



**SUPERVISOR
GUIDE**

OREM CITY SUPERVISOR GUIDE

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Part I: Introduction

As a supervisor you have taken on many responsibilities related to the oversight and management of the employees under your supervision. This Supervisor Guide is a resource to assist you as you carry out your administrative duties. It will help you familiarize yourself with the many city policies and practices and employment laws with which you will be dealing. The Appendix section of this Guide contains various forms and other resources for you to use as needed. If you are viewing this guide electronically, many forms and resources will have links to the electronic copies of these documents.

Here is a brief description of the other documents and resources mentioned throughout this guide that are available to supervisors.

Employee Handbook: The Employee Handbook provides information that all employees of the city need to know such as pay procedures, employee benefits, and guidelines for employee conduct. This is a great resource and can answer many of the questions you and your employees may have. The Employee Handbook is updated every year in July and then employees are trained on any changes and given a hard copy of the new fiscal year's Handbook. You can also view the Employee Handbook on the Intranet.

Employee Intranet: The Employee Intranet can be accessed at walter.orem.org. Some of the information on the Employee Intranet includes city policies, training handouts, benefits information, and forms. Contact Human Resources for questions about the Intranet (Walter).

Using the Supervisor Guide: The information contained in this Guide is intended to supplement the information contained in the Employee Handbook. Each document has unique information with which you should be familiar, in addition to your own department policies and procedures.

Note: In this Guide, we have avoided the use of specific gender pronouns wherever possible. However, where such avoidance would have led to very awkward sentences, we have used the masculine pronoun. This use should be considered to refer to both genders.

The Supervisor's Guide is provided for general guidance only and does not create a binding contract or any other obligation or liability on the City. This guide is NOT official City policy and should be used as a guide only. Please refer to the [Employee Handbook](#) for policies and procedures. If there are any discrepancies between the Employee Handbook, City Ordinances and the Supervisor Guide, the aforementioned policies will supersede the Supervisor Guide. The City reserves the right to change information in this guide at any time and for any reason, formally or informally, and with or without notice. The information set forth in the Supervisor's Guide does not create an express or implied contract with any person.

Part II: Recruitment and Selection

Introduction

Of the many responsibilities associated with being a supervisor, the most important and perhaps the most difficult is that of hiring successful employees. Hiring great employees will make a supervisor's job much easier and much more enjoyable. The ability to hire and retain productive workers has always been crucial to the success of any organization. Poor hiring decisions can cost the City in both dollars and time. The cost to fill a vacancy can be very expensive when you take into account the time and money spent hiring and training a new employee, lost productivity and any money paid out to the departing employees. Therefore, good hiring decisions are vital - so you can avoid unnecessary turnover.

The following pages outline the recruitment and selection process for Orem City. The Appendix includes attachments designed to help you as a supervisor during the recruitment and selection process. Please refer to the Employee Handbook 3.15 for Recruitment and Selection policies.

Opening a Recruitment

If you wish to open a recruitment to fill a vacant position, you should fill out a Personnel Requisition Form (PRF) and submit it to Human Resources. A copy of the PRF is included in the Appendix as well as an electronic version [here](#). Before filling out the PRF, make sure that (1) the appropriate number of FTE's are available to hire a new employee, and (2) there is an approved, up-to-date job description on file.

Any PRF must be signed by the appropriate Department Director before it is submitted to Human Resources. You will also need to indicate the title and type of job being opened, the reason for the opening and the following information:

Type of Recruitment/Closing Date: The amount of time a job is left open is flexible; however, all jobs must be open for a minimum of 5 calendar days. You can use this period as your closing date or choose a longer period. Contact Human Resources if you decide you need to extend the closing date after the job has been opened. The closing date must be at the end of a business day (no weekend or holiday closures).

If you will be hiring through a season or hiring multiple employees for the same position, you can use the phrase Indefinite. This means that the position will remain open until filled and you can begin to screen and interview applicants as applications are submitted, while also continuing to accept applications. Once you find a qualified applicant(s) and have had the job open for the minimum amount of time, you can close the position. This is typically reserved for non-benefited positions but may also be utilized for benefited positions that were unable to be filled through the original recruitment period.

Salary: Each city position is assigned a specific salary range. Employees cannot be paid above or below their range. When you make a job offer to a new employee, you will typically start them at or near the bottom of the salary range; however, you have the flexibility to start them higher if their qualifications justify a higher salary. 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. Just remember, the higher someone's starting salary, the faster they will reach the top of their range and will no longer be eligible for pay increases.

Advertisements: The Human Resources Office will begin advertising a job once the PRF is submitted and the job announcement created and approved. Job openings are posted at the following places: Orem City departments and website, Department of Workforce Services, Utah League of Cities and Towns online job board, and colleges and universities; some positions may also be posted to local high schools, and/or career and recruitment centers.

Screening Procedures: Once the closing date for positions has passed, Human Resources will screen all applications based on the minimum qualifications. Applications will then be sent to the hiring supervisor to continue the selection process.

Screening Applications

Human Resources will screen out unqualified candidates based upon minimum qualifications. The remaining applications will be sent to the hiring supervisor to further screen through. Use the job description to select the top applicants based upon job-related criteria, such as work experience, educational accomplishments, certifications, and skills. Also pay attention to the minimum salary requirement listed by the applicants and check for nepotism and whether the person is a former employee.

If you have a lot of qualified applicants, telephone interviews might help to further screen the applicants before conducting in-person interviews. You can use telephone interviews to verify experience, discuss salary and work schedule, establish expectations, and answer the applicant's questions. If you do use telephone interviews you should maintain documentation, such as the individuals contacted, the questions you asked, and the applicants' responses.

All applications are kept on file in Human Resources for two years.

Interviewing Applicants

Remember you cannot interview or hire an applicant who has not turned in an application. However, you can rehire a former employee to the same position without going through the recruitment process as long as it is within one year of his termination date and as long as the individual still meets the minimum qualifications of the position. See Employee Handbook 3.3.7.

When conducting interviews, select your top candidates for the interview and select your interview panel. It is a good idea to have at least two people participate in the interviews, especially for benefitted positions. Interview questions and the scoring system should be agreed upon before interviews begin in order to maintain consistency. See the *Appendix* for interview suggestions and guidelines as well as examples of Interview Evaluation Forms you may use in screening and rating applicants. In addition, Human Resources staff is always happy to offer suggestions for interview questions or participate on the interview panel.

During the interview, be sure to treat all candidates fairly and consistently. Avoid questions that could be interpreted as discriminatory. Ask short, open-ended questions and probe incomplete answers. Focus on applicants' career goals, work experience, qualifications, and organizational fit. Also beware of "Red Flags" such as making disparaging remarks about former co-workers or supervisors, holes in employment history, and poor conduct or appearance during the interview. See the *Appendix* for suggested interview questions and questions to avoid.

Also remember that Utah law requires that we grant Veteran's Preference to eligible applicants during the selection process. Refer to Employee Handbook 3.16 Veteran Preference for additional information.

After the interviews are over and a candidate has been selected for hire, a copy of all interview questions as well as any interviewer notes, score sheets, and other documentation should be given to Human Resources to be kept on file for two years.

Notifying Applicants: Once you have determined which applicants you are not going to interview, send "No Thank You" emails to those not moving forward in the process.

Hiring List: 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 lists shall also be established by the Human Resource Division Manager. If no hiring list was established, departments can still select from the top candidates of a previous recruitment if the

recruitment closed within a timeframe determined by the Human Resources Division Manager. Be sure to document the process.

Reference Checking: It is the department's responsibility to verify information provided on the candidate's application or resume regarding education, job experience, or past work performance. It is a good idea to conduct reference checks of at least three work-related references. Mention in the interview that you intend to conduct reference checks and then keep documentation that includes individuals called, questions asked, and responses given. The *Appendix* has three different checklists you can use when calling employment and personal references.

Alternate Hiring Plan: 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.

Employee Hiring Process

Once you have finished interviews and reference checks, you are ready to make an offer of employment. If you have not already done so, you will want to discuss relevant items such as work schedule, starting date, salary, and benefits. Human Resources can assist in explaining any benefits to help in the negotiation process. Be sure to stress that the job offer is contingent on the applicant successfully passing a drug screen and a background check (depending on the job). It is a good idea to finalize the details in writing. The *Appendix* has several sample letters of offer as well as electronic copies of sample letters [here](#).

Recruitment Incentive: Incentives will only be approved as needed on a case-by-case basis. Qualification for the incentive will be contingent on budget availability, market conditions, recruitment challenges, skillset and experience, and other factors determined by the department director, human resource manager, and city manager. The amount of the one-time recruitment incentive will not be above \$3,000 and will be distributed in two equal increments over the course of one year. The recruit must not have any disciplinary problems during that year. In addition to, or in lieu of, the cash incentive, a department director may also offer a recruit a sick and/or vacation bank at the date of hire. Refer to Employee Handbook 3.15.2 Recruitment Certification Incentive for more information.

After the applicant accepts the job offer, return all recruitment/selection documentation to the Human Resources Office. Human Resources is required to keep this information on file for two years. If you have not already done so, you should notify the other applicants that the selection process has been concluded.

Once an applicant has accepted a job offer, he must come into the Human Resources Office to begin the hiring process. This process may take up to two hours, so please let the applicant know to set aside the appropriate amount of time in order to complete everything. The hiring process includes filling out new hire paperwork and the following steps:

Proper Identification: Each new hire must fill out an I-9 form which requires verification of identity and employment eligibility. In addition, Orem City also verifies employment eligibility through the federal government's electronic E-Verify system. When new hires come to Human Resources, they must bring identification from the I-9 list of acceptable documents (See *Appendix* for more information). If an applicant uses a form of identification other than a Social Security card to verify employment, a Social Security number will still be requested in order to enter the new hire into the payroll system.

According to the law, new hires who cannot provide appropriate identification for the I-9 within their first three days of work will be terminated.

Background Check: All new hires are required to complete a background check. You can request a background check if the applicant is under 18 years old if they can provide a birthdate and a driver license if available. If a background check comes back positive, Human Resources will notify the hiring manager that the applicant cannot be hired. The hiring manager is then responsible to notify the applicant, who can appeal the decision to Human Resources. Some departments may conduct their own more extensive background checks when allowed or required by law.

Drug Testing: All new hires are required to complete a drug test before they can begin working. Once they receive the authorization form, a new hire has until 5:00 p.m. on the next business day to complete the drug test; if they receive the authorization form on a Friday or a day before a holiday, they will have until 5:00 p.m. on the day they receive the form. If a

new hire does not complete the drug test within the required timeframe, it is considered a positive test and they will not be hired. Because of this, please avoid contacting new hires late in the day, especially on Fridays or on days preceding a holiday.

Drug test results will be sent to the Human Resources Office usually within 1-2 business days. At that time, the supervisor will be notified if it is all right for the new hire to begin working. **New employees are not allowed to begin working until drug test results are received.** Please refer to the Employee Handbook 1.2.2. Pre-Employment Testing for more information.

Pre-Employment Physical: Certain positions, such as police officer and firefighter, require a pre-employment physical in addition to a drug test and background check. These physicals will be conducted by the Intermountain WorkMed office in Orem and, unlike with the drug test, the new hire may need to make an appointment. This will be done ahead of time through Human Resources; the hiring manager should notify HR that an applicant will be calling to schedule a physical, and then notify the applicant to contact HR to schedule the physical. Supervisors will only be notified about the results of a pre-employment physical if there is a problem. Supervisors should also be aware that employees with CDL's are required to have periodic physicals (typically every 1 or 2 years) to renew their licenses.

New Hire Orientation: A new hire will be signed up for a city orientation conducted by Human Resources. At orientation, new hires will review benefits and insurance forms, fill out additional paperwork, and review city policies and procedures.

New hires cannot be paid until they attend an orientation. Orientations are the first Wednesday of the pay period at 10:45 a.m. in the Human Resources office for full-time and flex benefitted employees. Flex non-benefitted and seasonal orientations will be held as needed, typically Monday – Thursday at 10 a.m. A Personnel Action form (PA) must be completed by the supervisor and given to the Human Resources Office **at least one business day** before the employee attends orientation.

In addition to the city orientation, supervisors should conduct either a formal or an informal orientation for a new employee to help them become familiar with the department, workspace, and duties of the job. The *Appendix* offers a checklist to help supervisors prepare for new employees.

Rehires: Even if an employee has worked for Orem City in the past, he must still come to the Human Resources Office to complete all of the steps in the hiring process, including the drug test, background check (if applicable), and physical (if applicable) before he can begin working. Rehires are also required to attend another orientation each time they are rehired.

Hiring Volunteers

Many departments such as Library, Recreation, the Police department, and the Fire department utilize volunteers. If someone wants to volunteer for the city, he must first fill out the Volunteer Application which must be signed by the volunteer. All volunteers are required to undergo background checks. Once the Volunteer Application is filled out, the volunteer must come to Human Resources for a background check (if applicable). Based on the results of the background check, the Human Resources Division give approval for the volunteer to begin working. No volunteer may begin working until the supervisor is notified by Human Resources that the volunteer has been approved. The Volunteer Application is available [here](#), on the Intranet, and in the *Appendix*.

Part III: Personnel Duties

Introduction

As a supervisor of other employees, you need to have some understanding of human resources and payroll functions. Some of your responsibilities may include creating or updating job descriptions, filling out employee paperwork, or approving time cards. Part II of this Guide addressed policies and procedures for hiring employees. Part III provides an overview of some additional functions and procedures you need to know.

Employee Classifications

There are several different classifications of employees at Orem City. As a supervisor, it is helpful to understand what these different classifications mean. An employee's classification determines how the position is budgeted, what benefits and rights the employee is eligible for, and the employee's work schedule. When you hire or promote an employee, please make sure that you and the employee are clear on the position's classification. The classification should also be marked correctly on job descriptions, job announcements, and PA's - especially the PA hiring the employee. Here is a brief summary of the more common classifications.

Elected: The Mayor and City Council Members are elected officials. The Mayor and the Council Members work a part-time schedule. Elected officials do not receive paid sick or vacation leave but are still eligible for health and retirement benefits.

Appointed: Certain positions in the city are classified as appointed, meaning they serve at the will and discretion of the City Manager. Some examples of appointed employees include department directors and assistant department directors. The majority of appointed employees at the city work a full-time schedule and receive health insurance and other city benefits, including paid leave and retirement. They do not have appeal rights.

Full-Time (Regular): These employees work a full-time schedule and receive full-time health benefits and life insurance. They also accrue vacation, sick leave and other paid leave at the full rate. These employees are eligible to participate in the Utah Retirement System (URS). These employees have appeal rights.

Part-Time Benefitted (up to 30 hrs/wk): These employees work a part-time schedule up to 30 hours per week. Under the ACA, an employee who works 30 or more hours per week is considered a full-time employee and is eligible for full-time health benefits. These employees are eligible to participate in the URS. These employees are eligible for part-time health benefits, life insurance and pro-rated vacation, sick leave and other paid leave based on their work schedule. These employees are eligible to participate in the URS.

Variable Flex (Non-Benefitted): These employees **MUST** work under 28 hours per week year-round. They are not eligible for health benefits or paid leave. These employees participate in a 457-retirement account rather than the Utah State Retirement System and/or 401(k) system. They do not have appeal rights.

Seasonal (6 months or less): These employees have a work assignment of six months or less, and there is no limit to the number of hours they can work. Seasonal employees must have a break in employment of 13 weeks if rehired. These employees are not eligible for health benefits or paid leave. These employees participate in a 457-retirement account rather than the Utah State Retirement System and/or 401(k) system. They do not have appeal rights.

If you are not sure about the classification for a specific position, please contact Human Resources.

Job Descriptions

Every position in the City must have a written job description that has been approved by the Department Director and Human Resources Manager.

Before a recruitment can be opened, there must be an approved job description on file. Job descriptions should be reviewed carefully before the recruitment is opened to ensure that the duties and minimum qualifications are accurate and still applicable. You cannot hire someone who does not meet all the minimum requirements listed on the job description, so it is important that these are accurate. Before you make something a requirement, such as a driver's license or a high school diploma, determine if it is necessary to the job. If a certain qualification is not necessary but you would like the new employee to possess it, you can always indicate on the job description that a particular attribute is "preferred" but not "required". This will provide the flexibility to give preference to an applicant with that attribute but does not restrict you from hiring someone who does not have the attribute.

It is also helpful to review job descriptions with current employees periodically, such as during the annual performance review, to make sure employees are aware of their duties and that job descriptions are up-to-date. Job descriptions are available from the Human Resources Office or in the Human Resources section of the [intranet](#).

If you are creating a new position, you can contact Human Resources for assistance in writing the job description. The Position Assessment Questionnaire Form in the *Appendix* is also a useful tool for creating job descriptions.

Personnel Action Forms (PAs)

The Personnel Action Form, or PA, is a form used to document any employment action, including hiring, salary adjustments, changes to pay codes, disciplinary action (including unpaid leave), recognition, promotions, transfers, terminations, etc. All PA's should be given to the Human Resources Office to be processed and filed in the employee's personnel file. See the *Appendix*. If you need to make a change on a PA after you have printed and signed it, you will need to fill out a new PA, you cannot submit a PA with handwritten changes to Human Resources.

On the PA you will be asked for the following information:

Personnel Status Section: The originating date is the date the PA was created. The effective date is the date the PA becomes effective (e.g., an employee's start date, last date of work, etc.). If there is a change for a current employee, it needs to begin on the first day of a pay period. The schedule is where you will put the employees work schedule (ie.9-80A, 9-80B, 4 10s, flex)

Present/New Position Title: Position titles should match the title on the job description. You only need to fill in the new position title if the employee is changing job titles.

Salary Information: Typically, all you need to fill in is the monthly rate for full-time or hourly rate for flex and seasonal employees. Be careful that the salary falls within the approved range for that position. If the employee's salary is changing, fill in both the current and the new salary rate.

Payroll Change States and Action Required Section: This is where you indicate position classification, appointment and payroll change status, leave of absence or separation reasons. Be sure to distinguish between whether the employee is a rehire versus a new hire. The position classification chosen should be consistent with the budget staffing document. If you are unsure about a position's classification, ask Human Resources. The budget number is also a requirement. If the PA is related to a performance evaluation, a demotion, or other negative action you should attach supporting documentation. Employee reclassifications generally take effect at the beginning of a fiscal year and requires prior approval. Human Resources is typically involved in this process.

Signatures: All PAs must be signed by a Department Director and someone from Human Resources. The City Manager's approval is required when the salary is more than 10% higher than the start of the pay range.

PA's are available on the Employee Intranet [here](#). If you need assistance filling out a PA, please contact Human Resources. Typically, the department administrative assistant or secretary will fill out the PA.

Salary Ranges

Each position in the City is assigned to a specific salary range. Appointed, regular, flex, and seasonal employees should not be paid above or below their salary range except for specific situations, such as an employee who is demoted or transferred to a position in a lower salary range. In such cases an employee's salary is often red-lined (frozen) until the salary range catches up to the employee's salary. The salary ranges for City positions are available in the budget book or the employee handbook.

Department Director's may request a position to be reclassified. Normally, this will be done during the budget preparation period once a year. The Department Director will submit a reclassification request to Human Resources. Once Human Resources receives a reclassification request for a position, an audit will be conducted comparing the position to other similar positions both inside the City and outside the City. Typically, positions are only reclassified when there has been a substantial change to the position's duties or responsibilities. An employee seeking reclassification simply because he is topped-out and would like a pay increase does not justify reclassification of a position.

Personnel Files

All Orem City employees have an official personnel file located in the Human Resources Office. These files contain the employee's employment application, contact information, PA's, performance evaluations, and other documentation regarding the employee's employment and performance. While departments may keep their own files for employees, please remember that all important information should also be given to Human Resources to be placed in the employee's personnel file, including disciplinary letters and letters of commendation. These files are permanent records and once a document is placed in the file it cannot be removed. Both supervisors and the employee can add documents to the employee's file. For example, if

an employee does not agree with a disciplinary letter or a poor rating on a performance review, the employee has the right to attach a document explaining his point of view.

Personnel files are confidential information. Employees have the right to view their own files at any time. Likewise, supervisors can view the files of employees under their supervision. However, if someone else, such as a coworker or a potential employer asked to view an employee's file, the employee will need to give written authorization. Talk to someone in Human Resources if you need to view a personnel file.

Time Cards

Time cards can be accessed on the Orem Toolbar or at timecard.orem.org. Each employee should have a time card where they can record all of their hours worked, including scheduled hours, gap-time, overtime hours, and leave hours taken. Exempt employee only needs to record exceptions (vacation, holiday, sick hours). Supervisors should review time cards carefully for accuracy before approving. If you notice an error on an employee's time card, you should not make the change yourself. Call the employee in and explain the error. The employee should then correct the time card resubmit it so that you have proof that the employee knew about and agreed with the change.

