

City of Los Alamitos

Administrative Regulation

Regulation	4.2	 DocuSigned by: <i>Chet Simmons</i> 040A80B8E29D4FE...
Title:	Personnel Resolution	
Authority:	City Council Resolution 2024-01	
Date:	January 16, 2024	

- 1. Purpose:** The purpose of this policy is to comply with the City's personnel rules and regulations adopted by the City Council Resolution.
- 2. Application:** This regulation applies to all City of Los Alamitos personnel.
- 3. Regulation:** The Personnel Resolution is attached for reference. The City's Personnel Rules and Regulations are currently being revised. The City's Employer-Employee Organization Relations Resolution is also attached for reference.

History:

- Resolution No. 1531 – September 26, 1994*
- Resolution No. 1749 – February 14, 2000*
- Resolution No. 2001 – June 2005*
- Resolution No. 2001 – June 20, 2005*
- Resolution No. 2015-33 – November 16, 2015*
- Resolution No. 2024-01 – January 16, 2024*

RESOLUTION NO. 2024-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REVISING THE CITY'S PERSONNEL POLICIES AND PROCEDURES MANUAL AND REPEALING RESOLUTION NO. 2015-33

WHEREAS, on July 17, 2006, the City Council approved Resolution No. 2051, revising and updating the City's "Personnel Policies and Procedures"; and,

WHEREAS, on November 16, 2015, the City Council approved Resolution No. 2015-33 revising and updating the City's "Personnel Policies and Procedures" with recommended changes, which established a twelve-month probationary period for regular employees promoted or transferred to another position; and,

WHEREAS, it is appropriate to revise and update the Personnel Policies and Procedures to update with current State and Federal laws and make changes to improve clarification.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos, California, finds that the above recitals are true.

SECTION 2. Resolution No. 2015-33 is hereby repealed.

SECTION 3. The revised Personnel Policies and Procedures, dated January 16, 2024 and attached hereto as Exhibit A, are hereby adopted.

SECTION 4. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 16th day of January, 2024.

DocuSigned by:

20FB50B2CEDB450...
Jordan B. Nefulda, Mayor

ATTEST:

DocuSigned by:

34BCC28B4CA8409...
Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Michael S. Daudt
356A1F4BDEFA45B...
Michael S. Daudt, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Windmera Quintanar, MMC, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 16th day of January, 2024 by the following vote, to wit:

AYES: COUNCILMEMBERS: Hibard, Doby, Hasselbrink, Murphy, Nefulda
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None

DocuSigned by:
Windmera Quintanar
54BCC26B4CA8409...
Windmera Quintanar, MMC, City Clerk

CITY OF LOS ALAMITOS



PERSONNEL POLICIES AND PROCEDURES MANUAL

Revised January 16, 2024
Resolution No. 2024-01

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RULE 1 GENERAL PROVISIONS

Section 1.1 Purpose

The purpose of the Personnel Policies and Procedures Manual ("Manual") is to provide guidance in the application of a fair personnel management policy, which promotes the efficient and economical delivery of City services.

Section 1.2 Prior Policies Repealed

In the event that the terms and provisions of this Manual are inconsistent or in conflict with the terms and provisions of any prior City personnel policy and procedures, resolutions, rules and regulations governing the same subject, the terms of this policy and procedure manual shall prevail and such inconsistent or conflicting provisions or prior resolutions, rules and regulations are hereby repealed.

Section 1.3 Term of Personnel Manual

This Manual takes effect when adopted by the City Council of the City of Los Alamitos. The Manual shall remain in effect unless repealed, in whole or part, by the City Council of the City of Los Alamitos. The City Council retains full and exclusive authority and discretion to modify this Manual at any time in accordance with law.

This Manual does not create any contractual rights, or any express or implied employment contract between the City of Los Alamitos and the individuals covered by this Manual.

Section 1.4 Non-Discrimination

The City of Los Alamitos shall comply with applicable Federal and State laws governing fair employment practices and equal opportunity. The City of Los Alamitos shall not unlawfully discriminate against any person based on race, creed, color, religion, national origin, ancestry, sex, age (40 and over), political opinion, medical condition, marital status, physical or mental disability, gender, gender identity, gender expression, sexual orientation, military and veteran status, or any other basis protected by law.

Section 1.5 Violation of Personnel Policy

Violation of these personnel policies as adopted shall constitute grounds for rejection or for suspension, demotion, discharge or other disciplinary action deemed appropriate in the discretion of City Management.

Section 1.6 Department Policies and Procedures

Department managers may issue such policies and procedures as deemed necessary for the efficient and orderly administration of the department. However, no such policies or procedures shall conflict with or supersede these Personnel Policies and Procedures. Further, the policies or procedures shall be approved by the City Manager prior to their

implementation. Copies of department policies and procedures must be distributed to each employee of the department. Department policies and procedures must be consistent with, and supplementary to, these Personnel Policies and Procedures.

Section 1.7 Employment Agreements, Memoranda of Understanding and Salary and Benefit Resolutions

To the extent that any part of this Manual is inconsistent with the terms of a written employment agreement signed by an authorized City representative, or the terms of a memorandum of understanding between the City and a recognized employee organization, or the terms of a salary and benefit resolution adopted for non-represented employees, the terms of the employment agreement, the memorandum of understanding, or the resolution shall apply.

Section 1.8 Distribution of Personnel Policies

Copies of the Personnel Policies and Procedures Manual shall be given to each employee of the City. Also, Department managers shall make them accessible to employees.

Copies shall be available in the Administrative Services Department, the City Clerk's office, the City Manager's office, in each department of the City, and on the City's website.

Section 1.9 Definition of Terms

Terms used in this Personnel Policies and Procedures Manual shall be defined as follows:

Acting Appointment - An appointment of a person on an interim basis pending later appointment of an eligible person.

Advancement - A salary increase within the limits of a pay range established for a class.

Anniversary date - The effective date of employment or the most recent date of promotion for the employee.

Applicant - Any person submitting a formal completed application for employment with the City.

Authorized Position - A specific work position within a job classification, which is or may be held by an employee.

City - The City of Los Alamitos.

City Council - The City Council of the City of Los Alamitos.

Class - All positions substantially similar in duties, authority, responsibility, and character of work to permit grouping under a common title in the application with equity of common

standards of selection, transfer, demotion, promotion, and salary.

Compensation - Salary, wages, fees, benefits, allowances or other monies or benefits paid to or on behalf of an employee for personal services.

Competitive Service - all offices, positions and employment in the service of the City, except:

- elective officers;
- members of appointive boards, commissions and committees;
- persons engaged under contract to supply expert, professional or technical services for a definite period of time;
- volunteer personnel who receive no regular compensation from the City;
- City Manager;
- Assistant City Manager;
- City Clerk;
- City Attorney;
- City Engineer;
- student interns;
- employees who are employed less than full time, which is defined as employees who work, or are expected to work, less than one thousand eight hundred twenty (1820) hours per calendar year;
- all department and bureau heads appointed after July 1, 1993; and
- any newly created position, which is designated at the time of its creation as being exempt from these rules.

Employees excluded from the Competitive Service serve at the will and pleasure of the Personnel Officer, have no property right in continued employment with the City, and may be terminated without cause and without right to any pre- or post-disciplinary procedural due process or evidentiary appeal.

Continuous employment - Employment which is uninterrupted except by authorized and/or legally protected absences.

Days - Means calendar days unless otherwise stated.

Demotion - The movement of an employee from one class to another class having a lower maximum base rate of pay.

Department - A major administrative branch of the City involving a general line of work with one or more employees under the charge of one or more individuals known as supervisors.

Department Head - The Director or Manager of a City department.

Disciplinary Action - Includes, but is not limited to, the discharge, demotion, reduction in pay, unpaid suspension, and oral or written reprimands of a regular employee; provided, however, that exempt employees shall not be subject to unpaid disciplinary suspension or other disciplinary action that would invalidate their exempt status.

Discharge - Involuntary termination of employment with the City.

Employment list - A list of names of persons who may be considered for employment with the City under specified conditions. Employment lists will be prepared as needed as determined by the Personnel Officer.

Employee - A person who is legally occupying a position in the City's service or who is on an authorized leave of absence from such position.

Employee Classification Plan - Classes of positions defined by class specifications including title which groups all positions with similar duties, responsibilities, authority and character of work in the same class with the equitable schedules of compensation within the same class.

Fiscal Year - The fiscal year for the City begins on July 1 and ends on June 30 of the next year.

Full-time Employee - An employee of the City who usually works eighty (80) hours per pay period in an approved classification plan position.

Grievance - Any good faith or reasonable complaint of an employee or a group of employees or a dispute between the City and said employee or group of employees involving the interpretation, application, or enforcement of this Personnel and Policies Manual, an applicable Memorandum of Understanding, and/or the Administrative Rules and Regulations Manual; provided, however, complaints involving disciplinary actions, and rejection from probation, are not grievable.

Grievance Procedure - The systematic means by which an employee may obtain consideration of a grievance.

Immediate Family - An employee's father, mother, spouse, registered domestic partner, child, brother, sister, grandparent, grandchild, or parent-in-law.

Immediate Supervisor - The most immediate person to whom an employee reports for work assignments and direction.

Job Classification - The descriptive title of a certain type of job performed by a City employee. Inherent in each classification are certain duties, responsibilities, and degrees of authority.

