

# CITY OF KEISER

## PERSONNEL HANDBOOK

Revised - 01/27/2023

### CHAPTER 1

#### GENERAL POLICIES

- 1.1 This Personnel Handbook contains policies, practices, and procedures that are necessary to implement and administer the city's personnel system. By adopting this handbook, the city endeavors to achieve consistent treatment for all employees through the establishment of uniform guidelines and systematic procedures. This handbook does not represent an employment contract or any aspect of an employment contract and should not be construed as such.
- 1.2 The City of Keiser shall have the exclusive right to change, alter, delete, add, or modify any provision of these personnel policies at any time, with or without notice. Final approval of all changes to the personnel policies shall be approved by resolution of the City council. Changes made to these policies shall be communicated through standard communication channels and/or through revisions to this manual. However, advance notice may not always be possible.
- 1.3 This policy manual supersedes all previous manuals, letters, memorandums, resolutions, and understanding.
- 1.4 A copy of this handbook and all subsequent revisions or amendments shall be distributed to all employees and elected or appointed city officials.
- 1.5 All employees of the City of Keiser are subject to the application of the personnel policies and procedures described in this Handbook.
- 1.6 Employee – An individual who is compensated by and provides a service to the city regardless of the number of hours of work performed during a given time period or the length of the term of employment. The term "employee" shall not include any elected official, any voluntary, appointed member of any board, commission, or authority, or any person performing services for the city on the basis of a service contract, retainer, or prescribed fee.
- 1.7 Overtime – Hours worked in excess of 40 hours during a regular work week.
- 1.8 Work Week – Seven (7) day period beginning on Sunday and ending on Saturday.

## **CHAPTER 2**

### **EQUAL OPPORTUNITY EMPLOYER**

#### **2.1 EQUAL OPPORTUNITY**

The City of Keiser is committed to providing equal employment opportunity without regard to race, color, religion, national origin, sex, age, handicap, disability, or veteran status as required by all federal and state laws. The city's commitment in this regard extends to all employment-related decisions and terms and conditions of employment, including job opportunities, promotions, pay and benefits.

#### **2.2 AMERICANS WITH DISABILITIES ACT**

The City of Keiser abides by the requirements of the Americans with Disabilities Act, the ADA Amendment Act, and state laws governing employment of individuals with disabilities. Qualified individuals with disabilities may be entitled to an accommodation in the application process and/or in the workplace. Any qualified individual with a disability who requires reasonable accommodation in the employment process and/or in the workplace shall notify the mayor. It shall be the responsibility of a qualified individual with a disability to request reasonable accommodation in the hiring process or in the workplace.

#### **2.3 UNLAWFUL DISCRIMINATION AND HARASSMENT**

The City of Keiser expressly prohibits its officials or employees from engaging in any form of unlawful harassment or discrimination, whether due to race, religion, creed, color, national origin, gender sexual orientation, pregnancy, marital status, age, genetics, status as a veteran or special disabled veteran or the presence of any physical, mental, or sensory handicap. Harassment or discrimination of any employee is a serious violation of city policy and will not be tolerated.

#### **2.4 COMPLAINT REPORTING AND INVESTIGATION**

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

- Determine if the conduct alleged in the complaint took place and constitutes harassment that violates federal and/or state law and city policy or constitutes harassment in the form of inappropriate or offensive behavior which violates city policy.
- Stop the offending behavior.
- Restore the complainant's working environment.
- Take steps to prevent retaliation and repetition of the harassment.
- Educate, sanction, or discipline the harasser consistent with the seriousness of the offense.

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

1. An employee must immediately report the harassment or suspected harassment, in writing, to the Mayor immediately. If the Mayor is the source of the alleged harassment or is closely associated with the source of the harassment that the employee does not feel comfortable reporting to that person, the employee may report the complaint to members of the city council. Employee should not wait to report the harassment or discrimination until the acts become so pervasive or offensive that they create a hostile working environment.
2. Any supervisor or department head who learns or receives a complaint of harassment is obligated to report it to the Mayor.
3. Each complaint shall be fully investigated, and a determination of the facts and an appropriate response will be made on a case-by-case basis

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

No employee shall be subject to any form of retaliation or discipline for pursuing a harassment complaint, and no witnesses shall suffer retaliation as a result of their involvement in the investigation. The City of Keiser will not tolerate harassment or any form of retaliation against an employee who has either instigated or cooperated in the investigation of alleged harassment. Disciplinary action will be taken against those who are found to have violated the city's policy against such retaliation.

