

City of Franklin



EMPLOYEE HANDBOOK

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INTRODUCTION

040 Introductory Statements

For purposes of these work guidelines all employees shall be referred to as "employee(s)." The City of Franklin, Indiana will be referred to as "the City of Franklin" and "the city".

These work guidelines have been designed to acquaint employees with the city and provide them with information about working conditions, employee benefits, and some of the policies affecting their employment. Employees are responsible to read, understand, and comply with all provisions of the handbook. It describes many of their responsibilities as an employee and outlines the programs developed by the city to benefit employees. One of the Board of Public Works & Safety's and the City Council's objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook may anticipate every circumstance or question about policy. As the city continues to grow, the need may arise and the city reserves the right to revise, supplement, or rescind any policies or portion of the employee handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting employees or the city to end our employment-at-will relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur and employees will be expected to acknowledge in writing that they have received those changes. Nothing in this employee handbook shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

060 Resident Relations

Residents are among our city's most valuable assets. Every employee represents the city to our residents and the public. The way employees do their jobs presents an image of the entire city. Residents judge all of the employees by how they are treated with each employee contact. Therefore, one of the first business priorities for all employees is to assist any resident or potential resident. Employees may not engage in arguments, debates, or lengthy discussions with residents regarding the city's policies, procedures, or services. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention employees give to residents. Any employee who receives a written formal complaint from a resident must refer the individual to the Mayor's Office.

Personal contact with the public, manners on the telephone, and the communications sent to residents are a reflection not only of each employee, but also of the professionalism of the city. Positive resident relations not only enhance the public's perception or image of the city, but also pay off in greater resident loyalty.

EMPLOYMENT

101 Nature of Employment

Employment with the city is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the city may terminate the employment-at-will relationship at any time, with or without notice or cause, so long as there is no violation of applicable federal, state, or local laws.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the city and any of its

employees. The provisions of the handbook have been developed at the discretion of leadership and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the city's sole discretion.

All Civilian Employees

In applying this handbook uniformly, employees who do not work in the Clerk-Treasurer's Office or City Court, and are not in a public safety job for the city, are to report to and request information from their direct Department Head, as appropriate. All policies and procedures within the employee handbook apply to civilian employees. Department Heads have the authority for employment-related actions to include hiring, evaluating, disciplining, training, and terminating employees within their department. However, some employment-related actions require the approval of the Mayor and in certain circumstances, the Board of Public Works & Safety and the City Council.

Board of Public Works & Safety

The Board of Public Works & Safety is responsible for overseeing a variety of tasks within the City of Franklin to include the Street Department, Parks Department, Information Technology, Public Works, Engineering, Community Development, and Planning Departments. It is the responsibility of the Board of Public Works & Safety to make sure that all departments are compliant with federal, state, and local employment-related laws in accordance with policies as outlined in the employee handbook. Board of Public Works & Safety members are not subject to the policies and procedures as outlined in the employee handbook, as they are not employees of the City of Franklin.

City Council

The City of Franklin City Council acts as the legislative and fiscal body of the city. The City Council members are elected officials who are not subject to the policies and procedures as outlined in the employee handbook, as they are not employees of the City of Franklin. However, the members of the City Council consist of the governing body who make rational and consistent decisions with regards to the finances and employees of the city who are subject to the policies and procedures as outlined within the employee handbook. It is the responsibility of all City Council members to make sure that the City of Franklin is legally compliant with all federal, state, and local employment-related laws in accordance with policies as outlined in the employee handbook.

City Court

In applying this handbook uniformly, employees of the City Court report directly to the City Judge, who has the sole authority to hire, train, evaluate, set policy, and determine employment status of the employees within the office. All policies and procedures within the employee handbook apply to the employees who work in City Court. The City Judge is an elected official and none of the policies in the employee handbook apply to, nor does the individual directly report to the City Council. The City Council only makes the determination as to how much to allow for funding within the City Court. For purposes of policies within this employee handbook the City Judge is referred to as a Department Head.

Clerk-Treasurer's Office

In applying this handbook uniformly, employees of the Clerk-Treasurer's Office report directly to the Clerk-Treasurer who has the sole authority to hire, train, evaluate, set policy, and determine employment status of the employees within the office. All policies and procedures within the employee handbook apply to the employees who work in the Clerk-Treasurer's Office. The Clerk-Treasurer is an elected official and none of the policies in the employee handbook apply to, nor does the individual directly report to the City Council. The City Council only makes the determination as to how much to allow for funding within the Clerk-Treasurer's Office. The Clerk-Treasurer serves as the clerk and secretary to the City Council and the Board of Public Works & Safety and is responsible for the fiscal affairs of the city.