Layoff - The separation of an employee from City service, which has been made necessary by lack of work or funds, or other non-disciplinary reasons.

Leave of Absence - An authorized absence from duty for a specified period.

Performance Evaluation - A review and evaluation of an employee's performance and capabilities in the employee's authorized position by the employee's immediate supervisor or other manager.

Personnel Manual - This group of personnel policies and procedures concerning employment with the City of Los Alamitos.

Personnel Officer - The City Manager or an employee of the City designated by the City Manager as the Personnel Officer.

Personnel Ordinance - An ordinance which creates a personnel system for the City.

Position - A group of current duties and responsibilities assigned or delegated by competent authority and requiring the full or part-time services of one (1) employee.

Probationary Period - The first two thousand eighty (2080) hours worked or one (1) year, whichever occurs later, or such duly extended period of employment, during which an employee serves at the pleasure of the appointing authority, may be discharged without cause, has no property right in continued employment, and is not entitled to any pre- or post-disciplinary procedural due process, evidentiary appeal, or recourse to the grievance procedure.

Promotion - The movement of an employee from a position of one class to a position in another class having a higher maximum salary rate with an increase in duties and responsibilities over the employee's present class.

Provisional Appointment - The temporary appointment of a person who possesses the minimum qualifications established for a particular class and who has been appointed to a position in that class in the absence of persons who are available and eligible for appointment to the position. The term of a provisional appointment shall not be longer than six (6) months.

Reclassification - Allocation by the Personnel Officer of a position, the duties of which have changed materially so as to necessitate reclassification, to a more appropriate class.

Reduction in Pay - A temporary or permanent decrease in salary.

Regular Employee - A full time employee who has successfully completed the probationary period and has been retained as hereafter provided in these rules.

Reinstatement - The restoration without examination of a former regular employee or probationary employee to a classification in which the employee formerly served as a regular non-probationary employee.

Resignation - Voluntary termination of employment by an employee.

Salary range - Categories, which determine the minimum and maximum salary payable for each employment classification.

Salary step - A level of salary payable in each salary range.

Sick Leave - Paid leave from work that an employee may use for the following purposes:

1. Diagnosis, care, or treatment of an existing health condition of, or preventative care for the employee themselves or any of the following family members of the employee: a child of any age or dependency status; a parent; a parent-in-law; a spouse; a registered domestic partner; a grandparent; a grandchildren; or a sibling; or
2. For an employee who is a victim of domestic violence, sexual assault, stalking, or other crime in order for the employee to engage in any of the following activities: (1) obtain or attempt to obtain a temporary restraining order or other court assistance to help ensure the health safety or welfare of the employee or their child; or (2) obtain medical attention or psychological counseling, services from a shelter, program or crisis center, or (3) participate in safety planning or other actions to increase safety.

Standby Duty - Assignments or circumstances which require an employee so assigned by management to

1. Be readily available at all hours by telephone or other agreed upon communications equipment, such as a beeper or radio, or by leaving a message at the employee's telephone location indicating where and how the employee can be reached;
2. Be able and ready to respond promptly to a call for service; and
3. Refrain from those activities, which might impair the employee's performance of assigned duties when called.

Supervisor - Any individual having the authority, in the interest of the City, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend that action, if, in connection with the foregoing, the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

Suspension - Unpaid suspension is the temporary separation from service of an employee without pay for disciplinary purposes. Paid suspension is non-disciplinary leave, wherein the employee is fully or partially relieved of duty, with pay and benefits, pending investigation of employee conduct or for other reasons deemed appropriate by City management.

Termination - The conclusion or cessation of employment with the City of Los Alamitos.

Transfer - The movement of an employee within a department or between departments from one position to another position in the same class or another class having the same maximum salary, involving the performance of similar duties and requiring substantially the same basic qualification. Transfer shall also include movement from one position to another for training purposes, to allow for underfilling a higher-level position or to avoid layoff.

Vacancy - An unfilled authorized position in the City of Los Alamitos employment.

Section 1.10 Application of Personnel Rules

These Personnel Rules shall apply to all officers, positions and employments in the Competitive Service of the City. The prohibitions in the Nepotism, Alcohol and Drug, and Workplace-Related Violence policies also apply to positions outside of the Competitive Service.

Section 1.11 Savings Clause

If any provision or the applications of any provision of this Manual, as implemented, are rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions of this Manual shall remain in full force and effect.

RULE 2 RECRUITMENT, SELECTION AND PLACEMENT

Section 2.1 Classification Plan

The Personnel Officer shall ascertain and record the duties and responsibilities of all positions in the City and shall recommend a classification plan for such positions. The classification plan shall consist of classes of positions defined by class specification, including the title. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and that the same schedules of compensation may be made to apply under similar working conditions to all positions in the same class.

The classification plan shall be recommended by the Personnel Officer and adopted by the City Council, and may be amended from time to time. Amendments and revisions of the plan may be suggested by any interested party and submitted to the Personnel Officer. A new position shall not be created and filled until the classification plan has been amended to provide therefor.

Section 2.2 Reclassification

Positions, the assigned duties of which have been materially changed by the City so as to necessitate reclassification, whether new or already created, may be allocated by the Personnel Officer to a more appropriate class.

Employees reclassified to a new position shall be placed at that step of the salary range in which the position is reclassified which represents a nominal five (5) percent increase in the employee's current salary. Employees reclassified to a new position having a salary range with a minimum step that is higher than a five (5) percent increase over the employee's current salary shall be placed at the minimum step of the salary range in which the position is reclassified.

Section 2.3 Vacancies

When a permanent vacancy occurs in an authorized position, the Personnel Officer may attempt to fill the vacant position with an existing City employee who is both qualified for the position and willing to accept the employment change. When the Personnel Officer deems it better not to fill the vacancy with a City employee, the Personnel Officer may fill the vacancy with a person who is not a City employee. The Personnel Officer may determine that it is in the City's best interest to leave the position vacant. This section shall not be construed to limit in any way the Personnel Officer's right to hire the most qualified person available to fill any vacancy.

Section 2.4 Personnel Requisitions

All requests for additional or replacement personnel shall be submitted to the Personnel Officer on a Personnel Action Form. The Personnel Action Form shall be completed by the initiating department and signed by the department head.

Section 2.5 Announcements

The Personnel Officer may publish announcements, which shall state the position title, salary, desired qualifications, when and where to file applications and other pertinent information. Employment standards stated in the announcement shall be those established for the class as approved by the Personnel Officer.

Announcements shall be considered published when they are posted on the City website. The Personnel Officer may publish notices of vacancies, as he/she deems appropriate in order to recruit qualified applicants.

Section 2.6 Qualification of Applicants

No person shall be employed in or appointed to any position where the position is included in the classification plan and a class specification exists establishing desired qualifications unless said person possesses in full, by the hire date, the desired qualifications or education and experience prescribed for that class, except as provided by this Manual.

Section 2.7 Submitting Applications

Applications must be received by the City not later than close of business at City Hall on the final filing date. All employment applications submitted to the City shall remain in an

active status for a period of twelve (12) months during which time applicants will be considered for employment.

Section 2.8 Incomplete Applications

Incomplete applications may be returned to the applicant with notice to amend, provided adequate time exists. Incomplete applications received after the filing period will not be given consideration for City employment.

Section 2.9 Disqualification

The Personnel Officer may disqualify an applicant or refuse to refer any person for employment for, but not limited to, the following reasons:

1. The applicant does not possess the necessary qualifications established for the position on the date of hire.
2. The applicant has been dismissed for good cause from previous employment.
3. The applicant has used or attempted to use any improper personal or political influence to further their employment with the City.
4. The applicant has practiced or attempted to practice any deception, fraud or omission of material fact in the application or interview, or in securing eligibility for employment.

Section 2.10 Offer of Employment

Offers of employment shall be extended to selected candidates by the Personnel Officer or Department Head. Employment offers for all positions shall be made in writing and shall include starting salary on an hourly, weekly or monthly basis. In no event shall an employment offer be made in terms of annual salary, which may imply a yearly contract. Employment offers may be subject to employment contingencies including, but not limited to, satisfactory medical exam, driver's license, and/or criminal background checks.

Section 2.11 Medical Examination

Offers of employment to certain positions may be made contingent upon the prospective employee satisfactorily passing a job-related medical and/or psychological examination. Such examination shall be performed by a licensed physician and/or psychologist chosen by the City without cost to the prospective employee, and shall only be required after a conditional offer of employment has been made.

Section 2.12 Criminal Background Check

After the City makes a conditional offer of employment, the Personnel Officer may then

request information about criminal convictions, except for misdemeanor marijuana-related convictions that are over two years old, or convictions that have been judicially sealed, eradicated, or expunged. Prospective employees shall then be fingerprinted using Live scan or actual fingerprint cards. Completed fingerprint cards are mailed to the Bureau of Identification of the State Department of Justice. The Department of Justice reports are addressed to and shall only be opened by the Personnel Officer or an employee so designated by the Personnel Officer.

Unless required by law, the City will not deny employment to any applicant solely because they have been convicted of a crime. The City may, however, consider the nature, date and circumstances of the offense, evidence of rehabilitation, as well as whether the offense is relevant to the duties of the position. This policy does not apply to applicants for public safety jobs.

