

**PERSONNEL POLICIES & PROCERDURES
CITY OF UKIAH**

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1.00 INTRODUCTION

1.01 MISSION STATEMENT

The City of Ukiah believes that serving the citizens of this community in the most efficient, effective and responsive manner possible is our primary mission, purpose and value as a public service organization.

Within that spirit, the City of Ukiah is continually striving to improve and to perfect the quality and efficiency of our municipal programs, projects and services; and to insure the financial solvency and stability of those programs and services.

The City of Ukiah is dedicated to the principle of citizen democracy, and to the participation and involvement of all citizens in the governing process of our City and community. We view the open exchange of ideas, opinions and perspective as enriching our community and the development of public policy. We believe that the openness, accessibility and responsiveness of our public officials, staff and employees is directly related to guaranteeing that government in a free society serves rather than dictates to our citizens, and that our citizens are treated with the respect they deserve.

The City of Ukiah is a public service organization that takes pride in the team spirit and atmosphere of mutual respect that exists between the Mayor and City Council, and the City Council, staff and employees. We believe these characteristics of our organization are fundamental to the proactive, progressive and results-oriented nature of this City government.

The City of Ukiah believes that experienced, well-trained, well-informed and service-oriented employees are fundamental to our mission and purpose as a public service organization. We view our employees, full and part-time, as our most important resource in the quality and effectiveness of the services we provide. As such, they deserve our continuous respect, admiration and support as public service professionals making government work for our citizens.

"We are here to serve you" is more than a slogan. It is the very core of everything we stand for and represent in carrying out our mission on behalf of the citizens of Ukiah.

Adopted by the City Council, June, 1991.

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2.00 GENERAL CONDITIONS OF EMPLOYMENT

2.01 INTRODUCTION

This manual contains the City's policies and procedures. It contains personnel policies, work rules, and benefit descriptions. It is intended as a resource that will assist the City to maintain uniform and consistent policies that should be applied in an evenhanded and nondiscriminatory manner. Although the manual describes important policies, practices, and benefits, it is not intended to constitute a legal document or to create any express or implied contractual obligations. None of the policies or practices described in this Manual can be amended or altered in any way by oral statements, but can only be altered by a written amendment authorized by the City Manager.

The policies contained in this Manual apply to all City employees except elected officials, the City Manager and City Attorney. Sections relating to the selection and discipline of employees do not apply to Department Heads. Certain policies do not apply to Temporary and Part Time employees unless specifically indicated. Volunteers and independent contractors are not employees and are not covered under the policies of this Manual, except that certain designated volunteers are considered employees for purposes of workers compensation.

2.02 EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City to provide equal employment opportunities to all employees and applicants for employment without regard for race, color, ancestry, religious creed, national origin, sex, age, physical or mental handicap, medical condition, sexual orientation, or marital status. This policy applies to all employment decisions, including hire, discharge, recruitment, promotion, transfer and compensation.

2.02.1 Immigration Regulations

In compliance with the Immigration Law (IRCA) passed in 1986, all employees hired on or after November 6, 1986, are required to provide documentation verifying their identity and authorization to work in the United States. The Immigration and Naturalization Services I-9 Form must be completed and signed at the time of hire by every new employee and by the Personnel Director.

IRCA does not compromise the City of Ukiah's policy regarding equal employment opportunity.

2.03 PRE-EMPLOYMENT PHYSICAL

All job offers with the City are conditional upon successfully passing a pre-employment physical and drug screen. The purpose of the exam is to assure that the applicant is

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physically capable of performing the duties of the job.

2.04 INTRODUCTORY PERIOD

There is an introductory period of six months for new appointments and promotions, except for Police and Fire Unit personnel who have a twelve or eighteen month introductory periods, as stated in their individual Unit Sections. During this period you and the City can evaluate each other to determine if employment should continue. This introductory employment period is used to closely observe your work. It may be extended by your Department Head for up to six months if your performance warrants it. You may be terminated during the introductory period any time without approval of the Civil Service Board, without cause, and without the right of appeal.

A promoted employee has the right to be reassigned to his/her original position during the introductory period.

Within four weeks of the conclusion of this introductory period you will, and at any time during the introductory period, you may receive a performance evaluation. These evaluations will give you and your supervisor or manager an opportunity to assess your performance to date, evaluate your on-the-job skills, and determine your ongoing relationship with the City.

Regardless of classification status or length of service, you are expected to meet and maintain City standards for job performance and behavior throughout your employment with the City.

2.05 GENERAL EMPLOYMENT POLICY

There are several categories for employment with the City of Ukiah, depending on the nature of your position. Insurance benefits, holiday pay, vacation, and sick time accruals are only available to regular full-time employees. Year-round, part-time employees working at least 20 hours per week are eligible for pro-rated sick leave, personal leave and certain holidays. The employment categories are as follows:

Regular Full-Time Employees: Those employees, whether exempt or non-exempt, who have been hired to work on a regular, full time basis. Regular full time employees are entitled to all City sponsored benefits for which they qualify.

As a regular full time employee, the position you hold has been determined to be exempt or non-exempt in status. At the time of hire, your supervisor or manager will inform you regarding the status of your position. The following explanations are for your information.

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Exempt Employees: Exempt employees are exempt from the overtime requirements of federal and state law, and City personnel policies.

Non-Exempt Employees: Non-exempt employees are entitled to overtime pay or compensatory time off (CTO) for all hours worked in excess of the number of hours they are normally expected to work, in accordance with applicable federal and state law and City policy.

Part-Time Employees: Those employees who have been hired to work on a regular part-time (less than thirty five (35) hours per week) basis. PERS retirement benefits are available to part-time employees who work over 20 hours/week on a yearly average. The employee is responsible for paying the employee contribution rate.

Temporary Employees: Those employees who have been appointed to work for a limited period of time or on a specific project up to twelve consecutive months, or fourteen total months in any two year period. Temporary employees working through temporary personnel agencies are not considered City employees.