If you ever have questions about how to input an employee's time or questions concerning pay codes, please contact the Human Resources Office for assistance especially if they are on a type of leave such as FMLA or unpaid leave.

As discussed in the FLSA section of this Guide each employee is classified as either exempt or non-exempt. Exempt employees are salaried and do not accrue overtime. Non-exempt employees, also called “hourly” employees are required to track all hours worked and must be paid for all hours worked. The law says that if an employee is exempt (salaried), they should not be required to track each hour worked like non-exempt employees. Because of this, the City has different types of time cards for exempt and non-exempt employees. The time card for exempt employees should only indicate any vacation time or sick time the employee used.

One issue supervisors may run into related to time cards is employees working when they have not been approved to work, such as working unapproved overtime hours. If the employee is non-exempt (hourly) he must be paid for all time worked even if the employee did not have prior approval to work. If this happens, you can still discipline the employee for not following policy, but the employee must be paid for all time that was worked.

Part IV: Employment Laws

Introduction

There are many federal, state, and local laws that impact all aspects of employment, from hiring, to pay practices, to termination. As a supervisor you are responsible for following and enforcing these laws. Human Resources is a great resource for receiving guidance on these tough issues, but it is important that supervisors also understand the laws to make sure they and their employees are in compliance. This section provides a summary of some of the employment laws that you will deal with the most.

Fair Labor Standards Act (FLSA)

The Fair Labor Standards Act (FLSA) is a federal law governing wages, hours, and working conditions. While the FLSA does set basic minimum wage and overtime pay standards and regulates the employment of minors, there are many things the FLSA does not regulate. For example, the FLSA does not require vacation or sick pay, lunch or rest breaks for adults, or special pay for holiday work, although Orem City policy may provide for them.

Exempt and Non-Exempt Classification: For FLSA purposes each position is classified as either Exempt (salaried) or Non-Exempt (hourly). Orem City employees classified as exempt are not subject to the overtime provisions of the FLSA. In order to identify whether a particular employee is exempt, the specific job duties and responsibilities are considered.

An employee who is non-exempt must be paid for each hour worked, while an employee who is exempt is compensated on a salary basis. In general, an exempt employee must be paid the full salary for any week in which the employee performs any work. Since the City provides employees with paid sick and vacation leave, the FLSA allows us to require exempt employees to use this time for absences since they are still receiving their full week’s salary. However, a good rule of thumb is if an exempt employee works over half the day, they can count it as a full day worked without supplementing with vacation or sick leave.

Deductions from pay must also be handled differently for exempt employees. The FLSA sets very specific limits on when deductions can be made from an exempt employee’s paycheck. For example, the City cannot make deductions from pay for partial week absences related to jury duty, witness duty, or military leave. However, the City may offset any amounts the employee receives as jury fees, witness fees, or military pay for a particular week against the salary due for that week.

Unpaid leave due to discipline and unpaid leave while on FMLA Leave are times when the City is not required to pay an exempt employee's full salary for the week.

To find out if an employee is exempt or non-exempt you can check the job description or contact the Human Resources Office. Please check with Human Resources before assuming any employee is exempt. The exempt status must be handled appropriately in order to avoid future liability for back wages owed.

Overtime: All non-exempt employees are covered under the overtime provisions of the FLSA and must be paid for all hours worked in a workweek. In general, "hours worked" includes all time an employee must be on duty or on the employer's worksite.

All covered City employees who work overtime hours will receive overtime pay or compensatory time at the rate of one and one-half times the amount of overtime worked. The number of hours an employee can work before overtime begins to accrue varies for different groups of employees—136 hours for firefighters (18-day cycle), 86 hours for police officers (14-day cycle), and 40 hours for other employees. Each work period stands alone in computing hours worked and employees must not average hours over two or more work periods. A work period is 18 days for firefighters, 14 days for police officers, and 7 days for other employees. Even though the FLSA only requires sworn police officers to receive overtime after 86 hours in a 14-day cycle, the City's current practice is to allow overtime after 40 hours in the workweek.

To help control the use of overtime, supervisors should notify employees that all overtime must be approved before the hours are worked. If an employee fails to get approval, the City is still required to pay that employee for all overtime worked; however, you then have the option to take disciplinary action against the employee for working without approval.

Hours Worked: All time in which a non-exempt employee is working must be paid. However, there are certain time periods that are not considered hours worked and therefore do not need to be paid and/or included in the calculation of overtime hours, including:

- Absences or any leave taken—paid or unpaid (e.g., holiday, vacation, sick, etc.)
- Jury duty
- Time spent before, after, or between regular working hours which is unrelated to principal work activities
- Normal commuting time between home and job unless duties are performed
- Training/school time where employees on their own initiative attend classes after hours

Compensatory Time (Comp Time): The City may provide comp-time (paid time off) to an employee rather than paying for overtime hours worked. In order for an employee to accrue comp-time, there must be a written agreement signed by the employee on file in the Human Resources Office. A copy of a comp-time agreement is contained in the *Appendix* or you can obtain it from Human Resources. For more information on this, please refer to 3.10.2 Compensatory Time in the Employee Handbook.

For each hour of overtime worked, the employee accrues one and one-half hours of comp-time. The FLSA allows employees to accrue a maximum of 240 hours of comp-time (160 hours worked) or 480 hours of comp-time (320 hours worked) for police officers and firefighters. Hours above the maximum must be paid as overtime.

The City policy is that 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. Your department may set a lower maximum so make sure you know your department policy. The City can also choose to pay off an employee's accrued comp hours at the overtime rate at any time. Any comp-time an employee has accrued at termination must be paid off at the overtime rate.

The FLSA also states that employees who have accrued comp-time have a right to use that comp-time when they want to. Unlike a vacation request where the supervisor has discretion to approve or deny the request, if an employee requests to take time off using their comp-time, you should allow them to do so. You can delay or deny the leave only if the employee's absence would impose an unreasonable burden on your department to provide services. If this was the case, you could tell the employee that their leave request will be granted as soon as their absence would no longer create an unreasonable burden.

On-Call Hours: While many departments in the City provide extra pay to employees when they are on-call, the FLSA states that on-call time does not need to be compensated until the employee is actually called back to perform work unless the on-call is overly restrictive. Even though the FLSA does not require the City to compensate employees for remaining on-call, some departments pay employees 4 hours for the week they are on-call.

Lunch Periods: The FLSA does not require lunch periods. However, if meal periods are given, the FLSA states they must meet certain criteria in order to be unpaid time. First, they must be at least 30 minutes. Second, the employee must be relieved of all duties and free to leave his duty post. (Some exceptions exist regarding paid lunch periods for certain Police and Fire employees.) Supervisors should make sure that their employees' lunch periods meet these criteria so there is no question about whether an employee should have been compensated for a lunch period. See Employee Handbook 3.10.3.5 Meal Periods for more information.

Break Time for Nursing Mothers: The FLSA also requires that employers provide reasonable break time for *non-exempt* employees who are nursing mothers. The purpose of these breaks is to express breast milk each time the employee needs to for up to one year after her child's birth. The duration and length of breaks will likely vary based on the nursing mother's needs. These breaks do not need to be paid. The employee also has the right to the use of a private location other than a bathroom to express milk. If an employee is concerned about finding a private location while at work, please contact Human Resources, and we will help the employee find a suitable location. See Employee Handbook 4.4 Break Time for Nursing Mothers for more information.

Training Time: If an employee attends training it will generally be considered paid time unless four conditions are met: (1) the training occurs outside regular work hours; (2) attendance to the training is voluntary; (3) no productive work is being performed while in attendance at the training; and (4) the training is not directly related to the employee's job. In addition, if the state requires training or continuing education as a condition of practice of the profession and the training is not tailored to meet the particular needs of the employer, the FLSA does not consider such training to be working time. Scheduled training time does not qualify for call back pay. See Employee Handbook 3.10.3.1 Training Time for more information.

Travel Time: If an employee has a fixed work site, all same-day travel (other than commute time) is compensable. Ordinary travel between home and work before or after regular working hours is not considered hours worked. 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. See Employee Handbook 3.10.3.2 Travel Time for more information.

Overnight & 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. See Employee Handbook 3.10.3.2 Travel Time for more information.

Substitutions/Trading Time: This option is only available for fire and law enforcement personnel on shift work. Trading shifts has no effect on the total compensable hours if: (1) it is voluntary among the employees, (2) the trade is for the employee's benefit, and (3) it is approved in advance by the supervisor. If these conditions are met, the substitution/trading time does not need to count toward overtime hours worked for that workweek. See Employee Handbook 3.10.3.3 Voluntary Shift Trading for more information.

Youth Employment: The FLSA child labor provisions are designed to protect the educational opportunities of minors and prohibit their employment in jobs and under conditions detrimental to their well-being. A minor is defined as someone under the age of 18. As a general rule, the FLSA sets 14 years of age as the minimum age for employment and limits the number of hours worked by minors under the age of 16. The employment of minors is governed by the following guidelines:

Minors between the ages of 16-17 may be employed for unlimited hours in any occupation other than those that are declared hazardous by the Secretary of Labor (See *Appendix*). Only minors who are at least 17 years old can operate a vehicle on a public roadway if all of the following conditions are met:

- The vehicle weight does not exceed 6,000 pounds.
- Driving is incidental and occasional to the youth's employment (no more than 1/3 of a workday and no more than 20% of a workweek).
- Driving is restricted to daylight hours and within 30 miles of the place of employment.
- The youth holds a valid state license for the type of driving involved and has no moving violations at the time of hire
- The youth has completed a state approved driver education course.
- The vehicle is equipped with a seat belt and the youth has been instructed that it must be used.
- The driving does not involve: towing vehicles; route deliveries or sales; transportation for hire of property, goods, or passengers; urgent, time-sensitive deliveries; transporting more than three passengers, including other employees.
- The driving does not involve more than two trips away from the primary place of employment in a single day for the purpose of delivering goods or passengers (other than employees).

These rules apply whether the minor is driving a City vehicle or a personal vehicle. Before a minor can operate a vehicle, he must complete the "Driving Authorization Form for Minors" and the "Moving Violation Disclosure Statement" (See *Appendix*). Departments that have 17-year-old drivers must also keep a log of the date, destination, mileage, and driving time for each trip.

Minors between the ages of 14-15 are limited in the types of work they can perform and, in the hours, that they can work. Some examples of permitted employment includes office and clerical work, cashiering and concessions, lifeguarding (*15-year-olds only*), custodial work, and grounds maintenance work that does not include the use of power-driven motors or cutters. In addition, minors between the ages of 14-15 must adhere to the following conditions:

- The minor cannot work more than 3 hours on a school day or 8 hours on a non-school day.
- The minor cannot work more than 18 hours in a workweek when school is in session or 40 hours in a workweek when school is not in session.
- The minor cannot work more than 8 hours in any 24-hour period (Utah law, not FLSA).
- Work must be performed between 7:00 a.m. and 7:00 p.m. except during the summer (June 1 - Labor Day) when evening hours are extended to 9:00 p.m.

Affordable Care Act (ACA)

The Affordable Care Act (ACA) was enacted to provide increased health insurance coverage for individuals. In order to be compliant with federal law, Orem City has changed how we classify employees' work schedules to ensure that eligible employees are offered health insurance (see the section, Employee Classifications). As a supervisor, it is important for you to understand the following information as you are hiring, creating work schedules and determining number of hours worked.

Hours of Service: This includes each hour for which an employee is paid or entitled to pay, including vacation, holiday, sick leave, disability leave, layoff, jury duty, or military leave. These hours are included when determining number of hours worked.

Special Unpaid Leave: This includes FMLA, military, or jury duty. In determining number of hours worked, these hours may be included or excluded depending on the method of calculation used. In this circumstance, please contact Human Resources.

Part-time Benefitted Employees (< 30 hrs/wk): Currently, part-time benefitted employees who work less than 30 hours per week receive pro-rated health benefits according to their work schedule. However, the ACA states that if this employee ever worked 30 or more hours per week, Orem City would be required to provide full-time health benefits and/or pay a fine.

Non-Benefitted Variable Flex Employees: These employees may work under 30 hours per week, year-round and do not receive any benefits. Under the ACA, if this employee ever worked 30 or more hours per week, Orem City would be required to provide health benefits and/or pay a fine.

Seasonal Employees: These employees may only work for a period of six months or less, but there is no limit to the number of hours they can work. These employees do not receive any benefits. If a seasonal employee worked for a period longer than six months, Orem City would be required to provide health benefits and/or pay a fine.

When hiring seasonal employees, the employment period or “season” must begin and end in approximately the same time of year. For example, if you are hiring seasonal parks maintenance workers they can be hired from March- September and April-October. This allows for some staggering when you are hiring and separating employees. Additionally, the six-month season can be different for each position in your department. For example, your parks maintenance worker season could be March-September while your lifeguard season is May-August. However, you must be able to justify how you chose your season.

Rehires: An employee who separates from the City can be rehired after a 13-week break. The employee is treated as a new employee and can work for a period of less than six months. If an employee is rehired before a 13-week break, the City could be required to provide health benefits and/or pay a fine. Note: there are some exceptions where an employee may be rehired before a 13-week break if it involves rehiring to a benefitted position. In this circumstance, please contact Human Resources. Variable flex employees are not required to adhere to the 13-week break. Contact Human Resources if you have any questions.

Interns: Under the ACA, paid interns are not considered seasonal employees even if they work less than six months. Therefore, a paid intern can work under 30 hours per week and no health benefits are provided. Or they can work 30 or more hours per week and health benefits are provided. Unpaid interns are considered volunteers and are not subject to the ACA, so there is no limit to the number of hours they can work.

Volunteers: The ACA does not apply to volunteers. There is no limit on the number of hours they can work.

If you have any questions about the ACA, employee classifications, work schedules, etc. please contact Human Resources to ensure compliance and to avoid penalties.

Family and Medical Leave Act (FMLA)

In addition to providing paid sick leave to benefitted employees, Orem City also complies with The Family and Medical Leave Act (FMLA) which provides job-protected leave to eligible employees for certain family and medical reasons. FMLA Leave is available to employees who have been employed at least one year for the City and have worked at least 1,250 hours within the previous 12 months. Additional eligibility requirements are discussed in the Employee Handbook.

Notification: Most of the time employees will provide advanced warning of the need to take FMLA leave. This gives the department time to arrange for coverage of the employee’s duties while he is gone. When an employee notifies you, he may need FMLA leave, please direct the employee to the Human Resources Office to fill out the appropriate paperwork. Requests for leave should be submitted at least 30 days in advance unless it is an emergency. In the case of an emergency, such as a sudden illness or injury, the employee or a supervisor should notify Human Resources as soon as possible. An employee may not necessarily know that the time he is taking off may qualify as FMLA leave, so as a supervisor, it is your responsibility to notify Human Resources if you have an employee who is gone for an extended period of time (generally three days or more). Human Resources will determine if the leave qualifies as FMLA and will send a letter to the employee notifying him that he is being placed on FMLA Leave.

Time Cards: While the employee is on leave, the supervisor needs to ensure that the employee’s time card is being entered properly. Employees who have accrued vacation and/or sick leave will typically use up all or part of that time before going on unpaid leave status. The time card turned in by the employee should indicate FMLA Leave for any of the hours that were used for FMLA-related leave—for both paid and unpaid leave. This is necessary so Human Resources can track how much FMLA leave the employee has used. Human Resources must be informed by the supervisor when FMLA time is used in the pay period. FMLA time must be noted in the remarks section of the timecard.

Employee Rights while on FMLA Leave: It is against the law to interfere with, restrain, or deny the exercise of any right provided under FMLA. It is also against the law to discharge or discriminate against someone for requesting or taking FMLA leave. Employers cannot use the taking of FMLA leave as a negative factor in employment actions, such as hiring, promotions,

or disciplinary actions. Be especially careful when conducting a performance review for an employee who has used FMLA Leave during the year. You should only consider the employee's performance while at work, and you cannot rate the employee lower because he has been on leave.

Confidentiality: Medical information that an employee shares with you should be kept confidential and only shared if another person has a need to know. Other employees in the department may be curious when they see an employee taking FMLA Leave. However, the supervisor cannot disclose information about the employee's medical condition. It is fine if an employee wants to share information about their medical condition with coworkers, but a supervisor must not do so and should discourage employees from gossiping about an employee's condition when the employee is not present.

Intermittent Leave: Some employees may prefer to take their FMLA leave intermittently rather than in one specific block of time. As long as it is medically necessary, intermittent leave is permitted for most FMLA situations except for leave taken to care for a child after birth or placement for adoption or foster care. Employees taking intermittent leave should try to schedule their leave in a way that will cause as little disruption to the department as possible. In addition, employees are still required to comply with your department's leave request policy. You do not need to allow an employee to come in late or leave early without prior approval simply because the employee is on FMLA leave. You also have the right to ask an employee about his reason for missing work so you can make sure it is an FMLA-qualifying reason. If you have questions about how to manage an employee's intermittent leave, please talk with Human Resources.

Measures to Avoid FMLA Abuse: These measures may help to avoid the frustration that comes with abuse of FMLA leave:

- Notify Human Resources as soon as possible any time an employee may be eligible for FMLA. This will help ensure that all the time the employee is taking off is counted as FMLA Leave so the employee does not end up taking more leave than he is entitled to take.
- Meet with the employee to discuss the employer and employee rights provided by FMLA. You may also need to discuss the employee's workload and work schedule and how these will be handled while the employee is on FMLA. This is especially important if the employee will be taking intermittent leave.
- Ensure that the employee gives reasonable notice of the need to take leave. Review with the employee your department policy for giving notice of leave so the employee understands what your expectations are for requesting time off. Employees on FMLA should follow the same notification procedures as other employees when they need to leave work or when calling in to say they will not be coming to work. Be sure to apply your policy consistently to all employees.
- Help the employee understand that doctor's appointments taken during work hours should be arranged when it is most convenient for the department. For example, if an employee must schedule doctors' appointments during work hours, you
- could ask the employee to try to schedule appointments on a specific day of the week or during a specific time of the day in order to reduce the strain on the department. Also, once the employee has scheduled a doctor's appointment, he should let the supervisor know the date and time as soon as possible so you can plan for the employee's absence.
- Document all absences, including whether or not the employee followed appropriate procedures for requesting leave, how much notice the employee gave when requesting leave, and the reasons the employee gave for needing leave.
- Talk to the employee immediately if you suspect abuse of leave. Share with the employee your concerns and any facts you have available. Avoid acting solely on hearsay, but if there is reason to suspect problems, digging deeper might uncover some facts. Give the employee a chance to explain and then document the discussion.

Return from Leave: Once an employee returns from FMLA Leave, you must restore the employee to his prior position (or an equivalent position if the prior position is not available) with the same salary and benefits. Employees who took leave for their own serious health condition should not be allowed to return to work until they have provided a Return to Work Form to the Human Resources Office.

FMLA & the ADA: Depending on the type of serious health condition the employee is taking leave for; the employee may be protected by the Americans with Disabilities Act (ADA) as well as FMLA. This could mean that even if an employee uses up all of his FMLA Leave, he may still be eligible for an accommodation (including additional leave) after returning to work. If an employee may require an accommodation in addition to FMLA Leave, please consult with Human Resources.

If you have questions about FMLA, please contact Human Resources to ensure all appropriate steps are followed.

Military Leave of Absence

The Federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) provides employment and reemployment rights for members of the uniformed services, including veterans and members of the Reserves and National Guard, who voluntarily or involuntarily leave their jobs to undertake military service. Under USERRA, service members can take a leave of absence from their civilian jobs for service in the uniformed services (e.g., active duty, training, National Guard duty, etc.). USERRA protects employees' rights to return to their jobs with the same pay, benefits, and status they would have attained had they not been away on duty. USERRA also prohibits employers from discriminating against individuals because of military service.

USERRA stipulates the following when an employee is called to active duty:

- The employee must give oral or written notice to the employer. While no specific amount of advanced notice is required, the employee should be encouraged to provide as much advanced notice as possible.
- An employee performing military duty of more than 30 days may elect to continue employer sponsored health care for up to 24 months but may be required to pay up to 102 percent of the full premium.
- An employee on leave for less than 31 days will continue to receive health care coverage as if he were still employed.
- Upon request, the employee can use any accrued vacation or personal leave instead of unpaid leave. The City cannot require the employee to use vacation or personal leave if the employee does not want to.
- Years of service accrued with Utah State Retirement continue as if continuously employed.
- An employee is eligible for job reinstatement as long as the employee gave prior notice before leaving, total leave taken was less than 5 years (some exceptions apply), the employee was honorably released from duty, and the employee reapplied for his position in a timely manner. ("Timely" depends on the length of the MLOA.)

