



EMPLOYEE HANDBOOK

CITY OF OREM
EST. ★ 1919

Human Resources
801-229-7186



**City of Orem
Employee Handbook
Updated – April 2020**

This Employee Handbook is provided for general guidance only. The policies and procedures expressed in this Employee Handbook, as well as those in any other personnel material which may be issued from time to time, do not create a binding contract or any other obligation or liability on the City. The City reserves the right to change these policies and procedures at any time, formally or informally, with or without notice, for any reason. The City also reserves the right to take any employment action it deems appropriate. The prohibitions set forth in the Employee Handbook do not create an express or implied contract with any person.

The most recent version of the Employee Handbook can be found on the intranet menu at the City's website: www.walter.orem.org.

NOTE: For prior changes to the Employee Handbook, please contact Human Resources.

EMPLOYEES' DECLARATION

We, the employees of the City of Orem, make the following declaration:

OUR MISSION IS

to help our fellow citizens
build and preserve
a community in which we all want to live.

OUR VALUES ARE

Centered in people, both citizens and co-workers.
Everyone is worthy of our respect and recognition.
We give quality service - excellent by any standard.
We listen and respond openly and honestly.
We give our very best effort - every time, all the time.
We are a corporate family - unified, involved, committed.

WE WILL MAKE OUR WORKPLACE

Safe and healthy.
Fun, invigorating, and challenging.
Innovative and thoughtful, without fear of failure.
Free from any type of harassment.

OUR MOTTO:

Building a Better Orem.

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SECTION 1 – GENERAL POLICIES

1.1 Blood Borne Pathogens

Policy for employees with or have been exposed to Acquired Immune Deficiency Syndrome (AIDS), AIDS-Related Conditions (AIDSRC) or the AIDS Virus (HIV), hepatitis B (HBV and hepatitis C (HCV) .

POLICY

It is the policy of the City of Orem to provide support to an employee with a blood borne pathogen disease (BBP) and to protect the human and civil rights of all employees. As with any personal medical problem, every effort shall be made to protect the individual's privacy and confidentiality.

PURPOSE

To ensure a sensitive response to the needs of any employee with BBP and to provide proper protection for employees and the public.

GUIDELINES

1. Any employee diagnosed as having BBP shall not be restricted from participating in any phase of employment unless he/she is incapable of performing, unaided or with reasonable accommodation, the essential functions of the job or unless the continued performance of the essential functions of the job presents a substantial risk to other employees or the public.
2. The City shall follow all laws of confidentiality.
3. The City shall not require employees to be tested for the BBP. If a work related exposure is suspected the City shall encourage the employee to be tested and shall pay for all direct costs associated with the test.
4. Department Directors shall be responsible for providing protective equipment for those employees who may, through the course of their employment, be exposed to individuals with BBP. Employees shall wear all protective equipment provided by the City.
5. Department Directors shall be responsible to report incidents to the City's Risk Manager where an employee, through the performance of his/her job duties, may have been exposed to BBP. In addition, the Police Chief and Fire Chief shall be responsible to report to the Department of Health all significant exposures incurred by their department personnel pursuant to state law.
6. The Human Resources Division Manager shall be responsible to notify all police officers and fire and emergency medical personnel of the workers' compensation presumption of benefits at commencement and termination of employment pursuant to state law.
7. Questions regarding BBP cases or related issues shall be coordinated between the Risk Manager and the Human Resources Division Manager.

1.2. Drug and Alcohol-Free Workplace

POLICY

The policy of the City of Orem is to identify and remove the adverse effects of alcohol and drug use on job performance and to protect the safety of employees and the public.

PURPOSE

The purpose is to establish and maintain a work environment that is free from the effects of drug and alcohol use, to protect city employees, equipment and the public by prohibiting employees impaired by the use of drugs or alcohol to continue working, to provide guidance and assistance to those employees who voluntarily identify themselves as drug or alcohol abusers and who want to obtain counseling and rehabilitation, and to assure compliance with federal regulations.

FINDINGS

1. The City finds that a healthy and productive work force, safe working conditions free from the effects of drugs and alcohol, and maintenance of the quality of services rendered are important to the workforce and the general public.
2. The City further finds that the abuse of drugs and alcohol creates a variety of workplace problems, including increased injuries on the job, increased risk of injury to the public, increased absenteeism, increased financial burden on health and benefit programs, increased workplace theft, decreased employee morale, decreased productivity, and a decline in the quality of products and services.
3. Therefore, in balancing the interests of the City, the employee, and the welfare of the general public, the City finds that fair and equitable testing for drugs and alcohol in the workplace and the establishment of proper employee conduct is in the best interest of all parties.

1.2.1. Employee Actions and Conduct

1. The illegal use, sale or possession of narcotics, drugs, or controlled substances by any employee while on the job is prohibited. The sale or possession of such substances by Police personnel is not prohibited when they are in pursuit of their official duties and authorized by the Police Chief. All such activities prohibited by law shall be reported to the Police Department and may result in criminal prosecution.
2. The use, sale, or possession of alcohol by any employee while on the job is prohibited. The sale or possession of such substances by Police personnel is not prohibited when they are in pursuit of their official duties and authorized by the Police Chief.
3. For purposes of this policy, “on the job” is defined as employee conduct during working hours or on breaks (including meal breaks). This does not include time-off.
4. For purposes of this policy, an “employee” means a full-time city employee, a part-time city employee, a flexible city employee or volunteer.
5. Off-the-job drug use and/or alcohol consumption, which affects an employee’s job performance, jeopardizes the safety of employees, the public, or city equipment or results in behavior that is a discredit to the City, is prohibited.
6. While on the job, it is prohibited for employees to have in their system alcohol or any drug listed in this policy in an amount sufficient to produce a positive result.
7. An employee who is on-call shall not consume alcohol or any drug which may impair his/her ability to perform assigned duties.
8. Any employee who is called back to work during non-scheduled work hours and has recently consumed alcohol or drugs which impair his/her ability to safely perform his/her duties shall notify the supervisor of the impairment and shall not report to work.
9. An employee who is convicted of a drug or alcohol related offense shall provide notice to the City in writing of the conviction.

10. Employees in safety sensitive positions or who drive city vehicles as part of their job duties shall notify their supervisor before beginning work, or during the work shift, when taking any medication or drugs, whether prescribed or not, that may cause a safety hazard.
11. An employee who is injured in a work-related accident and is found to be in violation of any of the above provisions may have his/her worker's compensation disability benefits reduced.
12. An employee who is a drug user or alcohol abuser is encouraged to seek help either through the City's Employee Assistance Program (EAP) or through other community resources.
13. An employee who violates any of the above provisions shall be subject to disciplinary action up to and including termination in accordance with this policy and the City's Human Resources Policies and Procedures.

1.2.2. Pre-Employment Testing

1. Except as provided herein, final candidates for all positions within the City, to whom conditional job offers have been made, shall be required to pass a drug test as a prerequisite to obtaining employment or appointment. This pre-employment drug test shall not be required of candidates already employed by the City, except for those moving into jobs for the first time that require a Commercial Driver's License (CDL) or are safety sensitive positions as defined below.
2. Candidates shall sign a release form before being tested. For candidates under 18 years of age, a notarized consent and release form shall be signed by the candidate's parent or legal guardian.
3. Candidates receiving a positive drug test result shall be removed from the applicant pool and shall not be considered for the position for which application was made.
4. The candidate shall be provided an opportunity to meet with the Human Resources Division Manager to comment and provide input regarding the results of any positive test and seek a second confirmation test as provided in this policy.

1.2.3. Random Testing

1. All employees who are working in safety-sensitive positions shall be subject to random drug and alcohol testing. Safety sensitive positions shall be defined as:

Community Service Officer	Dispatcher	Bailiff
Evidence Custodian/Technician	Fire Battalion Chief	On-call Dispatcher
Fire Captain	Fire Engineer	Communication Supervisor
Fire Marshall	Fire Prevention Specialist	Deputy Fire Chief
Fire Chief	Firefighter/Paramedic	Assistant Police Chief
Lead Dispatcher	Lifeguard	Records Office Supervisor
Police Sergeant	Police Lieutenant	Flexible Victim Advocate
Police Officer	Chief of Police	Water Resources Div. Mgr.
Police or Fire Division Manager	Flexible Police Officer	Water Section Mgr.
Swim Instructor	Victim Assistance Coordinator	Flexible Evidence Custodian/Technician
Building Inspectors	Employees required to have a CDL	Firefighter/Advanced EMT
Chief Building Official	Public Works Field Supv. – Water Supply	
Secretary (only those positions assigned to the Utah County Major Crimes Task Force)		

2. Testing dates shall be unpredictable and shall be spread reasonably throughout the year. For the random selection, two pools will be created. The first pool will include all employees required to possess a CDL. The second pool will include employees in all the other positions listed above. Fifty (50) percent of employees in each pool shall be tested annually for drugs and 25 percent annually for alcohol.

3. The selection process for random testing shall be based on a scientifically valid method (i.e. a computer-based random number selection system).
4. Employees participating in a random drug and alcohol test shall be required to sign a release form before being tested. For employees under 18 years of age, a notarized consent and release form must be signed by the employee's parent or legal guardian.
5. If the results of the drug or alcohol test are positive, the employee may be referred to the Employee Assistance Program and shall be subject to disciplinary action up to and including termination pursuant to this policy and the City's Human Resources Policies and Procedures.
6. The employee's supervisor is responsible for notifying the employees in a timely manner to ensure that the employee participates in the random test. If an employee refuses or fails to report for a random drug screen in the time required, the City may initiate disciplinary action up to and including termination of employment. The facts and circumstances of each situation will be reviewed by management and any disciplinary action will be based on that review. The City, at its sole discretion, may also require the employee to go for as many as 6 drug screens at any time for up to one year.

1.2.4. Reasonable Suspicion Testing

1. The City may require an employee to undergo drug or alcohol testing if there is a reasonable suspicion that the employee is under the influence of drugs or alcohol to the extent that job performance may be adversely affected or safety may be compromised. "Reasonable suspicion" means a belief based on articulable, specific facts that an employee is under the influence of drugs or alcohol. The circumstances listed below are indicators that give rise to reasonable suspicion. (The presence of one such factor may or may not, in and of itself, be sufficient to form a reasonable suspicion. Supervisors should look at the totality of the circumstances in determining whether or not reasonable suspicion exists and if the test(s) should be required).
 - a. A pattern of abnormal or erratic behavior.
 - b. Information provided by a reliable and credible source that an employee is under the influence of illegal drugs or alcohol, or is abusing prescription drugs while on the job.
 - c. A work related accident.
 - d. Direct observation of drug or alcohol use.
 - e. Presence of physical symptoms of drug or alcohol use, such as glassy or bloodshot eyes, dilated pupils, the odor of alcohol or marijuana, slurred speech, poor coordination or reflexes, unsteady walk, uncontrolled shaking, or small tremors in the hands.
 - f. Drug paraphernalia, remains of marijuana cigarettes, and plastic sandwich bags with non-food residue inside.
 - g. Increased absenteeism, inattentiveness or absentmindedness.
 - h. Frequent need for work breaks.
 - i. Increased hostility toward the public or other employees.
 - j. Unexplained secret meetings with other employees or other persons during work hours.
 - k. Sudden, unexplained personality changes, drastic mood swings, changes in personal habits, including inattention to personal hygiene, or frequent borrowing of money.
 - l. Increased disciplinary incidents or deteriorating work relationships.
 - m. A significant increase in errors or repeated errors in spite of increased guidance.
 - n. Behavior that disrupts workflow.
2. Any employee who believes that another employee is under the influence of drugs or alcohol shall notify any of the following individuals immediately: the supervisor, the Division Manager, a Department Director, Human Resources Division Manager, Assistant City Manager or City Manager.

3. After having reasonable suspicion that an employee is under the influence of drugs or alcohol, any of the following can require the employee to submit to an immediate alcohol and/or drug test:
 - a. Department Director
 - b. Division Manager
 - c. Employee's supervisor, if Division Manager is not available.
 - d. Human Resources Division Manager
 - e. Risk Manager
 - f. City Attorney
 - g. Assistant City Manager
 - h. City Manager
 - i. Any Police Officer
4. Once the determination has been made to test the employee, the following process shall be followed:
 - a. The person requesting the test shall contact the Human Resources Division Manager, when available, who shall contact the drug and alcohol test provider and schedule a test to be administered immediately. When the Human Resources Division Manager is unavailable, the Division Manager/supervisor shall contact the drug or alcohol test provider and schedule the test.
 - b. Written documentation of reasonable suspicion observations shall be made by the Division Manager/Supervisor in the form of an email memo, etc. The documentation must specify which of the 14 indicators listed above resulted in reasonable suspicion.
 - c. The employee shall sign a release form obtained from the Human Resources Office. For employees under 18 years of age, a notarized consent and release form must be signed by the employee's parent or legal guardian.
 - d. The employee shall be taken immediately by the person requesting the test, or their designee, to an appropriate testing facility. Under no circumstances shall the employee travel to the testing facility alone.
 - e. If the employee cannot be taken to an appropriate testing facility, the test provider shall be notified of the location of the employee.
 - f. After the test, the employee shall be removed immediately from duty.
 - g. The employee shall be placed on administrative leave with pay until the test results are available and a preliminary review has been conducted.
 - h. If the results of the drug or alcohol test are positive, the employee may be referred to the Employee Assistance Program and shall be subject to disciplinary action up to and including termination in accordance with this policy and the City's Human Resources Policies and Procedures.

1.2.5. Post-Accident Testing

An employee who is at fault in an accident while on the job shall be required, except when incapacitated and unable to consent because of the accident, to submit to a drug and alcohol test in the following situations:

1. The accident results in a serious injury or the loss of human life; or
2. The employee receives a citation under state or local law for a moving traffic violation arising out of the accident; or

3. An accident involving substantial property damage.

Testing shall be done as soon as practical after the accident.

1.2.6. Refusal to Consent

Candidates - A job candidate who refuses to consent to a drug test shall be removed from the applicant pool and shall not be considered for the position for which application was made.

Employees - An employee who refuses or fails to consent to a drug and alcohol test when requested in accordance with the provisions of this policy, shall be subject to disciplinary action up to and including termination pursuant to this policy and the City's Human Resources Policies and Procedures. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action.

1.2.7. Alcohol Testing

1. Tests for alcohol shall be done by measuring the breath alcohol concentration. Tests shall be conducted by a qualified Breath Alcohol Technician (BAT) on equipment that meets the standards established under state and federal regulations. Prior to administering alcohol tests, the BAT shall complete a course of instruction for the operation of an evidential breath-testing device that has been approved by the National Highway Traffic Safety Administration.
2. In all cases, except for a reasonable suspicion test or post-accident test, the testing shall be administered by a BAT from a laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA). In the case of reasonable suspicion or post-accident testing, the test may be performed by a certified law enforcement officer on equipment used by the Department of Public Safety.
3. The City recognizes that in certain cases involving motor vehicle accidents, the investigating law enforcement agency, upon probable cause that an employee driver is under the influence of alcohol or drugs, may conduct its own test in accordance with legally established guidelines and department protocol. In such a case the City will not require an additional test but may use the results of the test administered by the law enforcement agency in determining whether or not the employee has violated this policy.
4. A result of .02 or higher shall constitute a positive test. A breath test indicating .02 or higher shall be followed by a confirmatory test at an interval of at least fifteen (15) minutes and no longer than twenty (20) minutes after the initial test. If the confirmatory test shows a result of at least .02 the test shall be considered positive, and the result of the confirmatory test shall be the one used for any action to be taken by the City. The second test will not be performed in cases where a law enforcement agency is conducting its own investigation for DUI.
5. Testing shall take place during or immediately after working hours.

1.2.8. Drug Testing

For purposes of this policy, "drug test" shall mean a urinalysis test given to detect the presence of the following drug groups, and a positive result shall be in accordance with the levels established by the Department of Health and Human Services:

- Amphetamines* (e.g., methamphetamine, speed)
- Barbiturates (e.g., Amobarbital, Butabarbital, Phenobarbital, Secobarbital)
- Benzodiazepines
- Cocaine*
- Methadone
- Opiates* (e.g., Codeine, Heroin, Morphine, Hydromorphone, Hydrocodone)
- Phencyclidine* (PCP)

- Propoxyphene
- THC* (Marijuana)
- LSD (for reasonable suspicion only)

*Indicates those drugs that will be tested for random Federal drug tests.

1.2.8.1. Drug Testing Procedures

1. The City shall utilize an independent, reputable provider that is a SAMHSA certified laboratory or one certified by the College of American Pathology. The instructions, chain of custody forms, and collection kits, including bottles and seals, shall be prepared by the laboratory, not the City.
2. A split urine sample shall consist of at least forty-five (45) ml of urine. The urine shall be divided into two specimen bottles, with at least thirty (30) ml of urine in one bottle and fifteen (15) ml of urine in the other.
3. The collection of urine samples shall be done under reasonable and sanitary conditions. The collection and testing shall be done in a manner which ensures the privacy of the person being tested and is reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.
4. Sample collection shall be appropriately documented to ensure that the samples are labeled and sealed so as to reasonably preclude the probability of erroneous identification or test results.
5. Employees shall have the opportunity to provide notification to the testing laboratory of any information the employee deems relevant to the test, including identification of currently or recently used prescription drugs or nonprescription drugs, and other relevant medical information or information in compliance with the Americans with Disabilities Act.
6. Sample collection, storage and transportation to the place of testing shall be performed in a manner that reasonably precludes the probability of sample misidentification, contamination or adulteration. The actual testing of the sample shall be done in accordance with scientifically accepted analytical methods and procedures.
7. A positive initial test result from the 30 ml sample shall be verified or confirmed by the laboratory by using a gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method.
8. An employee shall be notified as soon as possible of a positive test. The employee shall have seventy-two (72) hours after such notification to request that the 15 ml sample be tested for the indicated drugs. The cost of this test shall be divided equally between the City and the employee. The results of both samples shall be used in any disciplinary action.
9. All testing shall be done during working hours or immediately thereafter, and shall be considered as work time for purposes of compensation and benefits.
10. All positive drug tests shall be reviewed by a medical review officer (MRO) who is a licensed physician responsible for receiving lab results. The MRO shall evaluate positive results in light of a person's medical history, current legal use of medications, diet and any other possible explanations for the result. Generally, the MRO should speak directly with the tested employee and provide him/her an opportunity to give an explanation. After considering all the information, the MRO shall verify the positive test or, in the alternative, conclude that the employee has a legitimate explanation for the positive test result and declare the test to be negative.
11. Tampering with or tainting of samples by the donor will be grounds for withdrawal of an employment offer or cause for disciplinary action up to and including termination of employment.

1.2.8.2. Notification of Test Results

1. After the Human Resources Office receives the test results, it shall notify the Department Director, Division Manager or supervisor of the results. This disclosure shall state whether the test is positive or negative, the particular substance found, and the concentration level of the particular substance. In addition to the Department Director, Division Manager, or supervisor, the disclosure may also be given to those applicable individuals who have to make executive, supervisory, employment or legal decisions regarding the employee and the employee's relationship to the City. Disclosure of test results to any other person, agency or organization is prohibited unless written authorization is obtained from the employee or applicant or upon subpoena, or unless required by law.
2. Testing by law enforcement personnel under the reasonable suspicion standard may not be used for law enforcement or criminal justice purposes. This does not include post-accident testing done by a law enforcement agency as part of a criminal investigation.

1.2.8.3. Consequences of a Confirmed Positive Test Result and Return to Work Requirements

1. Variable hour and seasonal employees and reserve police officers shall have their employment terminated immediately upon notice of a positive test result.
2. The first time a full or part-time benefited employee receives a positive drug or alcohol test, the following actions shall be taken:
 - a. The employee shall be immediately relieved of his/her duties with pay until such time that it can be confirmed that the employee is able to safely perform his/her duties. Depending upon the circumstances, the employee may be placed on a suspension with pay, and given a notice of intent to suspend without pay. Factors to be considered in determining the length of the unpaid suspension include, but are not limited to, the employee's work history, length of employment, current job performance, type of drug and the reasons for the substance test. In certain circumstances, the Department Director or Division Manager may determine that conditions are sufficiently serious to warrant a termination of employment.
 - b. All disciplinary actions shall be executed in accordance with this policy and the City's Human Resources Policies and Procedures and an employee shall have the opportunity to discuss the proposed discipline with his/her Department Director prior to any action being taken.
 - c. The employee may be required to consult with a counselor at the City's Employee Assistance Program facility. If the counselor determines that additional rehabilitative treatment is needed, any costs associated with that treatment shall be the responsibility of the employee or his/her health insurance plan.
 - d. Prior to the employee returning to work, the employee shall be required to sign a return to work agreement. The return to work agreement shall outline the terms and conditions under which the employee can resume his/her duties. The agreement may require that the employee refrain from using drugs or alcohol, receive treatment monitored by the City, and be subject to future periodic testing.
 - e. Any employee who receives a positive test shall be required to be tested on a random basis at least six times over the next twelve-month period. If the positive test was received on a drug that remains in the employee's system for several weeks/months, the level of the drug in the employee's system must continually decrease in subsequent tests until such a time that the employee receives a negative test result. If, after four (4) months, the employee continues to receive a positive test, or if the level does not decrease in subsequent tests, the employee shall be subject to formal disciplinary procedures.

1.2.9. Confidentiality of Test Results

1. Records and information concerning an employee's or applicant's drug or alcohol test shall be classified as private under the Records Access and Management Ordinance of the City and the Government Records Access Management Act.
2. The information described herein shall be the property of the City.
3. A physician-patient relationship is not created between an employee or prospective employee and the City, or any person performing the test, solely by the establishment of a drug or alcohol-testing program in the workplace.

1.2.10. Compliance with State and Federal Regulations

State and federal regulations may require additional procedures not included within this policy for employees who are working in federally regulated positions, such as those positions that require a CDL. In such cases, the City shall comply with those regulations.

1.3 Employee Ethics and Disclosure Policy

POLICY

It is the policy of the City of Orem to reaffirm its determination that there be no conflicts of interest with city employees and that no one unduly benefits from holding a city position.

PURPOSE

To notify employees of the standards of conduct and the requirements of disclosure of actual and potential conflicts of interest between an employee's public duties and his/her personal interests as required in the Municipal Officers' and Employees' Ethics Act.

City Code

2-6-8(B) Whenever the performance of a public servant's official duty requires governmental action on any matter involving that person's or a relative of that person's direct financial interest and it is reasonably foreseeable that the decision will have an individualized material effect on such interest, distinguishable from its effect on the public generally, the public servant shall disclose the conflict and disqualify herself or himself from deliberating, deciding and voting upon the matter. Disclosure shall be made to the public body of which the public servant is a member, or in the case of an employee of the City to the employee's supervisor.

GUIDELINES

1. An employee may not disclose private, confidential or protected information acquired by reason of the employee's position.
2. An employee may not use private, confidential or protected information to secure privileges or exemptions.
3. An employee may not use his or her position to secure privileges.
4. An employee may not receive, take, seek, or solicit a gift of substantial value or a substantial economic benefit that:
 - a. Would tend to improperly influence a person in the discharge of his/her official duties; or
 - b. A person should know is primarily for the purpose of rewarding him/her for official action taken.
5. Paragraphs 1 through 4 do not apply to:
 - a. Occasional non-monetary gifts under \$50 in value.

- b. Awards presented publicly.
 - c. Bona fide loans in ordinary course of business.
 - d. Political campaign contributions (must be used in campaign).
6. The Employees of Orem City have, as their first duty, to conduct themselves in a manner deserving of public trust and confidence, both on and off the job. The City's reputation for excellence and fairness in business activities is built upon each individual's ethical conduct. It is expected that all employees will conduct themselves with utmost integrity and at the highest of ethical standards at all times. An occasional meal or activity provided, by an association, organization, business partner or individual may be appropriate, if the intent of such is not to influence the decision of an employee.
7. An employee must file a disclosure if any of the following situations exist:
- a. If the employee receives compensation for assisting any person or entity in a transaction involving the City. The following disclosures must take place:
 - 1. A sworn statement must be filed with the Mayor at least ten days prior to the agreement between the employee and the person or entity, or ten days prior to receiving compensation, whichever is earlier.
 - 2. The employee must disclose to his/her immediate supervisor and any other municipal officer or employee who may rely upon the employee's representations in evaluating or approving the transaction.
 - b. If the employee is an officer, director, agent, employee or owner of a business regulated by the City or if the employee has a substantial interest (over 10%) in a business regulated by the City, the employee must do the following:
 - 1. File a sworn Disclosure Statement with the Mayor upon being elected, sworn or employed.
 - 2. File another disclosure statement if your position in the business entity changes significantly or if the value of your interest in the entity has increased significantly since the last disclosure.
 - c. If the employee has substantial interest in a business which does or anticipates doing business with the City, the employee must make the following disclosures:
 - 1. A sworn statement must be filed with the Mayor at least ten days prior to doing business with the City or ten days prior to receiving compensation, whichever is earlier.
 - 2. The employee must disclose to his/her supervisor and any other officer or employee who must rely upon the employee's representations in evaluating or approving the transaction.
 - d. If an employee has a personal interest or investment which creates a conflict with his/her public duties, the employee must:
 - 1. File a sworn statement with the Mayor and,
 - 2. Make a public disclosure in a public meeting to the City Council where appropriate.
8. If an employee fails to disclose the required information, he/she is subject to the following penalties under Utah State Law:
- a. Potential second-degree felony action.
 - b. Mandatory removal from office.
 - c. Rescission of transaction.
9. Guidelines 1 – 6 outline Utah State law requirements related to ethics and disclosure, and it is the City's intention that its employees abide by State law even as it may be amended from time to time. In addition to State law requirements, employees shall comply with city ordinance ethics requirements, including the following:

- a. Whenever the performance of an employee's official duty requires governmental action on any matter involving that employee's or a relative of that employee's direct financial or personal interest and it is reasonably foreseeable that the decision will have an individualized material effect on such interest, distinguishable from its effect on the public generally, the employee shall disclose the conflict and disqualify himself/herself from deliberating, deciding and voting upon the matter. Disclosure shall be made to the employee's supervisor.
- b. This provision does not apply to:
 1. Decisions regarding the attendance at official functions or training where the employee is sent by or representing the City as part of his or her official duties, or
 2. Similar decisions which are part of the employee's official duties and are approved through normal City channels or procedures.

1.4. Return to Work Following Serious Injury, Illness or Medical Condition

POLICY

It is the policy of the City of Orem to allow employees who have been seriously injured or seriously ill to return to their full responsibilities as soon as they are able to perform the essential functions of their job.

PURPOSE

1. To ensure that employees are able to return to their full responsibilities or a temporary transitional assignment (TTA) as soon as appropriate after a serious injury or illness.
2. To protect the employee from further injury or illness resulting from returning to work too early.
3. To protect the City from potential workers' compensation liability resulting from requiring or allowing an employee to perform functions which should not be performed due to medical limitations.
4. To ensure that reasonable accommodations are made for employees where appropriate.
5. To comply with the Americans with Disabilities Act (ADA).

GUIDELINES

1. For purposes of this policy, "serious injury or illness" shall mean any injury, illness or medical condition which is serious enough to affect the performance of any essential function of the job, as reasonably determined by the City. The determination shall be made by (1) the Risk Manager in cases of work-related serious injury or illness or (2) the Human Resources Division Manager in all other cases of serious injury or illness in consultation with the employee's Department Director. Serious injury or illness may also include undergoing major surgery and absences of more than forty-eight hours for all employees except for fire personnel whose absence is more than forty-eight hours.
2. When an employee has had a serious injury or illness, whether work related or not, the employee shall not return to work until a physician licensed pursuant to Title 58, Chapter 67 of the Utah Code who has treated or examined the employee releases the employee for a return to full duties or as otherwise provided in Paragraph 7 of these guidelines. The release shall specifically address the essential functions of the job and shall unequivocally state that the employee can perform the essential functions. If the City or the Workers' Compensation Third Party Administrator (TPA) has reason to believe, based on knowledge of the type of injury or illness, observation of the employee or any other evidence or information, that the employee may not be able to perform the essential functions of the job, the City or the TPA may require the employee to undergo a job-related independent medical examination (IME) by a physician selected by the City. Where required, the City shall pay for the IME.

3. In cases where the physician doing the IME has a different opinion than the employee's treating physician, the employee may request a third opinion, in which case the City and the employee shall mutually agree upon a third physician and shall each pay half of the costs of the examination.
4. Before the employee returns to work, the physician's release and the employee's return must be approved by the employee's Department Director and (1) the Risk Manager in work related serious injuries or illnesses or (2) the Human Resources Division Manager in all other serious injuries or illnesses. The decision to approve the release shall be made based on all the information available to the City regarding the job and the employee's medical condition. The release shall be included in the employee's Human Resources Record.
5. The City shall allow the employee to return to full duties once the release has been submitted and approved as required by paragraph #4 above. Employees are encouraged to vigorously pursue any recommended therapy in order to accelerate their return to work (Reference 2.4.4.5).
6. Employees returning to work after a serious injury or illness are expected to perform all the required functions and duties of their job.
7. In cases where an employee cannot return to full duty because of limitations caused by the serious injury or illness, the City, at its discretion, may allow the employee to return to a temporary transitional assignment (TTA) up to an equivalent number of hours the employee worked prior to the injury or illness for a period of time not to exceed six months in cases where:
 - a. there is legitimate transitional duty available without displacing another employee;
 - b. the employee is qualified to do the transitional duty;
 - c. the employee's physician releases the employee to perform the transitional duty; and
 - d. there is a reasonable likelihood that the employee can return to his/her regular position.
 - e. If an employee chooses not to accept a temporary transitional assignment, the employee will not be allowed to use their accrued sick leave.
 - f. In unusual cases, the transitional assignment may be extended with approval by the City Manager where the employee is undergoing therapy, is an active and committed participant in the therapy and the expectation of a recovery allowing the full performance of the essential job functions is verified by the employee's physician. In no case shall the extension of the transitional assignment exceed an additional two months.
8. The Department Director shall determine the availability of temporary transitional assignment in conjunction with the Human Resources Division Manager and the Risk Manager. If TTA is available, the following shall be required:
 1. The employee's supervisor shall either mail or deliver a letter to the employee in person that confirms an offer of a TTA and provides information to the employee concerning the TTA, the work schedule, assignments and date the TTA is available. A copy of this letter shall be included in the employee's Human Resources file.
 2. The employee's work restrictions should be observed both on and off the job.
 3. While on TTA, the employee is required to be seen by their treating physician at least once a month and to provide the City with an updated report on his/her condition and prognosis.
9. At the end of the temporary transitional assignment, or in cases where there is no transitional duty available, the City, at its discretion, may make the following options available to the employee:

- a. Reassignment to another position available in the City, where the employee possesses the minimum qualifications and the ability to perform the essential functions of the position. If the available reassignment is within the same department, the Department Director must authorize. If the reassignment is to another department, the two Department Directors and the City Manager must authorize.
 - b. Return to the same job held previously with reasonable accommodations to help in the performance of the essential functions, as set forth in paragraph #10 below.
 - c. Unpaid medical leave of absence.
 - d. Apply on a competitive basis for any open position in the City.
 - e. Retirement or other separation from City employment.
10. The City shall make reasonable accommodations for the performance of essential functions by employees who have a qualifying disability under the ADA. Reasonable accommodation does not include creating another position or having another employee perform the essential functions of the position, but may include changes in the physical or functional work methods or the work conditions or environment.
 11. Special precautions should be made to ensure the continual safety of the employee, other staff members and the general public while under the influence of any potentially debilitating prescribed medications. Please contact Risk Management for additional information or to help identify any additional risk exposures.

