



**CITY OF AUDUBON PARK
EMPLOYEE HANDBOOK**

SEPTEMBER 8, 2020 EDITION

City of Audubon Park Mission Statement

To provide its citizens with a safe and vibrant neighborhood focusing on the preservation of trees and maintaining a communal atmosphere that fosters a high quality of life.

NOTICE

The City of Audubon Park Employee Handbook does not create any contractual or other legal rights. The personnel policies contained in this Handbook do not alter the city's at-will employment policy nor do they create an employment contract for any period of time. This Handbook may be added to, terminated, or changed at any time by the City of Audubon Park.

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Section 1 – Introduction

About the City of Audubon Park Handbook

The purpose of the City of Audubon Park Employee Handbook is to establish a uniform system for managing personnel matters for all city employees. This Handbook and the policies it contains provide direction for you in the performance of your employment duties so that you can successfully contribute to the fulfillment of the city's mission.

The policies contained in this Handbook are designed to reinforce the core values of the City of Audubon Park. We believe that when you act in a manner consistent with the city's core values in your employment activities, both you and the citizens we serve will prosper.

The city's core values serve as the cultural foundation of the organization. They embody the spirit and collective conscience of the city and its employees. Our core values describe how we fulfill our mission by representing the enduring ideals and principals that guide our actions.

We believe:

- Kentucky's cities play an essential role in shaping the future of the Commonwealth.
- Local decisions are best made at the local level.
- Our exceptional services help our city function effectively and enhance the quality of life within the city.
- Building and cultivating relationships with other governments, businesses, and individuals furthers the mission of the city.

We embrace:

- Customer service based on attentive listening and measured by timely and appropriate responses.
- Credibility built on a commitment to high ethical standards, accountability, competence, and non-partisanship.
- Teamwork and continuous learning that drives improvement and innovation.
- Caring and mutual respect that foster a supportive working environment.

Regardless of your primary area of work concentration, you are foremost an employee of the City of Audubon Park. While each city employee has different responsibilities, job duties and departmental assignments in the organizational structure, employees are expected to work as a team toward the common goal of advancing the interests of the city.

We are pleased you are part of the city family and hope you view your employment as an opportunity to help advance our community and thereby make it an even better place for future generations.

City Government and Organization

The City of Audubon Park operates under the mayor-council form of government. The mayor-council form is the most prevalent form of city government throughout the United States and in Kentucky.

Each city organized under the mayor-council plan must have an elected executive, who is called the mayor, and an elected council called the city council. [KRS 83A.130(2) and 83A.030(1)].

The distinguishing characteristic of the mayor-council form of city government is the clear separation of powers between the executive (mayor) and the legislative (city council) branches of government. All of the executive and administrative authority is vested by statute in the mayor. [KRS 83A.130(3)]. The city council is expressly prohibited from performing any executive (or administrative) functions unless those functions have been assigned to it by statute. [KRS 83A.130(11)]. With a few exceptions, the council is restricted to performing the legislative function. The executive branch and the legislative branch are intended to be separate, but coequal, branches of government. It is very similar to the structure of the state government where the executive/administrative authority is vested in the Governor and the council is vested in the General Assembly.

Powers and Duties of the Mayor

The mayor is the chief executive and administrative officer of the city. The mayor's principal function is to oversee the management of the city's daily affairs. The basic duties and authorities of the mayor in mayor-council cities are set forth in KRS 83A.130 as follows:

- Enforce the mayor-council plan, city ordinances and orders, and all applicable statutes.
- Supervise the day-to-day operations of city government and the conduct of all city officers and employees under the mayor's jurisdiction.
- Require each department to make reports as required by ordinance or as the mayor deems necessary.
- Serve as liaison with related units of local government regarding interlocal contracting and joint services.
- Report to the council and the public on the condition and needs of the city, as deemed desirable, or as required by ordinance, but at least annually.
- Promulgate procedures, subject to council disapproval, to ensure the orderly functioning of government and compliance with statutes and ordinances. Copies must be filed with the city clerk.
- Preside at council meetings.
- Vote to break a tie at a council meeting, unless otherwise prevented by a specific statute.
- Approve or veto ordinances. The mayor may approve an ordinance by signing it or veto an ordinance by returning it to the council unsigned together with a statement of their objections within ten days after the council approves the ordinance. If the mayor fails to act by signing or vetoing the ordinance within ten days, the ordinance becomes effective automatically.

- Make and sign all bonds, notes, contracts, and written obligations of the city.
- Hire all city employees, including police officers, except for city council staff.
- Appoint all nonelected officers as defined in KRS 83A.080, subject to council approval.
- Discipline and dismiss all city employees and nonelected officers at-will, unless tenure or terms of employment are protected by statute, ordinance or contract, and except for council employees.
- Prepare, present, and administer the annual budget. See KRS 91A.030.
- Call special meetings of the council.
- Provide for the orderly continuation of city government by delegating authority when necessary or desirable.

If the mayor delegates their executive and administrative powers, duties, and responsibilities to subordinate officers and employees, it must be done so by written executive order.

The mayor may not delegate their executive and administrative powers, duties, and responsibilities to a member of the city council, except when required to do so by statute. The doctrine of separation of powers, which is the key feature of the mayor-council form of government, and the specific language of the statutes compel this conclusion. In support of this conclusion, KRS 83A.130(11) prohibits the council from performing any executive function except those functions assigned to it by statute. Furthermore, KRS 83A.130(7) refers to the delegation of powers to subordinate officers and employees. Members of the city council are not "subordinate" to the mayor. The members of the city council have, as elected officers, a coequal status with the mayor. Therefore, when the mayor is unable to perform their executive or administrative duties because of temporary absence or disability, the responsibility for performing those functions should be delegated to a nonelected officer such as the city clerk, police chief, etc., or to an employee.

There are, however, two functions that are ordinarily performed by the mayor, but which must be performed by a member of the council when the mayor is unable to perform these functions. KRS 83A.130(10) states that the responsibility of "approving ordinances or promulgating administrative procedures may only be delegated to an elected officer," i.e., a member of council. Therefore, if it becomes necessary to delegate such responsibility, it must be delegated to a council member.

Also, the mayor may not delegate the responsibility of presiding over meetings of the council. [KRS 83A.130(10)]. In the mayor's absence, the council selects one of its members to preside in place of the mayor. This may be done in advance by ordinance or may be done by motion and vote at the meeting. A council member who presides in place of the mayor does not temporarily lose their status as a member of council and may continue to introduce legislation and vote on any issue.

Any executive or administrative action which is taken in the mayor's absence may be rescinded by the mayor within 30 days of the date the action was taken, with the approval of the council.

If the mayor is unable to perform their duties for 60 consecutive days, the council can declare the office of mayor vacant in accordance with KRS 83A.040.

Powers and Duties of the Council

KRS 83A.130(11) provides that the "council of the city shall be vested in and exercised by the elected council of the city." City councils may not perform any executive or administrative function, unless specifically authorized by statute. [KRS 83A.130(11)]. For instance, council members may not supervise the day-to-day operations of city government or exercise supervisory authority over city employees.

KRS 83A.130 and other sections in KRS Chapter 83A set forth the specific powers and authorities of the city council as follows:

- Establish, by ordinance, all appointed offices and the duties and responsibilities of those offices.
- Enact all codes, rules, and regulations for the general public's health, safety and welfare.
- Provide sufficient revenues to operate city government through the adoption of an annual budget ordinance and by levying all taxes and establishing all fees and charges for city services.
- Establish, by ordinance, the compensation to be paid to all elected and appointed officers and employees of the city. [KRS 83A.070].
- May investigate all activities of city government and may require any city officer or employee to prepare and submit sworn statements regarding the performance of their official duties. If an office, department or agency under the jurisdiction of the mayor is involved, written notice of the council's action must be provided to the mayor, who then has the right to review any statement before its submission to the council, and to appear on behalf of the office, department or agency in the course of the investigation. [KRS 83A.130(13)].
- May disapprove regulations promulgated by the mayor.
- May override mayoral vetoes by the affirmative vote of one more than a majority of the membership of the entire council. If the council wishes to override a veto, it must do so by the second regular meeting following the return of the ordinance.
- May appoint a new mayor or council member if a vacancy occurs in the office. [KRS 83A.040].
- May remove elected officers for misconduct, inability, or willful neglect of office. [KRS 83A.040(9)].
- May change the manner of electing city officers by adopting the nonpartisan primary election process. [KRS 83A.050(2)].
- May divide the city into wards for the purpose of electing council members. [KRS 83A.100].
- Approve the appointment of nonelected city officers. [KRS 83A.080(3)].
- May call special meetings, upon written request of a majority of the council.

Effect, Amendment and Application of Handbook Policies

- (1) The City of Audubon Park Employee Handbook (2020 Edition) contains information about the city's employment policies and procedures and an overview of the city's benefits. For specific information about employee benefits, you should refer to the plan documents, which are controlling. The policies and procedures in this Handbook are guidelines only. The city reserves the right to interpret and administer the provisions of this Handbook as needed. The provisions of this Handbook will repeal and replace all previously adopted policies and procedures governing employment with the city.
- (2) Except for the policy of at-will employment, which can only be changed in writing by the mayor, this Handbook and any of the policies and procedures contained herein are subject to change at the discretion of the city. The city may amend or terminate any policy or procedure contained in this Handbook at any time, with or without notice. However, the city will endeavor to communicate any changes to all employees in a timely fashion.
- (3) Each employee should read and become familiar with the information contained in this Handbook. Failure to comply with the city's policies or procedures may result in discipline, up to and including termination.
- (4) The provisions in this Handbook are not intended to in any way create any contractual obligations with respect to your employment.
- (5) These policies and procedures are intended to cover most personnel problems, actions and issues which may arise. Those not specifically covered will be interpreted by the mayor; such interpretation will be in concert with the spirit and letter of these policies and procedures. In addition, the mayor may write administrative memoranda to interpret or clarify existing policies. These memoranda will have the force of policy and will be filed with the personnel policies and procedures.
- (6) The policies contained in this Handbook apply to all nonelected officers and employees of the city regardless of their departmental assignment or primary responsibilities. These policies may also apply to volunteers, elected officials and members of boards or commissions as required by state and federal law or as noted within the policy.

Employee Handbook

The city clerk will ensure that a current copy of the employee Handbook is prepared and distributed to all new and current employees. All employees are expected to read and sign the Handbook Acknowledgement (HR Form 01) within 30 days of employment or within 30 days of any amendment to the Handbook. The city clerk will maintain a copy of the Handbook Acknowledgement Form in the employee's personnel file pursuant to the Kentucky Department of Libraries and Archives Record Retention Schedule.

Administration of the City Personnel System

- (1) The city's policies are applied and enforced by the mayor and supervisory employees. The city expects supervisory staff to foster a working environment where employees take the primary role in their own professional growth and development. Supervisory employees should provide continuous feedback to their employees regarding performance and should address any potential infractions of these policies with employees immediately.
- (2) The mayor is responsible for general oversight of the city's personnel system and for all centralized personnel matters such as the recruitment and selection of employees, revision of job descriptions, wage and salary schedules, administration of benefit programs, and maintenance of personnel records.
- (3) No department supervisory employee or other employee will conduct any interview for potential employment or internship, make any offer of employment or internship, or make any modifications to the compensation or benefits of employees without notification to the mayor and compliance with the procedures established by the city. No supervisory employee or other employee will alter, suspend, or fail to enforce or adhere to the policies contained in this Handbook.

Severability

If any provision of these policies or any procedure for their subsequent application is held invalid, such invalidation will have no bearing or effect on any other parts or sections.

Section 2 – Hiring and Employment

At-Will Employment

All city employees are at-will employees. This means there is no contract of employment, express or implied, and that either the city or the employee is free to terminate the employment relationship at any time, with or without cause. The city's at-will employment policy will only be varied by a specific written agreement that is entered into and signed by the mayor and an individual employee. Therefore, nothing contained in this Handbook or any other document provided to the employee will be relied upon or interpreted to form a contract binding upon the city regarding any benefit, policy, procedure, or other term or condition of employment.

Equal Opportunity Employer

- (1) The city is an equal opportunity employer. It is the city's policy to afford equal employment opportunity to all qualified persons regardless of race, color, religion, age, sex, sexual orientation, gender identity, pregnancy, childbirth, pregnancy/childbirth related medical conditions, genetic makeup, national origin, disability, veteran or family status, an individual's status as a smoker or nonsmoker, genetic makeup or any other status or condition protected by applicable local, state or federal laws, except where a bona fide occupational qualification applies.
- (2) The city's commitment as an equal opportunity employer extends to all its employment and personnel practices including job opportunities, promotions, pay and benefits, discipline, discharge, training, and other social and recreational activities sponsored by the city.
- (3) The harassment, retaliation, coercion, interference, or intimidation of any employee due to that employee's race, religion, color, national origin, sex, sexual orientation, gender identity, pregnancy, childbirth, pregnancy/childbirth-related medical conditions, genetic makeup, age, disability, veteran or family status, or because the employee is a smoker or nonsmoker is strictly forbidden. Any employee who experiences such treatment should report it immediately to their supervisor or other supervisory or management staff in accordance with the Harassment Policy within Section 3 of this Handbook.

Americans with Disabilities Act (ADA)

- (1) The city will offer equal employment opportunities for qualified individuals who may have a physical or mental disability, including medical conditions related to pregnancy, but who can still perform the essential job functions with or without reasonable accommodations. The city will provide reasonable accommodations to individuals qualifying under ADA only when that accommodation does not create an "undue hardship" to the city.
- (2) Any employee who feels they may need an accommodation in order to perform their job functions should notify their supervisor and the city clerk in writing. Because analysis under the ADA requires an open dialogue between the employee and the employer, the employee and the supervisor are encouraged to discuss the situation openly and involve the mayor and other necessary staff as appropriate.

- (3) Medical information may be requested by the city to assist in understanding the employee's capabilities and limitations.

Immigration Reform and Control Act (IRCA)

- (1) The city will comply with the Immigration Reform and Control Act of 1986 (IRCA), including Form I-9 requirements.
- (2) Under IRCA, all employers must complete Employment Eligibility Verification Forms, commonly known as Form I-9, for all current employees and maintain those forms in a separate file for the longer of either:
 - a. Three years from the first day of employment; or
 - b. One year after the employment ended.
- (3) IRCA prohibits employers from:
 - a. Knowingly hiring, recruiting or referring (for a fee) aliens who are not authorized to work in the U.S.
 - b. Requiring specific documents to complete Form I-9.
 - c. Retaliating against employees that file a charge or participate in an investigation.

Hiring and Selection

- (1) Appointment to a position within the city will be made only after it has been determined the person being considered meets the qualifications set out in the current job description for which the appointment is made.
- (2) The policy will apply to current employees who request a transfer or promotion to a vacant position, as well as new applicants for employment or reemployment.
- (3) The qualification of an applicant for a position will be ascertained based on one or more of the following:
 - a. Information the applicant supplies on the official Employment Application Form;
 - b. Written, performance or physical tests or examination or any combination which may be required for the position;
 - c. Personal interview;
 - d. Information and evaluations supplied by references given by the applicant;
 - e. Other appropriate information as determined; and/or
 - f. For sworn police officers, the Recruitment Policy found within the Police Department's Policy and Procedure Manual.

- (4) All employees are appointed by the mayor except that pursuant to KRS 83A.080, all nonelected city officers will be appointed by the mayor with the approval of the city council. Nonelected officers include:
 - a. City Clerk
 - b. Chief of Police
 - c. City Engineer
 - d. City Forester
 - e. Vehicle and Buildings Director
 - f. Code Enforcement Officer

Employment of Family Members

Pursuant to the city's Ethics Ordinance:

- (1) No family member of a city officer or employee shall be appointed to any office or position of employment with the city or a city agency if such officer or employee will have responsibility, directly or indirectly, to supervise, manage or control the work of the family member without disclosure to and approval by the mayor and being noted in the official minutes.
- (2) As used in this policy, the term "family member" means spouse, parent, child, brother, sister, mother-in-law, father-in-law, son-in law, daughter-in-law, grandparent or grandchild.

Background and Reference Checks

- (1) It is the policy of the city to perform pre-employment background checks pursuant to KRS Chapter 335B. The Chief of Police is ultimately responsible for ensuring proper background checks are done on all newly hired city employees. The purpose of performing these checks is to determine and/or confirm, within appropriate legal and professional limits, the qualifications and suitability of a candidate for the particular employment position for which the candidate is being considered. Many of our employees' job duties involve working closely with other employees and/or the public, significant city-related driving, access to safety-sensitive and expensive tools and machinery, access to confidential information, or access to financial accounts. Therefore, criminal records may exclude candidates with certain criminal convictions that are determined to be job-related, as discussed below. This policy will help ensure that employment-related decisions utilizing pre-employment background checks are made in accordance with applicable law.
- (2) The city will perform pre-employment background checks on all candidates for employment once they have been offered the employment position by using the Background Check Release (HR Form 03). Review will be limited to information

regarding only convictions that are determined to be job related and consistent with business necessity, as discussed below. In addition, if an employee changes positions within the city, an additional criminal background check may be required.