If the investigation does not find that harassment has occurred or that the alleged incident did not constitute harassment, the matter shall be referred back to the Mayor for further appropriate action. For example, if workplace misconduct may have occurred, but not harassment, the Mayor shall determine the manner in which to act upon the findings set forth in the investigative report.

An employee found to have reported harassment in bad faith or intentionally or willfully falsely reported harassment shall be subject to disciplinary action.

# CHAPTER 3

## GENERAL EMPLOYMENT POLICIES

### 3.1 AT-WILL EMPLOYER

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

This handbook does not create any contractual or other legal rights. It does not alter the city's at-will employment policy, nor does it create an employment contract for any period of time.

### 3.2 AUTHORITY TO HIRE AND FIRE

State law Ark. Code Ann 4-42-110 dictates that local department heads serve at the will of the mayor. Therefore, the authority to hire and fire department heads is the exclusive right of the mayor.

The hiring and firing of non-department head employees of the City of Keiser shall be a collaborative endeavor of the department head and the mayor.

An application for employment will be accepted from anyone who wishes to apply for employment on forms provided by the city. Application forms are available at Keiser City Hall. All information provided on the application must be true and correct with the provision of false information being grounds for elimination of consideration for hiring and/or dismissal from city employment.

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

All applicants must have a valid Arkansas driver's license.

The City of Keiser requires that all new hires submit to alcohol and drug testing. These tests include pre-employment, post-accident (resulting in equipment or property damage and/or injury), random, reasonable suspicion, and return-to-duty and follow-up testing.

The City of Keiser has a responsibility to ensure safe working conditions for its employees and a productive city workforce unimpaired by chemical substance abuse. To satisfy these responsibilities, the city is committed to maintaining a workplace that is free from the effects of drugs, alcohol.

The City will not hire anyone who is known to currently abuse drugs or alcohol. All employees are expected to report to work in a fit condition to perform their duties.

Applicants with previous felony convictions will be looked at on a case-by-case basis, with a final determination made by the council.

As a condition of employment with the city, employees must abide by the terms of this drug and alcohol policy and report any conviction under a criminal drug or alcohol statute, including DWI convictions, for violations occurring on or off city premises while conducting city business. A report of a conviction shall be made within five (5) days after the conviction. Failure to report a conviction within the five (5) day period may result in disciplinary action, including immediate termination.

## **CHAPTER 4**

### **COMPENSATION AND MATTERS AFFECTING WORK STATUS**

#### **4.1 ATTENDANCE**

Employees shall be in attendance at their workstations in accordance with the rules and regulations established by the City of Keiser.

#### **4.2 WORK HOURS**

Except for police officers and firefighters, the standard workweek for full-time employees shall consist of forty (40) hours per week within a seven-day period unless arranged by the \_\_\_Mayor\_\_\_ to meet specific departmental needs. Part-time employee's hours will be scheduled by \_\_\_Mayor\_\_\_ to meet specific departmental needs. Work hours for police and fire employees shall be in accordance with state statutes and departmental regulations.

The standard workday hours will be determined by the Mayor. Departments schedules may vary based upon departmental necessity. The standard workweek is Sunday through Saturday.

The City of Keiser reserves the right to adjust and change hours of work, days of work, and schedules to fulfill its responsibility to the citizens of the City of Keiser. In an emergency, previously scheduled hours of work, days of work, and work arrangements may be altered at the discretion of the \_\_\_Mayor\_\_\_.

#### **4.3 COMPENSATION**

Compensation for employment with the City of Keiser may be subject to the Fair Labor Standards Act. It is each employee's responsibility to monitor and record an accurate status of hours worked per payroll period to ensure that he/she is properly paid for time worked.

All employees shall report their hours worked on the forms provided by the City of Keiser. It is the responsibility of each employee to properly complete a timecard recording the time he/she worked during every payroll period and to sign each timecard. By signing the timecard, each employee is verifying its accuracy. Signed and completed timecards must be turned in on a weekly basis to their supervisors for signatures. The supervisor shall forward the same to the city treasurer in a timely manner to ensure that proper records are kept as to vacations, sick leave, hours worked, and overtime accrued and taken.

#### **4.4 PAYROLL PROCEDURES AND PAYDAY**

Employees are paid \_\_\_\_Monday\_\_\_\_. When a holiday falls on a regular payday, employees will be paid on the last working day prior to the holiday.

Federal law requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

#### **4.5 OVERTIME**

Overtime will be permitted only with prior approval of \_\_\_\_\_Mayor\_\_\_\_\_ prior to the commencement of such work or when absolutely necessary due to emergency conditions. Failure to obtain prior approval before working overtime may result in disciplinary action, including but not limited to, suspension without pay.