Emergency Appointed Employees: Those employees who have been appointed to meet the immediate requirements of an emergency condition such as fire, flood or earthquake, which threatens public life or property. These employees may be appointed without regard to personnel policies, and retained for the duration of the emergency only. They are not eligible for City sponsored benefits.

Volunteers: These persons are individuals who volunteer for unpaid service with the City. They are employees only for purposes of Workers Compensation. They are deemed covered by Workers Compensation while performing services for the City if they have been so designated by the City Manager in accordance with Resolution No. 91-33. Examples are volunteer fire fighters or museum docents. Contact the Personnel Director for more information.

Civil Service: Refer to Civil Service Ordinance (Addendum A) for discussion of Civil Service employees. Classified service includes all appointive positions of employment with the City of Ukiah except for the following "at-will" positions: (1) all City Department Heads, (2) all uncompensated positions, (3) all part time, temporary, or seasonal positions, and (4) all personnel hired for a State or Federally funded program or project of definite duration.

At-Will Employees: At-will employment is for an unspecified term, and may be terminated at any time, either with or without cause or advance notice, by the employee or employer.

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2.06 ATTENDANCE AND TARDINESS

For the City to run efficiently, we need you to be at your job on time. Your good attendance and punctuality indicate a conscientious regard for the City and a real effort to fulfill its needs each day. Your absence or tardiness will increase the workload of your fellow employees or create a backlog of work in your own job.

Excessive absenteeism, failing to report your absence to your supervisor at or prior to the beginning of your shift, or excessive tardiness, may lead to disciplinary action, up to and including termination.

You must have the approval of your supervisor prior to leaving work for other than regularly scheduled departures.

2.07 WORKING HOURS

You are expected to work the hours set for your department. Upon hire, each employee will be informed of their designated work period. Refer to Unit Sections for details on shifts other than 40 hours a week.

You will receive a ten minute paid break for each four hours of work, and an unpaid meal break of at least 30 minutes for each eight hours of work.

2.08 STANDBY DUTY AND CALL BACK DUTY

Refer to Unit Sections for information on call back and standby duty. Standby obligations are set forth in the employee job descriptions.

2.09 OVERTIME

Occasionally, the needs of the City may require that employees work overtime. Some Unit Sections have details on overtime compensation and compensatory time off (CTO). All CTO taken should be recorded and signed by the employee, either on the timecard or CTO record sheet. All overtime must be authorized by your supervisor.

For non-exempt employees working an eight hour shift, overtime is defined as actually working more than 40 hours in your designated seven (7) day work week. For non-exempt employees working other than an eight hour shift, refer to Unit Sections for overtime definitions. Overtime will be calculated in increments of one-half hour.

If you are required to work four or more consecutive hours outside your standard work day due to an emergency, the City will reimburse you if you purchase a meal during this time.

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2.10 PAYROLL/TIME SHEETS

The pay period is Sunday through the second Saturday. Paychecks are issued every other Friday, reflecting the two week pay period ending the previous Saturday. Time sheets must be turned in to Payroll no later than 9:00 a.m. on pay week Monday for employees not working the weekend, and Noon of pay week Monday for those working the weekend. Personnel Action Forms (PAF's) are due in the Payroll Office by 9:00 a.m. Thursday the week prior to pay week. Time sheets must be signed by the employee and supervisor/designee. If the time sheet is not completely signed, checks will be held in the Payroll Office pending signature. Deductions will be taken for the required federal and state taxes, employee authorized deductions, or court ordered garnishments.

Checks will be distributed on Friday to the employees or to the Department Heads or their designated representative, who will, in turn, distribute checks to all employees. No exceptions can be made to this policy. No checks will be issued to anyone other than the designated employee, unless prior written authorization has been given by the employee. Direct Deposit is available for all full-time and year-round part-time employees. Contact the Payroll Office for more information. If payday falls on a holiday, checks will be distributed on the working day immediately before the holiday.

For purposes of payroll, "base rate salary" is defined as the monthly base salary shown on the salary schedule for the specific position and does not include variable items, such as longevity, incentive pay, or overtime.

2.11 ACTING PAY

If you are assigned duties in a higher classification, you may receive a higher rate of pay, called Acting Pay. In order for Acting Pay to be implemented, you must have the advance approval of your Department Head, indicating both your current position, the position you will be performing, and the anticipated length of time this Acting Pay will remain in effect. Refer to Unit Sections for further details.

2.12 PERSONNEL RECORDS

Records of important events in your work with the City, such as performance evaluations, are kept in your Personnel File. It is important that the City has accurate and current employee information. Please inform the Personnel Department immediately of any changes to your name, address, home telephone number, marital status, dependents, emergency telephone number, beneficiary, or tax withholding status. There are strict time requirements the City must follow for reporting changes in status to insurance carriers.

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You may review your Personnel file, at a reasonable time, in the Personnel Department. Personnel will arrange for you to review your file upon request. You will receive a copy of any record initiated by the City regarding your specific employment. No documents will be removed from Personnel files by or for employees. If you identify an error in your file, you may submit a memo to correct it.

Credit or employment verifications are provided by Personnel only. Salary information will be confirmed only with written approval of the employee. Verification without specific written instructions and a release from the employee will be limited to dates of hire (and separation, if applicable) and most recent job title.

2.13 JOB DESCRIPTIONS

All jobs are documented by position descriptions and are classified according to salary ranges. Each position description includes the job title, job definition, typical tasks and responsibilities, and requirements for training, education, and other applicable qualifications. Contact the Personnel Director for more information on position classifications and salary ranges.

2.14 EMPLOYEE PERFORMANCE EVALUATIONS AND SALARY INCREASES

Performance Evaluations: You will receive a written performance evaluation at the conclusion of your introductory employment period and at least annually thereafter. Special evaluations may be given when deemed appropriate by your supervisor. The evaluation will consider your attendance and overall performance on the job. The performance evaluation is intended to encourage discussion and communication between you and your supervisor regarding your performance. The goal is to achieve improved performance and job satisfaction.

If you are dissatisfied with your evaluation, you have the right to a conference with your supervisor and Department Head, and the right to have your written comments attached to the evaluation.