Section 2.13 Driver's License and Satisfactory Driving Record

All applicants seeking employment with the City and who are being considered for employment with the City in a position that requires driving must provide proof of a valid California Driver's License and a copy of their driving record issued by the California Department of Motor Vehicles. If the applicant does not have a valid California Driver's License or the applicant's driving record is deemed by the Personnel Officer to be unsatisfactory, the applicant will be deemed ineligible for employment with the City.

Current employees of the City occupying positions for which driving is an essential function shall have an appropriate valid California Driver's License and a good driving record. The City of Los Alamitos is enrolled in the Department of Motor Vehicles Employer Pull Notice Program. Information regarding driving record, violations, suspended license, etc. is provided to the City on a regular basis. Employees of the City occupying positions for which driving is an essential function are required to advise the City of any change in their driver's license status immediately. In the event the employee's driver's license is revoked, suspended or expired, or the employee is uninsurable by the City, the employee will be deemed to have failed to meet a continuing essential condition of employment and shall be placed on immediate suspension. If the employee fails to regain driving privileges or insurability by the City within the period designated by the Personnel Officer or his designate, the employee will be terminated from employment with the City for failure to satisfy job requirements.

Section 2.14 Employment Oath

All employees of the City shall complete and sign the Oath or Affirmation of Allegiance for Public Officers and Employees on the first day of employment in accordance with the Constitution of the State of California.

The City Clerk, or deputized other persons, shall administer all Oathsof Allegiance. The City Clerk has the authority to deputize any person to assist with administration of the Oath. The following positions shall be deputized for the purpose of administering the Oath of Allegiance *only* and the list may be added to or changed should the needs of the City Clerk necessitate such:

- Administrative Services Manager
- Executive Assistant
- Deputy City Clerk
- Department Secretaries (Development Services, Recreation, Police)

Should an employee take the Oath of Allegiance at a ceremonial event (i.e. badge pinning), the Mayor or a family member may administer the ceremonial Oath. However, before commencing duties as a City employee, the employee will take an official Oath of Allegiance administered by the City Clerk or deputized other person.

All original signed Oaths of Allegiances shall be forwarded to the City Clerk's Office.

The City Clerk will maintain all Oaths of Office in the Vault. All designated Conflict of Interest Code filers will be filed in their respective folders. Non-filing employees will be filed together in numeric file O100-86.

Section 2.15 Identification Cards and Badges

Employee identification cards and badges shall be issued to all employees of the City. Employee identification cards are to be used by employees in conducting business on behalf of the City. Employee identifications cards are the property of the City and shall be surrendered to the City upon termination of employment and prior to receiving payment of salary due at termination. Employees shall be required to immediately report lost or stolen identification cards to the Administrative Services Department.

Section 2.16 Keys and Security Codes

Keys to City facilities and related security access codes will be issued to employees so designated by the City Manager. Keys are the property of the City and shall be surrendered to the City upon termination of employment and prior to receiving payment of salary due at termination. Employees shall be required to immediately report lost or stolen keys to the Administrative Services Department.

RULE 3 TERMS OF EMPLOYMENT

Section 3.1 Salary Schedule Adoption

Except as otherwise provided by law, officers and employees shall receive compensation as provided in the basic salary and compensation schedule adopted by the City Council of the City by resolution for the respective classifications of positions in which they are employed, in accordance with the terms of employment set forth in this Manual.

Section 3.2 Probationary Period

To ensure that new full-time employees are able to satisfy requirements of the position for which they were hired, the twelve (12) months or two thousand eighty (2080) hours worked,

whichever occurs later, shall be considered the minimum probationary period for full-time employees of the City. The probationary period is required as part of the testing process and shall be utilized for observing closely the employee's work. All probationary employees will receive a performance evaluation prior to completion of the minimum probationary period and prior to any extension of the probationary period.

During the probationary period, or any extension thereof, a probationary employee serves at the pleasure of the appointing authority, has no property right in continued employment, and is not entitled to any pre- or post-disciplinary procedural due process, evidentiary appeal, or recourse to the grievance procedure. The probationary period may be extended for a maximum of six (6) calendar months or one thousand forty (1040) hours worked, whichever occurs later, subject to the approval of the Personnel Officer.

Full-time employees promoted or transferred to another position in the City, shall be considered probationary employees during the first twelve (12) months or two thousand eighty (2080) hours worked, whichever occurs later, in the new position. Employees should be evaluated at least twice during the probationary period - at six months and before the end of the twelfth month of the probationary period. Employees failing to perform satisfactorily in the newly assigned position may be rejected and returned to their former position or to a position requiring similar skill and in a similar pay grade without any pre- or post-disciplinary procedural due process, evidentiary appeal, or recourse to the grievance procedure.

Section 3.3 Promotion

It is the policy of the City to fill authorized position vacancies with the most qualified individual available and to provide promotional opportunities for qualified employees. For the purpose of this policy, promotion shall be defined as movement to a higher classification in the salary schedule. Employees interested in promotion to a position vacancy for which they are qualified shall submit an employment application to the Personnel Officer. Employees who have not yet successfully completed the probationary period for their current position are not eligible for promotional consideration for a position being advertised only to City employees.

Employees promoted to a new position shall be placed at that step of the salary range in which the position is classified which represents a nominal five (5) percent increase in the employee's current salary. Employees promoted to a new position having a salary range with a minimum step higher than a five (5) percent increase over the employee's current salary shall be placed at the minimum step of the salary range in which the position is classified.

Employees appointed to an "acting" position shall not acquire probationary or permanent status or rights, and time spent in an "acting" position shall not be counted towards the probationary period if the employee is subsequently appointed to the position.

Promotional offers shall be extended to selected candidates by the Personnel Officer or Department head. Employment offers for all promotional positions shall be made in accordance with Section 2.10 of this Personnel Policies and Procedures Manual.

Section 3.4 Transfer

Request for transfer to another type of work or department will be normally considered only after successful completion of the probationary period. No person shall be transferred to a position for which that person does not possess the minimum qualifications. Employees requesting a transfer shall submit a memorandum to the Personnel Officer detailing the request for transfer and reasons for the request. Upon receipt of the transfer request, the Personnel Officer will notify the employee's supervisor and/or department head. Job performance, qualification and attendance shall be evaluated to ensure the most effective use of the employee's capabilities in evaluating the transfer request. If the transfer involves a change from one department to another, both department heads must consent thereto unless the City Manager orders the transfer. The City may initiate employee transfers when the transfer is in the best interest of the City.

Section 3.5 Demotion

Employees demoted at their own request shall be placed at the closest step below their salary range. If the employee fails to perform satisfactorily during the probationary period, the employee may be discharged in accordance with the employee termination policy.

The City may demote an employee whose ability to perform the required duties falls below standard or for disciplinary purposes to a step determined by the Personnel Officer. No employee shall be demoted to a position for which the employee does not possess the minimum qualifications.

Section 3.6 Suspension

The City Manager may suspend an employee from a position at any time for a disciplinary purpose. Suspension without pay shall not exceed thirty (30) calendar days, nor shall any employee be penalized by suspension for more than thirty (30) calendar days in any fiscal year. Department heads may suspend a subordinate employee for not more than thirty-six (36) hours at any one time, and not more than once in a thirty (30) calendar day period. Suspension shall be reported immediately to the Personnel Officer and shall be taken in accordance with Rule 5 hereof. Employees who are exempt from FLSA overtime will only be suspended as authorized by the FLSA.

Section 3.7 Reinstatement

Employees who have resigned from City employment may be eligible for reinstatement to their former position or to a position requiring similar skill and in a similar pay grade providing all of the following criteria are met:

1. There is a vacancy in the position for which the employee seeks reinstatement.
2. The request for reinstatement is received within two (2) years from the date

the employee resigned.

3. If applicable, the former employee meets the medical requirements for the position and is certified by a City retained physician to be able to perform the essential functions of the job, with or without reasonable accommodation, and without risk to the health or safety of others.
4. Performance evaluations at the time of resignation were satisfactory.
5. The former employee provided at least two (2) weeks notice upon resignation.
6. The Personnel Officer approves the reinstatement request prior to the appointment.

Former employees shall have no right to reinstatement and such reinstatement shall be at the sole discretion of the City. The City reserves the right to consider the restoration of salary, seniority and other employee benefits on an individual basis and the same shall be restored at the sole discretion of the City Manager. Reinstated employees shall be required to complete a probationary period, the length of which shall be determined by the City Manager.

Section 3.8 Termination

Employees may be rejected without cause and without right to any pre- or post-disciplinary procedural due process, evidentiary appeal, or recourse to the grievance procedure at any time during the probationary period (including during an approved extension of an employee's initial probationary period.) Rejections occurring during the probationary period shall be initiated by the appropriate department head and approved by the Personnel Officer and City Manager prior to notifying the employee of termination action. Rejected probationary employees shall forfeit all employee benefits except accrued vacation and benefits accrued under the Public Employees' Retirement System, if any. Rejected probationary employees shall receive payments due on the final day of employment.

The City may discharge regular employees for cause, including, but not limited to, inadequate job performance. All employees of the City shall be discharged in accordance with applicable provisions of the Personnel Ordinance or this Manual. Employees discharged in accordance with this Manual shall forfeit all employee benefits except accrued vacation and benefits accrued under the Public Employees' Retirement System and benefits to which the employee is statutorily entitled, if any. Discharged employees shall receive a final paycheck on the payday following the final day of employment.

