnel Officer may extend any such list for additional periods, but in no event shall an employment list remain in effect for more than two (2) years. The effective date of a list shall be the date it is approved by the Personnel Officer.

7.12. Re-Employment Lists

- A. The names of probationary and regular employees who have been laid off will be placed on appropriate re-employment lists in the order of total continuous cumulative time served on probationary and regular status. Such names may remain on the lists for one year unless such persons are rehired prior to that date. Re-employment Lists may be extended at the discretion of the Personnel Officer, but in no event shall an employment list remain in effect for more than two (2) years.
- B. When a re-employment list is to be used to fill vacancies, the Personnel Officer shall certify from the top of such list, the number of names equal to the number of vacancies to be filled, and the appointing authority shall appoint such persons to fill the vacancies. The Personnel Officer shall send a notice of certification to persons appearing on the re-employment list.

7.13. Certification and Appointment

- A. Filing Vacancies.
 - 1. The Department Director shall notify the Personnel Officer or designee of an anticipated vacancy in an authorized position, except for positions outside the classified service. The Personnel Officer and Department Director shall determine the means to be used to fill the vacancy.
 - 2. With the approval of the Personnel Officer, the vacancy may be filled through a transfer, reassignment, or voluntary demotion of an employee. If appointment is not made in accordance with the

foregoing, then the vacancy shall be filled by appointment from an existing employment list in the following order:

- a. Re-employment List: A list established as a result of a reduction in force.
 - b. Promotional List: A list of qualified employees in City service who successfully completed a promotional examination process.
 - c. Open-competitive List: A list of qualified applicants outside City service.
3. If there are less than two (2) candidates on the applicable promotional list and/or less than three (3) candidates on the applicable open-competitive list, the Personnel Officer may:
 - a. Authorize appointment from among the available candidates.
 - b. Cancel the existing employment list and declare an alternate employment list.
 - c. Cancel the existing employment list and order a new examination. The Personnel Officer may also authorize a temporary appointment for the interim period while the recruitment process is conducted. The interim period may not exceed six (6) months.

B. Certification of Candidates.

1. When a vacancy is to be filled from either a promotional or an open-competitive list, the Personnel Officer shall provide the Department Director with a list containing an appropriate number of candidates. The number of candidates certified shall depend upon the type of recruitment and number of vacancies. The names of the top three (3) candidates from a promotional list or the top seven (7) candidates from an open-competitive list will be certified for a single vacancy and, where there is more than one vacancy, one additional name for each vacancy in excess of one.
2. Following interview and recommendation by the Department Director, the City Manager may appoint from those candidates certified and interviewed. Appointments shall not be retroactive.
3. Regular appointments are contingent upon results of reference checks, background investigations, pre-employment drug testing, agility, psychological, physical, and any other examinations, which may be required at the discretion of the Personnel Officer.

7.14. Removal of Names From List

- A. The name of any person appearing on an employment, re-employment, or promotional list shall be removed by the Personnel Officer if the eligible person requests in writing that the name be removed, or the employees or applicants fail to respond to notices of certification mailed via certified mail to the last known address.
- B. The names of persons on promotional employment lists who resign from City service shall automatically be dropped from such lists.

7.15. Temporary Appointments

- A. Temporary positions and appointments exist to fill a temporary need, including but not limited to vacation relief, sick leave relief, temporary projects, extra help to accelerate a program, seasonal work, surges of work, and, under special circumstances, to temporarily substitute for a regular appointment. Because they are intended to be interim in nature, work hours shall not exceed one thousand (1,000) in a twelve (12) month period. Temporary appointments may be terminated at any time by the Personnel Officer without cause and without recourse to the appeal and grievance procedure.
- B. Temporary appointments may be made from existing appropriate employment lists or from among qualified applicants. Qualified applicants for this purpose shall mean individuals who meet the minimum qualifications for the classification as defined in the class specification.
- C. In no event shall a period of temporary appointment constitute satisfactory completion of any part of a probationary period for any appointment in a regular position in City service.
- D. Temporary employees shall not gain a property interest in their jobs.

7.16. Types and Categories of Appointment

All vacancies in the Classified Service may be filled by transfer, promotion, demotion, re-employment, reinstatement, or from eligibility lists certified by the Personnel Officer. In the absence of persons eligible for appointment in this manner, provisional appointments may be made in accordance with this Manual.

Employment in the Classified Service is divided into the following categories:

- A. Regular: Regular employees are those who have been appointed to an authorized position in the City's Classification and Compensation Plan, having successfully completed the probationary period, and retained as provided in this Manual. A regular employee may be full-time or part-time. Part-time employees who have been appointed to an authorized position in

the City's Compensation and Benefit Plan through appointment from an eligibility list are designated as Regular employees after successfully completing a probationary period.

- B. Probationary: Probationary employees are those who, through the regular examining process, have been appointed to an authorized position in the City's Classification and Compensation Plan, but have not completed the applicable probationary period.

7.17. Personnel Officer's Discretion Regarding Vacant Position

Nothing in this Section shall require the Personnel Officer to fill any vacancy in the Classified Service. The Personnel Officer has the discretion to recommend to the City Council that the vacant position be eliminated, retitled, or an alternative position or positions be created in place thereof. However, nothing within this Section shall require the Personnel Officer to replace any vacant position.

7.18. Citizenship

Except as otherwise provided by State or Federal law, employment is open to qualified individuals who are citizens of the United States, qualified non-citizens of the United States, and those who have employment rights under the United States Constitution, or State and Federal Law (e.g., non-residents holding temporary work permits).

7.19. Legal Authority to Work

All offers of employment and continued employment are conditioned on furnishing satisfactory evidence of identity and legal status to work in the United States. Each applicant must document legal authority to work in the United States and verify identity in accordance with applicable federal statutes by completing and signing required forms, such as the I-9. All offers for employment will be contingent on receiving this verification, which must be completed as soon as possible after an offer of employment is made, but no later than at the time an individual first reports to work. Failure to provide proof of legal residence and authorization to work in the United States shall be the basis for disqualification of employment and immediate termination.

7.20. Minimum Employment Age

All persons who are selected for regular employment by the City must be at least eighteen (18) years of age. All persons who are selected for temporary and/or seasonal employment by the City must be at least sixteen (16) years of age. Applicants may be asked to provide proof of age at any time. Persons employed under the age of eighteen (18) must provide a valid minor work permit and shall not be assigned to "hazardous" duties as determined by the Department Director and Personnel Officer.

7.21. Pre-Employment Medical Examination

Following a conditional offer of employment, prospective employees may be required to complete a job related pre-employment medical examination. The City may require that employees take a psychological and/or a medical examination, as it deems necessary, in order to determine employees to be mentally and physically capable of performing the essential functions of the job. Conditional offers of employment are made contingent upon passing this medical examination; however, the City will make reasonable accommodations to the special needs of any disabled individual as required by law. A licensed health care provider chosen by the City will perform such examination without cost to the prospective employee. The prospective employee will be required to complete a medical history questionnaire and a medical records release as necessary to facilitate the examination. The health care provider will indicate the employee's fitness for employment on the examination form.

- A. Instances that May Require Medical Examination. Depending on the essential functions of a position, a medical examination may be required for:
1. Applicants who have received a conditional offer of employment;
 2. Employees seeking a transfer from one position requiring general physical abilities to another position requiring physical abilities of a different nature;
 3. Employees returning to work from a medical leave of absence. The physician conducting the medical examination will be supplied with a current job description indicating the essential functions of the position; or
 4. When a supervisor observes or receives a reliable report of an employee's possible lack of fitness for duty. Observations and reports may be based on, but are not limited to, employee's own self-report of potential unfitness, dexterity, coordination, alertness, speech, vision acuity, concentration, inappropriate response to criticism, such as profane response to criticism, interactions with the public, co-workers, and supervisors.
- B. Confidentiality. The results of all medical and psychological examinations will be kept confidential as required by law. Examination results for newly hired employees and employees transferring to another position will be kept in the employee's confidential medical file. No employee will hold any position in which the employee is not able to perform the essential functions of the job, with or without reasonable accommodation.
- C. Regulatory Compliance. Certain employees are subject to regulations issued by the Department of Transportation and/or the California

Department of Motor Vehicles. All such employees must meet the standards set forth in those regulations as part of the hiring process and as part of continued employment.

7.22. Background/Reference Checks

As soon as possible and practicable, a live fingerprint scan, background, and reference check will be performed and completed for each applicant or employee receiving a conditional offer of employment. The City shall comply with all requirements of the Federal Fair Credit Reporting Act and the California Investigative Consumer Reporting Agencies Act.

7.23. Reappointment; Break in Service

Except as otherwise required by law and further provided in this section, an employee who voluntarily leaves the City Service and is rehired at a later date does not receive seniority or service credit for past City employment and is not eligible to reinstate any prior benefits and will be subject to this Manual as a new employee. Employees rehired within 60 days after separation will have their service bridged. This means that the employee will retain the original date of hire and will continue to accrue insurance benefits, previously in effect. In addition, these employees who have been rehired within 60 days of separation will accrue benefits, including leave accruals) at the same rate as was in effect prior to the separation.

With regard to accrued sick leave benefits at separation, an employee who is reinstated within twelve months of separation is eligible to be reinstated with 100% of the remaining balance after being laid-off or separated, except as described in Section 13.06.L. Further, an employee who is reinstated after twelve months but before twenty-four months of separation, is eligible to be reinstated with 50% of the remaining balance after being laid-off or separated, except as described in Section 13.06.L.

7.24. Acting Appointment

Acting appointments may be used to fill positions that are vacant or that are temporarily vacated, such as when the incumbent employee is on an extended leave of absence.

- A. A Department Director may recommend that the Personnel Officer assign a current employee to an acting appointment when the needs of the City require that employee to temporarily perform the duties of a higher classification for a period of more than 10 consecutive working days. With the Personnel Officer's advance written authorization, the employee shall receive acting pay at the next higher step in the worked classification, which is at least 5% above the employee's current salary. The acting pay shall commence on the eleventh day following the Personnel Officer's written authorization. No employee shall be appointed to perform any of the duties

of a higher classification unless that employee is deemed to possess the minimum qualification of the higher classification by the Personnel Officer.

- B. In no case shall an employee serve more than 960 hours in a fiscal year or six (6) total months, whichever comes first, in a “vacant position” in a higher classification. For purposes of this section, a “vacant position” refers to a position that is vacant during an active recruitment for a permanent appointment. A vacant position does not include a position that is temporarily vacated due to another employee’s leave of absence.

7.25. Transfer

An employee may be transferred by the Personnel Officer from one position to another position in a comparable class. No employee shall be transferred to a position for which the employee does not possess the minimum qualifications. For transfer purposes, a comparable class is one with the same maximum salary, involves the performance of similar duties, and requires substantially the same basic qualifications. If the transfer involves a change from one department to another, both Department Directors must consent to the transfer, unless the Personnel Officer orders the transfer for purposes of economy, efficiency, or the best interest of the City.

7.26. Demotion

The Personnel Officer or Department Director may demote an employee:

1. Whose ability to perform required duties falls below acceptable standards;
2. For disciplinary reasons, subject to the terms of Article 16 of this Manual, where applicable;
3. When the need for the position which an employee fills no longer exists;
4. When an employee requests such demotion.

7.27. Termination

At the discretion of the Personnel Officer or Department Director, an employee may be terminated or separated in the following manner:

1. On a weekday, other than a weekday that lands on a holiday; or
2. On the last weekday of a pay period.

The last day worked will constitute the employee’s termination or separation date.

Section 8 Probationary Period and Seniority

8.01. Objective of Probationary Period

The probationary period shall be regarded as part of the selection process and utilized to closely observe an employee's work performance, evaluate the adjustment of a new employee to the position, and reject any probationary employee whose performance does not meet acceptable standards of work.