- (3) In addition to KRS Chapter 335B, the city complies with the federal Fair Credit Reporting Act (FCRA), federal and state equal employment opportunity laws and all other applicable legal authority that affect the performing of pre-employment background checks.
- (4) The results of a pre-employment background check are confidential and are only to be shared with employees of the city on a strict “need to know” basis.
- (5) Under no circumstances is having a criminal history or conviction an automatic exclusion to a candidate's eligibility for employment.
- (6) Candidates are required to sign appropriate authorizations and consents prior to performing any pre-employment background checks.
- (7) Background checks are conducted in accordance with all applicable federal, state, and local laws, including any state-law limitations regarding criminal history information that may be obtained and/or used by the city for employment purposes.
- (8) This policy does not override city policy that candidates providing false or misleading information on their application, during an interview, or at any time during the hiring process, may be eliminated from any further consideration. Candidates are expected to provide accurate and complete information and not to omit material information needed to make a decision.
- (9) Pre-employment background checks should normally be completed after a conditional offer of employment to the candidate. Therefore, all job offers should be conditioned upon satisfactory completion of the pre-employment background checks.
- (10) Prior to taking any adverse action, appropriate pre-adverse and adverse action notices will be sent to the candidate pursuant to federal and any state FCRA laws together with a copy of the report.
- (11) All candidates will be individually reviewed by the mayor and appropriate supervisor. Decisions will be made with respect to employment based on the totality of the candidate's qualifications and the relevant results of the pre-employment background check.
- (12) In general, the relevance of a particular pre-employment background check to a candidate's eligibility for employment, or employee's eligibility for continued employment, is based upon the following factors:
 - a. The nature and gravity of the offense for which the applicant or employee was convicted;
 - b. The time that has passed since the conviction and/or completion of the sentence; and
 - c. The nature of the job held or sought.
- (13) The city will only consider final adjudications of guilt (i.e., convictions and guilty pleas) for the potentially disqualifying offenses listed below, or other offenses determined to be job related. Convictions that have been expunged, discharged, or

otherwise vacated will not be considered. Various states use different terminology regarding convictions. Therefore, if it is unclear whether a certain offense resulted in a conviction, the city attorney should be consulted.

- (14) Having a criminal history or conviction does not automatically preclude a candidate's eligibility for employment. To assist supervisors and the mayor in reviewing criminal records, below is a list of convictions that may disqualify an applicant or employee from employment with the city:
- a. Crimes Involving Violence, Theft, or Drug Distribution/Trafficking: Certain crimes involving violence, theft, or drug distribution/trafficking have been determined to be job related to all positions within the city. Disqualification of applicants or dismissal of employees with certain convictions is consistent with federal and state requirements.
 1. Violent Crimes: The city has determined that felony convictions within the past seven years for crimes involving violence may disqualify an applicant or employee because of workplace violence concerns, our desire to provide a safe workplace for employees and customers, and because many of the city employees have significant interaction with customers and/or coworkers on a day-to-day basis.
 2. Theft or Property-Related Crimes: The city has determined that felony convictions within the past seven years for crimes involving theft, dishonesty, breach of trust, or destruction of property may disqualify an applicant or employee due to access to equipment and tools, inventory, proprietary information, and/or financial or confidential information.
 3. Drug Distribution/Trafficking Crimes: The city has determined that felony convictions within the past seven years for crimes involving drug distribution or trafficking may disqualify an applicant or employee because these convictions also indicate a general disregard for federal, state, or local law and may demonstrate that the applicant or employee will not be able to follow directions from their supervisor or manager.
 4. The city does not generally disqualify applicants or dismiss employees for drug possession or use convictions. This does not affect the application of its drug and alcohol policy.
 - b. Computer Crimes: Due to access to city confidential and proprietary information, customer information, financial information, and/or computer systems, the city has determined that felony convictions within the past seven years for computer-related offenses are job-related for management and office positions. Applicants or employees in these job categories who have been convicted of such computer crimes present an unacceptable risk to the city and may therefore be disqualified, absent mitigating circumstances.
 - c. Driving Crimes: To reduce potential liability for the city, the city must review applicant and employee driving records for jobs in which the job duties include significant amounts of unsupervised, city-related driving.

The city will comply with all federal, state, and local requirements regarding motor vehicle record checks including, but not limited to, obtaining consent from the applicant or employee prior to requesting the record and complying with federal and/or state FCRA requirements. Felony convictions within the past seven years for vehicle-related offenses, including, but not limited to DUI and DWI, have been determined to be job-related and present an unacceptable risk to the city. Therefore, applicants and employees in positions that involve business-related driving who have been convicted of such offenses may be disqualified, absent mitigating circumstances.

- d. Individualized Assessment: Before any applicant or employee is disqualified based on their criminal history, the applicant or employee will be given an opportunity to provide individual information regarding the circumstances of that applicant's or employee's criminal history. The city clerk will request that the applicant or employee submit a written, signed statement regarding their criminal history if the potential employee is not a police officer. If the potential employee is a police officer, the Chief of Police will handle. The mayor and the supervisor will consider all information provided by each applicant or employee to determine whether the information provided sufficiently mitigates the circumstances of the disqualifying conviction pursuant to KRS Chapter 335B.
- (15) Credit checks are generally not part of the background check process and are not used to make hiring decisions. In certain positions, such as treasury functions and accounts payable/receivable, a credit check may be performed due to the nature of the responsibilities of such jobs, including access to city accounts and cash and the ability to be bonded. Each applicant's or employee's credit history will be reviewed, in the context of all other available information regarding the applicant or employee, to determine whether the applicant's or employee's credit history poses an unacceptable risk to the city. Such applicants or employees will be provided an opportunity to explain their credit history prior to a final determination.

Employee Bonding

All applicants seeking city employment that involves the handling of city funds or access to city financial accounts will be bondable and may be subject to a post-offer credit check. All employees involved in the handling of city funds or financial accounts will be bonded at the expense of the city.

New Employee Orientation

- (1) An orientation will be made available to all new employees as soon as possible after their first day of employment.
- (2) The orientation will consist of the following elements:
 - a. Explanation of the purpose and goals of the city;
 - b. Overview of the city's history, structure and operations;

- c. Overview of management policies and procedures; and
 - d. Other elements deemed appropriate.
-
- (3) A copy of the employee Handbook will be made available to all employees at each work station. A Handbook Acknowledgement (HR Form 01) of the original employee Handbook and any revisions thereof will be required of all employees subject to these policies. The signed statement will be maintained in the employee's personnel file and retained pursuant to the Kentucky Department of Libraries and Archives Record Retention Schedule.
 - (4) New hires will be given a benefits package if they qualify. The city clerk or mayor will cover with the employee the benefits package and give the employee a due date as to when the package must be turned in to qualify for the benefits. Failure to submit the package on the specified date may render the employee ineligible for some benefits. Orientation for employees of the Police Department will be handled by the Chief of Police or a designee.
 - (5) The new employee's schedule and job description will be discussed. The city clerk or mayor will use the Job Description Review and Acknowledgment (HR Form 02) to ensure all civilian employees understand expectations and are able to meet the physical requirements of the job. The Job Description Review and Acknowledgment Form will be signed and placed in their personnel file, and a copy will be given to the employee. The Chief of Police or a designee will maintain these forms in the personnel file for all employees of the Police Department.
 - (6) The city clerk will ensure that all required state and federal forms are filled out and placed in their personnel file prior to the employee starting any physical work. All required information will then be filed as required with the federal, state and local governments.

Job Descriptions

- (1) The city considers the job description prepared and maintained for every position as one of the most important documents in ensuring effective hiring practices and providing equal employment opportunity to all qualified individuals. The following procedures are designed to ensure the accuracy, completeness, timeliness and fairness of the job descriptions:
 - a. The city clerk, with the assistance of the mayor, will occasionally review the city's civilian job descriptions to ensure that they are accurate, complete and up-to-date. The Chief of Police, with the assistance of the Mayor will occasionally review job descriptions for employees of the Police Department.
 - b. Whenever possible, the supervisor should seek the input of the employee in reviewing the description's accuracy and completeness.
 - c. The job descriptions should contain information that accurately reflects each position's essential functions, duties, responsibilities, purpose,

working conditions, and reporting relationships as well as the knowledge, skills, and abilities required of employees.

Personnel Records

- (1) A personnel file will be maintained for each civilian city employee by the city clerk. All changes in the status of employees will be recorded in these files, which will be retained and maintained in accordance with applicable state and federal laws. Personnel files for employees of the Police Department will be maintained by the Chief of Police.
- (2) The personnel file includes the following:
 - a. Employee's name, permanent address and phone number;
 - b. Position title;
 - c. Completed application form;
 - d. Hiring date;
 - e. Departmental assignment;
 - f. Salary;
 - g. All changes in status as a city employee; and
 - h. Whatever additional information these ordinances, other governing laws, or the city require.
- (3) Information regarding the medical condition or history of an employee, including drug test results will be collected and maintained on separate forms and in separate confidential medical files subject to disclosure only as permitted by law.
- (4) All Forms I-9 will also be kept in a separate file arranged in alphabetical order.

Change in Personal Information

- (1) It is the responsibility of each employee to promptly notify the city clerk of any changes in personnel data by completing the Change in Personal Information (HR Form 09). Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times.
- (2) In order for necessary changes to be made without penalty, changes of marital status and dependents must be made within 30 days of the qualifying event.

Access to Personnel Files

- (1) The city clerk maintains a personnel file on each civilian employee. The personnel file includes such information as the employee's job application, resume, documentation of performance appraisals and salary increases, and other employment records. Personnel files for employees of the Police Department will be maintained by the Chief of Police.
- (2) Personnel files are the property of the city and may be subject to the Open Records Act. Access to an employee's personnel file is strictly controlled and given only to authorized individuals who have a legitimate reason to review information in a file, or as authorized under the Open Records Act. Employees will be notified of any request to view their personnel file.
- (3) With reasonable advance notice, employees may review their own personnel file in the presence of the city clerk or Chief of Police.

Job References

All requests for job references and inquiries regarding an individual's employment with the city will be forwarded to the city clerk for appropriate responses for civilian positions and Chief of Police for police officer positions. The city clerk will consult with the mayor, and may permit the employee receiving the request to respond, but the mayor and/or city attorney will review any response before it is finalized. This section will not prohibit an employee from being listed as a reference for an individual.

Record Retention

The city will maintain all city records pursuant to the Kentucky Department of Libraries and Archives Record Retention Schedule.

Disciplinary Practices/Procedures

- (1) The city seeks to encourage employees to change problem behavior rather than focusing on punitive measures as a solution. In some instances, these efforts may fail or may be an unsuitable response to an offense. In these instances, city supervisors may use disciplinary procedures, depending on the severity or frequency of the offense or problem behavior. Supervisors may use any of these disciplinary methods listed below at any time. This list does not require a progressive disciplinary methodology to be used by supervisors:
 - a. Verbal warning or reprimand/coaching or counseling by a supervisor;
 - b. Written reprimand/counseling by a supervisor;
 - c. Suspension with or without pay;
 - d. Demotion and/or reduction in pay; or

- e. Termination of employment.
- (2) The supervisor shall notify the city clerk to initiate use of the disciplinary procedures in (c), (d) or (e) in section (1) of this policy. The city clerk shall be responsible for informing and involving the mayor and legal staff on issues with civilian employees. The Chief of Police shall inform the legal staff and Mayor on all police issues with police officers. If any employee other than the Chief of Police receives a complaint on any officer, the employee shall notify the Chief of Police immediately. All initial complaint on police officer are confidential.
- (3) Supervisors using the disciplinary procedures outlined in section (1) of this policy shall:
 - a. Document any disciplinary session or conference conducted for the purposes of correcting behaviors that are in violation of the policies contained in this Handbook or are conducted with the intent to correct reoccurring issues related to employee performance on the Disciplinary Form (HR Form 10); and
 - b. Provide a copy of any written documentation related to the use of disciplinary procedures to the city clerk for placement in the employee's personnel file.
- (4) For police officers, any general personnel matter will be handled as directed in the Policy and Procedure Manual; however, any external complaint filed against a police officer or any violation of law enforcement procedures, requires the city to follow the process outlined in KRS 15.520, once the officer has completed the introductory period.

Demotion

- (1) An employee may be demoted upon recommendation of a supervisor, with the approval of the mayor.
- (2) The provisions of KRS 15.520 shall regulate demotions of officers in the police department who have completed the introductory period only when involving an external citizen's complaint or any violation of law enforcement procedures.
- (3) All pertinent documentation of said demotion shall be entered on the Disciplinary Form (HR Form 10) and into the employee's personnel file.

Suspension

- (1) The department supervisor may:
 - a. Suspend the employee with pay until the mayor reviews the violation, provided the mayor has delegated by executive order in accordance with KRS 83A; and/or
 - b. Request in writing on the Disciplinary Form (HR Form 10) that the mayor suspend the employee with or without pay. The request shall include the

reason(s) for the suspension, along with details of previous disciplinary action regarding the employee.

- (2) The mayor may suspend an employee with or without pay for any period up to and including four calendar weeks, depending upon the severity of the offense; however, a maximum time limit shall not apply when an employee is suspended with or without pay due to an investigation of an alleged offense.
- (3) The suspended employee shall be notified of the suspension in writing. The notice shall include the reason(s) for and duration of the suspension (if known).
- (4) Employees suspended without pay for a period of one calendar month or more shall forfeit fringe benefits, including accrual of sick and vacation leave, and the city's contribution to any insurance benefits during the suspension.
- (5) If after an investigation, the mayor finds that the suspension was not warranted, the employee shall be reinstated to their position with back pay and benefits.
- (6) The provisions of KRS 15.520 shall regulate suspensions of officers in the police department who have completed the introductory period only when involving an external citizen's complaint or any violation of law enforcement procedures.
- (7) All pertinent documentation of said suspension shall be entered into the employee's personnel file.

Termination of Employment

- (1) The mayor has the authority to appoint and remove all city employees, except as otherwise provided by statute, ordinance or contract. Statutes that provide otherwise regarding the termination of employment include:
 - a. For police officers, KRS 15.520 applies to police officers that have completed the introductory period, and only in regard to any external citizen complaint or a violation of law enforcement procedures, requires a hearing conducted by the city in the manner prescribed by KRS 15.520.
 - b. For nonelected officers, KRS 83A.080 requires a written reason to be provided to the nonelected officer upon termination.
- (2) Employees also have the right to terminate their employment at any time and for any reason. The city asks that you provide a written notice at least two weeks prior to your intent to leave in order to assist the city in the smooth transition of your job duties.
- (3) In the event of the termination of your employment for any reason, you must return all property of the city, including uniforms, keys, credit cards, mobile phones, computer software and hardware, proprietary and confidential materials, reports, and any other city property that may be in your possession. This property must be returned prior to the last day of your employment.
- (4) All pertinent documentation of any termination from employment shall be entered into the employee's personnel file.

Section 3 – General Employment Policies and Rules

Open Door Policy – Complaint Procedure

- (1) At the City of Audubon Park, we encourage all employees/volunteers to meet with their supervisor to discuss any employment issues or concerns that they may have. If the complaint is against a supervisor, or if the employee/volunteer feels more comfortable, they may discuss the issue with another supervisor or the mayor.
- (2) The city is committed to maintaining this open door policy, where honest discussion of employee/volunteer concerns can take place in a safe and supportive environment.

- (3) Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, if a situation persists that you believe is detrimental to you or to the city, you should bring your concern to the attention of a supervisor or the mayor.

