

<b>CITY OF APPLETON PERSONNEL POLICIES</b>	<b>TITLE: CONDITIONS OF EMPLOYMENT</b>	
ISSUE DATE: July 18, 2002	LAST UPDATE: July 2002; April 24, 2006; November 4, 2010; August 2012; June 2014 (clarification to “at will statement”); January 2017; February 2019	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	AUDIENCE: All employees. All employees ( <i>last section as noted applies only to employees not covered by a CBA</i> )	TOTAL PAGES: 5
Reviewed by Legal Services Date: June 2002 October 2010	Committee Approval Date: July 10, 2002 December 12, 2011 February 20, 2017	Council Approval Date: July 17, 2002 December 21, 2011 March 1, 2017

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**I. PURPOSE**

The purpose of this policy is to outline the Conditions of Employment for City of Appleton employees.

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**II. POLICY**

It is the policy of the City of Appleton to treat employees consistently and fairly in matters affecting the conditions of their employment.

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A Collective Bargaining Agreement with more specific language than what is in the policy shall be the language applied.

**III. DISCUSSION**

The City of Appleton shall enforce all conditions of employment as outlined in this policy. Failure to comply with this policy may result in corrective action up to and including discharge.

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**Hours of Work**

The normal work week for City employees shall be forty hours per week, except in those departments where the nature of work requires more than forty hours. Each Department Director/ or designee shall determine the hours based on the needs of the department.

**Paid Breaks and Clean up time**

Paid Breaks: Employees may be allowed up to 30 minutes for break(s) per 8 hour shift based on supervisory approval. Breaks not taken are lost. Breaks cannot be accumulated or used to shorten the work day, unless approved by a supervisor in advance and on an infrequent basis. Break times are to be arranged between the employee and their supervisor or Department Director provided time permits. It is the Department Director's responsibility to assure that adequate staff coverage is provided if breaks are scheduled.

Clean up time may be approved based on the needs of the department and supervisory approval.

Review Period

Original appointments to regular positions will normally be made with a review period of 3 and 5 months, and annually thereafter. Employees may be subject to periodic reviews and goal setting after the completion of the initial review period.

Auto Insurance

The City does not provide insurance coverage for an employee's privately owned vehicle, with the exception that all Valley Transit employees are covered by Transit Mutual Insurance when using personal vehicles while conducting Valley Transit business. Employees who use non-City-owned vehicles for City business should confirm that their personal auto insurance policy provides coverage for this use.

All employees who drive non-City-owned vehicles for City business shall be required to purchase (at their own expense) and maintain auto insurance at a level that meets one of the following minimum standards:

(a) Single limit of liability - \$200,000 for bodily injury and property damage.

OR

(b) Split limit of liability with limits of; \$100,000 each person bodily injury, \$300,000 each accident bodily injury, \$50,000 property damage

Inclement Weather

If, during periods of inclement weather, conditions begin to reach the stage where travel may become extremely hazardous, the Mayor may deem it appropriate to allow non-essential personnel to return home for their own safety. The time lost for any employee who chooses to leave or not come in to work shall be without pay. An employee may use compensatory time, paid leave such as vacation, PTO or floating holiday pay, or may request approval of their department director to make the time up within the payroll period.

Lay-Offs

Lay-off plans shall be approved by the Human Resources Director before they are implemented and shall be based on the needs of the organization. Any layoffs for budgetary reasons shall

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first go through the committee of jurisdiction and are subject to final council approval before they are implemented. Lay-offs as a result of elimination of grant funding will be reported as information to the Committee of Jurisdiction.

Complaint Procedure

Employees who have work-related concerns are encouraged to discuss them with their supervisor as soon as possible after the event(s) that cause the concern. If the concern is not resolved with the employees' supervisor, the employee may bring the issue to Human Resources. Human Resources will mediate and facilitate towards a workable solution. Any complaint of harassment or discrimination shall be covered under the City's Harassment and Discrimination in the Workplace policy and complaints involving employee discipline, employee termination and workplace safety shall be covered under the City's Grievance Procedure policy.

Position Elimination

No position will be eliminated from the table of organization without the approval of Council. Individual(s) in the eliminated position will remain in service until the change to the table of organization is approved by Council.