8.02. Performance Evaluation Reports

A. The City will make reasonable efforts to timely provide each employee a performance evaluation report as follows:

1. For Probationary Employees

Length of Probation	Performance Evaluation Dates
0 to 6 months	Mid-point of probation
Greater than 6 months	Mid-point and 2-weeks before end of probation

2. For Regular/Permanent Employees

- a. Every twelve (12) months on the anniversary date of the employee's successful passing of probation, or the anniversary date of appointment to a different position or classification.
 - b. In the event a performance evaluation is not completed within fifteen (15) days after the anniversary date, the employee shall automatically receive a "satisfactory" rating (i.e., attains goals), which will be documented in a memo to file.
- B. The performance evaluation report will be signed by the employee's Supervisor and Department Director as soon as practicable. Each report will be discussed with and signed by the evaluated employee, then submitted to the Personnel Officer and permanently retained in the employee's personnel file. If the employee refuses to sign their evaluation, the employee's supervisor will note the employee's refusal to sign and sign below this note. Sworn peace officers are entitled to thirty (30) days to provide a response to their performance evaluation. All other employees are entitled to fourteen (14) days to provide a response to their performance evaluation.
- C. Employee will receive a review of their job performance in order to determine whether or not a step adjustment is in order. Step increases are not to be construed as automatic in nature. If an employee's performance proves to be satisfactory, that employee shall be eligible for an increase,

which is defined as a Merit or Step Increase. A step increase shall not be denied as a result of the failure to complete an annual performance evaluation.

8.03. Probationary Period

- A. A working evaluation period during which employees are required to demonstrate satisfactory performance for the duties to which they are appointed. Probationary periods range from six (6) to eighteen (18) months, depending on the position, and will be extended for periods of paid or unpaid leave of absence upon recommendation of a Department Director and approval of the City Manager.
- B. A promotional appointment shall be probationary for six (6) months, twelve (12) months, or eighteen (18) months, as applicable. Promotional probationary periods will be extended for periods of paid or unpaid leave of absence upon recommendation of a Department Director and approval of the City Manager.

8.04. Rejection of Probationer

- A. Probationary employees do not have property or vested rights to their position with the City and are considered at-will employees. During the probationary period, an employee may be rejected at any time by the City Manager without cause and without the right of appeal. The Department Director shall notify the Personnel Officer in advance as to whether a regular appointment or rejection is recommended.
- B. Notification of rejection in writing shall be served on the probationary employee and a copy included in the employee's personnel file.

8.05. Rejection Following Promotion

Any employee rejected during the probationary period following a promotional appointment shall be reinstated to the position from which the employee was promoted if it remains vacant, unless:

- 1. Charges are filed and the employee is discharged in the manner provided in this Manual for positions in the classified service;
- 2. No vacancy exists for the classification to which the employee would revert; or
- 3. No funding is available in the classification to which the employee would revert.

If there is no vacancy in the employee's prior position or a similar position or if no such position is funded, the employee may request to be placed on a

reemployment list for the employee's prior position. If there is vacancy in the employee's prior position, and the employee returns to the prior position, the employee will not have to serve a new probationary period for their prior position. If the employee returns to a prior position, under this section, the employee will receive credit, for the purpose of seniority, for their years of service in their prior position.

8.06. Seniority for Lay Off Purposes

- A. Whenever more than one person is appointed to the same classification on the same day, the seniority of each individual will be equal. In the event of a reduction in force (RIF), for whatever reason, individuals with the same seniority date will be laid off based on the following criteria:
1. Years of service with the City;
 2. Overall performance in City employment; and
 3. Special knowledge, skill, training, or experience.

8.07. Loss of Seniority

Seniority shall not be broken by vacations, sick time, or any authorized leave of absence or call to military service. All seniority rights shall be lost by an employee under the following circumstance if the employee:

1. Resigns;
2. Is discharged and fails to successfully appeal;
3. Fails to return to work when recalled after a layoff; or
4. Is laid off for one year without being recalled, or two (2) years if the Re-employment List has been extended.

Section 9 Position Classification Plan

9.01. Classified Service Plan

The Personnel Officer shall ascertain and record the duties and responsibilities of all positions in the Classified Service and, after consulting with Department Directors, shall recommend a Classification Plan for such positions. The Classification Plan shall consist of classes of positions in the Classified Service defined by class specifications, including job title. The Classification Plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.

9.02. Adoption, Amendment, and Revision of Plan

The Classification Plan shall be adopted and may be amended from time to time by resolution of the City Council. Notice of City Council consideration of the proposed Classification Plan amendments, or revisions, shall be provided to Recognized Employee Organizations that represent the new or amended position class.

9.03. Assignment of Positions

Following the adoption of the Classification Plan, the Personnel Officer shall assign every position in the Classified Service to one of the classes established by the Plan.

9.04. New Positions

Newly established classifications shall be approved by the City Council.

9.05. Reclassification

The duties of any position which have changed materially so as to necessitate reclassification, shall be allocated by the Personnel Officer to a more appropriate class, whether new or already created. Reclassification shall not be used for the purpose of avoiding restrictions concerning demotions and promotions. A reclassification shall become effective after approval of the City Manager.

9.06. Salary Schedule Conformance

Employees shall be assigned a salary in conformance with the classification salary schedule, as the same may be amended from time to time by the City Council.

9.07. Interpretation of Class Specifications

The class specifications, commonly referred to as "job descriptions," are descriptive and explanatory and not restrictive. They are intended to indicate the kinds of positions that are allocated to the various classes and should not be construed as limiting the assignment of duties and responsibilities to any position or modifying the authority of any Department Director to assign, direct, and control the work of employees under supervision. The use of a particular expression or an illustration as to duties should not be interpreted to exclude others not mentioned that are of similar in kind or quantity, nor shall be any specific omission necessarily mean that such duty or requirement is not included. The specifications for each class should be considered in its entirety and in relation to other classes in the classification plan. Consideration should be given to the general duties, specific tasks, responsibilities, qualifications, and relation to other positions so that collectively they describe the kind of employment the class is designed to embrace.

9.08. Use of Class Title

Class title shall be the official title of every position allocated to the class for the purpose of personnel actions, and shall be used on all payrolls, budget estimates, official records, and reports relating to the position. Any other "working title" desired and authorized to be used by the Department Director may be used as a designation for purposes of internal administration or in contacts with the public, subject to advanced approval of the City Manager or designee.

Section 10 Compensation and Salary Administration

10.01. Application of Salary Ranges and Rates

- A. Appointment: Initial appointments designated in the City Job Classification Plan shall normally be at the first step of appropriate salary range. Because it is sometimes difficult to secure qualified personnel at the normal hiring rate, or a person of unusually high qualifications is available, the City Manager may hire or promote at a higher range and step at the City Manager's sole discretion. If the City Manager exercises such discretion to hire or promote a person at a step higher than the first step of the pertinent salary range, said person shall be eligible for a step increase.
- B. Promotion: Any employee receiving a promotion shall start on the first step of the salary range of the class to which promoted, and be eligible for merit increases as elsewhere provided, unless the present salary level is equal to or exceeds the first step of the class to which promoted. In that event, the employee shall be assigned to the step in the salary range to which promoted, which is the equivalent to at least a five (5%) increase in salary.
- C. Out of Class Pay: An employee working out of class for at least ten (10) consecutive work days to temporarily perform duties in a higher classification shall be compensated at the next higher step in the worked classification, which is at least 5% above the employee's current salary. At no time should any employee work out of class for a period of more than 6 (six) months. There will also be no change to the employees current benefits.

10.02. Advancement within Salary Range

An employee shall be considered for salary advancement in accordance with the following time intervals:

- Step 1** Payable during probationary period. The first step in an assigned range is normally the minimum rate at the initial hiring for a specific classification.
- Step 2** Payable after successful completion of probation.
- Step 3** Payable after one year of service at Step "2" and upon recommendation of the Department Director based on a positive performance evaluation and an employee's demonstrated ability to meet or exceed job standards. Approval by the City Manager is required.
- Step 4** Payable after one year of service at Step "3" and upon recommendation of the Department Director based on a positive performance evaluation and an employee's demonstrated ability to

meet or exceed job standards. Approval by the City Manager is required.

Step 5 Payable after one year of service at Step "4" and upon recommendation of the Department Director based on a positive performance evaluation and an employee's demonstrated ability to meet or exceed job standards. Approval by the City Manager is required.

- A. Step advancements are merit increases and are not automatic. An employee must perform the duties of the position and be rated satisfactory by the Department Director to receive a step advancement.
- B. Salary adjustments shall become effective on the first day of the pay period coinciding with or following the employee's step advancement, promotion, demotion, reclassification, transfer, basic salary rate change, longevity pay eligibility, bilingual pay eligibility, education incentive pay eligibility, etc. Such salary adjustments shall not be retroactive.

10.03. Criteria for Step Increase

No salary advancement shall be made which exceeds any maximum rate established in the pay plan for the class to which the advanced employee's position is assigned.

10.04. Request for Step Increase

- A. In the event the Department Director fails to complete the required performance evaluation, the step increase within range shall not be withheld.
- B. Nothing herein prohibits granting a merit salary advancement prior to the normal time intervals, subject to approval of the Personnel Officer. A Department Director may recommend a step increase through the City Manager for any employee in the department as a result of outstanding service or any special circumstances which merit a step increase on a date other than the anniversary date. Such step increases are effective on the date approved by the City Manager, and does not change the employee's anniversary date.

10.05. Assignment for Reclassification and Demotion

- A. No Classified employee shall suffer a salary reduction as a result of reclassification, but the employee's salary may be held at the current amount at time of reclassification until the salary range of the new classification is equal to or exceeds the employee's salary. This shall be referred to as "Y-rate". An employee may be placed in a lower or higher

salary step at the time of reclassification with the approval of the Personnel Officer.

- B. In the event of demotion due to discipline, the Personnel Officer shall determine the step within the applicable salary range to which the employee shall be assigned.

10.06. Computation of Salary

Salary rates for all authorized classified positions are set forth in the Classification and Compensation Plan. Hourly rates are based on 2080 hours per year. Hourly rates for Fire personnel are based on 2912 hours per year.

10.07. Compensation during Attendance at Training Courses During Vacation, Holidays, and Days Off

City employees should feel free to attend training courses available during their vacation, holidays, or days off if authorized to do so in advance by the Department Director. The City will compensate employees and reimburse cost, as may be required by law, for attendance at training courses held during days off, weekends, vacations, or holidays only where employees have been directed by their Department Director to attend on the following basis:

- A. Days Off: The City will adjust an employee's regularly scheduled day off as necessary to facilitate the employee's attendance of training courses held on their regularly scheduled day(s) off.
- B. Holidays: Employees directed to attend training courses on a holiday will be compensated double times their regular rate of pay, or allowed to take off another paid day in lieu of the missed holiday, unless a different rate of compensation is provided in a current ratified and approved MOU, in which case the latter shall apply.
- C. Vacations: Employees directed to attend training courses held on vacation days will be permitted to reschedule their vacation days, subject to Department staffing needs, spent in such training courses.

Section 11 General Working Conditions

11.01. Attendance

Employees shall be in attendance and on time at their assigned workstation in accordance with Department rules regarding hours of work. All departments shall keep daily attendance records of employees. An employee absent without approved leave may be subject to disciplinary action.

11.02. Meal and Break Periods

Each regular employee should be entitled to an uninterrupted, unpaid meal period of a minimum of thirty (30) minutes and a maximum of sixty (60) minutes at or about the mid-point of their workday. The length of the meal period and the time the meal period is taken shall be determined by the Department Director unless provided otherwise in a ratified and approved MOU. Employees are entirely relieved of responsibilities and restrictions during their meal period, unless they have been directed to work by a supervisor or management staff, in which case it will be treated as paid time.

Each regular employee is also entitled to two (2) fifteen-minute paid break periods to be scheduled by a supervisor based on operational needs. The initial break period shall be taken within the first half of the shift, and the second within the second half of the shift.

11.03. Standard Workweek

The standard workweek for City employees shall begin at 12:00 a.m. of each Saturday and end at 11:59 p.m. of each Friday.

11.04. Standard Work Schedule

The standard work schedule for each employee shall be designated in each individual employee's offer letter and related job description as necessary for each classification. However, the City may vary from such work schedule as may be necessary, subject to availability, as a reasonable accommodation for qualified individuals with a disability, as may be required by law. Unless otherwise prohibited by law, the Police Chief may schedule sworn staff as may be required to optimize the Police Department's operations.

Except as otherwise provided in this section, a Department Director, at their sole discretion, may approve variations of up to thirty minutes to the start and end times of an employee's work schedule. Any variation of more than thirty minutes from the employee's designated work schedule must receive prior approval from the City Manager. Nothing in this paragraph is intended to limit a Department Director's ability to approve an employee's scheduled absence, such as sick leave or vacation leave, as provided under this Manual or in a pertinent MOU.

Exempt employees are expected to work the number of hours necessary to complete assigned work in a timely manner, notwithstanding any specified work schedule.

The City may consider adopting a telecommuting policy if, at the City's sole discretion, such policy would be in the City's best interest for recruitment and retention purposes. Should the City adopt such policy, it will be adopted as an appendix to this Manual.