Section 3.9 Orientation

An employee designated by the Personnel Officer will provide a brief orientation to each new employee of the City. The orientation will address issues such as hours of work, rest periods, salary, benefits, probationary period, performance evaluation, position descriptions, attendance, drug abuse policy, smoking policy, sick leave, vacation, overtime, and other basic personnel issues as directed by the Personnel Officer.

The employee's immediate supervisor will provide the employee with a thorough orientation including, but not limited to, the following:

1. Outline current and long-range departmental objectives.
2. Review the organization of the department and the names of key department personnel.
3. Review department procedures.
4. Explain hours of work, time reporting, lunch and break periods, absence reporting and other City policies.
5. Define work assignments, objectives and responsibilities.
6. Set measurable performance goals with the employee.
7. Conduct a tour of City facilities including rest rooms and parking facilities.
8. Upon completion of the orientation, employee shall sign a statement which states they have received such orientation and which enumerates the topics covered and documents received during the orientation.

Section 3.10 Attendance

Employees shall be in attendance at their work station or other assigned work location in accordance with the rules regarding hours of work, holidays, and leaves. All departments shall keep daily attendance records of employees, which shall be reported to payroll on the appropriate form. Absence without authorization shall be cause for discipline, up to and including discharge.

Employees shall make every effort to schedule personal appointments outside their working hours. The City will maintain records of employee attendance to identify critical and chronic attendance problems. Employee attendance will be reviewed and evaluated during the employee's annual performance evaluation.

Section 3.11 Nepotism/Fraternization

This rule applies to all employees of the City, both in and outside of the competitive service.

In order to assure efficiency in implementing policies of the City, it is necessary to restrict the employment of relatives/spouses of elected and appointed officers of the City and of relatives/spouses of municipal employees. Relatives/spouses of elected and appointed officials, and relatives/spouses of employees shall not be employed in the same department of the City where such employment would be detrimental to the supervision, safety, security or morale of the department or the City, as determined by the City Manager, nor shall any

employee be placed in a position which exercises supervisory authority over a relative/spouse.

For purposes of this rule, “relative” means child, step-child, parent, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, or in-laws of those enumerated by marriage or domestic partnership. “Spouse” means one of two persons to a marriage, or two people who are registered domestic partners, as those terms are defined by state law.

While the City does not prohibit romantic and/or dating relationships among employees, it regulates the placement of employees in such relationships so as to avoid conflicts of interest and promote safety, security, supervision, and morale. Any employee who enters into a romantic and/or dating relationship with another employee should notify Human Resources as soon as possible.

Section 3.12 Compensation

The Personnel Officer or a designated representative shall be responsible for preparing and maintaining an employee classification plan for the City of Los Alamitos. The employee classification plan shall be approved by the City Council of the City.

New employees of the City shall be hired at the minimum step (A step) of the salary range in which the position is classified. In the event a potential employee possesses extraordinary skill, training or ability, or where exceptional recruitment difficulties are encountered, employment offers may be made at a higher rate whenever such would be in the City's best interest. Offers of employment over the minimum of the salary range shall require the approval of the City Manager.

Individuals hired at the minimum step of the salary range shall be eligible for a salary step increase upon completion of the probationary period or any extension thereof, unless a different time period is approved by the City Manager. A completed performance evaluation with a satisfactory or higher rating shall be required for all salary step recommendations.

Individuals hired at other than the minimum step of the salary range shall be eligible for a salary step increase upon completion of the probationary period or any extension thereof, unless a different time period is approved by the City Manager. A completed performance evaluation with a satisfactory or higher rating shall be required for all salary step recommendations.

Section 3.13 Performance Evaluations

It is the policy of the City of Los Alamitos to evaluate employee performance on a regularly scheduled basis. The performance evaluation shall normally be conducted by the employee's immediate supervisor and shall be discussed with the employee. The employee's immediate supervisor shall carefully consider each item of the performance evaluation in relation to the duties outlined in the employee's position description.

A performance evaluation shall be completed prior to the completion of a probationary period, including, prior to the completion of any extended probationary period and prior to the completion of the promotional probationary period of a regular employee or any extension thereof. For new full-time probationary employees, performance evaluations shall also be completed after the first six (6) months of employment. It is the supervisor's responsibility to assure that the performance evaluation is completed and returned to the Personnel Officer for review prior to the completion of the probationary period.

A performance evaluation shall be completed on at least an annual basis for regular employees. It is the supervisor's responsibility to assure that the performance evaluation is completed and returned to the Personnel Officer for review prior to the employee's anniversary date. Special evaluations, as needed, may be given.

Section 3.14 Higher Classification Differential

An employee designated to act in a higher classification shall receive an extra five percent (5%) of base salary for out of class pay, as additional compensation for all time spent in the acting position in excess of five consecutive working days and continuing only until such time as the employee is returned to their original job classification. Employees transfer-ed to a higher classification for training purposes, to underfill a higher -level position, or to avoid layoff shall not be eligible for this differential.

Section 3.15 Rest Periods

Employees of the City shall be eligible to receive one compensated rest period of fifteen (15) minutes in any four (4) consecutive hours of work. The employee's immediate supervisor shall coordinate the scheduling of the rest period. Rest periods may not be combined to shorten the workday or to extend the meal period.

Section 3.16 Lactation Breaks and Accommodation

The City will provide a reasonable amount of break time to accommodate any employee desiring to express breast milk for the employee's infant child each time the employee has a need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. If the employee takes lactation breaks at times other than their provided break times, then the lactation break shall be unpaid or the employee may choose to use accrued leave.

Those desiring to take a lactation break at times other than their provided break times must notify a supervisor prior to taking such a break. Breaks may be reasonably delayed if they would seriously disrupt operations. Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

The City will provide a room or other appropriate location in close proximity to the employee's worksite that is not in a bathroom to express milk in private. The room or location will meet the following requirements:

- (a) Be shielded from view and free from intrusion while being used to express milk;
- (b) Be safe, clean, and free of hazardous materials;

- (c) Contain a surface on which to place a breast pump and personal items;
- (d) Contain a place to sit; and
- (e) Have access to electricity needed to operate an electric battery-powered breast pump.

An employee occupying such private area shall either secure the door or otherwise make it clear to others through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break under this section, except to announce an emergency or other urgent circumstance.

The City will provide access to a sink with running water and a refrigerator, or other cooling device, suitable for storing milk, in close proximity to the employee's work area.

An employee may make a request for lactation accommodation, either orally or in writing, to the Personnel Officer.

Following receipt of a request for lactation accommodation, the City will provide a timely written response to the employee in which the City will indicate if it is unable to provide the requested break time or a requested location for the purposes of expressing breast milk.

An employee who does not believe that the City is providing an appropriate lactation accommodation should immediately inform the Personnel Officer.

An employee who does not believe that the City is providing an appropriate lactation accommodation as required by state law has the right to file a complaint with the California Division of Labor Standards Enforcement/Labor Commissioner.

Section 3.17 Notice of Resignation

Employees who wish to voluntarily terminate employment with the City shall provide a minimum of two (2) weeks written notice to their immediate supervisor. Supervisors shall provide a minimum of twenty-one (21) days written notice to their Department Head. The written resignation shall be considered accepted by the City immediately upon submission by the employee and shall be forwarded to the Administrative Services Department for processing. Requests to revoke a resignation shall be determined in the sole discretion of the City Manager. Any employee failing to provide the City with the minimum written notice required in this section shall be ineligible for consideration for future employment with the City, unless the notice is waived by the Personnel Officer for good cause.

Section 3.18 Death of Employee

In the event of a death of the City employee, payment of all earned wages due shall be in accordance with applicable laws.

Section 3.19 Political Activity

Political activities of officers and employees of the City while on duty and/or on the premises

of the City are prohibited. In accordance with the California Government Code the following shall be prohibited.

1. Except as provided hereafter, an officer or employee of the City shall not, directly or indirectly, solicit a political contribution from an officer or employee of the City or a person on an employment list of the City, unless the solicitation is part of a solicitation made to a significant segment of the public which may include officers or employees of the City (Government Code Section 3205)
2. No officer or employee of the City shall participate in political activities of any kind while in a City uniform or other City-issued clothing. (Government Code Section 3206)
3. No officer or employee of the City shall engage in political activity during working hours or on City property. (Government Code Section 3207)

City employees or officers, either during the working hours of its officers and employees or in City offices, may not solicit or receive political funds or contributions to promote the passage or defeat of any ballot measure that would affect working conditions. (Government Code Section 3209)

Section 3.20 Voting

The City of Los Alamitos encourages eligible employees to register and vote in all Federal, State and Local elections. Employees of the City are expected to vote prior to or following their assigned working hours. However, the City will consider time off with pay to participate in Federal, State and Local elections in certain circumstances.

Employees having two (2) or more consecutive non-working hours following the opening or preceding the close of polls will not be granted time off with pay to vote. Employees having less than two (2) consecutive non-working hours following the opening or preceding the close of polls may be granted sufficient time off with pay to vote.

In order to receive paid time off to vote, the employee must provide a written request for such time and must obtain written approval from the employee's department head. Requests must be made in writing and must be received at least three (3) days prior to Election Day. The Personnel Officer shall be notified prior to approval of paid time off for voting. In no event shall an employee receive more than two (2) hours paid absence for the purpose of voting. Voting time with pay shall be taken immediately prior to the beginning or the completion of the employee's scheduled workday. Paid absence for the purpose of voting shall be in accordance with Section 14400 of the California Elections Code.