Salary Increases: Salary ranges have been developed for each position class in the classified service. Each salary range consists of a schedule of steps with a 5% differential between steps. These steps provide increases based on time in the position and on level of performance. Upon being hired at Step A of a pay range, the City will consider an increase to Step B on or after the first six months, if your performance is satisfactory. Employees may be hired at steps higher than A, based on prior experience, with City Manager approval.

Employees must serve at least one year in each of Steps B through D before they may

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be considered for a higher step. Each year, until you reach the top of the pay range for your classification, your performance will be evaluated and a step increase considered by your supervisor. Step increases are not automatic but are based on satisfactory service, performance rating and recommendation by your Department Head. The City Manager may grant an increase to a higher step based on exceptional performance. Refer to Unit Sections for any variations to this Policy.

Employees promoted from one classification to another shall receive at least the next higher pay step than that which the employee was earning. If the employee would have received a step increase in their previous position within six months of the promotion, they will receive at least 5% higher than that step increase upon promotion.

The City Council will adopt and revise as necessary the Classification and Pay Plans as recommended by the City Manager. The City Manager may make revisions to job descriptions that do not significantly change the nature of the job without City Council approval.

Part-time Employees: Part-time employees are not eligible for wage increases at specified time periods as are full-time employees. However, any time after a year-round, part-time employee has worked for six months, the Department Head may consider their performance and recommend a wage increase. Any wage increase recommendation must be accompanied by an evaluation and submitted to the City Manager for consideration. The use of evaluations is not intended to imply any right to continued employment or discharge only for cause. Part-time employees remain at-will employees who can be discharged without prior notice or opportunity for hearing. If an employee receives a wage increase they will not be eligible for consideration of another wage increase until one year after the effective date. Wage increases for part-time employees are not retroactive under any circumstances.

2.15 EMPLOYEE ORGANIZATIONS

Six employee organizations have been given official recognition as representing employees within units for representation purposes. The Operating Engineers Local Union No 3 represents the Miscellaneous Unit; the International Brotherhood of Electric Workers (IBEW) represents electric employees; the Department Head Unit represents department heads; the Management Unit represents management employees; the Police Officers/Supervisory Unit represents police officers, dispatchers, police sergeants and police captains; and the Fire/Supervisory Unit represents fire captains, firefighters, and fire engineers. Whether you join or do not join any employee union or association is your decision and in no way affects your employment status. You will be covered under the appropriate unit MOU if you are a full-time employee on the date the City Council adopts the MOU. Refer to Resolution No. 73-55 for details on rules respecting employee organizations and employer-employee relations.

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2.16 JOB VACANCIES

Vacancies in the classified service are generally filled by re-employment, transfer, demotion, promotional list, or from eligible applicants, certified by the Personnel Director, from an appropriate eligibility list. In the absence of a sufficient number of qualified eligible persons for appointment in these ways, or if a job requires special skills or expertise, the Personnel Director will obtain applications for the position and conduct appropriate examinations to establish a list of persons with eligible qualifications for appointment.

Reasonable prior notice of all tests for positions in the classified service shall be published by posting announcements in City Hall and, in the case of non-promotional recruitment, by a "want ad" in a local newspaper. Announcements shall consist of the applicable job description with other pertinent information such as the deadline date for receiving applications and ADA requirements.

Applications may be rejected for failure to meet the minimum job requirements for experience and/or education.

The most qualified applicants will be tested by verbal, written, practical demonstration, or any other testing technique, or combination of testing techniques, which would establish a relative ability of the applicant to perform the duties of the position. Failure in one part of the test may be grounds for declaring such applicants as failing in the entire test or as disqualified for subsequent parts of a test. Any candidate who has taken and failed the exam twice within a three year period shall be ineligible to take the test for a period of two years from the date he/she last took the test.

Any applicant has the right to inspect his/her own test results depending on the testing procedure. An error in grading or rating, if called to the attention of the Personnel Director within one month after posting the employment lists resulting from the examination, will be corrected. However, correction will not invalidate certification or appointments made before the error was brought to the attention of the Personnel Director.

As soon as possible after the conclusion of the tests, the Personnel Director will prepare and keep available an employment list consisting of the names of persons successfully passing the tests. Whenever identical grades exist, they will receive the same ranking order on the list.

Eligible and promotional lists will become effective upon the approval by the City Manager and the lists will remain in effect for six months. Eligible lists may be extended by the City Manager for additional six month periods but, in no event, will these lists

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remain in effect for more than eighteen months. At any time after an eligible list has been used, and if the remaining names have been passed over previously for valid reasons, the City Manager may cancel the entire list and order another examination when an eligible list is requested.

Whenever a Department Head wishes to fill a vacancy, he/she will consult with the Personnel Director, to determine if the position will be filled through a closed promotional, from existing City employees, or by open recruitment. If sufficient applications are not received from qualified applicants to conduct a closed promotional examination, the vacancy may be advertised as an open recruitment vacancy. In the case of an open recruitment vacancy, the Department Head may initially interview up to the top five eligible candidates on the list. If unable to appoint from the top five, the Department Head may continue to interview from the list according to ranking.

If a promotional applicant is in the top five on an open recruitment eligible list and is, in the opinion of the Department Head, at least as capable of performing the job duties as the non-promotional applicants, then the Department Head may give preference in selection to the promotional candidate.

2.17 OUTSIDE EMPLOYMENT

The City does not encourage outside employment (second jobs). However, if there is no conflict of interest involved, as determined by the City, and the employment will not adversely affect your performance or your attendance, the City may grant approval for you to hold outside employment. Before undertaking a second job, you must meet and discuss the job with your Department Head or Supervisor. If the Department Head feels that there is a conflict of interest, a meeting will be held with the Department Head, City Manager, Personnel Director, and the employee to discuss the possible conflict and if the outside employment is appropriate. This section is subject to the grievance procedure.