11.05. Overtime and Compensatory Time

Except as otherwise specified in a pertinent MOU, Overtime is any time worked beyond the standard forty (40) hour work week for non-exempt employees.

- A. Overtime shall be worked only at the request and authorization of the Department Director. Except as otherwise provided in a pertinent MOU, regular employees required to work in excess of forty (40) hours in a work week shall be compensated at time-and-a-half, or compensatory time off at a rate of time-and-a-half at the option of the Department Director. Unless otherwise required by law, the workweek commences at 12:00 a.m. each Saturday and ends at 11:59 p.m. each Friday.
- B. Work schedules may be changed, by mutual agreement between the City and a pertinent bargaining unit, as necessary to satisfy staffing needs. (e.g., four-ten hour days, or as provided in a ratified and approved MOU.)
- C. The use of compensatory time shall be scheduled by mutual agreement between the employee and Department Director or their designee. Employees retain the right to cash payment for any compensatory time on the books as provided in a ratified and approved MOU, or with the approval of the Personnel Officer.
- D. Unless otherwise previously accrued in a non-exempt position, employees in an exempt position shall not be eligible for overtime pay and/or compensatory time off.
- E. Classified employees who are designated as exempt under the Fair Labor Standards Act (FLSA) shall not be eligible for overtime pay and/or compensatory time off.
- F. There may be variations to standard overtime and work schedules as permitted by FLSA Section 7(k) exemption. Such variations are provided in relevant MOUs.

11.06. Compensatory Time Accumulation and Use

Employees may accumulate up to forty-eight (48) hours of compensatory time off. If compensatory time is not allowed, the employee shall be paid for such overtime

in cash at the rate of one and one-half times the regular rate of pay, or as provided in a ratified and approved MOU. Non-exempt employees who move to an exempt status shall have their approved compensatory time off cashed out by the end of the current fiscal year.

11.07. Bilingual Pay

The City retains the right to determine how many and which positions it needs to provide bilingual services, and which languages shall qualify. To be eligible, the Department Director must approve the employee for certification testing and then pass an examination in the applicable language certifying that the person has the appropriate language skills.

11.08. Paid Holidays

- A. All regular and probationary employees are entitled to municipal holidays off as provided in a ratified and approved MOU or Resolution adopted by the City Council.
- B. When a holiday falls on a Saturday, the preceding Friday shall be deemed to be the holiday. When a holiday falls on a Sunday, the following Monday shall be deemed to be the holiday. Unless otherwise required by law, employees must be on paid status on the working day immediately preceding the holiday, and on the working day immediately following the holiday, in order to receive holiday pay.
- C. When a holiday occurs during an employee's approved leave of absence covered by the Family Medical Leave Act, the California Family Rights Act, the California Pregnancy Disability Act, or any other legally mandated leave, the employee will receive full holiday pay only if the employee is in paid status the working day immediately preceding the holiday and the working day immediately following the holiday.
- D. Employees who are required to continue their job responsibilities on holidays (such as in the Public Works and Police Departments) shall receive holiday pay as provided in a ratified and approved MOU, and/or Resolution adopted by the City Council. The rate of pay for the holiday shall be based on eight (8) hours.
- E. In cases where employees are afforded a Floating Holiday, the "holiday" must be used no later than December 31, the end of the City's current calendar year. If not used by that date, said floating holiday will be canceled and removed from Payroll Records. There is no waiting period applicable to use of Floating Holidays for newly hired employees.
- F. Council-approved holidays, except floating holidays, will be considered work days for the purpose of calculating overtime.

11.09. Tuition Reimbursement

- A. Regular employees may be eligible to receive tuition reimbursement, as provided in this section, for educational purposes which improve their ability to accomplish their City job duties, subject to approval of the Department Director and the Personnel Officer.
- B. Except as provided in a ratified and approved MOU, reimbursement will be for books, tuition, and enrollment only up to a maximum of five hundred (\$500) dollars per fiscal year. The employee must achieve at least a "C" in the class, and be reimbursed after proper proof of completion of the class.

11.10. Credit for Training

Participation in and successful completion of special training courses may be considered in making advancement and promotions, as provided in a ratified and approved MOU. Evidence of such activity shall be filed by the employee with the Department Director and Human Resources.

11.11. Training Responsibility

The City encourages the training of employees. Responsibility for developing training programs for employees shall be assumed jointly by the Personnel Officer and Department Directors. Such training programs may include, but not limited to, lecture courses, workshops, demonstrations, assignment of reading materials, or such other assignments as may be available for the purpose of improving the effectiveness and broadening the knowledge of municipal employees in the performance of their respective duties.

11.12. Uniform, Official Badge or Insignia

Officials or employees who wear a uniform, badge, or other official insignia as evidence of authority and City identity shall not permit such uniform or insignia to be used or worn by any other person.

11.13. Compensation for Use of Private Automobile on City Business and City Vehicle Assignment

- A. General Policy:

It is the policy of the City to assure that all employees requiring transportation for the satisfactory completion of their assigned duties will either (1) have a City vehicle available for their use as required by the nature of their work, or (2) be reimbursed the IRS authorized mileage rate for the use of their own private vehicle when such use is authorized.

- B. Authorization for Use of Privately-Owned Vehicles:

Use of privately owned vehicles in connection with official City business during normal work hours shall be authorized prior to such use by the Personnel Officer or Department Director.

C. Mileage Allowance:

Subject to direction concerning the use of a City vehicle, the City will make a City vehicle available for official use to employees when so required. If there are no City vehicles available and the employee must use a personal vehicle, the employee will be reimbursed at the IRS authorized mileage reimbursement rate in effect at the time.

D. Administrative Regulations:

Administrative regulations covering conditions for use, financial responsibility, procedures for requesting travel authorization, and reimbursement shall be established by the City Manager, or designee, consistent with the Fair Labor Standards Act (FLSA).

E. With the approval of the City Manager, the Department Director may from time to time authorize the use and assignment of a City vehicle for ongoing "Bonafide-Official" business of the City in the course of employment of the employee. The Department Director shall take into consideration the employees job duties, responsibilities and "around-the-clock" availability.

Vehicles shall not be used for personal use. City Employees shall report all accidents involving personal or City assigned vehicles while being used in City Business, no matter how minor the damage may be to the employee's immediate supervisor or City Manager or designee handling risk and insurance claims. Any injury sustained by an employee while operating a vehicle (personal or City assigned vehicles) on city business should be reported as required under the worker's compensation policy.

Each employee shall be responsible for the lawful operations of vehicles in accordance with both state and local law. Violations of law are the responsibility of the vehicle operator. Fines and other expenses that result from traffic violations or parking violations, other than mechanical problems of a City vehicle, are responsibilities of the employee.

Employees shall give due consideration of the Internal Revenue Code (IRC) under "Imputed Income" creating a taxable issue which may apply to assignment of city vehicles.

11.14. Pay Periods

A. Pay periods for all employees shall be on a biweekly basis, every other Friday of each month. When a regular payday coincides with a holiday, paychecks will be issued on the workday immediately preceding such

holiday. Salaries will be paid on a regular payday only, unless early payment is approved by the Personnel Officer.

- B. The method of distributing payroll checks shall be established by the Personnel Officer. All employees are encouraged to participate in the City's direct deposit program.

11.15. Deductions from Pay

Deductions from employees' pay shall include all required employment deductions, as well as union dues, voluntary deductions, or court orders.

11.16. On-The-Job Injuries/Workers' Compensation

- A. Report of Injury:

Any employee who sustains any injury on the job shall report the injury to a supervisor or Department Director before completing the shift in which the injury occurred, unless the employee is unable to report the injury due to physical incapacity or other extenuating circumstance. The injury report must be written and made within the specified time, or said employee may be subject to disciplinary action up to and including dismissal for non-compliance.

- B. Treatment at Authorized Facilities:

Any employee who sustains an on-the-job injury shall report for medical treatment only at those medical facilities approved by the City for treatment of employees or a pre-designated physician, unless such injury requires the employee to urgently receive emergency treatment to avoid serious bodily harm or death.

If the employee suffers the injury at a location outside the City, which makes this impractical, the employee may seek medical attention at the nearest medical facility where the injury occurred.

- C. Workers' compensation benefits shall be as provided in Section 13.12 of these Personnel Rules.
- D. Unless otherwise required by law, any employee absent from work because the employee is reporting to medical facilities for treatment of on-the-job injuries shall be required to use paid sick leave.
- E. To the extent required by law, the City will engage the employee in the interactive process and provide an employee with reasonable accommodation to attend follow-up treatment, provided that such accommodation does not result in an undue hardship to City.

11.17. Modified Duty: Return to Work Program**A. Program Objectives:**

The City acknowledges the high cost of workers' compensation insurance, and strives to reduce this cost by all reasonable means. An essential feature of a cost containment effort includes the availability of a modified duty return to work program which enables injured employees to return to work as soon as medically released. This program may be available to employees requesting a reasonable accommodation for reasons other than workplace injuries.

B. Modified duty/return to work assignments are designated, subject to availability, for injured employees who can return to work within the physical restrictions set forth by the attending physician. Modified duty/return to work assignments are temporary in nature to assist injured or ill employees to progress to full-duty status. The length of the assignments will be at the discretion of the Personnel Officer in consultation with the Department Director. Assignments established for modified duty/return to work participants are not permanent in nature. The City has the responsibility to reasonably accommodate injured employees within their current work assignment, under the requirements of the Americans With Disabilities Act (ADA).

C. Modified duty/return to work assignments will be established on a case-by-case basis, depending on the specific limitations of the injured employee. Modified duty/return to work assignments shall be established with the approval of the Department Director and Personnel Officer. Assignments may be made based on the following:

1. The assignment is not designed to be demeaning and/or punitive;
2. The assignment should benefit the employee by offering an opportunity to return to work and benefit the City by providing supplemental tasks, enhancing services, or having tasks accomplished which may not have otherwise been completed without additional expense;
3. Modified duty/return to work assignments will be based upon the availability of modified duty assignments. Any modified duty/return to work assignment shall be made based upon the business necessity or business requirements of the City.

While assigned to a modified duty/return to work assignments, the injured employee will earn the employee's normal classification rate.

11.18. Reports of Change Status

All actions involving employment and change in status of employment shall be reported by the Department Director to the Personnel Officer in writing, utilizing the Personnel Action Form (PAF). Copies of such reports shall be furnished to the employee involved. All recommendations of transfer, promotion, demotion, change of salary rate, and any other temporary or permanent change in status of employees shall be submitted in writing to the Personnel Officer by the respective Department Director utilizing the PAF.

11.19. Absence Without Leave/ Job Abandonment

If an employee is absent from work for more than three consecutive full shifts without notice and authorization, the City will take the following actions:

- A. The City will send the employee a notice to the employee's last known address through a method providing delivery confirmation, such notice shall be considered delivered upon the mail carrier providing the City with confirmation of delivery. The notice provided under this subparagraph "A" will inform the employee of the following:
 - i. The City considers the employee to have abandoned employment with the City;
 - ii. The employee has three working days from the delivery of the notice to inform the City of intent to return to work; and
 - iii. The notice must also advise the employee that failure to contact the City within the designated three working days provided in subparagraph "A.ii." above, will be treated as an automatic resignation, effective on the fourth working day after the notice's delivery.
- B. If, within 10 days of the effective date of resignation as provided in subparagraph "A.iii." above, the employee demonstrates good cause for the failure to contact the City, the City Manager, at the City Manager's sole discretion, may reverse the resignation. The reversal of the resignation does not forfeit the City's right to discipline the employee in accordance with Section 16 of this Manual, and an employee's absence under this Section 13.06 F may be deemed just cause for termination by the City.

11.20. Resignation and Exit Interview

- A. Resignation: An employee wishing to leave City employment in good standing shall file with the Department Director a written resignation stating the effective date and reasons for leaving the service at least fourteen (14) calendar days prior to the effective date of said resignation. A final performance evaluation as to the resigned employee's service performance and other pertinent information may be forwarded to the Personnel Officer

by the Department Director. Failure of the employee to give notice as required by this section may be cause for denying future employment by the City. The Department Director or the Personnel Officer may authorize a resignation in good standing when, in their opinion, there are sufficient reasons to waive the requirements of this section.

- B. Exit Interview: The Personnel Officer or designee may conduct an exit interview for employees who resign to verify the reasons for resignation. Copies of the information obtained during the exit interview shall be furnished to the Department Director as appropriate.
- C. Employees, including those released during their initial probationary period, or dismissed for disciplinary reasons, will receive their final paycheck on the next regular payday following separation from City service. The final paycheck will include payment for all earned salary due and not previously paid, and accrued but unused leave balances, subject to pay-off.