1.5. Harassment Policy

POLICY

1. The City of Orem prohibits all forms of illegal harassment of employees by supervisors, managers, fellow employees, or visitors.
2. The City will not tolerate harassment of its employees. Any form of harassment related to an employee's race, color, sex, sexual preference, religion, national origin, age, disability, marital or veteran status or other protected class or activity under state or federal law is a violation of this policy and will be treated as a disciplinary matter.

PURPOSE

To ensure and maintain an enjoyable and safe work environment free from any form of inappropriate harassment or abusive behavior.

GUIDELINES

1. Harassment is inappropriate conduct that undermines the employment relationship but does not refer to occasional comments that may be considered socially unacceptable.
2. Harassment on the basis of any protected class or characteristic is strictly prohibited under this policy. Harassment includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability, marital or veteran status, or any other characteristic protected by law. The conduct includes, but is not limited to:
 - a. epithets, slurs or negative stereotyping;
 - b. threatening, intimidating or hostile acts;
 - c. jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including all electronic communications).

3. Retaliation against any employee who rejects, protests, or complains about harassment is prohibited. A complaint procedure is available to employees to report all types of harassment.
4. If employees feel that they are being harassed by a supervisor, co-worker, or visitor because of their race, color, sex, sexual preference, religion, national origin, age, disability, marital, veteran status or any other protected class under federal and state law, they should first let the harassing person know of their objections, if possible. Additionally, the employee shall report the problem, in writing, as outlined below.
5. If an employee experiences or witnesses harassment in the workplace, he/she shall report it immediately, in writing, to his/her direct supervisor. If the target for reporting is the person who is harassing the employee, the employee may approach the Human Resource Division Manager or any other Division Manager or Department Director. All allegations of harassment will be quickly investigated. Investigations, as appropriate, will follow the procedures outlined below in the sexual harassment section. To the extent possible, the employee's confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the employee who has been subjected to the alleged harassment will be informed of the outcome of that investigation, and will be provided the opportunity to discuss the outcome with the City Manager.
6. If circumstances warrant, the City Manager may appoint a two person investigative team to investigate complaints of harassment. If a two-person team is not appointed, the investigation may be handled by the accused person's Division Manager or Department Head. Complaints of sexual harassment will be investigated pursuant to the Sexual Harassment Policy. The investigation shall be undertaken without bias or premature judgment. It may include interviews with the complaining employee, the subject of the complaint, co-workers and former employees who may have knowledge of the situation.
7. The investigation may also include a thorough review of files and other tangible evidence. The investigators will make every reasonable attempt to rationally and objectively resolve any questions of credibility between the complaining and the accused employees.
8. Information obtained during the course of an investigation of harassment will be maintained in confidence as much as is feasible. It will be released only to individuals who have a need to know it, e.g., individuals who will enable the City to investigate the charges thoroughly and appropriate supervisors and managers.
9. Individuals who make false statements during the course of a harassment investigation may be subject to discipline, which may include discharge. All employees are expected to cooperate fully with such investigations. Failure to cooperate fully may lead to discipline, which may include discharge. Where investigations confirm the allegations, the perpetrator's department will take appropriate corrective and/or disciplinary action.
10. Bullying is a form of harassment which is also prohibited. Bullying includes repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Bullying is prohibited regardless of whether or not it is used to target a person of a protected class.
11. Retaliation for making a harassment complaint is another form of harassment. Retaliation against any employee who rejects, protests, or complains about any type of harassment is prohibited. Retaliation is conduct that would tend to discourage others from making a complaint against harassment, or is intended to punish a person who made a complaint, and includes such behavior as ostracizing or being continually rude towards a person who has complained, denying privileges granted others, or taking adverse employment action because an employee made a complaint. Retaliation is prohibited regardless of whether or not the original complaint made by the victim or alleged victim of retaliation had any merit.

1.6. Sexual Harassment

POLICY

1. The policy of the City of Orem is that sexual harassment and an environment that allows sexual harassment or any other form of harassment to take place is unacceptable and will neither be tolerated nor condoned.
2. The City is committed to providing a work environment in which all individuals are treated with respect and dignity. Each person has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. The City expects that all relationships among persons in the workplace will be appropriate and free from bias, prejudice and harassment. A non-employee, such as a vendor, customer or visitor, who subjects an employee to sexual harassment will be informed of the City's policy against sexual harassment and appropriate action will be taken. Appropriate action may be any and all remedies allowed by law.
3. This policy applies to all conduct on City premises at any locations by any employee and to conduct off City premises that affects an employee's work environment.
4. The City and its agents are under a duty to investigate complaints and deal appropriately with any form of sexual harassment or sex discrimination conduct in violation of this policy.

PURPOSE

To ensure and maintain an enjoyable and safe working environment free from any form of sexual harassment or hostile work environment.

GUIDELINES

1. Sexual harassment, according to the federal Equal Employment Opportunity Commission (EEOC), consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual nature or sex-based nature where:
 - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. an employment decision is based on an individual's acceptance or rejection of such conduct; or
 - c. such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.
2. It is also unlawful to retaliate or take reprisal in any way against anyone who has articulated any concern about sexual harassment or discrimination.
3. Sexual harassment and such prohibited conduct exposes not only the City, but individuals involved in such conduct, to significant liability under the law. Employees at all times should treat other employees respectfully and with dignity in a manner so as not to offend the sensibility of a co-worker. Accordingly, the City's management is committed to vigorously enforcing its Sexual Harassment policy at all levels of the City.
4. The City will conduct annual training on this topic.

1.6.1. Statement of Prohibited Conduct

1. The management of the City considers the following actions to be in violation of the City's Sexual Harassment Policy. The actions include, but are not limited to:
 - a. Physical Assaults of a sexual nature, such as:
 1. Rape, sexual battery, molestation or attempts to commit these assaults.

2. Intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
- b. Unwanted sexual advances, propositions or other sexual comments, such as:
1. Sexually-oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way such conduct in his or her presence is unwelcome;
 2. Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward; and
 3. Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct intentionally making performance of the employee's job more difficult because of that employee's sex.
- c. Sexual or discriminatory displays or publications anywhere in the City's work places by City employees, such as:
1. Displaying, reading or otherwise publicizing pictures, posters, calendars, graffiti, objects, promotional materials, written notes, letters, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic, or bringing into the city work environment or possessing any such material to read, display or view at work when the possession of the material contributes to a hostile work environment.
 2. Pictures will be presumed to be sexually suggestive if they depict a person of either sex who is not fully clothed or in clothes that are not suited to or ordinarily accepted for the accomplishment of routine work in and around the City and who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.
 3. Displaying signs or other materials purporting to segregate an employee by sex in any area of the work place (other than rest rooms and similar semi-private lockers/changing rooms).
- d. Retaliation for sexual harassment complaints, such as:
1. Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination or retaliation.
 2. Engaging in any conduct that would tend to discourage others from making a complaint of harassment, or is intended to punish a person who made a complaint. It includes such behavior as ostracizing or being continually rude towards a person who has complained.
 3. Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover-up conduct such as that described in any item above.
 4. Retaliation is prohibited regardless of whether or not the original complaint made by the victim or alleged victim of retaliation had any merit.
- e. A supervisor or manager dating, kissing, hugging, or having intimate sexual relations with a person who is a subordinate in the same department unless they are married to each other.
- f. Other acts:

1. The above is not to be construed as an all-inclusive list of prohibited acts under this policy.
2. Sexually-oriented acts or sex-based conduct have no legitimate business purposes; accordingly, the employee who engages in such conduct should be and will be made to bear the full responsibility for such conduct.
3. If an employee is subjected to sexual harassment, or inappropriate sexual conduct, the employee must verbally express to the individual(s) involved in the harassing behavior that the actions or comments are unwelcome and should stop.
4. If an employee suspects that another employee is subject to any form of sexual harassment, the suspicion must be reported, in writing, to any Department Director, the Human Resources Division Manager, the Risk Manager, Assistant City Manager, the City Manager or any Division Manager. The Manager or Director notified shall immediately notify the City Manager.
5. Any employee or agent of the City who, after appropriate investigation, is found to have sexually harassed another employee, or to have allowed a hostile environment to exist will be subject to formal disciplinary action up to and including termination of employment.

1.6.2. Sexual Harassment Complaint Procedure

The purpose of the complaint procedure is to:

1. Allow the City to discover and remedy situations of sexual harassment or inappropriate sexual conduct.
2. Provide a specific procedure for employees to follow which is readily accessible and easily used by all employees.
3. Prohibit retaliation.

PROCEDURE

STEP 1

If an employee is subjected to any form of sexual harassment, or inappropriate sexual conduct he/she must do the following: Timelines noted below can be waived when doing so will contribute to the thoroughness of the investigation and follow-up action.

1. Immediately notify, in writing, any one of the following individuals: any Department Director, the Human Resources Office, the Risk Manager, the Assistant City Manager, the City Manager or any other Division Manager. The Manager or Director notified shall immediately notify the City Manager.
2. Whenever possible, document specific information regarding the harassment and give it in writing, to the person notified from Paragraph A. Preferably, dates, times, places, specific types of harassment, and names of any witnesses should be included in the documentation.

STEP 2

If circumstances warrant, the City Manager may appoint a two-person team, one male and one female, to investigate the complaint and prepare a report of their findings and recommendations. All other complaints shall be investigated by the accused employee's Department Head or Division Manager. The investigation and report shall be completed within ten (10) working days after written notification of the complaint was received.

After completion of the report, the team or investigator shall meet and discuss the investigation and recommended action with the complaining employee and separately with that employee's Department Director. At the conclusion of these meetings, the investigator shall finalize their written findings and recommendations

and send copies to the employee, the employee's Department Director, the accused, the accused's Department Director, and the City Manager.

STEP 3

Within one (1) working day after receiving a copy of the investigator's written report, the complaining employee may request a meeting with the City Manager if he/she is not satisfied with the findings or recommendations of the investigator. The City Manager, after hearing the employee's concerns and reviewing the findings and recommendations of the investigator, shall either uphold the findings and recommendations of the team or amend as appropriate.

STEP 4

If disciplinary action is recommended against the accused(s) his/her Department Director shall be responsible for reviewing all of the information and determining what action should be taken. If the disciplinary action is different than initially recommended by the investigator, notice of and reason for the change will be given to the complaining employee before any action is taken.

STEP 5

If the complaining employee is not satisfied with the proposed disciplinary action, he/she may, within one (1) working day of receiving notice of the action, request a meeting with the City Manager to express his/her concerns against the action to be imposed. After meeting with the complaining employee, the City Manager shall either uphold or modify the disciplinary action that is taken against the accused.

STEP 6

Any disciplinary action taken against the accused shall be in accordance with the City's Formal Disciplinary Procedure.

1.6.3. Non-Reprisal

No city official or employee shall harass, coerce, intimidate, threaten or discipline employees who exercise their rights under this procedure.

1.7. Workplace Violence Policy

POLICY

It is the policy of the City of Orem that workplace violence and an environment that allows workplace violence is unacceptable and will not be tolerated.

PURPOSE

To provide and maintain a safe work environment free from the acts and threats of violence or abuse in any form against citizens, city employees and their families.

GUIDELINES

1. Workplace violence is any act or behavior in the workplace that is intended to cause physical harm to a person or is physically threatening to a person. It includes assault, aggravated assault, homicide, kidnapping, disorderly conduct, stalking as prohibited by Utah law, as well as any other hostile physical contact, threats of harm to either a person or property, and malicious damaging of a person's property. It does not include physical contact engaged in by employees in the lawful and appropriate discharge of their duties.
2. Bullying is considered to be a form of workplace violence, and is prohibited by this policy and the City's Harassment Policy.
3. The use or threat of violence by any employee against another person while at work is prohibited.

4. City employees may not possess or use a weapon illegally while at work. "Weapon" may consist of firearms, knives, bombs, bats, clubs, stun guns, tools improperly used in a violent or threatening manner, martial arts weapons or other instruments of fighting such as brass knuckles.
5. An employee who seeks a protective order due to threat or act of harm should include his/her place of employment as a protected area. The employee is encouraged to notify his/her supervisor or Division Manager of the order, so that the City may assist in his/her safety as well as the safety of coworkers.
6. The City may provide training to assist employees in the recognition, prevention and reporting of workplace violence.
7. If an employee is a potential/actual victim or a witness of a workplace violent event, the employee shall promptly contact his/her supervisor, Division Manager, or Department Director (as available) when immediate intervention is necessary. The employee should make every effort not to escalate the situation and to safely remove himself or herself from the incident if it is not a required job duty. When the situation is dangerous, the employee shall immediately call 911. Reporting may also be made to the Human Resources Division Manager, the Assistant City Manager or the City Manager. The Manager or Director notified shall immediately notify the City Manager.
8. Whenever possible, the employee shall document specific information regarding the violence and give to the person contacted in paragraph 5 of these guidelines. Preferably dates, times, places, specific types of violence, and names of any witnesses should be included in the documentation.
9. If the violence or threat of violence is from an outside source, the City Manager or designee, in conjunction with the Chief of Police, Department Director and the employee, shall take whatever reasonable steps are necessary.
10. If the source of this policy violation is another employee, notification to the City Manager will initiate the following investigative procedure:
 - a. An investigative team shall be designated by the City Manager to investigate the complaint and prepare a report of their findings of fact.
 - b. The investigation and report shall be completed within ten (10) working days from when the complaint was received.
 - c. After completion of the report, the team shall provide a copy of their findings to all involved employees.
 - d. The employee(s) will have one (1) business day from receipt of the findings to respond.
 - e. The report and responses will then be provided to the City Manager for review with the employee's Department Director to take whatever personnel actions that may be deemed appropriate.
 - f. Any disciplinary action taken against the perpetrator shall be in accordance with the City's Formal Disciplinary Procedure. The perpetrator shall have the right to appeal any action taken against him/her.
11. Nothing in this policy shall prohibit a supervisor from taking immediate action to ensure or secure safety in the workplace free from violence or the threat thereof. Those actions may include but are not limited to temporary reassignment or administrative leave.
12. No city official or employee shall harass, coerce, intimidate, threaten or discipline an employee who exercises his/her rights under this policy.

1.8. E-Mail and Internet Usage Policy

POLICY

It is the policy of the City of Orem to establish basic guidelines concerning the appropriate use of e-mail, voice mail, Internet technology, or other electronic communications systems owned and provided by the City. All communications over and activities conducted on these systems are the property of the City. The City has provided these systems to its employees for the purpose of performing their job.

PURPOSE

To encourage the proper use of voice mail, e-mail and INTERNET or other electronic systems provided by the City.

1.8.1. Guidelines for IM, Text messages and Blogs

1. The City encourages employees to use e-mail voice mail and Internet systems for both City-related and personal purposes, but only in accordance with the guidelines in paragraphs 2 through 5 of this subsection. The employee has no expectation of privacy when using any equipment or system provided by the City. The City reserves the right to inspect the contents of any equipment, e-mail, voice mail or other electronic file residing on the City server, or equipment that it provides to the employee. Such an inspection may occur at any time and for any reason. Supervisors should be particularly aware of situations that may warrant monitoring such as:

- a. Suspicion of a crime or violation of policy
- b. Monitoring productivity

The use of passwords are to prevent unauthorized access by others employees and the public and should not be construed as creating an expectation of privacy by the employee who uses the password.

2. The City encourages work related and personal uses for e-mail, voice mail and Internet systems within the City including the following:
 - a. To facilitate performance of job functions;
 - b. To facilitate the communication of information, both internally and externally, in a timely manner;
 - c. To coordinate meetings of individuals, locations, and City resources.
 - d. To share ideas and information;
 - e. For personal use during employee's time off (provided the provisions in #4 are followed) ;and
 - f. To encourage employee innovation.
3. Prohibited uses of e-mail, voice mail, Internet and other electronic systems include, but are not limited to the following:
 - a. Political endorsements
 - b. Commercial or business activities not related to the City.
 - c. Personal use of systems during employee's work time other than brief incidental use
 - d. Sending obscene or suggestive messages
 - e. Sending, viewing, or downloading offensive, pornographic, discriminatory, disparaging or harassing graphical images or information
 - f. Threats
 - g. Slander or Defamation
 - h. Other illegal activities or activities prohibited by City policy, state or federal law
4. Employees using the e-mail, Internet, and other related systems within the City for personal use will be responsible for reimbursing the City for any direct expenses incurred from that use, such as the costs of printing or long-distance calls.

5. Although commercial or business activities not related to the City are prohibited on e-mail and Internet systems, the City allows employees the opportunity to sell limited personal items using the employee intranet system. Selling items for non-City employees is prohibited.
6. Employees are cautioned not to send e-mail to every employee listed on the e-mail system that is indicative of a person's personal beliefs or of a religious nature.
7. Email, instant messaging and voice mail can be used in court proceedings as evidence. Employees are to be professional in their use of electronic communications systems.
8. Violations of this policy will be reviewed on a case-by-case basis and may result in disciplinary action up to and including termination.
9. Violations of this policy that may be construed to be of a harassing nature or that may create a hostile work environment will be treated as a violation of the City's harassment policies.

1.9. Social Media

POLICY

It is the policy of the City of Orem to establish basic guidelines for the use and social media by the City and its employees.

PURPOSE

The City recognizes that social media has changed the way that people communicate with each other and that the use of social media can enhance communication between city government and citizens, particularly citizens that do not access traditional media.

The City encourages the use of social media to further the mission of the City and its departments where appropriate.

This policy sets forth guidelines for the establishment and use of social media by the City for the dissemination of information to the public.

For purposes of this policy, social media means any facility for online publication and commentary including without limitation blogs, wiki's, content hosting sites such as Flickr and YouTube, and social networking sites such as Facebook, LinkedIn, Twitter, and Google Plus.

1.9.1. City Sponsored Social Media

City departments may utilize social media and social network sites to enhance communications with citizens and program participants subject to the following rules and guidelines:

1. All City social media sites shall be approved by the City Manager. The Director of each department or the Director's designee shall be responsible for the content and upkeep of each social media site maintained by that department.
2. City social media sites shall generally be used for (1) marketing/promotional channels which increase the City's ability to broadcast its messages to the widest possible audience, (2) public information updates, and (3) the dissemination of time-sensitive information as quickly as possible (example: emergency information).
3. Content posted to social media sites shall also be made available on the City's main website whenever practical. Content posted to City social media sites should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct business with the City.

4. Employees representing the City via social media outlets must conduct themselves at all times as a representative of the City and in accordance with all appropriate City policies and standards, including but not limited to the Employee Handbook. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.
5. City social media sites shall be used only for communication of City related information in accordance with the City's mission and shall not be used for personal purposes.
6. City social media sites shall comply with federal, state and local laws, regulations and administrative rules.
7. City social media sites are subject to State of Utah public records laws. The department maintaining the site is responsible for responding completely and accurately to any public records request for public records on social media sites. If the information requested is available on the social media site, referral of the requester to the site will generally constitute compliance with the request. Content related to City business shall be maintained in an accessible format and so that it can be produced in response to a request. Wherever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure. Users shall be notified that public disclosure requests must be directed to the appropriate departmental records representative.
8. Utah state law and relevant City records retention schedules apply to social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the department maintaining a site shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a City server in a format that preserves the integrity of the original record and is easily accessible. Appropriate retention formats for specific social media tools shall be determined by the City Recorder's Office.
9. Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between City departments and members of the public. City any content on a City social media site containing any of the following shall not be allowed:
 - a. Comments in support of or opposition to political campaigns or ballot measures;
 - b. Profane language or content;
 - c. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation,;
 - d. Sexual content or links to sexual content;
 - e. Solicitations of commerce;
 - f. Conduct or encouragement of illegal activity;
 - g. Information that may tend to compromise the safety or security of the public or public systems;
 - h. Content that violates a legal ownership interest of any other party; or
 - i. Comments not topically related to the particular social medium article being commented upon, including random or unintelligible comments.
10. The guidelines described above should be displayed to users or made available by hyperlink. A copy of any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.
11. The City reserves the right to restrict or remove any content that is deemed to be in violation of this social media policy or any applicable law.
12. If any City department desires to use any r social media tool, such use must be approved by the City Manager or designee.

13. All content created or posted on a City social media site as well as all City profile and home pages shall belong to the City.

1.9.2. Employee Personal Use of Social Media

Because personal communications of employees may reflect on the City, especially if employees are commenting on City business, supervisors or City policies, and because information posted by employees on social media sites or the internet may be spread to large audiences without the employee's knowledge or permission, the City has an interest in regulating employees' personal use of social media. Employees who are known as such may be seen by citizens as representatives of the City and such employees' activities on social media networks may reflect upon the City.

Therefore, with respect to their personal use of social media, all employees shall:

1. Comply with all privacy protection laws, e.g. GRAMA, HIPAA, and protect sensitive and confidential City information.
2. Not use the City logo or trademarks on the employee's social media networks unless approved to do so by the City Manager. Employees shall follow all copyright laws.
3. Not make disparaging comments about the workplace, City policies, supervisors, co-workers, citizens, customers or other persons associated with the City.
4. Not use personal social media channels for internal business communications or disagreements among fellow employees. It is fine for employees to disagree, but employees should not use external blogs or other online social media channels to air their differences publicly.
5. Not discuss or comment on City business or information that has not yet been made public such as unannounced strategies or projects, potential property acquisitions or divestitures, legal or regulatory matters affecting the City and other similar subjects that could negatively affect the City. If an employee is uncertain about the sensitivity of a particular subject, the employee should seek advice from the employee's division manager or the City's legal department before talking about it or simply refrain from the conversation.
6. Refrain from sharing anything via social media channels that violates the right to privacy of an employee, customer or other person with whom the City does business. Examples of social media disclosures that may compromise the right to privacy include, but are not limited to, pictures, video or audio recorded and shared through social media channels without the permission of any single person featured, or the public disclosure of private facts or the disclosure of information gained through unreasonable intrusion. A violation of the right to privacy under this section shall be enforced on a complaint basis. An employee who receives a complaint or a request to remove a picture, video or audio featuring another person, shall promptly remove such content. An employee shall not be subject to discipline under this section unless the employee fails to promptly remove such content or unless the employee acted maliciously in the posting of content featuring another person.
7. Not send a "friend" or similar request to any person who is supervised by or subordinate to the employee.
8. Not post any information to any blog, social networking site, or other public internet site, that would discredit or disparage the City.
9. Any employee who identifies himself/herself as a City employee on a social media site either directly (by stating occupation or place of employment) or indirectly (by posting a photo of the employee in a City uniform or in clothing with a City logo), or whose affiliation with the City is known or can readily be inferred shall with regard to their activities on social media:
 - a. Not use ethnic slurs, profanity, or statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, religion, or any protected class of individuals.

- b. Not post any material or engage in any speech containing obscene or sexually explicit language, images, or acts.
10. Nothing herein shall be construed to prevent an employee from speaking out on matters of public concern provided that the employee's interest in making the communication outweighs the City's interest as an employer in preventing the communication. Examples of situations where the City's interest in preventing an employee communication may outweigh the employee's interest in making the communication include, but are not limited to, situations where the speech could (1) impair discipline by superiors or harmony among co-workers, (2) have a detrimental impact on close working relationships for which personal loyalty and confidence are necessary, (3) impede the performance of the speaker's duties, (4) interfere with the regular operation of City business or (5) undermine public confidence in the City where public confidence is important to the successful accomplishment of the City's mission.

1.10. Cell Phone Use

POLICY

Cell phones are provided to select employees upon approval of the Department Director to enhance communications, improve efficiency and facilitate emergency management operations.

PURPOSE

To maximize the ethical use of cell phones as a business tool.

The City will generally provide for cell phones usage as follows:

The City will provide a cell phone for use by certain employees, based on need as determined by the Department Director. The IT Division Manager will manage City-wide cell phone plans and negotiate the best possible rates and plans with existing cell phone service providers. This will be periodically reviewed to determine that the City is getting the best value possible. In order to keep elected officials, executive staff, and selected senior management in contact with the City 24-7 and to avoid roaming charges, the City will provide a phone with standardized nation-wide calling plans, texting and data capability. All other employees who need a cell phone in the course of their work for the City will be provided a phone and plan conducive to the demands of the job.

1.10.1. Cell Phones and Driving

Employees are to not use cell phones or other wireless devices while driving a vehicle unless they are using a hands free device. This is in accordance with Section 41-6a-1716 Utah Code Annotated, as amended.

1.10.2. Fees for Using City Cell Phone for Personal Calls

1. Employees may use their City cell phones for routine personal usage as long as there is not increased cost to the City. Employees who use cell phones for personal calls will be charged \$10.00 per month. Employees who use cell phones for personal calls and texts will be charged \$15.00 per month. Employees who use their phones for personal calls, texts and personal access to data services on their city phone will be charged \$20.00 per month.
2. Employees are not to use a City provided cell phone as their primary personal phone in lieu of a personal landline or to conduct or operate a personal business. The City provided cell phone is meant as a business productivity tool necessary to efficiently carry out City business.

1.10.3. Use of Personal Cell Phones for City Business

1. The City will reimburse employees who use their personal cell phones for City related business if these City calls incur added expense to the employee. Employees who work in a position that would normally be issued a City provided cell phone but who desire to maintain a personal cell phone will be paid a monthly cell phone allowance to off-set the costs of using their personal phone for City use. The

appropriate amount of this allowance will be determined by the City Manager and generally will be commensurate with the reimbursement formula outlined above.

2. Department Directors can alter the plans used by employees as necessary to enhance the operating efficiency of their department. All phone plans are to include voicemail and caller ID. Other plan package options (such as text messaging) may be appropriate and will be determined by the Department Director.

1.11. Information to the Public

POLICY

It is the policy of the City of Orem that City departments and other government agencies may submit information about events, programs, policies, and other items to be disseminated to the public to increase community awareness.

PURPOSE

To effectively utilize City publications to disseminate information to the community.

GUIDELINES

1. All information for the Community Newsletter, updates, utility bills, special flyers, and employee newsletters must be approved by the City Manager's office.
2. Non-city flyers will not be accepted for inclusion with utility bills.

1.12. No Smoking Policy

POLICY

It is the policy of the City of Orem that smoking shall not be permitted in City buildings, vehicles and facilities. For the purposes of this section of the policy, "smoking" shall include the use of e-cigarettes or any similar device.

PURPOSE

To conform with local, state and federal law and to eliminate the health hazards of passive smoking.

GUIDELINES

1. Smoking shall not be permitted in any City building, vehicle or facility, including maintenance areas and jail facilities. Smoking at the City Center complex outside of buildings shall only be permitted in areas designated by ordinance.
2. Department Directors responsible for a building and/or facility shall place cigarette butt receptacles and "no smoking" notices at each main entrance to the building.
3. Employees shall comply with any other federal, state or local law applicable to smoking.

1.13. Parking Policy

POLICY

It is the policy of the City of Orem to designate areas in which employee parking is allowed.

PURPOSE

To provide convenient parking for all city customers.

GUIDELINES

1. All employees are encouraged to apply the principle of "close to the customer" by reserving parking close to the building for the customer.

2. The parking diagram attached to this policy sets forth the parking plan for City Center.
3. The Human Resources Office shall provide a copy of the parking plan to new employees during orientation.
4. Department Directors with responsibilities for other city facilities shall adopt and submit to the City Manager similar parking plans for their respective facilities.
5. Department Directors can allow an exception based upon individual circumstances such as safety, mobility concerns, etc.

1.14. Travel Policy

POLICY

The travel policy of the City of Orem provides guidance for city personnel related to their attendance at conferences, conventions, seminars, and other training opportunities.

PURPOSE

To provide guidelines whereby city personnel may travel to increase their knowledge and effectiveness, keep current on new developments, and infuse new and innovative practices and procedures into the City's various work functions.

GUIDELINES

1. Travel shall be limited by budget constraints and restricted to training that is appropriate and beneficial to the City and its business functions. Travel shall be done in as cost conscious and efficient a manner as possible.
2. City personnel may attend professional development training as approved by their Department Director, the Finance Director, and the City Manager (or their assigned designee(s)).
3. The number of city personnel traveling to the same conference, convention, seminar, or training session shall be kept to a minimum. Special training needs requiring a group to attend shall be approved by the City Manager.
4. City personnel attending a conference, convention, seminar, or training session shall share any and all pertinent information with other employees upon their return. Methods of imparting this information to others may range from a formal training session to an informal discussion in a department staff meeting.
5. Department Directors shall be responsible to see that personnel within their respective departments comply with the travel policies and procedures and stay within the approved travel appropriation.
6. Prior to traveling, a travel authorization form shall be completed and delivered to the City's Accounting Division Manager (or assigned designee). The authorization form must be signed by the employee and approved by the employee's Department Director and the City Manager (or their assigned designee(s)).
7. Overnight travel and any associated expenditure of funds must be made according to the procedures outlined below:
 - a. *Housing.* The City will provide hotel accommodations at the government rate or single room conference rate. An itemized hotel bill must be submitted with the final travel authorization. Room service will fall under the per diem guidelines. The individual will be responsible to pay for in-room movies and other hotel services.

(1) Generally, hotel costs for travel occurring along the Wasatch Front will not be reimbursed. The Department Director and the City Manager must approve all exceptions.

- b. *Ground Transportation.* The City will pay the cost of necessary ground transportation. City personnel are expected to secure the least expensive means of appropriate transportation under the circumstances. Receipts must be submitted for reimbursement.
- c. *Airfare.* The City will pay the cost of the standard coach airfare. Flight arrangements should be made so that arrival times allow for sufficient rest to fully participate in and benefit from the conference, convention, seminar, or training session. The employee's travel itinerary and other supporting cost documentation must be submitted for reimbursement.
- d. *Mileage.* If a personal vehicle is used, the employee will be reimbursed at the Internal Revenue Service standard mileage rate. Mileage shall be calculated from the Orem City Center offices. For a listing of approved round-trip mileage for frequent driving destinations, please see the travel authorization form. For all destinations not listed, a reasonable method of obtaining the actual mileage should be used and shall be verified by the Accounting Division Manager.
- e. If airline service is available to the conference, convention, seminar, or training session and the employee elects to drive, the mileage reimbursement shall not exceed the cost of airfare, ground transportation, and other applicable costs (such as airport parking, etc.).
- f. *Meals.* The City allows a daily meal per diem for each day of business related travel. Per Diem rates are reviewed annually and in-state and out-of-state rates are designated on the travel authorization form. The full per diem may be claimed even if a meal is provided as part of a conference, convention, seminar, or training session.
- g. For business travel that does not require an overnight stay, a lunch per diem is available. Please see the travel authorization form for the current amount of this per diem or contact the Accounting Division Manager (or assigned designee).
- h. City personnel may receive a cash advance for travel expenses.
- i. If the City requests that city personnel use their own vehicles for business related travel, the City will reimburse them at the established mileage reimbursement rate (see paragraph 7.e.) and will cover the vehicle for liability and property damage insurance deductibles.
 - i. If city personnel elect to use a personal vehicle when another form of transportation is prescribed by the City, the City will not cover the vehicle for liability and property damage insurance.
- j. The City will reimburse city personnel for out-of-pocket expenses for gasoline and other necessary expenses when driving a city vehicle.
- k. Costs incurred for traveling companions who are not city personnel will be considered ineligible expenses and will not be reimbursed. There is an exception for spouses of city personnel who are expected to participate in the event for which the travel is required. Such exceptions must be approved by the City Manager.