Upon return from active duty, USERRA mandates the following employee entitlements:

- The City must provide the employee with "prompt re-employment". However, an employer is not required to reemploy a person if the pre-service position was for a seasonal position (brief or non-recurrent period) and there was no reasonable expectation that employment would continue indefinitely or for a significant period.
- The employee must receive the position he would have occupied if not for the MLOA (escalator principle).
- The employee must retain the same (or better) seniority, status, and pay.
- The City must make a reasonable effort to re-train an employee, if needed, so he can perform the essential duties of the job.
- The City must immediately reinstate health, dental, life, and AD&D insurance.
- The City must provide reasonable accommodation for disabilities resulting from active duty.

Steps for Granting a MLOA: Follow these steps when an employee notifies you of the need to take a MLOA:

1. Have the employee provide either verbal or written notice to Human Resources regarding the need for military leave. Written notice is preferable but oral notice is sufficient under the statute. Depending on the length of the leave, the employee may also need to fill out some paperwork.
2. Review the requirements and entitlements of the leave of absence with the employee. If needed, refer the employee to www.dol.gov/vets/whatsnew/uguide.pdf (a 19 page, non-technical guide to understanding USERRA). Remember that the employee is only required to give notice of military leave, not obtain permission to take leave. We do not have the right to veto the timing, frequency, or duration of an employee's military leave even if it is inconvenient for the department.
3. Have the employee indicate whether he would prefer to use paid leave or unpaid leave while on military leave.
4. The supervisor should fill out a PA for the employee stating that the employee is taking a MLOA.
5. Prepare your department for the absence and formulate a plan for when the employee returns. The department, not the employee, is responsible for finding someone to cover a shift for an employee on military leave.
6. When the employee returns, the supervisor should submit a PA indicating the employee has returned from military leave. Any adjustments to salary or position can be done at that time.
7. Send the employee to Human Resources to fill out any applicable paperwork, including signing up for benefits again if the absence was longer than 31 days.

The Americans with Disabilities Act (ADA)

Disability Discrimination and Harassment: The Americans with Disabilities Act (ADA) prohibits discrimination or harassment in any aspects of employment against someone who is disabled according to the ADA's definition of disabled. This could include someone who is currently disabled, has a history of being disabled, or was regarded by the employer as being disabled. The law also protects people from discrimination based on their relationship with a person with a disability. For example, it is illegal to discriminate against an employee because her husband has a disability.

The ADA's definition of disability is complex, so please consult with Human Resources to determine if someone is disabled under the law. Generally, any impairment that substantially limits a major life activity is considered a disability. Impairments can be physical or mental. Some common examples include loss of vision or hearing, back problems, diabetes, cancer, bipolar disorder, depression, or epilepsy. Examples of major life activities include caring for oneself, performing manual tasks, seeing, hearing, sleeping, walking, sitting, lifting, bending, speaking, learning, reading, concentrating, thinking, communicating, interacting with others, working, and major bodily functions such as immune system functions or normal cell growth.

Pregnancy will not typically be considered a disability unless there are complications during the pregnancy. Also, the use of normal contacts or glasses is not considered a disability. Therefore, someone who is pregnant or someone who wears contacts or glasses would not be eligible for an accommodation.

The ADA strictly limits employers when it comes to asking job applicants to answer medical questions, take a medical exam, or disclose a disability. You may not ask job applicants if they have a disability (or about the nature of an obvious disability). However, you may ask applicants whether they can perform the job and how they would perform the job, with or without a reasonable accommodation. Once an employee is hired, you can only ask medical questions or require a medical exam if medical documentation is required to support an employee's request for an accommodation or if you believe an employee is unable to perform a job successfully or safely because of a medical condition. Tests for illegal use of drugs or alcohol are not considered medical examinations, so they are not subject to the ADA's restrictions on medical examinations.

In the case of drug or alcohol use, applicants and employees currently engaging in the illegal use of drugs are not protected by the ADA. However, alcoholism is considered a disability and is protected under the ADA if the employee is qualified to perform his job. This does not prevent you from disciplining or terminating an employee who is an alcoholic when the use of alcohol negatively affects job performance, or a policy is violated. For example, the City's policy states that employees are prohibited from consuming alcohol while on-call or on duty and cannot report to work under the influence of alcohol. An employee considered an alcoholic by the ADA must still follow this policy and can be disciplined for violating it.

Accommodation of a Disability: An applicant or employee who is disabled must still be able to perform the essential duties of the position with or without a reasonable accommodation. Examples of reasonable accommodations include a modified work schedule or work duties, unpaid time off, a modified work space, reassignment to a vacant position in the City, or acquiring or modifying equipment or devices. If an applicant or employee who is disabled requests a reasonable accommodation, we must provide one unless it would cause significant difficulty or expense ("undue hardship"). We do not have to provide the exact accommodation that is requested, and if more than one accommodation would suffice, we may choose which one to provide.

As a supervisor, you need to pay close attention when an employee requests an accommodation or states that he has a condition that is interfering with his ability to function normally. The employee does not necessarily have to use the term "accommodation" when making a request. For example, an employee might say "I'm having trouble getting to work on time because of medical treatments I'm undergoing." This would be considered a request for an accommodation.

Please consult with Human Resources before making a decision about whether or not an employee should be allowed an accommodation. It is important to hold a dialogue with the employee to ensure the employee's needs are met. We must consider each request for reasonable accommodation and determine: (1) whether the accommodation is needed; (2) if needed, whether the accommodation would be effective; and (3) if effective, whether providing the reasonable accommodation would impose an undue hardship on the City.

The duty to provide reasonable accommodation is an ongoing one. If a reasonable accommodation turns out to be ineffective, the employee has the right to request an additional or different accommodation. If there is no alternative accommodation, it might be possible to reassign the employee to a vacant position as long as he meets the minimum qualifications.

Confidentiality: If an employee receives an accommodation, the employee's coworkers may wish to know why that employee is being treated differently. The ADA does not allow supervisors to tell other employees that an employee has a disability or is receiving an accommodation because of a disability. If you are approached by coworkers about another employee's accommodation, you could respond that you will not discuss one employee's situation with another in order to protect the privacy of all employees. You can also assure the coworker that the employee is meeting the department's work requirements.

Discrimination and Harassment Laws

As a supervisor, you are responsible to make sure that applicants and employees under your supervision are treated fairly and respectfully. Make sure you know and follow the City's Equal Employment Opportunity and Unlawful Treatment policy (Employee Handbook 3.1) as well as the Employee Complaint Procedure in the Employee Handbook. It is also helpful for you to be familiar with the many federal employment laws regarding harassment and discrimination. Here is an overview of several of these laws.

Age Discrimination and Harassment: The Age Discrimination in Employment Act (ADEA) forbids age discrimination against people who are age 40 or older in any aspect of employment. An example of age discrimination is forcing an employee to retire or firing an employee for the purpose of replacing them with a younger worker. Under the ADEA, any employment decision should be based upon an applicant's or employee's competency and performance, not their age. It is also unlawful to harass a person because of age. Examples of harassment include making offensive remarks about a person's age or making derogatory comments about older employees' abilities.

Equal Pay/Compensation Discrimination: The Equal Pay Act requires that men and women in the same workplace be given equal pay for equal work. The jobs need not be identical, but they must be substantially equal. All forms of pay are covered by this law, including salary, overtime pay, bonuses, benefits, travel allowances, etc. Compensation is also protected by other laws including Title VII, the ADEA, and the ADA. These laws prohibit compensation discrimination on the basis of race, color, religion, sex, national origin, age, and disability.

Genetic Information Discrimination and Harassment: The Genetic Information Nondiscrimination Act (GINA) prohibits discrimination based on genetic information in any aspect of employment. It also prohibits the use of genetic information to make employment decisions, restricts acquisition of genetic information by employers, and strictly limits the disclosure of genetic information. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about a disease or disorder in an individual's family members (i.e. family medical history). GINA is concerned primarily with protecting individuals who may be discriminated against because an employer thinks they are at increased risk of acquiring a condition in the future. An example of genetic discrimination is if a supervisor did not promote an employee to a job that was stressful because he knew that the employee had a family history of heart disease and was worried that the job stress might cause heart-related problems for the employee.

Under GINA it is also illegal to harass a person because of his genetic information. Examples of harassment include making offensive or derogatory remarks about an individual's genetic information or the genetic information of an individual's family member. In addition, GINA prohibits retaliation (e.g. firing, demoting, harassing) against an applicant or employee for filing a charge of discrimination, participating in a discrimination investigation or lawsuit, or otherwise opposing discrimination.

Many times, an employee will openly share their own or a family member's medical condition with a supervisor during casual conversation. If this happens, it is not a violation of GINA. However, it could be a violation if the supervisor seeks genetic information from the employee in order to discriminate against him. In addition, the supervisor should be careful to avoid disclosing medical information that the employee shared with the supervisor in confidence unless the person you are disclosing the information to has a job-related reason for knowing.

In such instances where genetic information may be lawfully obtained by the City, such as for a Worker's Compensation claim or a FMLA Certification for a Family Member's Serious Illness, any information collected is kept strictly confidential and should not be shared with anyone who does not have a need to know.

National Origin Discrimination and Harassment: Title VII of the Civil Rights Act of 1964 prohibits an employer from discriminating against an applicant or employee in any aspects of employment on the basis of national origin, which includes birthplace, ancestry, culture, accent, or linguistic characteristics common to a specific ethnic group. National origin discrimination can also involve treating people unfavorably because they are associated with a person of a certain national origin or because they have a connection to an ethnic organization or group. It is also unlawful to harass a person because of national origin, such as making offensive or derogatory remarks about a person's national origin, accent, or ethnicity.

An employer can only require an employee to speak fluent English if fluency in English is necessary to perform the job effectively. An "English-only rule", which requires employees to speak only English on the job, is only allowed if it is needed to ensure the safe or efficient operation of the employer's business and is put in place for nondiscriminatory reasons. An employer may not base an employment decision on an employee's foreign accent unless the accent seriously interferes with the employee's job performance.

Race/Color Discrimination and Harassment: Title VII of the Civil Rights Act of 1964 prohibits discrimination against an applicant or employee in any aspects of employment on the basis of race or color. Race discrimination involves treating someone unfavorably because he is of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features). Color discrimination involves treating someone unfavorably because of skin color complexion. Race or color discrimination can also involve treating someone unfavorably because of an association with a person of a certain race or color or an association with a race-based organization or group, or an organization or group that is generally associated with people of a certain color. Harassment can include racial slurs, offensive or derogatory remarks about a person's race or color, or the display of racially-offensive symbols.

Supervisors should be careful to avoid making employment decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals of certain racial groups

Religious Discrimination and Harassment: Title VII of the Civil Rights Act of 1964 prohibits discrimination against an applicant or employee in any aspects of employment on the basis of religious beliefs. Supervisors cannot base a personnel action, such as hiring, promotion, termination, etc. on someone's religious beliefs (or lack of beliefs). The law protects people who belong to traditional, organized religions (e.g., Buddhism, Christianity, Judaism, etc.) and others who have sincerely held religious, ethical, or moral beliefs. Religious discrimination can also include treating someone differently because they are associated with an individual of a particular religion or a religious group. It also includes forcing someone to participate (or not participate) in a religious activity as a condition of employment. Harassment based on religion is also illegal. An example of religious harassment is making offensive remarks about a person's religious beliefs or practices.

Title VII requires an employer to reasonably accommodate an employee's religious beliefs or practices unless doing so would cause significant difficulty or expense ("undue hardship"). This means an employer may be required to make reasonable adjustments to the work environment that will allow an employee to practice his religion. Examples of accommodations include flexible scheduling, voluntary shift substitutions or swaps, job reassignments, and modifications to workplace policies or practices, including dress or grooming policies. If an accommodation would cause undue hardship it does not have to be granted. An accommodation may cause undue hardship if it is costly, compromises workplace safety, decreases workplace efficiency, infringes on the rights of other employees, or requires other employees to do more than their share of potentially hazardous or burdensome work.

If you have an employee requesting a religious accommodation that you believe constitutes an undue hardship, please consult with Human Resources before denying the employee's accommodation request. An analysis should be conducted to identify the specific cost or other impact of the accommodation request. Then the request and the reasons why the request is denied must be documented.

Sex Discrimination and Harassment: Title VII of the Civil Rights Act of 1964 prohibits an employer from discriminating against an applicant or employee in any aspect of employment based on sex. Sex-based discrimination is broadly defined. It includes treating someone unfavorably because of that person's sex as well as treating them unfavorably because of a connection with an organization or group that is generally associated with people of a certain sex.

It is also unlawful to harass a person because of that person's sex. Examples of harassment include unwelcome sexual advances, requests for sexual favors, verbal or physical harassment of a sexual nature, workplace conditions that create a hostile working environment, or even offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and harasser can be either a woman or a man and the victim

and harasser can be the same sex.

Specific examples of sexually offensive language and conduct could include: leering; whistling or catcalling; pinching or patting; unwelcome hugging; leaning over someone for a better view; soliciting someone to sit on your knee, hug you, or kiss you; sexual comments about an individual's clothing: e.g., "I sure like the way those pants fit."; brushing up against someone; vulgar or obscene jokes, language, emails, or text messages; derogatory jokes or comments aimed at a specific gender; repeatedly asking someone for a date after being turned down; recounting one's sexual exploits to coworkers; referring to someone in demeaning terms (e.g., "honey," "sweetie," "hunk," etc.); displaying crude jokes and pictures; revealing parts of your body in violation of common decency; spreading rumors (true or untrue) about the sex life of another employee; grabbing or tearing someone's clothing; and physically forcing sexual activity on someone.

Sex-based discrimination and harassment also encompasses discrimination against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth ("pregnancy discrimination"). If a woman is temporarily unable to perform her job due to a medical condition related to pregnancy or childbirth, the employer must treat her the same as any other temporarily disabled employee. For example, the employer may have to provide modified tasks, alternative assignments, disability leave or unpaid leave. Pregnant employees may also have additional rights under the FMLA. Employees who are pregnant can talk to Human Resources about the potential for FMLA Leave and disability benefits.

Additional Note about Discrimination: Under Title VII, the ADA, the ADEA, GINA, and Utah Code 34A-5, it is illegal to discriminate in any aspect of employment. "Any aspect of employment" includes hiring and firing; compensation, assignment or classification of employees; transfer, promotion, layoff or recall; job advertisements; recruitment; testing; use of company facilities; training and apprenticeship programs; fringe benefits; pay, retirement plans, and disability leave; or other terms and conditions of employment.

Discriminatory practices under these laws also include retaliation against an individual for filing a charge of discrimination, complaining to an employer about discrimination on the job or participating in an employment discrimination proceeding (such as an investigation or lawsuit). For example, it is illegal for an employer to refuse to promote an employee because he filed a charge of discrimination with the EEOC, even if the EEOC later determined no discrimination occurred.

Additional Note about Harassment: Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee, such as a client or customer. (The "hostile environment" standard applies to harassment on the basis of sex, race, color, national origin, religion, age, and disability.)

Supervisor's Responsibility: As a supervisor it can be difficult to determine if a behavior crosses over into harassment because so much depends on the perception of the victim. Harassment occurs when the behavior is unwelcome and does not take into account the intent of the behavior. Supervisors need to be aware of what is going on in their workplace and instruct employees on appropriate workplace behavior. Some behavior which is appropriate in a social setting may not be appropriate in the workplace. As a supervisor you have the following responsibilities:

Understand: Become familiar with City policy regarding discrimination and harassment and what is prohibited and/or inappropriate in the workplace. If an employee comes to you with an issue address it immediately. If you do not feel comfortable addressing the issue refer the employee to any of the resources listed on the City's Employee Complaint Procedure, including department directors, Human Resources personnel, or the City Attorney.

Observe: Know what is going on in your workplace. Do not distance yourself from the work environment. This may not always be convenient, but you are responsible as a supervisor for knowing what is going on with your employees.

Model: Be an example to your employees of appropriate behavior at all times.

Train: The Human Resources Office provides City-wide harassment training periodically. However, supervisors should also address the topic of discrimination and harassment with employees on a regular basis to ensure that employees remember what behavior is appropriate. This also lets employees know that you, as a supervisor, take this issue seriously and you expect them to do the same. Discuss inappropriate actions when they first occur and seem minor—**do not** let minor

incidents “slide by.” Use one-on-one situations as a chance to train employees what is appropriate and inappropriate in the workplace.

Veteran’s Preference

Supervisors should also be aware as they are going through the hiring process that Utah law requires us to grant Veteran’s Preference to eligible applicants. There is a place on the application where applicants can indicate they are eligible for Veteran’s Preference. They must also attach form DD-214 which provides proof of their military service. If the DD-214 form is not attached, you are not required to give Veteran’s Preference. The requirements to claim Veteran’s Preference are found in Utah State Code Title 71 Chapter 10. If an applicant meets the eligibility requirements and meets the minimum qualifications for the position, the law requires that we grant the applicant preference during the selection process. If the process includes some type of examination or other ranking mechanism, a qualifying veteran should have his score increased by 5% while a qualifying disabled veteran should have his score increased by 10%. The spouse of a qualifying veteran is also eligible for the same increase—either 5% or 10%. If no examination or ranking mechanism is used and the process simply consists of an interview, the supervisor must document that some type of preference was granted. For example, if you might not normally interview the applicant because he is not one of the most qualified applicants, one way of showing preference would be to grant him an interview. Or if you have two final candidates who are equally qualified, but one is a veteran, you could show preference by hiring the veteran.

Veteran’s Preference only applies to the initial hiring process. It is not granted during any type of promotional process. If you have questions on Veteran’s Preference as you are going through the hiring process, please consult with Human Resources. Refer to Employee Handbook 3.16. Veteran Preference for more information.

Responding to Employee Complaints

Below are some guidelines for responding to complaints of discrimination, harassment, or other illegal treatment.

Respond Immediately: Although care must be taken to proceed appropriately, it is important that the investigation begin immediately. Contact Human Resources to determine how to proceed.

Take All Complaints Seriously: Receiving notice of a complaint does not require you to be given a formal written notice by the victim. Any time you are concerned that something inappropriate may be occurring in the workplace, it is your responsibility to deal with it immediately. In addition, realize that what you find offensive may be different from others and you must take all complaints/concerns seriously. The courts use a “reasonable person” standard in making rulings. This means they look at whether or not a “reasonable person” would find the conduct offensive.

Stay Neutral: You should not only be concerned about failing to deal appropriately with the victim’s complaints, but also about the rights of the person being accused. Make no judgments or determinations until all the facts have been gathered and considered completely.

Make No Promises: At this stage all you can do is assure the victim that you will investigate the complaint quickly and completely before making any determination. To the extent possible, the employee’s confidentiality and that of any witness and the alleged harasser will be protected against unnecessary disclosure.

This list of questions is a good starting point in your initial fact-gathering interview:

1. Who committed the offensive behavior?
2. What was the specific behavior?
3. When and where did the incident(s) occur?
4. Were there any witnesses?

5. Did the incident occur more than once?
6. Does the person making the complaint have any idea why the offensive behavior occurred?
7. What is the history of the relationship between complainant and the alleged harasser? Were they friends?
Casual acquaintances?
8. Has this type of incident ever happened before?

For more information on how to respond to employee complaints, refer to the Employee Handbook, 1.5. Harassment Policy for more information.

Part V: Performance Management

Introduction

Performance management is not a one-time event; it is an on-going process. One of the main steps in a performance management system is conducting a formal performance evaluation, which is the systematic observation, appraisal, and description of work-related behavior. Evaluations are used for a variety of reasons including employment decisions regarding pay rates, promotion/demotion decisions, development of job standards, and employee development. While most employees do not enjoy the performance evaluation process, they do appreciate getting regular, honest feedback about their performance. Supervisors cannot guarantee that an employee will agree with the supervisor's evaluation, but they should do their best to make the performance evaluation process fair, objective, and accurate.

A performance evaluation is also a good time to discuss any employee discipline issues that arise and set goals for overcoming these problems (although this can and should be done throughout the year as well if there are problems). Although it is unpleasant to discipline employees, it is a necessary part of being a supervisor. In order for the discipline to be effective, a supervisor must follow the City's discipline procedure and document all observations and actions taken. Please refer to 3.24. Disciplinary Procedure for more information.

The pages that follow will introduce you to performance evaluations and discipline procedures.

Performance Evaluations

The annual performance evaluation is just one step in the overall performance management system. Supervisors can use evaluations to review employee performance and to reiterate expectations for the employee. Evaluations let employees know where they stand, what they are doing well and what they can do better. If used effectively, evaluations should motivate employees to continually improve.