2.18 EMPLOYMENT OF RELATIVES

The City has no general prohibition against hiring relatives. However, a few restrictions have been established to help assure the fair treatment of all employees. While we will accept and consider applications for employment from relatives, close family members such as parents, children, spouses, or in-laws will not be hired into positions where they directly or indirectly supervise or are supervised by another close family member. Further, such relatives will not be placed in positions where they work with or have access to sensitive information regarding an immediate family member. (Effective 1/87)

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2.19 LAYOFF

Certain budgetary conditions and the efficient operation of the City may require that we reorganize, reduce staffing or eliminate positions. Although the City hopes to avoid layoffs, this isn't always possible.

If a reduction of personnel becomes necessary, the City Manager will prepare a written analysis of the reduction necessary and submit it to the City Council.

The first employees in a department to be laid off will be temporary and part-time employees; resulting vacancies will be offered to qualified, regular, full time employees.

A re-organization may also require demotions, in which case employees in higher classifications who have more seniority than employees in lower classifications within the same division may replace these employees. If you are demoted as a result of a re-organization, you will not lose eligibility to go back to your original position with all prior employment status, accrued benefits, and tenure rights if you are capable to perform the duties and if a vacancy occurs for that position within five years of the demotion.

If a layoff of some but not all employees in a position occurs, the City will normally retain some employees and lay off others on the basis of length of service with the City. Length of service is calculated from the employees' date of hire as a full time regular employee within the Department affected and does not include any unpaid leave time of any kind. Promoted employees with up to five years of service in their new position may have bumping rights in their previous position. Refer to the Civil Service Ordinance (attached) for more details.

After a layoff, you will have the right to be rehired with prior employment status in your previous position if a vacancy occurs within a period of two years from the termination date.

2.20 RESIGNATION/RE-EMPLOYMENT

Employment with the City of Ukiah is not for any specific period of time and can be terminated at any time by you or by the City, in accordance with applicable disciplinary rules.

Notice of Intent to Leave: If you intend to leave your employment for any reason, you are requested to give at least one week's notice to your Department Head. The Department Head's acceptance of your resignation indicates your resignation is final and irrevocable.

Exit Forms and Interviews: If you terminate, either voluntarily or involuntarily, you may

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be asked to attend an exit interview, where you may state your reasons for leaving (in the case of a voluntary resignation) and offer any comments you may have about your Department or the City. The exit interview will also provide an opportunity to ask any questions you may have.

An employee who has left employment with the City by means of resignation can apply for reinstatement within one year. Upon consideration of the circumstances, the Department may reemploy the applicant if there is a vacancy with the same position classification as occupied upon resignation without an eligible list being required. The applicant shall receive the same salary step as when he/she resigned but there will be no prior accrued benefit rights or privileges from the previous employment period.

2.21 REASONABLE ACCOMMODATION

When an employee needs a reasonable accommodation to be able to perform their work duties due to an injury, illness, or disability, the City will evaluate the situation on a case-by-case basis. Reasonable accommodations may be for different periods of time and different types of work depending on the particular situation, and could include transitional, modified, or alternative work. For further information, please contact the Personnel Department.

3.00 CONDUCT AND CONSEQUENCES

3.01 INTRODUCTION

Your on-the-job professional behavior, appearance, and attitude do much to ensure high morale, effective employee and departmental working relationships, and ongoing positive interactions in all departments of the City. We are always striving to create and maintain an atmosphere of professional behavior that allows all individuals to be proud to be associated with the City and with their co-workers.

3.02 OPEN DOOR POLICY

If you feel you have a problem at work or a personal problem that affects your work, you should discuss it first with your supervisor. If that discussion fails to resolve the problem or you think it is inappropriate to discuss it with your supervisor, you should contact your Department Head or Personnel. If you are not satisfied with these results, you may appeal to the City Manager under the appropriate procedures. Through this process, we hope to solve any problem you may have quickly and satisfactorily.

3.03 GRIEVANCE PROCEDURE

Grievance procedures have been developed for each Unit. There are both formal and

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informal levels for filing a grievance. Please refer to Addendum B for Procedure for Processing Grievances.

3.04 HARASSMENT POLICY

It is the City's policy to provide a work environment in which employees are treated with respect and dignity and which is free from discrimination and harassment. The City does not condone and will not tolerate any harassment because of race, sex, sexual orientation, national origin, color, age, religion, marital status, physical or mental handicap, or medical condition. Disciplinary action up to and including dismissal will be taken promptly against any employee engaging in harassment practices.

Harassment includes but is not limited to:

1. Verbal harassment;
2. Written harassment;
3. Physical harassment;
4. Visual harassment;
5. Sexual harassment: Sexual harassment may include all harassment listed above but specifically is defined as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or;
 - b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Please refer to Addendum C for the City's Policy Against Harassment in the Workplace and for complaint processing and other procedures.

3.05 GENERAL STANDARDS OF CONDUCT

Being a City of Ukiah employee carries certain responsibilities for good conduct. The following examples are types of conduct which are not acceptable and may be grounds for disciplinary action, including dismissal.

3.05.1 Situations Relating to Safety

1. Violating Department and City safety rules, regulations, and instructions. Note: your Department has a safety manual which you are responsible for reading and

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reviewing.

2. Failure to report an accident to your immediate supervisor or a member of management.
3. Failure to give full and truthful testimony regarding an accident that you have knowledge of, or have been witness to, if asked to give testimony.

3.05.2 Standards Related to Fire Prevention, Sanitation and Housekeeping

4. Failure to observe all fire prevention and sanitary rules, regulations and instructions.
5. Failure to observe No Smoking signs and areas on City property.
6. Failure to place refuse and waste in containers provided for the purpose.

3.05.3 Standards Relating to Attendance and Work

7. Repetitive failure to be in your assigned places and ready for work at your designated starting time, or to remain at your respective places of work during working hours.
8. Failure to notify your immediate supervisor prior to the normal starting time, if you are absent, giving reason for such absence, and keeping the supervisor advised as to the probable date and time you will return to work.
9. Abuse of sick leave.
10. Use of City vehicles, tools, or equipment for a personal purpose.