1.15. Use of City Computers

POLICY

It is the policy of the City of Orem to allow employees to utilize the City's computer equipment for personal use during non-working hours.

PURPOSE

1. Encourage innovation with new technology.

2. Develop computer skills.
3. Make the best use of computer equipment.
4. Share ideas and information.
5. Discourage employees from doing personal projects during normal working hours.

GUIDELINES

1. City computer equipment may be used by City employees for personal use during non-working hours.
2. No personal business-related use will be allowed.
3. Any supplies used will be paid for by the employee.

1.16. Policy for Disposing of Used Computers and Related Equipment

POLICY

It is the policy of the City of Orem to dispose of used computer equipment in an efficient manner to recoup equipment costs and protect City information.

PURPOSE

To ensure the efficient and safe disposal of used computers and related computer equipment.

GUIDELINES

1. When a computer has reached the end of its useful life for an employee, the department head, in conjunction with IT staff, is to determine if there are other employees in the department or throughout the City who can use this “hand-me-down” computer. If so, then the computer will be reassigned to another employee.
2. If a computer is no longer capable of functioning properly or can no longer support needed software programs in an efficient manner, then the computer will be retired from service.
3. When a computer is retired from service an employee specializing in IT will, after backing up the needed data, reformat the hard drive or otherwise wipe the hard drive clean of data and software.
4. If the computer is operable, the computer and necessary supporting equipment, key board, printer, etc. will be sold by the purchasing agent using the following method:
 - a. The computer will be declared surplus by the City Manager or his designee; and
 - b. The computer system to be sold will be advertised over the City’s web page, and also through the City’s email system. The system will be placed on public display in the Orem Public Library; and
 - c. The computer system will be sold to anyone willing to pay the asking price which will be established by the City’s Information Technology Division; and
 - d. City employees and their immediate families can purchase the computer system after it has been available to the general public for 24 hours.
5. All computer systems are sold “as is” and without warranty, software or support.
6. If after 5 working days the computer system has not sold it will be disposed of by the purchasing agent.
7. If the computer cannot be sold it will be disposed of immediately following procedures established by the purchasing agent.
8. Monitors with a cathode ray tube containing lead will be disposed of in a legal and safe manner following procedures established by the purchasing agent.

1.17. Vehicle Allowance Policy

POLICY

It is the policy of the City of Orem to provide a car allowance for selected employee classifications.

PURPOSE

The purpose of the vehicle allowance is to compensate and reimburse critical employee classifications for regular work-related travel expenses. The guidelines below outline the intent of how the vehicle allowance is to be used for the benefit of the City.

DEFINITIONS

City Business – Any act by an employee which is required in order to perform his/her assigned duties or any act which is within the employee's course and scope of employment. Commute to and from home is not considered City business.

City Employee – (a) full-time, benefitted employee, (b) mayor or member of the city council

Good Driving Record – (a) not being convicted of more than two moving violations in any twelve month period
(b) not being convicted of a reckless driving or DUI violation.

GUIDELINES

1. The City will provide a car allowance to members of Executive Staff (Current exceptions are the Police Chief and Fire Chief, who are provided vehicles by the City). The City may also provide a car allowance to a Division Manager on an as needed basis when approved by their Department Director and the City Manager.
2. The allowance will be the same for all Executive Staff with the exception of the City Manager who separately negotiates his car allowance with the City Council.
3. The car allowance will be part of the compensation package and will be taxable as prescribed by law.
4. The car allowance amount will be evaluated periodically to determine if it maintains its competitiveness with other municipalities and its intended purchasing power.
5. The employee is to use the car allowance to assist in providing and maintaining a work vehicle.
6. Employees receiving a car allowance are encouraged to purchase or lease their car from an Orem dealer.
7. Each employee receiving a car allowance is to keep his or her car inspected, licensed, and fully insured as prescribed by law.
8. The employee is to use this vehicle for business use. There will be times when it is appropriate for an employee being provided a car allowance to utilize the City's pool cars e.g. a pool car can more easily accommodate those traveling to the same destination, or the employee has City business out of the county.
9. If the vehicle is involved in an accident while on City business the owners insurance will be the primary insurance; however, the City will reimburse the owner the out of pocket costs of meeting insurance deductibles.
10. Those receiving a car allowance from the City shall not use the city's gas system to fill their car or utilize any city supplies or the city's mechanics to maintain the vehicle.
11. Employees should maintain personal vehicles on their own time. If a vehicle is out of service while being maintained, a City vehicle may be used. For personal vehicles out of service for more than five working days, the employee shall reimburse the City at the IRS authorized rate for personal use after the fifth day.

12. If an employee receives a car allowance and is off work due to illness or accident for over one month, the City has the right to suspend the allowance for the duration of the absence from work.
13. If the car is used for city business that is out of the metro area (Utah, Salt Lake, Wasatch, Summit, Tooele, Juab, Weber or Davis counties) the owner may apply for mileage reimbursement at the standard rate.
14. The Police Chief, Fire Chief, and other emergency-response or on-call employee classifications are provided city vehicles to allow them to more readily respond to the 24 hour nature of their jobs. The City will provide gasoline, and all maintenance for these vehicles. The individuals in these positions are allowed to drive these vehicles during their off-duty hours when they are in Utah and Salt Lake Counties. These vehicles shall not be taken on vacation or for other purely pleasurable trips when the Chiefs and Director would not be reasonably asked to immediately respond to a city emergency.

1.18. Use of City Vehicles

POLICY

It is the policy of the City of Orem that city vehicles will be used for city business with personal use limited by city and department policy.

PURPOSE

To provide guidelines for the personal use of city vehicles.

GUIDELINES

1. When conducting or traveling on city business, employees shall use a city vehicle when one is available.
2. Pool cars are generally not available for use on overnight trips. Exceptions should be cleared with the employee's Department Director and the Director of Finance. An employee may use an assigned city vehicle for an overnight trip with the Department Director's approval. (Refer to Use of Pool Cars Policy)
3. Fire and Police Department employees with assigned vehicles may use the vehicles within the policies and guidelines established by the Department Director.
4. All other employees with assigned vehicles and employees using pool cars shall generally use the vehicles only for work purposes. However, personal use which is incidental to work activities is permitted, such as lunch near the employee's current work area and other stops within a reasonable distance of the employee's work route. Employees are expected to use good judgment when using a city vehicle for incidental personal use. Questions regarding the appropriate limitations of this guideline should be directed to the employee's Department Director.
5. Except for Public Safety employees with assigned vehicles, employees may take an occasional passenger who is not a city employee, whether for work or incidental personal purposes. Any time a non-city employee is a passenger, he or she must wear a seatbelt and be seated in a position consistent with the automotive industry guidelines relative to airbags and size and age of the passenger. Fire and Police Department employees with assigned vehicles may carry passengers in accordance with department policy.
6. When parking a city vehicle in a parking stall positioned perpendicular to the traveled portion of the roadway or parking lot, employees shall back into the stall, or when there are two stalls back to back, they may pull forward all the way through into the second stall so that when they leave, they can do so by pulling out forward rather than backing.
7. Employees assigned to be on-call may take a city vehicle home while they are actually on-call, with the approval of the Department Director and provided they live within Utah County.

1.19. Use of Personal Vehicles for City Business

POLICY STATEMENT AND AUTHORIZATION

Many City officials and employees are required or expected to travel on City business using their personal automobile, it is not always practical or cost effective to provide employees with a City vehicle. It is the policy of the City of Orem that personal vehicles may be used for city business if approved by the employee's Department Director and if the employee is in compliance with this policy at all times. Select employees may receive a vehicle allowance based upon the needs of the City. The vehicle allowance shall be a monthly flat rate that the employee receives for the use of their private vehicle for City Business. Employees that receive vehicle allowances that are not specifically called out by the position must be approved for the vehicle allowance by their Department Director and the City Manager. These case-by-case vehicle allowances may be revoked, because of budget constraints or necessary needs at the discretion of the City.

PURPOSE

To set the parameters for when employees may use their personal vehicle for city business and to define when the city's insurance program will provide coverage in the event of an accident while employees are driving on behalf of the city's business.

GUIDELINES

1. Employees may use their personal vehicles to conduct City business upon the approval of the Department Director. Except in limited circumstances, employees shall not be compelled to use their own vehicles. Approval of use of personal vehicles will only be granted if an employee affirms that the vehicle is in good operating condition, he/she has a valid driver's license, an acceptable driving record, and appropriate insurance. The employee's insurance must always be in force while the vehicle is used for the City. If any of the conditions for approval to operate a personal vehicle on City business fall below these acceptable standards, then the employee is no longer authorized to use the vehicle on the City's behalf and the employee must immediately notify the Department Director.
2. Employees cannot use personal motorcycles and scooters to conduct city business.
3. When using their personal vehicles as authorized in this policy, employees will be required to maintain personal insurance coverage and limits as required by State law. The employee's personal insurance will be considered primary coverage and the city's insurance program will provide secondary liability coverage to the personal insurance for work-related travel and for incidental personal use while on city business. In addition to providing this excess coverage, the City may pay any personal insurance deductible for damages resulting from a work-related accident on behalf of the employee. In the event that an employee has committed a criminal offense other than a traffic violation or the employee has acted with gross negligence or willful misconduct, the employee may be ineligible for coverage under other city insurance and risk programs, and may be subject to discipline. If the employee elects not to carry property coverage, property coverage will not be available through the city's insurance program.
4. Mileage reimbursement requests for authorized use of personal vehicles may be submitted to Finance and will be reimbursed at the Internal Revenue Service established mileage rate. (Please note that mileage reimbursement has been calculated by the Internal Revenue Service to cover the costs of gas, oil, wear and tear and full coverage insurance as well as other costs). In most cases, mileage reimbursement will be the only compensation an employee will receive when using a personal vehicle to conduct city business. It is the employee's responsibility to complete and submit mileage reimbursement requests in a timely manner. Employees who receive a monthly vehicle allowance may not be eligible for mileage reimbursement under this policy.
5. When renting a vehicle to be used for city business, the city employee must accept full coverage insurance offered by the rental company. Note: Under current state contract, all rental vehicles include full coverage, per state contract.

6. If an employee's personal or rented vehicle is involved in an incident while on city business, the internal review procedures will be used to evaluate the accident. Employees involved in an incident are subject to the same potential for disciplinary actions whether they are driving their own vehicles or a City vehicle.
7. All incidents must be reported in accordance with the City vehicle incidents reporting policy.
8. When parking their personal vehicles during their use for city business, employees shall back into parking stalls that are positioned perpendicular to the traveled portion of the roadway or parking lot, or where there are two stalls back to back, they may pull forward all the way through the second stall so that when they leave, they can do so by pulling forward out of the stall rather than backing.
9. Employees receiving a vehicle allowance shall be compensated an amount not to exceed the limit set forth in the City's Annual Fiscal Budget – Staffing and Compensation Plan, based upon anticipated use and scope of responsibility. Vehicle allowance compensation levels will be reviewed periodically by the Human Resources Division. The following factors should be considered when determining the appropriate amount for a vehicle allowance:
 - a. The amount of required or expected travel within or outside of the City;
 - b. The frequency of on-call or call back work and evening and weekend City business; and
 - c. An employee's classification level (for e.g., mayor, city council member, city manager, department head, and division manager)
10. Allowances are noted and approved annually as part of the compensation and benefits section of the budget. For the purpose of determining appropriate levels upon inception of this policy, the following illustrates the initial allowance amounts, by employment classification:
 - a. Mayor \$200/month
 - b. City Council Members \$100/month
 - c. Executive Staff \$425/month
 - d. Division Managers: \$350/month

1.20. Use of Pool Cars

POLICY

It is the policy of the City of Orem to provide pool cars for authorized city use.

PURPOSE

To make vehicles available for city employees to perform authorized city business.

GUIDELINES

1. Pool cars may be used by all city employees but should not be used as a replacement for vehicles assigned to a particular driver or department.
2. All uses of pool cars must be scheduled on the network calendar.
3. Keys shall be returned to the Finance Department immediately upon return. All cars must be returned to the assigned City Center parking area each evening. If an employee returns after hours, the keys should be placed in the utility billing night drop box.
4. Employees shall notify the Finance Department if a pool car is experiencing maintenance problems or is in need of service. Employees should be conscientious in seeing that the vehicle has adequate gas and is clean for the next employee who uses the vehicle.

5. Pool cars will not be available for extended use without specific approval of the Finance Director. For extended training or other such use, the department will need to provide vehicles or make arrangements to use personal vehicles.
6. The Director of Finance shall be responsible for the routine maintenance and cleaning of the pool cars.

1.21. Vehicle Maintenance

POLICY

It is the policy of the City of Orem that all city vehicles are maintained in a proper and safe functioning manner.

PURPOSE

To provide for the notification and repair of maintenance needs for all city vehicles.

GUIDELINES

1. Any employee who becomes aware of a maintenance problem on a city vehicle shall contact his or her supervisor and/or the City Fleet Services Division of Public Works.
2. All city vehicles shall be inspected by the Fleet Services Section at least annually to ensure well operating and safe vehicles.
3. All city vehicle repairs shall be coordinated and/or done by the Fleet Services Section.
4. All employees who utilize an assigned city vehicle shall be required to promote and adhere to minor vehicle maintenance and safety measures by ensuring clean windows, snow removal, tire pressure, checking oil and fluid levels, etc.

1.22. Personal Use of City-Owned Property

POLICY

It is the policy of the City of Orem to allow City employees to use city-owned property for incidental personal use as set forth herein.

PURPOSE

This policy is intended to define authorized personal use of city-owned property, including for purposes of Utah Code 76-8-402.

DEFINITIONS

Employee—means anyone of the following who performs services for the City, whether or not paid: an employee, including an elected official; a volunteer; a board or committee member; a consultant; or a contractor.

City-owned property—means real or personal property that is owned, held, or managed by the City and includes real or personal property that is owned, held, or managed by the City after the real or personal property is transferred by the City to an independent contractor of the City and remains public property while in the possession of an independent contractor.

GUIDELINES

1. City-owned property is public property and is to be used for the benefit of the public. City offices, departments, and employees are to use city-owned property to achieve the purposes of city government.
2. To help improve the effectiveness and efficiency of the City offices, departments and employees, incidental and occasional personal use of city-owned property is permitted, as long as the use does not:
 - a. Violate any law;

- b. Violate any policy of the City or the department or office;
- c. Significantly disrupt or distract from the conduct of city business;
- d. Involve solicitation, except as authorized in this or another city policy;
- e. Involve a for-profit business activity;
- f. Create risk of liability for the City; or
- g. Create risk of harm to the City, including negative public perception.

When another city, department, or office policy, such as a policy governing City vehicles, phones, computers, social media or information technology resources addresses personal use of a specific type of city-owned property, that policy must be followed for the use of that type of property. Such a policy pre-empts this policy.

3. Solicitation

- a. The City may designate specific locations (including electronic sources) where employees may post solicitation notices for fund-raisers, services, etc.
- b. Departments and offices may designate specific locations where their employees may post solicitation notices.
- c. Employees may only post solicitation notices in designated locations.

1.23. Purchasing Card Usage Policy

POLICY

It is the policy of the City of Orem to issue designated City employees and elected officials a purchasing card to conduct business on behalf of the City.

PURPOSE

This policy is intended to establish guidelines for the use of purchasing cards issued by the City to its employees and elected officials.

GUIDELINES

1. Purchasing cards are provided to employees as determined and approved by their Department Director and/or the City Manager.
2. The City of Orem Finance Director is the acting Purchasing Card Program Administrator for the City and is responsible for administering and enforcing the provisions of this policy and the purchasing card agreement(s).
3. The Purchasing Card Program is intended to help reduce the use of petty cash (i.e. emergency purchases), the use of personal funds reimbursed by expense reports (primarily related to travel), and facilitate internet purchasing capabilities.
4. Use of a purchasing card should not be used to avoid or bypass appropriate purchasing or payment procedures. Rather, use of a purchasing card compliments the existing purchasing processes and procedures currently in place.
5. Employees who are issued a purchasing card are responsible for the security of the purchasing card and the transactions made with the purchasing card. The purchasing card is issued in the employee's name or in some cases in the department's or division's name. For the purposes of this policy, references to "cardholder" include holders of cards issued in an employee's name and to the designated card custodian when a purchasing card is issued in the department/division's name. All purchases made with the purchasing card will be attributed to the cardholder. Thus, it is the cardholder's responsibility to notify the Program Administrator or an Accounting staff member immediately if any questionable charges have been detected.
6. Personal use of a purchasing card is strictly prohibited. Cardholders who use a City purchasing card for personal purposes are in violation of this policy.
7. A purchasing card may be used for most city-related purposes. However, prohibited purchases include but are not limited to services, alcohol, and any merchant, product, or service considered to be an inappropriate use of City funds.
8. For travel related expenses, cardholders may not receive a cash advance per diem or standard rate mileage allowance and use their purchasing card for these same expenses. The cardholder

must determine if they will use their purchasing card for meals, incidental expenses and/or fuel or if they would like to receive a cash advance per diem and/or the standard mileage allowance rate.

9. Failure to comply with any portion of this policy may result in suspension or revocation of purchasing card privileges and, depending on the severity, may also include termination of employment and, where applicable, criminal prosecution.

Employees who accept the privileges of using a purchasing card will be required to sign a Notice of Understanding & Agreement before a purchasing card is issued to them.

1.24. Remote Work

POLICY

It is the policy of the City of Orem to allow employees to remote work as set forth herein.

PURPOSE

This policy is intended to establish guidelines for remote working by City employees.

GUIDELINES

Remote work allows employees to work at home, on the road or in a satellite location for a defined period of time. The City of Orem considers remote working to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Remote working may be appropriate for some employees and jobs but not for others. Remote working is not an entitlement, it is not a citywide benefit, and it in no way changes the terms and conditions of employment with the City of Orem.

Remote working can be informal, such as working from home for emergency situations, a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. The Department Director must approve each employee's request for remote work. Department Directors have the discretion to require certain employees to remote work under certain circumstances such as emergency situations.

Department Directors have the right to discontinue individual remote work arrangements at any time for any reason.

1.24.1 Eligibility

Individuals requesting formal remote working arrangements must be employed with the City of Orem for a minimum of six months and have passed the probationary period of continuous, regular employment and must have a satisfactory performance record. Any timeframe less than the six-month employment would require City Manager approval.

Before entering into any remote working agreement, the employee and Department Director, with the assistance of the Human Resource division, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote workers.
- Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a remote working arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the remote work including ability to work with minimal interruption, ability to access a work computer and necessary software, and other forms of electronic communications.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and Department Director agree, the Human Resource Manager concurs, and an acceptable review of home equipment and network service has been completed by I.T., a Remote Work agreement will be prepared and signed by all parties, and a one-month trial period will commence. During times of emergencies, the remote working agreement can be waived by City Manager directive.

Evaluation of remote worker performance during the trial period will include regular interaction by defined communication methods within the Remote Work agreement (i.e. phone, instant messaging application, e-mail, etc.) and other electronic means between the employee and the manager to discuss work progress and problems. Work output including quantity and quality shall be consistent with the same work performed in the workplace. The frequency and content of the evaluation of remote worker performance will be consistent with that received by employees working at the office but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the remote worker and manager will be agreed to as part of the Remote Work agreement and will be more formal during the trial period. After conclusion of the trial period, the manager and remote worker will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

1.24.2 Equipment

On a case-by-case basis, the City of Orem will determine, with information supplied by the employee, the manager, and the I.T. division, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each remote working arrangement. The Human Resource and I.T. divisions will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the City of Orem, will be maintained by the employee. The City of Orem accepts no responsibility for damage or repairs to employee-owned equipment. The City of Orem reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the City of Orem is to be used for business purposes with incidental personal use only. Equipment designed to be stationary (e.g. desktop towers) will not be considered appropriate equipment to transport to and from work to facilitate Remote Work. The remote worker must sign an inventory of all City of Orem property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all city property will be returned to the City of Orem.

If the employee decides to use a personal laptop or personal desktop computer in lieu of a city issued laptop, the employee will be required to use remote access software on their personal computer to access the City's network as needed and required by the direct supervisor.

The I.T. division can offer limited support for remote work situations, but ultimately support for equipment and networking is on the employee.

The City of Orem will supply the employee with appropriate office supplies found in the workplace (pens, paper, etc.) as deemed necessary.

The employee will establish an appropriate work environment within his or her home for work purposes. The employee may be required to verify an appropriate work environment (e.g. a picture of the workspace). The City of Orem will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space. The City of Orem will not be required to offer technical support with an employee's technology equipment or service provider.

1.24.3 Office Phone

If the employee has a city issued mobile phone, or a phone that the employee receives a stipend for, the employee's desk phone must be forwarded to their mobile phone to facilitate inbound calls from their desk extension. An employee must regularly check their desk phone voicemail.

1.24.4 Security

Consistent with the City's expectations of information security for employees working at the office, remote working employees will be expected to ensure the protection of proprietary company and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

Personal computer equipment must have antivirus software installed to be used for Remote Work.

1.24.5 Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties will be investigated by the City's workers' compensation carrier. Remote working employees are responsible for notifying their Department Director of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Remote working is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective remote workers are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

1.24.6 Time Worked

Remote working employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the City of Orem's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the remote worker's Department Director. Failure to comply with this requirement may result in the immediate termination of the Remote Work agreement.

Remote working employees will be required to be in contact with their supervisor on a regular basis and provide a summary of their work completed during that timeframe as requested by the supervisor.

1.24.7 Ad Hoc Arrangements

Temporary remote working arrangements may be approved for circumstances such as City Manager directive, inclement weather, pandemics, emergencies, special projects or business travel. These arrangements are approved on an as-needed basis only, by the Department Director, or City Manager. There will be no expectation of ongoing continuance.

SECTION 2 - RISK MANAGEMENT POLICIES

INTRODUCTION: Every employee is important, and the safety of each employee is important. Safety is the exercise of good judgment. Using safe habits at work, at home, and on the road will protect you, your fellow workers, and your family from needless suffering and financial loss.

Each department in the City is expected to maintain a safe workplace for its employees consistent with federal, state and local safety codes and regulations. We would like to point out some safe practices, which will aid you in your work. Following these practices will aid the City in providing you with a safe place to work.

THE MOST IMPORTANT PREVENTIVE MEASURE LIES IN THE ABILITY OF EVERY EMPLOYEE TO PERFORM HIS/HER JOB IN THE SAFEST POSSIBLE MANNER.

Safety rules contained herein should not be considered all-inclusive. Each department shall be responsible for identifying and mitigating all additional department specific risk exposures, which includes the training and implementation of all applicable safety practices and procedures.

All city employees shall comply with the rules contained herein on a daily basis. Please read carefully and become fully acquainted with applicable policies. They are designed for your protection.

It is your responsibility to be alert and to exercise good judgment. When in doubt consult your supervisor or the City Risk Manager at 229-7013.

2.1. Risk Management Policy

POLICY

It is the policy of the City of Orem to reduce the potential for loss from risk exposures through sound risk management practices in all city, department and individual employee activities.

PURPOSE

1. Provide a safe and healthy workplace and community.
2. Place responsibility for risk management with each department.
3. Provide instruction on incident reporting and accountability processes.
4. Provide instruction on return to work processes.

GUIDELINES

1. Within the constraints of the budget and the City's obligation to provide certain public services, city policies will reflect a strong consideration for the safety of employees and the public. The City will strive to provide an environment, which reduces the threat of personal injury or property damage to the residents, businesses, visitors, and employees of the City.
2. The City is committed to providing a safe work place for its employees through the implementation of appropriate risk management policies and procedures. Department programs should be reviewed by the Risk Manager. Department policies and programs shall address the following areas of concern:
 - a. Each Department Director is responsible for risk management in his or her department and shall be responsible to fully implement all applicable URMMA risk reduction programs.
 - b. Each director shall develop and maintain policies and practices designed to meet the particular risk management needs of his or her department. Department Directors and Division Managers shall be responsible for imposing the appropriate corrective action on employees who violate established safety rules, policies and/or procedures.

- c. Citizen Safety. Department policies and procedures shall be designed to promote the safety and protection of private individuals and property.
 - d. Employee Safety. Individual employees shall take responsibility for their own safety as well as the safety of other employees, citizens, property, etc. Department policies and procedures shall provide appropriate levels of safety for individual employees. Adequate training, appropriate supervision, reasonable scheduling, proper equipment and other management tools should be utilized in creating a safe working environment.
 - (1) All vehicles and equipment will be maintained and operated in a safe manner. Each department shall establish a method for employees to report unsafe equipment and working conditions. No employee is to operate nor be asked to operate unsafe equipment.
 - (2) No employee shall operate or be assigned to operate any vehicle or equipment that is not in safe operating condition as determined by established standards.
 - (3) Safety features shall be a factor in the purchase of new equipment and vehicles.
 - e. City-Owned Property. Department policies and procedures shall be designed to properly maintain city-owned property and equipment.
3. The Accident Review Committee (ARC), shall consist of one representative from each of the following; Risk Management, Human Resources, Legal, Police, Fire and Public Works. This committee shall review all preventable on-the-job vehicle or equipment related incidents that meet or exceed an estimated \$1,500 dollars. This committee must have at least five (5) representatives present for final recommendations to be made. The ARC may also convene and review any incident or loss event at the special request of the City Manager or affiliated Department Director or Division Manager.

2.2 ARC Policy

The ARC shall convene when an incident or scenario meets the following conditions:

- 1) The resulting estimated loss to the City meets or exceeds \$1,500 dollars, and
- 2) The initial facts surrounding the incident indicate the event may have been preventable.

The ARC will meet together with the involved employee and his/her Division Manager. The Division Manager shall come prepared to give a detailed account of the incident in question. The Risk Manager will chair the committee during the ARC review.

If the Division Manager is unable to attend, he or she may appoint the affiliated Section Manager or equivalent, other than an ARC representative, to chair in his/her absence.

****Any incident involving a City owned vehicle that results in property damage or personal injury should be expected to be reviewed by the ARC. Risk Management will make the final determination if an incident is to be reviewed at the Department level or submitted to the ARC for review after discussing the event details with the affiliated Department Division Manager.***

2.2.1. Determinations to be made by the ARC

- The cause of the incident,
- Whether or not the employee could have reasonably avoided the incident,
- Whether the employee was following safety policies and practices,
- How similar incidents may be prevented in the future, and
- Make any applicable corrective action recommendations.

2.2.2. Department Incident Review Responsibility

If it is decided that an incident or event does not qualify for an ARC review, the affiliated department will be solely responsible to investigate, correct, mitigate exposures, and apply any or all applicable corrective actions.

Division Managers should report all final corrective actions to Risk Management whether reviewed by the ARC or

reviewed at the department level. This information will aid in trending incident data to ensure that the City's incident accountability process is consistent across all departments.

2.2.3. Time Frame

The ARC will convene within the first 5-10 business days following the date of the incident for all applicable incidents.

2.2.4. Repair Cost Estimating

Loss estimates are necessary but are not required to convene an ARC review. Assumed costs, determined by Risk Management and Department Division Manager, will be considered valid grounds for initiating an ARC review.

2.2.5. Scheduling an ARC Meeting

Risk Management will schedule an ARC review with ARC representatives and the affiliated Department Division Manager. The Division Manager will be responsible to inform the involved employee(s) of the review and will make accommodations for the attendance of the affiliated employee(s). After the involved employee has given his/her personal account of the incident, that person will then be excused from the remainder of the review.

2.2.6. ARC Findings and Recommendations

A written record summarizing the ARC's findings and recommendations will be prepared by Risk Management. A copy will be sent to the Department Division Manager and City Manager. The Division Manager will make the final decision on any and all applicable disciplinary and/or corrective actions taken and implemented. The Division Manager will also compile a written statement indicating the final decision made, including supporting commentary, and submit it to the City Manager and Risk Management. Any disciplinary and/or corrective action the Division Manager imposes shall follow the disciplinary procedures outlined in Department Director imposes shall follow the disciplinary procedures outlined in Section 3.23 of the Employee Handbook. The involved employee's immediate supervisor will be responsible for administering or monitoring the implementation of the recommended actions or programs as chosen by the Department Division Manager.

2.2.7. Appeals

There is no right to appeal the ARC's Findings and Recommendations. An appeal of any discipline or corrective action decision and/or implementation resulting from an incident will follow the standard disciplinary appeal process as outlined in the Employee Handbook.

2.2.8. Definitions

- Reportable Incident—Any incident that creates a medically treated workplace injury, results in damage to City property, or has the potential to become a liability claim. This includes any accident involving the use of a City vehicle whether damage was sustained or not.
- Preventable Incident—An incident in which the employee did not follow proper procedures and/or did not do everything reasonably expected to avoid the incident.
- Non-Preventable Incident—An incident in which the employee followed proper procedures and did everything that could be reasonably expected to avoid the incident.
- Preventable/Reckless—An incident in which city policy was grossly disregarded, and/or the employee acted with willful disregard for the safety of others, and/or the employee's actions were intentional.

2.3. Occupational Injuries and Incident Reporting

POLICY

It is the policy of the City of Orem that occupational injuries and accidents be immediately reported to the appropriate city officials.

PURPOSE

To provide for immediate notification and reporting of occupational injuries and reportable incidents.
To assess unsafe conditions, the extent and nature of injuries, and any liability exposures.

GUIDELINES

Employees shall immediately notify their immediate supervisor of an occupational injury or reportable incident. Supervisors shall then immediately notify Risk Management and Division Manager or Department Director.

Employees shall immediately (but no later than 24 hours) notify the City's Risk Manager of a fatality and/ or serious occupational injury during business **or** non-business hours. Serious injury shall include amputations, fractures of major bones, and hospitalization. Risk Management Office 801-229-7013.

2.3.1. Reportable Incident

1. A reportable incident is any incident that creates a medically treated workplace injury, results in damage to city property, or has the potential to become a liability claim. This includes any incident involving the use of a city vehicle whether damage was sustained or not A Reportable Incident can also be defined as any event in which city monies have or will be paid by the City as a result of the incident.
2. Upon notification of a reportable incident, the supervisor shall instruct the employee to complete a Reportable Incident Form found at claim.orem.org.
The supervisor shall then be responsible to complete the supervisor portion of the Reportable Incident Form and submit it to Risk Management.

2.3.1.1. Minor Injury

A Minor Injury is any work related injury in which **NO** medical treatment was received. Upon notification of a minor injury, the supervisor shall instruct the employee to complete the Minor Injury form found at claim.orem.org. No additional action is required from the supervisor at this point.