#### **4.6 JOB SAFETY**

The City of Keiser strives to provide a healthy and safe working environment. Safety is largely the use of good judgment and careful work habits.

Unsafe conduct constitutes misconduct. Disciplinary action will be taken for any misconduct. The following safety rules should always be observed.

- Follow all departmental safety rules.
- Use all mechanical safeguards on or for employee equipment.
- Immediately cease using and report any faulty or potentially faulty equipment to the supervisor or department head.
- Immediately report any unsafe or potentially unsafe working condition or equipment.
- Immediately report any and every accident to the supervisor or department head.

#### **4.7 JOB DESCRIPTIONS**

It shall be the responsibility of the Mayor and City Council to maintain a job description on file for each position in the city. However, due to the size of the city and a limited number of personnel, employees may be called upon to learn and perform multiple job duties in order to adequately meet the needs of the city.

#### **4.8 RESIGNATION/TERMINATION**

Employees who wish to terminate their employment with the City of Keiser are urged to notify the city at least two (2) weeks in advance of their intended departure. Such notice should preferably be given in writing to the employee's department head or supervisor.

Employees who plan to retire are urged to provide the city with a minimum of two (2) months' notice.

All employment relationships with the City of Keiser are on an at-will basis. The city reserves the right to terminate the employment relationship of any employee at any time.

Employees whose employment has terminated may be requested to participate in an exit interview and sign an exit interview form at the time of termination. During the interview, matters of final pay and benefits will be discussed, and the employee will be required to return any city property in his/her possession, or which was entrusted to him/her.



# CHAPTER 5

## BENEFITS

### 5.1 VACATION ACCRUAL RATE FOR EMPLOYEES

YEARS OF SERVICE	VACATION	Accumulation Rate
1 - 4 YEARS	5 WORKING DAYS	1 Day every 400 hours
5 - 9 YEARS	10 WORKING DAYS	1 Day every 200 hours
10 PLUS YEARS	15 WORKING DAYS	1 day every

All vacation leave must have the advance approval of the employee's supervisor, so that the leave fits into the overall scheduling of the department. Vacation days cannot be carried over to the next year. Vacation will be accrued and not available at the first of the year. Vacation will start each year on the employee's seniority date. Unearned vacation will be allowed to be taken; however, the associate will sign a form indicating that if they take unearned vacation and employment ceases before they earn their vacation back the associate will be required to reimburse the city for the unearned vacation taken.

### 5.2 POLICE DEPARTMENT

Pursuant to Ark. Code Ann. 14-52-106 full-time police officers shall be granted an annual vacation of not less than fifteen (15) working days with full pay.

All full-time employees of the police department shall accumulate vacation time at the rate of One and one-quarter (1 ¼) working days for each month of working service.

The police chief shall see that employees of the police department take all of their vacation time before the end of the calendar year.

### 5.3 HOLIDAYS AND HOLIDAY PAY

The City of Keiser grants holiday pay for the following holidays to full-time employees:

- New Year's Day
- Presidents Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day & Day after
- Christmas Eve
- Christmas Day
- Personal Day (to be scheduled)

Employees must work the day before or the day after to be eligible for holiday pay

## **5.4 SICK LEAVE**

The City of Keiser recognizes that inability to work because of illness or injury may cause economic hardships. For this reason, the City of Keiser offers forty-eight (48) hours of sick leave per year. Sick leave cannot be accrued. Upon discontinuing employment with the city, employees will not receive pay for any unused sick leave.

An employee may be eligible for sick leave for the following reasons:

- Personal illness or physical incapacity.
- Necessity of medical or dental care, including medical, dental, and optical visits.

An employee who is unable to report for work due to one of the previously listed sick leave reasons shall report the reason for his absence to the employee's supervisor as soon as possible before work time.

Employees who are absent more than three (3) consecutive days due to illness or injury will be required to submit a physician's statement. Employees absent from work due to illness and under a physician's care will be requested to present a certificate of release before returning to work.

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## **5.5 POLICE OFFICER SICK LEAVE**

Pursuant to Ark. Code Ann. 14-52-107, law enforcement officers shall accumulate sick leave at the rate of twenty (20) working days per year beginning one (1) year after the date of employment.

## **5.6 BEREAVEMENT**

Bereavement leave will pay up to a maximum of three (3) calendar days to all full-time city employees in case of death or the circumstances of death in the immediate family only. Immediate family means, mother, father, sister, brother, daughter, son, grandparents, son-in-law, daughter-in-law, spouse, spouse's immediate family, or those relatives who live in the employee's household, including "step" relatives.