3.05.4 Rules Relating to Behavior at Work

11. Inability or unwillingness to perform work duties properly, or disregard of working directions or instructions.
12. Neglect of duty, including neglect, misuse and waste of City materials, property, tools, or equipment, or willful damage to, or failure to properly safeguard and protect City property.
13. Reporting for duty under the influence of an alcoholic beverage, or carrying onto City property, or consuming intoxicating beverages on City premises. Drinking an alcoholic beverage during working hours is prohibited. (Refer to

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Addendum D, City of Ukiah Substance Abuse Free Workplace Policy.)

14. Disorderly conduct, horseplay or participation in fights or brawls on City property or while on duty.
15. Dishonesty or theft, including deliberate destruction, damage (including defacing/writing/drawing), or removal of City or other employee's property.
16. Falsifying any City records or giving false information as to previous record or experience, including altering time cards of yourself or another employee.
17. Inviting, conducting, or permitting unauthorized persons on City premises.
18. Bringing onto City premises, or having possession of, being under the influence of, or using, transferring, selling or attempting to sell on city premises or while on City business, at any time, any form of narcotic, depressant, stimulant, hallucinogen, or other dangerous or illegal drug, excepting only the taking of a prescribed drug under the direction of a physician, or medications lawfully purchased without a prescription, when used according to manufacturer's directions. (Refer to Addendum D, City of Ukiah Substance Abuse Free Workplace Policy.)
19. Excessive or unexcused absenteeism and/or tardiness.
20. Failure to notify your immediate supervisor when leaving your work area due to illness or any other reason except in the event of a traffic accident or an emergency requiring immediate medical attention.
21. Use of profanity or verbiage that is disruptive to the work environment or violates the City's harassment policy.
22. Bringing to work or possessing while at work any firearm, hunting knife, club or any other weapon not specifically assigned to you for authorized duty.
23. Conduct outside working hours that directly and adversely affects your ability to perform your duties or the City's legitimate interests as an employer.
24. Conduct which the employee knows or has reason to know will cause conflict, poor morale, or dissension among the employees or undermines the ability of the City to properly manage the workplace.
25. Engaging in such other practices or behavior as may be inconsistent with the ordinary, reasonable and common sense rules of conduct necessary to the mutual welfare of the City and its employees.

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26. Insubordination.

A violation of any of these rules and regulations may lead to disciplinary action up to and including termination.

It is the City's intention to take a constructive approach to disciplinary matters to ensure that actions which would interfere with operations or an employee's job are not continued.

3.06 DISCIPLINE GUIDELINES

The rules governing employee discipline for the City of Ukiah apply to full time regular City employees in the classified service who have successfully completed their introductory period. All other City employees may be disciplined without reference to these provisions. Such employees have no property interest in their employment, express or implied.

The normal disciplinary progression consists of the following steps:

- a. verbal reprimand
- b. written reprimand
- c. suspension with or without pay
- d. demotion
- e. termination

Discipline may be imposed whenever good cause exists, including but not limited to violations of City policies, misconduct, or poor job performance. Not every case warranting discipline will utilize each type of penalty in the sequence. The penalty and its severity will depend on such factors as the nature of the employee's duties, the conduct warranting discipline, previous conduct and disciplinary record, the employee's length of service with the City, and the employee's willingness and ability to change his/her behavior.

Refer to Addendum E for a more detailed description of the Disciplinary Policy.

3.07 SOLICITATIONS AND DISTRIBUTION

Often, employees have outside interests that they would like to promote in the workplace. These interests may range from charitable groups and activities, the sale of various products and/or services, political interests and social causes. Although it is tempting to think of the workplace as a kind of captive audience, it really is not the appropriate environment for promoting an individual's outside interests.

The City Manager may limit employee solicitations and announcements to scheduled

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breaks and may curtail them entirely if it becomes disruptive to work or working relationships.

Any requests from employees, outside persons or organizations to sell merchandise, solicit contributions, distribute literature, arrange displays or utilize City facilities are to be referred to the City Manager. Also, before posting any notices on City bulletin boards, you must obtain permission from the City Manager or his/her designee.

4.00 BENEFITS

4.01 INTRODUCTION

Regular employees receive certain benefits, determined by their position and category of employment. Refer to Unit Sections for details.

4.02 HOLIDAYS

The City observes paid holidays. Payment for holidays is available to all regular full time employees regardless of length of employment. Year round, part-time employees working 20-31 hours per week are granted 3 paid holidays on a pro-rated basis (Independence Day; Thanksgiving & Christmas), and year-round part-time employees working 32 hours per week or more are granted 7 paid holidays on a pro-rated basis (New Year's Day; President's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day & Christmas) , depending upon the number of hours worked. An employee must receive the approval of his/her Department Head prior to taking off the day before or after a holiday.

Refer to Unit Sections for details and holiday schedules.

4.03 VACATION

Vacations are designed to provide time away from work for rest and relaxation. Therefore, you are urged to use vacation benefits each year that they accrue. The maximum accrual is twice the annual rate. Once this maximum is reached, no additional time will be accrued until you have used enough of your vacation to stay within the maximum. As you use your time, you will accrue additional hours until the maximum is once again reached.

Refer to Unit Sections for details regarding rates of vacation accrual and cash-out provisions, if applicable.

During vacation, salary and other benefits will continue without interruption. If a holiday occurs during a vacation period, that day will not be charged to vacation time. If an

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employee becomes sick during his/her vacation, he/she may charge accrued sick leave credits for the days of illness. Vacation accrual will be suspended during unpaid leaves of absence.

Vacation requests must be submitted in written form and approved by your supervisor in advance, with due regards to the needs of your Department. No vacation will be granted until the time is actually accrued.

Employees who terminate their employment with the City will be paid for any unused accrued vacation. Salary will not be paid in lieu of time off from work due to any other type of paid leave, except as otherwise allowed by Unit agreements.

4.04 INSURANCE BENEFITS

All regular full-time employees are eligible to be enrolled in the following insurance programs:

- Major Medical
- Dental
- Life Insurance
- Vision Care
- Prescription Drug Plan

Part-time employees working at least 20 hours per week, year round are eligible to purchase City health, dental, and vision benefits at their own cost.

Effective date of coverage depends on the health plan you choose.