Purpose of a Performance Evaluation: Performance evaluations are important because they directly communicate the City's expectations to the employee and require both the employee and the supervisor to take responsibility for continued improvements and high-quality performance. All of the following can be accomplished through the performance evaluation process:

- Inform employees about their strengths and weaknesses so they can succeed in their jobs
- Identify training and development needs

- Document supporting material for employee actions
- Identify special skills, abilities, interests, and opinions of the employee
- Recognize the employee's good performance and accomplishments
- Identify merit increases (if applicable)

Performance Evaluation Policy: Performance evaluations should be performed for all full-time and part-time benefitted employees annually. Each year, you will receive a notice from Human Resources requesting performance evaluations to be submitted by a given date so that pay-for-performance increases, if any, can be administered on July 1. Supervisors are not required to conduct formal performance evaluations for seasonal or variable flex (<30 hrs/wk) employees but may do so if they choose. Keep in mind that evaluations are only one aspect of overall performance management. There should be frequent, informal discussions with employees through the course of the year so that any problems discussed during the formal performance evaluation do not come as a surprise.

The employee and supervisor should discuss and sign the performance evaluation. The Department Director must also review and sign the performance evaluation before any salary action or corrective action may be taken.

Conducting a Performance Evaluation: Follow these suggestions to conduct a successful performance evaluation.

1. **Preparation:** Before meeting with the employee, review the employee's prior performance evaluations, including any notes or records you have kept regarding the employee. This could include training records, disciplinary actions, letters of commendation, etc. Think about the strengths, attributes, and qualities the employee demonstrates and what strengths, attributes, and qualities the employee needs to develop. Also review what the employee is looking to accomplish in their career, what future needs the City has for the employee, and how the employee can prepare for those needs. Finally, review the employee's job description yourself and with the employee so both of you are starting with the same expectations of what the employee is responsible for.
2. **The Meeting:** Understand that the employee will most likely be nervous so your first action should be to put the employee at ease. Choose a location that is private where the employee will feel comfortable talking to you. You might consider meeting in a neutral location, such as a conference room, or sitting at a table rather than a desk so you can have a side-by-side seating arrangement.

Provide a brief introduction where you cover: (1) The importance of the discussion; (2) The evaluation process; (3) Any ground rules such as keeping the discussion two-way; and (4) The benefits of holding performance evaluations. Give a general, overall impression of the evaluation. This prepares the employee for what is ahead in the discussion. Discuss each dimension rated separately. Be specific. Try to give details and examples of behavior along with the ratings so the employee understands what you are trying to tell them. Begin with a discussion of strengths and then identify areas of performance weakness. In order to avoid putting the employee on the defensive, talk specifically about performance and avoid attacking the individual personally. Offer reassurance when possible; however, do not downplay the seriousness of the weakness. Listen to the employee and seriously consider the things they tell you. You should also solicit feedback from the employee on how you are doing as their supervisor and what you can do to help them be successful in their job.

After the employee's performance has been discussed, the supervisor and the employee should work together to set the employee's goals for the next evaluation period. Goals should be (1) Concise; (2) Specific and measurable; (3) Realistic-- it can be destructive if objectives are always just out of reach; and (4) Valuable to the City, the department, and the employee.

Finally, make sure that at the end of the meeting, your expectations for the employee are clear. Set a date for the next check-in meeting.

4. **Document:** During or after the meeting, you should document the things you discussed with the employee. If there is a specific aspect of the employee's performance that needs to be addressed, work with the employee to develop a written improvement plan. Plans for improvements may address (1) Improvements that must be made due to performance weaknesses; (2) Improvements that could be made to raise performance; and (3) Skills needed for a new responsibility. Be sure to include a description of the improvement, a timetable for achieving the desired results, specific actions to be taken

to accomplish the improvement, how the improvement will be measured and consequences of not improving.

Have the employee sign the performance evaluation and the improvement plan (if applicable) and give the employee a copy. A copy of all performance evaluations and supporting documentation should also be sent to the Human Resources Office to be placed in employees' personnel files.

5. **Follow-Up:** Be sure to follow-up with the employee on a regular basis during the year. Provide feedback and encouragement to employees. If an employee is not following the improvement plan that was created during the performance evaluation, additional disciplinary steps may need to be taken.

For more information on Conducting Performance Evaluations see *Appendix "Things to Avoid When Conducting Performance Evaluations"* and *"SMART Goals"*.

Giving Negative Feedback: It is often difficult for supervisors to tell an employee that they are not performing well. As a result, many below-average employees go for years receiving average or above-average performance ratings because it is easier for the supervisor to score the employee high than deal with a performance problem. Supervisors have a responsibility to be honest and accurate during performance evaluations, no matter how difficult or uncomfortable it is.

Ignoring performance issues and rating an employee higher than he deserves on a performance evaluation can cause unforeseen problems later on. There have been instances when an employee's behavior and performance continue to decline to the point that the supervisor concludes that there is no other option than to terminate the employee. However, the supervisor runs into problems justifying the termination, because in an effort to be kind, the supervisor rated the employee average or high on all of their performance reviews. As a result, there is no documentation showing the employee's poor performance. Although it is difficult to address performance problems, just remember that you are not doing the City or the employee any favors when you ignore performance problems. Small problems that are ignored often turn into large problems.

Dealing with Disagreement: Employees will not always agree with your assessment of their performance. In these situations, remember that the key purpose for the performance evaluation is to allow the supervisor to assess the employee's performance and communicate to the employee how well the employee is meeting the supervisor's expectations. An agreement is not necessary, but the following steps may be helpful when a disagreement occurs:

- Be open and respectfully listen to the employee's perspective.
- There is no shame in changing your view or perspective if the employee shares information that you had not previously considered.
- At the end of the review, if you still do not agree, document the area of disagreement.
- Explain to the employee that he has the right to attach documentation to the performance review to back up his side of the disagreement.

For a step by step guide on how to do a performance evaluation using the Orem toolbar, please watch the presentation [here](#) or on the [intranet](#) under the Supervisor Section.

See Employee Handbook 3.22 Performance Evaluations for more information.

Disciplinary Action

Orem City employs an excellent workforce. However, occasional performance problems arise in any organization which requires disciplinary action. Oftentimes, problems may occur simply because an employee does not know what is expected of him or is not being held accountable for meeting those expectations. Supervisors and employees should be clear on City policies outlined in the employee handbook as well as any department policies. See Employee Handbook 3.24 *Disciplinary Procedure* for more information.

Because employees may often respond to discipline by accusing supervisors of being "out to get me," it is essential that supervisors remain fair and consistent when dealing with employee disciplinary issues. Supervisors should address

problems as they arise and treat all employees consistently. There is a tendency for supervisors to delay disciplinary decisions. However, practical and legal problems tend to grow if not handled when the problem arises.

Types of Disciplinary Actions: Should an employee's performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory, corrective or other disciplinary action should be considered. The type of discipline given will depend on the specific reason for the discipline (e.g., bad attitude, policy violation, etc.), employee's past job performance, any prior discipline given, and how other similarly situated employees have been treated.

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.

Verbal Reprimand: A discussion of the employee's job performance designed to provide constructive feedback without further discipline. This is an opportunity to warn the employee that their job performance needs improvement and make sure the employee has a clear understanding of the supervisor's expectations. The supervisor should be honest and straightforward with the employee and set specific goals for improvement and that the violation or behavior is unacceptable and that any repetition may lead to stronger disciplinary action. While the supervisor may not want to put a formal warning in the employee's file, the details of the meeting should be written down and maintained in the supervisor's records.

Corrective Interviews: A discussion between the supervisor and employee regarding violations. Prior to the meeting, the supervisor will develop a written corrective plan that includes target dates for the correction of the work issues by the employee. A discussion will take place privately (preferably in a neutral location) where you will clearly explain the violation and your expectations moving forward using the corrective plan. The plan will be reviewed and signed by the employee and a copy will be placed in the employee's Human Resource file.

Written Reprimand: The supervisor, in writing, indicates violations and specific actions the employee is to take to correct any violations. In the written reprimand, it is recommended that a warning is provided that formal disciplinary action may result if corrective action is not taken by the employee. The supervisor will provide the employee with a copy of the written reprimand. The employee will sign the written reprimand and be given a copy for their records. A copy of the written reprimand and any other documentation to support the reprimand, will be given to the Human Resources Office to be placed in the employee's personnel file.

The above informal types of actions are intended to correct a problem without the severity of a formal disciplinary action. See Employee Handbook 3.24.1 Informal Action for more information.

Formal Disciplinary Action: Any formal disciplinary action will be initiated and imposed at the Division Manager level or above. Examples of formal disciplinary actions are: suspension without pay, reduction in salary, demotion to a lower job classification, dismissal, or any combination of the above. For all disciplinary actions including dismissals, the supervisor will follow the steps provided in 3.24.2.2 Formal Disciplinary Procedure in the Employee Handbook. Formal Warning: A strong warning against repetition and of the consequences of repetition. This will be accompanied by a letter or another type of written warning notice. It is recommended that disciplinary letters are approved by the Department Director, or designee, prior to being given to the employee. Your department may have its own form or letter template to issue a formal warning, or you can use the template in the *Appendix*. Copies of disciplinary letters are required to be sent to Human Resources to be placed in the employee's personnel file.

Suspension: Disciplinary time off without pay. All suspensions require the approval of the Department Head or designated representative. Prior review of the facts with Human Resources is also recommended to assure fair and consistent employee treatment. Remember that suspensions with pay (administrative leave) can be used during disciplinary investigations to separate hostile employees.

Demotion/Reduction in Pay: Assignment to a job of a lower grade and/or a decrease in salary. This action must be approved by the City Manager or Department Director. Demotion is usually considered in cases in which the employee is not performing well in a higher-level job but would likely be able to perform adequately in a different job. Because these actions are often appealed, Human Resources or the City Attorney's Office should be consulted before action is taken.

Termination (Dismissal): Employment termination for reasons other than lack of work or completion of a term of temporary employment. Termination is generally reserved for disciplinary problems of a repetitive or very serious nature. Any termination should be reviewed by Human Resources and the City Attorney's Office before action is taken.

Documentation of Discipline: It is not possible or advisable to make notes every time an employee makes a mistake. However, as problems reoccur or become more serious, good records are invaluable. Documentation may differ with each situation; however, is usually most helpful if it shows when and how (1) the employee knew what performance was expected; (2) the employee failed to appropriately perform; (3) the employee was counseled, warned, and previously disciplined; (4) performance problems were addressed in periodic evaluations; (5) performance problems continued; (6) the employee was given a chance to respond to accusations of improper conduct; and (7) the final decision to discipline was reached.

It is also important to write down the reasons for your decision to discipline an employee. These "findings" help reviewing authorities to understand and uphold your decision.

An important part of documenting discipline is to talk to the employee about the problem and then make notes about your conversation, including what was discussed and what expectations were established. Don't wait until you have a long list of issues to discuss with the employee. In most cases, it will be more effective to talk to the employee as soon as you notice a problem. That gives the employee an opportunity to quickly correct their behavior while the incident is still fresh in his mind and your mind.

See the *Appendix* for sample worksheets you can use to document employee behavior.

Employee Termination Process

When an employee stops working for the City, it is called termination. There are basically three types of termination: voluntary termination means the employee is choosing to leave the City and has submitted their notice; involuntary termination means an employee has been told to leave—either because the employment is being fired or because the work is completed (such as a seasonal position); and retirement means the employee is eligible to retire from the City. Employees terminate for many reasons. Regardless of the reason, all employees must follow certain steps in the termination process. As a supervisor, please help your employees through this process.

Termination Checklist: Each department likely has their own termination checklist which should include turning in keys, equipment, and ID badges. All benefitted employees should come to Human Resources to complete their termination paperwork, complete an exit interview, and turn in any items that were not already returned to the department. Variable flex employees who are involuntarily terminated are also required to come into Human Resources before receiving their final paycheck.

Termination PA: The department must turn in a PA for each terminating employee. The PA should indicate the reason for the termination and include any related attachments, such as the employee's letter of resignation or any disciplinary documentation if the termination is for cause. Also indicate whether or not the employee has returned all City property, so Human Resources knows whether to hold or release the employee's final paycheck.

Final Paycheck: The employee's final paycheck should be held until all required items are turned in and the appropriate paperwork is filled out. Any unused vacation or comp-time will be paid out with the final paycheck. However, any unused sick leave is not paid out to the employee. Please let employees know that their final paycheck will be available on the next regular pay day if it is a voluntary termination. If it is an involuntary termination, then the employee will receive their final paycheck within 24 hours of involuntary termination.

Part VI: Purchasing and Budget Management

Introduction

This section of the Supervisor's Guidebook provides a brief summary of the City's Purchasing Ordinance and budget procedures. Depending on your duties, you may be required to deal with these processes.

Some supervisors may also be directed by their Department Director to use a City-issued purchasing card for certain purchases. If so, you need to be familiar with the City's purchasing card usage procedures and policy.

Purchasing Procedures

Please refer to the purchasing ordinance found [here](#) for detailed information on purchasing requirements and procedures. The Finance Department has created a purchase order training that you can access [here](#) or in the Supervisor section of the intranet. You can also contact the Finance Department for more information.

City-Issued Purchasing Cards

Some employees may have a need to use a City purchasing credit card. A cred card may be obtained from the Finance Director after receiving Department Director and/or City Manager approval.

Employees who use City purchasing cards are responsible to make sure that sales tax is not charged on purchases and that all receipts are kept. City credit cards should only be used by City employees for approved City business. Refer to the Employee Handbook 1.23. Purchasing Card Usage Policy for more information.

Budgets

Supervisors who have budget responsibility should familiarize themselves with the City budget found in the budget book. Please contact the Finance Department for more detailed information.

Part VII: Safety and Risk Management

Introduction

Employee safety is an important issue that can have a serious impact on employees and employers alike. Unsafe working conditions or practices can result in personal injury, damaged property, decreased work productivity, and financial costs such as medical expenses and increased insurance premiums. Supervisors have a responsibility to help their employees follow safe work practices in order to help prevent on-the-job accidents. However, because all accidents cannot be prevented, supervisors must also understand what to do when an accident does occur. The following pages discuss safety practices, drug testing, and workers' compensation. This information will help employees and supervisors know the steps they need to take and what information must be reported when an employee is sent for drug testing, is injured, or has an accident.

Another important aspect of employee safety is to know how to respond in the event of an emergency, such as a fire or earthquake. This section identifies resources supervisors can use to prepare themselves and their employees to respond in an emergency situation.

Workplace Safety

Orem City is committed to providing a safe and healthy working environment. Safety policies are based on a sincere desire to protect the health and safety of employees and the public and should be given the highest priority in the performance of daily tasks. Supervisors have a responsibility to not only follow all applicable safety policies and practices themselves, but also to ensure that all employees under their supervision do the same. Supervisors should demonstrate to employees by words and actions that they are committed to safe workplace practices. This includes training employees on the following:

- Using the safety equipment which has been provided in performing daily work assignments.
- Wearing the prescribed uniform and safety shoes as required.
- Not operating equipment or using tools for which training, or orientation has not been received.
- Warning co-workers of unsafe conditions or practices they are engaged in which could lead to or cause an accident.
- Reporting defective equipment immediately to a supervisor.
- Reporting all injuries and accidents regardless of severity.
** Departments are responsible to forward these reports to the Risk Manager.
- Taking care not to abuse tools and equipment so that these items will be in usable condition for as long as possible, as well as to ensure that they are in the best possible condition while being used.

Supervisors must take appropriate corrective action on all safety hazards, unsafe work practices, and unsafe conditions that are called to their attention. Supervisors permitting unsafe practices or violations of City safety policies may be subject to disciplinary action along with the offenders.

Fitness for Duty: If there are reasonable grounds to suspect an employee is unfit for the assigned work duties, the supervisor should prohibit the employee from working until medical or other evidence indicating the employee's fitness is secured.

Supervisors should also remind employees that use of any prescription or over-the-counter drug that may impair performance of duties should be reported to the supervisor. A determination can then be made on whether or not the employee should be allowed to continue performing his duties.

Safety Belt Usage: Supervisors are also responsible to ensure that all employees use available safety belts and shoulder restraints at all times when traveling on City business in a City-owned vehicle or in a private vehicle being used for City business.

For additional safety information refer to the Employee Handbook section 2 Risk Management Policies.

Drug Testing

Orem City is a drug-free workplace. The City is dedicated to protecting the safety of employees and the public by removing the adverse effects of alcohol and drug use on job performance. Although it may be unpleasant to send employees for drug testing, it is an important duty of supervisors and helps keep the workplace safe. The Employee Handbook section 1.2.8 provides the City's policy for Drug screenings including the steps for testing an applicant or employee for drugs and/or alcohol as well as discipline procedures. See Employee Handbook 1.2 Drug and Alcohol-Free Workplace for more information.

Instances during employment when an employee may be required to take a drug test are discussed below.

Pre-Employment Testing: All new hires are required to take a drug test as a condition of employment. Drug testing will be coordinated by the Human Resources Office. Employees must not begin working until Human Resources notifies the supervisor that the results of the drug test are negative.

Random Drug Testing: All employees who are working in safety-sensitive positions will be subject to random drug and alcohol testing. Safety sensitive positions are, but not limited to:

- Community Service Officer
- Dispatcher
- Evidence Custodian/Technician
- Fire Battalion Chief
- Fire Captain
- Fire Engineer
- Fire Marshall
- Fire Prevention Specialist
- Fire Chief
- Firefighter/Paramedic
- Lead Dispatcher
- Lifeguard
- Police Sergeant
- Police Lieutenant
- Police Officer
- Police Chief
- Police or Fire Division Manager
- Reserve Police Officer
- Swim Instructor
- Victim Assistance Coordinator
- Building Inspectors
- Employees required to have a CDL
- Water Quality Supervisor
- Secretary (only those positions assigned to the Utah County Major Crimes Task Force)

Reasonable Suspicion Testing: A supervisor may determine there is reasonable suspicion for testing an employee based upon observation. Reasonable suspicion means a belief based on articulable, specific facts that an employee is under the influence of drugs or alcohol. Examples of circumstances that may justify reasonable suspicion include, but are not limited to, a pattern of abnormal or erratic behavior; information provided by a credible source; direct observation of drug or alcohol use; or a presence of physical symptoms of drug or alcohol use (e.g., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes). Reasonable suspicion does not mean you have proof, only suspicion based on observations. See the *Appendix* for information on how to determine reasonable suspicion.

Some employees may be taking legal over-the-counter or prescription drugs that could still impair their ability to function safely in the workplace. Employees are responsible for notifying a supervisor of any substance they are taking that could cause impairment. In such cases, supervisors have the responsibility to prevent employees from performing duties that could result in accident or injury due to the impairment.

Refer to the Employee Handbook section 1.2.4 for more detailed information.

Post-Accident: An employee who is at fault in an accident while on the job is 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
2. The employee receives a citation under state or local law for a moving traffic violation arising out of the accident
3. An accident involving substantial property damage

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

Refer to Employee Handbook 1.2.5. Post-Accident Testing for more information.

Refusal to Consent: Any employee who refuses or fails to consent to a drug and alcohol test when requested may be subject to disciplinary action up to and including termination see 1.2.6 Policy in the Employee Handbook. The reason for refusal will be considered in determining the appropriate disciplinary action. A job candidate who refuses to consent to a drug test will be removed from the applicant pool and cannot be considered for the position.

Notification of Test Results: Test results will be received by the Human Resources Office. The Human Resources Office will notify the supervisor of the results.

Positive Test Results: A positive test result is a sign that there may be a problem with the candidate or current employee's ability to do the essential functions of the job.

Job Applicant: If an applicant tests positive for drugs, the supervisor should explain to the applicant that they will not be hired as a result of their drug test. The supervisor can also tell the applicant that they are welcome to apply for future jobs with the City but if selected they can expect to be drug tested again.

Variable flex, seasonal employees and reserve police officers will be terminated immediately upon notice of a positive test result

Full-Time Employee: If a current full-time employee tests positive for drugs or alcohol the supervisor should immediately consult with the Department Director and Human Resources to determine a course of action. The supervisor will immediately relieve the employee from their duties with pay until such a time can be confirmed that the employee is able to safely perform their duties. Depending upon the circumstances, the employee may be placed on administrative leave, and given a notice of intent to suspend without pay. In certain circumstances, the Department Director or Division Manager may determine that conditions are sufficiently serious to warrant a termination of employment. The Employee Handbook section 1.2.8.3 provides further guidance.

Drug and alcohol test results are confidential and should not be discussed with anyone who does not have a need or right to know. See Employee Handbook 1.2.9 Confidentiality of Test Results for more information.

Workers' Compensation

As a supervisor, you are responsible for understanding the procedures to follow if you have an employee who sustains a work-related illness or injury. The Employee Handbook has a Risk Management section which outlines the appropriate steps to take a work-related illness or injury occurs. Supervisors should make sure their employees understand that the emergency room should not be used except in the case of a life-threatening injury or if all other facilities are closed. Refer to 2.4 Worker's Compensation in the Employee Handbook for more information.