## **5.7 MATERNITY LEAVE**

Employees affected by pregnancy, childbirth, or related medical conditions will be treated the same for all employment-related purposes as persons with non-pregnancy-related health impairments, illnesses, or injuries. An employee's accrued sick leave and vacation leave will be granted for maternity use, after which leave without pay must be used.

## **5.8 FAMILY MEDICAL LEAVE**

Because the City of Keiser has less than fifty (50) employees, it is not required under the Family Medical Leave Act of 1993 to offer Family Medical Leave.

## **5.9 JURY DUTY**

Employees will be granted paid leave for witness or jury duty. Employees are also permitted to retain the allowance for services from the court for such service. To qualify for witness or jury duty, employees must submit to the \_\_\_\_\_ Mayor \_\_\_\_\_ a copy of the summons or other court-related paperwork.

## **5.10 EMPLOYEE HEALTH BENEFITS**

The City of Keiser does not offer a group health plan for its full-time employees.

## **5.11 WORKERS' COMPENSATION**

All City employees are covered under the Arkansas State Workers' Compensation laws. Any employee incurring an "on-the-job" injury should immediately notify his/her supervisor who will arrange for appropriate medical treatment and prepare the necessary reports required for the employee to be compensated. Rules and regulations concerning Workers' Compensation have been posted on bulletin boards located in city hall and the city shop.

## **5.12 Birthday**

All full-time city employees with over 3 years of continuous service will receive their birthday off paid. If their birthday falls on the weekend the employee can choose to take either the Friday before or the Monday after their birthday off with pay.

# CHAPTER 6

## STANDARDS OF CONDUCT

### 6.1 COMMUNICATING WITH THE PUBLIC

Employees and elected officials of the City of Keiser shall at all times be civil, orderly, and courteous in their conduct and demeanor towards the public. Each employee should treat members of the public with respect and efficiently provide responses to their inquiries or requests. **This attitude or approach to public service cannot be overemphasized.**

### 6.2 Dress

Employees should dress in appropriate attire. Modesty and decent attire are expected when working in public service.

### 6.3 CONDUCT

The City of Keiser expects its employees to adhere to acceptable principles in matters of personal conduct and exhibit a high degree of personal integrity at all times. Whether an employee is on-duty or off-duty, his/her conduct reflects on the city. An employee should observe the highest standards of professionalism at all times.

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

- Falsifying employment or other city records.
- Violating any city nondiscrimination or harassment policy.
- Soliciting or accepting gratuities from citizens.
- Excessive absenteeism or tardiness.
- Excessive, unnecessary or unauthorized use of city property.
- Reporting to work intoxicated or under the influence of nonprescribed drugs or participation in the illegal manufacture, possession, use, sale, distribution, or transportation of drugs.
- Buying or using alcoholic beverages while on city property or using alcoholic beverages while engaged in city business.
- Fighting or using obscene, abusive, or threatening language or gestures.
- Theft of property from co-workers, citizens, or the city.
- Unauthorized possession of firearms on city premises or while on city business.
- Disregarding safety or security regulations.
- Insubordination.
- Neglect or carelessness resulting in damage to city property or equipment.

Should an employee's performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory and in violation of either of the above-referenced items or any other city

policy, rules or regulations, an employee will be subject to disciplinary action up to and including dismissal.

#### **6.4 ABSENTEEISM/TARDINESS**

Regular attendance is essential to the effective operations of the City, and the City of Keiser expects all of its employees to report to work on time and on a regular basis. Unnecessary and excessive absences and tardiness, falsification of reasons for such that form unacceptable patterns (ie. Regularly reporting late on Monday mornings or calling in absent on Fridays), or failing to provide proper documentation for such may result in disciplinary action.

This policy applies for all full time and part time employees. All absences not protected by an approved Leave of Absence including arriving late or leaving early, when the missed time is not planned. Five (5) Unexcused Absences in any six (6) month period may result in disciplinary action up to and including termination of employment.

Absent extraordinary circumstances, employees are required to report their absences each day, at least 30 minutes before the start of their workday, to their supervisor unless they have been granted an approved Leave of Absence.

An employee who is absent for three consecutive workdays without notifying their supervisor or the Mayor are considered to have voluntarily terminated their employment. The Mayor may consider extenuating circumstances when determining discipline for a no-call/no-show (for instance, if the employee is in a serious accident and is hospitalized) and has the right to show discretion in such cases.