Sexual and Nonsexual Harassment

- (1) Sexual and nonsexual harassment of any kind is absolutely prohibited and will not be tolerated. Sexual and nonsexual harassment negatively affects morale, motivation and job performance. It is inappropriate, offensive, and illegal.
- (2) Sexual harassment on the job is employment discrimination within the meaning of Title VII of the federal Civil Rights Act of 1964 and KRS Chapter 344. In general, sexual harassment means any unwelcome or offensive sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, either by a supervisor, fellow employee, or a person other than an employee who has contact with the city employees. Sexual harassment is unacceptable and is prohibited at work and in work-related settings, such as business trips, business-related meetings, conferences, and employee-related social events. Behavior that constitutes sexual harassment includes, but is not limited to:
 - a. Deliberate, repeated, or unsolicited verbal comments, gestures, or physical actions of a sexual nature toward another employee.
 - b. Approval, recommendation, or refusal to take any personnel action with respect to an employee or applicant because of:
 1. The employee's or applicant's rejection of sexual advances, demands, favors, or sexual activity; or
 2. The employee's or applicant's report of a sexual advance or demand for sexual activity.
 - c. Explicit or implicit promises of preferential treatment regarding an individual's employment status in return for sexual favors or sexual activity.
 - d. Exercise or attempted exercise of the power or authority of one's position to control, influence, or affect the career, salary, job, or other employment conditions of an employee or applicant in exchange for sexual favors.
 - e. Repeated sexual jokes, flirtations, advances or propositions.
 - f. Graphic verbal commentary about an individual's body, sexual prowess or sexual deficiencies.
 - g. Leering, whistling, touching, pinching, assault, coerced sexual acts or suggestive, insulting or obscene comments or gestures.
 - h. The display in the workplace of sexually suggestive objects, pictures or reading material.
- (3) Any conduct that is intimidating or hostile and interferes with an employee's work performance is prohibited and will not be tolerated. This includes harassment

because of an individual's race, religion, color, national origin, sex, sexual orientation, gender identity or expression, pregnancy, childbirth, pregnancy/childbirth-related medical conditions, genetic makeup, age, disability, veteran or family status, or because the employee is a smoker or nonsmoker.

- (4) Any employee who believes they have been subjected to sexual or nonsexual harassment should report the incident promptly to one of the following: their supervisor, department director, the city clerk, the city attorney, the mayor, or any other supervisor with whom the employee feels comfortable discussing the matter. Employees are encouraged to make prompt reports of the incident to ensure timely response and for remedial measures to be implemented, if necessary. However, all reports of sexual and nonsexual harassment shall be reviewed and investigated regardless of when the alleged misconduct occurred.
 - a. All reports of sexual or nonsexual harassment shall be reduced to writing by the reporting employee or by the person receiving the report. Employees may use the Complaint Form (HR Form 05) for this purpose. The report shall be signed by the complaining employee or the person receiving the report. All reports will be kept confidential to the extent feasible and appropriate under the circumstances. The city clerk shall inform the mayor of the receipt of the complaint.
 - b. All reports of sexual and nonsexual harassment will be investigated promptly following the receipt of an incident report. The report will be investigated by the mayor and/or one or more members of the management staff designated by the mayor and the city attorney. The results of the investigation will be communicated to the complainant and to the alleged offender. Any employee found to have engaged in misconduct constituting sexual or nonsexual harassment will be disciplined, up to and including dismissal. In addition, the city may take other steps to correct and prevent future incidents from occurring.
 - c. If the investigation results in a finding that any form of harassment has occurred in the city workplace, the mayor will create a written report and/or an update of the action taken by the mayor as a result of the finding. If the investigation results in a finding that harassment did not occur, the mayor shall create a written report of the decision.
 - d. As provided under the Whistleblower Protection for City Employees Policy in Section 4 of this Handbook, an employee making a report under this policy will not be discriminated against or be subject to retaliation in any way for having made the report. If an employee suffers any discrimination or retaliation for making a report, the employee should immediately alert a member of management. Any person found to have discriminated or retaliated against an employee who makes a report shall be subject to disciplinary action, up to and including dismissal.
- (5) The city recognizes that the question of whether a particular course of conduct constitutes sexual or nonsexual harassment requires a factual determination. The city also recognizes that false accusations of sexual or nonsexual harassment can have serious effects on innocent parties. If an investigation results in a finding that a person who has accused another of sexual or nonsexual harassment has

maliciously or recklessly made a false accusation, the accuser will be subject to appropriate sanctions, including discharge.

- (6) Training in sexual harassment will be provided by the city.
- (7) Nothing in this policy should be construed as eliminating any employee's rights under Title VII of the Civil Rights Act of 1964, as amended, or under KRS Chapter 344 or as conferring enforceable legal rights beyond those existing under applicable law.

Workplace Violence

- (1) The safety and security of all employees is of primary importance to the city. Threats, abusive behavior, or acts of violence against employees, citizens, or other individuals by anyone on city property or off city property while performing job duties related to the city will not be tolerated. Actions of this nature will lead to referral to appropriate law enforcement agencies for arrest and prosecution. City employees who exhibit this type of behavior will be disciplined or discharged. The city may take any necessary legal action to protect its employees and will make every effort to assist any employee experiencing threats of violence.
- (2) Any person who makes threats, exhibits threatening behavior, or engages in violent acts on city premises shall be removed from the premises as quickly as safety permits and shall remain off city premises pending the outcome of an investigation. Any employee who makes threats, exhibits threatening behavior, or engages in violent acts while in performance of their employment duties shall be immediately suspended, pending the outcome of an investigation of the incident. Following investigation, the city will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.
- (3) All employees are responsible for notifying city management personnel of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed, that they regard as potentially threatening or violent or which could endanger the health or safety of an employee when the behavior has been carried out on a city-controlled site or is connected to city employment or city business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened.
- (4) Employees are encouraged to notify either the Chief of Police or the city clerk if an Emergency Protection Order (EPO) or Domestic Violence Order (DVO) has been issued for their protection.
- (5) The city will make every effort to assist an employee experiencing threats of violence. Assistance may include:
 - a. Confidential means for coming forward for help;
 - b. Resource and referral information;

- c. Leave of absence consideration; and
 - d. Special safety considerations at the workplace.
- (6) The city understands the sensitivity of the information requested and will respect the privacy of the reporting employee to the extent allowed by law. The city will endeavor to maintain the anonymity of a reporting party to the extent feasible for cooperation with appropriate law enforcement officials.
- (7) Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation or harassment.

Workplace Safety

- (1) The city's first priority is to maintain a safe working environment for its employees and the public. For the employee's protection, job-related injuries, accidents or illnesses must be reported immediately in accordance with the city safety and accident policy.
- (2) Each department will consider the need for adopting safety practices, policy, or procedures warranted by the hazards department employees encounter. Department supervisors are encouraged to involve employees in this process.
- (3) A copy of such practices, policies, or procedures will be delivered and explained in detail. Each department employee shall then sign a receipt, which will be placed in the individual employee's personnel file, stating that they have read and understand these rules. Department supervisors shall also explain to their employees that a violation of these safety rules could lead to disciplinary action up to and including termination of employment.
- (4) Every employee must be safety-conscious and responsible for helping the city achieve the goal of providing a safe workplace.
- (5) Employees shall report any unsafe or hazardous condition to their supervisor, or any supervisor they feel comfortable reporting to, immediately.
- (6) Supervisors shall report any unsafe or hazardous condition that has been reported to them or that the supervisor is aware of immediately to the mayor.
- (7) Any employee or supervisor who does not report unsafe or hazardous conditions is subject to disciplinary action.
- (8) Employees are expected to use common sense and good judgment in their work habits and to follow safe work practices. Department supervisors shall ensure that safe work practices are utilized. Examples of safe work practices are as follows:
- a. Using the proper safety equipment when performing a work assignment.
 - b. Not operating equipment or machinery while using prescribed medication without a doctor's written approval.
 - c. Under no circumstances should an employee operate any type of machinery or equipment while under the influence of drugs or alcohol.

- d. Operating only equipment or machinery for which training, or orientation has been received.
- e. Warning coworkers of unsafe conditions or practices.
- f. Following all safety and operating rules posted on equipment and machinery.
- g. Refraining from horseplay at all times.
- h. Wearing safety belts when operating city-owned vehicles or private vehicles when on city business.
- i. Following OSHA rules and guidelines. All employees are responsible for maintaining current knowledge of periodic rule/regulation changes made by the issuing state and federal safety agencies.

Reporting Work-Related Accidents

- (1) Employees are required to immediately report any work-related accidents, illnesses or injuries. The proper reporting of such matters is critical to ensure that an employee receives all benefits to which they are entitled under the Kentucky Workers' Compensation Act.
- (2) For the employee's protection, job-related injuries, accidents or illnesses must be reported the day that they occur, unless extenuating circumstances prevent the employee from reporting within that time frame.
- (3) The supervisor as well as the city clerk shall be notified of all accidents involving city employees and/or city equipment as soon as possible, but in no event later than the next work day.
- (4) Accidents involving city-owned vehicles or personal vehicles being operated for city business shall be reported to the police department for investigation.
- (5) The city places great importance in this policy. All employees are obliged to comply. Any employee that is discovered to have been aware of a serious accident and failed to report it will face appropriate disciplinary consequences.

Drug- and Alcohol-Free Workplace

The city declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees in the workplace.

Fraternization

While the city encourages amicable relationships between employees, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises an employee's ability to perform their job. Any involvement of a romantic nature between employees of the same department is prohibited. Violation of this policy will lead to corrective action, up to and including termination of the individuals involved.

Media Communications

- (1) The mayor serves as the chief media spokesperson for the city. All media requests shall be directed to the mayor, who is responsible for determining the city staff person most appropriate to make a response. Under certain circumstances, staff members may be directed to respond to a media request when matters touch upon their special areas of expertise. Any employee directly contacted or approached by the media for comments on issues related to the city shall contact the mayor prior to making a response.
- (2) To ensure quality and appropriate formatting, all city communications shall originate from the mayor. One to two weeks' notice to generate releases is standard. The mayor will work with city staff and members on releases pertaining to "breaking news" as needed.
- (3) To ensure consistent quality and branding, all city publications shall originate or be approved by the mayor. Ideally, at least a one-week notice should be given for the creation of a small publication or template. For large publications, a pre-design review of the project will occur between the requesting employee and the mayor.

Tardiness

All employees are expected to arrive at their designated work space prior to the beginning time of their work shift. An employee that arrives after the appointed time is considered tardy. Employees tardy up to two times or less within a 30-day period will be counseled by their department supervisor. Employees tardy more than two times within a 30-day period will be subject to the disciplinary policy.

Meals and Rest Periods

- (1) Unless other arrangements are made with the employee's supervisor, all employees, other than police officers, are expected to take a lunch period each workday which shall occur no sooner than three hours after the employee begins their work shift and no later than five hours after the employee begins their work shift. However, an employee and their supervisor may agree to make a reasonable alternative schedule for a meal period on a temporary basis and any such change should be noted in writing. The mayor will determine the lunch period based on department needs.
- (2) Sworn police officers shall remain on duty subject to call during meal breaks. All other employees generally are not on call during meal breaks unless directed otherwise by a supervisor.
- (3) Employees are encouraged to schedule personal breaks as work flow allows. The total time taken for personal breaks should not exceed 10 minutes during each four hours worked. No reduction in compensation shall be made for time spent on personal breaks taken in conformance with this policy for either exempt or nonexempt employees.

Standards of Performance and Conduct

- (1) Each employee is a representative of the city, both internally with coworkers and externally with citizens, contractors, business associates, affiliates, and others. As a representative of the city, each employee is expected to act professionally, honestly, ethically, courteously and with integrity in all business transactions and interpersonal interactions while at work or in any activity performed on behalf of the city.
- (2) The city expects all employees to conduct themselves in a professional, mature, and lawful manner. Employees must comply with established rules, regulations, policies, procedures, and directives. Failure to do so will ultimately result in disciplinary action. In an effort to avoid misunderstandings about the types of conduct that are considered unacceptable, a non-exhaustive list of specific infractions is provided below purely for informational purposes as a general guide for employees:
 - a. Unexcused tardiness;
 - b. Unexcused and excessive absenteeism;
 - c. Failure to perform an assigned task, meet a deadline, or otherwise follow an instruction or directive;
 - d. Insubordination or willful refusal to follow instructions, rules, regulations, policies, or to accept assignments;
 - e. Misuse of leave time;
 - f. Intentional or unintentional violations of the policies and procedures in this Handbook;
 - g. Inability to perform duties or requirements of the job because of the loss of necessary licenses or other requirements;
 - h. Discourteous behavior toward the public or other employees;
 - i. Theft or embezzlement of city property or assets;
 - j. Use, possession, sale or transfer of illegal drugs, or being under the influence of illegal drugs in any manner that may impair the employee's ability to perform assigned duties or that may adversely affect the city's business or reputation;
 - k. Personal behavior, whether on- or off-duty, which is of embarrassment to the city and likely to damage the public reputation of the organization, or which is injurious to the interests of fellow employees;
 - l. Falsification of records;
 - m. Invasion of another employee's privacy;
 - n. Assault or fighting;
 - o. Conviction of a serious criminal offense which jeopardizes or is injurious to the city's property and security, its public reputation, or the interests of

other employees, or which is incompatible with the due and faithful discharge of duties and responsibilities;

- p. Sexual or nonsexual harassment; or
 - q. Horseplay or pranks which threaten the safety and security of the workplace or are offensive to other employees.
- (3) Sworn police officers should also note the Code of Conduct Policy in the Police Department's Policy and Procedure Manual.

Dress Code and Hygiene

- (1) As representatives of the city during work hours, it is important for employees to present a professional impression to citizens, vendors, coworkers and others. Clothing should be neat, clean, in good taste, and should not constitute a safety hazard. Employees are expected to maintain the highest standards of personal cleanliness and appearance during work hours and when representing the city outside of normal work hours.
- (2) The minimum standard of dress for city employees is "business casual," although there are occasions or situations, such as meetings, that require "business professional" attire. From time to time, these standards may be relaxed by management to allow employees to wear more casual clothing. Examples of such times include cleanup days, severely inclement weather, or when more casual clothing may be appropriate for the work to be done.
- (3) For all employees, professional appearance also means that the city expects you to maintain good hygiene and grooming while working.
- (4) An employee may be granted an exception to this policy by the mayor for certain medical conditions.
- (5) An employee wearing inappropriate attire will be required to leave work to change into appropriate attire. An employee will not be compensated for the time they are away from work to change into appropriate attire, and must use vacation, personal or comp time for the time spent away from work.
- (6) An employee with questions regarding this policy should direct their inquiries to the city clerk or the Chief of Police.
- (7) Sworn police officers should also note the Grooming and Appearance Policy in the Police Department's Policy and Procedure Manual.

Outside Employment for Employees Other than Police Officers

- (1) Outside employment is defined as any paid employment performed by an employee in addition to employment with the city.

- (2) Any employee desiring to perform outside employment shall first obtain written approval on the Outside Employment Request (HR Form 12), from the supervisor, subject to the approval of the mayor. Approval may be granted, provided that such employment does not:
 - a. Interfere with the performance of the employee's duties;
 - b. Involve a conflict of interest or conflict with the employee's duties;
 - c. Involve the performance of duties which the employee should perform as a part of employment with the city; or
 - d. Occur during the employee's regular or assigned working hours unless the employee is on annual leave, compensatory leave, or leave without pay. Employees on any form of sick leave, which includes workers' compensation leave, may not work outside employment.
- (3) Sworn police officers will follow the Secondary Employment Policy in the Police Department's Policy and Procedure Manual.

Uniforms

- (1) The annual budget process shall determine the uniform policy of the city.
- (2) All employees who are authorized to wear uniforms provided by the city shall wear the uniforms during all working hours. Uniforms provided by the city shall be worn only to and from work, and while at work.
- (3) Sworn police officers should also note the Uniform Policy in the Police Department's Policy and Procedure Manual.

Use of Office and Mobile Telephones

The office telephone system is provided and paid for by the city to facilitate the conduct of its business. Extensive use of the city telephone system or mobile phones for the personal business of employees interferes with the efficient and effective conduct of the city's business. While the city understands that employees must occasionally make and accept personal calls, texts, or other messages during work hours, personal communication should be kept to a minimum, both in terms of the number of personal calls/messages per day and the duration of individual calls/messages. Excessive use of the office telephone system or mobile phones or personal mobile phones for personal calls, texting, or other personal messaging during work hours may result in disciplinary action.

Vehicle Use

- (1) The operation of vehicles is necessary in conducting much of the city's business. This policy establishes requirements governing the operation of city-owned, leased, or rented vehicles and the operation of personal vehicles while conducting business on behalf of the city.

- (2) Employees operating city-owned, leased, or rented vehicles and employees who are performing employment functions on behalf of the city in a privately owned vehicle must meet the following requirements:
 - a. The employee shall hold a valid driver's license;
 - b. The employee shall not operate a city vehicle or use a privately owned vehicle in conducting business on behalf of the city while the employee's license is under revocation or suspension; and
 - c. Any employee who may operate a vehicle while performing employment functions on behalf of the city shall be subject to an annual Division of Motor Vehicle Records Check and must sign the Driver's License Background Check Release (HR Form 04).
- (3) When an employee is operating a city vehicle or is operating a privately owned vehicle in the scope of their employment in conducting city business, the employee is required to adhere to the following requirements:
 - a. The employee shall obey all city, county, state, and federal laws and regulations;
 - b. The employee shall not operate a motor vehicle while under the influence of alcohol or while being under the influence of illegal or controlled substances;
 - c. The employee shall not leave the vehicle unattended without first stopping the motor, locking the ignition, removing the key, and locking the doors;
 - d. The employee shall wear safety belts at all times;
 - e. The employee shall have in their possession a valid driver's license at all times when operating a city vehicle or is using a privately owned vehicle in the performance of city business;
 - f. No employee shall operate a vehicle while normal vision is obstructed; and
 - g. Vehicle inspections should be performed monthly and turned in timely to the Director of Vehicles.
- (4) Any employee who receives a citation or towing charge while operating a city vehicle shall notify the city clerk or Chief of Police, in writing, within 48 hours of receipt of the citation or towing charge. In addition, an employee who operates a city motor vehicle is required to notify the city clerk or Chief of Police, in writing within 48 hours, of any motor vehicle violation conviction entered against the employee that involves driving while under the influence, or which has resulted, or may result, in the suspension or revocation of the employee's motor vehicle license.
- (5) If the operation of a city vehicle is a condition of employment and an employee is unable to operate a motor vehicle due to the suspension or revocation of the employee's license, the employee must inform the city of the suspension or revocation. Additionally, the employee must, at their own expense, arrange for and provide transportation so the employee is able to continue to fulfill their job requirements.