Section 12 Personnel Files and Records Policy

12.01. In General

- A. Personnel Files and Records Generally. An employment history of each City employee will be maintained by the City. Each employee will have a personnel file. The City will also maintain a separate medical information file for each employee that includes all medical related information in compliance with the California Confidentiality of Medical Information Act, and other applicable laws and regulations.
- B. Personnel File. The personnel file shall contain, but is not limited to, information pertinent to date of employment, positions held, salary history, payroll, benefits, sick leave, annual leave, performance evaluations, leave of absence requests, training data, compensation, and other information as may be deemed appropriate and/or required by law.
- C. Medical Information File. All medical information maintained about an employee or applicant is kept separately from their general personnel file and is treated as confidential in accordance with applicable state and/or federal law. The City will not request or obtain medical information about an employee or applicant except in compliance with the California Confidentiality of Medical Information Act. To enable the City to obtain certain medical information, the employee or applicant may be requested to sign an authorization that complies with the requirements of the Confidentiality of Medical Information Act.
- D. Official Repository. The official repository of the personnel file and records for all employees shall be maintained by Human Resources. Department files may be established for the purpose of having readily available pertinent employee records related to the employee's daily performance. An employee shall be entitled to read any statement written by the Supervisor or Department Director, regarding the employee's work performance or conduct, if such statement is to be placed in the personnel file. The employee shall acknowledge reading such material by affixing a signature or initials and date on the document, with the understanding that such signature or initials merely signifies that the employee has read the material in the file and may not necessarily indicate agreement with its content. If the employee refuses to initial, the Personnel Officer, or designee, will sign, noting the refusal of the employee to affix the employee's signature or initials.
- E. Responsibility to Update Personal Data. Each employee has the responsibility to keep personal data up-to-date and must notify Human Resources within ten (10) calendar days in the event of any change of name, address, telephone number, persons(s) to be notified in case of an emergency, and any change of beneficiary or dependent(s).

- F. Request for Verification or Personnel Information. Requests for verification of employment or employment-related inquiries should be directed to the Personnel Officer or designee. The City will only verify the length of employment and the current employment status. Except as may otherwise be required by law, any requests for additional information contained in the personnel file shall be based upon written employee consent and must be approved by the Personnel Officer or designee.
- G. Timeline to Respond to Adverse Comments. An employee shall have thirty (30) calendar days upon becoming aware of any adverse comment entered in the employee's personnel file, within which to file a written response. Such written response shall be attached to and shall accompany the adverse comment. Personnel files are the permanent property of the City, and access to the information they contain is restricted, subject to, and in accordance with this Policy.

12.02. Inspection of Current or Former Employee's Personnel File

- A. Inspection of Personnel File. A current or former employee wishing to inspect their personnel file must submit a written request to the Personnel Officer, along with reasonable proof of identity. A current or former employee who seeks to authorize another person to inspect copies of their personnel file must provide a satisfactory written authorization for inclusion with the written request, along with proof of identity.
- B. Procedure for Inspection. Except as may otherwise be required by law, the City shall issue a written notice setting a date for inspection of the personnel file within thirty calendar days of receipt of the request, to take place during normal business hours. With the requesting person's written consent, the date for inspection may be extended on one occasion by up to five calendar days. If the requesting person is a former employee who was terminated for violation of City policy or law involving harassment or workplace violence, the City shall have discretion to mail a copy of the personnel file at the City's expense instead of scheduling an in-person inspection.
- C. Place of Inspection. A current employee may inspect their personnel file at the place the employee reports to work. Inspection by former employees and authorized representatives shall take place at the Personnel Officer's office, unless otherwise mutually agreed in writing by the City, and may require additional reasonable proof of identity.
- D. City Employee Presence. A designated City employee must be present throughout the inspection. No personnel files nor contents of personnel files shall be removed from the place of inspection without advance written authorization from the Personnel Officer.

- E. Access to Personnel File. The employee will have access to all contents of the file except those materials which are a part of the employment/selection process, including letters of reference and letters of recommendation, and any records relating to investigations of possible criminal offenses. A copy of the material in the personnel file to which the employee has access will be provided to the employee upon request, at the prevailing cost for duplication.

12.03. Obtaining Copies of a Current or Former Employee's Personnel File

- A. Obtaining a Copy of Personnel File. A current or former employee wishing to obtain copies of documents or other materials in their personnel file in person or by mail must submit a written request to the Personnel Officer along with reasonable proof of identity. A current or former employee who seeks to authorize another person to obtain copies of their personnel file must provide a satisfactory written authorization for inclusion with the written request. Reasonable proof of identity may be required at the time of in-person pick up of requested documents.
- B. Procedure for Obtaining a Copy of Personnel File. The City shall issue a written notice setting a date on which the requested copies may be picked up in person during normal business hours and identifying the cost of reproduction that must be paid to the City at the time of pick up. The date for in-person pick up of the documents shall be no more than thirty calendar days after receipt of the request by the City. With the requesting person's written consent, that date may be extended on one occasion by up to five calendar days. If the requesting person is a former employee who was terminated for violation of City policy or law involving harassment or workplace violence, the City shall have discretion to mail a copy of the personnel file at the expense of the City instead of scheduling an in-person pick up. If the requesting person chooses delivery by mail instead of in-person pick up, the notice provided by the City under this Section shall also identify the additional actual postage expenses for which the requesting person must reimburse the City prior to receipt of the copies.

Section 13 Leave of Absence Provisions**13.01. Effect of Leave of Absence**

A. Effect of Leave of Absence on Employee Benefits. Fully or Partially Paid Leave of Absence. Unless otherwise required by law, an employee on a leave of absence who continues to receive full compensation through the use of the employee's accrued leave banks will continue to receive full employment benefits. Such employment benefits may include, but are not limited to, the accrual of paid leaves and health insurance contributions, which remain at the rate the employee would receive if the employee were working the employee's normal work schedule.

1. Employees whose time worked or use of paid leave accruals are insufficient to provide full pay for more than $\frac{3}{4}$ of the pay period will not receive the full accrual of paid leaves to which their regular work schedule would otherwise entitle them for that pay period. Such accruals shall instead be pro-rated as follows:

$\frac{3}{4}$ or less, but more than $\frac{1}{2}$	$\frac{3}{4}$ of usual accruals
$\frac{1}{2}$ or less, but more than $\frac{1}{4}$	$\frac{1}{2}$ of usual accruals
$\frac{1}{4}$ or less, but more than 0	$\frac{1}{4}$ of usual accruals
0	0

B. Unpaid Leave of Absence. Unless otherwise required by law, an employee on an unpaid leave of absence shall not accrue any employment benefits, including, but not limited to, the accrual of paid leaves, and health insurance contributions. In addition, the employee's performance evaluation will be extended and any merit increases are not provided during an unpaid leave of absence.

13.02. Annual Vacation Leave

A. Except as otherwise provided in subparagraph E of this Section 13.02, employees shall be entitled to accrual of vacation leave upon the date of hire. Eligible employees working a forty-hour work week shall earn vacation credits based on the following schedule, or as provided in a current ratified and approved MOU.

YEARS OF SERVICE	ANNUAL EXECUTIVE MANAGEMENT	ANNUAL REGULAR FULL-TIME CLASSIFIED SERVICE EMPLOYEE
Date of hire – 36 months	15 days/yearly 10 hours/monthly 4.62 hours/bi-weekly	10 days/yearly 6.67 hours/monthly 3.08 hours/bi-weekly
37 – 120 months	20 days/yearly 13.33 hours/monthly 6.15 hours/bi-weekly	15 days/yearly 10 hours/monthly 4.62 hours/bi-weekly
121 – 180 months	22 days/yearly 14.67 hours/monthly 6.77 hours/bi-weekly	17 days/yearly 11.33 hours/monthly 5.23 hours/bi-weekly
181 months and over	25 days/yearly 16.67 hours/monthly 7.7 hours/bi-weekly	20 days/yearly 13.33 hours/monthly 6.15 hours/bi-weekly

- B. Vacation accrues to an eligible employee only during pay periods when the employee is on pay status one-half time or more. Employees cannot use accrued vacation leave during the same pay period in which the leave is accrued. Employees on a half-time pay status shall accrue only half of their vacation entitlement. An employee on full-time pay status shall accrue full vacation during that pay period. An employee on a part-time status (no less than 30 hours/week) shall accrue vacation on a prorated basis, or shall accrue full vacation credits when assigned to full-time status approved by the Personnel Officer.
- C. All employees may not accrue more than two times the annual accrual specified in Section 13.02 (A).
- D. A full-time employee reaching the accrual cap provided in this section shall continue accruing additional vacation beyond the cap if: 1) vacation has been delayed by the full-time employee's Department Director's written request; 2) approved by the full-time employee; and 3) such request receives final approval by the Personnel Officer.
- E. Temporary employees are not eligible for vacation leave benefits.

13.03. Use of Vacation

- A. An employee must complete six (6) months of continuous service before becoming eligible to use accrued vacation leave.
- B. Request for vacation leave usage of two weeks or more must be requested at least two (2) weeks prior to the desired vacation period and approved before leaving on vacation. Employees who leave on any vacation, regardless of length, without advance approval shall be considered to have abandoned their work, and be subject to appropriate disciplinary action up to and including discharge.

- C. Vacation or compensatory time may be used when taking time off for illness of family members who do not qualify under the sick leave policy or other applicable rules and regulations.
- D. An employee shall not work for the City during vacation leave. However, upon approval by the City Manager, a Department Director may request an employee to work during their vacation leave. If an employee works during vacation, the employee shall receive compensation for hours worked, and shall not be charged vacation for any hours worked.

13.04. Holidays Falling During Vacation

In the event a City holiday falls within an employee's vacation period, which would have excused the employee from work, and for which no other compensation is made, said holiday shall not be charged as a vacation day.

13.05. Vacation at Termination

- A. Employees who terminate their employment shall be paid in a lump sum for all accrued vacation and compensatory time earned at the employee's applicable rate of pay on the pay period following last day of work.
- B. Vacation leave will not be granted immediately prior to termination of employment for the purpose of extending service to encompass paid holidays or completing a full month of service for additional vacation leave accrual. City service cannot be extended through the use of vacation, sick leave, or any other compensable accumulation balances.
- C. In the event of death of an employee during employment with the City, all earned vacation and compensable paid leave balances will be paid to employee's designated beneficiary on file with Human Resources.

13.06. Sick Leave for Full-time Employees

- A. Applicability: Unless otherwise stated in this Section, this section does not apply to part-time employees.
- B. Definition.

Family Member: Family Member shall include any of the following: a biological, adopted, or foster child, stepchild, legal ward, a child to whom the employee stands in loco parentis, or a child of a domestic partner, regardless of the child's age or dependency status; a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child; a spouse; a registered domestic partner; a grandparent; a grandchild; a sibling; and a father-in-law, mother-in-law, sister-in-law, brother-in-law, or a designated

person, which, for purposes of this section, means a person identified by the employee at the time the employee requests paid sick days. The City may limit an employee to one designated person per twelve (12) month period.

C. Accrual.

1. All eligible employees working a forty-hour workweek shall earn sick leave credits based on the following schedule:

PER YEAR	PER MONTH	PER PAY PERIOD
12 DAYS	1 DAY	3.69 HOURS

2. Unless otherwise required by law, sick leave accrues to an eligible employee only in those pay periods when the employee is on pay status one-half time or more; employees who are on a half time pay status shall accrue only half of their sick leave entitlement. An employee on a pay status on a full-time basis shall accrue full sick leave credits during that pay period.
3. Carryover and Cap on Accrued Sick Leave: Unused sick leave may be accumulated up to a maximum of 720 hours. Accrued and unused sick leave may be carried over from calendar year to calendar year.

D. Sick Leave Eligibility: Regular and probationary employees shall be eligible to accrue sick leave.

E. Use of Sick Leave. Upon the oral or written request of an Employee, the City shall permit eligible Employees to use accrued sick leave for the following purposes:

1. Diagnosis, care, or treatment of an existing health condition of, or preventative care for, an Employee or an Employee's family member.
2. For Employees who are victims of domestic violence, sexual assault, or stalking, taking time off to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child.
3. For an employee who is a victim or whose family member is a victim, as defined in subdivision (j) of Section 12945.8 of the Government Code, the purposes described in paragraph (3) of subdivision (a), or subdivision (b), of Section 12945.8 of the Government Code.