Section 3.21 Alcohol and Drug Policy

It is policy of the City of Los Alamitos to prohibit its employees from using alcohol or drugs in connection with their employment, as it constitutes a threat to the safe and efficient performance of our public service.

With this in mind, the City has established the following policy with regard to use, being under the influence, possession, distribution or manufacture of alcohol or drugs.

This policy applies to all employees of the City, both in and outside of the competitive service.

Violation of this policy can result in disciplinary action, up to and including discharge, even for a first offense. Further, the City reserves the right to discipline employees, up to and including discharge, for conviction of an offense which involves the use, distribution, or possession of illegal drugs.

I. Testing

A. Pre-Employment Screening

The City will maintain pre-employment screening practices designed to prevent hiring individuals who use illegal drugs or individuals whose use of legal drugs or alcohol indicates a potential for impaired or unsafe job performance. If the applicant is under age 18, a consent form must be signed by the parent or guardian.

Some offers of employment extended by the City shall be contingent upon the applicant submitting to and passing a fitness for duty examination which shall include testing for the use of drugs and alcohol. Applicants who refuse to sign a consent form permitting testing or the release of test results to the City will not be hired/rehired.

The City will use an outside laboratory to perform all testing.

Applicants whose test results are positive for use of un-prescribed controlled substances or alcohol intoxication will be deemed to have failed the pre-employment physical examination and will not be hired/rehired. Applicants whose test results indicate abuse of lawfully prescribed drugs, likewise, will be deemed to have failed the pre-employment physical examination and will not be hired/rehired.

B. Reasonable Suspicion Drug and Alcohol Screening

The City may require a blood test, urinalysis, or other drug, and/or alcohol screening of those persons reasonably suspected of using or being under the influence of a drug or alcohol at work or when on standby duty. An employee's consent to submit to such a test is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, up to and including termination for even a first refusal or any subsequent refusal. "Reasonable suspicion" to test exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work. Examples of objective factors, include, but are not limited to: unusual behavior, slurred or altered speech, body odor, red or watery eyes, unkempt appearance, unsteady gait, lack of coordination, sleeping on the job, a pattern of abnormal or erratic behavior, a verbal or physical altercation, puncture marks or sores on skin, runny nose, dry mouth, dilated or constricted pupils, agitation, hostility, confused or incoherent behavior, paranoia, euphoria,

disorientation, inappropriate wearing of sunglasses, tremors, or other evidence of recent drug or alcohol use. If the City reasonably suspects in good faith that drugs or alcohol may have played a role in an accident involving City property or equipment, that will also constitute reasonable suspicion.

II. Prohibited Conduct

A. Alcohol

Use or being under the influence of alcohol by any employee while performing City business, while on City property, or while on standby is prohibited.

B. Legally-Obtained Prescription/Over the Counter Drugs

Use of or being under the influence of any legally-obtained prescription or over the counter drug by any employee while performing City business, while on City property, or while on standby is prohibited to the extent such use or influence may affect the safety of the employee, co-workers, members of the public, the employee's job performance, or the safe or efficient operation of City business. An employee may continue to work, even though under the influence of a legally-obtained prescription or over the counter drug, if management has determined, after consulting with competent medical authority, that the employee does not pose a threat to his or her own safety or the safety of co-workers and that the employee's job performance is not significantly impaired by the legal drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action as determined by the City.

C. Illegal Drugs and Narcotics

The use, being under the influence of, manufacture, distribution, purchase, transfer or possession of an illegal drug or narcotic (including marijuana) by an employee while on City property, while performing City business or while on standby is prohibited. For purposes of this policy, the term "illegal drug" includes prescribed drugs that are not being used for prescribed purposes.

III. Employee Reporting Requirements

A. Legally Obtained Prescription/Over the Counter Drugs

In some cases, an employee's use of a legally obtained prescription or over the counter drug can pose a significant risk to the safety of the employee or others. Employees who feel, or have been informed that the use of a legally obtained prescription or over the counter drug may present a safety risk, are to report their use of such a drug to their immediate supervisor. The employee need not identify the drug taken or the reasons for taking it to the supervisor, and will be referred to the employee's physician and/or City physician for follow-up to determine if the employee is fit to perform while taking the drug.

Employees who suspect that a fellow employee or others have used, are in possession of, or are under the influence of alcohol or drugs must report their suspicions to their immediate supervisor for further investigation and appropriate action.

B. Illegal Drugs or Narcotics

Employee use of an illegal drug or narcotic poses a significant risk to the safety of the employee or others. Employees who have been informed or suspect that a fellow employee has used, is in possession of, or is under the influence of an illegal drug or narcotic must report such suspicion to his/her immediate supervisor for further investigation and appropriate action.

C. Conviction for Violating Criminal Drug Statute in Workplace

As discussed further below in Section 5, any employee convicted of violating a criminal drug statute in this workplace must inform the City of such conviction (including pleas of guilty and nolo contendere) within five (5) days of the conviction occurring.

IV. Searches

The City reserves the right to search lockers, storage areas, furniture, City vehicles and other places under the common control of the City and employees, and to enlist the assistance of law enforcement personnel in connection with the enforcement of this policy.

V. Drug-free Workplace Designation

Any location at which City business is conducted is designated as a drug-free workplace. All employees of the City are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace.

The City of Los Alamitos shall implement an education program for all employees on the dangers of drug abuse in the workplace. Additionally, the City will provide training to assist in identifying and addressing illegal drug use by employees.

Any employee convicted of violating a criminal drug statute in this workplace must inform the City of such conviction (including pleas of guilty and nolo contendere) within **five (5) days of the conviction occurring**. Failure to inform the City shall result in disciplinary action up to and including **termination for the first offense**. By law, the City will notify the federal contracting officer within ten (10) days of receiving such notice from an employee or otherwise receiving notice of such a conviction.

The City reserves the right to offer employees convicted of violating a criminal drug statute in the workplace, or otherwise in violation of the policy, participation in an approved rehabilitation or drug-abuse assistance program as an alternative to discipline or in combination with discipline. If such a program is offered, and accepted by the employee, then the employee must satisfactorily participate in the program, as a condition of continued employment. The employee may also be asked to sign a Last Chance Agreement, setting forth additional terms and conditions of continued employment.

All employees of the City shall be required to acknowledge that they have read this policy and agree to abide by it in all respects. By law, this acknowledgment and agreement are required as a condition of continued employment.

Section 3.23 Safety

It is the policy of the City to maintain an active safety program designed to eliminate occupational related illness and injury among City employees. Each employee of the City shall be required to observe all City and departmental health and safety procedures.

Each employee of the City shall receive a copy of the City's safety policies and shall be responsible for complying with said policies. Failure to observe City safety policies shall result in disciplinary action in accordance with this Manual.

Section 3.24 Workplace-Related Violence

This policy applies to all employees of the City, both in and outside of the competitive service.

The City has zero tolerance for any conduct that references workplace violence, even if it was intended to be harmless, humorous, a prank, blowing off steam, or venting. Thus, any act or threat of workplace-related violence against a co-worker, customer, or any other individual will lead to discipline, up to and including termination of employment, depending on the nature and severity of the employee's conduct.

“Workplace related violence” is defined as any conduct that causes an individual to reasonably fear for their personal safety or the safety of their family, friends, and/or property. Specific examples of workplace related violence include, but are not limited to:

- Physical assaults (such as striking, punching, or slapping another person);
- Grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise;
- Verbal abuse or threats (oral or in writing);
- Fighting, challenging another person to fight, or participating in dangerous or threatening horseplay;
- Physical gestures or other actions intended to threaten, intimidate, or coerce another person;
- Harassing or threatening phone calls or text messages;
- The destruction, threat of destruction, or sabotage of City equipment or property or of another employee’s property;
- Bomb threats or similar activities;

- Menacing or inappropriately aggressive behavior towards another person;
- Surveillance;
- Stalking;
- Possession of an unauthorized weapon.

These rules apply at any time an employee is on duty, on City premises (including parking lots), or otherwise acting in connection to the employee's employment with the City.

In addition to taking disciplinary action against an employee engaging in prohibited conduct under this policy, the City will take aggressive legal action against any employee that engages in workplace-related violence or constitutes a threat of workplace-related violence.

Any employee who feels that he or she has been the victim of workplace-related violence or threat of workplace-related violence is expected to report such to the employee's supervisor or any other supervisory or management employee immediately. Further, any employee who has knowledge of an incident of workplace-related violence or a threat of workplace-related violence must report such to his or her immediate supervisor or any other supervisory or management employee immediately.

RULE 4 EMPLOYEE BENEFITS

Except as otherwise provided herein, employee benefits are set forth in applicable memoranda of understanding for represented employees and in applicable salary resolutions for unrepresented employees.

Section 4.1 Workers' Compensation

Workers' Compensation insurance coverage is provided for all employees of the City. In some cases, a three-day waiting period applies before an employee begins receiving Workers' Compensation benefits. In that case, the employee's accrued sick or vacation leave will be charged for those three days.