- (6) Sworn police officers should also note the Vehicle Use Policy in the Police Department's Policy and Procedure Manual.

Assigned City Vehicles

- (1) When economically feasible and in the best interest of the city, employees may be assigned a city vehicle which they will keep and maintain for business and personal use during the time of assignment. A full-time employee with a position that requires business driving, who holds a valid driver's license and has a good driving record as determined by the mayor, may be eligible for the assignment of a city vehicle under any of the following conditions:
- a. The employee's position requires the employee to be on call and available to the city.
 - b. The employee's position must be specified by the city council as a position to which assignment of a city vehicle is considered part of the employee's compensation package.
- (2) An employee assigned a city vehicle on a permanent basis is subject to the following requirements:
- a. The Chief of Police shall oversee the take home cars assigned to police officers for the city. The Chief of Police will create guidelines officers must follow if they have a take home car and if a pool car is used for off duty police work.
 - b. Gas Expense: An employee shall submit receipts for refueling assigned vehicles in accordance with the Employee Expense Reports and Reimbursement Policy in Section 5 of this Handbook. On a quarterly basis, the employee shall reimburse the city for the value of personal use of gasoline used in the assigned vehicle. The reimbursement amount shall be calculated using the total gas receipts for the quarter multiplied by the percentage of personal use for the quarter. If a police car is used for off duty police work, the Chief of Police shall create a policy and form to ensure any officer working off duty pays for the gas used while working off duty.
 - c. Maintenance, Inspection and Repairs: The employee is responsible for ensuring that routine maintenance on the vehicle, as specified in the owner's manual, and as the city may specify in writing, is performed at the intervals specified in such documents. Service other than routine maintenance must be performed at the service center as directed by the city. Information on the service center can be obtained from your direct supervisor.
 - d. The city will arrange for license plates, registration certificates, and insurance cards. The city pays local property taxes. The employee should not receive a tax bill.
 - e. An assigned vehicle shall be turned in no later than the last day of employment. A terminated employee shall not continue use of the vehicle under any circumstances.

- (3) In operating an assigned city vehicle:
 - a. The employee shall not permit or give permission for any person besides the employee's spouse, in an emergency, or another city employee to drive the city vehicle. Violation of this provision will subject the employee to disciplinary action.
 - b. The employee shall follow the Vehicle Use Policy as set forth in Section 3 of this Handbook.
 - c. The employee shall report vehicle accidents in accordance with the Vehicle Accidents Reporting Requirements policy in Section 3 of this Handbook.
- (4) Vehicles in the city's car fleet will be replaced at the city's discretion. In addition, the city may, at its discretion, revoke a vehicle assignment at any time or otherwise change the position or work requirements of the employee.

Distracted Driving

Employees, other than emergency responders, shall not use cellular telephones (including hands-free), or any other mobile electronic devices while operating a motor vehicle. This includes but is not limited to answering or making phone calls, engaging in phone conversations, reading or responding to emails and text messages, adjusting a Global Positioning System or accessing the internet. All employees are prohibited from wearing a headset or earphones over or in both ears, except for emergency personnel who are wearing a headset for the purpose of communicating with other emergency personnel. This policy is in effect while operating a city-owned vehicle or operating a privately owned vehicle in the course of conducting city business.

Vehicle Accident Reporting Requirements

- (1) An employee involved in a vehicle accident with a vehicle owned, leased, or rented by the city or involved in a vehicle accident in a privately-owned automobile while on city business shall follow these rules:
 - a. Summon medical care for injured individuals;
 - b. Notify appropriate law enforcement authorities;
 - c. Notify the employee's supervisor;
 - d. Do not admit responsibility or fault or offer settlements;
 - e. Cooperate with law enforcement authorities and emergency medical personnel;
 - f. Obtain the names and addresses of any witnesses and involved parties; and
 - g. Fill out the Vehicle Damage or Accident Report (HR Form 13) within 48 hours of accident and turn into direct supervisor.
- (2) The employee's supervisor shall be responsible for initiating any departmental investigation, ensuring the completion of all required city reports and

recommending any follow-up preventative actions. In addition, the supervisor shall notify the city clerk of any injuries sustained by a city employee in accordance with the Reporting Work-Related Accidents Policy in Section 3 of this Handbook.

City Social Media

- (1) The city may utilize social media and social network sites to further communicate with citizens.
- (2) The intended purpose behind establishing the city's social media sites is to disseminate information from the city and to encourage discussion of city issues, operations and services by providing members of the public the opportunity to participate through various platforms.
- (3) For purposes of this policy, "social media" is understood to be content created by individuals using the internet. Examples of social media include Facebook, blogs, Instagram, RSS, YouTube, Second Life, Twitter, LinkedIn, and Flickr.
- (4) For purposes of this policy, "comments" include information, articles, pictures, videos or any other form of communicative content posted on the city's social media site.
- (5) The establishment and use by any city department of city social media sites are subject to approval by the mayor or their designee.
- (6) City social media sites should clearly state they are maintained by the city and that they follow the city's Social Media Policy. All social media sites shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
- (7) The site should adhere to all applicable state, federal and local laws, regulations and policies including city information technology and records management policies.
- (8) The designated coordinator of the social media site will monitor content on the social media site to ensure adherence to both the city's Social Media Policy and the interest and goals of the city. The city reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law. Any content removed based on these guidelines must be retained by the designated coordinator as determined by the Email Retention Policy as set out by the Kentucky Department for Libraries and Archives (<https://kdla.ky.gov/records/retentionschedules/Pages/default.aspx>) including the time, date and identity of the poster, when available.
- (9) The city's website is <https://www.audubonparkky.org/> and will remain the city's primary and predominant internet presence. All city social media sites shall have the government's contact information prominently displayed. Whenever possible, the city's social media sites should link back to the city's official website for forms, documents, online services and other information necessary to conduct business with the city.
- (10) Employees representing the city via the city's social media sites must conduct themselves as a representative of the city at all times and in accordance with all city policies.

- (11) The city will post the following guidelines on any social media page in a conspicuous location. Comments placed on the social media site are subject to these guidelines:
- a. As a public entity the city must abide by certain standards to serve all its constituents in a civil and unbiased manner.
 - b. The city's social media sites prohibit the posting of content and/or comments containing any of the following:
 - 1. Comments not topically related to the particular site or blog article being commented upon;
 - 2. Profane language or content;
 - 3. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, sexual orientation, or any other protected class status;
 - 4. Sexual content or links to sexual content;
 - 5. Solicitations of commerce;
 - 6. Conduct or encouragement of illegal activity;
 - 7. Information that may tend to compromise the safety or security of the public; or
 - 8. Content that violates a legal ownership interest of any other party.
 - c. The city reserves the right to deny access to the city's social media sites for any individual who violates the city's Social Media Policy, at any time and without prior notice.
 - d. Departments within the city shall monitor their social media sites for comments requesting responses from the city and for comments in violation of this policy.
 - e. When a city employee responds to a comment in their capacity as a city employee, the employee's name and title shall be made available, and the employee shall not share personal information about themselves or other city employees.
 - f. All comments posted to any city social media site are bound by the Social Media's Statement of Rights and Responsibilities, and the city reserves the right to report any violation to the social media site with the intent of the social media site taking appropriate and reasonable responsive action.

Employee Guidelines for Participating in Social Media

- (1) The city understands that social networking and internet services have become a common form of communication in the workplace and among citizens. Employees

that choose to participate in social media as a city employee should adhere to the following guidelines:

- a. City policies, rules, regulations and standards of conduct apply to employees that engage in social networking activities while conducting city business. Use of your city email address and communicating in your official capacity will constitute conducting city business.
- b. City employees shall notify their supervisor and the mayor if they intend to create a social media account or service to conduct city business.
- c. Departments have the option of allowing employees to participate in existing social media sites as part of their job duties. Department supervisors may allow or disallow employee participation in any social media activities in their departments.
- d. Protect your privacy and the privacy of citizens by following all privacy protection laws, e.g., HIPAA, and protect sensitive and confidential city information.
- e. Follow all copyright laws, public records laws, retention laws, fair use and financial disclosure laws and any other laws that might apply to the city or your department.
- f. Do not cite vendors, suppliers, clients, citizens, coworkers or other stakeholders without their approval.
- g. Make it clear that you are speaking for yourself and not on behalf of the city. If you publish content on any website outside of the city and it has something to do with the work you do or subjects associated with the city, use a disclaimer such as: “The postings on this site are my own and don’t necessarily represent the City of Audubon Park’s positions or opinions.”
- h. Do not use ethnic slurs, profanity, personal insults, or engage in any conduct that would not be acceptable in the city’s workplace. Avoid comments or topics that may be considered objectionable or inflammatory.
- i. If you identify yourself as a city employee, ensure your profile and related content is consistent with how you wish to present yourself to colleagues, citizens and stakeholders.
- j. Frame any comments or opposing views in a positive manner. Add value to the city through your interaction by providing worthwhile information and perspective.

Information Technology Acceptable Use

- (1) The city’s electronic resources are provided for the transaction of official business of the city. This policy is intended to establish rules applicable to all city personnel in order to ensure the city’s electronic resources are appropriately utilized and protected.
- (2) All data that is stored on media owned by the city is the property of the city. To properly maintain and manage this data, the management may exercise at any time

its right to inspect, record, and/or remove any or all information contained in computer databases, files, and email records, and to take appropriate action should unauthorized or improper usage be discovered.

- (3) All employees and officers who use computer equipment and software in the performance of their duties shall take all reasonable and necessary precautions to prevent damage to the equipment and software. To ensure the integrity of the city's computer system and software, all employees and officers are prohibited from connecting any hardware or loading any software onto the system, or any individual component of the system, unless the hardware or software has been specifically approved in advance by the mayor.
- (4) Access to the data stored on the city's computer systems shall be limited to city employees and officers who require such access for the performance of their assigned duties. Employees or officers may not attempt to use passwords to gain access to coworkers' email or computer files without appropriate authorization.
- (5) No employee or officer shall make copies of data or software programs owned by the city for their own personal use, or for any purpose not required by the employee's assigned duties. In the event that a software licensing agreement authorizes the reproduction of software and an employee desires to obtain a copy of the software for installation on a single home computer to assist the employee in the performance of assigned duties outside of regular office hours, the employee shall seek specific approval from the mayor before copying the software.
- (6) All official city business email communications shall be conducted through the city email accounts.
- (7) Employees or officers should have no expectation of privacy associated with information they transmit through or store in electronic mail programs owned by the city, even those on a cell phone. All messages and data processed electronically over the city-owned computers and communications systems are the property of the city and may be subject to the Open Records Act.
- (8) In order to maintain the integrity and security of the city computer resources, employees or officers are strictly prohibited from downloading any software, unless prior approval is granted by the employee's supervisor after consultation with the mayor. Excessive use of the internet for personal reasons during work hours may be grounds for disciplinary action.
- (9) Internet usage is intended for job-related activities; however, incidental and occasional brief personal use is permitted within reasonable limits.
- (10) All internet data that is composed, transmitted, or received via the city's computer communications systems is considered to be part of the official records of the city, and as such, is subject to disclosure to law enforcement or open records requests. Consequently, employees should always ensure that the business information contained in internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.
- (11) The equipment, services, and technology provided to access the internet remain at all times the property of the city. As such, the city reserves the right to monitor

internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

- (12) The electronic mail and other information systems including facsimile machines of the city are not to be used in a way that may be disruptive, offensive to others, or harmful to morale.
- (13) There is to be no display or transmission of sexually explicit images, messages, or cartoons, or any transmission or use of email communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, ethnicity, sex, sexual orientation, age, disability, or religious or political beliefs.

Website Terms and Use

- (1) Although the information on this server is made available and provided to anyone, the City of Audubon Park retains copyright on all text, graphic images, and other content unless otherwise noted. You may not distribute the text or graphics to others, "mirror" this information on your server, or modify or reuse the text or graphics on this system without the express written permission of the City of Audubon Park. You may print copies of the information for your own personal use or reference this server from your own documents without our permission. Commercial use of the materials is prohibited without the written permission of the City of Audubon Park. In all copies of this information, you must retain this notice and any other copyright notices originally included with such information. The City of Audubon Park reserves all other rights.
- (2) The City of Audubon Park's website contains hypertext links to external sites and pages containing information created by other entities or organizations solely for the convenience of its users. The inclusion of any link does not indicate or imply the City of Audubon Park's sponsorship, endorsement, affiliation, or approval of the linked website or its content. Please contact the actual website provider in the event that you discover problems with or have concerns regarding the format, accuracy, timeliness or completeness of a linked external website.
 - a. The external links to the City of Audubon Park's website are not controlled, maintained, inspected or regulated by the City of Audubon Park, nor is it responsible for the content, services, images, graphics, products or representations of any linked website or page.
 - b. The use of information obtained from any external link is at your own risk. The City of Audubon Park does not make any representation or guarantee that information obtained from any link is accurate or true. The City of Audubon Park cannot and does not guarantee, represent or warrant that the content contained in any link is accurate, legal and/or inoffensive, or that those sites do not contain viruses, or will not otherwise adversely affect your computer.
 - c. Reference at any external link to any specific commercial product, process or service by trade name, trademark, or otherwise does not constitute or imply endorsement, recommendation or favoring by the City of Audubon Park.

- d. Hypertext links to any website or page may be created, removed, or replaced at the sole discretion of the City of Audubon Park, at any time and without notice.
- (3) The City of Audubon Park does not release personal information from its website to third parties unless required by law, and does not provide, rent, or sell such information to third parties for marketing or other purposes.
- (4) The City of Audubon Park places a high priority on your privacy and security, and only collects the personal information necessary to provide enhanced services to its citizens and customers. Please note that the City of Audubon Park is subject to the Kentucky Open Records Act, and as a result, certain nonexempt information collected by the website may be subject to public disclosure under KRS 61.870 et. seq. (public records containing information of a personal nature are protected from disclosure if the disclosure would constitute a clearly unwarranted invasion of privacy). Personal data in the City of Audubon Park's possession is maintained and used in ways that respect individual privacy.
- (5) The City of Audubon Park may collect the following information about visitors to its website:
 - a. The domain name, but not the email address;
 - b. The email addresses of those who communicate with us via email;
 - c. Aggregate information about which pages consumers access or visit; and
 - d. Information volunteered by the consumer, such as survey information, which is used to improve the scope and content of the City of Audubon Park's services on the internet.
- (6) Cookies are short and simple text files stored on your computer by internet websites to help identify users and enhance customer service. The City of Audubon Park's website may use cookies to customize and personalize your service transactions with its agencies. Cookies do not compromise your privacy or security. Using web browser settings, you can refuse the cookies or delete the cookie file from your computer by using any of the widely available methods.
- (7) The computers used to process the City of Audubon Park's website are located behind a secure firewall. The City of Audubon Park uses the Secure Sockets Layer (SSL) protocol to safeguard sensitive personal information, a widely accepted form of encryption, which secures your transaction.
- (8) The majority of pages on this website are accessible to individuals with disabilities in accordance with Section 508 of the Rehabilitation Act. If you have accessibility problems, please let us know by emailing clerk@audubonparkky.org or by calling the city clerk.