Emergency Management

The City has an Emergency Manager who is responsible for preparing the City to deal with a variety of emergency situations. If an emergency were to occur in the workplace, supervisors have a responsibility to make sure their employees know the correct response. At the end of this guide, there are some resources the City has prepared to address emergencies. If you have questions regarding Emergency Management, contact the City's Emergency Manager.

Evacuation Plan: Each supervisor should understand what to do in the case of a fire or other emergency that requires an evacuation of the building.

Part VIII: Appendix



**CITY OF OREM
PERSONNEL REQUISITION**

Department: _____

Division: _____

Job Title: _____

Number Requested: _____

Full Time

Flexible

Desired Hire Date: _____

Part Time

Seasonal

Person(s) to be replaced: _____

Last day of work: _____

Cause of vacancy: _____

If termination, give reason: _____

Desired Recruiting Area:

City employees only

Utah County

Statewide

Other: _____

ADDITIONAL INFORMATION: Please give specific information concerning the position that the Human Resources Office should be aware of i.e., work schedule or hours, special skills, knowledge or requirements an applicant should have to apply for this position. Also, list any special recruitment areas you feel would be helpful in advertising for this position.

Department Director: _____

Date: _____

City Manager: _____

Date: _____

HR OFFICE USE ONLY:

Date requisition received: _____

Date position opened: _____

Closing date: _____

Applicant(s) hired and date: _____

Human Resources Officer

Date



Selection Checklist

HR Contact: _____

Position: _____

Closing Date: _____ Current Date: _____

Date Offer was Accepted by Applicant: _____

Please complete and return this sheet with the applications and all related documentation to the HR office upon completion of the selection process.

A. Screen the Applications - HR has screened out applications not meeting minimum qualifications

- _____ Decide what criteria you will use to screen the applications
- _____ Select the top applicants to be interviewed
- _____ Conduct phone interviews/screening if desired

B. Interviewing and Assessing

- _____ Decide on a written test (please see HR to discuss test) or practical exercise if needed
- _____ Decide what criteria you will use to rate the candidates
- _____ Establish and have HR review interview questions
- _____ Select an interview team
- _____ Interview Applicants - Document process; notes and ratings need to be returned to HR with the applications.
- _____ Select top applicant(s)

C. Reference Checking

- _____ Conduct reference checks

D. Decision and Offer

- _____ Conduct second interview if necessary
- _____ Make conditional offer to applicant and ask them to come to HR within 24 hours of offer for paperwork and testing
- _____ Complete Personnel Action Form (PA)

E. Return the following forms to the HR Office:

- _____ Selection Checklist
- _____ All applications
- _____ Application screening criteria
- _____ List of applicants interviewed and hired
- _____ Interview questions, answers, notes and ratings
- _____ Copies of tests/assessments and results
- _____ Reference check documentation
- _____ List of applicants to whom letters should be sent
- _____ Hiring List (if applicable)
- _____ Personnel Action Form (PAF) for newly hired employee

Job Related Interview Questions

A variety of job-related questions are listed below. You may find some of these questions helpful in obtaining information from applicants. Questions should be directed to determine work related skills. Avoid questions that could be construed to be discriminatory such as questions related to race, color, national origin, sex, religion, age or disability.

Questions to learn How the Applicant Regards Current or Past Positions

- Tell me about your present (last) position? How would you describe a typical workday?
- What are the duties in your present job? What percentage of time do you spend on each duty?
- What activities did you most enjoy and least enjoy at your present (last) job?
- If you had the opportunity to change two things in your present (last) job, what would they be?
- What do you consider the most critical elements in the successful performance of your present (last) job?
- Why do you think you were successful in your present (last) job?
- What do you feel you do best and why? What job functions are the most difficult for you and why?
- What problems do you encounter on the job? Which frustrate you the most? How do you deal with them?
- What was your greatest contribution in your present (last) position?
- What do you consider your greatest accomplishment in a work environment and why?
- What is the most difficult task you have had to complete?
- How have you improved your position from the one you originally accepted?
- What is the single most important idea you have contributed to your present (past) job?
- How have your previous jobs prepared you for more responsibility?
- Tell me about your last performance appraisal: In which area were you most disappointed?
- What are your boss's title and functions? What type of supervision do you have?
- Describe the reporting structure of your present (last) job.
- What are the reasons you are leaving your present job (left your last job)?

Questions to Find Out about the Applicant's Education, Training, and Military Service

- Have you graduated from high school?
- What was your overall grade point average? Do you feel your grades are a fair reflection of your work? If not, why not?
- Have you attended college? If so, what did you study, and have you completed your course of study?
- Would you pick the same course of study again?
- What courses did you do best in at college? Why? What course did you have the most trouble with?
- What course did you like the best? What course did you dislike the most? Why?
- Were you involved in extracurricular activities? If yes, which ones?
- What did you like best about school?
- Do you feel your education was worthwhile?
- How did you happen to change to a different school (if applicable)?
- Why did you enlist in the military?
- Why did you choose the branch you did? What was your rank or grade?
- Did you ever consider making a career in the military?
- Why did you leave the military at the time you did?

Questions to Explore Applicant's Aspirations

- What is important to you in a job? What would you like to avoid?
- What do you want from this job that is lacking in your present (last) job?
- What position do you expect to hold five years from now? How does this position fit in with your future career plans?
- What are your career goals? What are you doing to achieve your career goals?
- What are your salary expectations? On what do you base them?

Questions to Probe the Applicant's Relationship with People

- With whom do you deal on a regular basis within your office?
- How would you describe your supervisor? What are your supervisor's greatest strengths and weaknesses?
- In what ways has your supervisor supported your performance?
- For what things have you been praised? Criticized?
- How would you characterize your coworkers?
- What disagreements have you had with your coworkers?
- How would you describe your relationships with people in other departments?
- Describe your relationship between you and your present supervisor.
- What kind of people do you enjoy working with? What kind of people do you find difficult?
- What do you consider essential in the management of people?
- What types of committees have you worked on? What did you contribute?
- Do you supervise others? How many? Describe your style of supervision.
- How do you feel about working as part of a team?

Questions to Stimulate Self-assessment

- What specific strengths do you have that would particularly assist you in doing this job?
- In what areas would you most like to improve? Why? Have you done anything to improve these areas?
- What motivates you?
- How do you go about making important decisions?
- Why did you select this particular field of work?
- If I asked your boss to evaluate your performance, what would he/she say?
- What did you do on your last job to make yourself more effective?
- If you are hired, what kind of attendance record can we expect?
- Is there anything that will hinder you from getting to work on time?
- What reservations should I have about hiring you?

Questions to Determine How the Applicant Would Apply Skills, Experience, and Knowledge to the Position

- Why did you apply for this position?
- What appeals most to you about this job?
- What do you believe qualifies you for this position?
- What strengths do you bring to the position?
- What elements of this job would be new to you?
- What additional training do you feel is required to achieve full proficiency?
- Where would you need the most support, structure, or direction in your first 90 to 180 days?
- What do you know about our organization? What specifically attracted you to our organization?
- How does this job compare with other positions to which you are applying?
- How does this position compare to positions you have filled in the past?
- If you were hiring someone for this position, what qualities would you look for?

Questions to Explore the Applicant's Personal Traits

- Tell me three characteristics about yourself.
- What makes you different from other candidates?
- Why do you think you would be successful in this job?
- What was the best job you ever had? Why?
- Who was the best boss you ever had? Why?
- What do you consider important in a job?
- Are you more comfortable leading or following? Why?
- Is there anything you'd like to add about yourself that I have not asked?

Illegal Interview Questions

Gender - You should not ask questions dealing with sex or traditional gender roles. About the only position where gender can be a job requirement is a restroom attendant. Tailor questions to individual ability only.

You Cannot Ask:

- Do you have children? How old are they? What kind of child care arrangements do you have?
- What is your marital status? What was your maiden name? Are you planning to have a family?
- What does your spouse do for a living? What are your spouse's work plans?
- Female applicants about their plans for career vs. marriage.
- Are you comfortable supervising men?
- All female applicants if they can type unless typing is a requirement of the job.

You Can Ask:

- For the purpose of checking references, have you worked in any of your previous positions under another name?
- Would you have problems getting to work on time every day?
- What are your short and long-term goals?

Age - If you can prove an age requirement or limit is necessary for business or safety reasons then you can ask about age. However, very few reasons for ages limits are accepted in court. Contact Human Resources before setting an age restriction.

You Cannot Ask:

- For date of birth or age. (It's okay ~~at~~ the job offer if necessary for a background check.)
- How long do you plan on working before retirement?

You Can Ask:

- For dates of employment in each job held.
- Applicants if they are under age 18 or over the minimum age required for the job.

Race - Some of these questions may not appear to be related to race but they have been shown to be discriminatory in court.

You Cannot Ask:

- What race or ethnic group do you belong to?
- For credit references or garnishment records.
- About arrest records.
- About height and weight.
- What type of military discharge they received.
- Do you rent or own your home?
- For a photograph of the applicant prior to being hired.

You Can Ask: About conviction records, but this cannot be a "bar" to employment unless directly related to job performance.

Religion - You cannot use religion as a grounds for not hiring a person. Since the law states that an employer has to make a reasonable accommodation to its employees so they can worship as they desire, job candidates must have the same treatment.

You Cannot Ask:

- What is your religious affiliation?
- What holidays do you observe?

- What church do you attend? Can you give me the name of your clergy as a reference?

You Can Ask:

- What days and hours would you be unable or unwilling to work?
- Can you work weekends and/or holidays (if it is a requirement of the job)?

National Origin - The only time you can legitimately consider national origin when hiring is when the job requires the person to speak, read and/or write in fluent English. Even then you cannot discriminate because the person has an accent.

You Cannot Ask:

- What country are you a citizen of? Are you a naturalized or a native-born citizen?
- Where is your birthplace?
- About the applicant's lineage, ancestry, national origin, descent, or nationality.
- What is your native language?
- The name of any relative; such as parents, spouse, or minor children.

You Can Ask:

- What languages do you speak fluently? (If job related)
- Are you authorized to work in the United States?

Disability – The focus of the interview should be on the individual's ability to do the job. If an applicant requests or requires an accommodation, please contact Human Resources.

You Cannot Ask:

- Do you have any physical defects or chronic illnesses?
- What is your eyesight? (You can tell the applicant they will have to pass a physical if job-related.)
- Have you ever collected workers' compensation?
- How many sick days did you take last year?

You Can Ask: Are you able to perform the essential function of the job with or without accommodation?

Union Membership

You Cannot Ask:

- Any question at all about their union activities or beliefs.
- Was there a union where you used to work? Have you ever gone on strike?

You Can: Explain the City's position towards unions.

Miscellaneous - These lists of questions are not comprehensive. There are many other questions which might be discriminatory. If you are not sure whether a question is discriminatory, don't ask the question!

You Cannot Ask:

- Do you smoke or use alcohol? (Can't discriminate for the use of legal products when not at work.)
- What is your political affiliation?
- Are you in the National Guard?
- If the person goes by any aliases or other names.
- Unless Public Safety, any questions about their personal life.

Guidelines for Interviewing Disabled Job Applicants

	Physical Accessibility	Communication
Visually Impaired	<p>Guide person by letting them take your arm and walk about ½ step ahead. If passage is too narrow, let him follow and place his hand on your shoulder.</p> <p>Identify stairs or any obstacles.</p> <p>Guide dogs are responsible for safety and mobility.</p>	<p>Identify yourself.</p> <p>Speak directly to the person, but do not shout.</p> <p>When you leave, tell them.</p> <p>You don't have to avoid words like "look" or "see".</p> <p>If using visual aids, identify what them vocally.</p>
Speech Impaired	<p>Have good lighting so that visual cues can be seen.</p>	<p>Maintain eye contact.</p> <p>Feel free to point and to use pencil and paper.</p> <p>Don't be afraid to ask them to repeat. Be patient.</p> <p>Do not omit necessary questions.</p>
Hearing Impaired	<p>Have good lighting so your face will be easy to see.</p> <p>Reduce unwanted sounds; find a quiet place.</p> <p>If there is an interpreter present, place individuals so they can easily see each other.</p>	<p>Face the person and get the person's attention before you start.</p> <p>Speak clearly and distinctly, but don't exaggerate words.</p> <p>Use facial expressions and gestures and maintain eye contact.</p> <p>If you know how to use sign language, do so. (Ask first if it is helpful for this person.)</p> <p>If interpreter is present, speak directly to the applicant.</p>
Chronically Ill	<p>Have a relaxed atmosphere.</p>	<p>Make the person comfortable and aware of your trust.</p>
Mobility & Physically Impaired	<p>Check if office is accessible.</p> <p>Remove any unnecessary furniture - e.g., extra chair.</p> <p>Offer assistance if you wish, but don't insist.</p> <p>Be on eye-level if individual is in a wheelchair.</p>	<p>Talk directly to the other person.</p> <p>Don't avoid words like "walk" or "run".</p>
Mentally Retarded	<p>Have a relaxed atmosphere.</p>	<p>Talk as you would to anyone else but be more specific.</p> <p>Show and tell, but don't talk down.</p> <p>Take extra time to explain the job, hours, rules, etc.</p> <p>Introduce them to key personnel they will report to.</p> <p>Check to see if you are being understood.</p>

DO'S

- Do say "I see from your application that one of your skills is writing, can you show me samples?"
- Do say "Our business hours are 8:00 a.m. to 5:00 p.m. Will you be able to work those hours?"
- Do say "These are the tasks of the job. How would you complete each task?"
- Do offer your assistance if you think he/she appears to have some difficulty getting to your office.
- Do ask the qualified applicant what kind of accommodation he/she needs to perform the job.
- Do investigate if your business can make an accommodation.

DON'TS

- Don't say "We have another blind person who works in this department and he/she is very good at writing, are you?"
- Don't ask "How can you possibly get to and from work?"
- Don't assume a disabled applicant needs you to help him/her into your office.
- Don't assume that you and your department cannot make a job accommodation for a qualified applicant.
- Don't ask "What happened to you?"



City of Orem Interview Evaluation

Name of Applicant: _____

Date: _____

Job Title: _____

Interviewer: _____ Title: _____

Instructions: Carefully evaluate applicant's interview performance in relation to the essential function of the job. Score rating box to indicate the applicant's performance points (3pts, 2pts, 1 pt and 0 pts). Points will be totaled for an overall interview performance score.

Exceeds – 3 points - Applicant is exceptional. Is recognized as being far superior to others.

Good – 2 points - Applicant is competent and dependable. Meets standards of the job.

Improvement Needed – 1 point - Applicant is below the standards required of the job.

Unsatisfactory – 0 points - Applicant is generally unacceptable.

GENERAL FACTORS		RATING SCORE	COMMENTS
1	Experience - The extent to which the applicant's background and experience are consistent with the essential functions of the job.		
2	Job Knowledge - The extent to which the applicant possesses the practical/ technical knowledge required to perform essential functions of the job.		
3	Communication Skills - The extent to which the applicant effectively expressed and conveyed ideas. Also, ability to handle stress during interview.		
4	Problem Solving - The extent to which the applicant applied good sense in solving scenarios related to the functions of the		
5	Flexibility - The extent to which the applicant is flexible to fulfil the required duties and schedule of the job.		
6	Overall Impression - the extent to which the applicant's overall appearance, manner and responsiveness are consistent with the requirements of the job.		
		TOTAL Rating Score	

This applicant is:

- A strong candidate.
- A possible candidate.
- Of no further interest.



Screening Applications Based on Job-Related Criteria

Example of poor documentation when reviewing applications:

Criteria: Applicant must have job related experience and education,

Rating:

Applicant #1: No experience

Applicant #2: Experience is not related to the job.

Applicant #3: Yes.

Applicant # 4: O.K.

Example of good documentation when reviewing applications:

Criteria 1: Applicant must have at least 2 years of experience in activities such as operating heavy equipment, construction or water works.

Criteria 2: Applicant must have a high school diploma.

Rating:

-1 Does not have required experience/education

0 Cannot tell if applicant has required experience/education

1 Has required experience/education

Applicant	Rating for Criteria #1	Rating for Criteria #2	Total
Applicant #1	-1	1	0
Applicant #2	-1	0	-1
Applicant #3	1	1	2
Applicant #4	1	0	1

Criteria chosen to select applicants for interview:



REFERENCE CHECKING CHECKLIST

Part 1 – Qualifying the Reference

- Determine the relationship to the candidate. Find out the titles of both the reference and the candidate, how long the working relationship lasted, and their most recent contact.
- Determine the reference's scope of responsibility by asking about the size of his or her organization and the number and types of people on the staff.
- Determine what the company environment was like—pace, standards of performance, quality of people, and the quality of the processes and systems.

Part 2 – Qualifying the Candidate

- Please give me a summary of (candidate)'s strengths and weaknesses. Get examples of accomplishments to support major strengths and weaknesses.
- How did the weakness affect job performance?
- Can you give me some examples of where the candidate took the initiative?
- How would you rank this person as a manager? Get an example to prove it.
- How strong was this person in building/developing teams or working on teams? Get examples and not the types of people the person worked with.
- How would you rank this person's overall technical competence in [job-specific] area? Get specific examples.
- Is technical competence a real strength? Why?
- Determine timeliness and reliability—get examples of meeting deadlines under pressure.
- Find out ability to handle pressure or criticism. Ask about the company and environment. Get examples.
- How strong a decision-maker is the person? Can you give me some examples of how they were made?
- Would you rehire the candidate? Would you want to work with this person again? Why or why not?
- How would you rank this person's character and personal values system? Why?
- How would you compare this candidate to others at the same level you know? Why is the candidate stronger (or weaker)?
- How would you rank the person's overall performance on a scale of 1 to 10? What would it take to move up 1 point?
- What advice would you give this person on how he could be more effective in his next job?



Phone Reference Checklist - Employment References

Dept: _____ Position: _____

Interviewer: _____ Date: _____

Candidate's Name: _____

Person Contacted: _____ Title: _____

Organization: _____ Telephone: _____

1) Confirm Dates of Employment. From: _____ To: _____

2) Confirm Earnings: \$ _____

3) What was the nature of his/her position: _____

4) How would you rate the quality and quantity of his/her work? _____

Quality: _____

Quantity: _____

5) How would you rate his/her ability to communicate?

Written: _____

Verbal: _____

6) How did he/she carry out his/her supervisory responsibilities? (if applicable)

7) How did he/she get along with others? _____

8) What are the candidate's strengths? _____

9) What are the candidate's weaknesses? _____

10) What were his/her reasons for leaving? _____

11) Given the opportunity, would you hire him/her again? _____

12) What reservations should I have about hiring him/her? _____

13) Who else in your organization would be able to comment on his/her performance? _____

14) Miscellaneous Comments:



Telephone Reference Check - Personal References

Dept: _____ Position: _____
Interviewer: _____ Date: _____
Candidate's Name: _____
Person Contacted: _____ Telephone: _____

Describe the job duties and responsibilities of the position for which the candidate has applied.

- 1) What is your relationship to the candidate? _____

- 2) How long have you known him/her? _____

- 3) Tell me a little about his/her character and integrity: _____

- 4) Tell me a little about his/her work or personal habits - things the candidate did particularly well or other strong points: _____

- 5) Describe for me the candidate's personality: _____

- 6) What are some of the areas in which the candidate may need some improvement? _____

- 7) What limitations might be corrected by careful training or further maturity? _____

- 8) How did he/she get along with others? _____

- 9) How would you rate his/her abilities to communicate verbally and in written form? _____

- 10) Have you ever had an occasion to discuss the candidate's career aspirations with him/her? What did he/she indicate? _____

- 11) Miscellaneous Comments: _____

SAMPLE OFFER LETTER



DAY, MONTH, YEAR

NAME

ADDRESS

CITY, STATE ZIP

Dear NAME:

Our interview panel was impressed with your credentials, experience, and professionalism. We trust that you not only possess the skills needed by the City of Orem’s Fleet Division of the Public Works Department but that you also demonstrate the values, judgment, integrity and customer service skills which will assist you to be an effective member of the City’s staff. Accordingly, I am very pleased to offer you the full-time position of Fleet Mechanic for the City of Orem. This position is classified as a non-exempt position in accordance with the Fair Labor Standards Act. You will be required to satisfactorily complete a 6 month “at-will” probation period.

The salary for this position is \$XX.XX per hour or \$X,XXX monthly (\$XX,XXX annually). Future increases will be based upon the City’s compensation plan and budget. As a non-exempt employee, you will be compensated in accordance with the Fair Labor Standards Act. Overtime or compensation time hours must be pre-authorized by your supervisor.