Once the employee has begun receiving Workers' Compensation benefits, and only when the employee authorizes, the difference between the amount granted pursuant to such Workers' Compensation and the employee's regular pay will be deducted from the employee's accumulated sick leave, vacation, personal holidays, and compensatory time, if any. It is the desire of the City to provide full benefits to the employee whenever possible, however, in no event shall the employee receive more benefit than they would normally receive had the injury not occurred.

Sworn peace officers shall be eligible for benefits in accordance with the provisions of California Labor Code Section 4850 in relation to occupational illness or injury.

Section 4.2 Sick Leave Donation Policy

1. Sick leave may be donated to a regular employee whose absence is in accordance with approved uses of sick leave, who has exhausted their sick leave accruals and is no longer accruing hours. Sick leave may also be donated for employees who are caring for an immediate family member (as defined in Section 1.9).

2. Procedure. To donate sick leave for a specified regular employee, the donor must provide required information, including the number of hours donated and the employee's name to whom the donation is being made.

The hours will be deducted from the donor's sick leave balance, converted to dollars (exclusive of any assignment, differential or other non-base pay) and used to compensate the donee at the donee's regular base rate of pay.

Donations will be listed in the order in which they are received by the Administrative Services Department. Each pay period, a sufficient number of donor hours will be converted and used to compensate the donee.

3. Eligibility for Donations

a. Must have (or an immediate family member must have) an illness or injury that will require the employee to be on approved leave of absence without pay.

b. Must have exhausted all accrued sick leave and vacation leave. Employees who have exhausted all accrued sick leave and vacation leave shall be placed on an unpaid leave status. Benefits including but not limited to sick leave and vacation accruals, health benefits, deferred compensation and administrative leave are not paid and do not accrue effective the first day of the month following the last day active on the payroll. Donated sick leave shall not change an employee's status to a paid leave status. Therefore, benefits shall not accrue or be paid while using donated sick leave.

c. Must submit a written medical statement from the employee's or immediate family member's attending health care practitioner, which will be submitted through the Department Head for approval by the Personnel Officer or designee.

4. Donor Guidelines

a. All donations are voluntary.

b. Donations must be a minimum of eight (8) hour increments.

c. Each donor may donate no more than sixteen (16) hours of their sick leave per fiscal year.

- d. After any donation, the donor's sick leave balance must be at least 240 hours.
- e. No more than four (4) weeks of total leave may be donated to an individual employee per occurrence.
- f. Donated hours are irrevocable unless the receiving employee should leave City employment or return to duty prior to using all of the donated time. In that event, the remaining hours will be returned to the donor(s).

Section 4.3 Military Leave

Military leave shall be granted in accordance with the provisions of federal and state law. An employee requesting leave for this purpose shall promptly provide the Department Head with a copy of the military orders specifying the dates, site and purpose of the activity or mission. Within the limits of such orders, the Department Head may determine when the leave is to be taken and may modify the employee's work schedule to accommodate the request for leave.

Section 4.4 Family/Medical and Pregnancy Disability Leave/Transfer Policy

Under the Federal Family and Medical Leave Act of 1993 ("FMLA") and the California Family Rights Act of 1993 ("CFRA"), if an employee with at least 12 months of service with the City, who has worked at least 1,250 hours in the past 12-months and (for FMLA leave eligibility only) the City directly employs at least 50 full or part-time employees within a 75-mile radius for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year,, they may have a right to FMLA and/or CFRA leave. If eligible for such leave, the employee may be entitled to take up to 12 workweeks of unpaid, job protected leave in a 12-month period for the birth, adoption, or foster care placement of the employee's child; for the employee's own serious health condition or to care for the employee's child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling; or for a variety of "qualifying exigencies" arising out of the fact that an employee's spouse, son, daughter, parent, or domestic partner is on active military duty in the United States Armed Forces or call to active military duty status. The employee may also be entitled to 26 workweeks of unpaid, job protected leave in a 12-month period to care for a covered service member. At either the employee's or the City's option, certain kinds of paid and unpaid leave may be substituted/run concurrently with family leave.

Even if an employee is not eligible for FMLA and/or CFRA leave, if disabled by pregnancy, childbirth or related medical conditions, the employee is entitled to take an unpaid pregnancy disability leave ("PDL") of up to four months, and/or be provided a transfer to an available position. If the employee is also FMLA/CFRA-eligible, the employee has certain rights to take BOTH a PDL/FMLA leave and a CFRA leave in connection with the birth of the employee's child.

When medically necessary, leave may be taken on an intermittent or a reduced work schedule. If the employee is taking CFRA leave following the birth, adoption or foster care placement of

a child, the basic minimum duration for such leave is two weeks (though an employee is entitled to leave for one of these purposes, such as bonding with a newborn, for less than two weeks duration on any two occasions), and the employee must conclude the leave within one year of the birth, or placement for adoption or foster care.

If possible, the employee must provide at least 30 days advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for the employee or of a family member). For events which are unforeseeable the employee must notify the City, at least verbally, as soon as he or she learns of the need for the leave. Failure to comply with these notice requirements is grounds for and may result in deferral of the requested leave.

The City may require certification from the employee's health care provider before allowing a leave for pregnancy or the employee's own serious health condition, or certification from the health care provider of the employee's family member who has a serious health condition, before allowing leave to take care of that family member. If the City has a good faith, objective reason to doubt the validity of a certification for the employee's serious health condition, the City may require second or third opinions (at City expense).

As a condition of reinstatement of an employee whose leave was due to the employee's own serious health condition, which made the employee unable to perform their job, the employee must obtain and present a fitness-for-duty certification from the health care provider stating that the employee is able to resume work. Failure to provide such certification will result in denial of reinstatement.

Where the FMLA and/or CFRA apply, the City will continue group health plan coverage (if any) for up to a maximum of 12 weeks in any 12-month period under the same terms and conditions as applied prior to the leave of absence. If the employee is disabled by pregnancy, coverage will continue up to four months each leave year. If an employee disabled by pregnancy also uses leave under the CFRA for baby-bonding, the City will maintain coverage while the employee is disabled by pregnancy (up to four months or 17 1/3 weeks) and during the employee's CFRA leave (up to 12 weeks). Upon return from leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

For more information and/or a copy of the City's detailed policies regarding family and medical leave and/or pregnancy disability leave, please contact the Administrative Services Department.

Section 4.5 School or Licensed Day Care Activity Leave

Any employee who is a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to one or more children who are in kindergarten or grades 1 through 12, or who are in a licensed child care facility, shall be allowed up to 40 hours each school year, not to exceed eight hours in any calendar month of the school year, to: participate in activities of their child's school or licensed child care facility; find, enroll, or reenroll a child in a school or with a licensed child care provider; or to pick up a child due to a child care provider or school emergency. The employee must provide reasonable advance notice to their supervisor of the planned absence. The leave is unpaid unless the employee uses vacation, personal leave or compensatory time off. The employee must provide documentation from the school or licensed child care facility as

verification that the employee participated in school or child care facility activities on a specific date and at a particular time. If both parents, guardians or grandparents having custody work for the City of Los Alamitos at the same City work site, only the first parent requesting will be entitled to leave under this provision.

Section 4.6 Child Suspension Leave

Any employee who is the parent or guardian of a child in grades 1 through 12 may take time off to go to the child's school in response to a request from the child's school, if the employee gives advance notice to their supervisor. A school has the authority to request that the parent attend the child's school if the child has: committed any obscene act; habitually used profanity or vulgarity; disrupted school activities; or otherwise willfully defied the valid authority of school personnel.

Section 4.7 Jury Duty Leave/Subpoenaed or Court-Ordered Witness Leave

Any employee who is summoned to serve on a jury, or subpoenaed or ordered to be a witness, must notify their supervisor or Department Head as soon as possible. Any employee who is released from jury service prior to the end of their scheduled work hours must report to work unless otherwise authorized by their supervisor.

Overtime-Eligible Employees

All overtime-eligible employees will be paid for actual work hours missed because of time spent in jury service or court. The time spent on jury duty is not work time for purposes of calculating overtime compensation. The City will offset from pay the amount the employee receives from the Court for jury fees.

Overtime-Exempt Employees

All FLSA-exempt employees will continue to receive their normal salary while on jury duty or as serving as a witness only for any workweek in which they perform any work duties. The City will offset the amount from pay the employee receives from the Court for jury fees.

Section 4.8 Other Court or Administrative Proceeding Appearances

Regarding City Duties

Any employee who is subpoenaed to appear in court in a matter regarding an event or transaction in the course of their City job duties, must give their supervisor as much advance notice as is possible. The City will determine whether the matter involves an event or transaction in the course of the employee's City job duties. If so, this leave to appear in court will be without loss of compensation, and the time spent will be considered work time. The City will offset the amount from pay the employee receives for witness fees.

Regarding Employee-Initiated Proceedings

Any employee who is subpoenaed to appear, or appears in court because of civil or administrative proceedings that they initiated, is not entitled to receive compensation for time spent related to

those proceedings. An employee may request to receive time off without pay, or may use any accrued leave other than sick leave for time spent related to those proceedings. The time spent in these proceedings is not considered work time. Notwithstanding the above, an employee who is testifying or appearing as the designated representative in PERB conferences or hearings, or at a personnel or merit commission is entitled to paid release time.