At retirement, employees with seven (7) or more years of service with the City may continue health coverage by pre-paying the monthly premium to the City payroll office. (City Council 02/16/00). Employees nearing retirement should check their individual health plan for the minimum years of enrollment required by the plan prior to retirement.

Once a retiree has discontinued coverage, she/he shall no longer be eligible to continue coverage at a later date (1984-86).

If you have a change in family status, such as the birth of a child or marriage, you must enroll your new dependent within 30 days of the date the event occurred, otherwise you will be required to wait until the next open-enrollment period to add dependents to your policy. Contact the Personnel Department immediately for any change in family status.

Workers Compensation Insurance is provided to all employees, regardless of status, immediately upon hire.

The plan specifics and carriers will change from time to time. If you have any questions

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regarding insurance, please contact the Personnel Department.

4.05 SECTION 125 PLAN (CAFETERIA PLAN)

Effective March 1, 1998, the City of Ukiah implemented a Section 125 Plan, also known as a Cafeteria Plan, which may provide tax savings for employees through pre-tax premium payments and flexible spending accounts as allowed by IRS regulations. All full-time employees are eligible to participate in the Cafeteria Plan and may enroll in any of the following options:

1. Pre-tax insurance premium payments
2. Flexible Spending Account for unreimbursed medical costs
3. Flexible Spending Account for dependent care costs
4. Pre-tax premium payments for miscellaneous insurance plans offered by the Cafeteria Plan Administrator

The plan year for the City's Cafeteria Plan is July 1 through June 30 of each year. An open enrollment period will occur each year in the month of May, at which time employees may elector change any of the above options. If there is a change in family status, you have 30 days in which to make a revision to your plan. For further information on the Cafeteria Plan or reimbursement procedures for the Flexible Spending Accounts, please contact the Personnel Department.

4.06 LEAVES OF ABSENCE

The City understands that there are certain pressing circumstances for which you may need to be away from work. Accordingly, leaves of absence are granted for regular full time employees, in the following circumstances.

4.06.1 Sick Leave/Family Sick Leave

Employee Sick Leave

Sick leave benefits are to be used for medical and dental appointments and absences due to mental or physical illness, or personal injury only. These benefits are not to be used for any other purpose. Every regular, full time employee will accrue one sick day for each month of service. Part-time employees working year round and at least 20 hours per week are eligible for pro-rated sick leave hours based upon the number of hours worked. These benefits are non-accruing.

Sick leave usage is computed in one-half hour increments. On half-hour increments shall be computed by rounding to zero for less than 15 minutes and rounding to $\frac{1}{2}$ hour for 15 minutes or more. During or after an absence due to illness, you may be required

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to furnish a doctor's written statement indicating the nature of your illness and your expected recovery time. If you have been ill for longer than five (5) consecutive days or suffered an acute injury, you may be asked to obtain a doctor's release before returning to work.

When all sick leave benefits have been used, you may use your accrued vacation benefits. If you have used both the sick and vacation accrual, you may submit a request to the City Manager for up to a thirty day unpaid leave of absence in special consideration for extended serious illness or injury. (Also refer to Section 4.05.5, Family and Medical Leave Act, which may also apply.) Sick leave benefits will not be accumulated during unpaid leaves of absence.

Family Sick Leave

Effective with new California State law on January 1, 2000, full-time employees may use up to six (6) of their accrued sick leave days per calendar year to attend to an illness of a child (biological, foster, adopted, stepchild, legal ward or a child of a person standing in loco parentis), parent (biological, foster, adoptive, stepparent, or legal guardian) or spouse.

There is no maximum on the accumulation of unused sick leave. Upon retirement from City service, your unused sick leave will be converted to additional service credits at the rate of .004 years of service credit for each day of unused sick leave.

If you are going to be absent, you must notify your supervisor as soon as possible of your inability to work, normally no later than the start of your shift.

Sick leave is a privilege. Violations or abuse will result in disciplinary action.

4.06.2 Jury/Witness Duty

If you are called to serve on a jury for ten days (number of days may differ depending upon individual MOU provisions) per trial or less, or are compelled to appear by legal process as a witness for the City in court, you will receive your base pay. You are required to furnish your Department Head with a copy of your official notice and to let us know the expected duration of your absence. If you are released from jury duty before the end of your working shift, you are expected to return to work for the remainder of the day. Court Payment Checks for jury duty, excluding travel expenses, must be turned in to the City cashiers in order to be eligible for this paid leave. You need to inform the Judge of the City's ten-day paid leave policy so that you will not be appointed to trials of longer duration.

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4.06.3 Bereavement Leave

Employees who lose an immediate family member are allowed three days paid bereavement leave. An additional two days may be granted for travel exceeding 350 miles one way. Refer to Unit Sections for specific details. Immediate family is defined as father, mother, grandfather, grandmother, or grandchild of the employee or the employee's spouse, and the spouse, son, stepson, foster-son, son-in-law, daughter, stepdaughter, foster-daughter, daughter-in-law, brother or sister of the employee, or any immediate relative living in the immediate household of the employee or employee's spouse.

4.06.4 Leave of Absence/Disability Leave/Pregnancy Leave

Unpaid Leave of Absence

You may request an unpaid leave of absence for periods of up to thirty days. Any unpaid leave may be granted with approval of the City Manager. In deciding whether to grant the request the City Manager may consider the reason for the leave (ex: extend pregnancy leave beyond disability; extended illness due to injury where accumulated sick and vacation leave, CTO, and any other accrued paid leave have been used), the department's work load, and the availability of qualified staff to handle the work load.

If you are seeking an unpaid leave, you must submit a written request to your supervisor, stating the reason for and duration of the leave. Sick or vacation accrual, retirement, uniform allowance, medical coverage or related benefits are not paid or credited while an employee is on unpaid leave of absence. You will begin to receive these benefits again when you return to work. You may keep your medical insurance in effect by pre-paying the full monthly premium.

An employee who takes a personal leave of 30 days or less will be returned to his/her present position or to a substantially similar position. If no position is available due to staff reduction, the employee will be placed on layoff. Employees who do not report to work on the next working day, without prior authorization of the City, may be administratively terminated upon expiration of the leave.