You will be provided with the City’s Employee Handbook to read. The handbook, which is not a contract, outlines employee responsibilities, probationary periods, leave benefits and other information pertinent to successful employment with the City of Orem. The City offers you a comprehensive package of retirement, life insurance, disability insurance, health insurance and dental insurance programs, which you may enroll in. Please be aware that the City of Orem does not participate in social security, so social security taxes will not be withheld from wages earned while you are employed by the City. Because the City of Orem does not participate in social security the “Windfall Elimination Provision” of the Social Security Act may apply to your situation.

This offer is subject to successful completion of an alcohol/drug screening test, a criminal background check, proof of a valid Utah driver’s license and proof of authorization to work in the United States. We anticipate your employment with the City of Orem will begin on DAY, MONTH, YEAR.

We are very pleased to make this offer and believe you will be a valuable asset to the Fleet Division and a substantial contributor to the high quality of services within the City.

Sincerely,

DIRECTOR

Acceptance by:

NAME

Date

LISTS OF ACCEPTABLE DOCUMENTS

All documents must be unexpired

LIST A Documents that Establish Both Identify & Employment Authorization	OR LIST B Documents that Establish Identify	AND LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card	1. Driver's license or ID card issued by a State or outlying possession of the U.S. provided it contains a photo or information such as name, birth date, gender, height, eye color & address	1. Social Security Account Number card other than one specifying that the issuance of the card does not authorize employment in the U.S.
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 stamp or temporary I-551 printed notation on a machine- readable immigrant visa	2. ID card issued by federal, state or local government agencies or entities, provided it contains a photo or information such as name, birth date, gender, height, eye color and	2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
4. Employment Authorization Document that contains a photograph (Form I-766)		3. School ID card with a photograph
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport & containing an unexpired endorsement of the alien's nonimmigrant status, as long as the proposed employment is not in conflict with any restrictions or	4. Voter's registration card	4. Original or certified copy of birth certificate issued by a State, county, municipal authority or territory of the U.S. bearing an official seal
	5. U.S. Military card or draft record	
	6. Military dependent's ID card	5. Native American tribal document
	7. U.S. Coast Guard Merchant Mariner Card	
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the U.S. & the FSM or RMI	8. Native American tribal document	6. U.S. Citizen ID Card (Form I-197)
	9. Driver's license issued by a Canadian government authority	
	For persons under age 18 who are unable to present a document listed above:	7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
	10. School record or report card	8. Employment authorization document issued by the Department of Homeland Security
11. Clinic, doctor or hospital record		
	12. Day-care or nursery school record	

*** Due to E-Verify Rules, only documents from List B that include a photograph can be accepted to verify identity unless the person is under age 18.**



New Employee Orientation Checklist

In preparation for a new employee's arrival, review the following checklist to ensure that you have made the necessary arrangements.

- _____ Designate a work area (office, desk, etc.)
- _____ Assign a phone/radio number
- _____ Arrange for office supplies
- _____ Prepare required paperwork and forms for completion
- _____ Keep your schedule free to meet with the new employee
- _____ Arrange for lunch the first day
- _____ Schedule staff orientation meetings
- _____ Schedule an operations orientation
- _____ Prepare first job assignment and explain job responsibilities
- _____ Provide a tour of City facilities and introduce coworkers

You should also review and making available copies of appropriate City and Department policies and procedures, including:

- _____ Department rules and policies
- _____ Department mission statement
- _____ Working hours, breaks and lunches
- _____ Time sheets - recording work hours
- _____ Reporting absences
- _____ Keys, equipment, uniforms, etc.
- _____ Salary and other pay policies (e.g. on-call, overtime)
- _____ Safety rules and procedures
- _____ Dress and grooming
- _____ Department performance review procedures



Volunteer Approval Form

Pursuant to the Volunteer Government Workers Act, Utah Code Chapter 20

Employee Information

Name: _____ Phone Number: _____
Address: _____ City, State: _____ Zip: _____
Driver's License _____ State of _____
Number: _____ Issuance: _____
Date of Birth: _____ Social Security Number: _____
Emergency Contact: _____

These responses are necessary to conduct a background check (see below):

- Have you ever been employed by the City of Orem?
 - If yes, when? _____ and what was your title? _____
- Have you ever been convicted of any violation of the law (traffic violations excluded)?
 - If yes, please attach a document explaining

Volunteer Code of Conduct

As a volunteer I will perform only those assigned tasks that are within my physical capability and will not undertake tasks that are beyond my physical capability or ability. I will not undertake to use any equipment or tools that I am unfamiliar with or have not been trained to operate properly and safely. As a volunteer, I will strictly observe all safety rules and use care in the performance of my assigned tasks.

As a volunteer, I will treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration. While volunteering, I will not use profanity or make humiliating, ridiculing, threatening, or degrading statements.

Volunteer Acknowledgements and Waivers

Many volunteer positions with the City involve working with children or in other safety sensitive positions. To help safeguard the public, the City will perform a background check on all volunteers.

Volunteer Acknowledgements and Waivers Cont.

As a condition of volunteering, I give the City or Orem permission to conduct a thorough background check on me, which may include a review of sex offender registries, criminal history records, driving records, and federal FBI records. I understand that all volunteer positions are conditioned upon the City never receiving inappropriate information on my background.

I understand that volunteer positions are charitable contributions to the City of Orem without anticipation of compensation or any kind or consideration of future employment.

As a volunteer I agree to be subject to the policies and procedures of the City of Orem.

Your signature below indicated that you have read each of the above items and you agree to be bound by them. If you are under that age of eighteen, your parent or guardian must also review these items and sign below.

Signature of Volunteer: _____ Date: _____

I, _____, am the parent or legal guardian of _____ and I agree to allow him/her to be bound by the conditions represented above.

Parent/Guardian Signature: _____ Date: _____

OFFICE USE ONLY

City Manager Approval: _____ HR Approval: _____

**CITY OF OREM
PERSONNEL ACTION**

1 PERSONNEL STATUS

Name, Address & Home Phone		Department		Originating Date
		Division		Effective Date
Social Security Number	Date First Employed		Present Job Classification Title & Code	Present Salary \$
Misc.	Schedule	Supervisor	New Job Classification Title & Code	New Salary \$

2 PAYROLL CHANGE STATUS AND ACTION REQUIRED

<p>Position Classification</p> <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Flexible <input type="checkbox"/> Seasonal <p>Budget Number</p>	<p>Appointment & Payroll Change Status</p> <input type="checkbox"/> New Hire or <input type="checkbox"/> Rehire <input type="checkbox"/> Add Differential or <input type="checkbox"/> Remove Differential <input type="checkbox"/> Promotion <input type="checkbox"/> Demotion <input type="checkbox"/> Reclassification <input type="checkbox"/> Pay Adjustment <input type="checkbox"/> Special Duty Pay <input type="checkbox"/> Working Out of Class Pay - <input type="checkbox"/> Begin or <input type="checkbox"/> End <input type="checkbox"/> Transfer From to <input type="checkbox"/> Schedule Change <input type="checkbox"/> Other	<p>Leave of Absence - Suspension</p> <input type="checkbox"/> With Pay <input type="checkbox"/> Without Pay <input type="checkbox"/> Administrative <input type="checkbox"/> Medical <input type="checkbox"/> Court <input type="checkbox"/> Maternity <input type="checkbox"/> Suspension <input type="checkbox"/> Military <input type="checkbox"/> Other Start Date: End Date:	<p>Separation</p> <input type="checkbox"/> Needs Final Paycheck <input type="checkbox"/> No Final Check <input type="checkbox"/> Resignation <input type="checkbox"/> Other Employment <input type="checkbox"/> School <input type="checkbox"/> End Temp Assignment <input type="checkbox"/> Retirement <input type="checkbox"/> Personal Reasons <input type="checkbox"/> Dismissal <input type="checkbox"/> Deceased <input type="checkbox"/> Disability <input type="checkbox"/> Other (Specify)
---	---	---	--

3 SEPARATION INFORMATION

<p>Service was:</p> <input type="checkbox"/> Outstanding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Above Average <input type="checkbox"/> Unsatisfactory (explain)	<p>Recommendation for Rehire:</p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Conditional (explain fully in remarks box)	<p>Clearance Status:</p> <input type="checkbox"/> Yes <input type="checkbox"/> No – Collect the following items:
---	--	---

4 REMARKS

5 SIGNATURES

Department Director	Human Resource Authorization
Division Manager (when required by Director)	City Manager Authorization

NOTICE: 1. This form must be completed for all personnel actions **except** performance appraisals and must be submitted to personnel **before** the effective date of the action.
 2. On terminations this form must be processed **before** the final paycheck is issued.
 3. Department Directors must sign the completed form.
 4. Distribution: Original – Human Resources Copy - Originating Department.



Instructions for Completing Orem City Position Assessment Questionnaire Form

PLEASE READ THESE INSTRUCTIONS CAREFULLY BEFORE FILLING OUT YOUR POSITION ASSESSMENT QUESTIONNAIRE FORM.

This form is used to obtain detailed information about the position you fill and will be used to help the Human Resources office update job descriptions to coincide with the new standards established by the Americans with Disabilities Act (ADA).

1. Please answer each question as specifically and as accurately as possible. Do not leave any questions blank.
2. You are being asked about the position you hold and not about yourself. Therefore, you need not report personal qualifications and characteristics except as they are necessary to fulfill the duties of your job.
3. Item 1 is an extremely important part of the questionnaire. Describe in detail the work you do. Use your own words and make your description clear so people unfamiliar with your job can understand what you do and how you do it. Give a detailed description of each different work operation. Examples of good and poor statements of duties are as follows:

Incomplete Statement

- Assist in handling correspondence.
- Maintain grounds and landscaped areas.

Complete Statement

- Receive mail, open, time stamp and route incoming mail.
- Mow lawn with power mower and hand mower. Rake and weed grounds, trim trees from ground and from ladder, using power saws. Lubricate and sharpen mower.

If one kind of work takes half your time, indicate so under the heading “**Time.**” If another kind takes about one day per month, indicate that in the **Time** column. Use hours, days, fractions or percentages (whatever is most convenient for each job duty) to show how your working time is used.

If you have any questions that are not answered by this instruction sheet or by the questionnaire itself, ask your supervisor for help.

Thank you very much for your help and cooperation. Without it, the success and usefulness of this survey would be severely limited. We hope and trust that it will have beneficial results for you and all other Orem City employees.



JOB DESCRIPTION QUESTIONNAIRE

Name _____ Department _____

Job Title _____ Supervisor _____

Please read all items in the questionnaire before answering and make all answers as complete and clear as possible.

From your point of view, what are the most important tasks regularly performed in your usual course of work? Identify the specific tasks in your job in order of importance. Mark essential job functions with an asterisk (*).	Indicate approximate percent of time involved in this task.
a.	a.
b.	b.
c.	c.
d.	d.
e.	e.
f.	f.
g.	g.
h.	h.
i.	i.
j.	j.
k.	k.
l.	l.
m.	m.
n.	n.
o.	o.
p.	p.
q.	q.
r.	r.
s.	s.
t.	t.
u.	u.

2. If you were promoted, what is the minimum level of formal education or training that your replacement would need. (check one)

_____ a. None required

- ____ b. Grammar school (8th grade)
- ____ c. Two years of high school or equivalent
- ____ d. Four years of high school or equivalent
- ____ e. Partial college: One year _____ Two years_ _____
- ____ f. Technical or vocational school: One year _____ Two years _____
- ____ g. College graduate: Bachelors _____ Masters _____ Ph.D. _____

3. If you were promoted, what certifications, licenses, etc. would your replacement need?

- a. _____
- b. _____
- c. _____
- d. _____

4. Required prior experience in job-related activities with demonstrated competence.

6 months _____ 1 year _____ 18 months _____ 2 years _____ 3 years _____ 4 years _____

5. What, if any, laws, procedures, equipment, etc. must you have a working knowledge of to fulfill duties?

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

6. How much responsibility do you have for the care, condition and use of materials, equipment, money, tools, etc.?

Great Responsibility _____ Moderate Responsibility _____
 Minimal Responsibility _____ Zero Responsibility _____

7. How much responsibility do you have for making decisions affecting the activities of people: what they do, when to do it, where and how. This includes responsibility for worker motivation and satisfaction.

Great Responsibility _____ Moderate Responsibility _____
 Minimal Responsibility _____ Zero Responsibility _____

8. How much mental effort does your job require? (i.e. analytical ability, initiative, ingenuity, etc.)

Great Effort _____ Moderate Effort _____ Minimal Effort _____ Zero Effort _____

9. What is the degree of mental pressure and fatigue that exists during an average work day?

Great Pressure\Fatigue _____ Moderate Pressure\Fatigue _____
 Minimal Pressure\Fatigue _____ Zero Pressure\Fatigue _____

10. **What is the extent that your job is subject to and exposed to deadlines during an average work day?**

Constant Exposure_____ Moderate Exposure_____ Minimal Exposure_____ Zero Exposure_____

11. **What is the extent that your job requires evening and/or weekend work?**

Constant Overtime_____ Moderate Overtime_____ Minimal Overtime_____ Zero Overtime_____

12. **What is the amount and type of muscular exertion that is required to perform your job?**

Constant Exertion_____ Moderate Exertion_____ Minimal Exertion_____ Zero Exertion_____

13. **What is the amount/type of climbing and/or balancing that is required to perform your job?**

Constant Climbing\Balancing _____ Moderate Climbing\Balancing _____
Minimal Climbing\Balancing _____ Zero Climbing\Balancing _____

14. **What is the amount and type of stooping and kneeling that is required to perform your job?**

Constant Stooping\Kneeling _____ Moderate Stooping\Kneeling _____
Minimal Stooping\Kneeling _____ Zero Stooping\Kneeling _____

15. **What is the amount and type of seeing that is required to perform your job?**

Constant Seeing_____ Moderate Seeing_____ Minimal Seeing_____ Zero Seeing Required_____

16. **What is the amount/type of talking and/or hearing that is required to perform your job?**

Constant Talking\Hearing _____ Moderate Talking\Hearing _____
Minimal Talking\Hearing _____ Zero Talking\Hearing _____

17. **Are your job responsibilities performed inside a building or outside with exposure to the elements?**

Always Outside _____ 75% Outside & 25% Inside _____
50% Outside & 50% Inside _____ 25% Outside & 75% Inside _____ Always Inside _____

18. **Are your job responsibilities performed under extreme hot and/or cold temperature conditions?**

Always Hot Temp. _____ 75% Hot & 25% Cold _____
50% Hot & 50% Cold _____ 25% Hot & 75% Cold _____ Always Cold Temp. _____

19. Are your job responsibilities performed under wet and/or humid conditions?

Always Wet\Humid Conditions _____ Frequent Wet\Humid Conditions _____
 Seldom Wet\Humid Conditions _____ Never Humid Conditions _____

20. Do your job responsibilities expose you to excessive noise and/or vibration?

Constant Exposure _____ Frequent Exposure _____ Minimal Exposure _____ Zero Exposure _____

21. Do your job responsibilities expose you to excessive environmental and/or physical hazards?

Constant Exposure _____ Frequent Exposure _____ Minimal Exposure _____ Zero Exposure _____

22. Please list any other information that will make the job questionnaire more accurate and complete.

23. Equipment Used:

Does your position require the use of office or other machines or equipment? _____ Yes _____ No

If "Yes", indicate the name, type and extent of use:

<u>Name</u>	<u>Type</u>	<u>Extent</u>		
_____	_____	Occasional _____	Frequent _____	Regular _____
_____	_____	Occasional _____	Frequent _____	Regular _____
_____	_____	Occasional _____	Frequent _____	Regular _____
_____	_____	Occasional _____	Frequent _____	Regular _____
_____	_____	Occasional _____	Frequent _____	Regular _____

24. Contact With Others (Mark an **X** on all items that apply).

- a. _____ Little or no contact except with immediate associates or supervisors. b. _____ Contacts with department only
 - c. _____ Contacts with other departments furnishing and obtaining information.
 - d. _____ Contacts with other departments, requiring tact and judgment to avoid friction.
 - e. _____ Frequent contacts with major executives on matters requiring explanations and discussions. f. _____ Outside contact with public presenting data that may influence important decisions.
 - g. _____ Frequent contacts involving the carrying out of programs and schedules requiring the influencing of others to obtain desired result.
 - h. _____ Regular and frequent outside contact with persons of high rank, requiring tact and judgment to deal with and influence people. Requires well developed sense of strategy and timing.
 - i. _____ Other public contact. (Please specify) _____
-
-

25. Extent To Which Work Is Supervised (Mark an **X** on the one that most closely applies to your job)

- a. _____ Requires frequent supervision
- b. _____ Work is routine, requires only occasional supervision.
- c. _____ Work procedures are established; refer only unusual cases to supervisor.
- d. _____ Work assignments are broad and performed with little or no supervision or checking. Refer work to supervisor only when policy questions arise.
- e. _____ Organize own work. Virtual self-supervision.

26. Job Complexity:

Does your position require the exercise of discretion and independent judgment? _____Yes _____No

If "Yes", give a typical example of a situation in which discretion and independent judgment must be used; describe what damage or loss could result from an error of judgment or discretion by you.

QUESTION 27 IS ONLY FOR EMPLOYEES WHO SUPERVISE THE WORK OF OTHERS:

27. Character of Supervisors:

Consider the nature of supervision you exercise, responsibility you have for discipline, hiring, transferring, etc. Do you actually supervise other employees, or do you merely assign and check work or act as an understudy to the person who supervises?

A. If you are totally responsible for any of the following, mark an **X** in the corresponding space. If you are partially responsible, mark a **P** in the corresponding space.

- a. _____ Assign Work b. _____ Check Work c. _____ Hiring /Transferring d. _____ Disciplining
- e. _____ Budgeting f. _____ Personnel g. _____ Procedures/Methods h. _____ Grievances
- i. _____ Planning j. _____ Routing k. _____ Scheduling l. _____ Purchasing
- m. _____ Quantity Standards n. _____ Quality Standards

B. Employees Supervised: State the title of employees and the number of employees in each title supervised.

<u>Job Title</u>	<u>Number of Employees</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



CITY OF OREM COMPENSATORY TIME AGREEMENT

This Contractual Agreement is executed by and between the CITY OF OREM, a municipal corporation and political subdivision of the State of Utah, hereinafter referred to as the CITY,

and _____, an employee of the CITY hereinafter referred to as EMPLOYEE.

WHEREAS the Fair Labor Standards Act (FLSA) does not allow the CITY to give an employee hired after April 15, 1986, compensatory time, hereinafter referred to as "comp time", in lieu of overtime pay without an agreement between the CITY and the EMPLOYEE consenting to the use of comp time, and

WHEREAS this agreement must be made freely, but one the agreement is signed, the decision whether to give comp time or overtime pay will be at the discretion of the Department Director or Division Manager, and

WHEREAS the CITY limits the amount of comp time an employee can have at any given time and that it also requires that once a year, all accumulated comp time be either used or paid for, and

WHEREAS additional information on these conditions can be found in the Employee Compensation booklet.

NOW, THEREFORE, in consideration of the promises and conditions set forth herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the CITY and EMPLOYEE hereby agree as follows:

1. EMPLOYEE hereby gives the CITY the authority and the discretion to pay overtime or comp time when EMPLOYEE works overtime.
2. The CITY hereby promises to pay the EMPLOYEE overtime or comp time for all hours worked over 40 hours per week unless the employee is a firefighter working a 24-hour shift, then the CITY promises to pay the EMPLOYEE overtime or comp time for all hours worked over 136 hours in an 18-day period.
3. Both the CITY and the EMPLOYEE understand that comp time will be calculated at 1.5 times the number of hours worked.
4. This agreement shall be in effect for as long as the EMPLOYEE works for the CITY.
5. Both the CITY and the EMPLOYEE each acknowledge that they have read this agreement, understand it fully and have voluntarily signed the same.

SIGNED and ENTERED INTO this _____ day of _____, 20 ____.

Employee Signature

City of Orem by
Keri Rugg, Human Resources Manager

OCCUPATIONS BANNED FOR ALL MINORS UNDER THE AGE OF 18

HO 1. Manufacturing or storing explosives - bans minors working where explosives are manufactured or stored, but permits work in retail stores selling ammunition, gun shops, trap and skeet ranges, and police stations.

HO 2. Driving a motor vehicle or work as an outside helper on motor vehicles - bans operating motor vehicles on public roads and working as outside helpers on motor vehicles, except 17-year-olds may drive under strictly limited circumstances

HO 3. Coal mining - bans most jobs in coal mining.

HO 4. Logging and sawmilling - bans most jobs in logging and timbering (including cutting firewood) and in sawmills.

HO 5. Power-driven woodworking machines - bans the operation of most power-driven woodworking machines, including chain saws, nailing machines, and sanders.*

HO 6. Exposure to radioactive substances and ionizing radiation - bans exposure to radioactive materials.