Regarding Crime Victim/Victim Family Member Court Attendance Leave

Any employee who is a victim of a crime may take leave from work to attend judicial proceedings related to that crime, if the employee provides the City notice of the scheduled proceeding in advance. If advance notice is not feasible, the employee must provide the City, within a reasonable time after the leave is taken, documentation from the District Attorney, victim's rights office, or court/governing agency that shows that the judicial proceeding occurred when the leave was used. An employee who is an immediate family member of such a crime victim, including: a registered domestic partner; the child of the registered domestic partner; spouse; child; stepchild; brother; stepbrother; sister; stepsister; mother; stepmother; father; or stepfather of the crime victim is also entitled to leave from work to attend judicial proceedings relating to that crime. The leave is unpaid unless the employee elects to use accrued vacation, sick, or other paid leave, or compensatory time off.

Regarding Crime Victim/Family Member Victims' Rights Proceedings Leave

Any employee who is a victim of a crime listed in Labor Code section 230.5(a)(2)(A), may take leave from work to appear in court to be heard at any proceeding in which the right of the victim is at issue, if the employee provides the employer reasonable advance notice. If advance notice is not feasible, the employee must provide the City, within a reasonable time after the leave is taken, certification from a police report, a district attorney or court, or from a health care provider or victim advocate, that the employee was a victim of any of the crimes listed in Labor Code section 230.5(a)(2)(A). An employee who is a spouse, parent, child, sibling, or guardian of such a crime victim is also a victim who is entitled to this leave if the above notice or certification requirements are met. The leave is unpaid unless the employee elects to use accrued vacation or paid leave, or compensatory time off.

Leave for Victims of Domestic Violence, Sexual Assault, Stalking or Other Crimes to Obtain Restraining Orders or Injunctive Relief

Any employee who is a victim of domestic violence, sexual assault, stalking, or other crime may take leave from work to obtain or attempt to obtain any relief, including, but not limited to: a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or their child, if the employee provides advance notice of the need for leave. If advance notice is not feasible, the employee must provide any of the following certifications within a reasonable time after the leave: a police report indicating that the employee was a victim; a court order protecting the employee from the perpetrator; evidence from the district attorney or court that the employee has appeared in court; or documentation from a health care provider or counselor that the employee was undergoing treatment for physical or mental injuries or abuse. The leave is unpaid unless the employee elects to use Healthy Workplace Healthy Family Act of 2014 sick leave, accrued vacation or paid leave, or compensatory time off.

Leave for Victims of Domestic Violence, Sexual Assault, Stalking or Other Crimes to Obtain Medical Attention or Counseling or Safety Planning

Any employee who is a victim of domestic violence, sexual assault, stalking, or other crime, may take leave from work to attend to any of the following: obtaining medical attention or psychological counseling; obtaining services from a shelter, program or crisis center; or participating in safety planning or other actions to increase safety, if the employee provides advance notice of the employee's intention to take time off for these purposes. If advance notice is not feasible, the employee must provide any of the following to the City within a reasonable time after the leave: a police report indicating that the employee was a victim; a court order protecting the employee from the perpetrator; evidence from the district attorney or court that the employee has appeared in court; or documentation from a health care provider or counselor that the employee was undergoing treatment for physical or mental injuries or abuse. The leave is unpaid unless the employee elects to use Healthy Workplace Healthy Family Act of 2014 sick leave, accrued vacation or personal leave, or compensatory time off.

Section 4.9 Leave of Absence Without Pay

The Personnel Officer, in his/her unrestricted discretion, may grant a regular or probationary employee leave of absence without pay or seniority not to exceed three (3) months. After three (3) months, the leave of absence may be extended if so authorized. No such leave shall be granted except upon written request of the employee, setting forth the reason for the request, and the approval will be in writing. Upon expiration of a regularly approved leave or within a reasonable period of time after notice to return to duty, the employee shall be reinstated in the position held at the time leave was granted. An employee on leave who fails to report promptly at its expiration shall be deemed to have resigned City employment.

Department heads may grant a regular or probationary employee leave of absence without pay for a period not to exceed one calendar week. Such leaves shall be reported to the Personnel Officer prior to approval. Under normal circumstances, personal leave of absence shall be granted only after an employee has exhausted all vacation entitlement.

All employees placed on approved leave of absence status without pay, shall not accrue credited service for salary review, vacation, and illness and injury leave purposes for the duration of the leave of absence without pay. Probationary periods and eligibility for salary review, vacation and sick leave accrual shall be extended by the number of days an employee has been on approved leave of absence without pay. Employees placed on approved leave of absence without pay shall be responsible for all health insurance premiums, life insurance premiums, long-term disability premiums and other monthly benefit payments as prescribed by the Personnel Officer.

Section 4.10 Unauthorized Leave of Absence

Any employee who is absent without prior authorization and without notification for three (3) consecutive working days shall be considered to have resigned from their position with the City by reason of abandonment. An unauthorized leave of absence during part of a day constitutes an unauthorized absence for the entire day.

The employee will be given written notice, at their address of record, of the circumstances of the job abandonment, and an opportunity to provide an explanation for the employee's unauthorized absence. An employee who promptly responds to the agency's written notice, within the timeframe set forth in the written notice, can arrange for an appointment with the Personnel Officer before final action is taken, to explain the unauthorized absence and failure of notification. An employee separated for job abandonment will be reinstated upon proof of justification for such absence, such as severe accident, severe illness, false arrest, or mental or physical impairment which prevented notification. No employee separated for job abandonment has the right to a post-separation appeal.

Nothing, in this section shall limit the City Manager's authority to discipline or dismiss an employee due to an unauthorized absence.

RULE 5 EMPLOYEE CONDUCT AND DISCIPLINE

Section 5.1 Procedure

Discipline shall be administered in a fair and consistent manner and without regard to race, creed, color, religion, age, sex, national origin, ancestry, physical or mental disability, sexual orientation, gender identity, or any other basis protected by law.

Section 5.2 Just Cause

Disciplinary action, up to and including discharge, may be imposed for just cause.

Section 5.3 Major Discipline

A. Pre-disciplinary hearings:

Prior to the imposition of a major disciplinary action, which shall include, but is not limited to, an unpaid suspension, demotion, reduction in pay equivalent to an unpaid suspension, or discharge, all regular employees shall be presented with a written Notice of Proposed Disciplinary Action informing the employee as to his/her right to a pre-disciplinary hearing.

1. The Notice of Proposed Disciplinary Action shall include:
 - a. A description of the discipline proposed;
 - b. A statement of the reasons for which the action has been proposed, which shall include a brief description of the alleged facts upon which the

proposed action is being taken, and a statement of any employer rules, regulations, or laws that are alleged to have been violated; and, if applicable, a list of any previous disciplinary actions, counseling, evaluations or other relevant actions which support the action proposed;

c. Copies of any documents relied upon in reaching a decision to propose the discipline action; and

d. A statement advising the employee that he may respond to the City Manager, or his/her designee, regarding the proposed disciplinary action, orally or in writing, before it takes effect. This part of the Notice of Proposed Disciplinary Action shall include the name of the person to whom the response is to be made, if other than the City Manager, and the last date upon which a response may be made.

e. The employee shall have seven (7) working days from the date of the Notice of Proposed Disciplinary Action to respond to the charges, either orally or in writing. Upon a showing of good cause, the City may extend the time for response beyond seven (7) working days. In responding, either orally or in writing, the employee may designate a representative to assist in the presentation of the response.

f. In the event that the employee chooses to respond orally, the employee must, within the period given to respond, make an appointment to meet with the City Manager or his/her designee.

g. During this meeting, the employee, or the employee's representative, may present any reasons why the employee feels that the proposed action is not proper. The City Manager or his/her designee shall listen to the employee's presentation, but shall not present any evidence on behalf of the City, nor shall either party present witnesses for examination at this time.

h. A written response must be received in the office of the City Manager no later than 4:30 p.m. on the last day given to respond.

i. The City Manager or his/her designee shall take the employee's timely response into consideration and shall make a determination as to whether the proposed action, a different action, or no action shall be taken.

2. Failure by the employee, or the employee's representative, to respond to the Notice of Proposed Disciplinary Action within the period allowed shall result in disciplinary action taking effect as proposed.

B. Right to Appeal:

1. Any regular employee shall have the right to appeal any major disciplinary action, including, but not limited to, an unpaid suspension, a demotion, a reduction

in pay equivalent to an unpaid suspension, or a discharge.

2. Requests for appeal shall be made in writing, signed by the employee and filed with the Personnel Officer within ten (10) working days of the effective date of the disciplinary action. Failure to do so shall constitute waiver of the right to appeal and failure to exhaust administrative remedies.

3. Following receipt of a timely notice of appeal of the decision from the City Manager or his/her designee, a hearing shall be scheduled before the Personnel Appeals Commission. Hearings shall be closed unless an open hearing is requested by the employee filing the appeal in accordance with Government Code Section 54957.

4. The Personnel Officer shall provide written notice to the employee and to the City Manager including the date, time and place of the hearing and such notice shall be posted at a public place or a place designated by the Personnel Officer. Said notice shall be delivered to the employee personally or by mail at least seven (7) days before the time for holding the hearing and shall include notice of the employee's right to have the appeal heard in open session rather than closed session.

5. The employee shall appear personally before the Personnel Appeals Commission at the hearing and may be represented by counsel or other representative of his/her choice. In the event that the employee fails to personally appear, the appeal shall be deemed waived.