For purposes of policies within this employee handbook the Clerk-Treasurer is referred to as a Department Head.

Fire Department Employees

When the policies and procedures that are contained in the City of Franklin Fire Department Standard Operating Guidelines (SOGs) differ from what is written in this employee handbook, these policies and procedures will prevail. The Fire Chief reports directly to the Mayor and serves at the discretion of the Mayor through an employment contract. The Fire Merit Commission is the only body (other than a Court of appeal) authorized to hear disciplinary action charges against the public safety employees within the Fire Department. For purposes of policies within this employee handbook the Fire Chief is referred to as a Department Head.

Mayor's Office

The Mayor is responsible for the overall operation of the city government. This individual is the Chief Executive and is primarily responsible for the day-to-day operations of the city and for the appointment of Department Heads. Department Heads are appointed to manage and supervise each internal department within the city to include: Mayor's Office, Information Technology, Police, Fire, Planning and Engineering, Parks and Recreation, Community Development, Street, and the Department of Public Works (Sewer), and Sewer Billing. The Mayor also selects and appoints the members of the Board of Public Works & Safety who are responsible for the adoption and oversight of employee policies and procedures. The Mayor is an elected official and none of the policies in the employee handbook apply to, nor does the individual directly report to the City Council. For purposes of policies within this employee handbook the Mayor is also referred to as a Department Head, unless otherwise designated, as all Department Heads report directly to the Mayor.

Police Department Employees

When the policies and procedures that are contained in the City of Franklin Police Department Standard Operating Procedures (SOPs) differ from what is written in this employee handbook, these policies and procedures will prevail. The Police Chief reports directly to the Mayor and serves at the discretion of the Mayor through an employment contract. The Police Merit Commission is the only body (other than a Court on appeal) authorized to hear disciplinary action charges against the public safety employees within the Police Department. For purposes of policies within this employee handbook the Police Chief is referred to as a Department Head.

These provisions supersede all existing policies and procedures and may not be amended or added to without the express written approval of the Board of Public Works & Safety and the City Council.

102 Employee Relations

The city believes that the working conditions, wages, and benefits it offers to its employees are competitive with those offered by other government employers in this area. If employees have concerns about working conditions or compensation, they are strongly encouraged to voice these concerns openly and directly with their Department Head, or Human Resources.

Experience has shown that when employees deal openly and directly with their Department Head, or Human Resources, that the work environment can be excellent, communications can be clear, and attitudes can be positive. The city leadership team believes that the city amply demonstrates its commitment to employees by responding effectively to employee concerns.

The Mayor, Board of Public Works & Safety, and/or the City Council will make determinations as to changes or alterations in salary, leave, or other special circumstances.

103 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the city will be based on merit, qualifications, and abilities. The city does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state, and local laws.

The city will make reasonable accommodations for qualified individuals with known disabilities, or who need religious accommodations, unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees are encouraged to contact their Department Head, or Human Resources with questions or concerns regarding any type of discrimination in the workplace. Employees may raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination may be subject to disciplinary action, up to and including termination of employment.

Kentucky Employees

The Kentucky Civil Rights Act includes status as a smoker or nonsmoker as a protected class. In addition, Kentucky laws prohibit discrimination against employees of the classified service based on political or religious views, or the exercise of their rights to vote freely.

104 Business Ethics and Conduct

The successful business operation and reputation of the city is built upon the principles of fair dealing and ethical conduct of all employees. The city's reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the city is dependent upon residents' trust and the city is dedicated to preserving that trust. Employees owe a duty to the city and its residents to act in a way that will merit the continued trust and confidence of the public.

The city will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action the matter should be discussed openly with their Department Head, or Human Resources, and if necessary, with the Mayor for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every city employee. Disregarding or failing to comply with this standard of business ethics and conduct may lead to disciplinary action, up to and including termination of employment.

Employees seeking additional information about business ethics and conduct may refer to Ordinance #2017-11, contact their Department Head, or Human Resources.

105 Nepotism in the Workplace

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment may be carried over into day-to-day working relationships. Accordingly, the city follows Indiana Code (IC) 36-1-20.2 with regards to nepotism.

For purposes of this policy, a relative is defined as a spouse, parent or stepparent, grandparent, child or stepchild (including an adopted child or stepchild), a brother or sister, stepbrother or stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law.