HO 7. Power-driven hoisting apparatus - bans the operation of most power-driven hoisting apparatus such as forklifts, non-automatic elevators, bobcats and cranes, including most high lift trucks, but does not apply to chair-lifts at ski resorts nor to electric and pneumatic lifts used to raise cars in garages and gasoline service stations.

HO 8. Power-driven metal-forming, punching and shearing machines - bans the operation of certain power-driven metal-working machines but permits the use of most machine tools.*

HO 9. Mining, other than coal - bans most jobs in mining at metal mines, quarries, aggregate mines, and other mining sites including underground work in mines, work in or about open cut mines, open quarries, and sand and gravel operations.

HO 10. Power-driven meat-processing machines, slaughtering and meat packing plants - bans the operation of power-driven meat processing machines, such as meat slicers, saws and choppers. This ban includes the use of this machinery on items other than meat, such as cheese and vegetables. Also bans most jobs in slaughtering and meatpacking establishments.*

HO 11. Power-driven bakery machines - bans the operation of power-driven bakery machines such as vertical dough and batter mixers (including most countertop models), dough rollers and dough sheeters.

HO 12. Power-driven paper-products machines - bans the operation of power-driven paper products machines such as scrap paper balers, paper box compactors, and platen-type printing presses. Sixteen- and 17-year-olds may load, but not operate or unload, certain scrap paper balers and paper box compactors under very specific guidelines.*

HO 13. Manufacturing of brick, tile and related products - bans most jobs in the manufacture of brick, tile and similar products.

HO 14. Power-driven circular saws, band saws and guillotine shears - bans the operation of various types of power-driven band and circular saws and guillotine shears, no matter what kind of items are being cut by the saws and shears.*

HO 15. Wrecking, demolition, and ship-breaking operations - bans most jobs in wrecking, demolition, and ship-breaking operations, but does not apply to remodeling or repair work which is not extensive.

HO 16. Roofing operations - bans most jobs in roofing operations, including work performed on the ground and removal of the old roof, and all work on or about a roof.*

HO 17. Trenching and excavation operations - bans most jobs in trenching and excavation work, including working in a trench more than four feet deep.*

* The regulations provide a limited exemption from HOs 5, 8, 10, 12, 14, 16 and 17 for apprentices and student-learners who are at least 16 years of age and enrolled in approved programs.

THINGS TO AVOID WHEN CONDUCTING PERFORMANCE EVALUATIONS

Avoid relying solely on memory: Do not rely solely on your memory of the last 12 months. Gather additional information to help you give a fair and accurate rating. A good starting point is the employee's job description. By reviewing the job description, you ensure that you are familiar with what your employee is responsible for on a day-to-day basis. In addition, you should review the job description with the employee so both of you are starting with the same expectations of what the employee is responsible for.

Review any notes or records you have kept during the year regarding the employee, including training records, disciplinary actions, and letters of commendation. Also talk to others that this employee interacts with during the course of their job duties. Get feedback from other departments, citizens, peers, and subordinates.

Avoid letting friendship or dislike skew the evaluation: The employee deserves honest feedback on their performance. Base the evaluation strictly on observed behaviors and the employee's ability and job knowledge. Avoid judging personal characteristics. You cannot prove the employee is not trying, you can only prove he/she is not succeeding. You cannot change the employee's bad attitude, but you can establish goals to improve deficiencies.

Avoid cutting and pasting evaluations from one year to the next: As a supervisor, it is your responsibility to provide an accurate and unique evaluation each year. By using a similar evaluation each year, you are doing that employee a disservice by not helping them understand areas they can improve and grow. This also puts the City at risk as issues may not be addressed in the evaluation that may grow to a larger problem in the upcoming year.

Avoid using labels rather than behaviors: Including labels without examples provides little guidance to the employee about where he needs to improve. Claiming an employee has a bad attitude does not say much. Saying the employee does not accept responsibility for his errors, slams doors, and walks out of meetings abruptly says it all.

Avoid criticizing intent and focus on results: Stay away from attacking an employee's intent, e.g., "You didn't try." "You don't care." "You weren't applying yourself." Intent is largely irrelevant; you cannot prove it. And the employee may take it as a personal attack. Employees who feel attacked, attack back. Focus on the employee's results, not his intent.

Avoid referencing protected absences: Be careful about referring to protected leaves (for example, family or medical leave under the Family & Medical Leave Act) on the evaluation. It could be problematic to say: "Upon returning from FMLA, the employee was absent six days in 12 weeks without providing adequate notice." Was the problem the lack of notice or that the lack of notice followed the employee's exercise of her right to take protected leave? An appropriate comment is "Your absenteeism is excessive. Of course, we are not counting the four weeks when you were off in July covered by FMLA. Rather, we are considering only the following absences ..."

Avoid common rater errors: When actually completing the performance evaluation form beware of the following errors:

Halo or Horn effect. Rating an employee high, or low, on all areas because he is really strong or really weak in one or two areas. Be sure to rate each criterion separately.

Timing Issues. An annual evaluation should reflect only the year evaluated. But sometimes employers bring up baggage from past years. Managers should raise prior deficiencies only to the extent they remain, in which event they really are current deficiencies. Conversely, if a deficiency was noted in the prior year and the employee has corrected it, that can and should be noted.

Another timing mistake is focusing too heavily on the employee's performance during recent months. Remember you are evaluating a full year of performance. Too much emphasis on recent events encourages employees to slack off until evaluation time. While you should focus on the full 12 months, you can still note any differences in performance at different periods of time during the year.

Over-emphasis on isolated events/characteristics. Do not put undue weight on a single successful or failed project the employee had during the year. Try to keep those isolated incidents in perspective.

Leniency. Reasons for leniency include not wanting to anger the employee, worrying the employee's low rating will reflect on the supervisor, the supervisor and the employee are friends, or the employee has been with the city longer than the supervisor. None of these reasons remove the supervisor's responsibility to give accurate and objective evaluations.

Evaluation of potential worth. This happens a lot with new employees. You see their future potential and want to encourage them by giving higher ratings. However, you should focus on evaluating their current actual job performance. Your honest evaluation will lay the groundwork for them to improve the skills they need to achieve their potential worth.

Central tendency. This occurs when a supervisor avoids very high or very low ratings. These evaluations have very little value because everyone is rated about the same with no regard for output and quality of work.

Self-comparison. Some supervisors will rate employees lower because they do not complete the job the same way the supervisor would do it. The supervisor should rate the final outcome and whether the employee was successful in completing the assigned responsibilities.

No-complaint bias. This is the “no news is good news” approach. The supervisor who takes this approach may not be getting the full picture. Most supervisors are too busy dealing with their responsibilities to monitor their employees on a daily basis. An important source of information for supervisors can be other departments, citizens, peers and subordinates.

SMART Goals

A simple method for setting quality goals is to design them to be "SMART". There are some variations on what SMART stands for, but the essence is that goals should be:

S – Specific

M – Measurable

A – Attainable or Agreed Upon

R – Relevant

T – Time-bound

Set Specific Goals

Goals must be clear and well defined. Vague or generalized goals are not achievable because they don't provide sufficient direction. Remember, goals need to show the way. Make it as easy as possible to get where you want to go by defining precisely where it is you want to end up. When a goal is clear and specific there is less misunderstanding about what behaviors will be rewarded. You know what's expected, and you can use the specific result as a source of motivation. When a goal is vague or expressed as a general instruction, like "Take initiative" - it has limited motivational value.

Set Measurable Goals

Include precise amounts, dates, etc. in goals so you can measure the degree of success. If a goal is simply defined as "To reduce expenses" how will you know when success is reached? For instance, is it in one month's time or two years' time, in one area or another or by what amount? Also, without a way to measure success you miss out on the celebration that comes with knowing it was actually achieved. "Reduce job turnover by 15%" or "Respond to employee suggestions within 48 hours" are some other examples of clear goals.

For goals or assignments that are highly complex, take special care to ensure that the work doesn't become too overwhelming. People who work in complicated and demanding roles probably have a high level of motivation already. However, they can often push themselves too hard if measures aren't built into the goal expectations to account for the complexity of the task. It's therefore important to do the following: (1) Give the person sufficient time to meet the goal or improve performance, and (2) Provide enough time for the person to practice or learn what is expected and required for success.

Set Attainable Goals / Agreed Upon Goals

Make sure that it's possible to achieve the goal. If you set a goal that you have little hope of achieving, you will only demoralize yourself and erode your confidence. However, resist the urge to set goals that are too easy. One of the most important characteristics of goals is the level of challenge. People are often motivated by achievement, and they'll judge a goal based on the significance of the anticipated accomplishment. By setting realistic yet challenging goals you hit the balance you need. These are the types of goals that require you to "raise the bar" and they bring the greatest satisfaction.

Goals must be understood, agreed upon and motivating if they are to be effective. Encourage employees to develop their own goals and keep them informed about what's happening elsewhere in the organization. This way, they can be sure that their goals are consistent with the overall vision and purpose of the city. Employees are more likely to "buy into" a goal if they feel they were part of creating that goal. This doesn't mean that every goal has to be negotiated with and approved by employees. It does mean that goals should be consistent and in line with previous expectations and organizational concerns.

Set Relevant Goals

Goals should be relevant to the direction you want to take. By keeping goals aligned with this you'll develop the focus you need to get ahead and do what is needed. By setting widely scattered and inconsistent goals you'll use a lot of energy in the wrong areas.

Set Time-Bound Goals

Goals must have a deadline. When you are working on a deadline, your sense of urgency increases, and achievement will come that much quicker. This again, helps you know when to celebrate success.

Sources:

1. Edwin A. Locke and Gary P. Latham, *A Theory of Goal Setting & Task Performance*: (1990).
2. mindtools.com



Example Letter of Reprimand/Written Warning

Employee

Date

Dear Employee,

Opening: Say something to the effect that the letter is necessary to correct their job performance. Write that this is a “letter of reprimand” or “written warning.” If you have already given past discipline (e.g. verbal warning), list the date of the warning and any discipline that went with it (e.g. time off). Then state that you are taking the next step because the prior warnings were not heeded.

Statement of facts, charges or allegations: List the specific incident(s), when they happened, what happened and any negative consequences that resulted from the employee’s actions.

Policy: Explain how the employee’s actions violate City or department policy. Give the specific references to the policy. For example, “violating the Guideline for Appropriate Conduct of Duty to Promote Work Efficiency and Morale found in section XX of the Employee handbook

Tie what they did to how they violated the policy.

Corrective Action: If there are any specific things that the employee needs to do to correct the action, list them here. Also, if there are any consequences from their actions list them. For example, if an employee will lose supervision of other employees or will lose duties because of their actions, list them here. You will also want to list any specific steps that the employee will have to accomplish: e.g. (1) Be to work on time every day, (2) Return all phone calls the same day they come in, etc.

Appeal Right: Let them know that they have the option to appeal the discipline. Write something like: “Under the City’s Complaint Resolution Procedure on page _ of the Employee Handbook, you have the right to appeal this action. Please refer to that policy to see how to proceed with an appeal. If you have any questions about this letter, please feel free to discuss them with me.”

Close the letter encouraging them to correct their actions. Also include a statement that says something like “Additional violations of department or City policy will result in further disciplinary action up to and including termination.”

Sincerely,

Supervisor Signature, Title

Date

Cc: Division Manager
Department
Director
Personnel File

At the bottom of the letter, you may want to include a signature line for the employee to sign and date along with a sentence acknowledging that they have seen and understand the letter.

I acknowledge that I have received and reviewed this letter of reprimand.

Employee Signature

Date



Example Recommendation for Disciplinary Action Memo

Memo

To:

From:

Date:

Re: Recommendation of Disciplinary Action for XXXXXXXXX (This line should be used to reference a specific person or event that is being discussed in this memo. It should also indicate whether this is a recommendation for a specific level of discipline or if it is documentation of the determined action that is being taken)

Procedural History

This section should be used to present an objective overview of the event or circumstances for which disciplinary action is being taken. This should include specific facts about the event in question and references to any previous action or documentation that may be related to this incident or may otherwise support the action being taken. It is especially important to include any previous actions taken if the disciplinary action in question is progressive in nature. Be specific about dates, times, witnesses to the event, people involved, etc. and offer a clear explanation that presents an objective overview of the event, incident, or action in question.

Mitigating Circumstances

This section should be used to present any circumstances related to the situation that you believe should be taken into consideration as part of the disciplinary action. This may or may not lessen the action being recommended or taken but may be pertinent to the overall understanding of the situation. This is commonly used to help explain or support the level of discipline that is being recommended or documented. This should be objective and measurable and may serve to defray some of the impact of the discipline or may offer specific information that you believe should be considered during the decision-making process.

Good examples of mitigating circumstances may include: “This is the first offense of this nature committed by the employee” or “The employee has received a satisfactory or upper performance rating in the related area in previous annual performance evaluations.” This area should not be used to include overly subjective information or information that may otherwise not be pertinent to the situation. Examples of this may include: “The employee is nice,” or “The employee generally does a good job and gets along with others.” These comments would especially be inappropriate if the disciplinary action was for a vehicle accident, as these comments are not pertinent to the issue being addressed. Use your best judgment in this area and keep the information objective and measurable.

Aggravating Circumstances

This section should be used to present any circumstances surrounding the situation, which may be negative and may in some way exacerbate or worsen the actions in question. This may include obvious conditions of the

event or may include information that you believe should be considered as part of the decision-making part of the process. This section is also used to help support the level of action being recommended or documented.

Examples of aggravating circumstances may be: “The employee has received previous warnings about this type of behavior, which have been documented in the Performance Impact system on...” “The vehicle collision in question could have been avoided had the employee...” or “This is the second time in which this employee has been disciplined for similar actions.”

Grounds for Disciplinary Action

This section should be used to address specific areas of department or City policy or other legal statute, which have been violated, and which constitute grounds for this disciplinary action. Use specific policy titles, sections, and an overview of the policy and how it was violated. This should clearly demonstrate how the employee’s action or inaction is a violation that warrants disciplinary action.

Summary and Recommendation for Disciplinary Action (or)

Summary of Disciplinary Action

This section should be used to offer a synopsis of the event or circumstance that is being addressed in this disciplinary action. It should clearly state the violation and the specific level of disciplinary action that is being taken or recommended to the Fire Chief. This area should also clearly state any consequences that may result from additional violations of policy, and clearly explain expectations of the employee’s performance for the future. This may also contain specific information regarding any actions that need to be taken by the employee as part of the discipline or may offer specific limitations to the action including a specific time for which it may be enforced.

Supervisor Completing/Recommending Action (Print/Sign) – Date

Supervisor Approval – Date

Department Director Approval – Date

Employee Signature – Date

Employee Signature is not an admission of guilt, nor does it necessarily reflect personal agreement with this disciplinary action, only that the employee has had the opportunity to read and discuss this action with the supervisor. All employees have the right to grieve disciplinary action according to the Complaint Resolution Procedure as found in the Orem City Employee Handbook.

DOCUMENTING BEHAVIOR WORKSHEET 1

This worksheet can help you document performance problems with the employees you supervise. Go through the list and place an "X" next to each characteristic you have noticed in an employee. Particularly look for changes in that person's behavior. Next, for each behavior that you marked, indicate what you did about it (e.g., "I ignored it," "I spoke to employee about it," "I disciplined employee," "I removed employee from the situation," etc.)

Employee _____ Supervisor _____ Date _____

1. ABSENTEEISM

- _____ Multiple instances of unauthorized leave
- _____ Excessive sick leave
- _____ Frequent Monday and/or Friday absences
- _____ Repeated absences, particularly if they follow a pattern
- _____ Excessive tardiness, especially on Monday mornings or in returning from lunch
- _____ Leaving work early
- _____ Peculiar and increasingly improbable excuses for absences
- _____ Higher absenteeism rate than other employees for colds, flu, gastritis, etc.
- _____ Frequent unscheduled short-term absences (with or without medical reasons)

2. 'ON THE JOB' ABSENCES

- _____ Frequent absences from work station
- _____ Frequent trips to water fountain or rest room
- _____ Long breaks
- _____ Physical illness on the job

3. HIGH ACCIDENT RATE (and more accident claims)

- _____ Accidents on the job
- _____ Accidents off the job (but affecting job performance and attendance)

4. DIFFICULTY IN CONCENTRATION/CONFUSION

- _____ Mistakes due to inattention or poor judgment
- _____ Jobs take more time than is reasonably expected
- _____ Difficulty in recalling instructions, details.
- _____ Increasing difficulty in handling complex assignment
- _____ Difficulty in recalling own mistakes

5. INCONSISTENT WORK PATTERNS

- _____ Alternating periods of high and low productivity

6. REPORTING TO WORK

- _____ Coming to or returning to work in an obviously abnormal condition.

7. GENERALLY LOWERED JOB EFFICIENCY

- _____ Missed deadlines
- _____ Mistakes due to inattention or poor judgment
- _____ Wasting materials Making
- _____ bad decisions Complaints
- _____ from customers
- _____ Improbable excuses for poor job performance

8. POOR EMPLOYEE RELATIONSHIPS ON THE JOB

- _____ Over reaction to real or imagined criticism
- _____ Mood swings Unreasonable
- _____ resentments Borrows money from
- _____ co-workers Complaints from co-
- _____ workers Avoidance of co-workers
- _____

DOCUMENTING BEHAVIOR WORKSHEET 2

JOB PERFORMANCE OBSERVATIONS: Indicate the date(s), time(s) and condition(s) you have observed and document the specific behaviors that indicate declining job performance. **THESE NOTES MUST REMAIN CONFIDENTIAL.**

PERFORMANCE/SAFETY

Equipment breakdown

Dates and times _____

Observation _____

Significant increase in errors

Dates and times _____

Observation _____

Requires increased supervision

Dates and times _____

Observation _____

Carelessness

Dates and times _____

Observation _____

Endangering personal safety

Dates and times _____

Observation _____

Endangering the safety of other employees

Dates and times _____

Observation _____

Increased accidents or near misses

Dates and times _____

Observation _____

ATTENDANCE

Increased tardiness

Dates and times _____

Observation _____

Increased absenteeism

Dates and times _____

Observation _____

Increased use of sick leave

Dates and times _____

Observation _____

Unaccounted for periods of absences from job while on duty

Dates and times _____

Observation _____

BEHAVIOR

Theft

Dates and times _____

Observation _____

BEHAVIOR (cont.)