4. Work-related Injury or Illness. When an injury or illness is job-related, the employee shall be charged with Sick Leave usage only to the extent that their salary is not covered by workers' compensation.
- F. Request for Sick Leave.
1. The employee shall notify the immediate supervisor prior to the time set for the beginning of daily duties, but in any event no later than fifteen (15) minutes after the time set for the beginning the employee's daily duties. If the need for sick leave unforeseeably arises, the employee shall notify the immediate supervisor as soon as practicable. Failure to provide such notification may be the basis for disciplinary action, up to and including termination.
 2. An Employee is not responsible for searching for or finding another employee to cover their shift in order to use sick leave.
- G. Verification of Need for Sick Leave: Unless otherwise deemed necessary by the Department Director, employees off work on sick leave for a period of three or more consecutive days may be required at any time to provide a doctor's note or other relevant documentation certifying that the reason for the employee's absence is a permitted use of sick leave, and if the employee is unable to return to work, stating how long the Employee is expected to be unable to do so.
- H. Deductions of Sick Leave.
1. All City employees shall be charged sick leave at the rate of their normally scheduled shift for each full day of absence, unless exceptions to this rule are approved by the Personnel Officer. An absence less than a full day will be charged to sick leave at the rate of one hour of sick leave for each hour absent.
- I. When illness occurs on a Holiday: Employees scheduled to work on a holiday that report sick will have their scheduled shift charged to sick leave.
- J. Depletion of Sick Leave: In accordance with Section 13.09, upon completion of accumulated sick leave for a permitted purpose, a leave of absence without pay may be authorized by the Personnel Officer.
- K. Sick Leave Buy Back: Upon an employee's resignation, the City shall compensate employees in all classifications a portion of their accumulated sick leave if leaving in good standing, based upon the City Manager's sole discretion. Employees who are involuntarily terminated are not considered to have left in good standing. In case of resignation, each employee shall be compensated up to but not exceeding fifteen (15) days or 120 hours of accumulated sick leave. In case of retirement, each employee shall be compensated up to but not exceeding thirty (30) days or 240 hours.

Retirement shall be defined as meeting service and age requirements necessary to qualify and receive pension payments. Said compensation shall be based on the individual's regular salary rate of pay.

- L. Reinstatement of Unused Sick Leave: If an employee separates from employment and is rehired by the City within one year from the date of separation, previously accrued and unused sick leave shall be reinstated to the employee, provided any such leave was not paid out pursuant to Section 13.06(K). An employee who is rehired by the City after one year but before two years from the date of separation, 50% of the employee's previously accrued and unused sick leave shall be reinstated, provided any such leave was not paid out pursuant to Section 13.06(K).

The rehired employee shall be entitled to use the previously accrued and unused sick leave and to also accrue additional sick leave upon rehiring.

- M. Records Documenting Hours Worked and Sick Days Accrued and Used: The City shall keep records documenting the hours worked and Sick Leave accrued and used by an employee for three years.
- N. Employee Inspection of Records Pertaining to Sick Leave: Upon reasonable request to the Personnel Officer, and within ten (10) calendar days after the request, the City shall afford current and former Employees the right to inspect or copy records pertaining to their hours worked and Sick Leave accrued and used.

13.07. Bereavement Leave

- A. Eligibility and Available Leave. An employee is eligible to receive leave under this section if the employee has been employed by the City for at least thirty days prior to commencement of leave. If an employee loses an immediate family member, as defined in this section below, the employee will be allowed to take up to five (5) days of leave per death. Leave days under this section need not be consecutive, but shall be completed within three months of the date of death of the immediate family member. The City may request verification of death within thirty (30) days of death, or as may otherwise be permitted by law.
- B. Pay While on Leave. Each employee is eligible to receive up to 40 hours of pay *per year* while on bereavement leave as provided in this section. These 40 hours of pay for bereavement leave shall not be chargeable to any other leave balance. Once an employee exhausts available pay under this section, such employee may use other available accrued paid leave to receive pay during additional bereavement leave.
- C. Immediate Family Member. For purposes of this section, immediate family shall mean a spouse, domestic partner, parent (including biological, foster, adoptive, and in loco parentis), parent-in-law, step-parent, legal guardian,

sister (including biological, adoptive, or affinity through common legal or biological parent), step-sister, sister-in-law, brother (including biological, adoptive, or affinity through common legal or biological parent), step-brother, brother-in-law, child (including biological, foster, adoptive, child of domestic partner, person to whom the employee stands in loco parentis), step-child, legal ward, daughter-in-law, son-in-law, grandchild, or grandparent.

- D. When authorized by the Department Director, leave for family members other than immediate family and others shall be taken as vacation or compensatory time off. Exceptions are at the discretion of the Personnel Officer.

13.08. Catastrophic Leave; Medical Leave of Absence Without Pay

A. Policy and Guidelines:

1. Catastrophic leave benefits have been established for the benefit of regular City employees who have exhausted all accumulated leave rights. Catastrophic leave is an attempt to provide a portion or all of an employee's pay during the time the employee would otherwise be on medical leave of absence without pay due to an unforeseen catastrophic illness or unforeseen catastrophic injury. Although employees on catastrophic leave will receive catastrophic pay, for all other purposes, such employees will be considered on leave of absence without pay, and shall not accrue any vacation, sick, or holiday leave rights.
2. The Catastrophic Leave Bank will consist of voluntary time transfers of donor vacation and sick leave, and shall not be administered in a fashion, which is discriminatory or gives preferential treatment to a particular employee.
3. Catastrophic leave and leave of absence without pay, including leaves of absence under the Family Medical Leave Act (FMLA), shall run concurrently. An eligible employee may be paid catastrophic leave for a maximum ninety (90) day period for all or a portion of the time off work, depending on the amount of catastrophic leave donated to the employee. One extension of ninety (90) days may be granted at the sole discretion of the Personnel Officer.
4. This policy allows employees to donate sick leave or vacation to a catastrophic leave bank when the donating employee's combined vacation, sick, and/or compensatory time would not be reduced to less than forty (40) hours, and the recipient employee has met all the requirements of this section. Information about donors will be kept strictly confidential.

5. Donated hours do not affect eligibility for Sick Leave Payout at Calendar Year End.
6. Each year, an employee may donate up to a maximum of forty (40) hours of sick leave, vacation leave, or compensatory time off, or any combination thereof. All donations are irrevocable.

B. Establishing a Catastrophic Leave Bank.

Procedures for establishing a Catastrophic Leave Bank will be established, administered, and distributed by Human Resources. Employee donations are irrevocable and will be placed in the Catastrophic Leave Bank on a straight hour-per-hour basis.

1. Regular employees, or their designees, requesting catastrophic leave donations from the Bank must submit a written request to the Personnel Officer or designee. The request must provide sufficient information to enable a determination to be made whether the employee qualifies for catastrophic leave. This information will be maintained confidential.
2. Catastrophic leave requests for injury/illness must include medical verification from a physician which describes the employee's catastrophic illness or injury, however, such verification should not contain a diagnosis of health condition.
3. Medical insurance coverage will continue as if the recipient employee was on sick leave; however, the recipient employee will not accrue sick leave, vacation benefits, or holidays while using catastrophic leave.
4. Federal and state income taxes will be deducted from the leave recipient's pay at the time of usage based on the recipient's normal payroll deductions.

C. Participation in the Catastrophic Leave Program shall be terminated when one or more of the following occurs:

1. The employee has exhausted ninety (90) calendar days of "Leave of Absence Without Pay". Any leave of absence for a period of time longer than ninety (90) calendar days must be approved by the Personnel Officer, during which such time the employee may only participate in the Catastrophic Leave Program if approved by the Personnel Officer, and shall be supported by the same documentation noted above.
2. Donated leave credits have been exhausted.

3. If the recipient employee should become eligible to receive long-term disability payments, the employee will no longer be eligible to receive donations under this section.

13.09. Authorized Leave Without Pay

- A. Leave of absence without pay may be granted in cases of emergency or where such absence would not be contrary to the best interests of the City. The Personnel Officer shall make such determination. Such leave is not a right but a privilege.
- B. Leave of absence without pay may be authorized by the Personnel Officer depending on the merit of the individual case. Written request for leave of absence without pay must be made by the employee in writing to the Human Resources Manager, subject to approval of the Personnel Officer. A leave request form cannot be substituted for notification in writing for an authorized leave of absence.
- C. Employees on an authorized leave of absence without pay may not extend such leave beyond ninety (90) days without the expressed approval of the Personnel Officer. Employees are required to submit an additional written request for each extension of leave of absence.
- D. No vacation, sick leave, or holiday benefits shall be accrued during the time that an employee is on leave of absence without pay.
- E. While on an approved absence without pay, the employee shall be responsible for direct payment to the City for health insurance providers. The City shall not provide fringe benefits such as uniform, bilingual pay, etc., during absences without pay.
- F. It is the employee's responsibility to continue paying Union dues or representational fees directly to the Union, or a formally recognized employee organization, during absences without pay.

Failure on the part of an employee on leave to report promptly at its expiration, or within three (3) working days after written notice to return to duty during this leave shall be cause for discharge for work abandonment consistent with Section 11.19 of this Manual.

13.10. Pregnancy Disability Leave (PDL)

- A. Employees who are disabled due to pregnancy, childbirth, or related medical conditions shall be granted leave in accordance with the full provisions governing such leave set forth in the City's separate Family Care and Medical Leave, Pregnancy Disability Leave, and Military Family Leave Policy, which is attached to this Manual as an appendix.

13.11. Family Care Leave

- A. Employees shall be granted family care or medical leave in accordance with the Family Medical Leave Act and the California Family Rights Act. The full provisions governing such leave set forth in the City's separate Family Care and Medical Leave, Pregnancy Disability Leave, and Military Family Leave Policy.

13.12. Worker's Compensation Leave and Benefits

Employees shall receive disability benefits as required by the Labor Code.

- A. An employee who is required to be off work because of the employee's workers' compensation injury or illness shall be designated as being on workers' compensation leave. Such workers' compensation leave shall be unpaid except as otherwise required by law. The employee is required to exhaust available paid leave banks, in coordination with any workers' compensation benefits the employee is receiving. The City will exhaust the employee's paid leaves in the following order, unless another order is more beneficial to the employee or the employee requests a different order within 14 days of the date of injury: sick leave, compensatory time off, holiday, administrative leave, and vacation.
- B. Unless otherwise required by law, if an employee falls into unpaid leave status, the employee will not accrue any employment benefits, including, but not limited to, the accrual of vacation, sick leave, or holiday benefits.
- C. The City coordinates benefits with State Disability, therefore an employee utilizing State Disability to supplement their income while away from work can never earn more, or not exceed the amount they would have regularly been paid by the City. If this occurs, the employee must reimburse the City all monies in excess of their regular pay from the first paycheck they receive from the City upon their return to work.
- D. An employee on workers' compensation leave may also qualify for leave under the FMLA/CFRA. The City will inform the employee if the employee qualifies under the FMLA/CFRA in accordance with City policy. Unless otherwise required by law, the City may require leave qualifying under the FMLA, CFRA or other State or Federal law for the employee's own serious health condition to be exhausted concurrently with leave qualifying under this policy.

13.13. Fitness for Duty Leave

- A. Purpose/Policy. Employees are expected to report to work fit for duty, which means able to perform their job duties in a safe, appropriate, and effective manner, free from adverse effects of physical, mental, emotional, and/or personal problems that impact their duties. This Section is intended to

provide a safe environment and protect the health and welfare of employees and the public. If an employee feels unfit to perform the employee's duties, the employee must notify the employee's supervisor immediately.

- B. Reasons for Fitness for Duty Leave. In the discretion of the City, an employee may be placed on a paid Fitness for Duty Leave and/or ordered to participate in a fitness for duty examination in any of the following situations:
1. An employee returns from a medical leave of absence of more than five working days.
 2. An employee is involved in the interactive process with the City under Section 3.02.
 3. Supervisor observes or receives a reliable report of an employee's possible lack of fitness for duty. Observations and reports may be based on, but are not limited to, employee's own self-report of potential unfitness, dexterity, coordination, alertness, speech, vision acuity, disproportionate response to criticism, and inappropriate or uncharacteristic interactions with the public, co-workers, and supervisors, or uncharacteristic lack of concentration based on supervisor observation.
 4. Fitness for duty examinations based on a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol shall be conducted in accordance with the City's Alcohol and Controlled Substance Abuse Policy and Drug Testing Policy.
- C. Procedures for Ordering a Fitness for Duty Examination. When a Supervisor becomes aware of or observes behavior that makes the supervisor reasonably suspect that the employee may not be fit for duty, the Supervisor shall refer the employee to the Human Resources Manager, who will determine if a fitness for duty examination is appropriate, and, if so, will schedule the employee for a fitness for duty examination. If the circumstances warrant it, the Personnel Officer may place the employee on paid leave pending the results of the employee's fitness for duty examination. The examination shall be paid for by the City.
- D. Procedure Following Receipt of Examination Results. The doctor examining the employee shall be limited to finding the employee "fit for duty" or "fit for duty with restrictions" or "unfit for duty". In the case of finding an employee fit for duty, the doctor may issue work restrictions. In no case shall the doctor reveal the underlying cause of the fitness or unfitness for duty without the employee's permission.