This report allows the employee to report any minor work-related injury that they feel does not require any medical treatment. If the injury becomes worse or creates a concern for the employee, they can then request future medical treatment. At that point, the Minor Injury form will be converted to a Reportable Incident by the employee's supervisor.

2.3.1.2. Miscellaneous Incident

A Miscellaneous Incident is any incident in which you were unaware and/or uninvolved that caused property damage. Upon notification of a miscellaneous incident, the supervisor shall instruct the employee to complete a Miscellaneous Incident form found at claim.orem.org.

2.4 Workers' Compensation

An employee, who has experienced an occupational injury, no matter how slightly, must report the incident to their supervisor immediately. Employees may lose their right to workers compensation benefits if they fail to report work-related injuries. Supervisors shall contact Risk Management directly in the event of an injury. Incident forms must be completed and submitted to Risk Management within 48 hours.

***Employees are not required to seek immediate medical treatment if they feel they do not need it. However, the employee is still required to notify their immediate supervisor of the injury and complete a Minor Injury form at the time of injury. This report creates a history of the event in case the injury becomes worse and medical attention is requested at a future date.**

2.4.1. General Occupational Injury Process

1. Notify—Immediately notify your supervisor of your injury.
2. Evaluate—Decide if medical treatment is needed.
3. Report—Access claim.orem.org, complete and submit the appropriate form.
4. Return to Work—If applicable, comply with given work restrictions until released.

5. Follow Up Care—If applicable, employees are required to comply with all medical follow up visits until released back to full duty by the Physician.

2.4.2. Medical Treatment Locations and Procedures

1. Employees requiring medical attention during business hours should report to:

IHC WorkMed		WORKCARE
830 North 980 West	or	601 North 1200 West
Orem, UT 84057		Orem, UT 84057
801-724-4000		801-224-4211
Weekdays 8am – 5pm		Weekdays 8am – 5pm

2. For injuries requiring immediate medical treatment after clinic hours, employee should go to:

IHC Orem Community Hospital		Timpanogos Regional Hospital
331 North 400 West	or	750 West 800 North
Orem, UT 84057		Orem, UT 84057
801-224-4080		801-714-6570

3. All Blood-borne Pathogen exposures—Seek hospital treatment.
4. For life or limb threatening conditions, the employee should go to the nearest emergency facility. These emergencies include but are not limited to: compound fractures, pelvis and femur fractures, unconsciousness, uncontrolled bleeding, severe respiratory distress, major burns, spinal cord injury, shock, poisoning. Call 911 in these instances and the paramedics will direct the care of the employee.
5. Urgent situations are those requiring immediate care but are not life threatening. Examples include bone fractures other than listed above, or injuries requiring stitches. These types of injuries can be treated at WorkMed or WORKCARE.
6. Except in cases of life or limb threatening incidents or illnesses, employees should seek initial medical treatment only from the facilities specifically identified in this policy unless otherwise approved by the Risk Manager.

2.4.3. Return to Work Following A Work-Related Injury

1. **Return to Work – Full Duty:** Immediately following initial treatment for a work-related injury, the employee shall return to work for regular full duty unless directed otherwise by the treating medical provider. The employee shall obtain a written return to work release from the medical provider and shall immediately provide a copy of the work release to the employee’s supervisor and to the Risk Manager. Supervisors shall not allow an employee to return to work unless a written work release is provided.
2. **Return to Work – Modified Duty:** If the treating medical provider places work restrictions on the employee, and the employee is unable to return to full duty, the employee shall return to work either immediately following initial treatment, or the next business day, regardless of the employee’s regular work schedule. The employee shall provide a copy of the written work restrictions to the employee’s supervisor and the Risk Manager.
3. **The City of Orem has an aggressive return to work policy.** Temporary transitional assignments when given and, where practical, will be made available to all injured employees who are unable to immediately return to full duty following a work-related injury. If a transitional assignment is available and the employee chooses not to accept the transitional assignment, the employee shall not be eligible to receive Workers’ Compensation wage replacement benefits and will not be allowed to use their accrued sick leave. Temporary transitional assignments shall be given in accordance with the “Return to Work after Serious Injury or Illness” section in this policy manual.
4. **Return to Work – Off Duty:** Because the City has an aggressive return to work policy, it is rare that an employee will be unable to return to a temporary transitional assignment. If an employee receives direction from

the treating medical provider to remain off work for a period in excess of one full calendar day, the employee shall immediately notify the Risk Manager by telephone at 229-7013.

2.4.4. Payroll for Workers' Compensation Temporary Disability

1. An employee requiring medical attention on the same day as an on-the-job injury should not be charged sick leave or workers' compensation that day. The entire shift should be paid as regular time worked.
2. An employee begins his/her waiting period for workers' compensation wage replacement benefits effective the first full day of time off work due to an on-the-job injury as reported by the doctor. For the purpose of calculating waiting periods, days with time off include weekends and unscheduled workdays.
3. The waiting period for workers' compensation wage replacement benefits is three (3) days after the time off work is confirmed by a doctor's report. Days counted as time off do not need to be consecutive. If an employee returns or has been released to return to work, a new doctor's report must confirm time off for further workers' compensation benefits. A full-time employee may use sick or vacation leave during this waiting period.
4. If time off work is required due to a workers' compensation injury, Risk Management will notify the person preparing payroll on the day time cards are due. The City's Workers' Compensation Third Party Administrator will determine appropriate waiting periods, leave supplements, and amounts of workers' compensation owed.
5. Physical Therapy: A physician may request an injured employee to participate in a predetermined number of physical therapy sessions to further the recovery process. To ensure the complete and full recovery of the employee, it is critical that the employee comply with the physician's request. These sessions will be considered regular working hours, however the following must apply:
 - a. The therapy session must take place during the employee's regular work schedule, such that the appointment does not exceed the total length of the employee's assigned shift. No overtime or compensatory time is allowed.
 - b. Supervisors shall be notified in advance of all scheduled therapy sessions as well as the completion of therapy sessions. Supervisors shall work with the employee to accommodate all therapy sessions.
 - c. Off-duty injuries, illness or medical conditions that require therapy sessions do not apply to this program and employees must use their personal sick time for hours away from work.

Please contact Risk Management with any questions.

2.4.5. Workers' Compensation Temporary & Permanent Disability Benefits

All qualifying workers' compensation disability benefits shall be awarded in accordance to the State of Utah Workers Compensation Act. The City's Workers Compensation Third Party Administrator shall make payment of these benefits.

2.4.6. Reduction, Denial or Loss of Workers' Compensation Benefits

Workers' Compensation benefits may be reduced, denied or lost as provided by state law. Failure of employees to follow procedures for reporting and processing Workers' Compensation claims as required by State Law and the Utah Labor Commission may result in the reduction, denial or loss of Workers' Compensation benefits. Employees should also be aware that benefits may be in jeopardy when:

1. An employee fails to use or tampers with safety devices provided by the City.
2. An employee fails to obey any order or reasonable rule adopted by the City for the safety of the employee.

3. The major contributing cause of an employee's injury is the employee's use of illegal substances.
4. The major contributing cause of an employee's injury is the intentional abuse of drugs in excess of prescribed therapeutic amounts.
5. The major contributing cause of an employee's injury is intoxication from alcohol.

2.5. Claims and Lawsuits

POLICY

It is the policy of the City of Orem that claims and lawsuits against the City or its employees shall be handled in a systematic and expedient manner.

PURPOSE

To protect employees and the City from additional risk by providing timely response to claims and lawsuits through proper claims handling procedures.

GUIDELINES

1. Any employee receiving a claim or notice threatening legal action shall immediately notify the Risk Manager and forward to the Risk Manager all written documents together with a description of the manner in which the claim or notice was received.
2. It is the general policy of the City to defend city employees against claims or actions brought against them as individuals while carrying out city activities unless the actions which bring about the claims or lawsuits are malicious, fraudulent or occur while the employee is under the influence of alcohol or drugs or the employee is performing duties clearly outside of the assigned course and scope of his or her duties. Employees desiring indemnification shall request it in writing within 10 days of receiving the claim or lawsuit. The written request shall be submitted to the City Attorney's Office.

2.6. Safety Belt Policy

POLICY

It is the policy of the City of Orem that all employees use available safety belts while traveling on city business.

PURPOSE

To reduce unnecessary risk to employees and the City.

GUIDELINES

1. All occupants of vehicles owned by the City shall use available front and rear safety belts in a proper way as long as the vehicle is in operation.
2. A City vehicle should never have more passengers than there are seatbelts.
3. Occupants of privately-owned vehicles whether operated at personal or city expense shall abide by the above-stated guideline while on city business.
4. Appropriate disciplinary action may be taken for violations of this policy. Such action may include loss or reduction of workers' compensation benefits for injuries suffered that are in violation of this policy.

2.7. Risk Management Practices

The health and safety of every employee is extremely important to the City of Orem. Supervisors are constantly working to ensure that all employees have necessary safety equipment and that every workplace is safe. Safety is stressed, but each employee is expected to recognize his/her responsibility and to think and act safely. Remember, it is your attitude that sets the example for your fellow workers.

Many departments have functioning safety committees constantly reviewing the workplace and evaluating reported accidents or injuries. It is up to each employee, however, to report every incident or injury no matter how minor it may seem. Each incident must be reported to your supervisor within 24 hours. An incident report should then be completed and forwarded to the Risk Manager.

The following practices are to help employees work safely. If you have any questions, please contact the Risk Management Office at 229-7013.

2.7.1. Personal Safety

Most accidents are the direct result of carelessness so it is each employee's responsibility to think and act in a safe and careful manner. If you do not understand equipment or materials that you are required to use, ask your supervisor to demonstrate their safe use before you use them. If you find any conditions that may be hazardous to yourself, your fellow workers, or the public, report them to your supervisor or someone in authority immediately. If necessary, remain near the hazard to warn others and send someone else to report it.

2.7.2. General Safety Guidelines

2.7.2.1. Employees

1. When a worker is first employed he/she shall be given instructions regarding applicable hazards and safety precautions. Prior to operating any equipment for the first time the supervisor shall ensure that an employee has read the safety material and is qualified and trained in how to operate the equipment.
2. Where employees may be subject to known job-site hazards, such as flammable liquids and gases, poisons, caustics, harmful plants and animals, toxic materials, confined spaces, etc., the supervisor shall instruct the employee in the recognition of hazards, procedures for protecting themselves from injury, and proper first-aid procedures in the event of injury. When required by OSHA regulations Material Safety Data Sheets (MSDS) sheets will be posted in areas where chemicals are in use.
3. Employees shall obey all safety rules and regulations.
4. Only persons authorized by their supervisor shall operate power equipment such as cranes, lifts, hoists, and industrial trucks.
5. The supervisor shall approve employees, qualified by training or experience, to operate equipment and machinery.
6. Employees shall report all observed safety hazards to their supervisor.
7. Employees are strongly advised to wear and use all safety equipment and guards provided to perform required work.
8. Employees shall pay strict attention to their work.
9. Fighting, wrestling, and horseplay shall not be tolerated.
10. Warning signs and procedures are posted to identify dangerous conditions and shall be obeyed.
11. No employee shall remove, displace, destroy, or damage any safety device, safeguard, or warning unless instructed to do so by his/her supervisor.
12. Employees shall use safety equipment appropriate to their assigned task such as safety glasses, hearing protection, gloves, and hard hats.

13. Employees should never spray themselves or others with compressed air or oxygen.
14. Employees shall not take short cuts in or over dangerous places.

2.7.2.2. Supervisors

1. Supervisors at all levels shall be responsible for the enforcement of safety rules among employees under their supervision.
2. Supervisors shall be responsible for familiarizing employees with job hazards and shall instruct their personnel in the safest methods of performing assigned tasks.
3. Supervisors shall make reasonably frequent observations of employees who work under their charge to ensure continual work safety.
4. At the end of each shift, supervisors shall inspect work areas for safe housekeeping including fire prevention and other hazards.
5. No employees (except where the nature of the job requires it) shall be assigned to work under unsafe conditions, and no employee shall be assigned to work with unsafe tools or equipment.
6. Supervisors are urged to keep in touch with an injured employee while he/she is hospitalized or convalescing. Supervisors can follow-up either by telephone or with personal visits.
7. The supervisor shall ensure that warning signs, cones, lights, and devices are provided and properly displayed for any work that is done in streets and other exposed locations, as specified by the Manual on Uniform Traffic Control Devices (MUTCD) and department rules.

2.7.3. Vehicle Safety

All drivers of city-owned vehicles and personal vehicles used in the course of city business shall comply with all applicable State laws as well as the following rules and regulations. Those using a personal vehicle for city business must have automobile insurance coverage as required by state law.

Emergency vehicles are required to exercise due caution and care when responding to any incident. (See Police and Fire Department Response Procedures.)

2.7.3.1. General

1. When a driver does not have a clear view of the entire area behind the vehicle, backing will only be done with the assistance of a guide. If a second person is in the vehicle he/she will get out and guide the vehicle using appropriate hand and voice signals. If a driver is alone he/she will get out of the vehicle and inspect the area behind before backing. Then the driver will proceed backing with extreme caution.
2. Riding on the sides, toolboxes, tailgate, bed or roof of any truck or vehicle is prohibited.
3. Drivers will have their State driver's license in their possession at all times. Suspension or loss of driving privileges may result in either a temporary job reclassification until such time as driving privileges are reinstated or a temporary restricted permit is issued or may result in personnel disciplinary action up to and including termination.
4. City employees are required to immediately report suspension or revocation of driver's licenses to their supervisor who will in turn advise the Department Director. Failure of any employee to report a change in license status could result in disciplinary action up to and including termination.

5. Except in authorized emergencies, posted speed limits will be obeyed.
6. Consumption of alcoholic beverages or narcotics just prior to, or while operating a city vehicle is prohibited. (See Drug-Free Workplace Policy)
7. Trailers are to be fastened securely to hitches. Safety pins in pintel locks shall be used. Safety chains will also be crossed under the hitch and securely fastened before moving the vehicle. Brake lights and turn signals shall be properly connected and the driver shall inspect them to verify they are working correctly.
8. All items will be secured during transport.
9. Commercial sized vehicles (larger than pickups) should not be driven in the extreme left lane of expressways except when passing or when traffic-hazards require. (Emergency vehicles are excluded.)
10. Texting or checking any form of electronic mail communication while driving is prohibited. Police and Fire Department personnel within the scope of their work are exempted as provided for under Utah State law.
11. Safety belts shall be worn at all times in accordance with Utah State law and the Safety Belt Policy.
12. Drivers will ensure that turning signals, windows, headlights, taillights, and wipers on city vehicles are clean and in operating order at all times.
13. Tailgates will be locked closed when a vehicle is in motion. If a vehicle's function requires the tailgate to remain open a red flag will be attached to the outward corner of the gate. If a vehicle does not have a tailgate but is loaded, the driver will insure that the load is secure and that material overhanging the sides is marked according to State law.

2.7.4. Parking

1. City vehicles are not allowed to park in "NO PARKING" zones except in an emergency situation or in required performance of official duties. Any time a city vehicle is parked in a "NO PARKING" zone the emergency blinkers must be turned on.
2. No city vehicle, of any type, shall be left unattended with the key in the ignition.
3. Lock all doors when leaving a vehicle.
4. Before using any vehicle, the driver shall inspect the vehicle for signs of any obvious unsafe conditions. If the driver finds an unsafe condition or sign of a defect, the driver shall not operate the vehicle and shall report the condition to a supervisor.
5. No vehicle shall be operated in an unsafe condition. Any deficiency found with a city vehicle will be immediately reported to a supervisor. It is the supervisor's responsibility to ensure corrective action.

2.7.5. Special Equipment

1. Special equipment such as high-lifts, high rangers, graders, mowers, cranes, forklifts, or any unit which has a special device added for specific kinds of work, will require formal training and instruction for operation prior to use.
 - a. Formal training will include:
 - (1) Demonstration of proper operation of the unit or special equipment/
 - (2) Explanation and demonstration of all control devices.
 - (3) Explanation and demonstration of all safety equipment and all maintenance items such as fuel, water, oil or other minimum operational needs of the unit.

- (4) New drivers may only operate special equipment under qualified supervision.
 - (5) Instruction shall include driving to and from, or on and off trailers, parking procedures, and methods of shut down and securing the special equipment.
2. Mobile equipment not licensed will travel at speeds less than 25 mph **WITHOUT EXCEPTION**. This equipment will use the right hand lane except when a left turn is required. Headlights must remain on while the vehicle is in motion.
3. These rules will be updated and amended as necessary.

2.8. Vehicle Accident Procedures

Reminder: Always be courteous to others.

1. Stop at Once - Leave vehicles in place until Police or Fire Department employees direct otherwise.
2. Ensure Safety - Set out warning devices if they are available.
3. Call for Assistance – For Police and medical assistance call 911.
4. Remain at the Scene - Do not leave the scene of the incident until Police arrive and you are told you may leave.
5. Do not Admit Fault - Do not discuss the incident with anyone except the Police, your supervisor, or the City Risk Manager.
6. Cooperate with Police - The Police will have a "Driver Information Form" for all vehicle operators to fill out.

Information needed to complete the form (packet should be located in the glove box of each vehicle):

Name of Vehicle	City of Orem 56 No. State Street Orem, Utah 84057
Name of Insurance Company	City of Orem Risk Management 229-7013
Policy Number	530-002

7. Contact Your Supervisor - All incidents should be reported by an employee to their supervisor within 24 hours. Failure to report an incident may result in disciplinary action up-to and including involuntary termination.
8. Complete all appropriate city incident-forms and submit them to the Risk Manager within one business day of the accident.
 - a. If you are injured in the incident a report found on claim.orem.org should also be completed, and the Workers' Compensation policies and procedures should be followed.
9. All non-drivable city vehicles damaged in the incident shall be towed to Fleet located at: 1450 W 550 N Orem.
10. Accidents that involved city vehicles with non-city owned vehicles should be investigated by other police departments or public safety agencies whenever possible, and not the Orem City Police Department.

If you have any questions concerning these procedures call the Risk Manager at 801-229-7013.

SECTION 3 – HUMAN RESOURCE POLICIES AND PROCEDURES

3.1 General Policy Statement and Definition of Terms

This section of the Employee Handbook has been prepared to assist employees in clearly understanding the personnel practices of the City. The policies and procedures presented herein provide for the fair and orderly administration of the Human Resources system for the City of Orem. **Nothing in this manual implies or is part of an employment contract.** Nothing herein shall be construed to limit the City's right to discharge an employee or to create any other obligation or liability on the City. If any department policies, procedures or directives whether written or verbal, are in conflict with or are inconsistent with this Employee Handbook, such department policies, procedures or directives to the extent of such conflict or inconsistency are superseded by this Employee Handbook.

It is the City's policy to provide equal employment opportunity to its employees and applicants for employment on the basis of qualifications and ability. The City seeks to provide a professional work environment in an atmosphere of mutual respect. Actions, words, or other forms of harassment or discrimination based on an individual's race, color, religion, sex, pregnancy, genetic information, age, national origin, sexual orientation, gender identity, citizenship, disability, veteran, military status, or any other factor protected by law is forbidden and will not be tolerated and may result in corrective action up to and including involuntary termination.

All terms, phrases and words as used in these policies and procedures shall have the meanings as defined in this section or as defined by common usage.

Abandonment of Position - The failure to report to work for two or more consecutive regular work shifts without notification by the employee and approval of the City.

Administrative Leave - Temporary separation of an employee, with pay, for an unspecified period of time to allow for investigation of matters pending concerning that employee.

Anniversary Date - One calendar year from the date of the employee's date of hire with the City and each succeeding year thereafter.

Appeal - A request by an employee for consideration in matters relating to a grievance and/or discipline as set forth in these policies and procedures.

Appointing Authority - The City Manager or individuals the City Manager has authorized to make appointments.

Appointment - The selection of, acceptance by, and the understanding of any conditions of employment by an individual for a position with the City.

At-will - An at-will employee may be terminated with or without cause and has no rights to access the City's Employee Appeal Board.

Business Day - Normally accepted business hours Monday through Friday of each week, except holidays.

Calendar Day - Any day of the year.

Calendar Year - January 1 through December 31

City - The City of Orem.

City Council - The City Council of the City of Orem.

City Manager - The City Manager of the City of Orem.

Class or Classification - A position or group of positions having qualifications, duties and responsibilities sufficiently similar so that the same title, duties and requirements are applied.

Class Plan - All approved classes including the policy for maintaining the plan.

Class Specification - Description of duties, responsibilities and minimum qualification requirements of the positions included in the class as determined by the Human Resources Division Manager.

Classified Employees - All full-time, part-time benefited, variable hour and seasonal employees of the City, except those designated as Professional, Management or Executive Management.

Compensation – Salary, wages and all benefits accruing to a classification.

Demotion - A change in employment status from one classification to a second classification possessing lesser minimum qualifications which is assigned a lower pay grade in the City's approved salary plan.

Department Director - The individual designated as the administrative head of a department and designated as the Department Director for that department.

Disciplinary Action - An action taken against an employee for any of the reasons listed in this handbook.

Dismissal - Involuntary and complete separation from City employment for disciplinary reasons, rejection during a probationary period, or the inability to perform all of the essential functions of the job due to mental or physical problems.

Exempt Employee - An employee primarily performing work that is exempt from or not subject to the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are paid a salary.

Employee Advisory Council (EAC) - A council elected by employees that, among other things, (1) provides advice and recommendations to the City Manager for appeals to certain grievances, disciplinary actions and dismissals, and (2) together with the City Manager, forms the Employee Appeal Board.

Employee Appeal Board - A board established by city ordinance that consists of the EAC and the City Manager. The Employee Appeal Board hears certain appeals from specified City employees.

Executive Management Employees - Employees in classifications designated as Executive Management who are Department Directors, the Assistant City Manager and the Deputy City Manager serve at the pleasure of the City Manager and are "at-will" employees. These employees constitute the executive staff of the City and do not receive the grievance and appeals rights provided in these policies and procedures.

Exempt Employees - Employees in classifications that are designated as exempt in the City's Fair Labor Standards Act Policy.

Full-time - A benefit-eligible employee working for the City on a regular basis who is assigned to work 30 hours up to 40 hours per work week and who has successfully completed the initial probationary period.

Grievance - An allegation that another employee or supervisor has violated, misinterpreted or has not complied with a City ordinance, resolution, rule, or written policy, procedure or regulation affecting the grieving employee's working conditions. Managerial decisions such as employee performance evaluations, merit salary increases, reassignment, training opportunities, work schedules or assignments, position classifications, promotions, revision or establishment of wages and other managerial-related issues are not considered grievances. Those issues should be resolved between the employee and his/her supervisor, Division Manager and/or Department Director or as otherwise provided for in the Employee Handbook.

Human Resources Record - The official file of the City for each employee kept in the Human Resources Office.

Initial Probationary Period- All newly hired full-time and part-time benefited employees are required to successfully complete an initial probationary period of six (6) months or twelve (12) months depending on their position. During the initial probationary period, an employee's potential for successful performance will be closely examined. Employees are considered at-will and may be terminated with or without cause during their initial probationary period.

Layoff - Involuntary termination of employment without prejudice because of organizational changes, abolition of positions, shortages of work and/or funds.

Management Employees - Employees of the City who are filling management positions as determined by the City Manager.

Minimum Qualifications - The minimum qualifications deemed necessary for an individual to acquire and maintain employment in any particular classification with the City.

Non-Exempt Employee – An employee primarily performing work that is subject to the overtime provisions of the Fair Labor Standards Act (FLSA). Non-exempt employees are paid on an hourly basis.

Out-Of-Class Pay - The higher salary an employee receives for temporarily working in a classification having a higher salary range than the one to which that employee was appointed.

Part-time - A benefit-eligible employee who has successfully completed the initial probationary period and is regularly scheduled to work less than 40 hours per work week.

Pay Grade – Each position will be assigned to a pay-grade. Pay-grades are established giving due consideration to market research, internal equity, budget and other appropriate factors. Each pay-grade shall have a minimum and maximum rate of pay assigned to it.

Performance Evaluation - Reports of job performance. Probationary Period - An extension of the selection or promotion process during which an employee is required to demonstrate satisfactory performance of the duties, compatibility, good attitude, etc. for the position to which appointed.

Promotion - A change in employment status from one classification to a second classification possessing higher minimum qualifications and which is assigned a higher salary range in the City's Salary Plan.

Promotional Examination - A recruitment process limited to current employees.

Reclassification - Modification of job title and duties with a corresponding salary range change.

Red-Circle - Freezing the salary of an employee earning more than the salary plan provides for the employee's classification and level of performance.

Reduction in Pay - A reduction in the amount of pay received as a result of disciplinary action or City Council action.

Reinstatement - Re-employment of a former employee to the same position.

Rejection - The dismissal or demotion of an employee during a probationary period.

Reprimand - An oral or written notification to an employee regarding violation of a rule, order, procedure, standard of conduct and/or expected performance standard including corrective action necessary by the employee.

Resignation - Voluntary termination of city employment by an employee including the abandonment of a position.

Salary - The wages paid for services performed.

Salary Adjustment - An adjustment in an employee's salary.

Salary Plan - A city-wide plan which provides a system to reward employees for their performance.

Salary Range - A range for each pay grade which reflects a minimum and maximum salary.

Salary Range Increase - An increase in the salary range for a pay grade.

Seasonal Employee—An employee that is hired to work no more than six (6) continuous months during a season and shall not work more than 1,500 hours in a calendar year. Seasonal employees are at-will employees and are not eligible to receive benefits unless otherwise required by law.

Severance Pay - Wages paid to a terminated employee beyond any wages earned by that employee.

Supplemental Probation - A return to probationary status of an employee who performs below an acceptable level or for any of the Causes for Discipline or Dismissal listed in this handbook.

Suspension – Temporarily removed from work schedule with or without pay.

Transfer - A change from one position to another in the same class, or comparable class in the same or another department.

Work Shift - The hours an employee is assigned to work on a daily basis.

Working Day - The same as a Business Day whether or not that day is a part of the employee's work shift, excludes weekends and holidays.

Variable-Hour - An employee that is hired to work no more than 1,500 hours in a calendar year, no more than 130 hours per month, and is normally scheduled to work 28 hours or less a week. Variable-hour employees are at-will employees and are not eligible to receive benefits unless otherwise required by law

3.2. Human Resource Records

The Human Resources Office shall maintain personnel records for each employee of the City. The Human Resource Records may be kept in a paper and/or electronic format. All Human Resource Records shall be accessed and maintained in accordance with the Utah Government Records Access and Management Act, as set forth in Title 63G, Chapter 2, Utah Code Annotated, as amended, city ordinances, and the Municipal Records Retentions Schedule, as adopted by the City.

3.2.1. Contents

Information maintained in each Human Resources Record may include:

1. All employment data including, but not limited to, employment applications, hire notice, and any special conditions of employment which have been signed by the employee;
2. All performance evaluations;
3. All salary change forms;
4. Certificates or degrees showing completion of training or other certificates employees may request to be included in their Human Resources Records;
5. All items dealing with probationary status;
6. All disciplinary actions and supporting documents;

7. Commendations;
8. Human Resources investigations, complaints, statements, and data related to the investigation of alleged violations of law, rules, regulations, orders or policy;
9. Documents or records related to potential litigation.

3.2.2. Review Authorization

1. Employees shall have the right to review their own Human Resource Record in the Human Resources Office. Unless written permission is provided by the employee, or disclosure is required by law, no information shall be disclosed to any outside party from the Human Resource Record of a current or former employee other than the employee's job title and date of employment.
2. The City Manager, Assistant City Manager, Human Resources Division Manager, the City's legal representative and the employee's Department Director or his/her authorized representatives may review appropriate Human Resources Records as necessary.
3. Employees should be aware that under Utah State Law, portions of their Human Resources record may be public information.

3.2.3. Retention

Employee and employment records shall be retained in accordance with applicable provisions of Federal and State guidelines and City policy. No employee or employment records shall be destroyed without specific approval of the Human Resources Division Manager. Records may be electronically stored prior to destruction.

3.2.4. Providing References

When prospective employers make inquiry regarding a current or former employee's work history and performance, that employee's supervisors and the Human Resource Division shall only state the dates of employment and position held unless the employee authorizes the City, in writing, to release additional information, or the City is otherwise required to release additional information by law.

3.3. Employment Transactions

3.3.1. Demotion

An employee shall not be demoted to a classification for which the employee does not possess the minimum qualifications. If demoted, an employee's salary shall be reduced to the range of the new classification unless an exception is authorized by the City Manager. A demotion may be made to a vacant position in a different classification with the Human Resources Division Manager's approval for the following reasons:

1. As a result of disciplinary action; or
2. If it is determined that the employee is unable to perform at a satisfactory level due to their unwillingness or inability to do the job in the current position.

3.3.2. Dismissal

Dismissal of an employee may occur as a result of:

1. Failure to satisfactorily complete a probationary period – dismissal may occur for any or no reason during the probationary period.

2. Disciplinary Action - If dismissal is the result of disciplinary action, it shall be carried out in compliance with the formal discipline procedures set forth in these policies and procedures.
3. Inability to Perform the Essential Functions of the Job.
4. Dismissal of Executive Management Employees--may occur at any time, for any or no reason.

3.3.3. Layoff

1. The City Manager may direct and/or authorize the layoff of any employee because of organizational changes, abolition of positions, and/or lack of work or funds.
2. Prior to any reduction in force, the City Manager shall convene a committee for the purpose of reviewing the proposed layoff to determine whether there are viable alternatives that will accomplish the City's purposes. If the layoff is determined to be necessary, the committee shall ensure that the criteria used in determining which employees are to be laid off is fair and unbiased, and complies in all respects with applicable federal and state laws. The committee shall be comprised of the City Manager or his designee, the Human Resources Division Manager, an attorney from Legal Services, and the Department Director of any department potentially affected.
3. Generally, employees to be laid off will receive at least two (2) weeks' notice or the equivalent of two (2) weeks' severance pay. However, the City has the option, in exceptional circumstances, not to give the two weeks' notice or pay.
4. Whenever a layoff situation occurs, seniority will only be considered when performance and all other critical elements are equal. Before any consideration is given to seniority, the City Manager's approval is necessary.

3.3.4. Promotions

If deemed appropriate by the Department Director, vacancies may be filled by promotion within the City as follows:

1. Competitive examinations and/or interviews limited to employees who possess the minimum qualifications of the classification; or
2. Immediate promotional appointments made without examination but with the approval of the City Manager. All such appointments shall be based on the following criteria:
 - a. The employee shall have been performing at a high level in their current position; and
 - b. The employee shall have the skills and abilities required for the position.
3. Employees who are promoted will be paid according to their new pay grade with a minimum of a 5% pay increase.

3.3.5. Reclassification

1. A position may be reclassified due to organizational changes that are planned or have occurred which significantly modify job duties. A request for a reclassification study shall be submitted by the Department Director for approval by the Human Resources Division Manager.
2. For any reclassification, the Human Resource Division Manager shall complete an appropriate classification analysis in order to identify a change in the level of difficulty or responsibility between the existing job description and actual job duties.