City Seal and Logo Policy Usage

- (1) The City of Audubon Park seal and logo are the property of the city, used for the purpose of certifying official records and to identify city programs, initiatives, partnerships and sponsorships.
- (2) The city seal and logo shall be used for official purposes only, or as authorized by the mayor or designee.
- (3) No person shall use a symbol that imitates the city seal or logo, or that may be mistaken therefore, that is designed, intended or likely to confuse, deceive or mislead the public, for private or commercial purposes, or for any purpose other than for the official business of the city, without written authorization from the mayor or designee.
- (4) No person shall use the city seal or logo for purposes of supporting or opposing the nomination or election to any city or other public office of themselves or any other person, or for purposes of supporting or opposing any ballot measure, nor include such city seal or logo on any writing distributed for purposes of influencing the action of the electorate or any part thereof, in any election.
- (5) The city seal or logo may be used on city buildings, elected official pins, city business cards, city letterhead, resolutions, awards and other formal places.
- (6) Use of the official city seal or logo may be used in general connection with official City of Audubon Park brochures, publications, insignias, postings, website, painting, pamphlets and promotional materials. It will also be used on vehicles, equipment and fixtures, such as signage.
- (7) If used by an outside organization upon the approved, written consent of the mayor or designee, the seal or logo must remain in its entirety with no alterations. Elements may not be isolated and/or used alone or in combination with any other art. Specific sections may not be highlighted with other colors. Resolution must be clear when enlarged or reduced for reproduction.
- (8) All non-city usage, including nonprofit usage, requires city authorization.
- (9) On occasion, the city will authorize the usage of the city seal or logo for signature events or other promotional measures that benefit the community. Any such approval should be considered for the specific event, time and use so approved. Prior approval of a use shall not constitute approval for any future or recurring use.
 - a. Any person or organization wishing to use the official seal or logo shall make a written request for such use to the mayor.
 - b. The mayor or designee shall review such applications and determine whether the applicants should be approved or denied.
 1. In the case of a denial, person or organization may make a written appeal of the mayor's decision within 14 days of the mayor's decision to the

city council. Appeals shall be made in writing and submitted to the city clerk's office.

2. The appeal shall be placed on the next available city council agenda.
 3. The city council may affirm the mayor's decision or direct the mayor to allow the usage of the seal or logo. The decision of the city council shall be final.
- (10) The mayor or designee has responsibility for the enforcement of this policy.
 - (11) The City of Audubon Park's branding logo and formal seal should be considered the sole property of the city, and thus should only be used upon the expressed, written consent of the mayor or a designee under the authority granted by the city council in accordance with the Use of City Seal and Logo Policy.
 - (12) Prior approval of a use shall not constitute approval for any future or recurring use. An organization may make a written appeal of the mayor's decision to the city council within 14 days of the mayor's decision by submitting a written protest to the city clerk's office.

Employee Privacy Expectations

- (1) Notwithstanding issues addressed specifically in other provisions of this Handbook, employees can expect a reasonable degree of privacy in the contents of their work areas, including desks, cabinets, closets, and similar locations. However, when an employee is absent or otherwise unavailable, the city may seek out, for a legitimate business purpose, material believed to be contained in those work areas.
- (2) Supervisors may examine work area contents or listen to employee communications of their subordinate employees for the purpose of ascertaining or evaluating the quality and/or quantity of an employee's work.
- (3) Employees cannot expect any degree of privacy in any documents, records, files, or city-owned devices, including but not limited to computers, cell phones, PDAs and tablets. Documents, records, files, and city-owned devices can be reviewed and searched at any time, for any reason, including preparation of a response to an open records request.
- (4) The contents of work areas may be subject to search where there is reasonable cause to believe there is a violation of these policies or evidence of a violation of any local, state, or federal law. Searches of work areas for this reason may only be conducted with the consent and involvement of the mayor.
- (5) Several outdoor cameras have been placed on City Hall property for the security of the building and for added safety. There is a lack of expectation of privacy in the areas captured by the outdoor cameras where an employee might be expecting privacy. You should not have an expectation of privacy in the spaces monitored by the outdoor cameras.

Smoke-Free Workplace

- (1) The city has a strict no-smoking policy in all city buildings to provide a safe and healthy environment for all employees and customers.
- (2) Smoking, use of e-cigarettes or chewing tobacco is not allowed:
 - a. In any city building;
 - b. In any city vehicle; or
 - c. In any other place where prohibited by law or city ordinance.
- (3) Smoking areas will be outside and there are designated cigarette bud bins outside of city hall entrances for cigarette bud disposal.

Customer Relations

- (1) The city requires city employees to provide excellent customer service to the public and to their coworkers. The same quality service is provided to all customers regardless of age, race, nationality, socioeconomic and educational background, physical condition, etc. The city's success and long-range plans are built on this commitment to provide excellent customer service by:
 - a. Revising policies to value and support customer service efforts;
 - b. Creating staff customer service support;
 - c. Establishing plans for promoting customer communication; and
 - d. Developing ways of measuring customer satisfaction.

Open Records Policy

- (1) KRS 61.870 to KRS 61.884, the Open Records Act, establishes a right of access to public records. The General Assembly recognized that the free and open examination of public records is in the public interest. All public records, whether they are stored in a computer or on paper, must be open for inspection unless the records are exempted by one or more of the exemptions found in the Act. You may inspect any nonexempt public record regardless of your identity.
- (2) The official custodian of the police records is the chief of police. For all non-policing matters, the city clerk is the official custodian.
- (3) Some records may be exempt from public inspection under KRS 61.878.
- (4) The rules and regulations regarding open records request are posted on the board at the entryway landing wall of the city clerk's office. They are as follows:
 - a. Request for inspection of public records shall be made to the Office of the City Clerk during the regular office hours which is between 8:00 A.M. and 4:00 P.M. Monday – Thursday.

- b. Request for inspection of public records shall be submitted in writing clearly stating the specific records being requested to Office of the City Clerk, 3340 Robin Road, Louisville, KY 40213.
- c. The mailing of public records shall be limited to out of county requests only. The fee and cost of mailing shall be paid in advance.
- d. The person requesting the copies must make advance payment of the prescribed fee for copies of public records which shall be \$0.10 per copy.
- e. Requests for documents that do not exist cannot be accommodated.

Section 4 – Employee Code of Ethics

Pursuant to the city's Ethics Ordinance.

Conflicts of Interest in General

- (1) Every officer and employee of the city and agencies thereof shall comply with the following standards of conduct:
 - a. No officer or employee, or any immediate family member of any officer or employee, shall have an interest in a business or engage in any business, transaction, or activity which is in substantial conflict with the proper discharge of the officer's or employee's public duties.
 - b. No officer or employee shall intentionally use or attempt to use their official position with the city to secure unwarranted privileges or advantages for themselves or others.
 - c. No officer or employee shall intentionally take or refrain from taking any discretionary action, or agree to take or refrain from taking any discretionary action, or induce or attempt to induce any other officer or employee to take or refrain from taking any discretionary action, on any matter before the city to obtain a financial benefit for any of the following:
 1. The officer or employee;
 2. A family member;
 3. An outside employer; or
 4. Any business in which the officer, or employee, or any family member, has financial interest.
- (2) No officer or employee shall be deemed in violation of any provision in this section if, by reason of the officer's or employee's participation, vote, decision, action or inaction, no financial benefit accrues to the officer or employee, a family member, an outside employer, or as a member of any business, occupation, profession, or other group, to any greater extent than any gain could reasonably be expected to accrue to any other member of the business, occupation, profession, or other group.
- (3) Every officer or employee who has a prohibited financial interest which the officer or employee believes or has reason to believe may be affected by their participation, vote, decision or other action taken within the scope of their public duties shall disclose the precise nature to the governing body of the city or the agency thereof served by the officer or employee. The officer or employee shall refrain from taking any action with respect to the matter that is the subject of the disclosure.

Conflicts of Interests in Contracts

- (1) Pursuant to KRS 61.252, no officer or employee of the city or any city agency shall directly or through others undertake, execute, hold, or enjoy, in whole or in part, any

contract made, entered into, awarded, or granted by the city or a city agency, except as follows:

- a. The prohibition in subsection (1) of this section shall not apply to contracts entered into before an elected officer filed as a candidate for city office, before an appointed officer was appointed to a city or city agency office, or before an employee was hired by the city or a city agency. However, if any contract entered into by a city or city agency officer or employee before they became a candidate, was appointed to office, or was hired as an employee, is renewable after they become a candidate, assumes the appointed office, or is hired as an employee, then the prohibition in subsection (1) of this section shall apply to the renewal of the contract.
 - b. The prohibition in subsection (1) of this section shall not apply if the contract is awarded after public notice and competitive bidding, unless the officer or employee is authorized to participate in establishing the contract specifications, awarding the contract, or managing the contract performance after the contract is awarded. If the officer or employee has any of the authorities as set forth in the preceding sentence, then the officer or employee shall have no interest in the contract, unless the requirements set forth in subpart c. below are satisfied.
 - c. The prohibition in subsection (1) of this section shall not apply in any case where the following requirements are satisfied:
 1. The specific nature of the contract transaction and the nature of the officer's or employee's interest in the contract are publicly disclosed at a meeting of the governing body of the city or city agency.
 2. The disclosure is made a part of the official record of the governing body of the city or city agency before the contract is executed.
 3. A finding is made by the governing body of the city or city agency that the contract with the officer or the employee is in the best interests of the public and the city or city agency before the contract is executed.
 4. The finding is made a part of the official record of the governing body of the city or city agency before the contract is executed.
- (2) Any violation of this section shall constitute a Class A misdemeanor, and upon conviction, the court may void any contract entered into in violation of this section.
- (3) Additionally, violation of this section shall be grounds for removal from office or employment with the city in accordance with any applicable provisions of state law and ordinances, rules or regulations of the city.

Misuse of Confidential Information

No employee of the city or any city agency shall intentionally use or disclose information acquired in the course of their official duties, if the primary purpose of the use or disclosure is to further their personal financial interest or that of another person or business. Information shall be deemed confidential if it is not subject to disclosure pursuant to the Kentucky Open Records Act, KRS 61.872 to 61.884, or the exceptions within the Open Meetings Act, KRS 61.810, at the time of its use or disclosure.

Receipt of Gifts

No officer or employee of the city shall directly, or indirectly, through any other person or business, solicit or accept any gift having a fair market value of more than \$200, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence the officer or employee in the performance of their public duties.

Use of City Property, Equipment, Time and Personnel

No officer or employee of the city shall use or permit the use of any city time, funds, personnel, equipment, or other personal or real property for the private use of any person unless:

- a. The use is specifically authorized by a stated policy.
- b. The use is available to the general public, and then only to the extent and upon the terms that such use is available to the general public.
- c. The use is permitted by the mayor.

Reporting Code of Ethics Violations and Penalties

- (1) An employee who becomes aware of a violation of any policy in the Code of Ethics should report the violation promptly to any one of the following:
 - a. The Board of Ethics;
 - b. Their supervisor or department director;
 - c. The city clerk;
 - d. The city attorney;
 - e. The mayor;

- f. Chief of Police;
 - g. Any member of the city council; or
 - h. Any supervisor with whom the employee feels comfortable discussing the matter.
- (2) All reports of a violation of the Code of Ethics shall be reduced to writing by the reporting employee or by the person receiving the report. The complaint shall be signed by the complaining employee. All reports of violations will be kept confidential to the extent feasible and appropriate under the circumstances.
- a. All reports shall be reviewed and investigated. The violation will be investigated by the Board of Ethics. The results of the investigation will be communicated to the complainant, the alleged policy violator, and the mayor/city council. Any employee found to have engaged in misconduct constituting a violation of this policy will be appropriately disciplined, up to and including dismissal.
 - b. As provided under the Whistleblower Protection for City Employees Policy in Section 4 of this Handbook, an employee making a report under this policy will not be discriminated against or be subject to retaliation in any way for having made the report. Any person found to have discriminated or retaliated against an employee who makes a complaint shall be subject to disciplinary action, up to and including dismissal.
 - c. The city recognizes that the question of whether a particular course of conduct constitutes a violation of the city's Code of Ethics may require a factual determination. The city also recognizes that false accusations have serious effects on innocent parties. If an investigation results in a finding that the complaining party made a false accusation with malice or with a reckless disregard for the truth, the complaining party will be subject to appropriate sanctions, including dismissal.
- (3) An employee may speak directly to any member of the Board of Ethics about a violation of the Code of Ethics if the employee has reported a violation to members of management without result.
- (4) Any report regarding an elected city officer shall be submitted to the city Board of Ethics, who shall determine the course of the investigation and the proper manner to address the complaint.
- (5) Any Code of ethics violations or complaints of code of ethics violations by a police officer shall be handled by the Chief of Police.

Whistleblower Protection for City Employees

- (1) The city strictly prohibits retaliation or discrimination against any employee who reports a violation of the policies contained in this Handbook to their supervisor or to any other member of the city's supervisory staff.

- a. No city employee shall use or threaten to use their supervisory authority or influence to discourage, restrain, suppress, dissuade, deter, prevent, interfere with, or coerce an employee from reporting any violation of the policies contained in this Handbook to their supervisor or any other member of the city's supervisory staff.
 - b. No city employee shall retaliate or discriminate against an employee because they support, aid, or otherwise substantiate another employee who reports a violation of the policies contained in this Handbook to the Board of Ethics.
 - c. No city employee shall retaliate or discriminate against another employee because they report a violation of the policies contained in this Handbook to the Board of Ethics after informing members of city supervisory staff without satisfactory resolution.
 - d. The provisions of this policy in no way alter the at-will employment status of city employees. This policy does not create any contractual or other rights for employees, and the city may alter, amend, or remove any policy contained in this Handbook at any time.
- (2) The city strictly prohibits retaliation or discrimination against any employee who reports a violation of any applicable federal, state, or local law or regulation to city supervisory staff, the Board of Ethics, law enforcement authorities, or other appropriate officials.
- a. No city employee shall use or threaten to use their supervisory authority or influence to discourage, restrain, suppress, dissuade, deter, prevent, interfere with, or coerce an employee from reporting a violation of law or regulation to a city supervisor, the Board of Ethics, or other appropriate officials.
 - b. No city employee shall retaliate or discriminate against an employee because they support, aid, or otherwise substantiate another employee who reports a violation of law or regulation to a city supervisor, the Board of Ethics, law enforcement authorities, or other appropriate officials.
- (3) Any employee who receives an official request from an outside agency for information related to the city shall promptly inform their supervisor of the request. Any employee who receives a request from media for information related to the city shall forward the request to the city clerk and shall otherwise follow the Media Communications Policy in Section 3 of this Handbook.
- (4) Any city employee who makes a false report of a violation or discloses information related to a report of a violation of city policies or the law with reckless disregard for the truth shall be subject to disciplinary action, including the possibility of immediate dismissal.

Complaints from Non-City Employees

- (1) Employees may direct any individual who is not employed by the city to the city clerk, Chief of Police or mayor for the purpose of making a complaint or expressing a concern.
- (2) Contact information is located at www.audubonparkky.org to receive complaints or hear any concerns related to the operations of the city.
- (3) Any officer receiving a complaint shall forward the information to the other officers, who shall collectively determine the appropriate manner to address the complaint or concern. The Board of Ethics shall inform the mayor of the receipt of the complaint and involve the mayor as necessary in the resolution of any complaint.

Section 5 – Employee Financial Practices, Reporting and Reimbursement

Purpose of the Policies Contained in this Section

The purpose of the policies contained in this section of the Handbook is to outline for employees all allowable business-related expenses and provide instruction for the handling of purchases and employee reimbursement. Employees should also be guided by the other policies contained in this Handbook in making any financial transaction on behalf of the city or in incurring any business-related expenses for the city, including the Code of Ethics and work conduct policies.

Employee Expense Reports and Reimbursement

- (1) Business expenses may be charged to the city on a credit card issued to the employee in accordance with Use of City Credit Cards Policy in Section 5 of this Handbook or paid from the employee's private funds and reimbursed upon the submission of the documentation required under this policy.
- (2) An employee requesting reimbursement for business-related expenses made on behalf of the city shall complete the Expense Report (HR Form 07). The employee shall submit expenses and supporting documentation in the following manner:
 - a. Expenses submitted for reimbursement are due to the city accounting department within 15 days from the end of the month in which the expense was incurred.
 - b. Requests for reimbursement in expense reports shall be accompanied by a receipt and all supporting documentation, including itemized receipts, when available. The employee shall provide the business purpose, the date, location, amount, and the persons being covered by the purchase on the receipt or in supporting documentation. Failure to provide a receipt and other applicable supporting documentation will result in denial of the reimbursement, unless the expense report is accompanied by an approved Missing Receipt Affidavit (HR Form 08). Credit card statements will not be accepted as evidence of a receipt.
 - c. All expense reports must be approved and signed by the employee's supervisor or department director with the responsibility of budgeting and reviewing business expense information for the employee's department. The city clerk shall review all expense reports prior to reimbursement for the purpose of determining compliance with city policies. The mayor and city council expense reports shall be submitted to the city clerk and approved by the city council, in accordance with the city budget.
- (3) An employee who submits a fraudulent receipt or falsifies their expense report will lose reimbursement privileges, will be terminated, or other appropriate disciplinary action will be taken.

- (4) The city may withhold reimbursement while it investigates or verifies expense report reimbursement requests.