Corrective Action

The purpose of corrective action is to correct job behavior and performance problems of employees. Employees shall be informed of standards of conduct and performance by their respective departments and such rules and standards shall be consistently applied. All copies of documented verbal reprimands, written reprimands, suspensions, demotions, and terminations shall be provided to the employee, employees' supervisor, Department Director and Human Resources Director, and kept in the employee's Personnel File located in Human Resources. Demotions and suspensions shall be discussed with the Department Director and Human Resources Director before such action is taken. Terminations shall be discussed with the Department Director, Human Resources Director and the City Attorney. In the event that immediate action is required and the Human Resources Director or City Attorney cannot be reached, the employee can be placed on administrative leave with pay pending investigation. Employees shall have access to the City's grievance procedure provided the issue is related to discipline, termination or safety reasons. A complaint procedure will be available for issues not covered by the grievance procedure.

Return of City Equipment

Employees leaving City employment must return uniforms, cell phones, pagers, keys, key cards, credit cards or procurement cards, tools and equipment on or before their last day of work. It will be the supervisor's responsibility to ensure that all City property is returned.

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**Outside Forms of Compensation**

All fees, gratuities, witness fees, honorarium or any other form of compensation for outside service's performed while being paid by the City shall be turned over to the City and any such activities for which such compensation is paid shall be reported to their Department Director. This subsection shall not be construed to apply to situations which result from a non work related situation, while an employee is on a bona fide vacation, PTO day, taking floating or other holidays, or to part-time employees except during those times when they are actually performing services to the City, and it shall not apply to the reimbursement of actual and necessary expenses occurring under such circumstances.

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**Police and Fire Protective employees reaching age 55**

Protective employees who reach age 55 are required to complete an annual physical, determined by the City with the City's Occupational Health provider. The NFPA physical for Fire employees shall suffice for this requirement provided they are deemed Fit for Duty by the City's Occupational Health provider.

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***THE SECTIONS LISTED BELOW APPLY TO ALL EMPLOYEES WHO ARE NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT.***

**Outside Services or Employment**

The City's policy on outside duties or employment shall be as follows:

- (a) City employees may not engage in outside employment which conflicts with or affects the performance of their duty with the City.
- (b) No person shall hold more than one full or part-time City position at the same time without the Department Director and Human Resources Director approval.

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**Severance Pay**

The Human Resources Director, City Attorney and Mayor shall be responsible for developing and offering severance packages if applicable. The accepted package shall be reported to the Human Resources Committee in a closed session.

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**Transfers**

Employees may apply for transfer to another vacant City position for which they are qualified. Such application should be made to the Human Resources Department. If the employee is selected and if the work performance of the transferred employee is not regarded as satisfactory, the Department Director involved may agree to the return of the employee to their former

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department if a vacancy is available.

### Resignations

Employees in pay grades B-J of the Compensation Plan wishing to leave City employment shall submit a resignation in writing to their Department Director at least two weeks in advance of their planned departure. Employees in pay grades K through T of the Compensation Plan shall submit a resignation in writing to their Department Director or the Mayor whichever is appropriate at least four weeks in advance of their planned departure. All other employees shall submit a resignation in writing to their Department Director at least two weeks in advance of their planned departure. All notices shall be exclusive of any accrued paid time off taken unless for unavoidable circumstances, or if prior approval is obtained from the Department Head. Employees who give the above noted notice shall be paid out for accrued benefits owed them. It is expected that employees will give as much notice as possible in order to facilitate recruitment and orientation of new staff members.

### Last Day of Work

Employees retiring or resigning from their position may not extend their final date of employment using unused paid time off (ie: vacation, PTO, Floating Holiday, Sick). The employee's last day of employment shall be defined as the last day the employee is physically at work unless special circumstances exist where the employee is unable to return to work due to an FMLA qualifying event or other medical condition.

### At-will Status

Employment with the City is strictly "at-will" unless you are a non-probationary employee covered under a collective bargaining agreement, department director or the terms of your employment are subject to a written contract or other express legal authority. As an at-will employee, you may terminate your employment at any time for any or no reason at all. Likewise, the City has the right to terminate your employment at any time, with or without notice, and for any or no reason at all.

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