3. Reclassification shall not be construed as a promotion or demotion. Salary changes may or may not occur as a result of reclassification. Implementation of a reclassification and any salary adjustments shall only take effect following approval of the Human Resource Division Manager.

3.3.6. Red-Circle

1. An employee may be red-circled as a result of:
 - a. Reclassification
 - b. Transfer
 - c. Working out of classification
 - d. Salary plan change
 - e. Level of performance

3.3.7. Reinstatement

1. Reinstatement of a former employee may only occur within one (1) year of separation and only if the following conditions are met:
 - a. A position becomes available;
 - b. The employee submits a written request for reinstatement.
2. Approval is given by the Department Director; and
3. Approval is given by the Human Resources Division Manager.
4. Reinstatement may occur if the individual left city employment as a result of:
 - a. Layoff - These individuals shall retain their former longevity status for the purpose of compensation upon being reinstated.
 - b. Resignation - Only individuals who resigned in good standing shall be eligible for reinstatement.
 - c. Medical Disability - Employees who were terminated by the City because they were medically unable to perform their duties will be eligible for reinstatement. These individuals shall retain their former longevity status for the purpose of compensation.
5. Employees who left city employment for service in the military shall be reinstated in accordance with federal law.
6. All reinstatements shall be to the same classification. Prior to being reinstated, an individual shall be required to pass all pre-employment screens. Completion of a probationary period may also be required.

3.3.8. Resignation

1. An employee wishing to resign in good standing shall submit to the Department Director a written notice of their intent to resign, at least two (2) weeks prior to their last day of work. The notice should include the effective date and reasons for the resignation and is to be forwarded by the Department Director to the Human Resources Division Manager. Failure to give two (2) weeks' notice without proper justification shall be noted on the service record of the employee and may be cause for denying future employment with the City.
2. Abandonment of a position shall constitute a resignation unless the Department Director determines that the abandonment was totally beyond the control of the employee.

3. Once an employee resigns by submitting a written resignation, by failure to abide by the response time requirements, or by abandonment of a position, the City shall take no action to dismiss, reject or discipline the resigning employee except for cause as outlined in these policies and procedures. The City Manager may authorize severance pay rather than retain the employee to the resignation date.
4. Once an employee resigns, the resignation may only be withdrawn under the following conditions:
 - a. The employee requests in writing that it be withdrawn within three (3) working days of its submission; and
 - b. The Department Director and Human Resources Division Manager concur with the request for withdrawal.

3.3.9. Salary Adjustment

Management, Professional and classified employees may be eligible for a salary adjustment based on a salary plan approved by the City Manager at the first of each fiscal year.

3.3.10. Severance Pay

Under certain circumstances, the City Manager may authorize a severance package which may include pay and or benefits for a specified time period.

3.3.11. Suspension

1. As a result of disciplinary action a non-exempt or exempt employee may be suspended without pay. An exempt employee will only be suspended without pay in full work days as provided for in Section 3.24.2.1.2. An employee may be administratively suspended for an indefinite period of time with pay during an investigation regarding a complaint, allegation or action. Administrative suspensions shall be recommended by the Department Director and require approval by the Human Resources Division Manager.

3.3.12. Transfer

1. Upon written request of the employee and approval by the Department Director(s) and the Human Resources Division Manager, a voluntary transfer may be made to a vacant position in the same or another department.
2. An employee may be transferred:
 - a. From one position to another position in the same class; or
 - b. To another department upon approval of both Department Directors and the Human Resources Division Manager.
3. Transfers shall not be used for purposes of promotion or disciplinary action. An employee shall not be transferred to a position for which the employee does not possess the minimum qualifications. Prior to any transfer, the Department Director shall discuss the action with the affected employee.
4. Employees who apply for and are selected for a position with a lower pay grade than their current pay grade shall be paid according to the new position's pay grade at a pay rate not to exceed 130% of minimum.

3.3.13. Working Out of Classification

1. An employee may be knowingly worked out of classification for a period not to exceed one hundred eighty (180) consecutive calendar days upon the recommendation of the Department Director and approval of the Human Resources Division Manager.
2. Generally, no compensation for working out of classification shall be approved for short-term vacations, sick leaves, training or other foreseeable circumstances. Working out of classification is intended solely for the purpose of emergencies or short term operational needs.
3. Out-of-class compensation may be granted to an employee assigned to work in a higher classification for an extended period of time. Prior approval of the Department Director and Human Resources Division Manager is required. The pay shall be within the range for the new classification and an increase in salary of no more than an additional 5% of the employee's current salary shall be approved unless it is necessary to bring the employee's salary up to the minimum of the new range.

3.3.14. Initial Probationary Period

1. The probationary period is an extension of the selection process. The following are purposes of the probationary period:
 - a. Closely supervise the employee's work;
 - b. Provide necessary training; and
 - c. Reject any probationary employee who has not demonstrated satisfactory performance of the duties or has demonstrated incompatibility, unwillingness or inability to do the job.
2. During probation, employees may be terminated at-will at any time, with or without cause or prior notice, for any reason or no reason at all. Nothing contained herein shall be construed to guarantee any employee on probation the continued employment during the full probationary period.
3. The probationary period shall not include any time worked as a flexible employee or any unpaid leave of absence.

*Promotions will require probationary periods as outlined in the Duration Section below.

3.3.14.1. Duration

1. All new hire and new appointments to positions shall be subject to a probationary period as follows:

• Police Officers, Firefighters, and Dispatchers	12 months
• All Other employees	6 months
• Trainees	Tenure as trainee, but not less than above
2. All promotions and transfers to classifications with significant differences in job responsibility shall be subject to a probationary period of six (6) months.
3. Reinstatement
The probationary period for a former employee being reinstated shall be for a period of three (3) months.
4. Extension
Any probationary period of an employee may be extended by the Department Director for a period up to but not to exceed six (6) months. The extension may be made only for extenuating circumstances with approval of the City Manager. If a probationary period is extended, the Department Director shall be responsible for notifying the employee and the Human Resources Division Manager in writing of the following:

- a. That the probationary period has been extended for a specified period of time with the date for formal review;
- b. Reasons for extension of the probationary period; and
- c. Specific improvements in performance that are to be made.

3.3.15. Supplemental Probation

1. If during the course of employment a full or part-time benefitted employee performs below an acceptable level, the employee may be returned to a probationary status for a period not to exceed six (6) months. An employee may also be returned to probation for any of the Causes for Discipline or Dismissal listed in this Employee Handbook. If an employee is returned to probationary status, the Division Manager or Department Director shall be responsible for notifying the employee and the Human Resources Division Manager in writing of the following:
 - a. That the employee has been returned to a probationary status for a specified period of time with the date for the formal review;
 - b. Reasons for return to the probationary period; and
 - c. Specific improvements in performance that are to be made.
2. If the supplemental probation was less than six (6) months, the Division Manager or Department Director may extend the probation period for a total period not to exceed six (6) months. If the supplemental probationary period is extended, the Division Manager or Department Director shall be responsible for notifying the employee and the Human Resources Division Manager in writing of the following:
 - a. That the supplemental probationary period has been extended for a specified period of time with the date for formal review;
 - b. Reasons for extension of the supplemental probationary period; and
 - c. Specific improvements in performance that are to be made.

3.3.16. Rejection

1. During any probationary period, an employee may be rejected at any time by the Department Director or Division Manager with or without cause. An employee rejected during the initial probationary period shall not have the right of appeal whether or not that probationary period has been extended. All rights of appeal shall remain for those employees rejected after being placed on supplemental probation status.
2. An employee rejected during the supplemental probationary period following a promotional appointment may be demoted to the position from which the employee was promoted, if vacant, or to a comparable position, if vacant. However, if the cause for rejection during the supplemental probationary period was sufficient grounds for dismissal from both positions, the employee may be dismissed in accordance with the formal disciplinary procedures.

3.4. Classification and Compensation Program

POLICY

It is the policy of the City of Orem to provide a fair and equitable classification and compensation program..

PURPOSE

To provide an objective system for job evaluation and to establish a salary range for each classification.

GUIDELINES

1. The Human Resources Division Manager shall be responsible to maintain the City's classification system and to maintain an accurate job description for each position in the City.
2. The Human Resources Division Manager shall administer a job evaluation program designed to promote market competitiveness and internal equity.
3. A comprehensive review of all classifications, and job descriptions should be completed at least every five (5) years.
4. The Human Resources Division Manager shall develop and implement a performance evaluation system that provides an objective measurement of job performance. Changes made to the performance evaluation system will include input from the Employee Experience Team.
5. The Employee Experience Team will meet regularly to discuss changes to the city's total compensation program, including changes to external comparable entities, performance evaluations, benefit offerings, and other employee experience matters.

3.4.1. Statement of Compensation Philosophy

The city's total compensation program is based on the following guiding principles:

1. **Market Competitiveness:** The city strives for a total compensation program that competes in the marketplace as related to both the hiring and retention of employees. The city assesses market comparability annually in measuring its pay and benefits program against a consistent group of peers, selected based on things such as: size, function, proximity, and other factors deemed necessary in the current compensation environment, including private sector competition, full-time employment pressures, and the demand for experienced and skilled labor.
2. **Total Compensation:** The city proactively works to develop an inclusive, comprehensive and competitive total compensation program that includes the following features and benefits: 1) salary and wages, 2) employee benefits with options, 3) performance recognition, 4) work-life balance, and 5) training and development opportunities that promote growth and advancement. Wages and benefits will be reviewed and updated regularly to ensure internal and external equity, market competitiveness and appropriate pay progression.
3. **Merit-Based Pay:** The city's compensation program recognizes individual performance and is based on an employee's ability to contribute and perform over time. Employees will be eligible for pay increases and incentives based on job performance and subject to annual budget considerations within the construct of a pay system that includes specific wage guidelines and/or frameworks.
4. **Adoption and Priority:** The City Council and executive leadership recognize the importance of competitive market compensation in order to recruit and retain the city's quality workforce. In that spirit, the City Council and executive leadership pledge to make total compensation a top priority annually in the development and adoption of the city's budget.
5. **Communication:** Helping employees develop an understanding of the city's compensation philosophy and key components of its wage and benefit program is critical to the success of the organization. Great effort will be extended to educate and inform employees about the specifics of the city's total compensation program.

3.4.2. Responsibilities

The City is committed to upholding the principles in this statement. The Human Resource Manager, with oversight from the Assistant City Manager and periodic review by the City Manager and the City Council, will be responsible for the following:

1. Reviewing relevant compensation and benefits surveys, data and information at least annually.
2. Maintaining an ongoing mechanism for establishing and monitoring the assignment of jobs to pay grades.
3. Reviewing the design and pay levels of established compensation programs.
4. Collecting, organizing and reporting data to support the city's compensation programs.

3.5. Differential Pay for Professional Certifications

POLICY

It is the policy of the City of Orem to provide differential pay for specific professional certifications that contribute directly to the ability of an employee to provide a broader range of service to the community or to provide a current service at a reduced cost.

PURPOSE

To recognize and reward employees who improve their skills, knowledge and proficiency in carrying out their assigned functions through additional training and certification beyond what is normally required for the position.

GUIDELINES

1. Professional certifications, which qualify an employee for differential pay, must represent a level of training and skill beyond what is required to perform the regularly assigned duties of the position.
2. The Human Resources Division Manager shall evaluate requests for differential pay to ensure compliance with this policy.
3. Employees eligible to receive differential pay must submit proof of the initial certification and of all renewals and/or recertification to the Human Resources Division Manager.
4. The differential pay shall be effective the first pay period after proof of certification has been submitted. It shall terminate the pay period in which the employee is no longer certified.
5. The Human Resources Division Manager shall be responsible to maintain records of all certifications and expiration dates and to terminate the differential if proof of re-certification has not been provided.
6. Approved differentials are as follows:
 - a. All employees in the Water Resources and Maintenance (storm water and streets) Divisions, except the Division Manager, who become certified with the State of Utah as a Grade I, II, III or IV Systems Operator are eligible to receive differential pay as follows (differential rates are not cumulative):

• Grade I	\$20/month
• Grade II	\$40/month
• Grade III	\$60/month
• Grade IV	\$125/month
• Backflow/Cross Connection	\$40/month
• Certified Inspector for Sediment and Erosion Control*	\$125/month
• Certified Professional in Storm	

- | | |
|----------------|-------------|
| Water Quality* | \$125/month |
|----------------|-------------|
- Certified Professional in Sediment and Erosion Control* \$125/month
 - Registered Storm Water Inspector* \$125/month
- *Available for Public Works or Development Services employees.
- b. Employees in the Fleet Mechanic and Lead Mechanic classifications who become certified by the National Institute for Automotive Service Excellence as either a master Automobile Technician or a Master Heavy Duty Truck Technician shall receive \$100 per month in addition to their regular salary. The maximum differential for both classifications shall be \$100 per month.
 - c. Employees in the Parks Section and Storm Water Section who become certified by the Professional Lawn Care Association of America (PLCAA) as a Certified Turfgrass Professional shall receive \$50 per month in addition to their regular salary.
 - d. Employees in the following engineering positions who become certified by the State of Utah are eligible to receive one of the specified differentials as provided below:

• Professional Engineer License	\$200/month
• Professional Land Surveyor License	\$150/month
• Engineer-in-Training License	\$100/month
• Land Surveyor-in-Training License	\$75/month
 - e. Employees in the Construction Engineer, Private Development Engineer, Project Manager, Traffic Signal Specialist, Survey Technician, and Engineering Specialist classifications that become certified are eligible to receive differentials for any one of the above listed licenses.
 - f. Employees in the Design Engineer classification are eligible to receive the differential listed above for the Professional Engineer.
 - g. The Transportation Operations Engineer is eligible to receive the differential listed above for the Professional Land Surveyor License.
 - h. The City Surveyor is eligible to receive the differential listed above for the Engineer-In-Training License or the Professional Engineer License.
 - i. The City's Risk Manager is eligible to receive a \$100 per month differential pay upon certification as an Associate in Risk Management (ARM).
 - j. Employees classified as a Building Inspector must have ICC Building, Electrical, Mechanical, and Plumbing certifications in accordance with the job description. In addition, they receive differential pay for the following certifications.

• ICC Fire Inspector Certification (Requires CBO approval)	\$50.00/month
• ICC Building Plans Examiner	\$25.00/month
• ICC Electrical Plans Examiner	\$25.00/month
• ICC Mechanical Plans Examiner	\$25.00/month
• ICC Plumbing Plans Examiner	\$25.00/month
• ICC Residential Plans Examiner	\$25.00/month
• ICC Property Maintenance and Housing Inspector	\$25.00/month
• ICC Disaster Response Inspector	\$25.00/month
• ICC Accessibility Inspector/Plans Examiner Certification	\$25.00/month

- ICC Commercial Energy Inspector \$25.00/month
- ICC Residential Energy Inspector/
Plans Examiner \$25.00/month
- ICC Chief Building Official Legal/
Management Module \$50.00/month
- ICBO Structural Masonry Special
Inspector Certification (requires
CBO approval) \$25.00/month

*The maximum is \$125/month.

- k. Employees in the Plans Examiner position must have ICC Residential and Commercial Plans Examiner and Building, Electrical, Mechanical, Plumbing certifications in accordance with the job description. In addition, they receive differential pay may be received as follows for the following certifications.

- ICC Fire Inspector Certification
(Requires CBO approval) \$50.00/month
- ICC Property Maintenance and
Housing Inspector \$25.00/month
- ICC Disaster Response Inspector \$25.00/month
- ICC Accessibility Inspector/Plans
Examiner Certification \$25.00/month
- ICC Commercial Energy Plans
Examiner \$25.00/month
- ICC Residential Energy Inspector/
Plans Examiner \$25.00/month
- ICC Chief Building Official Legal/
Management Module \$50.00/month

*The maximum is \$125/month.

- l. Employees in the Development Services Technician position are eligible to receive \$25 per month for the ICC Building Permit Technician Certification.
- m. Planners and Associate Planners are eligible for \$100 per month if they become certified by the American Institute of Certified Planners (AICP).
- n. Employees who are fluent in Spanish and regularly communicate with Spanish speaking customers are eligible to receive \$50.00 per month. This differential must be requested by the Department Director on a case by case basis.

3.6. Employee Advisory Council

POLICY

It is the policy of the City of Orem that an Employee Advisory Council (EAC) representing various employee groups and operations shall be established to make recommendations to the City Manager on city-wide issues affecting employees and to hear employee appeals and grievances.

PURPOSE

1. Create employee involvement from all levels of the organization in advising the City Manager.
2. Enhance communications.
3. Establish a panel of employees to hear appeals from part-time benefitted and full-time employees regarding formal disciplinary actions and dismissals. The panel will hear appeals to grievances for part and full-time employees. The

AC will also be a part of the Employee Appeal Board, a board established by City ordinance that hears limited types of appeals from specified City employees. Harassment complaints shall be appealed directly to the City Manager.

4. Provide employee representation on the Retirement Advisory Council.
5. Help facilitate the implementation of ideas fostered by champions.

GUIDELINES

1. EAC shall be a resource to advise, counsel and make recommendations to the City Manager concerning city-wide issues and ideas.
2. The EAC shall have nine (9) members as follows:
 - a. One (1) management employee shall be elected from each group as follows:

<u>Management Group</u>	<u>Elected By</u>
Executive	Executive Staff
Division	Division Managers
Supervisor	Supervisors

Each of the management level employees shall represent a different department. Elections shall be held in the following order: supervisor, division, and executive.

- b. The employees of the following departments shall elect one non-management employee from their department to the EAC as follows:

<u>Department Group</u>	<u>Elected By</u>
• Public Works	Dept. Employees
• Police	Dept. Employees
• Fire	Dept. Employees
• Finance	Dept. Employees
• Library, Recreation	Dept. Employees
• Dev Svcs	Dept. Employees
• Legal, City Mgr	Dept. Employees

Vacancies shall be filled from the same employee groups.

3. Members of the EAC shall serve a two (2) year term. More than one (1) term may be served but not consecutively. If a mid-term replacement is needed, he or she shall be elected and may then serve the balance of the term as well as be eligible to be elected for a successive term.
4. EAC members shall serve until elections are held to choose new members each year as terms expire, or until a replacement is selected. Elections shall be held in December and terms shall commence on January 1st of each year.
5. All members of the EAC shall have equal voice and vote.
6. The EAC shall elect a chair and vice-chair from its members to serve for one year. The Vice-Chair shall act as Chair in the absence of the Chair.
7. The Chair shall prepare agendas, conduct meetings, finalize minutes and perform other necessary responsibilities on behalf of the EAC.
8. The EAC shall meet on city time. Minutes of the meetings shall be taken and made available to all employees. The City Manager's Office will provide staff for the necessary minute taking. The EAC may establish any necessary

procedures to conduct their meetings. The City Manager is welcome to attend all meetings and participate in all discussions.

9. In addition to serving on the Employee Advisory Council, all EAC members are encouraged to work closely with their respective Department Director to resolve concerns and issues affecting their department.

3.7. Employee Recognition Program

POLICY

It is the policy of the City of Orem to celebrate the success of its employees. All employees are to be appropriately recognized and rewarded for their years of service, meritorious performance, and supportive attitude in addition to normal salary considerations.

PURPOSE

1. Recognize achievement
2. Encourage creativity and innovation
3. Share employees' successes with others
4. Promote high morale and good feelings
5. Acknowledge years of dedicated service
6. Reward positive and supportive attitudes

GUIDELINES

1. The City's Employee Recognition Program provides that all full and part-time employees be recognized and rewarded for their years of service, meritorious performance, and supportive attitude in addition to normal salary considerations. The program consists of both planned and spontaneous recognition.
2. Spontaneous recognition is the responsibility of each department. Its purpose is to recognize an employee who by their attitude, comments and performance (1) increase productivity, (2) go beyond what is normally expected (3) use innovations in problem solving, or (4) consistently perform at or above expected levels.
3. Suggested recognition includes tickets to events, shows, restaurants, time off with pay, weekend accommodations or other items that are appropriate. Efforts will be made to promote ideas that work through the employee newsletter, nominations for local or national awards or other appropriate means.
4. Planned recognition may consist of the following:
 - a. Years of Service - All employees who have their 5, 10, 15, 20, 25, 30, 35, and 40 plus year anniversary with the city during the year may receive a certificate of service and gift certificates equal to \$10 for each year of service.
 - b. Retirement Recognition - Any full or part-time employee who retires from the City may receive a retirement reception and a retirement gift. The value of the retirement gift will equal ten dollars for each year of service with the City.
 - c. Employee Appreciation Activities - The City may sponsor an annual event to show appreciation for employees. All current employees, will be invited to participate.
5. Funding for the employee recognition program will be considered annually as a part of the budget process.

3.8. Employee Wellness Program

POLICY

It is the policy of the City of Orem to provide an incentive for employees to maintain a high level of health and wellness.

PURPOSE

To improve employee productivity through health and wellness.

GUIDELINES

1. Employees will be given incentives to participate in an employee wellness program.
2. The wellness program will include incentives for physical as well as mental wellness.
3. Requests for city sponsorship of recreation teams shall be considered by the respective Department Director and may be partially funded out of department resources.
4. The Recreation Director shall be responsible for administering the wellness program.

3.9. FLSA Exempt Employees**POLICY**

It is the policy of the City of Orem that exempt employees, as determined by the Fair Labor Standards Act (FLSA), shall be paid according to a pay system established pursuant to principles of public accountability. Exempt employees shall work normal working hours and are eligible to receive administrative leave when they work more than the normal working hours.

PURPOSE

To provide guidelines for the work commitment expected from exempt employees for purposes of public accountability.

To provide guidelines for the use of administrative leave.

GUIDELINES

1. Normal working hours for exempt employees shall be considered a 40-hour workweek. The Department Director or City Manager shall determine what the normal working hours are for the position.
2. Exempt employees are not paid on an hourly basis and are not eligible for overtime pay, but are salaried employees expected to work a normal workweek unless absent due to a holiday or use of sick, vacation or administrative leave.
3. Exempt employees are expected to work beyond normal working hours when needed to complete their assignments and responsibilities.
4. When exempt employees work beyond the normal working hours, the employee's Department Director may provide administrative leave.
5. Administrative leave may be taken for up to 8 hours at a time.
6. Administrative leave is not accruable nor is it vacation leave or compensatory time. It is not the intent of this policy that employees take an hour of administrative leave for every hour worked over 40 hours. Rather, exempt employees are expected to work over 40 hours whenever necessary with administrative leave being taken only on an occasional basis.
7. Administrative leave may be used at the discretion of the employee with the approval of the Department Director, or, in the case of a Department Director, the City Manager.
8. Exempt employees are eligible to receive overtime pay for overtime hours worked during a declared emergency, as approved by the City Manager.
9. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

3.10. Fair Labor Standards Act Policy

POLICY

It is the policy of the City of Orem to establish minimum wage, work period and overtime rules for all classifications within the City in order to comply with the Fair Labor Standards Act and with federally mandated wage, work period and overtime guidelines.

PURPOSE

To ensure compliance with the Fair Labor Standards Act.

3.10.1. *Workweek and Scheduled Hours*

1. All employees working for the City of Orem shall be compensated at the minimum wage or higher.
2. The Human Resources Division Manager shall designate each classification in the City as exempt or non-exempt in accordance with the Fair Labor Standards Act (FLSA) guidelines. A list of the designations shall be attached to this policy.
3. The City's workweek for all classifications is the seven (7) consecutive days that begin each Sunday morning at 12:00am and end the following Saturday at midnight, except as noted below:
 - a. A majority of full-time benefitted employees work a 9/80 schedule, or 80-hours over 9 days in the pay period, with every other Friday off. Employees are classified as either "A" or "B" depending on the start of their workday and their Friday rotation. The workweek for these employees is seven (7) consecutive days beginning at noon on Friday, October 31st, 2008 and repeating every seven days thereafter.
 - i. Alternative work schedules may be established with prior written approval of the Department Director. A copy of said approval will be placed in the affected employee's human resources record. Each department may establish alternative work schedules that: 1) maintain or improve existing internal and external customer service levels, 2) address individual employee needs without resulting in additional cost or staffing requirements for the City, and 3) maintain or improve existing operational efficiency and effectiveness.
 - b. For classifications in the Fire Department working a 48-hour shift, the workweek is eighteen (18) consecutive days beginning at 7:00am on April 6, 1986 and repeating every eighteen days thereafter.
 - c. For all other Police and Fire Department classifications, the workweek begins Sunday at 7:00am and ends the following Sunday at 7:00am.

Employees shall earn overtime at a time and one-half basis as provided herein.

3.10.2. *Compensatory Time*

1. Employees shall earn compensatory time off as provided herein. Compensatory time off shall be scheduled at the employee's discretion as long as it does not unduly disrupt the operations of the City, and is considered time worked for purposes of overtime. The City, however, may require the employee to use accumulated comp time hours.
2. Each non-exempt employee is responsible for maintaining and reporting accurate hours worked each workday and total hours worked each work period. Exempt employees only report hours of vacation, sick leave, and holiday time off. All time cards will be approved at the department level.

3. Compensatory time can be accrued up to 80 hours for non-exempt employees. Firefighters may accrue up to 112 hours. All accrued compensatory hours from a prior year must be used prior to May 1 of the succeeding year or the balance will be paid to the employee.

3.10.3.1 Training Time

1. Training time, approved by the employee's supervisor, shall be counted as hours worked if:
 - a. Attendance is mandatory; or the training is directly related to the employee's job; and
 - b. The training is intended to enhance the employee's performance.
2. Training time is not considered time worked if:
 - a. Attendance is outside the employee's regular working hours;
 - b. Attendance is voluntary;
 - c. The training is not directly related to the employee's job with the City; and
 - d. The employee does not perform productive work while attending the training.
3. Scheduled training time does not qualify for call back pay.

3.10.3.2. Travel Time

Travel time may be counted as hours worked for non-exempt employees based upon the kind of travel involved.

1. **Commuting.** Ordinary travel between home and work before or after regular working hours is not considered hours worked.
2. **Travel at Work.** Travel that occurs during an employee's workday is generally included in hours worked. This includes travel from job site to job site and travel to meetings.
3. **Out-of-Town Travel.** If an employee is given a one-day assignment in another location that does not require an overnight stay, all the time spent traveling between locations is considered time worked. However, time spent between the employee's home and the airport or train station (during the employee's departure or return) is not considered time worked.

If the employee's out-of-town assignment requires an overnight stay, time spent traveling to the other city is considered time worked only to the extent that the time coincides with the employee's regular workday. Travel that occurs during hours of the day in which the employee normally works is considered time worked, even if it falls on a day that is normally a non-working day for the employee. If, on the other hand, the travel occurs during hours that are outside the employee's regular workday, it need not be considered time worked, unless the employee actually performs work for the employer while traveling during these regularly unscheduled hours.

3.10.3.3. Voluntary Shift Trading

1. Voluntary shift trading among non-exempt employees in the same job is allowed without affecting overtime compensation. When an employee works additional hours in a workweek beyond his/her regularly scheduled hours, as a substitute for another employee, those additional hours of work are treated as having been worked by the employee originally scheduled to perform the work. As a result, shift trading will not result in increased overtime liability even though the effect of the trade is to increase the work hours of a single employee. Shift trading cannot be initiated or mandated by the City and must be approved by the Department Director.
2. Public Safety personnel required to attend court as part of their job shall be paid in accordance with the Court Time section of the Employee Handbook.

3.10.3.4. On-Call

Employees may be required to be on-call for specified periods of time. Generally, on-call time is not compensable, but the employee shall be paid a minimum of four hours for each week spent on call (comp time cannot be given in lieu of

pay). These four hours need not be paid in addition to any call back hours, but can be included as part of the payment for call back time. If the employee is called back to work, the employee shall be compensated in accordance with the Call Back section of the Employee Handbook. To be eligible for on-call work the employee must live within 30 minutes of the City Center.

3.10.3.5. Meal Periods

The FLSA does not require and the City does not provide employees with time-off for rest breaks or coffee breaks. For meal periods of 30 minutes or longer, the non-exempt employee must be completely relieved of all job duties during that time.

3.10.3.6. Donning and Doffing Protective Gear

Time spent prior to and at the end of a shift putting on (donning) and taking off (doffing) unique protective gear required for the employee's job, is considered time worked for non-exempt employees.

3.10.4. Designation of Exempt and Non-Exempt Classifications

All part-time benefited, variable hour and seasonal employee positions are non-exempt. All full-time City positions shall be classified as non-exempt or exempt in accordance with the Fair Labor Standards Act and shall be designated as such on the City's job description for the position.

3.11. Variable-Hour Employees

POLICY

Variable-hour employees are employees that are hired to work no more than 1,500 hours in a calendar year, no more than 130 hours per month, and are normally scheduled to work 28 hours or less a week. Any hours worked or paid for the City in any employment category by the variable-hour employee during the previous 12 months shall be factored into the 1,500 limit, unless there has been an employment gap of at least 13 weeks. Variable-hour employees are at-will employees and are not eligible to receive benefits unless otherwise required by law.

The City of Orem will hire variable-hour employees, which are at-will employees, as needed throughout the City. A variable-hour employee may or may not work a regular schedule. Variable-hour employees normally work 28 hours or less per week, less than 130 hours per month, and work no more than 1,500 hours in a calendar year

It is the policy of the City to provide a fair and equitable pay plan for variable-hour employees within the appropriation and policies adopted by the City Council.

PURPOSE

1. Assist the City in cost effective staff planning
2. Cope with unforeseen staffing needs
3. Respond to seasonal and peak demands
4. Provide flexibility in scheduling

GUIDELINES

1. The Human Resources Division Manager shall develop and administer a pay plan for variable-hour employees approved by the City Manager.
2. The variable-hour employee's pay plan shall describe pay ranges applicable to the various types of variable-hour positions in the City.
3. Variable-hour employees work a maximum of 1,500 hours in a calendar year.

3.12. Seasonal Employees

POLICY

The City of Orem will hire seasonal employees as needed throughout the city. A seasonal employee performs labor at certain seasons or periods of the year and which, from its nature, may not be continuous or carried on throughout the year.

PURPOSE

Seasonal employees are employees that are hired to work no more than six (6) continuous months during a season and shall not work more than 1,500 hours in a calendar year. Seasonal employees customary work the same period during the calendar year, such as summer or winter. Any hours worked for the City in any employment category by the seasonal employee during the previous 12 months shall be factored into the 1,500 hour limit, unless there has been an employment gap of at least 13 weeks. Seasonal employees are at-will employees and are not eligible to receive benefits unless otherwise required by law.

1. Assist the City in cost effective staff planning
2. Cope with unforeseen staffing needs
3. Respond to seasonal demands
4. Provide flexibility in scheduling

GUIDELINES

1. The Human Resources Division Manager shall develop and administer a pay plan for seasonal employees approved by the City Manager.
2. The seasonal employee's pay plan shall describe pay ranges applicable to the various types of seasonal positions in the City.
3. Seasonal employees may work a maximum of 6 calendar months from the hire date and may only work a maximum of 1,500 hours during that six-month period.
4. The minimum gap between employment for a seasonal employee is 13 calendar weeks.