Use of City Credit Cards

- (1) The city has authorized revolving city credit cards to be issued to certain officers and employees recommended by the mayor. City credit cards are for use in making operational business purchases, purchases related to meetings and other legitimate business expenses as set forth in this policy.
 - a. Operational expenses are those expenses necessary for the running of the city. Examples include, but are not limited to, office supplies and equipment, other office-related expenses, computer supplies, and any other non-travel related expenses.
 - b. Meeting-related expenses include, but are not limited to, group meals, hotel meeting rooms, prepaid airfare, prepaid hotel accommodations, prepaid business car rental, prepaid conference and meeting registrations, prepaid expenses for meetings, and unanticipated event or travel needs.
 - c. These examples are not intended to limit credit card use for other legitimate business expenses.
- (2) Employees issued a city credit card for operational or meeting-related expenses will be subject to the following conditions:
 - a. Only legitimate business and operational-related purchases may be charged on a city credit card.
 - b. The city credit cards shall not be used for personal expenses of any kind. In the event that an expense is determined to be personal in nature, the expense must be reimbursed immediately.
 - c. All monthly credit card statements shall be reviewed by the person named on the card and their supervisor. The person named on the card is responsible for printing, storing and properly coding every single receipt for the entire month.
 - d. All itemized receipts shall be submitted together and once a month in a batch for each person named on the card. Batched itemized receipts of each transaction made using a city credit card must be submitted to the city clerk monthly at least 15 days before the billing due date for approval. Each receipt shall provide details on the business purpose, date, location, amount, and persons covered by the purchase and shall bear evidence of supervisor approval on their face, with the supervisor properly printing, storing, and coding each receipt. Credit card statements or credit card statements with a code next to it will not be accepted as evidence of a receipt.
- (3) The city will review the policy regarding credit card usage and credit card limits on an as-needed basis.

Employee Travel Expense Reimbursement

- (1) Prior to any travel, all city officers and employees will receive approval from the mayor and/or their supervisor, based on the city budget. An employee will submit a request for travel in writing which will be reviewed and approved by the employee's supervisor and the mayor. Any travel that has not been approved in the city operating or travel budget will be approved by amendment of the budget by the city council.
- (2) Registration for conferences and meetings will be performed by the city clerk or other staff as may be designated. Before registration is complete, the employee will provide the city clerk with an approved request. Employees should make an effort to provide this information in a timely manner so that the lowest possible registration fees may be obtained.
- (3) Reservations for overnight lodging will be made by the city clerk unless otherwise approved by the mayor. Before reservations are made, the employee will provide an approved copy of the request to the city clerk.
 - a. Reservations will be made in such a manner to secure the best available rate for safe, clean, and secure accommodations as close to the meeting location as possible. Every attempt should be made for stay in the hotel hosting the conference or meeting and to pay the conference room rate.
 - b. In-room movies, room service, mini-bar, use of hotel gym, spa or massage services, sauna facilities, or other additions to room bills are not reimbursable. Only usual and customary expenses are eligible for reimbursement.
 - c. A copy of the hotel folio or receipt showing proof of payment will be submitted by the employee for expense reimbursement.
- (4) Employees may use a city-owned vehicle or their own vehicle for business travel on behalf of the city. Employees will adhere to the following process related to mileage reimbursement:
 - a. If an employee traveling by vehicle on behalf of the city chooses to use a city pool vehicle, the employee will use whatever vehicle is available on a "first-come, first-served" basis.
 1. Employees using a city vehicle will complete a Mileage Log (HR Form 11) detailing amount of travel and the purpose of the travel.
 2. Employees using a city vehicle will submit gas receipts for refueling a city vehicle in order to receive reimbursement.
 - b. When an employee traveling on behalf of the city chooses to use their personal vehicle, the employee will be reimbursed for mileage. An employee will be reimbursed at the mileage rate allowed by the Internal Revenue Service for business expense deductions under the following guidelines:

1. An employee will not be reimbursed for transportation or commuting between the employee's home and their permanent workplace.
 2. Mileage will not be reimbursed for attendance of a city function or event held outside of the workplace unless the employee has been assigned to work at the event.
 3. When an employee does not report to their permanent workplace or makes business trips before or after reporting to their permanent workplace, the allowable mileage is:
 - (a) The lesser of the mileage from the employee's residence to the first stop or from the office to the first stop;
 - (b) All mileage between points visited on city business during the day; and
 - (c) The lesser of the mileage from the last stop to the employee's residence or from the last stop to the city office.
 4. To receive mileage reimbursement, the employee will state on their expense report the total number of miles traveled on city business. The employee will include the starting points and ending destination for each trip along with a description of the purpose of the travel. Any travel of a personal nature while on city business will be deducted from the total miles traveled.
 5. Parking violations and traffic or other moving motor violations are not reimbursable expenses.
 6. If the employee is involved in an auto accident while on city business driving their own privately owned vehicle, they will follow the Vehicle Accident Reporting Requirements Policy outlined in Section 3 of this Handbook.
- (5) Except for reimbursable expenses related to official city business as provided in Section 5 of this Handbook, employees will only be provided reimbursement for overnight travel that is more than 50 miles from the city. Meal reimbursement amounts are outlined below. Itemized receipts are required for meal reimbursement and an employee will receive meal reimbursements in accordance with the following guidelines:
- a. The amounts include the cost of the meal and tips and no additional amounts will be reimbursed.
 1. Breakfast (\$8.00) will be reimbursed if the employee departs for the travel before 7:30 a.m.
 2. Lunch (\$15.00) will be reimbursed when the employee is traveling through 2:00 p.m.
 3. Dinner (\$23.00) will be reimbursed if the employee will not return until 7:00 p.m. or later.

- b. For overnight stays, an employee will be reimbursed the amounts for breakfast, lunch, and dinner for full days of travel. An employee will receive reimbursement for only certain meals on both the first and the last day of overnight travel, depending on the employee's departure and return times.
- c. Employees may submit and receive reimbursement for a group meal receipt for more than one employee if the dining establishment is unable or unwilling to provide individual checks, provided that the total cost of the meal does not exceed the total allowable per diems for all of the participating employees. An employee submitting a group meal receipt will follow the procedures required in Section 5 for reimbursement on an expense report or in the Use of a City Credit Card Policy in Section 5 when using a city credit card for documentation of the expense and will additionally state on the receipt that the receipt is for a group meal and the name of each participating employee. Employees covered by a group meal receipt will not be eligible for per diem reimbursement for that meal.

Reimbursable Expenses Related to Official City Business

- (1) City officers or employees receiving prior approval from the mayor will be reimbursed for reasonable business expenses incurred while conducting official city business. Examples of official city business include, but are not limited to, situations where individuals present are representing the city or if the individual's attendance has been requested by the city. The individual seeking reimbursement shall be responsible for using good judgment to ensure the expenses incurred are budgetarily sound and are compatible with the goodwill of the city.
- (2) The mayor shall have the authority to approve meal expenses for a new employee as part of the new employee's orientation and other discretionary employee meal functions as appropriate to recognize extraordinary work effort and as set out in the city budget.
- (3) Receipts detailing the business purpose, date, location, amount and persons present must be submitted with the expense report as provided under the Employee Expense Reports and Reimbursement Policy in Section 5 of this Handbook or, if a city credit card is used, as provided under the Use of City Credit Cards Policy in Section 5 of this Handbook. This information shall be written on the front or back of the receipt and on the expense report.
- (4) In the event the receipt is for reimbursement of a meal, an itemized receipt shall be submitted, and the tip shall not exceed 20% of the cost.

Purchasing and Procurement

- (1) When an employee's position requires spending city funds or incurring any reimbursable personal expenses, that individual must use good judgment on the city's

behalf to ensure that good value is received for each expenditure. City funds and all assets are for city purposes only and are not for personal benefit.

- (2) Employees authorized to make purchases on behalf of the city must follow the procedures as approved by a direct supervisor and the mayor and within the limits of the city budget as approved by the city council.

Contract Review and Execution

- (1) All written contracts or contract renewals shall be reviewed by the city attorney, mayor, or their designee before execution.
- (2) Approval from the mayor in accordance with the city budget and specifications as set by the city council is required prior to requesting the city attorney to draft a contract on behalf of the city.
- (3) The city clerk shall provide a copy of the contract or the information necessary for drafting of the contract to the city attorney or their designee as soon as possible to expedite the review or drafting process.
- (4) All contracts made on behalf of the city shall be signed by the mayor.
- (5) A copy of all executed contracts must be provided to the city clerk for tracking and filing purposes unless other arrangements have been made.

Check Handling by City Employees

Any check or other form of payment received by a city employee shall be immediately presented to the city clerk or their designee for deposit.

Invoices

- (1) All invoices received through the mail by the city clerk will be routed to the mayor for approval in accordance with the city budget.
- (2) The amount of budgeted expenditures which may be approved by each level of management is as follows:
 - a. Department supervisors with mayor approval may approve budgeted expenditures;
 - b. The mayor may approve budgeted expenditures up to \$30,000; and
 - c. The mayor approves all budgeted expenditures over \$30,000 that have been properly bid.
- (3) No employee may give final approval for expenditures directly relating to themselves. All such expenses, regardless of the dollar amount, must be approved by the employee's supervisor or by the mayor.
 - a. No check will be cut without an invoice.
- (4) All checks shall require two signatures.

- (5) Invoices received for payment will be paid in accordance with the terms stated on the invoice or by the negotiated agreement/contract.

Section 6 – Classification and Compensation

Employment Types and Classification

- (1) As used in this Handbook, the terms below shall have the following meanings:
 - a. “Full-time employee” is an employee who is normally scheduled and expected to work a minimum of 36 hours each workweek and has an indefinite term of employment and mayoral approval.
 - b. “Part-time employee” is an employee who is normally scheduled and expected to work less than 36 hours in a single workweek, averages less than 100 hours of work in a calendar month for retirement purposes and has an indefinite term of employment.
 - c. “Temporary employee” is an employee who is hired and works for a definite period of time. Generally, a temporary employee will be employed for a period of one year or less.
 - d. “Seasonal employee” is an employee hired in a position that is temporary in duration, and whose position coincides with a particular season or seasons of the year and which may recur regularly from year to year. The period of time shall not exceed nine months.
- (2) Employees occupying full-time positions will be entitled to benefits provided by the city. All other categories of employment shall not be entitled to benefits except those required by state or federal law unless recommended by the mayor and approved by the city council.
- (3) The city designates all employment positions as either “exempt” or “nonexempt” based on applicable federal and state laws and regulations. The classifications are for purposes of determining whether overtime compensation is due to the employee for hours worked in excess of 40 in a single workweek. Classifications of positions are reviewed by the mayor in consultation with the city attorney at the time of position creation or modification and on an annual basis to ensure legal compliance. As used in this Handbook, the terms below shall be accorded the following meanings unless specifically stated otherwise:
 - a. “Nonexempt employee” is an employee in a position whose duties and responsibilities require overtime compensation for any time worked in excess of 40 hours in any workweek pursuant to the Fair Labor Standards Act and Kentucky wage and hour laws. The additional overtime compensation for nonexempt employees is calculated under the city’s Overtime Compensation Policy established in Section 6 of this Handbook.
 - b. “Exempt employee” is a salaried employee in a position whose duties and responsibilities render the employee exempt from the overtime requirements of the Fair Labor Standards Act and Kentucky wage and hour laws. An exempt employee is not eligible for additional compensation for working in excess of 40 hours in a workweek under the city’s Overtime Compensation Policy established in Section 6 of this Handbook.

Fiscal Year

The city's fiscal year is the period from July 1 to June 30.

Official Workweek

- (1) The official workweek for each civilian department shall begin at 7:00 a.m. on Monday and end at 4:00 p.m. on Friday. Some departments may be closed on Friday, based on business needs. This schedule does not apply to Police employees.
- (2) The official workweek may be changed at any time, but not to avoid overtime requirements.

Overtime

- (1) "Overtime" means any time worked by a nonexempt employee in excess of 40 hours in any single workweek. In addition, if a nonexempt employee works seven days in any one workweek and works over 40 hours in those seven days, all hours worked on the seventh are at time-and-a-half. For purposes of this section, work week is defined in this Handbook.
- (2) Scheduled holidays, vacation days, and time off for jury duty will be considered hours worked for purposes of calculating overtime. Unscheduled absences or time off for sickness, emergencies, or other personal reasons will not be considered hours worked for overtime purposes.
- (3) The city is required under the Fair Labor Standards Act and Kentucky wage and hour laws to pay overtime wages to a nonexempt employee if the employee works more than 40 hours in a single workweek. Overtime wages shall be calculated at a rate of one-and-one-half times the employee's regular hourly rate of pay.
- (4) A nonexempt employee must be authorized orally or in writing by the employee's supervisor prior to the employee's performance of any work that would result in overtime. The employee shall verify that their time record accurately reflects any overtime worked as required in Section 6 of this Handbook. Any employee who works overtime without prior authorization or fails to properly report overtime work shall be subject to disciplinary action.
- (5) The city and the employee's supervisor may require any nonexempt employee to take time off during any workweek that the employee has worked or will work more than 40 hours in order to minimize overtime costs.
- (6) Exempt civilian employees are not eligible for overtime compensation. Exempt police officers are eligible for overtime if working a federal grant.

Compensatory Time

- (1) Pursuant to KRS 337.285, the city gives nonexempt city employees the option of receiving compensatory time off (“comp time”) instead of overtime pay for overtime hours worked.
- (2) The city will allow comp time for all hours worked over 40 hours in a workweek, when both the employee and the city agree pursuant to paragraph (4) of this policy. All comp time off must be given at the rate of one-and-one-half hours for each hour of overtime worked (hours worked over 40 hours within the workweek as defined by the city in Section 6 of this Handbook).
- (3) The maximum number of compensatory hours that may be accrued is 40 hours. Any hours over the maximum will be paid to the employee in overtime compensation at the regular rate earned by the employee at the time the employee receives the payment.
- (4) To request the accrual of compensatory time, employees must provide a written request and must be approved by the supervisor in advance of any accrual on the Agreement to Accept Compensatory Time Off in Lieu of Overtime Pay (HR Form 05).
- (5) Requests for time off using accrued comp time must be done on a prior approval basis. The request must have the approval of the employee’s supervisor and will be scheduled to meet the needs of the employees, the city and the public.
- (6) Upon termination of employment, all unused accrued compensatory time will be paid at a rate of compensation not less than the average rate received by the employee during the last three years or the final regular rate received by the employee, whichever is higher.
- (7) Exempt employees are not eligible to earn, accrue, or receive compensation of any sort for compensatory time. In general, exempt employees are expected to conform their work schedules to the hours established in Section 3 of this Handbook.
- (8) Requests for exceptions are to be made in writing to the mayor.
- (9) Upon termination of employment, all unused accrued compensatory time will be paid at a rate of compensation not less than the average rate received by the employee during the last three years or the final regular rate received by the employee, whichever is higher. The applicable hourly rate for both exempt and nonexempt employees shall be calculated as provided in Section 6 of this Handbook.

On-Call Employees

- (1) As a condition of employment, employees shall agree to report within a reasonable period if requested during a period of emergency. If an employee is called to report to work either after normal working hours or before normal working hours, the employee shall be paid at the regular rate of pay for actual time worked.
- (2) Employees in some departments may be required to be on call in the event of emergencies. Each department shall establish the method of compensation for the period.
- (3) Employees who are on call must adhere to all city policies, including vehicle use and the drug and alcohol policy.

Base Salary and Salary Adjustment

The base salary for each employee is determined in accordance with the pay and classification ordinance created by the city council or by the most recently approved city budget. The mayor shall be responsible for administering, evaluating and establishing compensation for all employees. The city employee compensation program shall be operated under the following conditions:

- (1) In its endeavor to ensure fair pay for all its employees, the city periodically adjusts base salaries and the salary ranges under its pay and classification ordinance based upon professional market studies and pay analysis. The city may make annual market or cost of living adjustments to the compensation of employees depending upon the availability of funds in the city budget.
- (2) In addition to the pay analysis, other factors for establishing employee pay under the compensation program include, among other things, the skill and effort necessary for efficient and effective job performance; the quality and quantity of actual job performance; the degree of responsibility such performance demands; the conditions under which the job is performed; the employee's experience; length of employment; the employee's educational and professional achievements, including licensure and certifications; and commensurate pay for similar jobs in the marketplace.

Payroll Deductions

- (1) The city will make all legally required deductions from an employee's gross pay in accordance with applicable legal requirements, including:
 - a. Federal and state income taxes
 - b. Social Security (FICA) taxes; and
 - c. Deductions required by wage garnishment or child support orders.