6. All parties and witnesses to be heard at the hearing shall be sworn and shall testify under oath. The hearing shall not be conducted according to technical rules relating to evidence and witnesses, except as hereinafter provided. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule, which might make improper the admission of the evidence over objection in civil actions. Hearsay evidence may be admitted, but it may not be the sole basis upon which a finding is made unless it would be admissible under rules of evidence in a civil matter. The rules of privilege shall be effective to the same extent that they are recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.

7. The Personnel Appeals Commission shall cause its written statement of decision to be issued within thirty (30) working days following the conclusion of the hearing. The decision of the Personnel Appeals Commission shall be the City's final decision.

Section 5.4 Minor Discipline

In the case of minor discipline, which shall include, but is not limited to a written reprimand, employee shall be afforded the following:

A. Notice of Proposed Disciplinary Action, which shall include:

1. A description of the discipline proposed;
 2. A statement of the reasons for which the action has been proposed, which shall include a brief description of the alleged facts upon which the proposed action is being taken and a statement of any employer rules, regulations, or laws that are alleged to have been violated; and, if applicable a list of any previous disciplinary actions, counseling, evaluations or other relevant actions which support the action proposed;
 3. Copies of any documents relied upon in reaching a decision to propose the disciplinary action; and
 4. A statement advising the employee that he/she may respond to the City Manager, or his/her designee, regarding the proposed disciplinary action, orally or in writing, before it takes effect. This part of the Notice of Proposed Disciplinary Action shall include the name of the person to whom the response is to be made, if other than the City Manager, and the last date upon which a response may be made.
- B. The employee shall have seven (7) working days from the date of the Notice of Proposed Disciplinary Action to respond to the charges, either orally or in writing. Upon a showing of good cause, the City may extend the time for response beyond seven (7) working days. In responding, either orally or in writing, the employee may designate a representative to assist in the presentation of the response.
1. In the event that the employee chooses to respond orally, the employee must, within the period given to respond, make an appointment and to meet with the City Manager or his/her designee.
 2. During this meeting the City official imposing the discipline, and the employee or their respective representatives, may present oral argument and documentary evidence in support of their positions; however, neither party shall be permitted to call and examine witnesses.
 3. A written response must be received in the office of the City Manager no later than 4:30 p.m. on the last day given to respond.
 4. The City Manager or his/her designee shall take the employee's timely response into consideration and shall make a determination as to whether the proposed action, a different action, or no action shall be taken.
- C. Failure by the employee, or the employee's representative, to respond to the Notice of Proposed Disciplinary Action within the period allowed shall result in disciplinary action taking effect as proposed.
- D. In the case of minor discipline, no right of appeal is provided, except for the right to respond as set forth in Section B, above.

RULE 6 GRIEVANCE PROCEDURE

Section 6.1 Policy

The City of Los Alamitos has established a grievance procedure. Grievances are defined in Section 1.9 of these Policies and Procedures. Employees of the City shall be required to comply with the procedures set forth regarding items which are grievable under these Policies.

Employees of the City who pursue grievances according to the provisions of the City Grievance Policy and Procedure shall be free of harassment by fellow employees, supervisors and administration and shall in no way affect their present or future employment status.

Section 6.2 Grievance Procedure

The steps of the grievance procedure are as follows:

A. Grievances must be discussed with the employee's immediate supervisor, or his/her superior in the event that the employee's problem is with the supervisor, within five (5) working days of the occurrence of the event giving rise thereto. The supervisor or his/her superior will attempt to resolve the matter and will, within a reasonable period of time, issue his/her decision on the matter in writing.

B. If not previously resolved, the employee may, within five (5) days of receiving the written decision of the employee's supervisor or his/her superior, submit a written request for review by the department head. The department head shall make such investigation of the facts and issues as is warranted under the circumstances and shall make a determination within five (5) working days of receipt of the request and the written decision of the supervisor or his/her superior. (If the grievance was addressed by the department head under Section A., above, the employee may proceed directly to Section C., below.)

C. If the employee is dissatisfied with the determination of the department head, the employee shall, within two (2) working days of receipt of the department head's determination, notify the department head and the Personnel Officer of the employee's desire to appeal such determination. Said notice shall be in writing.

D. The Personnel Officer, or his/her designee, shall arrange and conduct a meeting between the employee and the department head. At such meeting, discussion shall be limited to the issues raised in the initial grievance complaint and an earnest effort shall be made to resolve the problem.

E. Following the meeting, the Personnel Officer shall issue a statement of his/her conclusions and findings. The decision of the Personnel Officer shall be final.

RULE 7 LAYOFF POLICY AND PROCEDURE

Section 7.1 Elimination of Positions

Whenever, in the judgment of the City Council, it becomes necessary in the interest of economic or operational reasons, the City Council may abolish any position or employment in the competitive service and layoff, demote or transfer an employee holding such position or employment for non-disciplinary reasons, and without filing written charges and without the right of appeal or hearing. The City will notify the affected employee organization of the pending elimination of any position(s) and, upon request, meet with the affected employee organization over the impact of layoffs.

Section 7.2 Layoff Procedure

A. Seniority: Seniority is defined as the length of continuous employment in the employee's present classification regardless of department to which assigned. Seniority shall be observed in effecting such reduction in personnel and the order of layoff shall be in the reverse order of Seniority upon the effective date of the layoff. When employees have equal Seniority for retention in a class, the employee with the greater amount of Seniority Credit with the City shall have the highest retention priority. "Seniority Credit with the City" shall be defined as the length of continuous employment from the last date of hire by the City. If a tie occurs with respect to Seniority Credit, the employee to be laid off will be decided by lottery.

1. Layoff shall be made within classes of positions, and all provisional employees in the affected class or classes shall be laid off prior to the layoff of any probationary or regular employee. For the purpose of determining order of layoff, total cumulative time in a classification and/or at the City shall include time on any legally-protected leave of absence.
2. The names of probationary and regular employees laid off shall be placed upon reemployment lists for classes which, in opinion of the Personnel Officer, require basically the same qualifications and duties and responsibilities as those of class of positions from which layoff was made. The names of the laid off employees shall remain on such lists for a period of two years unless reemployed sooner.

B. Specially Funded Positions:

1. When a position is created and is funded by a grant of funds from the State or Federal government, the position shall be automatically abolished when the funding is terminated. The incumbent of the position shall be laid off on the date upon which the position is abolished and the layoff procedures prescribed in these rules are not applicable. However, if the incumbent previously held a permanent, full-time position, he or she may return to that position upon abolition of the specially funded position.
2. Any employee hired or promoted to fill a vacancy in a permanent full-time City position resulting from the assignment of a regular employee to a specially funded position, may be demoted or laid off in accordance with this procedure at the time the regular employee returns to his or her former

position.

RULE 8 REPORTS AND RECORD KEEPING

Section 8.1 Personnel Files

The Personnel Officer shall maintain a personnel record for each employee in the service of the City showing the name, title of position held, the department to which assigned, salary, changes in employment status, and such other information as may be considered pertinent by the Personnel Officer or which is required by law.

All medical information about an employee or applicant is kept in separate medical files and is treated as confidential. Access to employee or applicant medical information shall be strictly limited to only those with a legitimate need to have such information for City business reasons, or if access is required by law, subpoena or court order. In the case of an employee with a disability, managers and supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

Section 8.2 Change of Status Report

Every appointment, transfer, promotion, demotion, change of salary, or any other temporary or permanent change in status of employees shall be reported to the Personnel Officer in such manner as prescribed by the Personnel Officer.

Section 8.3 Personnel Action Form

A personnel action form shall be completed for each employee hired by the City. The Personnel Action Form shall include all employee information including benefit selection information. A copy of the Personnel Action Form shall be included in the employee's personnel file. The City Manager's signature shall be included on Personnel Action Forms as a result of an appointment, promotion, demotion, transfer and dismissal.

Section 8.4 Time Sheets

All City employees shall be required to complete a time sheet recording all hours worked, vacation, sick leave, administrative leave, etc. Time sheet shall be signed by the employee and employee's supervisor and forwarded to the Payroll Department following the end of the pay period.

Time sheets shall be required for executive management staff unless otherwise directed by the City Manager.

Section 8.5 Records Review and Access

Access to employee records is restricted to the following:

1. Personnel Department employees with a business need-to-know.

2. The direct supervisor or department manager of an individual employee with a business need-to-know.
3. City executive management staff with a business need-to-know.

Section 8.6 Employee Access

A current employee may examine his or her personnel records at reasonable intervals and at reasonable times. A former employee is entitled to inspect their personnel records one time per year. An employee has the right to ask for a correction or a deletion, and write a statement of disagreement with any item in the file in the presence of a Personnel representative. The employee may not, however, remove any item from the file.

Section 8.7 Disclosure of Employee Information

All requests for information about a current, retired or terminated employee must be referred to the Personnel Officer. The Personnel Officer may disclose to prospective employer's dates of employment, final title or position and job location. With the employee's written permission, the Personnel Officer may give employment and salary history.

Information will be given to duly authorized requests from law enforcement agencies, including investigations, summons, subpoena and judicial orders. The City need not inform an employee that personal information has been disclosed to law enforcement agencies if it concerns an investigation into the employee's on-the-job conduct, especially when an employee's actions endanger other employees or City security and property.