3.13. Health Insurance Eligibility for Variable-Hour and Seasonal Employees**POLICY**

The City of Orem will offer health insurance to variable-hour and seasonal employees who meet the eligibility requirements of the Patient Protection and Affordable Care Act (ACA).

PURPOSE

To comply with the provisions of the ACA.

GUIDELINES

1. The City has established an "initial measurement period" (IMP) of twelve months from the variable hour/seasonal employee's date of hire to measure the hours of service completed by the new variable-hour/seasonal employee and determine whether the employee completed an average of 30 hours of service per week or more during the period.
2. The City has established an "initial stability period" (ISP) of twelve months from the end of the IMP. If a new variable-hour/seasonal employee is determined to be full-time during the IMP (has worked an average of 30 hours or more per week), then the employee will be eligible for health insurance coverage for the ISP. If the new variable-hour/seasonal employee does not work an average of 30 hours or more per week during the IMP, then health insurance coverage does not have to be offered to the employee during the ISP.
3. If a new variable-hour or seasonal employee has a change in employment status to full-time during the IMP/ISP, the City would offer health insurance to that employee to be effective the first day of full-time employment.

3.14. Hiring Relatives of City Employees (Nepotism)**POLICY**

It is the policy of the City of Orem to restrict the hiring of city employees' relatives.

PURPOSE

1. To prevent an environment where favoritism, real or perceived, can exist.

2. To define the conditions under which relatives of city employees may be considered for employment.

GUIDELINES

1. A relative is defined as the employees' spouse, parent, step-parent, nephew, niece, grandparent, son-in-law, daughter-in-law, sister, step-sister, brother, step-brother, son, step-son, daughter, step-daughter, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, aunt, uncle, or first cousin; or a spouses' grandparent, grandchild, aunt, uncle, nephew, niece, first cousin, or a "household member," which means a person who resides in the same residence as the city employee.
2. A person shall not be hired as a full-time or part-time benefited employee within the same department as an employed full-time or part-time benefited relative. In rare circumstances the City Manager, after receiving recommendations from both the department director and the human resources division manager, may authorize the hiring of a full-time or part-time benefited relative if a determination is made that the person is the only or best person available, qualified, or eligible for the position. In this circumstance, a new hire and current related employee will both acknowledge in writing that their respective employment status or situation may be limited or impacted in the future as a result (for example, as related to promotion, transfer, reclassification, shift assignment, etc.).
3. Variable hour or seasonal employees who are related may be hired within the same department as long as one relative does not supervise the other. In the event that a department has related variable or seasonal employees working and one is hired for a full or part-time benefitted position, the other relatives shall be allowed to continue working for the duration of their assignment, but shall not be eligible for rehire or appointment in the same division as long as the first relative is a full-time or part-time benefited employee. A variable hour or seasonal employee may work in the same department as an employed full-time or part-time benefited relative, but not in the same division within the department.
4. If two employees in the same department marry, one employee shall be required to immediately transfer to another department (subject to available positions) or terminate employment with the City.
5. No employee who is related to someone within the same department shall be promoted to a Department Director or Division Manager position. No employee shall supervise a relative employee.
6. In the event that a department has related employees working who were hired prior to July 1, 2000, one relative shall not supervise the other.
7. Any employee who in any way attempts to influence the hiring of his/her relatives for any position shall be subject to disciplinary action.

3.15. Recruitment and Selection

POLICY

It is the policy of the City of Orem to provide equal opportunity for employment and to recruit and select highly skilled employees who share the values and goals of the organization.

PURPOSE

1. To prevent discrimination against any applicant for employment because of race, color, national origin, religion, gender, age, sexual orientation, gender identity, disability or pregnancy or any other protected class.
2. To provide for a recruitment and selection process that results in hiring highly skilled employees who share the values and goals of the City organization.

GUIDELINES

1. The Human Resources Office shall develop and administer a process for the recruitment and selection of all city employees. The process shall be approved by the City Manager.

2. All departments shall follow the approved recruitment and selection process.

3.15.1. Recruitment and Selection Process

1. When desiring to fill a position, the Department Director shall submit a completed Personnel Requisition form to the Human Resources Office. The Human Resources Division Manager and Department Director shall determine if it will be an in-house recruitment. All Division Managers and Executive Staff Members shall be selected following open recruitment unless an exception is granted by the City Manager.
2. Upon receipt of the Personnel Requisition form, the Human Resources Office shall prepare and distribute the job announcement. The position shall be posted for a minimum of five calendar days and shall be distributed according to the market area established for the position.
3. Applications will only be accepted by the Human Resources Office for positions currently open. Applications will not be accepted after a closing date unless the application is postmarked on or before the closing date.
4. All applications received for a position by the closing date shall be reviewed by the Human Resources Office or a screening committee to determine the most qualified applicants. The applicants selected may be further screened through testing procedures that may include, but not be limited to, written examinations, assessment centers, physical agility exams, and/or appraisal boards. All tests and testing procedures shall be approved by the Human Resources Division Manager.
5. Due to the nature of some positions, eligibility lists may be established by the Human Resources Division Manager for future openings. The duration of these eligibility lists shall also be established by the Human Resources Division Manager. In the event of an opening, the top five names from the eligibility list shall be submitted to the Department Director.
6. If the normal recruitment and selection process is unsuccessful in providing an acceptable candidate for hire, the City Manager may approve an alternate hiring plan.
7. During the selection process, it is the department's responsibility to make sure each candidate is treated fairly and reasonably and to uphold the City's policy not to discriminate against any candidate because of race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability or pregnancy, or any other protected class.
8. It is the department's responsibility to verify information provided on a candidate's application or resume regarding education, job experience, or past work performance.
9. Once a final candidate has been selected, the Human Resources Office will obtain a Driver License History Report, request a background check/clearance from the Police Department and notify the hiring department when the applicant has been cleared for hire. Final candidates may also be required to take a driving test administered by the hiring department.
10. In accordance with the City's Drug and Alcohol Free Workplace Policy, final candidates for all positions shall be required to pass a drug test as a prerequisite to employment.
11. Department Directors may make starting salary offers up to 10% above the grade minimum. Offers above this rate require City Manager approval before the offer can be made.
12. After notification from the Human Resources Office that the applicant is approved for hiring, the department shall contact the person, offer employment in writing, confirm the starting date and hiring salary, and send a Personnel Action form to the Human Resources Office.
13. Supervisors shall schedule a new employee orientation with the Human Resources Office as soon as possible after the employee starts work. At the orientation the City will utilize e-verification to determine work eligibility and ensure correct identity.

14. Under special circumstances, the City Manager may authorize the appointment of an employee without going through the recruitment process.

3.15.2. Recruitment Certification Incentive – Lateral Hires

POLICY

It is the policy of the City of Orem to actively recruit and retain experienced, and in some specific cases, licensed and certified job applicants for positions within the organization, thereby offsetting or minimizing onboarding and job training costs. It is the opinion of the city that the recruitment of applicants who meet all position knowledge, skills and abilities in advance of hire also serves to improve employee morale, productivity and service delivery.

PURPOSE

To provide a method of rewarding difficult-to-recruit new hires who already possess and meet job requirements and/or licenses and certifications prior to employment with the City of Orem. These new hires have typically worked in a like assignment with a comparable agency, thereby reducing initial onboarding and training costs.

DEFINITION

Lateral Hire: Shall be defined as a new, full-time benefitted employee who is currently working for a city, county, special district or other organization on a full-time basis time or has previously worked for a city, county, special district or other organization within the past 18 months on a full-time basis who:

1. Worked in a position with comparable and/or equivalent duties or skills (as defined by job description) to those required of a position with the City of Orem.
2. Has successfully met all requirements associated with position-specific field training program(s), and/or position certification(s) and license(s).
3. Has successfully completed a current employer's and/or previous employer's probationary period requirements.

GUIDELINES

Subject to the approval of the City Manager, the city's human resource manager and his/her department director, a Lateral Hire may receive a recruitment certification incentive ("incentive") as follows:

1. The incentive shall be the result of an incentive plan meeting specific job requirements, including but not limited to the completion of a new hire field training program, job certification/licensing, and successful completion of the Lateral Hire's employment probationary period. The amount of a one-time recruitment certification incentive shall not exceed \$3,000 and shall be distributed in two equal increments over the course of one year (if completed with no disciplinary problems as determined by an employee's department director) – 50 percent during an employee's first six months of service and 50 percent after one year of service.
2. In addition to, or in lieu of, the noted lump-sum cash incentive, a department director may also, upon hire, provide a Lateral Hire with a sick leave and vacation time incentive as follows:
 - a. Up to 56 hours of sick leave and up to 56 hours of vacation time for 24-hour shift, benefitted employees; or
 - b. Up to 40 hours of sick leave and up to 40 hours of vacation time for all other full-time, benefitted employees.
3. Incentives are provided to Lateral Hires with the expectation that the Lateral Hire will remain in the full-time employ of the City of Orem and will maintain all necessary certifications required by the job. The noted incentive vests in 36 months after receipt of the compensation and/or leave. Any compensation or leave payments not vested must be repaid in full if the employee resigns or is terminated for cause for willful violation of City policy before completion of the 36 month vesting period. The City may require any Lateral Hire receiving an incentive to sign documentation agreeing to the above repayment terms.

4. Qualification for the incentive will be contingent on budget availability, market conditions, recruitment challenges, the Lateral Hire's skillset and experience, and/or other factors as determined by a department director, the human resource manager and the city manager.
5. Incentives are not a right and will only be approved as needed on a case-by-case basis. Incentives for a particular position may be discontinued as the recruitment environment changes.
6. The effective date of this policy is August 22, 2018. Employees hired before August 22, 2018 are not eligible for the incentive.

3.15.3. Recruitment Incentives for Difficult-to-Fill Positions

POLICY

It is the policy of the City to offer incentives to certain candidates for full-time, benefitted employment positions that have been classified as "difficult to fill." This policy provides city administration with additional tools to attract and retain highly-qualified, performance-oriented candidates for specific positions deemed "difficult to fill."

DEFINITIONS

Difficult to fill - A position that includes any of the following:

- (a) A position with frequent or high turnover;
- (b) A position with a small pool of applicants;
- (c) Multiple current vacancies for the same position; or
- (d) A single position otherwise deemed difficult to fill.

GUIDELINES

1. The City Manager shall have the authority to:
 - a. Designate specific positions as difficult to fill; and
 - b. Approve positions to receive recruitment incentives during active recruitments.
2. The City Manager shall determine the applicability and duration of the incentives for each difficult-to-fill position. Such determination shall not be subject to any review or appeal.
3. Positions designated as difficult to fill shall be placed on a list to be maintained by the Human Resources Division. The City Manager may add or delete difficult-to-fill positions based on organizational need. The City Manager may also suspend this program should such incentives no longer be required or appropriate or if there are insufficient funds available to fund the incentives.
4. Department Directors shall have the authority to offer a difficult-to-fill position candidate a monetary incentive not to exceed \$3,000 and up to 56 hours of vacation and 56 hours of sick leave for 24-hour shift, benefitted employees or 40 hours of vacation and 40 hours of sick leave for all other full-time, benefitted employees.
5. With City Manager approval, a Department Director may offer up to an additional \$6,000 monetary incentive (not to exceed \$9,000 in total) to a candidate for a difficult-to-fill position.
6. Each candidate who accepts an incentive under this policy will be required to execute a Recruitment Incentive Repayment Agreement. The agreement will require the candidate to repay the monetary incentive and the cash value of the vacation and sick leave pay portion of the incentive if the employee resigns or is terminated for cause of willful violation of City policy less than four (4) years after the candidate's hire date.
7. The monetary portion of the incentive will be periodically paid to the candidate within 12 months of the employee's hire date. Any vacation and/or sick leave awarded to the candidate as part of the incentive is available to the candidate upon hire subject to other applicable vacation and sick usage policies.
8. This policy does not prohibit the City from providing additional incentives to candidates as appropriate.
9. Incentives are not a right and will only be approved as needed on a case-by-case basis.

3.15.4. Referral Fee Incentive

POLICY

It is the policy of the City of Orem to provide referral fees to employees who assist the City in hiring new employees. Subject to funds availability, a \$100 referral fee shall be paid to a city employee who refers a candidate not currently employed by the City for employment. A \$500 referral fee shall be paid to a city employee who refers a candidate not

currently employed by the City for a difficult-to-fill position. The candidate must include the name of the City's current employee on his/her application for employment in order for the city employee to be eligible for any referral fee. Payments for such referrals shall be made only after the referred candidate is hired and has successfully completed his/her probationary period for full-time employees or thirty (30) days for a flexible or seasonal employee. If any dispute arises over the source of a hiring referral, the City Manager shall make a determination as to the appropriateness of a referral fee and to whom such a payment (if any) shall be made. Executive Staff members, the hiring manager for the position, and Human Resource Division employees are not eligible for a referral fee. The City may suspend this referral fee incentive at any time or for any reason.

3.16. Veteran Preference

POLICY

It is the policy of the City of Orem to provide a veteran's preference in initial hiring for applicants applying for city employment, in accordance with Utah law.

GUIDELINES

1. As defined under Section 71-10-1, Utah Code, as amended, a veteran is:
 - a. An individual who has served on active duty in the armed forces for more than 180 consecutive days or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated or retired under honorable conditions; or
 - b. An individual who incurred an actual service-related injury or disability whether or not that person completed 180 days of active duty.
2. In order to be eligible for veteran's preference an individual must be:
 - a. an individual who has served on active duty in the armed forces for more than 180 consecutive days or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated or retired under honorable conditions;
 - b. a disabled veteran with any percentage of disability;
 - c. the spouse or unmarried widow or widower of a veteran;
 - d. a purple heart recipient; or
 - e. a retired member of the armed forces who retired below the rank of major or its equivalent.
3. In accordance with Section 71-10-2, Utah Code, as amended, the Human Resources Division shall add to the score of a veteran's preference eligible applicant who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for position with the City:
 - a. 5% of the total possible score, if the preference eligible is a veteran;
 - b. 10% of the total possible score, if the preference eligible is a veteran with a disability or a purple heart recipient; or
 - c. In the case of a preference eligible spouse, widow, or widower, the same percentage the qualifying veteran is, or would have been, entitled to.
4. A veteran's preference eligible applicant who applies for a position that does not require an examination, or where examination results are other than a numeric score, shall be given preference in interviewing and hiring for the position.

3.17. Criminal Background Investigation and Driving Record Evaluations

POLICY

It is the policy of the City of Orem to conduct criminal history investigations and driving record evaluations of its employees, volunteers and sports coaches.

PURPOSE

The City is committed to protecting the security and safety of its citizens, employees, and volunteers. The City is also committed to preserving and safeguarding the assets and resources of the City. The City feels that a thorough criminal history investigation will support these interests and help promote positive experiences for those interacting with city representatives and enjoying City facilities.

3.17.1. Criminal Background Investigation

1. All prospective city employees, volunteers, and sports coaches shall be required to provide the City with a certified copy of their own criminal history record or authorize the City, in writing, to conduct a criminal background check prior to appointment. Failure to provide or authorize a criminal history record will preclude employment or appointment to a volunteer or coaching assignment. Applicants who have not lived in the State of Utah for the three years immediately preceding their application may be required to provide the City with a certified copy of their criminal history record from their last state of residence. Any expenses associated with obtaining out of state criminal history records shall be the responsibility of the applicant.
2. An evaluation of criminal history records will be a factor in determining eligibility for employment and volunteer or coaching assignments. If a criminal background check shows prior convictions within the past seven years, the City will assess the overall risk of employment to the City. That risk assessment will include but not be limited to: (1) number of convictions, (2) nature and severity of convictions, (3) the length of time that has elapsed since the last conviction, (4) likelihood of recidivism, (5) the security sensitivity of the position sought by the applicant, and (6) other factors that may be relevant. The City will determine whether an individual with a criminal history should be considered eligible to obtain a position or whether additional documentation is required. Applicants for volunteer youth coaching assignments or other employment positions where there will be significant contact with minors will not be considered if they have been convicted of sex or abuse offenses involving minors, regardless of when the conviction occurred. These criteria are minimum standards for city employment or volunteer work in any city department. Department Directors shall have the discretion to be more restrictive when evaluating criminal history information in light of the job the applicant will be performing.
3. Criminal background investigations for all volunteers and sports coaches shall be conducted at least every four (4) years and for incumbent employees as determined needed by Department Directors. If any of the conditions identified in this policy or new convictions are found on the criminal record of an incumbent, the condition will be brought to the attention of the Human Resources Division Manager and employee's Department Director. Once advised of the condition, the Human Resources Division Manager and the employee's Department Director will take appropriate personnel action, which may include termination.
4. Before an applicant is denied employment or an incumbent employee is subjected to an adverse employment action based on information obtained in the criminal background report, the applicant or employee shall receive a copy of the report, written notice of the reasons for denial or adverse action, a written description of his/her rights under the Fair Credit Reporting Act (if applicable), and shall have an opportunity to respond to the contents of the criminal background check and any proposed action taken by the City as a result of this check. Notification of intent to respond must be given to the Human Resources Office within three (3) business days of receiving the report if the applicant or employee desires to respond to the criminal background report. The City will provide the applicant or employee a reasonable opportunity to address the information contained in the report.

3.17.2. Driving Record Evaluations

1. Employment, volunteer and coaching applicants who may be assigned to drive as part of their employment or assignment are subject to this policy and shall be required to submit to a pre-employment driving record evaluation. Driving record evaluations shall be conducted with the written consent of the person being evaluated. The written consent is located on the application, volunteer approval form, or coaching application. Failure to consent to a driving record evaluation, when required, will preclude employment or appointment to a volunteer or coaching assignment. Driving record evaluations will be conducted using the information available through the Utah Driver's License Division. If an applicant does not currently have a Utah driver's license, the applicant will be required to provide the City with a certified copy of the applicant's driving record from the State where the applicant's current license was issued. Any expenses associated with obtaining out of state driving records shall be the responsibility of the applicant.
2. An evaluation of an applicant's driving record will be a factor in determining eligibility for employment and volunteer or coaching assignments. Employment, volunteer and coaching applicants who may be assigned to drive as part of their employment or assignment will not be considered for appointment if their Driver's License is currently expired, suspended or revoked. Applicants will not be considered if they have a DUI or worse within the past 36 months (examples of "or worse" include vehicular homicide, vehicular manslaughter, etc.). If an applicant's driving record contains violations that are indicative of poor driving patterns (reckless driving, following too close, failure to yield, stoplight or stop sign violations, several speeding tickets), the information in the driving record shall be brought to the attention of the hiring manager so that the driving record may be considered during the selection process.
3. Driving record evaluations for all incumbent employees, volunteers and sport coaches that are subject to driving record evaluations shall be conducted every year. If any of the conditions identified in this policy are found on the driving record of an incumbent, the condition will be brought to the attention of the Human Resource Division Manager. If an incumbent's license is suspended, expired, or revoked, the employee's supervisor shall suspend the incumbent's driving responsibilities until the incumbent's license is restored and valid. If the incumbent's license cannot be restored, appropriate personnel action will be taken, which may include termination.
4. Any employee who is required to maintain a commercial driver's license as part of his/her essential job functions is also required to have a current DOT medical card.
5. Prospective employees and incumbents for the following positions shall not be permitted to drive on behalf of the City and will not be subject to driving record evaluations, unless driving responsibilities are specifically approved by the Department Director:
 - Lifeguard
 - Fitness Center Clerk
 - Recreation Assistant
 - Concession Worker
 - Admissions Clerk
 - Crossing Guard
 - Referees (Basketball, Softball, Football, etc.)
 - Recreation Receptionist
 - Sports Supv.
 - Firearms Range Attendant
 - Child Care Attendant
 - Desk Clerk
 - Sports Coaches
 - Instructors (Yoga, Pilates, Swim, Basketball, Aerobics, Tennis, etc.)

3.18. Retirement Advisory Council

POLICY

It is the policy of the City of Orem to establish a Retirement Advisory Council (RAC) to advise the City of Orem on matters related to its deferred compensation and retirement health savings plans. The City shall provide the necessary insurance, professional guidance and/or legal support in helping the retirement Advisory Council.

PURPOSE

1. To provide a review of requests for financial assistance or to assign said matter to the appropriate entity as per agreements and documents as provided for in federal regulations.
2. To maintain the pre-tax advantages of the city's retirement plans.
3. Maintain proper breadth of choices in and review of deferred compensation retirement plan investment opportunities.

GUIDELINES

1. The Retirement Advisory Council shall consist of the following members: Director of Finance, Assistant City Manager, Public Works Director, Chief of Police and/or Fire Chief, and chairman of the Employee Advisory Council. The Human Resources Division Manager shall act as staff to the Council.
2. Requests for financial hardship withdrawals must meet the criteria as established by the Internal Revenue Service and the 457 Deferred Compensation Plan Document in order to be approved by the City or its authorized agents.
3. The employee must have exhausted all other available funds and sources of financial relief to be eligible for a hardship withdrawal.
4. The decision of the City or its authorized agents regarding hardship withdrawals shall be final.
5. The Retirement Advisory Council shall make changes in said plan investment opportunities after receiving professional guidance and recommendations as determined necessary.

3.19. Salary Plan

POLICY

It is the City of Orem objective to provide competitive, fair and equitable compensation for all employees. Salary pay-grades and ranges may be adjusted subject to market conditions, internal equity and budget constraints. Market conditions will be reviewed annually. Employees may receive pay increases based upon performance, cost of living (COLAs) and market factors, subject to budgeted increases approved by the City Council.

3.20. Short-Term Disability

A benefited employee's sick leave accrual balance is their short-term disability. However, for those benefited employees that desire additional security a voluntary short-term disability policy is available at their own expense.

3.21. Transfer of Vacation Hours

POLICY

It is the policy of the City of Orem to support an employee with an extended illness or injury by allowing other employees to transfer vacation hours to the ill employee's sick leave account.

PURPOSE

To provide extended sick leave benefits to employees who, due to an extended illness or injury, have exhausted their accrued sick leave hours.

GUIDELINES

1. An employee may transfer up to three (3) days of vacation leave to another employee who has exhausted his/her sick, comp, and vacation leave due to an extended illness or injury, if the donating employee has a balance of forty (40) hours of vacation after the transfer of vacation leave.
2. Transfers of vacation time must be approved by the Department Director of the employee transferring the time as well as by the Department Director of the employee receiving the time.
3. Department Directors, Division Managers or Supervisors shall not request, ask, encourage or require his/her employees to donate hours.
4. The Human Resources Office shall maintain the request forms and authorize the transfer once appropriate approvals have been given.

3.22. Performance Evaluations

PURPOSE

Performance evaluations shall be completed for all probationary employees, full-time employees and part-time benefitted employees (excluding seasonal and variable employees) at regular intervals on forms prescribed by the Human Resources Division Manager for the purpose of recording current job performance, setting goals and objectives, recognizing accomplishments, setting salaries and noting particular strengths and/or deficiencies. Performance evaluations shall also serve to assist the employee in improving performance as necessary and to aid the supervisor in counseling the employee regarding performance and progress. All employees hired into a full-time position are required to complete a probationary employment period. During this period, an employee’s potential for successful performance will be closely examined. It is expected that probationary employees will also evaluate the City and their employment position in terms of their own personal needs. During the probationary employment period employees are considered “at-will” and may be terminated with or without cause. Supplemental probationary employees are not considered “at-will” employees.

3.22.1. Timing

1. Performance evaluations shall be completed on employees as follows:

<u>Employee Type</u>	<u>Frequency</u>
• Full-Time, Part-Time Benefitted (excluding seasonal and variable)	Annually
• Probationary	Every 3 months
• Supplemental Probationary	Every 3 months
• Police Officers and Dispatcher	Every 6 months
• Firefighters Probationary	Every 6 months
• Promotional Probationary	Every 3 months

2. The requirement for an annual evaluation shall not guarantee that the evaluation will be completed within one year of the previous evaluation in cases where further investigation by the supervisor is required or when there are extenuating circumstances that prohibit the completion of the evaluation.
3. Additional performance evaluations may be conducted during the course of employment due to specific problems related to the satisfactory performance of the duties of the positions held. A request for a performance evaluation at other than the normal interval shall be made by the Department Director to the Human Resources Division Manager so that the necessary forms can be forwarded in a timely manner.
4. All full-time employees, except for firefighters, police officers and dispatch employees, immediately upon hire shall complete a six-month (6) probationary employment period.

5. All full-time firefighters, police officers and dispatch employees immediately upon hire shall complete a 12-month probationary employment period.
6. When current employees are promoted or assume a new position requiring new job qualifications or job skills, they shall complete an additional six-month (6) promotion probationary employment period. Promotions or new positions do not include job restructuring, reclassification, or transfer within the same Department with similar job duties. An employee that fails to complete a promotion probationary employment period maybe reassigned to their previous position or a similar position, if available or their employment with the City may be terminated. If the employee's employment with the City is to be terminated, the situation shall be reviewed and approved by the employee's Department Director, Human Resources Division Manager and City Attorney.

3.22.2. Responsibility

1. Performance evaluations shall be prepared by the employee's supervisor(s) and shall be signed by the supervisor(s), the Department Director and the employee. Each evaluation shall be discussed with the employee and the employee shall be given an opportunity to make written comments. If the employee refuses to sign the performance evaluation, it shall be noted on the evaluation. The employee may add comments as to why the performance evaluation is not being signed.
2. All performance evaluations shall be filed in the employee's Human Resources record. The employee shall be given a copy of the performance evaluation by the department. If supervisors have concerns about a performance evaluation or needs assistance in helping to prepare a difficult evaluation, a representative from human resources should be contacted before the performance evaluation is presented to the employee for assistance. Once approved by the Department Director, performance evaluations shall not be changed unless requested by the Human Resources Division Manager.

3.22.3. Use of Performance Evaluations

Performance evaluations shall, together with other criteria, be considered in making decisions regarding pay increases approved and budgeted for by the City Council, promotions, retention, reassignments, demotions, terminations, reduction in force, and rehiring former employees.

3.23. Grievance Procedure

POLICY

Employees shall have the right to file grievances.

Grievances shall follow the steps outlined in this procedure. Employees have a right to file grievances as defined in the Definition of Terms in Section 3.1 of this Employee Handbook. The Human Resources Division Manager shall maintain a grievance file separate from the individual Human Resources Record.

Non-Reprisal: No city official or employee shall harass, coerce, intimidate, threaten or discipline employees who exercise their rights under this procedure and no employee shall use this policy to intimidate or harass.

Definitions: For the purposes of this policy, "Grievant" shall mean the employee filing a grievance.

PURPOSE

The purpose of this procedure is to:

1. Promote improved employer-employee relations;
2. Settle grievances as near as possible to the point of origin;
3. Review grievances with reasonable informality;
4. Establish a formal process for employees to settle grievances;
5. Ensure fair and equitable treatment to employee concerns; and
6. Ensure freedom from reprisal for using this procedure.

3.23.1. Informal Procedure

STEP 1

Within ten (10) working days of an event causing a grievance, the grievant shall present the grievance to his/her supervisor. In cases where the grievance involves an immediate supervisor, it may be submitted to the next higher level of supervision.

In cases where the grievance involves the Department Director, it may be submitted to the Deputy City Manager (or the City Manager's designee if the grievance involves the Deputy City Manager) who will in turn, appoint an investigative team. After completing the investigation, this team shall prepare a written report of the investigation and submit it to the Department Director involved with the grievance and to the Deputy City Manager or the City Manager's designee.

STEP 2

Within five (5) working days of receiving a grievance, the supervisor shall present the proposed resolution in writing to the grievant. The supervisor and grievant have a mutual responsibility to try and resolve the grievance at the lowest possible organizational level.

In cases where the supervisor is the Department Director, the Deputy City Manager (or the City Manager's designee in situations when the grievance involves the Deputy City Manager) shall review the written report submitted by the investigative team and prepare a written proposed resolution to the grievant. Utilization of this informal procedure is required prior to the filing of a formal grievance.

3.23.2. Formal Procedure

STEP 1

If the grievant feels that the matter was not resolved under the informal procedures, a formal grievance may be filed with the Human Resources Division Manager within three (3) working days after receiving a response to the informal grievance from the supervisor. The grievant must use the Grievance Form available in the Human Resource Office. The Human Resources Division Manager shall forward a copy of the grievance to the appropriate Department Director.

If the grievance involves a Department Director and it has not been resolved through the informal procedure, the formal grievance shall go directly to the Employee Advisory Council (EAC) as listed in STEP 3.

STEP 2

Within five (5) working days after receiving a formal grievance, the Department Director shall thoroughly investigate the issue and notify the grievant and Human Resources Office in writing of his/her decision.

STEP 3

If the grievant believes the matter was not resolved by the Department Director or through the informal procedure in cases where the grievance involves a Department Director, the grievant may submit a written request to the Human Resource Division Manager within three (3) working days of receiving the Department Director's or the Deputy City Manager's written decision for a hearing before the EAC. The request shall contain a copy of the Grievance Form, the Department Director's or Deputy City Manager's written decision, and any other written communications regarding the matter. The grievant is entitled to have a representative in attendance during this hearing. The Human Resources Division Manager shall act as staff to the EAC and will ensure that the EAC limits its review to the specific grievance outlined in the Grievance Form.

STEP 4

Within ten (10) working days of receiving a written request for a hearing, the Human Resources Division Manager shall convene the EAC and provide them with all the information submitted.

The EAC shall set a hearing date and prepare written notification to both sides. Unless precluded by unusual circumstances, the hearing shall be held within a reasonable time, generally twenty (20) days from the date the EAC was notified of the request. At least five days' notice shall be given to all affected parties.

STEP 5

The EAC shall hear the specific request as outlined in the documents provided to the Human Resources Division Manager in STEP 1 of this procedure for formal grievances and any supplemental information provided in STEP 3. The EAC shall only hear the specific matter and shall not consider any other items.

The EAC shall hold a hearing to take and receive evidence and to fully hear and determine the grievance. The EAC may conduct the hearing informally without following technical or procedural rules regarding the presentation of evidence or witnesses. The grievant and the responding party will be given substantially equal time to present evidence and witnesses. The EAC may exclude from the hearing any witnesses who have not yet given testimony or evidence in the appeal before the EAC. During presentation and deliberation, members of the EAC shall not testify on behalf of either the grievant or the responding party. If a member of the EAC is the grievant, the supervisor to whom the grievant initially appealed, a supervisor who has participated in the attempted resolution of the grievance (whether formally or informally), an employee who has participated in the preparation or filing of the grievance, or otherwise has a conflict of interest as determined by the Human Resource Division Manager, he/she cannot participate and deliberate as a member of the EAC during deliberations or during the hearing. The scope of the hearing will be limited to those issues set forth in the documents filed in compliance with STEP 1 and STEP 3. Competent and professional legal advice shall be provided to the EAC during the course of the hearing.

The EAC's responsibility is to review the documents filed in compliance with STEP 1, any additional documents provided to the Human Resources Division Manager in STEP 3, examine the evidence submitted, determine the facts, and make recommendations to the City Manager regarding the Department Director's or the Deputy City Manager's resolution of the grievance. No recommendation shall be made by the EAC unless it is concurred in and adopted by the majority of the members of the EAC present at the hearing. If the EAC is unable to reach a majority decision, it will forward a statement to the City Manager indicating that a majority decision has not been reached. After which, the grievance shall be resolved by the City Manager as provided for in STEP 7.