1. Fit for Duty. If the doctor finds the employee is fit for duty, the employee shall return to work immediately and perform all duties of the employee's position.
2. Fit for Duty with Restrictions. If the doctor finds the employee is fit for duty with restrictions, the doctor shall specifically enumerate what restrictions are necessary and for how long those restrictions are necessary. The City shall then evaluate those restrictions and determine if the City can reasonably accommodate those restrictions. If the employee's restrictions are based on a disability as defined by the ADA and/or FEHA, the City shall engage in the interactive process as set forth in Section 3.02.
3. Unfit for Duty. If the employee is found to be unfit for duty, the employee shall not be permitted to work. The employee may request a leave of absence in accordance with the appropriate applicable provision(s) of this Manual. If the employee can provide certification of fitness for duty prior to the exhaustion of all paid and unpaid leave that the employee is entitled to under this Manual, the employee shall be returned to work. However, if such certification is from the employee's own health care provider, the City may request a second opinion from a doctor of its choosing and at its cost to evaluate the employee under the requirements of this Section. If the two certifications conflict, a third opinion will be sought from a doctor chosen by the City and the employee, at the expense of the City. The opinion of fit or unfit rendered by the third doctor shall be binding. If the employee's restrictions are based on a disability as defined by the ADA and/or FEHA, the City shall engage in the interactive process as set forth in Section 3.02.

13.14. Jury Duty Leave

- A. Regular employees of the City required to serve as jurors shall be entitled to be absent from duty during the period of such service, or while requested by the Clerk of the Court to be present as a result of such call. The City will provide paid leave under this section to regular employees for up to ten working days. Employees remaining on jury duty leave beyond the first ten working days may use available accrued leave to receive compensation during their leave.
- B. An employee called to Jury Duty service on a regular day off shall not be compensated by the City.
- C. A Leave Request must be submitted with a copy of the Jury Duty Notice attached for each such absence.

13.15. Witness Duty

- A. A regular employee who is requested to appear by subpoena as a witness in court, or to respond to an official order from a governmental agency for reasons that are work related but are not brought about through an action of the employee, or through the connivance or misconduct of the employee, will be granted a leave of absence with pay to appear in court. The employee shall remit all fees received for such appearances to the City within three (3) business days from the date any fee is received by the employee. Compensation for mileage or subsistence allowance shall not be considered as a fee and shall be retained by the employee.
- B. In those instances where the required testimony is not work-related (e.g., a car accident witnessed after hours or on a day off), and in which the employee is called to appear as a witness in court other than as a litigant, the employee will be granted a leave of absence without pay to appear in court. Employee has the option of requesting the time off from vacation leave, floating holidays, and compensatory time off, and retain any received fees for such appearance.

13.16. Military Leave

- A. Military leave shall be granted in accordance with the provisions of applicable federal and state laws. All employees entitled to military leave shall give the Department Director an opportunity, within the limits of military regulations and obligations, such as weekend reserve duty, to determine when such leave shall be taken.
- B. An employee who interrupts municipal City employment because of extended military leave shall be compensated for accrued vacation at the time the leave becomes effective.
- C. In accordance with Section 395.01 of the California Military and Veterans Code, employees who have been employed by the City for at least one year will be paid their regular salaries for up to thirty (30) days of active duty. An employee's service time in the military shall be credited towards the one year employment requirement as required by law and provided in this subparagraph. Employees will continue to receive their leave accruals as may be required by law.
- D. Employees returning from military duty shall be reinstated to their regular full-time job classification, or comparable position, without any loss of benefits.

13.17. Paid Administrative Leave

The City has the right to place an employee on leave at any time with full pay. An employee may be placed on paid administrative leave pending investigation of

misconduct, potential disciplinary action, or other reasons that the City Manager, at the City Manager's discretion, believes warrant such leave. A paid administrative leave shall not have any negative effect on the employee's benefits. Paid administrative leave may also be referred to as "Relief of Duty." An employee assigned to paid administrative leave shall be required to be available by phone during the employee's regular working hours. In addition, employees on a paid administrative leave are prohibited from entering City facilities or property or communicating with City employees, except as otherwise permitted by law. The City Manager may place other reasonable restrictions on an employee during the period of paid administrative leave.

13.18. School Leave

The City will grant a leave of absence to an employee who is the parent, guardian, or grandparent of a child, in accordance with the following provisions.

A. Permissible Purposes:

1. To participate in the activities of the child's primary or secondary school or licensed child care provider;
2. To find, or to enroll, or reenroll the child in a primary or secondary school or licensed child care provider.
3. To address an emergency, such as:
 - a. A request from child care provider or school that the child be picked up.
 - b. A provision in the attendance policy for the child care provider or school, other than a planned holiday, that prohibits the child from attending.
 - c. Closure or unexpected unavailability of the child care provider or school, other than during planned holidays.
 - d. A natural disaster, including, but not limited to, fire, earthquake, or flood.
4. To appear at the school of a suspended child pursuant to a request made by the child's school under California Education Code section 48900.1.

- B.** An employee may take up to 40 hours of leave per calendar year, but no more than eight hours in one calendar month. However, no limit shall be placed on the amount of leave taken under section 13.19(A)(4). If more than one City employee requests leave in connection with the same child, only the first employee to provide notice is entitled to receive leave. The

second employee may also be permitted to take a simultaneous leave of absence if the second employee obtains written supervisory approval. The amount of leave available is fixed at a maximum of 40 hours per calendar year, regardless of the number of children, grandchildren, or wards that an employee may have.

- C. An employee must provide reasonable advance notice of the need for leave and must make all reasonable efforts to schedule the leave so as not to unduly disrupt the operations of the City. If an emergency makes such notice impossible, the employee shall notify the employee's Department Director as soon as possible. Employees returning from leave are required to provide written verification from the school or child care provider of the employee's need for leave at the specific time and date. If an employee fails to provide sufficient verification, the City may determine that the leave time was unauthorized.
- D. Leave under this section is unpaid. However, an employee may choose to use any accrued vacation, floating holidays, and compensatory time off when taking leave under this section.

13.19. Reproductive Loss Leave

Upon completion of thirty (30) days of employment with the City, an employee shall be eligible to receive reproductive loss leave as provided in this section.

- A. Definitions applicable to this section.
 - 1. Reproductive loss event: means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction.
 - 2. Failed adoption: means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to any person who would have been the parent if the adoption was completed.
 - 3. Failed surrogacy: means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to any person who would have been the parent if the child was born as a result of the surrogacy.
 - 4. Miscarriage: means a miscarriage by a person, by the person's current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.

5. Stillbirth: means a stillbirth resulting from a person's pregnancy, the pregnancy of a person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.
 6. Unsuccessful assisted reproduction: means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.
- B. Leave Entitlement. An employee may receive up to five (5) days of unpaid leave under this section following a reproductive loss event. If an employee experiences more than one reproductive loss event within a twelve (12)-month period, the City may grant additional reproductive loss leave, under this section, up to twenty (20) days within a twelve (12) month period. An employee may use leave entitlement under this section nonconsecutively.
- Except as otherwise provided in subsection C "Impact of Other Leave" below, leave under this section shall be completed within three (3) months of the reproductive loss event.
- C. Impact of Other Leave. If prior to or immediately following a reproductive loss event, an employee is on or chooses to go on leave under sections [Sections for PDL and FMLA/CFRA leave], or any other leave entitlement under state or federal law, the employee shall complete leave under this section within three (3) months of the end date of the other leave.
 - D. Use of Accrued Paid Leave. An employee may use vacation leave, sick leave, or other leave that is otherwise available to the employee to receive compensation while on leave under this section.
 - E. Nonretaliation; Noninterference. The City will not retaliate against an employee, including imposing any disciplinary action, because of the employee's exercise of the right for leave under this section or an employee giving information or testimony as to their own reproductive loss leave, or another person's reproductive loss leave. Further, the City will not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this section.
 - F. Confidentiality Provision. The City will maintain the confidentiality of any employee requesting leave under this section. Any information provided to the City pursuant to this section will be maintained as confidential and will not be disclosed except, as necessary, to internal personnel, legal counsel, or as may otherwise be required by law.

13.20. Employee Time Off to Vote

Time off with pay to vote at any general, local primary, or presidential primary election shall be granted to employees. Employees who are registered voters may request time off to vote at an election if the employee does not have sufficient time outside regular working hours to vote. The employee may, without loss of pay, take up to two hours of time off to vote. The time off for voting shall be only at the beginning or the end of the regular work shift, whichever allows the most free time to vote, and the least time off from work. The employee shall give the direct supervisor at least two (2) working days' notice of the need for time off to vote.

Section 14 Layoff Procedure

14.01. Layoff Due to Lack of Work, Funds or Other Reasons

- A. The City Manager shall have the sole right to determine which class or classes shall be subject to lay-off. Before regular employees are separated due to lack of work, the City shall explore reasonable possibilities of reassignment. Reduction in Force (RIF) includes the following:
- Temporary Reduction: Recall to work is expected within twelve (12) months.
 - Permanent Reduction: Recall to work is not expected because the position has been eliminated, the contract has expired, the department has closed, or the reduction in force is due to budgetary constraints.
- B. Whenever, in the judgment of the City Manager, one or more positions are to be eliminated for reasons of lack of work, lack of funds, reorganization, or other reasons of economy or efficiency, an employee filling such position may be laid off, transferred or demoted without taking disciplinary action or the right of appeal, based on the following criteria:
- Years of service;
 - Overall performance in City employment; and
 - Special knowledge, skill, training, or experience.
- C. Thirty (30) calendar days before the effective day of layoff, the City Manager shall notify the employee in writing of the intended action indicating the reasons, and a statement certifying whether or not the employee's services have been satisfactory. A copy of such notice shall be given to the Department Director and the affected employee. If certified as having given satisfactory service, the name of the employee laid off shall be placed on an appropriate reemployment list as provided in this Manual. Such non-disciplinary action shall not be subject to appeal.
- An employee who asserts layoff is pretext for disciplinary termination may be entitled to a "Levine Hearing" upon request.
- D. In the event of a reduction in force (RIF), or the reduction or elimination of a particular classification, there shall be no bumping into positions in which the employee has previous City service credit unless otherwise provided in a ratified and approved MOU.

- E. In the case of layoffs, temporary and probationary employees within the class or classes subject to lay-off will be laid off before any regular employees are affected by layoffs.

The order of lay-off of probationary and regular employees shall be according to seniority based on classification; seniority with the employee(s) having the lowest seniority to be laid off first. Among employees with equal seniority, the order of lay-off shall be determined as provided in paragraph "B", above.

- F. Before hiring new regular employees from outside the City, employees laid off or demoted in lieu of lay-off shall have the right of return to their prior class or to any lower class in the same or comparable classification series. This right shall remain effective for one (1) year from the date of demotion or separation from City service. Re-employment Lists may be extended at the discretion of the Personnel Officer, but in no event shall an employment list remain in effect for more than two (2) years. When considering recall of employees with similar skills and abilities for job classifications for which they qualify, past performance and date of hire may be considered as the primary selection criteria. Employees recalled shall not be required to serve a new probationary period, unless recalled or rehired to a new or different classification. An employee to be recalled shall be notified by certified letter sent to the last known address on record. If the employee does not contact the City to make satisfactory arrangements for return to work within ten (10) days of the mailing date of the letter, the offer of recall will be deemed withdrawn, and the employee will be eligible for reinstatement only if some exceptional circumstances prevent the employee from responding, to the satisfaction of the City Manager.