- (2) The city may also deduct from an employee's pay their portion of insurance premiums and voluntary contributions.
- (3) Employees may request voluntary deductions be made from their gross pay, such as contributions to optional retirement plans. The employee shall obtain the appropriate form to request voluntary deductions from the city clerk.
- (4) When the city must rely on information provided by the employee in order to make any legally required deduction, it is the sole responsibility of the employee to provide accurate and timely information to the city.
- (5) In accordance with the Fair Labor Standards Act, the city prohibits improper deductions from the pay of exempt employees and will reimburse employees for any improper deduction. When an exempt employee has exhausted all paid leave, the city may deduct for absences of one or more full days for leave related to sickness, disability, unpaid disciplinary suspensions, or for other personal reasons. In addition, the city may make either full- or partial-day deductions from the pay of an exempt employee during the first or the last week of employment when only part of the week is worked by the employee. Any exempt employee who believes that an improper pay deduction has been made shall immediately file a written complaint with the city clerk setting forth the dates, amounts, reasons, and any other information for the pay deduction. The city clerk along with the mayor shall take immediate action to investigate the issue, and if found to be an improper deduction, shall cause the employee to be compensated for the improper deduction within two pay periods from the date the written complaint was filed.
- (6) No other deductions will be made.
- (7) All deductions from an employee's pay will be listed on their pay stub. If you have questions about any deductions from your pay or if you believe improper deductions have been made from your pay, you must report your concern to the city clerk immediately.

Time Records

- (1) Time records will be kept on all nonexempt employees to facilitate the city's compliance with overtime pay requirements. Nonexempt employees shall submit time records. The time record will reflect a single pay period consisting of two workweeks. Time must be logged as the total number of hours actually worked each day, excluding meal periods. Any vacation, sick, compensatory leave time, or other paid leave time used by the employee must be recorded on the time record. Time records must be completed and submitted to the employee's supervisor no later than 7:00 a.m. Monday immediately following the end of the pay period on the preceding Saturday. Supervisors shall review and approve or disapprove time records and have them turned into the city clerk no later than 9:00 a.m. Monday immediately following the end of the pay period on the preceding Saturday.
- (2) Except for the supervisor of the employee, all employees are forbidden from entering any information on another employee's time record. An employee shall not falsify information on their own time record. Employees found to have violated

this policy will be subject to discipline, up to and including discharge. Any errors discovered in an employee's time record shall be reported immediately to the employee's supervisor, who will determine the manner and method of correcting legitimate errors.

Unemployment Compensation Insurance

Employees may be eligible for unemployment benefits upon termination of service with the city. Unemployment rights, benefits and eligibility are governed by state law and can be explained by the state unemployment office. Unemployment compensation insurance premiums are paid for entirely by the city.

Section 7 – Other Benefits

Workers' Compensation

- (1) The city pays the entire amount of the workers' compensation insurance premium that provides benefits to employees who experience injury or illness in connection with employment. Eligibility begins on the first day of employment. Workers' compensation benefit entitlements are governed by KRS Chapter 342. If employees have questions concerning their rights or benefit amounts, they should contact the city clerk.
- (2) Unless extenuating circumstances make it impossible or impractical, an employee who is injured or becomes ill in connection with employment, regardless of the severity of the injury, shall immediately notify their supervisor and/or the city clerk, who will see to necessary medical attention and assist in the completion of any required reports. Except in the case of serious illness or injury, an employee must also call the "Company Nurse" on the Injury Hotline at **855-339-1889**. More information on this program can be obtained from the mayor or city clerk.
- (1) In any case of serious injury, employees are required to receive prompt medical attention by a physician authorized under the city's designated workers' compensation plan.
- (2) Employees receiving workers' compensation for job-related injuries or disease may use sick and/or vacation leave to supplement the payment up to, but not to exceed, their regular rate of pay for a period not to exceed six months.
- (4) Vacation and sick leave benefits will not continue to accrue while on workers' compensation leave.
- (5) If off for more than four weeks on workers' compensation, the employee must pay the employee's share of health insurance premium costs by the 10th of each month. The city will continue to contribute the employer's share of health insurance premium costs for the first six months, after which time the employee shall pay both employer and employee's share by the 10th of each month covered in order to keep any benefits in effect.

Professional Memberships, Training, Licensing and Certification

- (1) Certain positions of employment with the city require the possession of professional membership, licensure, training and/or certification. In general, the city will cover all costs of professional memberships, training, examinations or renewal of licenses and certifications that directly relate to the employee's current position with the city.
- (2) Employees shall notify their supervisor of any professional membership, training, certifications, examinations and licenses that may be covered under this policy by April 1 so that appropriate steps can be taken to include these costs in the annual departmental budget. An employee shall not expect the city to pay or reimburse the employee for the cost of any professional membership, training, examination,

license or certification unless it has been approved in advance by the supervisor and mayor and included in the city budget.

- (3) An employee's supervisor shall determine the relevancy of the license or certification as it relates to the employee's current job functions or job functions that the employee is expected to undertake in the foreseeable future.

Section 8 – Paid and Unpaid Leaves

Holidays

- (1) All full-time city employees shall receive paid leave for the following holidays:
 - a. New Year's Day
 - b. Martin Luther King Day
 - c. President's Day
 - d. Memorial Day
 - e. Independence Day
 - f. Labor Day
 - g. Columbus Day
 - h. Veterans Day
 - i. Thanksgiving Day
 - j. Day after Thanksgiving
 - k. Christmas Eve
 - l. Christmas Day
- (2) Unless otherwise designated by the city council, paid holidays will be observed on the date of their actual occurrence. In the event that any of the holidays fall on a Saturday or Sunday, the following Monday will normally be observed.
- (3) On January 1 of each year, police officers receive eight hours of holiday leave (ten hours if working a ten hour shift schedule) for each observed holiday. Holiday leave for police officers will be as follows:
 - a. Each pay period, a police officer's holiday leave account will be debited for the amount of holiday leave actually used by the employee during the preceding period.
 - b. An officer shall receive advance approval from their supervisor prior to the use of any holiday leave time by the submission of a request in accordance with Section 8 of this Handbook. Requests for use of vacation leave time should be made as soon as possible to ensure minimum disruption to the department's and the organization's work schedule and workflow.
 - c. Unused holiday hours may not be carried over into the following calendar year.
 - d. If an employee ceases to be employed during the year, the employee must repay to the city the amount of holiday leave used in excess of the holiday leave that has actually accrued up to the date of termination. If possible, the value of the excess leave will be deducted from the employee's final paycheck.
 - e. All remaining accrued but unused holiday hours will be paid upon termination.

- (4) For all employees other than police officers, holiday leave does not accrue.
- (5) Any employee who is required to work on the actual holiday will be paid for all hours worked in addition to eight hours of holiday pay.

Vacation Leave

- (1) All full-time employees shall receive paid vacation leave. Part-time employees, temporary employees, and seasonal employees shall not be eligible for paid vacation leave. Vacation leave shall be granted to an employee each year, on their anniversary date, as follows:
 - a. A full-time employee shall receive 40 hours of vacation pay upon becoming a full time employee. Full-time employees shall accrue four hours per month, or 48 hours per year after becoming a full-time employee.
- (2) Each year, on the employee's anniversary date 40 hours of vacation will be granted and vacation leave continues to accrue at four hours per month, or 48 hours per year. On January 1st of each calendar year, each full-time employee's vacation leave account will be credited with the full amount of the annual vacation leave not used during the previous calendar year. Each pay period, the employee's vacation leave account will be debited for the amount of vacation leave actually used by the employee during the preceding period.
- (3) An employee shall receive advance approval from their supervisor prior to the use of any vacation leave time by the submission of request in accordance with Section 8 of this Handbook. Requests for use of vacation leave time should be made as soon as possible to ensure minimum disruption to the department's and the organization's work schedule and workflow.
- (4) The total aggregate amount of vacation leave time that may be accrued at any time is capped based on years of service as follows:
 - a. One to four years can never exceed 80 hours.
 - b. Five to nine years can never exceed 120 hours.
 - c. Ten to 14 years can never exceed 160 hours.
 - d. Fifteen years or over can never exceed 240 hours.
- (5) Upon an employee's voluntary termination of employment, an employee with at least one year of employment, will be paid for any vested but unused vacation leave time, if the employee gives at least a two-week termination notice. Employee's terminated by the city will not be paid for any accrued but unused leave time. Employee's meeting the requirements for payout at termination will be compensated at the regular hourly rate earned by the employee at the time of the separation. The applicable hourly rate for both exempt and nonexempt employees shall be calculated as provided in Section 6 of this Handbook.

Sick Leave

- (1) All full-time employees will receive paid sick leave in the amount of 40 hours upon becoming a full-time employee. Full-time employees shall also accrue four hours of sick leave per month or 48 hours per calendar year. After the first year of employment, all full-time employees will receive 40 hours of sick leave on their anniversary date and an continue to accrue four hours per month or 48 hours per calendar year of sick leave. Part-time employees, temporary employees, and seasonal employees shall not be eligible for paid sick leave.
- (2) Sick leave time begins to accrue on the first day of employment. Employees hired by the 15th of the month will receive the full amount of sick leave and employees hired after the 15th of the month will receive the full amount of sick leave beginning the first day of the following month.
- (3) An employee may use sick leave for any one of the following reasons:
 - a. To avoid jeopardizing the health of other employees; or
 - b. Illness, disability, medical condition, or a medical or dental appointment of the employee or a member of the employee's immediate family necessitating the employee's presence. "Immediate family" shall mean the employee's spouse, child, mother, father, or other permanent members of the employee's household.
- (4) An employee using sick leave time shall notify their supervisor as soon as possible of the need to use sick leave, preferably at least two hours in advance of the work shift. All foreseeable leaves require prior approval of the supervisor. For periods of leave longer than one full day, the employee shall notify their supervisor of each separate day that leave will be used unless prior arrangements have been made. Failure to notify before the start of the work shift, without an acceptable excuse may be cause for denial of the use of paid sick leave.
- (5) Any police officer who is placed on sick leave that exceeds five days shall have their police powers suspended and shall be required to surrender any or all city property that the chief of police requests.
- (6) Whenever an employee uses sick leave time, the employee shall submit a request in accordance with Section 8 of this Handbook.
- (7) Absences because of sickness, injury or disability in excess of an employee's accrued sick leave may, at the request of the employee, and with the approval of the supervisor be charged to vacation leave, if available.
- (8) A medical certification or physician's statement will generally not be required to return to work after the use of sick leave. However, an employee's supervisor and/or the mayor may require medical certification or a physician's statement when there is a reasonable basis to believe the sick leave policy is being abused, to certify that the employee can perform the essential functions of the job without risking the safety of themselves or others, or the employee's length of absence exceeds three full work days.

- (9) The total aggregate amount of vacation leave time can never exceed 360 hours.
- (10) Upon an employee's voluntary termination of employment, an employee with at least one year of employment, will be paid for 50% of any vested but unused sick leave time, if the employee gives at least a two-week termination notice. Employee's terminated by the city will not be paid for any accrued but unused leave time. Employee's meeting the requirements for payout at termination will be compensated at the regular hourly rate earned by the employee at the time of the separation. The applicable hourly rate for both exempt and nonexempt employees shall be calculated as provided in Section 6 of this Handbook.

Family and Medical Leave Act (FMLA)

The federal Family and Medical Leave Act (FMLA) applies to all public agencies. However, employees of public agencies must meet all of the requirements of eligibility, including the requirement that the employer employs 50 or more employees for FMLA eligibility. If the city does not employ 50 or more employees at the time of adoption of this policy as such, employees will be ineligible for FMLA.

Adoption Leave

An employee adopting a child under the age of seven shall be granted reasonable personal leave. However, this unpaid personal leave shall not exceed six weeks pursuant to KRS 337.015.

Bereavement Leave

- (1) All full-time city employees shall be eligible for paid bereavement leave in the event of death in the employee's immediate family. Bereavement leave shall be granted on the following basis:
 - a. An employee shall be authorized for up to three days of paid bereavement leave, to be used for the days leading up to and including the funeral, in the event of death in the employee's immediate family. For the purposes of this paragraph "immediate family" shall mean the employee's parents (including adoptive), spouse, children, step-children, daughter-in-law, son-in-law, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, spouse's parents, grandparents and their spouses, grandchildren and their spouses, any of the above as they pertain to your spouse, or anyone permanently residing with the employee.
- (2) Whenever the use of bereavement leave is necessary, the employee shall submit the absentee request immediately upon return to work.

Unpaid Leave of Absence

- (1) Upon exhaustion of all accrued paid leave time, any request for an unpaid leave shall be submitted to the employee's supervisor and the mayor. The mayor and supervisor will decide whether to grant the unpaid leave request and other terms of the leave depending upon the reasons for the requested leave and the needs of the department and the city.
- (2) If granted an unpaid leave of absence, an employee will not be compensated and will not receive any other employee benefits. As such, the employee must make an election as to State Continuation Coverage for group healthcare for the employee, as well as any qualified dependents. In addition, the employee will be subject to the terms and conditions of the specific plan, to continue any optional benefits, upon prepayment by the employee of the applicable contribution or premium during the period of the absence. Any failure by the employee to prepay any optional benefits may result in termination of the benefit.
- (3) Employees on unpaid leave will not accrue any vacation or sick leave time during the unpaid absence.

Jury Duty and Court-Ordered Appearances

- (1) The city encourages employees to fulfill their obligation as citizens when called to serve jury duty or to comply with a court or administrative subpoena. An employee that is required to attend jury duty or comply with a court or administrative subpoena during their regular working hours at the city shall be paid their full salary for the period of such service.
- (2) An employee involved in litigation or court proceedings as a plaintiff or petitioner and is not appearing before the court as a result of a duly issued subpoena shall not be eligible for the paid leave provided under the provisions of this policy, but may be permitted to use annual or compensatory leave time for such absences as provided in Section 8 of this Handbook.
- (3) The employee must provide a copy of the summons or subpoena to their supervisor as soon as possible after receiving such notice.
- (4) Any employee excused by the court during their normal working hours shall contact their supervisor to determine if they will be required to work the remainder of their normal work schedule.
- (5) Police officers required to appear in court in regard to a case in which they are involved, shall be paid at their regular rate of pay. A minimum of three hours shall be paid to a police officer, upon submission of proof of time spent in court.

Voting Leave

- (1) The city encourages its employees to vote on Election Day. In order to facilitate efficient scheduling and management of the office workload, an employee shall request voting leave from the employee's supervisor at least one day in advance of the election date, or one day in advance of the date on which the employee appears before the county clerk to request an application for or to execute an absentee ballot.

- (2) The supervisor shall grant a reasonable period of voting leave (up to four hours, if specifically requested by the employee) for an employee who is qualified to vote and who has requested voting leave in accordance with this policy. The city will not compensate the employee for the leave.
- (3) An employee who requests and takes voting leave, but who fails to vote without an acceptable reason, shall be subject to disciplinary action.

Military Leave

- (1) The city will comply with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and the provisions of KRS 61.373 through 61.377 and KRS 61.394. USERRA grants military leave for employees, and in most cases, reinstatement rights regardless of whether the service is voluntary or involuntary.
- (2) As the laws change, or as interpretations of the laws change, military leave benefits for city employees may change accordingly. No attempt is made in this policy to cover all possible situations and circumstances that may arise when an employee is ordered to active duty. Therefore, as military leave situations arise, an employee should consult with their supervisor or the city clerk for details regarding their military leave rights as a city employee.
- (3) Unless precluded by military necessity, an employee shall provide written notice to their supervisor as soon as possible regarding the need for military leave.
- (4) In any one federal fiscal year (October 1-September 30), all full-time and part-time employees involved in military service for the United States or the Commonwealth of Kentucky are eligible to be paid their normal wages for a maximum of 21 days. Employees will only be paid based on the days they would have been scheduled to work if not for military leave. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two years after it has accrued.
- (5) An employee shall be entitled to military leave without loss of time, pay, regular leave, impairment of efficiency rating, or any other employment rights or benefits to which the employee is entitled, including employer contributions that would have been paid into CERS if the employee had not been on military leave. Employer-provided CERS contributions will only be paid if the employee returns to work with the city upon honorable discharge from the military.

Absentee Requests

- (1) Employees are required to submit absentee request to their direct supervisor. The employee's supervisor will be responsible for exercising managerial discretion in deciding whether to approve or deny the leave request.
- (2) The employee is required to provide the date and time of the leave. Employees are permitted to use any type of leave time in 15-minute increments.