#### **6.5 MOONLIGHTING**

If an employee is considering additional employment, he/she should discuss the additional employment with \_\_\_\_the Mayor\_\_\_\_ for approval.

If approval is granted for additional employment, it must not interfere with the proper and effective performance of his/her job with the city. An employee's outside employment must not be of a nature that adversely affects the image of the city, or a type that may be construed by the public to be an official act of the city or which, in any way, violates these policies.

#### **6.6 VOTING**

City employees are encouraged to exercise their legal right to vote.

#### **6.7 OUTSIDE COMPENSATION**

No reward, gift, or other form of remuneration in addition to regular compensation shall be received from any source by employees of the city for the performance of their duties as employees of the city. If a reward, gift or other form of remuneration is made available to any employee, it shall be credited to a designated employee fund with approval of the Mayor

## **6.8 USE OF NARCOTICS, ALCOHOL, AND TOBACCO**

Employees of the City of Keiser shall not use habit-forming drugs, narcotics, or controlled substances unless such drugs are properly prescribed by a physician.

It is the policy of the City of Keiser to create a drug-free workplace pursuant to the Drug-Free Workplace Act of 1988. The use of controlled substances subjects all employees, citizens, and visitors to the city to safety risks and undermines the city's ability to operate effectively and efficiently.

Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the city may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program at the employee's expense as a condition of continued employment.

## **6.9 USE OF CITY ASSETS AND RESOURCES**

All technological resources (telephones, computers, internet, equipment of any kind) shall be used for city business only. The city will not tolerate inappropriate or illegal use of these assets and reserves the right to take appropriate disciplinary actions as needed, up to and including legal charges and termination. Such inappropriate use of these resources can include, but not is not limited to:

- Hacking
- Pirating software or files
- Soliciting
- Distributing literature for outside entities.
- Sending inappropriate e-mails.
- Accessing, viewing, or downloading inappropriate Web sites (ie. Sites advocating hate, violence, sexually explicit material, or promoting illegal activities.
- Distributing confidential information to persons/entities who are not entitled to such information.
- Storing or placing unlawful information on a computer or network.
- Copying system files without proper authorization.
- Copying copyrighted materials without proper authorization. Use of abusive or otherwise objectionable language in either public or private messages.
- Sending messages that are likely to result in the recipient's work or system use.
- Sending "chain Letters", jokes or lists or any other type of use that would cause congestion or disrupt the operation of the networks or otherwise interfere with the work of others.
- Decryption of systems or user passwords.

Only software which has been purchased or approved by the City of Keiser may be loaded or used on any of its computers. All software, programs, applications, templates, data, and data files stored in, residing on, or developed with city computers, networks, or storage media are property of the city and shall not be removed from the workplace without proper authorization. The city's software and software manuals should not be duplicated or reproduced in any manner which would violate the license agreements which pertain to usage of the software.

Computer equipment, including software, should not be removed from city premises without prior written approval from \_\_\_\_\_Mayor\_\_\_\_\_.

The city reserves the right to monitor and inspect, without notice, the use of its information and technology resources.

## **6.10 CITY VEHICLES**

The use of city vehicles is restricted to city business purposes only. A valid and current Arkansas driver's license must be in the possession of city employees operating any city vehicle.

Operators of city vehicles shall exhibit due care at all times and shall comply with all federal, state, and local laws pertaining to operation of a vehicle.

The operation of any city vehicle while under the influence of drugs or alcohol will be reason for immediate termination.

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

## **6.11 DISCIPLINARY ACTION**

Should an employee's performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory, including but not limited to, violations listed in this handbook, or any other city policy, rule or regulation, directive or ideal, the employee may be subject to disciplinary action up to and including dismissal. The procedure for disciplinary action is as follows:

Verbal & written reprimand

Written warning

Termination.

# **CHAPTER 7**

## **MISCELLANEOUS INFORMATION**

### **7.1 POLICY STATEMENT**

The City of Keiser possesses the sole right to operate and manage the affairs of the city.

### **7.2 CONFLICTS**

The policies in this handbook will be followed unless they are found to conflict with federal, state, or local laws, which shall take precedence.

### **7.3 SEVERABILITY**

Should any of the provisions contained in this handbook be found contrary to federal, state, or local law, the remaining provisions of this handbook shall remain in full force and effect.

To the extent that any law provides additional or different benefits or rights to employees, the provisions of this handbook shall be deemed to include those statements of law.

### **7.4 POLICY CHANGES**

The City of Keiser reserves the right to suspend, revoke, or revise any of the policies contained in this Handbook at any time.