Disability Leave

Employees may join the City's Long-Term Disability Plan to help cover financial needs during a non-work related injury disability period. Monthly premiums will be at the employee's expense and will be paid through automatic payroll deductions. Additional information and the applicable forms are available in the Personnel Department. Public Safety Units have separate Long-Term Disability Plans which are administered by their Associations.

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Employees requesting a disability leave of absence must fill out City request forms and provide a written statement from a physician that briefly states the need for the leave and the expected duration of the absence. This paperwork should be provided at least four weeks prior to the effective date of the leave. During the leave of absence, employees must notify the City of any changes in the duration of leave or the estimated date of return. Within 5 days of the end of the disability, you must notify Personnel that you are available to return to work and submit a doctor's release to return to work.

Accrued sick and vacation time may be taken to provide income during a disability leave of absence. You may keep your health insurance in effect during the disability (over 30 days) by pre-paying the full premium to the Personnel Department by the first of the month.

Pregnancy Leave

A leave of absence without pay for a disability due to pregnancy may be requested for the duration of the disability, up to a maximum of 16 weeks upon a doctor's written statement. Accrued sick and vacation time may be taken to provide income during a pregnancy leave of absence. The City will pay the monthly health insurance premium for the 16 weeks with a doctor's statement. Upon returning to work, the employee will be placed in her original position or to a substantially similar position. If no position is available due to staff reductions, the employee will be placed on layoff. Employees on disability leave for longer than 16 weeks who have exhausted sick leave benefits, may be administratively terminated. "Administratively terminated" as used in these policies means your employment as a City employee is terminated by action of the City Manager without any right of further notice or appeal.

4.06.5 Family and Medical Leave Act

Under the Family and Medical Leave Act and the California Family Rights Act, "eligible" employees may request an unpaid, job-protected leave of absence for periods of up to 12 weeks in a 12-month period for any of the following reasons:

- a. to care for the employee's child after birth, or placement for adoption or foster care;
- b. to care for the employee's spouse, son, daughter, or parent, who has a serious health condition; and
- c. for a serious health condition that makes the employee unable to perform the employee's job.

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Eligible employees include those persons employed by the City of Ukiah for at least 12 months and who have completed 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. A "serious health condition" under the Family and Medical Leave Act includes an illness, injury, impairment, or physical or mental condition that involves:

- a. Any period of incapacity or treatment in connection with or in consequent to a hospital, hospice, or residential medical care facility;
- b. Any period of incapacity requiring absence from work, school, or regular daily activities of more than three calendar days, that also involves continuing treatment by or under the supervision of a health care provider;
- c. Continuing treatment of a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days or for prenatal care.

If you have a doctor's certification, whether for pregnancy leave or an injury or illness, you may use your sick leave. For other types of leaves under this Act, you may use your vacation. A thirty-day advance request notice and medical certification may be required.

Additional information and the applicable request forms are available in the Personnel Department.

4.06.6 Military Leave

If you are a member of the Armed Forces National Guard or Military Reserve, you will be allowed time off without pay for 180 days for temporary active military duty or training in accordance with the California Military and Veterans Code. After one year of service with the City, you are allowed thirty days paid leave for these purposes. If called upon in a declared emergency, members of the National Guard will be given paid leave for up to 30 calendar days, regardless of length of service with the City. If you receive orders to report for military duty, provide a copy of your orders to your supervisor.

4.06.7 Workers Compensation

Employees who suffer an injury or illness due to work are generally covered under Workers Compensation Insurance. If you are injured or become ill due to work-related causes, you must notify your supervisor immediately. Minor injuries not requiring medical treatment or time lost from work should be recorded in the Department's "Minor

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Injury Log". You will be given a claim form to complete and, if necessary, will be referred to the Ukiah Valley Medical Center (unless you have a Pre-Designation of Physician form previously placed in your Personnel file, stating the name, address and phone number of your treating physician). A pre-designated physician must accept workers' compensation claims and have your medical records on file at the time of injury/illness. Covered doctor bills and hospital expense are paid directly by the City's Workers Compensation Carrier.

After three consecutive days off for non-public safety employees, Workers Comp pays approximately 66% of your pay up to a maximum determined by state law. Police and Fire employees receive 100% temporary disability pay starting the first full day absent. If you are hospitalized, or if you are disabled for longer than 14 days, the three day waiting period is waived. Accumulated sick leave will be used for the first three days off and, upon its exhaustion, vacation leave may be combined with workers comp pay up to a maximum of your regular pay. If an employee chooses not to supplement his/her workers compensation pay with available leave credits, he/she must notify Payroll with a Personnel Action Form (PAF) within 15 calendar days from the time the injury was reported.

4.07 RETIREMENT PLAN AND DEFERRED COMPENSATION

All full time and qualified part time employees are included in a retirement benefit program. The plan is an integration of Federal Social Security and California Public Employees Retirement System. Descriptive bulletins and related information are available from the City Personnel Department. Refer to individual Unit Sections for retirement plan details.

Deferred Compensation Plans are available as supplemental savings programs for retirement for those employees who qualify for the City's retirement program. A percentage of your salary, as determined by you, can be deferred tax free until you retire or terminate employment. The City has three deferred compensation plans available to eligible employees. Contact Payroll or Personnel for more information.

4.08 TRAINING

Training may be developed for employees by the Department Head or Personnel Department. Training may include on-site programs, formal correspondence courses, adult education classes, outside college courses, etc.

If you participate in and successfully complete special formalized courses, you will have the accomplishment noted in your personnel file.

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If you plan to take a college class or special course which is not required by the City but would enhance your knowledge and ability on the job and is directly related to your position with the City, you may request in advance of the class, reimbursement for the costs of tuition, travel, and book expenses. In order to receive reimbursement, you must submit your expense receipts, and show proof of a passing grade of "C" or better for the class. Contact your supervisor for more information and the "Pre-Approval for Course Reimbursement" forms. (Policy Resolution 31)

Refer to the Unit Sections for more information on career incentive and educational programs.