Poor attitude

Dates and times _____

Observation _____

Complaints from customers

Dates and times _____

Observation _____

Confrontations with co-workers

Dates and times _____

Observation _____

Refusal to take drug test

Dates and times _____

Observation _____

Emotional outbursts

Dates and times _____

Observation _____

Difficulty with authority

Dates and times _____

Observation _____

Lying to cover mistakes

Dates and times _____

Observation _____

Possession or distribution of alcohol or drugs

Dates and times _____

Observation _____

Intoxicated behavior

Dates and times _____

Observation _____

Name of Employee _____

Supervisor _____



SUPERVISOR'S CHECKLIST FOR MAKING REASONABLE CAUSE DETERMINATION OF ALCOHOL OR DRUG ABUSE

Date (s):

Employee Name:

KNOWING THE SIGNS

The indicators listed below are "warning signs" of drug and/or alcohol abuse and may be observed by supervisors:

Moods:

- Depressed
- Anxious
- Irritable
- Suspicious
- Complains about others
- Emotional unsteadiness (e.g., outbursts of crying)
- Mood changes after lunch or break

Actions:

- Withdrawn or improperly talkative
- Spends excessive amount of time on the telephone
- Argumentative
- Has exaggerated sense of self-importance
- Displays violent behavior
- Avoids talking with supervisor regarding work issues

Absenteeism:

- Acceleration of absenteeism and tardiness, especially Mondays, Friday, before and after holidays
- Frequent unreported absences, later explained as "emergencies"
- Unusually high incidence of colds, flues, upset stomach, headaches
- Frequent use of unscheduled vacation time
- Leaving work area more than necessary (e.g., frequent trips to water fountain and bathroom)
- Unexplained disappearances from the job with difficulty in locating employee
- Requesting to leave work early for various reasons

Accidents:

- Taking of needless risks
- Disregard for safety of others
- Higher than average accident rate on and off the job

Work Patterns:

- Inconsistency in quality of work
- High and low periods of productivity
- Poor judgment/more mistakes than usual and general carelessness
- Lapses in concentration

- Difficulty in recalling instructions
- Difficulty in remembering own mistakes
- Using more time to complete work/missing deadlines
- Increased difficulty in handling complex situations

Relationship to Others on the Job:

- Overreaction to real or imagined criticism (paranoid)
- Avoiding and withdrawing from peers
- Complaints from co-workers
- Borrowing money from fellow employees
- Persistent job transfer requests
- Complaints of problems at home such as separation, divorce and child discipline problems

OBSERVING AND DOCUMENTING CURRENT INDICATORS

Patterns of any of the above conduct or combinations of conduct may occur but must be accompanied by indicators of impairment in order to establish "reasonable cause." Please check all indicators listed below that are **currently** present:

- | | |
|--|--|
| <input type="checkbox"/> Constricted or Dilated pupils | <input type="checkbox"/> Drowsiness |
| <input type="checkbox"/> Confused/Disoriented | <input type="checkbox"/> Odor of alcohol |
| <input type="checkbox"/> Scratching/Sores | <input type="checkbox"/> Slow reaction time or over-reaction/startled response |
| <input type="checkbox"/> Bloodshot or watering eyes | <input type="checkbox"/> Dizziness |
| <input type="checkbox"/> Involuntary eye movements | <input type="checkbox"/> Muscular incoordination/swaying/stumbling |
| <input type="checkbox"/> Runny nose/Frequent sniffing | <input type="checkbox"/> Unconsciousness |
| <input type="checkbox"/> Excessively active | <input type="checkbox"/> Inability to verbalize |
| <input type="checkbox"/> Nausea or vomiting | <input type="checkbox"/> Irritable |
| <input type="checkbox"/> Flushed skin | <input type="checkbox"/> Argumentative |
| <input type="checkbox"/> Sweating | <input type="checkbox"/> Difficulty concentrating |
| <input type="checkbox"/> Yawning | <input type="checkbox"/> Slurred/Incoherent speech |
| <input type="checkbox"/> Twitching/Tremors | <input type="checkbox"/> Bizarre/Disruptive behavior |
| <input type="checkbox"/> Violent behavior | <input type="checkbox"/> Needle marks |
| <input type="checkbox"/> Inappropriate wearing of sunglasses | <input type="checkbox"/> Disheveled appearance |
-
- Possession of paraphernalia (syringe, bent spoon, metal bottle cap, medicine dropper, glassine bag, paint can, glue tube, nitrite bulb or aerosol can)
- Possession of substance that appears to possibly be a drug or alcohol
- Other _____

DETERMINING REASONABLE CAUSE

If you are able to document one or more of the indicators above, ask yourself these questions to assist in establishing reasonable cause:

- Y N**
- Have characteristics noted above been shown in the employee's appearance, actions or work performance?
 - Could the characteristics result from the possible use of drugs or alcohol?
 - Are the facts reliable? Did you witness the situation personally? Or do you consider the witness(es) to be reliable?
 - Are the facts capable of documentation?
 - Are the characteristics current?

TAKING ACTION

- Reasonable cause established
- Reasonable cause NOT established

Supervisor's/Manager's Signature: _____

Other Witnesses: _____

INJURED ON THE JOB?

****Life or Limb-Threatening Emergency—Call 911 or proceed directly to Orem or Timpanogos Hospital****
All Bloodborne Pathogen Exposures—Seek hospital treatment

1. **NOTIFY:** Immediately notify your supervisor of your injury.
2. **EVALUATE:** Does the injury require *immediate* medical treatment? **Yes/No**

If **YES**, seek treatment **during working hours** at:

IHC WorkMed
830 N 980 W Orem
801-724-4000
8:00 am to 5:00 pm, M-F

After hours, seek treatment at:

IHC Orem Community Hospital
331 N 400 W Orem, 801-224-4080

OR

Timpanogos Regional Hospital
750 W 800 N Orem, 801-714-6570

If **NO**, you can still be seen by a physician but please make arrangements to do so during the business hours of WorkMed. If **NO** medical treatment is received, you will need to complete the **Minor Injury Report** on claim.orem.org.

***You are **not** required to seek medical treatment if you feel that you do not need it. However, you are still required to contact your supervisor and complete a **Minor Injury Report** 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.** ***

3. **REPORT:** If medical treatment was received, go to claim.orem.org and file a **Medically Treated Injury Claim** within 48 hours of your injury. This can be done from home or the office.
4. **ESSENTIAL FUNCTIONS:** The City may require the physician to complete a work release-essential functions form prior to you returning to work. Risk Management can provide this form to you.
5. **RETURN TO WORK-LIGHT DUTY:** If you are released by the physician to work light or restricted duty, Orem City is required to provide to you transitional or light duty work during your rehabilitation.

****If you refuse the provided light duty assignment or choose to remain at home, YOU WILL NOT RECEIVE ANY APPLICABLE WORKERS COMPENSATION WAGE REIMBURSEMENT. In this scenario you will be required to use your personal sick and/or vacation hours if you wish to be paid. However, certain injuries requiring debilitating medications need to be discussed and reviewed by your supervisor and Risk Management prior to you returning to light duty work.****

****NOTE: As per Orem City policy, please review 2.4.4.3 of the Employee Handbook detailing the required (3) Day waiting period before the injured employee becomes eligible to receive Workers Compensation wages. ****

6. **FOLLOW-UP CARE:** After each visit, WorkMed will schedule a follow-up visit. You are required to return to these follow-up visits. You will be given a new medical evaluation form indicating changes to your work restrictions or the release to full-regular duty. A copy of the medical evaluation is to be given to your supervisor and Risk Management.

**If you have any questions regarding this process, during or after hours, please call Jason Adamson
Office #801-229-7013 or Cell #801-360-6250.**

EMERGENCY MANAGEMENT

The City of Orem has an Emergency Manager who is responsible for preparing the city to deal with a variety of emergency situations. If an emergency were to occur in the city, supervisors have a responsibility to make sure that their employees know the correct response. Here are some resources the city has prepared to address emergencies. If you have questions regarding Emergency Management, contact the City's Emergency Manager, 801-229-7146.

The overall response to an emergency situation will be dependent on the situation. However, every response will require supervisors to:

- Have a plan that includes the following.
 - A known department primary and back up meeting place, for once you have evacuated.
 - A department communication plan to account for all employees.
 - Both during work hours, and
 - After work hours.
- Report to the Incident Commander the status of your department.
 - Who is accounted for?
 - How many missing?
 - Situational awareness.
- Report to the EOC if activated.
 - Refer to the City of Orem EOC plan.
- Refer to the City of Orem Emergency Preparedness Guide. This guide will be a step-by-step process on:
 - An all-hazards approach to emergency situations.
 - How to stay informed.
 - How to build a kit.
 - How to shelter-in-place, and
 - How to respond to certain situations (fire, winter storm, earthquake, pandemic, active shooter, power outage, etc.).
- Re-enter the building if given the all-clear.
- Provide periodic training on these emergency situations to help their employees prepare for an emergency.
 - Emergency manager willing to help plan these trainings and exercises.

Emergency Manager Message: Each supervisor should understand what to do in the case of an emergency that requires an evacuation of the building. In each department, certain employees should be designated to make sure their assigned area is clear and assigned personnel are accounted for. Supervisors should make sure that these employee(s), under their supervision, are trained and understand their duties in an emergency situation.

In an emergency situation it takes every one of us!

POWER OUTAGE

During power outages the emergency power generator will pick up critical lighting loads in rooms that have been equipped for emergency power. Some electrical outlets are also on the emergency power system. However, do not plug computers into emergency outlets during short-term power outages as it may damage your computer. Outlets are intended for long-term power outages only.

To avoid the possibility of losing computer files, save your work often.

The elevators are not on the emergency power system and will not operate during a power outage. If trapped between floors in an elevator, remain calm, use the phone or sound the alarm to notify others. Follow the instructions of the building maintenance or emergency personnel who come to your aid.

IN-PLACE SHELTERING

In-place sheltering is the opposite of an evacuation and requires employees to lock down their offices and stay put until directed otherwise. In-place sheltering may become necessary due to a variety of events. These events may include the following:

- Severe Weather
- Hazardous Material Spills
- Suspicious Persons
- Civil Unrest
- Robbery
- Radiological/Nuclear Event

Should the need arise, the order for in-place sheltering will likely be issued through an electronic message system, the voice mail system, or the overhead speaker system. The order may also come from police or fire personnel.

The following steps must be taken if an order to shelter in place is issued:

1. Close and lock all doors leading into your office area.
2. Alert others in your office of the order.
3. Close all exterior windows.
4. Gather all personnel into a central location.
5. Do not use the telephone for non-essential purposes (such as contacting the media).
6. Do not investigate unusual or suspicious noises outside your office area.

As needed or when the situation is resolved, emergency personnel will contact each office with new instructions or information. It may become necessary to evacuate the building, in which case the fire alarm or overhead speaker system will activate the evacuation and procedures outlined in this manual should be followed.

VERBAL THREATS, PROPERTY DAMAGE AND PHYSICAL VIOLENCE

Threats consist of words or actions used to scare, intimidate, force or manipulate others into believing violence will be used. If you are faced with a threat do the following:

- Notify your supervisor.
- If violence is imminent, notify the Police by:
 - Pressing your panic alarm button; or
 - Calling 911
- If you cannot notify the Police, request a coworker to notify them.
- Document the threat, including the words and behavior of all parties.

Property Damage consists of the intentional abuse, mutilation or destruction of materials or property. If you observe property damage that constitutes a threat, follow the steps outlined above.

Physical Violence consists of the use of force (pushing, hitting, kicking, etc.) with or without a weapon, directed against an individual. Physical violence in any form is unacceptable in the work place. If you see it, follow the procedures for threats listed above.

HOSTAGE

Upon observing or receiving information about a person being taken hostage, immediately notify Orem City Police by dialing 911. Call only if you are out of range of the captors and the call will not endanger others.

If you are taken hostage:

- Be cautious of heroics! Don't act foolishly.
- Be cooperative without acting submissive or confrontational.
- Keep your cool and try to relax by thinking of other things.
- Avoid eye contact and the appearance of observing your captors while trying to observe all you can for later identification and prosecution.
- Don't make threats or arouse the hostility of your captors.
- Be reluctant to give up your identification or clothes.
- Try to drink water and eat to maintain your strength.
- Look for protective cover in the event an attempt is made to rescue you.
- If a rescue attempt occurs and shots are fired:
 - Drop to the ground and keep your hands on your head.
 - Don't stand up or try to help.
 - Fully cooperate with authorities until you can be properly identified.

SUSPICIOUS PACKAGE / MAIL

If you locate a suspicious article, **DO NOT TOUCH IT!** Leave the area immediately and notify your supervisor. If you cannot identify the package or its owner call 911 immediately.

Out of place containers or receptacles may indicate the presence of a bomb. If a suspicious article is found, Orem Police will respond and evaluate risks and relevant dangers. They will determine if the building should be evacuated. If Administration or Department Directors perceive imminent danger, they may cause the building to be evacuated immediately.

PUBLIC ACCESS AREAS ARE MOST VULNERABLE DUE TO EASE OF ACCESS BY PEOPLE (*Restrooms Are Commonly Targeted Areas*).

When dealing with letters, parcels, or unusual packages, the following factors may indicate a bomb or hazardous device. You should be suspicious of the following items:

- Protruding wires or tinfoil
- Excessive security material such as tape, string, etc.
- Rigid, lopsided or uneven envelopes
- Markings such as "confidential," "personal," etc.
- Excessive postage or weight
- Oily stains or discoloration
- Foreign mail, air mail, and special deliveries
- Hand written or poorly typed addresses or no return addresses
- Incorrect title or a title but no name
- Misspellings of common words
- Visual distractions
- Vapors or odors

EARTHQUAKES

DURING AN EARTHQUAKE STAY CALM - DUCK AND COVER

If you are **inside**, stay inside and find protection in a doorway, or crouch under a desk or table, away from windows or glass; avoid masonry/brick walls. If you are **outside**, stand away from buildings, trees, telephone and electric lines.

If you are in a **vehicle**, drive away from underpasses/overpasses; stop in safe area and stay in your vehicle.

NOTE: Stay under cover for 3 minutes after quaking stops to allow for aftershocks.

EVACUATE three minutes after shaking has stopped by following the directions listed in the "Evacuation" and "Evacuation Routes" sections of this manual.

Assemble in your designated area as listed in the "Assembly Locations" section of this manual. Once evacuated, it is imperative that you assemble in your designated assembly area. A head count must be taken immediately. The first priority of the Fire Department is the rescue of trapped individuals. Often a person is thought to be missing or trapped because they fail to report immediately to assigned areas. If you are directed to another task, send word to your assembly location.

Watch for falling objects as you exit the building. The potential dangers upon exiting the building are:

- Falling blocks, bricks, slate roofing or other exterior building components
- Falling glass
- Falling trees
- Falling lamp posts and street lights

Do not return to the building until it has been declared safe or you are directed to do so.

FIRE

The fire alarm system will detect most fires and automatically sound the alarm throughout the building. If not, activate the fire alarm at a pull box, evacuate the building and then dial 911 to report the fire. The Fire Department IS NOT automatically notified of fire via the alarm system. **It is imperative that you notify the Fire Department by dialing 911 once you have evacuated.**

In the event of a fire:

- Keep yourself between the fire and the nearest exit -- do not get trapped.
- Feel doors before opening them. If a door is hot, don't open it.
- If there is smoke, crawl to your exit. Cleaner air is near the floor.
- The last person out of a room should close the door.
- Provide visitors directions and help to the nearest exit.

If your clothing should catch on fire:

- Stop where you are. Do not run.
- Drop to the ground.
- Roll to smother the flames.

Pull boxes and fire extinguishers are located throughout the building. You should familiarize yourself with the fire extinguishers and pull stations in your immediate work area. **If you need to use an extinguisher to fight a fire, just think of the word, PASS:**

- **Pull** the safety pin at the top of the extinguisher.
- **Aim** the nozzle, horn, or hose at the base of the flames.
- **Squeeze** or press the handle.
- **Sweep** from side to side at the base of the fire until it goes out.

If you see someone on fire, use a coat or blanket to smother the flames.

If you become trapped and cannot get to a fire escape stairwell where fresh air is available, go to an exterior window. All doors should be closed around you and sealed tightly to prevent smoke penetration (use drapes, coats, etc.). If possible, cover your face with a damp cloth. Wait at the window and signal for help. If necessary, and if there is no smoke outside the window, break it and call for help.

BOMB THREAT

A bomb threat may be received by anyone. *Vital information that may save lives and property can be gained from the caller.* If you receive such a call stay calm and courteous and listen carefully. Take notes if possible, without becoming distracted from what the caller is saying. Do not interrupt. Do not place the caller on hold or attempt to transfer the call. If possible, quietly attract the attention of someone nearby, indicate to him/her the nature of the call, and have that person notify a supervisor, or call 911 from another phone. Inform the caller that detonation could cause serious injury or loss of life.

If the caller is agreeable to further conversation, ask the questions found below. After the call is over, call 911, notify your supervisor immediately and complete the questions found on this page.

Police, Fire, Administration/Department Directors will determine if evacuation is necessary. If evacuation is warranted, follow the instructions outlined in the "EVACUATION" section of this manual. Once the building is evacuated, police/bomb squad will search the building. Do not re-enter the building until it is cleared by police or emergency personnel.

BOMB THREAT CALL CHECKLIST

QUESTIONS TO ASK:

1. When is bomb going to explode?
2. Where is it right now?
3. What does it look like?
4. What kind of bomb is it?
5. What will cause it to explode?
6. Did you place the bomb? Why?
7. Why?
8. What is your address?
9. What is your name?

EXACT WORDING OF THREAT:

Note if (and how) the caller seems familiar with the building by description of bomb location. _____

Sex of caller _____ Age _____ Race _____ Time call received _____ Time call hung up _____

CALLER'S VOICE (Put a check by each that applies):

Calm Laughing Lisp Disguised Angry Crying Raspy
 Accent Excited Normal Deep Slow Distinct Ragged
 Rapid Slurred Soft Loud Nasal Deep breathing
 Stutter Cracking Voice Clearing Throat Intoxicated

Familiar If voice is familiar, who did it sound like? _____

BACKGROUND SOUNDS (Put a check by each that applies):

Street Noises House Noises Factory Local Motor Long Distance Voices
 Office Animals Phone Booth PA system Music Machinery Static
 Clear _____ Other Sounds

THREAT LANGUAGE (Put a check by each that applies):

Well Spoken (educated) Foul Incoherent Taped Irrational Was the message read?

REMARKS: _____

Name of individual receiving call _____ Date _____

Telephone Number _____ Position _____ Department _____

BIOLOGICAL HAZARD or CHEMICAL RELEASE

Upon discovery of a suspected biological hazard or suspected chemical release in the vicinity:

- Call 911 immediately to notify Fire and Police.
- Do not activate the fire alarm
- Inform your supervisor
- Follow the instructions of the emergency responders

If you receive a threat about a biological hazard or chemical release, follow the Bomb Threat Instructions contained herein and complete the Bomb Threat Checklist in this manual.

If you experience a biological or chemical agent release, dial 911 and follow the instructions of the operator. The 911 operators are trained to talk you through the procedures.

When experiencing a biological hazard release or toxic chemical release, or in the event you open a letter, parcel or package which contains an unknown powdery substance or states that you have been contaminated with anthrax, or some other biological agent, observe the following safety precautions:

- Remain calm and observant.
- Do not contaminate others.
- Isolate the container, device, or envelope - Place the item in a plastic bag if available and seal it.
- Make every attempt to stop or limit the spread of the hazardous material.
- Warn others not to come near you or the hazardous material.
- Call 911 and state what has occurred. If you do not have access to a telephone, have someone else call from another room.
- Notify building maintenance to turn off any ventilation systems. Their phone number is 801-568-7153 or 801-568-7249.
- List all persons who have touched the letter, parcel or package and provide the list to the responding police officer or HAZMAT official.
- Follow the instructions of the emergency responders.
- Note: Doctors can prescribe antibiotics for anthrax. However, to be effective, treatment should begin early. If left untreated, the disease can be fatal.

ROBBERY

If a robbery is taking place, it is important to remain calm and act rationally. Cooperate fully with the robber, particularly if a weapon is displayed, and do not endanger your life or others through unnecessary heroics.

Press your panic alarm button under your desk/work station if you have one and can do it without being noticed.

If possible, call 911 to notify Orem Police.

Resist any attempt to be taken hostage, unless your life would be placed in immediate danger by not cooperating. Once the suspect has left, **secure all exterior doors to prevent suspect from returning and taking a hostage.**

Be as observant as possible without being too obvious. Recollection of details will assist in apprehension and prosecution.

ROBBERY CHECKLIST

Fill out completely and as accurately as you can. Fill out immediately following a robbery.

Physical Characteristics:

Number of Assailants _____
Male/Female _____
Height _____
Weight _____
Eye Color _____
Hair Color, Style _____
Facial Hair _____
Scars, Marks _____
Accent _____
Race _____
Dark/Light Complexion _____
Teeth _____
Glasses _____

Clothing Type / Style / Color:

Hat _____
Shirt _____
Coat _____
Pants _____
Shoes & Tread _____

Jewelry Type / Color:

Necklace _____
Bracelets _____
Earrings _____
Body Piercing _____

Weapon:

Type _____
Large vs. Small _____
Color _____
Revolver vs. Automatic _____

BURGLARY/THEFT

As soon as a burglary is discovered, leave the scene. Do not disturb or touch anything. Notify your supervisor and Orem City Police by immediately calling 801-840-4100.

After police officers have investigated the scene, you and your supervisor should conduct an inventory of your work area and personal belongings to determine the amount of money or property stolen.

Report all thefts of personal or City property to your immediate supervisor or manager for appropriate action.

EVACUATIONS

If you feel you are in a life-threatening situation, notify your supervisor, evacuate the building, and go to your assigned assembly area. The fire alarm, an overhead announcement, or onsite emergency personnel will be the means of ordering an evacuation - usually in response to a fire, bomb threat, or an earthquake. However, due to falling debris, ***do not evacuate the building during an earthquake***. Wait 3 minutes after the shaking stops before evacuating (see page entitled, "Earthquakes"). **If a threat exists at a particular exit, you will be directed to avoid that exit.**

All employees should become familiar with the primary and alternate evacuation routes described below. During an evacuation use the east fire escape stairwell or the center staircases. Do not use the elevator as a means of evacuation. Elevator chases act as chimneys during fires. Unless special circumstances warrant, **the stairs will be used for all evacuations**. Assigned Employee Lifeguards may enlist your assistance to evacuate disabled individuals. You will be told at that time if the elevators are available for use in their evacuation.

Once you are ordered to evacuate:

- Do not delay your exit for personal items
- Calmly, cautiously and quickly go out of the building along assigned routes
- Move away from the building to your assigned assembly location
- Cashiers are to lock cash drawers prior to evacuation

It is imperative that you **go to your designated assembly location** for accountability and to keep the areas close to the building clear for emergency operations. The first priority of the Fire Department is the rescue of trapped individuals. Often a person is thought to be missing or trapped because they failed to report immediately to their assigned area.