Section 15 Grievance Procedure

15.01. Grievance Procedure

- A. General Provisions: As used in this Manual, a grievance is exclusively limited to a dispute concerning an alleged violation in terms and conditions of employment as provided in an existing ratified and approved Memorandum of Understanding (MOU).
 - 1. If a grievant fails to carry the grievance forward to the next level within the prescribed time period, the grievance shall be considered settled based upon the decision rendered at the previous step.
 - 2. If a Department Director fails to respond with a written answer within the specified time period, the grievant may appeal the grievance to the next higher level.
 - 3. Grievants may be represented by a Union Representative, Steward or person of their choice at any formal level of this procedure.
 - 4. Time limits and formal levels may be waived by mutual written consent of the parties.
 - 5. Proof of service shall be accomplished by registered mail served on the employee at the last known address on record in the employee's Human Resources personnel file.
 - 6. For purposes of this grievance procedure, "day" is defined as a day in which City Hall is open and doing business with the public.
- B. Grievance Procedure — Informal level
 - 1. The employee may bring a grievance to the attention of the immediate supervisor at the earliest possible date, but no later than ten (10) calendar days from either the date of the alleged action that caused the grievance, or the date the employee should reasonably have become aware of such action. The employee shall inform the immediate supervisor of the desire to discuss an informal grievance. The supervisor shall discuss, or set a date and time for such discussion, and inform the employee. The grievance does not need to be in writing at the informal stage. The supervisor and the employee shall discuss and attempt resolution of the issues at the informal level.
 - 2. If the issues are not resolved at the informal level, or a supervisor is not available for discussion during the informal level, the employee may, within the time limits specified herein, file a formal grievance.

3. If the employee does not make himself/herself available for discussion during the informal process, the grievance shall be considered abandoned.

C. Grievance Procedure — Formal Level

The employee may file a formal grievance within fifteen (15) calendar days from either the date of the alleged action that caused the grievance, or the date the employee should reasonably have become aware of such action, provided the following have taken place:

- The employee has taken the grievance to the immediate supervisor for discussion.
- The issues have either been discussed without resolution or without resolution satisfactory to the employee; or a supervisor was not available for discussion.

Level 1. A formal grievance shall be submitted to the Department Director in writing on a union grievance form containing the name, classification, department of the grievant, the date and a description of the action that caused the grievance, the section(s) of the MOU allegedly violated, and the remedy sought. The formal grievance shall be signed by the employee, and specify the date(s) of discussion with the supervisor, and a brief summary of the outcome of that discussion.

The Department Director may meet with the grievant, and shall thereafter render a decision and comments in writing, and return the grievance to the employee within twenty (20) calendar days after receiving the grievance. If the grievant does not agree with the decision reached, or if no answer has been received within twenty (20) calendar days, the employee may present the grievance to the City Manager. Failure of the employee to take further action within twenty (20) calendar days after receipt of the decision, or within twenty (20) calendar days from the receipt of the grievance by the Department Director if no decision is rendered, will constitute withdrawal of the grievance.

Level 2. Upon receiving the grievance, the City Manager shall discuss the grievance with the employee and all other appropriate persons within ten (10) calendar days of receipt of the grievance. The City Manager may designate an individual not in the employee's normal line of supervision to advise or conduct whatever investigation is deemed appropriate or necessary concerning the grievance. The City Manager shall render a decision in writing to the

employee within twenty (20) calendar days after receiving the grievance.

All employees shall be free from reprisal, discrimination or coercion for using the grievance procedure. Compliance with all the steps outlined above shall be considered as mandatory to the exhaustion of available internal administrative remedies.

15.02. Advisory Arbitration Procedure

A. Eligibility:

Grievances not settled pursuant to the grievance procedure above and which either party desires to contest further, may be submitted to Advisory Arbitration. Only those grievances which directly concern or involve the interpretation or application of the specific terms and provisions of a current ratified and approved Memorandum of Understanding may be appealed to Advisory Arbitration.

B. Appointment of Arbitrator:

1. As soon as possible, but no later than ten (10) calendar days after either party receives written notice from the other of the desire to submit the issue to advisory arbitration, the parties shall meet and attempt to agree on the appointment of an Arbitrator.
2. If no agreement is reached within ten (10) calendar days, an arbitrator shall be selected from a list of five (5) persons requested from the California State Mediation and Conciliation Service by alternate striking of names until one name remains. The party who strikes the first name from the panel shall be determined by mutual agreement. If there is no agreement on who should make the first strike, the party with the earliest letter in the alphabet by last name shall make the first strike. The Arbitrator remaining on the list received from the State Mediation and Conciliation Service shall serve as the Arbitrator.

C. Conduct of Hearing:

1. The Arbitrator shall preside at the hearing and conduct the proceedings in accordance with acceptable arbitration procedures, be limited to the cited MOU sections at issue, and not exceed the authority allowed in the interpretation and application of the affected MOU provision(s).
2. Either the City or the employee's representative may call any employee as a witness, and the City agrees to release said witness from work at no loss of pay with adequate prior notification to the

City. A list of desired witnesses must be received by the City Manager at least five (5) calendar days prior to the date of the hearing so that adequate coverage for the absent employees may be arranged.

D. Timeliness of Decision:

The decision of the Arbitrator shall be rendered no later than forty-five (45) days from the close of the hearing, and submission of legal briefs by the parties, if briefs are requested by the Arbitrator. Such decision shall be set forth in writing, dated, and signed by the Arbitrator.

E. Effect of Decision:

City Council may overrule or modify the Arbitrator's decision within thirty (30) calendar days from the date of the decision. City Council's decision shall be final and binding on all parties. If City Council does not overrule or modify the Arbitrator's decision within thirty (30) calendar days from the date of the decision, the Arbitrator's decision will be considered final and binding on all parties.

F. Extension of Time Limits:

The parties may extend any of the time limits by mutual agreement, and approval of the Arbitrator.

G. Copies of Proceedings:

All parties to the proceedings shall receive a copy of all documents, rulings and decisions at their own expense.

H. Fees and Expenses:

All fees and expenses of the hearing shall be shared equally by the City and the appealing party, except that each party shall be responsible for the fees of its own counsel if utilized.

I. Single Grievance:

The Arbitrator may collectively hear multiple grievances which raise the same issue, the same or related MOU provisions, or the same factual matters.

J. Limitation on Arbitrator's Authority:

The Arbitrator shall have no power to alter, amend, change, add to, or subtract from the cited or affected provisions of the MOU raised by the grievance.

Section 16 Disciplinary Procedure

16.01. Purpose

The standard for all City employees shall be to render the best service to the public, reflect credit upon City service, and serve the public interest and trust. The continued employment of every employee shall be conditioned on good behavior and satisfactory performance of assigned duties.

Progressive corrective and disciplinary action is intended to improve employee performance and compliance with City Rules and Regulations, procedures, personnel policies, standards of conduct, and performance. However, the City is not required to take disciplinary action in sequential or progressive order and may skip to any level of discipline as appropriate in its sole discretion. The level of the disciplinary action imposed will be commensurate with the offense and may take into account any mitigating or exacerbating factors.

The procedures set forth in this section shall not apply to any employee outside the classified service and probationary employees. The following categories of persons who can be terminated at any time and have no rights to any pre or post-disciplinary procedures: 1) Temporary employees, 2) seasonal employees, 3) probationary employees, 4) any person employed under contract (unless the contract provides otherwise), 5) any person designated "at will".

The City Manager may take disciplinary action based on the recommendation of a Department Director, or initiate such action based on his/her own authority. In addition to any disciplinary action initiated by the City Manager, Department Directors are authorized to take appropriate disciplinary action up to, but excluding termination. The provisions of this section shall be subject to the Peace Officers Bill of Rights, Government Code Section 3300, et. seq.

16.02. Causes for Disciplinary Action

Disciplinary action may be taken for reasonable cause. Generally, reasonable cause exists where there has been an improper act or omission by an employee in the employee's official capacity and when any conduct by an employee brings discredit to the City, affects the employee's ability to perform their duties, causes other employees not to be able to perform their duties, or involves any improper use of their position for the advantage of self or others. Examples of reasonable cause for discipline may include but is not limited to:

- A. Violation of this Manual, Ordinances, regulations, rules, a City Department rule, policy or procedure, and/or City policies and procedures, including safety policies, and CalOSHA/OSHA Safety Standards.
- B. Absence without leave.
- C. Excessive absenteeism.

- D. Use of sick leave in a manner not authorized or provided in this Manual, or other City policies.
- E. Making any false statement, omission or misrepresentation of material fact in the conduct of City or City-related business, including, but not limited to, City investigations.
- F. Falsification of records, providing wrong or misleading information or other fraud in securing an appointment, promotion or maintaining employment.
- G. Falsification of information, including any document or any allegation of misconduct, that the employee knows as false at the time the falsification was made.
- H. Unsatisfactory job performance or incompetence.
- I. Failure to maintain any required employment qualification.
- J. Inefficiency.
- K. Malfeasance or misconduct, which shall be deemed to include, but not limited to conviction of a felony. "Conviction" shall be construed to be a determination of guilty by a court, including a plea of not guilty or nolo contendere, regardless of sentence, grant of probation, or lesser disposition; or misdemeanor involving moral turpitude.
- L. Insubordination, dishonesty, theft, or disobedience, including, but not limited to, negligence or misconduct which causes damage to public property, tools, equipment, communications and computer systems, intellectual property, or waste of supplies.
- M. The use, possession, or consumption of, or being under the influence of, an alcoholic beverage during the work day or at any time while at the workplace or in a City uniform; the use, possession, consumption, or sale, or being under the influence of illegal drugs or narcotics not lawfully prescribed.
- N. Sexual harassment, discrimination, retaliation, or workplace violence or threats.
- O. Mishandling of public funds.
- P. Discourteous treatment of the public or other employees.
- Q. Malicious gossip and/or spreading rumors that falsely harm another person's character or reputation; engaging in behavior designed to create discord and lack of harmony; interfering with another employee on the job; or willfully restricting work output or encouraging others to do the same.

- R. Failure to cooperate with a supervisor or fellow employees.
- S. Assault, battery, horseplay, or fighting while on duty or under the guise of office.
- T. Gambling on City property or during working hours.
- U. Sleeping on the job, other than as may be permissible during state and local emergencies as covered under Government Code section 8558.
- V. Acceptance or solicitation of bribes or extortion.
- W. Acceptance from any source of any emolument, reward, gift or other form of remuneration in addition to the employee's regular compensation, as a personal benefit to the employee for actions performed in the normal course of the employee's assigned duties.
- X. Refusal or failure to report to work in a disaster or an emergency.
- Y. Disclosure of confidential or proprietary City information to unauthorized persons, employees, or organizations.
- Z. Use of City tools, equipment, or other property for private, personal, unauthorized, or inappropriate purposes.
- AA. Unapproved outside employment or activity in violation of the City's outside employment policy, or any enterprise which constitutes a conflict of interest with City service.
- BB. Conduct which impairs, disrupts, or causes discredit to the City, the employee's continued employment or that of other employees.
- CC. Failure to report any contact with law enforcement authorities which may affect employment with the City.
- DD. Altering, falsifying, and tampering with time records; recording time on another employee's time card, clocking in for another employee, or asking another employee to clock in or out for the employee.
- EE. Disobedience to proper authority, refusal or failure to perform assigned work, to comply with a lawful order, or to accept a reasonable and proper assignment from a supervisor.
- FF. Use of abusive or vulgar language toward or in the presence of others (employees, guests, members of the public) in the workplace.

16.03. Types of Disciplinary Action

As used in this section, "disciplinary action" shall mean any of the following taken singularly or in combination:

- A. Counseling Memo: A counseling memorandum will be placed in the employee's personnel file. The employee does not have the right to a pre-discipline conference, as provided in section 16.05 below nor an evidentiary appeal as provided for in this Manual. Sworn Police employees have the right to an administrative appeal before the Police Chief to discuss the counseling memorandum before or after it is placed in their employee's file. The Police Chief's decision in response to the administrative appeal shall be final and binding, and no further appeal is permitted.
- B. Oral Admonishment or Reprimand: An oral admonishment or reprimand shall be memorialized in writing and will be placed in the employee's personnel file. The employee does not have the right to a pre-discipline conference, as provided in section 16.05 below, nor an evidentiary appeal as provided for in this Manual. Police employees have the right to an administrative appeal before the Police Chief to discuss the oral admonishment or reprimand before or after it is placed in their officer's file. The Police Chief's decision in response to the administrative appeal shall be final and binding, and no further appeal is permitted.
- C. Written Admonishment or Reprimand: A Department Director may reprimand an employee by furnishing the employee a written statement of the reasons for the reprimand. A copy of the admonishment or reprimand will be retained in the employee's personnel file, and may not be appealed. The employee shall have the right to provide a written rebuttal, to be attached to the reprimand in the employee's personnel file. The employee does not have the right to a pre-discipline conference, as provided in section 16.05 below, nor an evidentiary appeal as provided for in this Manual. Police employees have the right to an administrative appeal before the Police Chief to discuss the written reprimand before or after it is placed in their officer's file. The Police Chief's decision in response to the administrative appeal shall be final and binding, and no further appeal is permitted.
- D. Suspension: A Department Director may suspend an employee. Documents related to a suspension become part of the employee's permanent work record. An employee subject to suspension will receive prior written notice and the right to appeal any suspension exceeding two (2) days as provided herein. FLSA-exempt employees are not subject to suspension except in work day increments for violation of workplace conduct rules, or violations of major safety rules.
- E. Demotion: A Department Director may demote an employee. Documents related to a demotion become part of the employee's permanent work

record. An employee subject to demotion shall be entitled to prior written notice and the right to an appeal as provided herein.