STEP 6

Within five (5) working days of the completion of the hearing, the EAC shall forward a written report to the City Manager for his consideration. This report shall contain the findings and recommendations of the EAC.

STEP 7

Within five (5) working days of receiving the report of the EAC, the City Manager shall consider the EAC's findings and recommendations, and reach a final written decision on the matter. The City Manager's written decision shall be sent to all affected parties and shall be final and binding.

3.24. Disciplinary Procedure

POLICY

1. All disciplinary actions short of termination are intended to be corrective and obtain compliance with policies, orders, procedures, standards of conduct, expected performance standards and/or improve performance.
2. It shall be the City's discretion as to which type of informal and/or formal disciplinary action is most appropriate. Only full and part-time benefitted and supplemental probationary employees shall have the right to file an appeal to disciplinary actions and then only to formal disciplinary actions. All appeals shall be filed in accordance with the appeal provisions outlined in this procedure.
3. All disciplinary actions shall become a part of the employee's Human Resources Record.
4. Nothing contained in these policies and procedures shall preclude dismissal or suspension with or without pay effective immediately without prior notice and a hearing where the continued presence of the employee would present a hazard or disruption to employees, the public, or the City. When such dismissal or suspension is imposed, the

employee shall be assured rights of a post disciplinary appeal in accordance with this procedure. The City has no obligation to make use of any of these informal actions and need not proceed with them in any particular order.

3.24.1. Informal Action

Informal action may be appropriate when a rule, order, procedure, standard of conduct and/or expected performance level has been violated. Any one or a combination of the following informal actions may be used as deemed appropriate by the City:

1. Verbal Reprimand - The supervisor(s) should make it clear to the employee that the violation is unacceptable and that any repetition may lead to stronger disciplinary action;
2. Corrective Interviews - The supervisor(s) confers with the employee regarding violations and develops a written corrective plan which includes target dates for the correction of violations by the employee. This plan shall be reviewed with and signed by the employee with a copy to be placed in the employee's Human Resources file;
3. Written Reprimand - The supervisor(s), in writing, indicates violations and specific actions the employee is to take to correct any violations. Warning should be provided that formal disciplinary action may result if corrective action is not taken by the employee. Copies of written reprimand shall be placed in the employee's Human Resources file. Written reprimands shall be signed by the employee for the sole purpose of acknowledging receipt thereof.

These informal types of actions are intended to correct a problem without recourse to the severity of formal disciplinary action.

3.24.2. Formal Disciplinary Action

Formal disciplinary actions may include but are not limited to:

1. Suspension without pay;
2. Reduction in salary;
3. Demotion to a lower job classification;
4. Dismissal; or
5. Any combination of the above.

3.24.2.1. Suspensions of Exempt Employees

Suspension of exempt employees without pay shall be made in weekly increments; provided, however, that deductions from pay may be made for unpaid disciplinary suspensions of one or more days imposed in good faith for infractions of workplace conduct rules. Such suspensions must be imposed because of violation(s) of a written policy applicable to all employees, such as the city's policies prohibiting sexual harassment, workplace violence, or failure to avoid preventable accidents. Suspensions for any other reason shall be in weekly increments. This provision applies only to exempt employees.

3.24.2.2. Formal Disciplinary Procedure

Any disciplinary action may be initiated and imposed at the Division Manager level. If the alleged violation occurs at the Division Manager level, all references to Division Manager in these formal disciplinary procedures shall mean Department Director. For all disciplinary actions including dismissals, the following steps shall be followed.

STEP 1

Any alleged violation by an employee of policy, procedure, rules, regulations, directives, orders, laws and/or expected performance levels shall be investigated by the employee's management supervisor. The supervisor

shall prepare a written report of the investigation which includes the specific violation(s), all available facts, statements of witnesses, the employee's statement and any recommendations for discipline the supervisor deems appropriate. As appropriate, this report shall be forwarded to the Division Manager.

STEP 2

The Division Manager shall review the report, conduct an additional investigation, if warranted, and reach a determination as to whether formal disciplinary action is warranted.

STEP 3

If it is determined that formal disciplinary action is warranted the Human Resources Division Manager shall be notified of the action to be imposed. The employee shall then be provided a written Notice of Intent to Discipline from the Division Manager, which contains the following:

1. A statement which clearly defines the specific action to be taken, and the effective date of the action. In cases of suspension, the beginning and ending time should be stated specifically. Generally, the disciplinary action shall become effective after the employee has been allowed the three days to appeal the action to the Department Director.
2. A statement of (and preferably the quoting of the reason(s) as provided in this document) the policy or procedure that has allegedly been violated or other cause or reason for the disciplinary action.
3. A statement of the specific action or charges which allegedly constitutes a violation of the policy or procedure.
4. A description of the records and documents upon which the action is based and a statement that copies of the records are available to the employee upon request.
5. A statement that the employee may request a meeting with the Department Director within three (3) working days of receiving the Notice of Intent to Discipline to discuss the discipline and present specific evidence as to why the action is not warranted.
6. A statement that failure to request a meeting with the Department Director or to show for the requested meeting shall forfeit any additional appeal rights.

STEP 4

If the employee has requested a meeting with the Department Director to present additional evidence within three (3) working days of receiving the Notice of Intent, the Department Director shall:

1. Hold the meeting promptly;
2. Consider any additional evidence submitted by the employee;
3. Impose the disciplinary action or modify the disciplinary action as deemed appropriate;
4. Notify the employee in writing of the decision and of the employee's appeal rights; and
5. Forward a copy of the entire proceedings to the Human Resources Division Manager.

The failure of an employee to request a meeting with the Department Director as outlined in Step 5 or the failure of an employee to appear for the meeting after requesting it shall forfeit any additional appeal rights of the employee.

3.24.2.3. Appeals to Formal Disciplinary Action or Dismissal

Any employee who has complied with all of the requirements outlined in the Formal Disciplinary Procedure and who disagrees with the decision of the Department Director may appeal the decision.

If the employee desires to appeal a discharge, a suspension of more than two days without pay, or an involuntary transfer from one position to another with less remuneration, and if the employee is eligible to appeal pursuant

to Article 2-26 of the City Code, then the appeal shall be to the Employee Appeal Board pursuant to subsection I below. In all other cases, the appeal shall be to the Employee Advisory Council pursuant to Section 3.24.2.3.2.below.

3.24.2.3.1. Appeals to Employee Appeal Board

Appeals to the Employee Appeal Board shall be made as set forth in Article 2-26 of the City Code which is set forth below:

Article 2-26. Employee Appeal Board.

2-26-1. Board Established.

The Employee Appeal Board of the City of Orem (the "Board") is hereby established.

2-26-2. Duties of the Board.

The Board shall hear appeals from designated employees who have been discharged, suspended for more than two days without pay, or involuntarily transferred from one position to another with less remuneration.

2-26-3. Membership of Board.

The Board shall consist of ten (10) members: the Orem City Manager (or his or her designee), plus the nine (9) members of the Employee Advisory Council (EAC) established by City policy. The Orem City Manager (or his or her designee) shall serve as the Chair of the Board.

2-26-4. Appointment.

- A. City Manager. The Orem City Manager (or his or her designee) is an ex officio member of the Board.
- B. EAC. The individual members of the EAC shall be selected according to City policies governing the EAC.

2-26-5. Term of Office.

- A. City Manager. The Orem City Manager shall serve on the Board for the duration of his or her appointment as City Manager.
- B. EAC. The individual members of the EAC shall serve on the Board for the duration of their respective tenures on the EAC, which shall be set by City policy.

2-26-6. Voting.

- A. Each member of the Board shall have one (1) vote.
- B. A quorum shall consist of any six (6) members of the Board, provided that the City Manager (or his or her designee) is present.
- C. The minimum number of votes required to take any action shall be a majority of those present at the hearing, provided that the City Manager (or his or her designee) is present, and provided that there is quorum.

2-26-7. Employees Eligible to Appeal to Board.

Only full-time, permanent part-time and supplemental probationary employees (as defined by City policy) shall have the right to appeal to the Board. Probationary employees, variable hour, seasonal employees, trainee employees, and executive management employees (as defined by City policy) are not eligible to appeal to the Board. No Division Manager, regardless of job title, is considered to be a Deputy as defined by State law Utah Code 10-3-1105 (2).

2-26-8. Issues that May be Appealed to Board.

Only the following types of employment actions against an eligible employee may be appealed to the Board: (1) terminations; (2) suspensions for more than two days without pay; or (3) involuntary transfers from one position to another with less remuneration.

2-26-9. Other Appeals.

This ordinance establishes specific employee appeal rights to comply with State law requirements. Nothing herein shall be interpreted to restrict or eliminate other appeal rights that may be available to city employees pursuant to city policy.

2-26-10. Procedure for Appeals.

- A. No employee may appeal to the Board unless the employee timely complies with the City's applicable internal grievance or disciplinary procedure and receives notice of a final disposition under the applicable internal grievance or disciplinary procedure.
- B. An eligible employee desiring to appeal an eligible adverse employment action to the Board must file written notice with the City Recorder within ten (10) days after the date that the employee receives notice of the final disposition under the applicable internal grievance or disciplinary procedure. The employee's written notice of appeal must include:
 - 1. The specific reasons for the appeal;
 - 2. A copy of the Notice of Intent to Discipline; and
 - 3. A copy of the Department Director's decision.

The failure of an employee to submit this required information shall forfeit any appeal rights of the employee.

- C. Upon filing of an appeal to the Board, the City Recorder shall forthwith refer a copy of the appeal to the Board.
- D. The Board shall set a hearing date and prepare written notification to the appealing employee, the appealing employee's Department Director, and the City's Human Resource Division Manager. Unless precluded by unusual circumstances, the hearing shall be held within a reasonable time, generally within fifteen (15) days from the date the Board received the appeal from the City Recorder.

2-26-11. Procedure for Conducting Appeal Hearings.

- A. The Board shall hold a hearing to take and receive evidence and to fully hear and determine the matter being appealed. The Board may conduct the hearing informally, according to rules established by the Board, without following technical or procedural rules regarding the presentation of evidence or witnesses. Appeal hearings will be open to the public unless a closed meeting is requested in writing by the appealing employee and consented to by the City. The Board may exclude from the hearing any witnesses who have not yet given testimony or evidence in the appeal before the Board. Competent and professional legal advice shall be provided to the Board during the course of the hearing.
- B. The appealing employee may:
 - a. appear in person at the hearing and be represented by counsel;
 - b. have a public hearing;
 - c. confront the witnesses whose testimony is to be considered; and
 - d. examine the evidence to be considered by the Board.

2-26-12. Standard of Review.

The Board shall uphold the Department Director's decision against the appealing employee unless the Board finds that the decision was arbitrary and capricious or otherwise illegal. The Board shall apply a substantial evidence test when determining if the Department Director's decision was arbitrary and capricious. "Substantial evidence" is that quantum and quality of relevant evidence that is adequate to convince a

reasonable mind to support a conclusion. If the Board finds that there is “substantial evidence” to support the Department Director’s decision, the Board shall uphold the decision. If the Board finds that there is not “substantial evidence” to support the Department Director’s decision, the Board shall overturn or modify the decision as necessary to conform to the evidence. If the Board finds in favor of the appealing employee, the Board shall provide that the City shall compensate the employee as required by State law.

2-26-13. Board Decision.

Each decision of the Board shall be by secret ballot, and shall be certified to the City Recorder within fifteen (15) days from the date the matter is referred to it. For good cause, the board may extend the 15 day period to a maximum of sixty (60) days if the employee and City both consent. The Board shall prepare written Findings of Fact and Conclusions to support its decision.

2-26-14. Appeal of Board Decision.

The Board’s decision may be appealed as provided in State law.

3.24.2.3.2. Appeals to Employee Advisory Council (EAC)

Appeals to the Employee Advisory Council shall be made as follows:

1. The employee must submit a written request to the Human Resource Division Manager for a hearing before the EAC within three (3) working days after receiving the Department Director’s written decision. Any such requests shall contain:
 - a. The specific reasons for the appeal;
 - b. Copy of Notice of Intent to Discipline; and
 - c. Copy of the Department Director’s decision.

The failure of an employee to submit this required information shall forfeit any appeal rights of the employee.

The employee is entitled to have a representative in attendance at the hearing. The Human Resource Division Manager shall act as staff to the EAC.

3.24.2.3.2.1. Disciplinary or Termination Appeals Hearings – EAC

1. Within ten (10) working days of receiving a written request for a hearing, the Human Resource Division Manager shall convene the EAC and provide them with all the information submitted.
2. The EAC shall set a hearing date and prepare written notification to both sides. Unless precluded by unusual circumstances, the hearing shall be held within a reasonable time, generally twenty (20) days from the date the EAC was notified of the request. At least five days’ notice shall be given to all affected parties.
3. The EAC shall hear the specific request and consider all information presented including written and oral testimony. The EAC shall have access to all necessary and pertinent information.
4. The EAC’s responsibility is to examine the evidence submitted, determine the facts, and make recommendations to the City Manager regarding whether or not the discipline or termination was justifiable. This recommendation shall be made to City Manager within five (5) working days following the conclusion of the hearing.
5. Appeal hearings shall be open to the public unless a closed meeting is requested in writing by the employee requesting the hearing.
6. The EAC may exclude from all meetings, during the examination of witnesses, any or all other witnesses who have not yet given testimony or evidence in the matter before the EAC.
7. The EAC may conduct the hearings informally without following technical or procedural rules regarding the presentation of evidence or witnesses. Competent and professional legal advice shall be provided to the EAC during the

course of all hearings. No recommendation shall be made by the EAC unless it is concurred in and adopted by the majority of the members of the EAC present at the hearing.

3.24.2.3.2.2 . City Manager Role after EAC Hearing

Within five (5) working days of receiving the report of the EAC, the City Manager shall consider the EAC's findings and recommendations, and reach a final decision on the matter. The City Manager shall send a copy of the written decision to all affected parties and the decision shall be final and binding.

3.24.3. Causes for Discipline or Dismissal

Any action to discipline or dismiss an employee shall be processed in accordance with the Discipline Procedure in these policies and procedures.

Each of the following shall constitute cause for discipline or dismissal of an employee however, the list is not meant to be exhaustive of potential causes for discipline or dismissal:

1. Poor attitude, comments and/or behavior which are non-supportive toward the City, the City Council, City Management and the general direction of the City;
2. Fraud;
3. Deception in securing appointment;
4. Fraudulent alterations of public records;
5. Incompetence;
6. Inefficiency;
7. Neglect of duty;
8. Inability to perform the essential duties of the position due to mental or physical problems;
9. Insubordination;
10. Dishonesty;
11. Violation of the City's Drug and Alcohol-free Workplace policy
12. The use of narcotics, drugs or alcohol which effects on the job performance;
13. Any absence without approved leave;
14. Conviction of a felony or conviction of a misdemeanor involving moral turpitude. A plea or verdict of guilty, a guilty plea in connection with a diversion agreement or a no contest plea are deemed to be a conviction within the meaning of this section;
15. Abusive or inappropriate treatment of the public or other employees;
16. Inability or refusal to get along with other employees;
17. Improper political activity as defined by the State law;
18. Violation of the City's Harassment Policy, including Sexual Harassment or inappropriate sexual conduct;
19. Willful disobedience;
20. Misuse of public property or employees;
21. Conduct which causes discredit to the City;
22. Refusal to take and subscribe to any oath or affirmation which is required by law in connection with employment;
23. Violation of City or department rules, regulations, orders, policies, procedures and/or directives either written or verbal;
24. Violation of any of the provisions of these policies and procedures;
25. Failure to abide by reasonable safety precautions and risk management practices;
26. Misuse or abuse of sick leave;
27. Failure to meet expected performance levels;
28. No longer possesses the minimum qualifications for the classification;
29. Outside employment which conflicts with the employee's city employment and/or impairs his/her ability to complete his/her city responsibilities;
30. Failure to improve or change behavior specified in counseling or written requests, requirements and/or expectations made by a supervisor.
31. Violence or threat of violence by or against an employee of the City or other person.

32. Failure to cooperate and/or participate in an internal investigation.
33. Inability to report to work due to incarceration.
34. Violation of any of the tenets of the Employee Declaration.
35. Causing damage to city property.
36. Unauthorized or inappropriate use of city logos and uniforms
37. Failure to report an injury or accident.
38. Theft
39. Willful or intentionally falsifying a payroll time sheet.
40. Serious work safety violation.

3.25. Miscellaneous

3.25.1. Outside Employment

1. City of Orem is considered to be the Primary Employer of all full-time, regular employees.
2. Employees may be involved in outside employment if:
 - a. It does not impair their ability to efficiently and effectively complete their city responsibilities within their established work schedules.
 - b. It does not involve the use of city equipment, supplies, or facilities.
 - c. Employees may not work for any outside organization where such employment constitutes a conflict of interest with the City or impacts their ability to perform the duties of their job with the City, as determined by their immediate supervisor and their Department Director.
3. If a full-time employee is unable to perform their duties at the City due to their injury or illness and continues to work at their outside employment, the City will expect that the outside employment not conflict with the employee's mandatory temporary transitional assignment or work restrictions (if any), and/or impede the employee's recovery from an injury or illness and return to full-duty.
4. Employees who think that there may be a conflict should discuss their outside employment with their immediate supervisor and Department Director for clarification and should contact the City Recorder to obtain a copy of the City's disclosure statement. The employee should review the disclosure statement and determine if it should be completed and filed with the City Recorder. The City has the right to deny any employment which it determines to be a conflict of interest or impact the ability of the full-time employee to perform the duties of their job.

3.25.2. Medical Examinations

1. If, at any time, the City has reason to believe that the employee may not be physically or mentally capable of performing the essential functions of his/her job, it may require the employee to have a medical examination to determine fitness for duty. If so required, the City shall schedule and pay the cost for the examination.
2. Employees returning to work following a serious injury or illness shall be subject to the provision outlined in the Return to Work Policy in the General Policies.

3.25.3. Amendment

These policies and procedures shall only be amended by the City Manager.

3.25.4. Violation

Violation of any of these policies or procedures shall be grounds for disciplinary action.

3.25.5. Suspension of Policies and Procedures

All or any part of these Policies and Procedures may be suspended by the City Manager for any unforeseen combination of circumstances that calls for immediate action.

3.25.6. Retained Authority

In implementing these Human Resources Policies and Procedures the City, through its appropriate officials and management employees, retains the total authority to:

1. Determine the "mission" of its various departments, commissions, boards, etc;
2. Set standards and levels of service;
3. Determine means and methods by which government operations are to be conducted;
4. Increase the efficiency of operations;
5. Determine the size and composition of the work force;
6. Allocate and assign work;
7. Locate and relocate operations, processes and materials used in carrying out city operations;
8. Contract for services;
9. Determine the procedures and standards for employment, promotions and other necessary Human Resources functions;
10. Assign work to and schedule employees in accordance with city requirements;
11. Change work schedules and assignments;
12. Establish appropriate dress and grooming standards;
13. Dismiss employees due to lack of work, lack of funds, disciplinary reasons or for reorganization purposes;
14. Take disciplinary action against employees when necessary;
15. Determine the content and intent of job classifications;
16. Create employee performance standards and require compliance with standards in quality and quantity;
17. Determine the facilities, methods, technology, means and structure in carrying out the work of the City; and
18. Establish funding levels to carry out city services.

In addition to the above, the City is vested with the power to make other necessary changes as it deems appropriate.

3.25.7. Periodic Review

A comprehensive review of these policies and procedures shall be conducted annually by the Human Resources Division Manager who shall recommend changes as deemed necessary to the City Manager.

SECTION 4 – COMPENSATION POLICIES

This document contains the total compensation program, salaries and benefits, for exempt and non-exempt employees and supersedes all previous policies and procedures affecting compensation except for special programs adopted by the City Council.

4.1 Overtime

For non-exempt employees (defined in the Salary Policy section of this booklet – and excluding Firefighters as noted in #2 below), all hours of work officially ordered and/or approved in excess of 40 hours per week are overtime.

1. The Fair Labor Standards Act allows local governments to establish work periods of 7 to 28 days for the purpose of computing overtime compensation for employees engaged in fire protection. In accordance with these FLSA guidelines, the City has determined that Firefighters working 24-hour shifts will be paid overtime for hours worked over 136 in an 18-day work period. Hours worked shall include compensatory time worked for purposes of overtime but not holiday, vacation or sick leave hours.
2. Overtime worked shall be paid at the rate of time and one-half and may be in the form of compensatory time-off or monetary compensation. The decision whether to give comp time or pay will be at the discretion of the Department Director and City Manager. Nothing in this or any other City policy shall be construed to give an expectation or right to continued or future overtime hours. Reimbursable overtime coverage may exceed time and one-half with prior approval from the Department Director and City Manager.
3. The maximum accumulation of comp time is 80 hours (112 hours for 24-hour shift employees). Prior to the end of the pay period that includes May 1 of each year, all comp hours earned before the pay period including 12/31 of the prior year, must be used or all employees must be paid for the hours. Comp time can't be carried beyond the dates noted above. The City may require the employee to use accumulated comp time. Payment for unused comp time shall be made in the event of separation from service for any reason.
4. Exempt employees (defined in the Salary Policy section of this booklet) required to work beyond the regular work period shall be compensated in accordance with the Administrative Leave Section.
5. Exempt employees are eligible to receive overtime pay for overtime hours worked during a declared emergency, as approved by the City Manager.
6. During a declared local emergency, all employees, including those who are normally exempt, shall be paid at time and one-half after 8 hours of work in any given day.

4.2 Emergency Call Back

1. Non-exempt employees who have completed their work shift and have left the work premises and then are required to return to work shall receive a minimum of two (2) hours pay at the overtime rate. Hours worked in excess of the two (2) hours shall be paid at the overtime rate. The employee shall also be paid for travel time, mileage, and personal expenses for long distance phone calls incurred as a result of the call back. For shift employees in the Police Department, call back shall only apply when the employee receives less than 12 hours' notice to return to work.
2. Scheduled training does not qualify for call back pay. Commuting time is not compensable nor is the employee eligible to be reimbursed for mileage.

4.3 Shift-Coverage Call Back

1. Call-back for shift coverage will be paid according to overtime rules.
2. Call-back for regular shift coverage DOES NOT include reimbursement for mileage costs of time spent travelling.
3. In order to meet minimum department staffing requirements, special event staffing needs and/or emergency situations the department director may authorize pay at 1 1/2 times an employee's rate of pay, regardless of other hours worked in the pay period.
4. Only non-exempt employees are eligible for Shift-Coverage call-back.

4.3.1 Court Time

Police and Fire Department employees who are required to appear in court outside of their normal working hours, as part of their job, shall receive a minimum of two (2) hours pay at the overtime rate. Hours spent in court in excess of the two (2) hours shall be paid at the overtime rate. In return, Police and Fire employees who receive a witness fee for appearing in court shall be required to remit the payment to the City.

4.4 Break Time for Nursing Mothers

An employee who is nursing will be allowed reasonable break time as needed to express breast milk for her nursing child for one year following the child's birth. The frequency and length of such breaks will depend on the needs of the mother and will likely vary. To the extent the break time is needed in excess of the lunch and rest periods, such break time will be unpaid. Break rooms for nursing mothers shall not be restrooms. Break rooms shall be free from intrusion from co-workers and the public. Such rooms shall be designated on an as-needed basis by the nursing mother's Department Director.

4.5 Administrative Leave

See Section 3.9 FLSA Exempt Employee.

4.6 Holidays

1. Except as provided below for specified public safety employees, full-time employees are eligible for 96 hours of holiday pay per calendar year (134 hours for Firefighters). Part-time employees are eligible for 48 hours of holiday pay per calendar year.
2. The following days are City Holidays:

<u>Holiday</u>	<u>Date</u>
• New Year's Day	January 1
• Civil Rights Day	Third Monday in January
• President's Birthday	Third Monday in February
• Memorial Day	Last Monday in May
• Independence Day	July 4th
• Pioneer Day	July 24th
• Labor Day	First Monday in September
• Thanksgiving Day	Fourth Thursday in November
• Day after Thanksgiving	Day after Thanksgiving
• Christmas Eve	December 24th
• Christmas Day	December 25th

- Personal Day All benefitted employees as scheduled and approved (employees working a 9/80 schedule are not eligible).
3. Employees who work their regularly scheduled shift on a holiday will be compensated eight (or four) hours holiday pay plus regular pay for the number of hours worked.
 4. In the event a holiday falls on a Saturday, the preceding Friday shall be treated as the holiday. Should the holiday fall on Sunday, the following Monday shall be treated as the holiday.
 5. In the event a holiday falls on an employee's regularly scheduled day off, except for fire, patrol and communication employees, equivalent time shall be added to the employee's vacation time.
 6. For eligible employees, the Personal Day can only be taken as scheduled and with prior authorization. It must be taken by December 15th of each year in one 8-hour day for full-time employees or one 4-hour day for part-time employees.

4.7 Vacation

1. Employees shall earn vacation time as follows:

	<u>Years of Service</u>	<u>Hours earned Annually</u>
24 Hr. Shift Employees	0-5	168
	6-10	202
	11 or more	235
All Other Employees	0-5	120
	6-10	144
	11 or more	168

2. At the employee's anniversary date, any vacation accumulation in excess of two years shall be forfeited.
3. Vacation scheduling shall be approved by the City prior to being taken with due regard for the employee's needs and the City's need to provide services.
4. Employees may not use vacation hours to exceed the total of their normal working hours in a workweek.
5. Upon separation from service for any cause, an employee shall be paid a lump sum payment for any accumulated but unused vacation. Upon the death of an employee, a lump sum payment for accumulated vacation time shall be made to the employee's beneficiaries or estate.
6. Vacation shall not be used to extend a date of separation for any cause unless specifically approved by the City Manager. No advance of vacation time shall be permitted without approval of the City Manager.

4.8 Sick Leave

4.8.1 City Employees

Each full-time benefitted employee shall earn and may accumulate sick leave as follows:

<u>Regular Work Shift</u>	<u>Hours Earned Monthly</u>	<u>Hours Earned Annually</u>	<u>Max Hours of Accumulation</u>
24 Hour	11.2	134.4	Unlimited
All Others	8.0	96.0	Unlimited
Part-Time Benefitted	Prorated	Prorated	Unlimited

4.8.2 Executive Management Employees

An executive management employee shall receive 2,080 hours (one year) of sick leave on the date of hire or promotion into an executive management position. The employee shall earn 8 hours of sick leave per month in which to replenish any sick leave time used. Any hours earned over the 2,080 hours will not be credited to the employee's account. Upon leaving the City, the executive management employee shall not receive any pay for his/her unused sick leave except as provided in the Sick Bank Cash-Out Section.

4.8.3 Guidelines

1. Sick leave shall not be considered as a right which employees may use at their discretion and shall be allowed only in case of actual sickness or disability. No punitive actions shall be imposed on employees for taking justifiable sick leave. However, employee abuse of sick leave may be grounds for disciplinary action up to and including termination of employment.
2. For the purpose of charging sick leave, the minimum sick leave chargeable shall be one (1) working hour.
3. Employees may use sick leave when they are unable to work because of on-duty or off-duty injury or illness or for visits to hospitals, clinics, dentists, etc. for diagnosis of illness or injury, examination and related purposes.
4. Employees may not use sick hours to exceed the total of their normal working hours in a workweek.
5. No sick leave shall be payable for any sickness, disability or injury which results or occurs as follows:
 - a. Intentionally self-inflicted;
 - b. Participating in a criminal act
 - c. Participating in a riot;
 - d. The portion of an employee's time that is covered by worker's compensation benefits as a result of an injury or illness sustained on another job.
 - e. During vacation unless the employee was confined to a hospital or other fixed location under the doctor's written orders;
 - f. During a layoff, leave of absence or disciplinary suspension; and/or
 - g. After a termination date.
6. On taking sick leave time, employees shall notify their appropriate department either prior to or within one (1) hour after the time set for beginning daily duties or by another time specified by the City.
7. The City may revoke pay, sick leave time, and take appropriate disciplinary action if the employee using sick leave is not sick or has engaged in private or other public work while on sick leave. An employee who works at some other job while on sick leave will be presumed to be not sick and medically able to do his/her job unless he/she has a note from a doctor indicating that they are unable to perform their job.
8. The City may require an employee to provide a medical doctor's written statement outlining the nature of the illness and the prognosis for recovery prior to permitting the employee to return to work following the use of any sick leave. The City reserves the right to request a second medical opinion from a health care provider selected by the City.
9. If an employee has not recovered by the time accumulated sick leave has been exhausted, the Human Resources Division Manager may grant the employee a leave of absence in accordance with the Medical Leave of Absence Section in this Employee Handbook.
10. Sick leave shall continue to be earned while an employee is on vacation or sick leave.

11. Sick leave shall not be used to extend a date of separation for any cause unless approved by the City Manager.
12. Department Directors have access to Payroll Reports showing pay period and year-to-date sick leave balances and utilization for employees in their Departments. Employees may be counseled if there are consistent patterns of using sick leave.

4.8.4 Sick Leave - Initial Probationary Period

The Human Resources Division Manager may allow a probationary employee to be paid up to forty-eight (48) hours of sick leave before it has been earned. This section does not apply to promotional or disciplinary probationary periods.

4.8.5 Sick Leave - Family Illness

1. Employees may use up to forty (40) hours (Fire Service is 56 hours) of accumulated sick leave during the fiscal year to care for a spouse, child, parent or parent-in-law who is ill.
2. Employees may use up to 12 weeks of accumulated sick leave for the serious illness of their spouse, child or parent if Family and Medical Leave (FML) has been requested and approved in accordance with city policy.
3. The City Manager may grant the use of additional sick leave hours for special circumstances.

4.8.6 Negative Sick Leave Balance

In emergency situations when declared by the City Manager through an emergency declaration, full-time and part-time benefited employees shall be allowed to accrue a negative sick leave balance when their individual sick leave balance is exhausted.

1. An employee must obtain Department Director approval before accruing a negative sick leave balance.
2. The negative sick leave balance shall be capped at eighty (80) hours for full-time employees (112 hours for 24-hour shift employees), and forty (40) hours for part-time benefited employees.
3. Negative sick leave balances will be paid back through accrual of sick leave hours when the employee returns to work.
4. The reason for the negative sick leave usage must be tied to the emergency situation declared by the City Manager.
5. Once the declared emergency ends, the ability to continue to use negative sick leave hours will also end. If the employee needs to use additional leave for a sick reason, the employee will need to use compensatory time and/or vacation leave until they have accrued a positive sick leave balance. If the employee does not have available compensatory time or vacation leave to cover the additional sick leave, a discussion will be had between the Department Director and the Human Resources Manager on how this leave will be covered.

4.9 Payroll Errors and Unclaimed Wages

The City will correct payroll errors that are discovered in a timely manner. The correction will be made by a special check or during the next payroll cycle depending on the amount owed and circumstances of said error as determined by the City and the employee. However, payroll errors that are older than two (2) years at the time of discovery shall only be corrected for a two (2) year time period. In accordance with Section 67-4a-212 of the Utah Code, as amended, unpaid wages that remain unclaimed by the employee for more than one (1) year after becoming payable are considered abandoned.