4.09 CREDIT UNION

All City employees who have completed their introductory period are eligible to join the City of Ukiah Employees Credit Union. Benefits include automatic payroll deductions, personalized service, competitive rates, rapid loan processing, and insured accounts. For more information, contact the Personnel or Payroll office.

4.10 EMPLOYEE ASSOCIATION

You can join the Employee Association for only \$5.00 per quarter (pro-rated for part-time employees). The Association provides special discounts to members for activities such as the Christmas Party, Golf Tournaments, barbeques, and special drawings. Contact the Payroll office for a sign-up form.

4.11 EMPLOYEE ASSISTANCE PROGRAM (EAP)

All full-time employees and their eligible dependents are covered under the City's Employee Assistance Program (EAP). The program offers a variety of confidential benefits, such as marital and family counseling, financial planning, drug and alcohol abuse counseling, and much more at no cost to the employee. This confidential program is available 24-hours per day, 7 days per week. Contact the Personnel Department for more information.

5.00 OTHER CITY POLICIES

5.01 TRAVEL REIMBURSEMENT

The City will reimburse reasonable expenses incurred by you in performance of your job, in accordance with Policy Resolution No. 34 (9/21/2005). Contact your supervisor if you incur, or anticipate incurring, any work related expenses. Travel expense forms must be returned to the Finance Department within a month of the trip or the advanced amount will be taken out of your paycheck until the form is returned and reconciled.

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Employees who must travel on City business should, whenever possible, use City vehicles. If you must use your own car, authorized travel will be reimbursed at the stated rate allowed by the Internal Revenue Service, which covers gasoline, maintenance, and personal automobile insurance coverage. Additionally, tolls, parking, and similar items will be reimbursed.

You are required to wear your seat belt and have a valid California driver's license. If your license is restricted or suspended, notify your supervisor immediately. The City will not reimburse you for any traffic citations, including parking tickets, that you receive; nor may any private automobile receive gasoline, oil or service from City facilities.

The per diem rate for meals while traveling out of the area for training is \$45.00 per day. If training does not encompass a full day or if any meals are provided, the per diem rate is broken down as follows: Breakfast \$10.00; Lunch \$15.00; and Dinner \$20.00.

5.02 USE OF CITY VEHICLES AND VEHICULAR ACCIDENTS

City vehicles are to be used for business related purposes only. Employees are not allowed to transport family members or friends in City vehicles unless pre-approved by departmental supervision. Only special or emergency situations will be considered.

If you are involved in an accident involving a city vehicle, you must report the accident immediately to the Police Department (Police Officers who are in an accident should contact an outside agency), and have a copy of the written Police report and your Departmental Incident Report submitted to your supervisor and the Personnel Department.

5.03 CASH ADVANCES

The City as a general rule does not allow employees payroll advances. However, the City recognizes that an extenuating personal emergency could necessitate an employee to request a payroll advance as the only means available to address an emergency. The emergency must be a serious life or death matter involving the health or welfare of the employee, or a member of the employee's immediate family.

Such a request must be documented, independently confirmed, and approved by the Department Head, Director of Finance, and City Manager. The amount of the payroll advance cannot exceed the net amount the employee receives in any one payroll check. Prior to the employee receiving the advance, the employee will agree in writing that his or her payroll advance will be automatically deducted from his or her next payroll check.

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5.04 SAFETY PROGRAM

Safety is the responsibility of every employee. You can help by reporting any safety hazard you notice to your supervisor. You should always notify your supervisor immediately of any injury, whether or not medical treatment is required. Every employee is responsible for reading and adhering to the City's Safety Manual and Department safety rules, and for assisting the Safety and Health Committee in implementation of their duties.

It's part of your job to keep safety in mind and to practice safety procedures that apply to your job. Further information regarding the City's safety program can be obtained from your supervisor.

5.05 SERVICE CLUB POLICY

The City recognizes the importance of City Officers and Supervisors participating in the community through service clubs and other community organizations. Reimbursement for appropriate expenses is available in accordance with the criteria as outlined in Policy Resolution No. 17.

5.06 RESIDENCY

Certain designated employees are required to comply with residency regulations. Refer to Unit Sections for details.

5.07 SMOKING POLICY

Because of the potential health risks to both smokers and non-smokers and potential damage to equipment, it is the City's policy that there will be no smoking anywhere in our City facilities, buildings, or vehicles. Smoking will be limited to outside areas.

5.08 PERSONAL PHONE CALLS

Personal telephone calls should be kept to a minimum, and no more than two minutes in length. If you must make a personal toll or long distance call for which the City would otherwise be billed, you should use a telephone credit card, call collect or write down the number, date, and time you made the call and give to Finance for billing you later.

5.09 BUILDING KEYS

Employees will be issued, by the City, a building key and other types of keys as needed to perform their job function. Employees are required to return their keys to their Supervisor upon termination of employment. Duplication of any City key is strictly

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prohibited.

5.10 HEALTH CLUB

The Redwood Health Club and the Ukiah Fitness Center offer special discounts on initiation and monthly group rates to employees of the City of Ukiah. The facilities provide pools, life cycles and Nautilus equipment, racquetball, saunas, and Jacuzzis. If you are interested, contact the facilities directly. Dues (other than initial payment) will be collected by electronic transfer from your checking or savings account on a monthly basis.

5.11 RECYCLING

The City of Ukiah provides recycling bins for employees to dispose of office paper and magazines at their work station. In addition, recycling bins for newspaper, cardboard, plastic, glass, and aluminum are centrally located throughout City facilities.

5.12 PARKING LOTS

Parking is provided at all City facilities for City of Ukiah employees. Contact your Department Head or Supervisor to obtain the location of the nearest parking area.

5.13 FAX MACHINES

Fax machines are located in the administrative section of the north wing of the Civic Center, Warehouse, Grace Hudson Museum, Ukiah Valley Conference Center, and Dispatch Center of the Public Safety Department. If employees use a fax machine for their personal use, they need to log the number on the sheet provided by the fax machine so they can be billed for this charge.

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