- F. Reduction in Pay: A Department Director may reduce an employee's pay. A reduction in pay for disciplinary purposes may take one of two forms: 1) a decrease in salary to a lower step within the salary range; or 2) a decrease in salary paid to an employee for a fixed period of time. Documents related to a reduction in pay become part of the employee's permanent work record. An employee subject to a reduction in pay shall be entitled to prior written notice and the right to an appeal as provided herein. FLSA-exempt employees are not subject to reductions in pay.
- G. Termination: An employee may be terminated by the City Manager. A terminated employee is entitled to prior written notice and appeal as provided herein. Documents related to discharge become part of the employee's permanent work record.

16.04. Administrative Leave With Pay

A Department Director or the City Manager may place an employee on administrative leave with pay pending potential disciplinary action 1) when it is believed the employee's continued presence in the work place could have detrimental consequences to the City's operations; or 2) pending investigation into charges of misconduct; or 3) the employee presents a threat to self or other employees or City property.

16.05. Notice of Intended Disciplinary Action and Skelly Conference

A. Notices of Proposed Disciplinary Action

In cases of proposed disciplinary action, except counseling, oral admonishment or reprimand, written admonishment or reprimand, or suspensions of two or fewer days, the proposed disciplinary action shall be served on the employee personally or by mail at the last known address of record on file in Human Resources. The written notice of intended disciplinary action shall include:

1. The reasons for the proposed disciplinary action, the facts alleged to be the basis for the intended action, and copies of any documents, reports, or materials upon which the disciplinary action is based;
2. The specific proposed action to be taken, including any time period or other conditions associated with the discipline;
3. The proposed effective date of the intended disciplinary action;
4. The right of the employee to respond to the proposed disciplinary action either in writing or orally, or both, at the option of the

employee. The employee shall be advised that the employee has ten (10) calendar days within which to file a written response or request, in writing, an informal pre-disciplinary conference before, depending on the level of recommended discipline, either a Department Director or the City Manager or designee; and

5. Failure to respond within the specified time shall constitute a waiver of the right to respond prior to the imposition of disciplinary action. The employee's failure to make an oral response at the arranged conference time, or the employee's failure to submit a written response by the date and time specified in the notice, constitutes a waiver of the employee's right to respond prior to the imposition of the proposed discipline. In that case, the proposed disciplinary action, including terminations, will be imposed on the date specified in the notice of intended disciplinary action.

B. Pre-Disciplinary "Skelly" Conference

An employee shall have the right to request an informal pre-disciplinary Skelly conference for demotions, suspensions that are greater than 2 days, reductions in pay, and terminations. The appointing authority may continue the conference for the convenience of the City, or upon written application from the employee, for a period not to exceed an additional fifteen (15) calendar days from the receipt of the request by either party. The Skelly pre-disciplinary conference is not an evidentiary hearing, but an opportunity for the employee or the employee's representative to present facts or circumstances which may cause the proposed disciplinary action to be modified or dismissed. The Skelly Officer may investigate any matter raised during the conference. The Skelly Officer may provide a written recommendation to impose, modify, or withdraw the discipline, to the individual recommending the proposed discipline.

Unless otherwise approved by the employee and the City, depending on the level of discipline, the City Manager or Department Director shall render a written decision within ten (10) calendar days from the close of the conference, and send the written decision to impose, modify, or withdraw discipline, to the last known address of the employee on record with Human Resources or facilitate personal service of such written decision on the employee.

16.06. Appeal of Discipline

A regular employee may appeal any disciplinary action except counseling, oral admonishment or reprimand, written admonishment or reprimand, or suspension of 2 or fewer days, pursuant to these procedures.

The appeal must be received within ten (10) calendar days from the time the employee is notified of the disciplinary decision. Failure to file an appeal within such period constitutes a waiver of the right to appeal. The appeal must be in writing and must specifically state the reason for the appeal. As soon as practicable, the parties shall agree on a hearing date.

Appeals of suspensions greater than two days, demotions or reductions in pay shall be heard by the City Manager or his or her designee.

Either party may be represented at the hearing by someone of the party's choice, including legal counsel. The conduct and decorum of the hearing shall be under control of the City Manager or designee, with due regard to the rights and privileges of the parties appearing before the City Manager. All testimony shall be presented under oath, and need not be conducted according to technical rules of evidence. The City Manager or designee shall limit the City Manager's decision to the interpretation, application, enforcement, or the intent of the terms or provisions of this Manual. All fees and expenses of the hearing shall be shared equally by the City and the labor organization representing the employee in the appeal, except that each party shall be responsible for the fees of its own counsel. If a transcript of the hearing is requested, the party making such a request shall bear the entire cost.

The decision of the City Manager or designee shall be final and binding.

An employee who is terminated has the right to appeal the decision to a neutral hearing officer. No later than fifteen (15) calendar days from the date the City Manager receives notice of the requested appeal, the parties shall select a hearing neutral by mutual agreement of the parties, or from a list of five (5) names requested from the State Mediation and Conciliation Service. If selected from a list provided by the Service, the parties will use the strike method. The party with the first strike shall be selected by agreement and if the parties cannot agree, between the City Manager and appellant, the person with the earliest letter in the alphabet by last name shall make the first strike. If both parties have the same first letter in their last name, then the person with the earliest second letter in their last name shall make the first strike.

The hearing neutral shall notify all parties in writing of the time and place of the hearing, and shall have authority to call witnesses requested by the parties. Either party may be represented at the hearing by someone of the party's choice, including legal counsel. The conduct and decorum of the hearing shall be under control of the hearing neutral, with due regard to the rights and privileges of the parties. All testimony, shall be presented under oath, and need not be conducted according to technical rules of evidence. The hearing neutral shall have no authority to add to, delete, or alter any provisions of this Manual, but shall limit the decision to the interpretation, application, enforcement, or the intent of the terms or provisions of this Manual. All fees and expenses of the hearing shall be shared equally by the City and any labor organization representing the employee in the

appeal, except that each party shall be responsible for the fees of its own counsel. If a transcript of the hearing is requested, the party making such request shall bear the entire cost.

The decision of the neutral shall be final and binding.

Section 17 Disaster And Emergency Service Workers

17.01. Employees Designated as Disaster Service Workers

The protection of the health and safety, and the preservation of lives and property from the effects of natural, man-made, or war-caused emergencies which result in conditions of disaster or extreme peril to life, proper, and resources, is paramount to the City. When a disaster strikes, the Soledad community looks to City employees for leadership and assistance in mitigating its effects. The assistance of City employees is vital to ensuring that this community recovers from a disaster as quickly as possible. It is important that all City employees be available to assist in responding to disasters, regardless of the position they hold. As such, in accordance with the provisions of Government Code sections 3100 et seq., all City employees are declared to be disaster service workers.

17.02. Oath or Affirmation

All employees are required to take and subscribe to the oath or affirmation set forth in Section 3 of Article XX of the Constitution of California at the commencement of their employment. The City Clerk shall maintain the oath or affirmation of all City employees for at least five years after the employee's termination of employment.

17.03. Declaration of Disaster or Emergency

Upon the declaration of a disaster or an emergency, employees are required to follow direction given in accordance with the City Emergency Operations Plan.

17.04. Employee Disaster Responsibilities

A. Off-Duty Procedures.

1. Employees With Pre-Designated Roles. After ensuring that their families are safe and any short-term arrangements have been made for their families' security, employees who have pre-designated emergency or disaster roles shall respond according to those established procedures.
2. Employees Without Pre-Designated Roles.
 - a. Communication Systems Not Functioning. When the telephones or other communication devices are not functioning, employees who do not have pre-designated emergency or disaster roles should gather information from radio and television broadcasts, and comply with any instructions given for City employees. Unless an employee cannot physically report to work, all City employees are expected to report to work at their normally scheduled time after ensuring the safety and security of their own families.

- b. Communication Systems Are Functioning. If the telephones or other communication devices are working, employees shall make every effort to contact their immediate supervisor for instructions as soon as possible. Unless otherwise instructed or if it is physically impossible for the employee to report to work, all City employees are expected to report to work at their normally scheduled time after ensuring the safety and security of their own families.
- B. On-Duty Procedures.
 - 1. Remain On Duty. All employees are expected to remain on duty at their normal work location or at a disaster location, unless dismissed by the proper authority. Every attempt possible will be made by the City to assist each employee in communicating with the pertinent employee's family.
 - 2. Ongoing Disasters. For disasters extending beyond the normal work day, employees are required to follow the direction and order of the proper authority.
- C. Employees Physically Unable to Report to Work. In the event that an employee is unable to return to work because road and transit conditions prevent travel by automobile, public transit, or other conveyance, the employee has the following two options: 1) to the extent such employee is able to work remotely, such employee may work remotely subject to City Manager approval; or 2) such employee may become a disaster service worker in the City where the employee resides.
- D. Any employee who cannot return to the City, is not able to work remotely as provided in this paragraph "C," and serves as a disaster worker for another municipality is required to contact the personnel department of that municipality for further instructions and to obtain written documentation of the employee's assignment. The employee is required to notify the employee's own immediate supervisor of the employee's status of working in the other municipality.
 - 1. Compensation for Work Performed at Another Municipality. Employees who are unable to report to work during a disaster will be entitled to receive compensation from the City for the service performed at another municipality, provided that the employee provide written proof from the other municipality of the amount of time the employee worked there. That information should be logged on the employee's timesheet and submitted through the normal payroll process. Alternatively, the employee may present written proof from the other municipality that the employee offered the employee's services, but that the other municipality rejected the employee's assistance.

2. Returning to Soledad. Employees are required to communicate with their supervisor as soon as possible, and are required to return to their normal or disaster duties at the City as soon as travel, by any reasonable means, to the City is possible.
- E. Timekeeping Requirements. All employees are required to complete special timekeeping forms daily, which will keep a record of the following information:
1. The kind of disaster work performed;
 2. The number of hours worked; and
 3. The location where work was performed.
- F. Failure to Report to Work During a Disaster. An employee who fails to report to work as a disaster worker at the City or at another municipality will be considered on unpaid leave during the duration of the emergency, and may be subject to discipline, unless the employee submits documentation that supports justification to receive paid leave.

CITY OF SOLEDAD**Acknowledgement of Receipt of
Personnel Rules and Regulations****September 2025**

This is to acknowledge that I have received a copy of the Personnel Rules and Regulations Manual dated September 3, 2025 ("Manual"), and I understand it contains important information on the City's Rules and Regulations, and my obligations and responsibilities as an employee. I acknowledge that I am expected to read, understand, and adhere to the Manual and familiarize myself with the provisions in this Manual. I understand that I am governed by this Manual, and that the City may change, modify, or revise the Manual from time to time at its sole and absolute discretion with or without prior notice. The City will advise and meet and confer as may be required by law with recognized employee organizations of any changes, modifications, or revisions to this Manual which affect terms and conditions of employment, as defined by applicable MMBA and PERB provisions.

I acknowledge and agree to abide by this Manual and any new or revised Manual.

Employee's Signature

Date

Print Name

Department

This document shall be signed by the employee and placed in the employee's personnel file

Appendices to Personnel Rules and Regulations Manual

- Preventing Harassment, Discrimination, and Retaliation
- Anti-Bullying
- Drug and Alcohol-Free Workplace
- Drug-Free Workplace Policy for Drivers of Commercial Vehicles
- Electronic Communications
- Leave of Absence Manual for Temporary Part-Time Employees
- Family Care and Medical Leave, Pregnancy Disability Leave, and Military Family Leave
- Employer - Employee Relations
- Service and Emotional Support Animal