Section 9 – Appendices and HR Forms

APPENDIX A – SOCIAL SECURITY NUMBERS AND PRIVACY PROTECTION

- (1) This policy is adopted in accordance with KRS 61.931- 61.934 and is applicable to all personal confidential information received and retained by the city in regard to employment and within the regular course of city business.
- (2) The city will take measures reasonably necessary to ensure the confidentiality of social security numbers collected in the ordinary course of the city's business. Neither the city nor any of its employees will unlawfully disclose the social security numbers or other confidential personal information obtained during the ordinary course of business.
- (3) Non-digital media containing personal information shall be physically controlled and securely stored in a manner meant to ensure that the media cannot be accessed by unauthorized individuals. This may require storing media in locked containers such as cabinets, drawers, rooms, or similar locations if unauthorized individuals have unescorted access to areas where personal information is stored. If personal information is stored in an electronic format, it shall be protected from access by unauthorized individuals. Such information must be protected by software that prevents unauthorized access. If personal information is transmitted via email or other electronic means, it must be sent using appropriate encryption mechanisms.
- (4) The city shall designate a point of contact ("POC"). The POC shall serve the following functions:
 - a. Maintain the city's adopted Information Security Policy and be familiar with its requirements;
 - b. Ensure the city's employees and others with access to personal information are aware of and understand the Information Security Policy;
 - c. Serve as contact for inquiries from other agencies regarding its Information Security Policy and any incidents;
 - d. Be responsible for ensuring compliance with the Information Security Policy; and
 - e. Be responsible for responding to any incidents.
- (5) Only authorized individuals are permitted access to media containing personal information. In addition to controlling physical access, user authentication should provide audit access information. Any access must comply with applicable regulatory requirements.

- (6) The city may use a social security number to perform an administrative duty related to employment, e.g., to verify the identity of an individual; detect or prevent identity theft; investigate a credit, criminal, or driving history; enforce legal rights or obligations; or administer insurance or benefits programs.
- (7) Security software used to protect personal information must provide user identification, authentication, data access controls, integrity, and audit controls.
- (8) Security software should be adequately tested to confirm functionality and to ensure that it is minimally disruptive to all associated operating systems, communications, applications, and other associated software systems. Contractual provisions must also ensure that the supplier's software, by design or configuration, will not introduce any security exposures.
- (9) The level of protection afforded by security software should be commensurate with the sensitivity of the data. The level of protection along with the methods to implement that protection should be addressed before any personal information is stored on a device.
- (10) Systems, networks and application software used to process personal information must adhere to the highest level of protection reasonably practical. The city will use Intrusion Detection and Prevention software approved by the Commonwealth Office of Technology (COT). A list of approved software is available on the COT website (<http://technology.ky.gov/Governance/Pages/KITS.aspx>), or the software must provide comparable or superior protection.
- (11) Information stored on digital media shall be encrypted in accordance with contemporary standards.
- (12) This policy prohibits the unnecessary placement (download or input) of personal information on portable computing devices. However, users who in the course of city business must place personal information on portable computing devices must be made aware of the risks involved and impact to the affected person/entities in the event of actual or suspected loss or disclosure of personal information. If personal information is placed on a portable computing device, reasonable efforts must be taken, including physical controls and encryption, to protect the information from unauthorized access. Additionally, each person using the portable computing device must sign a form approved by the city indicating acceptance of the information and acknowledging their understanding of the responsibility to protect the information. In the event the portable computing device is lost or stolen, the city should be able to accurately recreate the personal information and must be able to provide notification to all affected persons/entities.
- (13) When it is determined that personal information must be placed on a portable computing device, every effort should be taken to minimize the amount of information required. If possible, information should be abbreviated to limit exposure (e.g., last four digits of the social security number).
- (14) The city will secure, and when applicable, appropriately dispose of non-digital media. Non-digital media containing personal information must be properly stored and secured from view by unauthorized persons.

- (15) Secure measures must be employed by the city and all permissive users to safeguard personal information contained on all city technology resources.
- (16) Cities shall ensure that all authorized personnel are familiar with and comply with this policy. The city shall ensure that only authorized personnel may hold and have access to personal information.
- (17) Threats to the security of personal information arise in many different ways. The city will make an attempt to be aware of the different types of threats and to enact reasonable measures to protect against each. Attacks on personal information may arise from:
 - a. External/Removable Media — an attack executed from removable media (e.g. flash drive, CD) or a peripheral device.
 - b. Attrition — an attack that employs brute force methods to compromise, degrade, or destroy systems, networks, or services.
 - c. Web — an attack executed from a website or web-based application.
 - d. Email — an attack executed via an email message or attachment.
 - e. Improper Usage — any incident resulting from violation of an organization's acceptable usage policies by an authorized user, excluding the above categories.
 - f. Loss or Theft of Equipment — the loss or theft of a computing device or media used by the organization, such as a laptop or smartphone.
- (18) Whether in digital or non-digital format, the city will retain and keep secure all personal and confidential information as set out in the Kentucky Department of Libraries and Archives Record Retention Schedule. The city will physically destroy documents that contain personal confidential information, including social security numbers, by shredding or other secure fashion. Personal confidential information, including social security numbers, stored in a computer database which needs to be removed will be deleted from all programs and processes pursuant to techniques and standards commonly used for such purposes. The methods set forth below are listed in priority order with the most highly recommended safeguard listed first. One of the following safeguards must be implemented:
 - a. Hire a document disposal contractor to dispose of the material. The contractor should be certified by a recognized trade association and should use disk sanitizing software and/or equipment approved by the United States Department of Defense. The city will review and evaluate the disposal company's information security policies and procedures. The city will review an independent audit of a disposal company's operations and/or its compliance with nationally recognized standards.
 - b. Secure and utilize shredding equipment that performs crosscut or confetti patterns.

- c. Secure and utilize disk sanitizing or erasing software or equipment approved by the United States Department of Defense.
 - d. Modify the information to make it unreadable, unusable or indecipherable through any means.
- (19) The city must disclose a security breach in which personal information is disclosed to, or obtained by, an unauthorized person. Notification of the incident must be made in the most prompt and expedient manner after the incident has been discovered. Within 35 days, a letter notifying affected individuals of actual or suspected loss or disclosure of personal information must be sent by the city describing the types of information lost and recommended actions to be taken to mitigate the potential misuse of their information.
- (20) When the city identifies a security breach in which personal information has been disclosed to, or obtained by, an unauthorized person, within three business days the city shall notify the Kentucky State Police, the Auditor of Public Accounts, the Attorney General and the Commissioner of the Department for Local Government and complete form COT-F012. The city shall document the following:
- a. Preliminary reporting and description of the incident;
 - b. Response, including evidence gathered;
 - c. Final assessment and corrective action taken; and
 - d. Final reporting.
- (21) Incident response procedures can be a reaction to security activities such as:
- a. Unauthorized access to personal information, data, or resources;
 - b. Denial of service attacks;
 - c. Actual or anticipated widespread malware infections;
 - d. Data breaches;
 - e. Loss/theft of equipment;
 - f. Significant disruption of services; and
 - g. Significant level of unauthorized scanning activity to or from hosts on the network.
- (22) The city shall make reasonable efforts to investigate any security breaches in which personal information is disclosed to, or obtained by an unauthorized person and shall take appropriate corrective action.
- (23) The city must comply with all federal and state laws and policies for information disclosure to media or the public. In some circumstances, communication about an incident is necessary, such as contacting law enforcement. The city should use discretion in disclosing information about an incident. Such information includes network information, type of incident, specific infection type (if applicable), number of assets affected, specific detail about applications affected, applications

used to employ corrective action/investigate, etc. The city may proactively share relevant incident indicator information with peers to improve detection and analysis of incidents. Within the parameters of the law, minimal disclosure regarding incidents is preferred to prevent unauthorized persons from acquiring sensitive information regarding the incident, security protocols and similar matters, in an effort to avoid additional disruption and financial loss.

- (24) Any employee of the city who knowingly violates the provisions of this policy will be subject to the city's disciplinary policy.

HR FORM 01 – HANDBOOK ACKNOWLEDGEMENT

I certify that I have received a copy of the City of Audubon Park Employee Handbook and have read and fully understand its contents. I have had an opportunity to ask my supervisor or the management personnel any questions that I have about the policies contained in the Handbook. I understand that failure to comply with the city's policies and rules may result in disciplinary action up to and including discharge.

I understand that the City of Audubon Park Employee Handbook is not a contract of employment, express or implied, and that my employment is at-will, for no specific period of time and may be terminated at any time by me or the city. No officer, manager, or other representative has any authority to enter into any agreement, oral or written, for employment for any specified period of time, or to make any agreement contrary to the foregoing unless approved by action of the mayor, in accordance with the city budget.

I understand that the City of Audubon Park is an Equal Opportunity Employer. As outlined in the City of Audubon Park Employee Handbook, it is the city's policy to afford equal employment opportunity to all qualified persons regardless of race, color, religion, age, sex, sexual orientation, gender identity, pregnancy, childbirth, pregnancy/childbirth-related medical conditions, genetic makeup, national origin, disability, veteran or family status, an individual's status as a smoker or nonsmoker, genetic makeup or any other status or condition protected by applicable local, state or federal laws, except where a bona fide occupational qualification applies. I understand any questions about this policy should be directed to my supervisor or any supervisor or management staff.

I understand that the City of Audubon Park Employee Handbook is a guide for common working practices and procedures for the city and that the city reserves the right to revise, terminate, or add to the employee Handbook with or without notice at any time.

Employee Name

Employee Signature

Date

HR FORM 02 – JOB DESCRIPTION AND ACKNOWLEDGMENT

Supervisor

Employee

Discussed essential job functions.

Discussed additional job duties.

Discussed physical requirements.

I certify that I have received a copy of the job description for my position as _____
_____ and have read and fully understand the requirements and expectations. I
have discussed the contents of the job description and have had an opportunity to ask my
supervisor or the management personnel questions. I further certify I have the ability to meet the
job requirements, including the physical requirements.

Employee Name

Employee Signature

Date

Supervisor Name

Supervisor Signature

Date

HR FORM 03 – BACKGROUND CHECK RELEASE
CONFIDENTIAL

1. I, _____, give the City of Audubon Park my permission to conduct a criminal background and/or credit check using my name and personal information.
2. I understand the information given and received will be kept confidential and may affect employment offer.
3. I understand that a criminal conviction does not automatically disqualify me from employment, since the nature of the offense, date, and the job for which I am applying is also considered. In addition, pursuant to KRS 335B.020, no person shall be disqualified from public employment solely because of a prior conviction of a crime, unless the crime for which convicted is one described in KRS 335B.010(4) or otherwise directly relates to the position of employment sought.

Full Name _____

Maiden Name, if Applicable _____

Other Former Names (list all) _____

Birthday (MM/DD/YYYY) ___/___/_____ Social Security Number ____ - ____ - _____

Driver's License Number _____ Issuing State _____

Signature of Applicant

Date

HR FORM 04 – DRIVER’S LICENSE BACKGROUND CHECK
RELEASE
CONFIDENTIAL

Based on the fact that I will need to drive a city vehicle or my own vehicle on city business, I, _____, give the City of Audubon Park my permission to conduct a driver’s license background check using my name and personal information.

I understand the information given and received will be kept confidential and may affect employment offering. I also understand that if hired, a driver’s license background check will be done on a yearly basis for as long as driving a vehicle on city business is a part of my job duties.

Full Name _____

Maiden Name, if Applicable

Other Former Names (list all) _____

Birthday (MM/DD/YYYY) ___/___/____ Social Security Number ____ - ____ - ____

Driver’s License Number _____ Issuing State _____

Signature of Applicant

Date

HR FORM 05 – AGREEMENT TO ACCEPT COMPENSATORY TIME OFF IN LIEU OF OVERTIME PAY

I understand that, in accordance with the provisions of the Fair Labor Standards Act and KRS 337.285, nonexempt employees are allowed, with the approval of their department heads, to accrue compensatory time off work instead of receiving payment for overtime hours worked.

I voluntarily agree ahead of time to accept compensatory time off in lieu of overtime pay for any overtime hours which I will work from _____(date) to _____(date). I understand that I will accrue compensatory time at the rate of one-and-one-half hours for each overtime hour which will be worked during this period. I understand that this compensatory time will not be counted as time worked for purposes of computing overtime or additional compensatory time.

I further understand that compensatory time may be accrued up to 40 hours for all nonexempt employees and must be used or paid in accordance with city policy and the law. I understand that I may use the compensatory time within a reasonable period after making the request to use if the use of the compensatory time does not unduly disrupt the operations of the employer. I also understand that the city can require me to take compensatory time off in order to manage the accrual limitation. In addition, I understand that it is the sole responsibility of this department to monitor and maintain records of my accrued and used compensatory time.

I understand that if I were to resign or be terminated from this position, transfer from this department or be promoted into an exempt position within this department, this department is responsible for arranging for me to use or to be paid the balance of my accrued compensatory time at a rate of compensation not less than the average rate received by the employee during the last three years or the final regular rate received by the employee, whichever is higher.

I understand that this agreement is only in effect for the specific date or dates cited above.

Employee

Printed Name _____ Title _____

Signature _____ Department _____ Date _____

Department Head Approval

Printed Name _____ Title _____

Signature _____ Department _____ Date _____

HR FORM 06 – COMPLAINT FORM

Employee Information

Name _____ Job Title _____

Complaint Information

Date of Occurrence _____

Have you discussed this issue with your supervisor? Yes No

Date(s) of Discussion _____ Supervisor's Name _____

Issue of Complaint

List specific problem(s)/issue(s).

For clarification of the issues of your complaint, please provide statements regarding the unfavorable employment condition which is the subject of this complaint. Describe what happened, when and where, how your employment has been affected, and indicate names of others involved. Attach any supporting documentation.

List of persons with knowledge of problem.

My signature indicates that the information contained on this form and attachments to this form are true and factual to the best of my knowledge.

Employee Signature

Date

Signature of Mayor

Date Received

HR FORM 07 – EXPENSE REPORT

Employee Name			
From (date)		To (date)	
Supervisor Name			
Department			
Business Purpose			
Itemized Expenses			
DATE	DESCRIPTION	CATEGORY	COST
		SUBTOTAL	\$
		Less Cash Advance	
		TOTAL REIMBURSEMENT	\$
		Don't forget to attach receipts and conference or training agenda!	
Employee Printed Name			
Employee Signature		Date	

HR FORM 08 – MISSING RECEIPT AFFIDAVIT

Use with purchasing card for purchases and travel expense transactions.

USE ONE AFFIDAVIT FOR EACH MISSING RECEIPT

I _____ have either not received or have misplaced a receipt totaling _____. This expense was incurred on behalf of the city. This form is submitted in lieu of the original receipt.

Reference Number _____ Transaction Date _____

Vendor _____

Detailed Explanation _____

I certify that the amounts shown above were expended for city business purposes.

Employee/Officer Signature

Date

Approving Official Signature

Date

Approving Official Printed Name

HR FORM 09 – CHANGE IN PERSONAL INFORMATION

Employee Name _____

Employee Title _____

Type of Change

Address

Phone

*Any status changes (e.g., marital status, birth of child, etc.) should be documented on the **Change in Status/Termination Election Form, Section 125 Cafeteria Plan Form** as outlined in Chapter 3 of the employee Handbook.*

New Information

HR FORM 10 – DISCIPLINARY FORM

Employee _____ Date _____

Supervisor _____ Position _____

Type of Warning _____ Oral Warning _____ First Written Warning
_____ Second Written Warning _____ Suspension

Problem _____

Recommended Action to Correct Problem _____

My signature indicates I have been informed of a problem with my performance on the job and that I understand the recommended action which should be taken to correct my behavior.

Employee Signature

Date

Supervisor Signature

Date

Signature of the Mayor

Date

Failure to correct this behavior will result in further progressive discipline up to and including termination of your employment.

HR FORM 12 – OUTSIDE EMPLOYMENT REQUEST

Please be advised of my intention to engage in work outside the City of Audubon Park. The employer, type of work I will be doing, and the work hours are as follows:

1. Prospective Employer _____
Address _____
Telephone Number _____
2. Type of work that I will be doing. (Explain in detail.)

3. Work schedule. (Include the hours to be worked and the period of time you will be keeping the job. If you do not know, please state that below.)
Hours _____
Days _____
Period of Employment _____
4. I am not presently involved in any job task or responsibility that may create a potential conflict of interest with the outside employer listed above. I agree that if in the future my job duties create an actual or perceived conflict, I will immediately notify the city and take steps to avoid any conflict of interest.

Printed Name _____ Job Title _____

Signature _____ Date _____

.....

I, _____, supervisor for _____ have reviewed the employee's job duties and assignments regarding any actual or perceived conflict.

Recommend Not Recommend

Reason/Comment _____

Supervisor _____ **Date** _____

.....

HR FORM 13 –VEHICLE DAMAGE OR ACCIDENT REPORT

Date of Loss _____ Time of Loss _____

Company Vehicle Involved _____
Year Make Model

VIN# _____

Location of Accident _____

Employee (Driver's Name) _____

Address _____

Phone _____ DOB / / License # _____

Description of Accident _____

Company Vehicle Damage (Where) _____

Police Report Agency _____

Report Number _____

Officer _____

Ticket Yes No Where is Vehicle? _____

Other Party Information

Driver's Name _____

Address _____

Phone Number(s) _____

Insurance Company _____ Driver's License # _____

Vehicle _____
Year Make Model Vehicle License #

Passenger's Name _____ Injured Yes No

Address _____

Passenger's Name _____ Injured Yes No

Address _____