4.10 Family and Medical Leave of Absence

1. The Family and Medical Leave Act (FMLA) is a federal law which allows employees to balance work and family life by taking unpaid leave for certain qualifying events. Family and medical leave (FML) is available to eligible employees under the following conditions:
 - a. The birth or placement of a child for adoption or foster care;
 - b. Care for a child, parent or spouse with a serious health condition, and
 - c. The employee is unable to work because of a serious health condition.
2. Employees are eligible for up to 12 weeks of FML during a “rolling” 12-month period measured backward from the date on which an employee uses any FML time.
3. As approved, employees may take FML intermittently if it is medically necessary to care for a seriously ill family member or because the employee is seriously ill. If intermittent leave is foreseeable based on planned medical treatment, the employee is responsible for scheduling the leave time.
4. To be eligible for FML benefits, an employee must have worked for the City for at least 12 months and must have worked at least 1,250 hours in the prior 12 months.
5. The City will invoke FML time for any eligible employee who is away from work for at least one week for any of the qualifying situations listed above, including Workers Compensation.
6. Employees will complete and submit a written request for FML to the Human Resources Division Manager. The request must be accompanied with a health care provider's certification that the illness of the employee or family member necessitates the leave. The certification must state the date on which the serious health condition commenced, the probable duration of the condition and the appropriate medical facts about the condition. The Human Resources Division Manager shall notify the employee in writing when the leave has been approved.
7. As part of this leave, the employee must first use all accrued sick leave and may use accrued vacation hours.
8. Eligible spouses employed by the City are jointly entitled to a combined total of 12 weeks of family leave for the birth or placement of a child for adoption or foster care. Leave for birth or adoption (including foster care placement) must conclude within 12 months of the birth or placement.
9. If the employee's accrued vacation and sick hours are exhausted before the employee is able to return to work, he/she shall be placed on a leave without pay for the remaining time up to the 12 week limit. During this time, the City shall continue to pay its portion of the health and life insurance premium, and the employee must make arrangements with the Human Resources Office to continue to pay his/her portion of the insurance premium, if any. The employee shall not accrue any other benefits while on the leave of absence.
10. If the leave was granted because of an employee's serious health condition, the employee must furnish the Human Resources Division Manager with a medical doctor's written release before being allowed to return to work.
11. FML time will run concurrent with the time employees receive Workers' Compensation wage replacement benefits.
12. In 2008, Federal legislation was passed that expanded FMLA protection for military family members as follows:

- a. Leave for “Qualifying Exigency”: The law modifies the FMLA by adding a new qualifying event for the 12-weeks of FMLA leave: a “qualifying exigency” (to be determined by the Secretary of Labor) arising out of the fact that the employee's spouse, child or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.
 - (1) When an employee requests leave for a qualifying exigency in order to manage their affairs while a family member is on active duty and the necessity for the leave is foreseeable, the employee must provide the employer with “reasonable and practicable” notice. Additionally, an employer may require that a request for leave for a qualifying exigency be supported by a certification that the service member is on active duty or has been called to active duty.
- b. Leave to Care for Injured Servicemember: The law also provides that the spouse, child, parent, or “next of kin” (defined as the “nearest blood relative”) of a “covered servicemember” is entitled to a total of 26 workweeks of leave during a 12-month period to care for the servicemember.
 - (1) “Covered servicemember” means a servicemember who is “undergoing medical treatment, recuperation or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness incurred in the line of duty while on active duty.”
 - (2) “Serious illness or injury,” in turn, is defined as a condition that may render the servicemember “medically unfit to perform the duties of the member's office, grade, rank or rating.”
 - (3) This leave is only available during a single 12-month period and the 26-week limit would include any leave granted pursuant to the new “qualifying exigency” provision.

4.11 Unpaid Medical Leave of Absence

1. In conjunction with the Family and Medical Leave of Absence policy listed above, the City provides for an extended medical leave of absence for an eligible employee who is seriously ill and unable to perform their essential duties and who, after 12 weeks has used all available leave and is still unable to return to work. The employee may submit a written request for a medical leave of absence to the Human Resources Division Manager. The request must be accompanied by a health care provider's certification that the employee's serious health condition prevents him/her from performing his/her duties.
2. To be eligible for the medical leave of absence, the employee must have worked for the City as a full or part-time benefitted employee for at least one year. This leave of absence must be approved by the Human Resources Division Manager and the Department Director at their sole discretion. In approving the extended leave, factors such as the following shall be considered:
 - a. Length of time that the employee has already been off work on accrued vacation and sick leave time;
 - b. Expected date that the employee will be able to return to work; and
 - c. The effect of the leave upon the department operation.
3. The total medical leave of absence, including the initial 12 weeks, shall not exceed 120 calendar days.
4. During any period of time when the employee is on leave without pay, the City shall continue to pay its portion of the health and life insurance premium. The employee must make arrangements with the Human Resources Office to continue to pay his/her portion of the insurance premium. The employee shall not accrue any other benefits during the leave of absence.
5. Before returning to work, the employee must furnish the Human Resources Division Manager with a medical doctor's written statement permitting the employee to return to their assigned duties.

6. The City has the right at any time to require a second medical opinion from a health care provider selected by the City. The City shall pay for the cost of the second opinion.

4.12 Personal Leave of Absence

Upon recommendation of the Department Director, the Human Resources Division Manager may grant an employee a leave of absence, without pay, for a period up to sixty (60) consecutive calendar days. No benefits of any type shall be earned by an employee for the duration of the leave of absence. The employee may continue to participate in the health, dental and life insurance programs at his/her own cost.

4.13 Employee Assistance Program

1. The City provides an Employee Assistance Program (EAP) for employees. An EAP is a confidential counseling and referral service that is designed to help employees and their family members deal with personal or work-related problems.
2. Additional information about the EAP program is available from the Human Resources Office.

4.14 Military Leave

1. In the event that an employee is absent due to being called into the military service of the United States or the State of Utah for duty, the employee may receive full compensation from the military while on military status. The City shall pay any difference in salary the employee would have received if they would have remained working with the City during the same period of time. The employee shall furnish the Human Resources Division Manager with satisfactory proof of orders to report for duty and of actual service and military salary pursuant to such orders.
2. The City will comply fully with all state and federal laws and regulations concerning military leave.

4.15 Workers' Compensation

An employee injured during the performance of duties is covered by Workers' Compensation as provided by State Law. In order for the employee to continue at a full salary during a disability from an on-the-job injury, workers' compensation payments may be supplemented by accrued sick leave and vacation time. After all leave time is exhausted the employee must revert to workers' compensation payments within the definition of State Law.

4.16 Jury Leave

1. All employees who are required to serve as jurors shall be provided jury leave for the duration of the jury duty.
2. All employees serving as jurors shall receive full salary and benefits for up to four (4) weeks per fiscal year of jury duty provided all money, less travel expenses, received by the employee for the jury duty is remitted to the City.

4.17 Bereavement Leave

An employee may, upon approval of the Department Director, be granted up to three (3) days leave with pay in the case of a death of a relative of the employee's family defined as a husband, wife, parents, brother, sister, child, step-child, grandchild, grandparent, mother or father-in-law, sister-in-law, brother-in-law or a spouse's grandchild or grandparent. Any additional leave days required shall be charged against vacation time. Firefighters working a 24-hour shift shall be granted up to 42 hours of leave with pay.

4.18 Time Off For Election (Voting)

1. In accordance with Utah State Code, any voter is allowed to be absent from service or employment for up to two (2) hours in order to vote on election day between the time the polls open and close.
2. The City reserves the right to specify the hours during which employees may be absent and may not deduct from an employee's usual salary or wages because of the absence.
3. This does not apply to an employee who has three (3) or more hours between the time polls open and close during which the employee is not employed on the job.
4. Employees are encouraged to take advantage of early voting when and where possible in order to avoid conflicts with work schedules.

4.19 Uniform Policy

Uniforms are to provide easy identification of City employees and to promote a professional work appearance.

City employees are expected to have socially acceptable hygiene and to dress in professional, modest attire which is appropriate to the job they are performing as determined by their Department Director. When uniforms are provided, employees shall wear the uniforms according to the written policies set by their Department Director. Department Directors may allow employees to wear casual clothing on designated days.

4.20 Tool Allowance

Employees required to use their own tools shall be reimbursed up to a maximum of \$40.00 per month for the purchase of tools that are approved by the Division Manager.

4.21 Mileage Reimbursement

1. Employees shall be reimbursed for all authorized miles traveled in the employee's personal vehicle. The reimbursement rate shall be the standard I.R.S. mileage rate.
2. The City Manager may establish reimbursement programs for City employees who use their cars for City work.

4.22 Vehicle Allowance

Executive Management employees, except those who are assigned a city vehicle, shall receive \$425.00 per month as an allowance for the use of their personal vehicles for City business. Select Division Managers may receive a vehicle allowance of \$325.00 per month in lieu of a City assigned vehicle.

4.23 Recreation Pass

1. Full-time, part-time benefitted, and Orem Fitness Center employees are entitled to a Fitness Center pass according to the Recreation Department's requirements. Benefitted employees may receive an annual family Fitness Center pass at no charge.
2. The City shall provide a retired employee a pass to the Fitness Center or a family pass may be purchased for \$100 per year.

4.24 Tuition Assistance Program

The City of Orem recognizes the importance of the educational growth of its full-time employees. Subject to annual budget appropriations, the City may reimburse full-time employees for trade school, college or university courses, which

have a direct relationship on the employee's position with the City or lead to a related certificate or degree. Courses must not interfere with job performance or interfere with an employee's job responsibilities.

Employees desiring to enroll in a course at an accredited institution must obtain approval in writing from their immediate supervisor, their Department Director, and the Human Resources Manager. All paperwork must be completed, signed and presented to Human Resources for verification prior to attending any course. Requests for tuition assistance will be prioritized by the date completed applications are received by the Human Resources Division. Financial assistance may be provided to full-time employees for continuing education when the following requirements are met:

1. The educational experience must take place at accredited colleges, universities, or trade schools. Correspondence or on-line courses qualify for assistance only with prior approval from an employee's Department Director and the Human Resources Manager.
2. Employees receiving assistance must have completed their probationary review period with the City.
3. Employees must be in active employment status.
4. Employees who have been subject to corrective action in the last year are generally not eligible for assistance.
5. The Employee must receive a "B" grade or better (or a pass grade if the course is pass/fail) to be eligible for tuition assistance for a given course.
6. Within sixty (60) days of completion of approved education, employees must submit a reimbursement form to their Department Director for approval. The form will be filed in the employee's personnel file. The Reimbursement Form must include the following information:
7. The cost of tuition and educational materials must be itemized and documented. The City will reimburse the employee for 75% of the educational expenses up to a maximum of \$1,500 total yearly (fiscal) and up to a lifetime maximum of \$6,000.
8. Official transcripts, which indicate a qualifying grade of "B" or better. In those cases of "pass" or "fail," a pass is required to receive tuition assistance reimbursement.
9. Tuition assistance is provided with the expectation that the employee will remain with the City and utilize the newly acquired skills. Each tuition reimbursement transaction vests in 24 months after receipt of the reimbursement. Any tuition reimbursement payments not vested must be repaid in full if the employee resigns, retires, or is terminated for cause.

4.25 Moving Expenses

Executive Management employees may be reimbursed at the discretion of the City Manager for the moving expenses for him/herself, his/her family, and his/her personal property from his previous employment to his/her employment with the City. Said costs shall include packing, transportation, necessary storage costs, and insurance charges.

4.26 Insurance Programs

The City shall provide the insurance programs described in this Section. The City reserves the right to provide these insurance programs by self-insurance, through an insurance company or by any other method which provides the coverage outlined.

4.27 Health Insurance Portability and Accountability Act (HIPAA)

The City shall sponsor group health plans designed to comply with HIPAA laws that:

1. Limit exclusions for pre-existing conditions;
2. Prohibit discrimination against employees and dependents based on their health status; and
3. Guarantee renewal and availability of health coverage to certain individuals.

4.28 Travel Insurance

The City shall provide \$100,000 travel insurance for Executive Management Employees while they are traveling on city business. In the event of employee's death, payment will be made to the employee's beneficiary.

4.29 Medical and Dental Insurance –ACA Compliance

1. The City shall provide medical and dental insurance coverage for eligible full-time and benefited part-time employees and their dependents with premium rates and benefits, as required by law or at the discretion of the City of Orem
2. The City of Orem employs more than 50 ongoing, full-time and full-time equivalent employees and is subject to the shared responsibility requirement (play or pay) of the Patient Protection and Affordable Care Act (PPACA). The city would not be subject to a penalty for any full-time employee if that employee is offered “qualifying coverage” that passes benefits and affordability tests. Coverage offered by the City of Orem to eligible full-time employees, is deemed “qualifying coverage” as it meets the benefits and affordability tests.
3. For purposes of health care eligibility in accordance with the PPACA, a full-time employee is one who is regularly assigned to work 30 hours up to 40 hours per workweek.
4. Variable-hour employees are employees that are hired to work no more than 1,500 hours in a calendar year, no more than 130 hours per month, and are normally scheduled to work 28 hours or less a week. Any hours worked for the City in any employment category by the variable-hour employee during the previous 12 months shall be factored into the 1,500 limit, unless there has been an employment gap of at least 13 weeks. Variable-hour employees are at-will employees and are not eligible to receive benefits unless otherwise required by law.
5. Seasonal employees are employees that are hired to work no more than six (6) continuous months and shall not work more than 1,500 hours in a calendar year. Seasonal employees customarily work the same period during the calendar year, such as summer or winter. Any hours worked for the City in any employment category by the seasonal employee during the previous 12 months shall be factored into the 1,500 hour limit, unless there has been an employment gap of at least 13 weeks. Seasonal employees are at-will employees and are not eligible to receive benefits unless otherwise required by law.

Part-time benefited employees are scheduled to work less than 40 hours a week, but more than 20 hours a week. Part-time benefited employees shall receive benefits in proportion to the number of hours worked and will participate in those benefits based on individual eligibility and enrollment choices

6. For ongoing employees, the City will determine each full-time employee’s full-time status by looking back at a standard measurement period of 12-months to determine full-time status for a subsequent standard stability period of twelve months.
7. The city will use the calendar year as standard measurement and standard stability periods. The initial measurement period for employees begins on their hire date and ends after they have completed 12-months of employment. The administrative period will be one month. If the employee qualifies for medical insurance coverage as a full-time employee, the coverage will begin on the first day of the month following the administrative period.
8. In the event of an employee’s death, the City shall continue its portion of the insurance premium for one year as long as the employee was currently enrolled in the City’s health and/or dental insurance plan(s) at the time of death
9. The City shall provide to each employee a description of the City’s insurance plans in a written or electronic format as requested by the employee.

4.30 Extended Health Care Coverage (COBRA)

1. The City will comply with the COBRA laws and regulations in extending health care benefit options to spouses and dependents of employees who become divorced, separated, deceased, terminated or eligible for

Medicare. Extended coverage will also be available for a dependent child who reaches the maximum age limit. In order to be eligible for this coverage, the employee or employee's spouse must notify the Human Resources Office within 60 days after the qualifying event. Individuals receiving the coverage are responsible for the costs of the extended coverage. Employees should refer to the plan documents for specific time limits on this coverage.

2. The City will cover only those family members who are named on the deceased employee's current health and/or dental insurance enrollment form or those family members who would otherwise be eligible for COBRA coverage.
3. Each department will be responsible to cover the cost of the COBRA premiums from their respective budgets the same as they would cover final payments to employees who are terminating their employment with the City for any reason.

4.31 Life Insurance

1. Group term life insurance is provided by the City for all benefited employees. The amount of coverage is one times the employee's salary up to \$250,000, with a minimum coverage amount of \$50,000.
2. Amounts are reduced 50% at age 70 and will terminate at age 99. Additional/Supplemental term life insurance up to \$600,000 may be purchased by the employee through payroll deduction.

4.32 Line of Duty Life Insurance Benefit

The City shall pay the premium for a police officer's \$50,000 line of duty life insurance benefit provided through the Utah State Group Insurance Department, a division of the State Retirement System.

4.33 Short-Term Disability Insurance

A benefited employee's sick leave accrual balance is the employee's short-term disability insurance. A short-term disability policy may be purchased by employees, if they desire. Eligibility under said voluntary short-term disability policy shall be determined by the requirements and conditions of said policy.

4.34 Long-Term Disability Insurance

The City provides long-term disability insurance which pays benefits to eligible employees who are disabled 120 calendar days or more. The City shall provide each benefited employee a summary of the long-term disability policy, upon request. The premium for this policy will be paid by the City for benefited employees.

4.35 Medicare Coverage

Employees hired after March 31, 1986, will be covered by Medicare.

Contribution rates are as follows:

City Participation

1.45% of salary

Employee Participation

1.45 % of salary

4.36 Retired Employees Benefits

To assist current employees in providing for their retiree health care the City makes a contribution to a Retiree Health Savings Plan (RHS). Contributions are made according to a longevity schedule and are based upon budget availability.

4.36.1 Legacy Retiree Healthcare

Due to budgetary considerations the City has phased out a retiree health care benefit.

4.36.2 Life Insurance

Employees who retire with at least 15 years of service with the City of Orem, may choose to continue life insurance as follows:

Type of Coverage	Amount	City Pays	Employee Pays
Employee	\$5,000	100%	0%
Dependent	\$5,000	0%	100%

Amounts will be reduced by 50% at age 70 and will terminate at age 99.

Although the City expects to continue the insurance programs for retired employees indefinitely, it reserves the right to change or discontinue all or any part of the program or any plan at any time

4.37 Flexible Spending Reimbursement Account

The City provides a program that allows employees to use before-tax salary dollars to pay for certain health and dependent care expenses. Each year during open enrollment, employees must decide how much money to set aside for the upcoming year, up to the IRS allowable limits. The money is automatically deducted from each paycheck before federal, state and Medicare taxes are taken out. As employees pay out-of-pocket bills for health and/or dependent care during the year, they submit a claim requesting a reimbursement. The employee is then reimbursed with tax-free dollars. Employees may request reimbursement at the beginning of the year an amount that exceeds the amount that has been with-held from the employee's pay check as long as they do not request reimbursement for more than the employee has agreed to have withheld in the calendar year.

4.38 Retirement

Participation in the Utah Retirement Systems (URS) pension plan is mandatory for most employees. The City pays all or a portion depending on which URS plan the employee is eligible to participate in. This valuable benefit provides retirement income based upon salary, length of service and/or contributions. In addition to the URS pension system, all employees may voluntarily participate in the City's Alternate 401k Retirement Plan If the City's contribution to the URS pension plan that the employee is eligible to participate in is less than 17.9% then the difference between the URS rate and the 17.9% will be contributed to an ICMA 401k plan by the City. Post URS retired employees receiving a pension that have been hired by the City are restricted by law from receiving a retirement contribution in most situations.

All Executive Management Employees have the option of participating in a Utah Retirement Systems (URS) pension plan for which they are eligible or to exempt out of the URS pension plan. If an Executive Management Employee exempts out of the URS pension plan that they are eligible to participate in, the City will contribute the percentage of the URS Tier I Public Employee Noncontributory Local Government Pension Plan to an ICMA 401k plan or 17.9%, whichever percentage is greater. Post URS retired employees receiving a pension that have been hired by the City are restricted by law from receiving a retirement contribution in most situations.

Division Managers may, under limited circumstances, opt out of the Utah Retirement Systems. Permission to do so can only be granted by the City Manager on a case-by-case basis. Qualifying circumstances will typically be limited to a situation where the Division Manager would not qualify for a URS pension benefit, typically due to the employee's age and number of years needed to work to vest in the URS.

For purposes of the Utah Retirement Systems (URS) the Mayor and City Council Members are part-time employees.

4.39 Deferred Compensation

1. In lieu of Social Security, employees may choose to participate in the City's Optional Matching 457 Deferred Compensation Plan. Employees may elect to contribute a percentage of their gross pay to the 457 Deferred Compensation Plan on a pre-tax basis up to annual limits established by the IRS. Employees may enroll in 457 plans offered by either ICMA-RC or Mass Mutual.
2. The City will match a benefited employee's contribution with an equal amount not to exceed the percentage indicated below:

City Employees

Employees hired prior to April 1, 1986	5.5%
Employees hired after March 31, 1986	4.0%

Executive Management Employees

Employees hired prior to April 1, 1986	7.5%
Employees hired after March 31, 1986	6.0%

4.40 Indemnification

1. Subject to the requirements of federal, state or local law, the City shall indemnify all City employees for any claim for alleged personal legal liability arising out of any act or omission by any employee during the performance of duties, within the scope of employment, or as authorized.
2. The employee shall be responsible to comply with all legal requirements concerning notice to the City, cooperation in the defense of the claim, as well as all other requirements. Failure of the employee to meet all such requirements may result in the City's refusal to defend or indemnify the employee.

4.41 Salary Policy

Salary ranges, job descriptions and job pay grades are subject to change at any time. The following pay grades and ranges are effective July 1, 2019 and are established in accordance with the City's compensation philosophy and policies (amounts may be different because of rounding):



City of Orem Salary Grades & Ranges

Effective July 1, 2019

Hourly Pay Rates

Pay Grade	Pay Range	
	Minimum	Maximum
CM	\$64.78	\$97.17
20	\$55.11	\$82.66
19	\$49.54	\$74.31
18	\$45.31	\$67.96
17	\$41.43	\$62.15
16	\$37.89	\$56.84
15	\$34.65	\$51.98
14	\$31.69	\$47.53
13	\$28.98	\$43.47
12	\$26.50	\$39.75
11	\$24.23	\$36.35
10	\$22.16	\$33.24
9	\$20.27	\$30.40
8	\$18.53	\$27.80
7	\$16.95	\$25.43
6	\$15.50	\$23.25
5	\$14.18	\$21.26
4	\$12.96	\$19.45

Monthly Pay Rates

Pay Grade	Pay Range	
	Minimum	Maximum
CM	\$11,228	\$16,842
20	\$9,552	\$14,329
19	\$8,587	\$12,881
18	\$7,853	\$11,780
17	\$7,182	\$10,773
16	\$6,568	\$9,851
15	\$6,006	\$9,009
14	\$5,493	\$8,239
13	\$5,023	\$7,534
12	\$4,593	\$6,890
11	\$4,201	\$6,301
10	\$3,842	\$5,762
9	\$3,513	\$5,270
8	\$3,213	\$4,819
7	\$2,938	\$4,407
6	\$2,687	\$4,030
5	\$2,457	\$3,686
4	\$2,247	\$3,371

Annual Pay Rates

Pay Grade	Pay Range	
	Minimum	Maximum
CM	\$134,739	\$202,108
20	\$114,629	\$171,943
19	\$103,048	\$154,573
18	\$94,238	\$141,356
17	\$86,180	\$129,270
16	\$78,812	\$118,217
15	\$72,073	\$108,110
14	\$65,911	\$98,866
13	\$60,275	\$90,413
12	\$55,122	\$82,683
11	\$50,409	\$75,613
10	\$46,099	\$69,148
9	\$42,157	\$63,236
8	\$38,553	\$57,829
7	\$35,256	\$52,885
6	\$32,242	\$48,363
5	\$29,485	\$44,228
4	\$26,964	\$40,446

EXECUTIVE POSITIONS	FLSA	Grade
City Manager	Exempt	CM
Assistant City Manager	Exempt	20
Finance Director	Exempt	19
Chief of Police	Exempt	19
City Attorney	Exempt	19
Development Service Director	Exempt	19
Fire Chief	Exempt	19
Public Works Director	Exempt	19
Recreation Director	Exempt	18
Library Director	Exempt	18
Deputy City Manager	Exempt	17

EXEMPT POSITIONS	FLSA	Grade
Assistant Police Chief	Exempt	17
Deputy Fire Chief	Exempt	17
City Engineer	Exempt	16
Deputy City Attorney	Exempt	16
Human Resource Division Manager	Exempt	16
IT Division Manager	Exempt	16
Maintenance Division Manager	Exempt	16
Police Captain	Exempt	16
Water Resource Division Manager	Exempt	16
Asst. City Attorney	Exempt	15
Asst. IT Div. Manager	Exempt	15
Prosecutor	Exempt	15
Fire Battalion Chief Senior	Exempt	15
Fire Battalion Chief	Exempt	15
Police 1st Lieutenant	Exempt	15
Police Lieutenant	Exempt	15
Chief Building Official	Exempt	14
Community Services Manager	Exempt	14
Econ Development Manager	Exempt	14
Engineer Section Manager	Exempt	14
Engineer Section Manager – Traffic	Exempt	14
Fire Marshall	Exempt	14
IT Section Manager	Exempt	14
Justice Court Administrator	Exempt	14
Library Division Manager	Exempt	14
Planning Division Manager	Exempt	14
Recreation Manager - Facilities	Exempt	14
Streets Section Manager	Exempt	14
Transport Opns. Engineer	Exempt	14
Treasury Division Manager	Exempt	14
Water Rec. Sec. Manager	Exempt	14
Water Section Manager	Exempt	14
Risk Manager/Trainer	Exempt	14
Information Systems Engineer	Exempt	13
Parks Section Manager	Exempt	13
Recreation Manager - Programs	Exempt	13
Senior Engineer	Exempt	13
Senior Programmer/Analyst	Exempt	13
City Recorder	Exempt	12
City Surveyor	Exempt	12
Communications Spec/Webmaster	Exempt	12

Economic Dev. Analyst/Project Mgr.	Exempt	12
Emergency Manager	Exempt	12
IT Help Desk Supervisor	Exempt	12
Librarian	Exempt	12
Long Range Planner	Exempt	12
City Business Mgmt Analyst	Exempt	12
Planner	Exempt	12
Programmer/Analyst	Exempt	12
NON EXEMPT POSITIONS	FLSA	Grade
Traffic Engineer	Non-Exempt	14
Fire Senior Captain	Non-Exempt	14
Fire Captain	Non-Exempt	13
Police Master Sergeant	Non-Exempt	13
Police Sergeant	Non-Exempt	13
Building Maint Section Mgr	Non-Exempt	12
Construction Engineer	Non-Exempt	12
ITS Engineer	Non-Exempt	12
Fire Senior Engineer/Act Offer	Non-Exempt	11
Fire Engineer	Non-Exempt	11
NON EXEMPT POSITIONS	FLSA	Grade
Fleet Manager	Non-Exempt	11
P.W. Field Supervisor	Non-Exempt	11
Senior Building Inspector	Non-Exempt	11
Plans Examiner	Non-Exempt	11
Police Master Officer	Non-Exempt	11
Associate Engineer	Non-Exempt	10
Building Inspector	Non-Exempt	10
Building Maint Supervisor	Non-Exempt	10
Computer Network Administrator	Non-Exempt	10
Engineering Specialist	Non-Exempt	10
Firefighter/Paramedic Senior	Non-Exempt	10
Firefighter/Paramedic I	Non-Exempt	10
Firefighter/Paramedic II	Non-Exempt	10
Horticulturist/Urban Forester	Non-Exempt	10
Instrumentation/Control Spec	Non-Exempt	10
Police Officer I	Non-Exempt	10
Police Officer II	Non-Exempt	10
Police Senior Officer	Non-Exempt	10
Pre-treatment Coord	Non-Exempt	10
Purchasing Agent	Non-Exempt	10
Recreation Facility Maint. Supervisor	Non-Exempt	10
Storm Water Project Manager	Non-Exempt	10
Street Lights/Signal Spec	Non-Exempt	10
Accountant	Non-Exempt	9
Assoc. Librarian	Non-Exempt	9
Associate Planner	Non-Exempt	9
Cemetery Sexton	Non-Exempt	9
Communication Supervisor	Non-Exempt	9
Executive/NIA Assistant	Non-Exempt	9
Fire Prevention Spec	Non-Exempt	9
Firefighter/Advanced EMT	Non-Exempt	9
Human Resource Generalist	Non-Exempt	9

Instrumentation/Control Tech	Non-Exempt	9
Lead Mechanic	Non-Exempt	9
P.W. Crew Leader	Non-Exempt	9
P.W. Program Spec	Non-Exempt	9
Technical Support Specialist	Non-Exempt	9
Rec. Program Coordinator	Non-Exempt	9
Senior Plant Operator	Non-Exempt	9
Traffic Signal Specialist	Non-Exempt	9
Victim Asst. Coordinator.	Non-Exempt	9
Admin. Secretary	Non-Exempt	8
Crime Analyst/Body Camera Spec	Non-Exempt	8
Construction Tech	Non-Exempt	8
Deputy City Recorder	Non-Exempt	8
Evidence Custod/Tech	Non-Exempt	8
Facility Maint Tech	Non-Exempt	8
Firefighter/Basic EMT	Non-Exempt	8
Fleet Mechanic	Non-Exempt	8
Justice Court Lead Clerk	Non-Exempt	8
311 Lead Communication Agent	Non-Exempt	8
Lead Dispatcher	Non-Exempt	8
Plant Operator	Non-Exempt	8
Pre-treatment Inspec	Non-Exempt	8
Residential Plans Examiner	Non-Exempt	8
Traffic Sign Spec	Non-Exempt	8
Water Res Util Spec	Non-Exempt	8
Account Clerk/Communication Agent	Non-Exempt	7
Animal Control Officer	Non-Exempt	7
NON EXEMPT POSITIONS	FLSA	Grade
Assistant Librarian	Non-Exempt	7
Building Maint. Tech	Non-Exempt	7
Develop. Serv. Tech.	Non-Exempt	7
Dispatcher	Non-Exempt	7
Justice Court Clerk	Non-Exempt	7
P.W. Technician I	Non-Exempt	7
P.W. Technician II	Non-Exempt	7
P.W. Technician III	Non-Exempt	7
P.W. Utilities Technician	Non-Exempt	7
Records Office Supervisor	Non-Exempt	7
Water Res Util Tech	Non-Exempt	7
Account Clerk	Non-Exempt	6
Community Service Specialist	Non-Exempt	6
Maintenance Worker (Helper)	Non-Exempt	6
Secretary	Non-Exempt	6
Victim Advocate	Non-Exempt	6
Custodial Supervisor	Non-Exempt	5
Storekeeper/Buyer	Non-Exempt	5
Custodian	Non-Exempt	4

4.42 Part-Time Benefited Employees

Part-time benefited employees are scheduled to work less than 40 hours a week, but more than 20 hours a week.

Part-time benefited employees shall receive benefits in proportion to the number of hours worked and will participate in those benefits based on individual eligibility and enrollment choices. Any new or replaced part-time benefited positions are subject to budget approval.

4.43 Employee Recognition Program

All employees of the City may be appropriately recognized and rewarded for their years of service, meritorious performance, cost-saving suggestions, and supportive attitude according to City Manager or Department Director approval.

4.44 Dress and Hygiene Standard

City employees are expected to have socially acceptable hygiene and to dress in professional, modest attire which is appropriate to the job they are performing as determined by their Department Director. When uniforms are provided, employees shall wear the uniforms according to the written policies set by their Department Director. Department Directors may allow employees to wear casual clothing on designated days.