“Employed” means an individual who is employed by the city on a full-time, part-time, or temporary/seasonal basis. The term does not include an individual who holds an elected office. The term includes an individual who is a party to an employment contract with the city. The performance of the duties of a precinct election officer, as defined in Indiana Code (IC) 3-5-2-40.1 that are imposed by IC Title 3 is not considered employment by the city.

“Direct line of supervision” is defined as an elected official or employee who is in a position to affect the terms and conditions of another employee’s employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of the city, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the city.

Individuals who are relatives may not be employed by the city in a position that results in one relative being in the direct line of supervision of the other relative. This applies to an individual who is employed by the city on the date that the employee’s relative begins serving a term of an elected official of the city and is not exempt from the application under exemptions of the policy. This policy does not end or affect an employment contract with the city that: an individual is party to and is in effect on the date the employee’s relative begins serving a term of an elected official, e.g., the Clerk-Treasurer, Mayor, or a member of the City Council.

Employees who are employed by the city on July 1, 2012, are not subject to this policy unless they have had a break in employment with the city. The following are not considered a break in employment: the employee is absent from the workplace while on paid or unpaid leave, including any paid time off, medical leave, or workers’ compensation, and the employee’s employment with the city is terminated followed by immediate reemployment by the city, without loss of payroll time.

Employees seeking additional information about nepotism in the workplace may contact their Department Head, or Human Resources.

106 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required in certain job categories. After an offer has been made to an applicant entering a designated job category, a medical examination may be performed at the City of Franklin's expense by a health professional of the city's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam and a satisfactory or negative drug test. Routine medical examinations for current employees of the Police Department and the Fire Department may be required. Department of Transportation (DOT) required annual medical examinations and drug screens are completed quarterly for all employees in safety sensitive jobs.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially in accordance with the Health Insurance Portability and Accountability Act (HIPAA). Refer to Policy #214 – Medical Information Privacy for additional information.

Employees seeking additional information about employee medical exams may contact their Department Head, or Human Resources.

107 Immigration Law Compliance

The city is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed a Form I-9 with the city within the past three-years, or if their previous Form I-9 is no longer retained or valid. In addition, the city utilizes E-Verify, an Internet-based system that compares information from an employee's Employment Eligibility Verification Form I-9, to data from U.S. Department of Homeland Security and the Social Security Administration records to confirm employment eligibility.

The Form I-9 may be completed by the employee prior to their first day of work, but federal law requires that this form be completed no more than three-days after the employee starts their employment. Failure to complete this form will cause the employee not to be established as an employee with the city and they will not be able to be paid through the city's payroll system until the form is properly completed.

Employees seeking additional information about immigration law compliance may contact Human Resources in the Clerk-Treasurer's Office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

108 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the city wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees may seek additional clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the City Council and/or Board of Public Works & Safety. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that may be interpreted to involve unusual gain require specific approval from the City Council or Board of Public Works & Safety.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee, or for a dependent as a result of the city's business dealings. For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or stepchild), a brother or sister, stepbrother or stepsister (including a brother or sister by half-blood), grandparent or grandparent-in-law, a niece or nephew, aunt or uncle,

daughter-in-law or son-in-law. "Elected official" refers to the Clerk-Treasurer, Mayor, City Judge, a member of the City Council, or any other elected city official.

The city may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an elected official, or a business entity that is wholly or partially owned by a relative of an elected official. The city may also enter into a contract or renew a contract with an individual or business entity if all of the following are satisfied: the elected official files with the city a full disclosure, which must be in writing, describe the contract or purchase to be made, describe the relationship that the elected official has to the individual, or business entity that contracts or purchases, be affirmed under penalty of perjury, be submitted to the City Council and be accepted by the City Council in a public meeting prior to final action on the contract, or purchase and be filed, not later than 15-days after final action on the contract or purchase with the State Board of Accounts and the Clerk of the Circuit Court in the county where the city takes final action on the contract or purchase. The appropriate agency of the city must make a certified statement that the contract amount or purchase price was the most responsible or responsive bid, or make a certified statement of the reasons why the vendor or contractor was selected. In addition, the city must satisfy all other requirements under Indiana Code (IC) 5-22 or IC 36-1-12. The elected official must comply with the disclosure provision of IC 35-44.1-1-4, if applicable. This does not affect the initial term of a contract in existence at the time the term of office of the elected official of the city begins.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to their Department Head, or Human Resources, as soon as possible the existence of any actual or potential conflict of interest so that safeguards may be established to protect all parties.

While this policy is comprehensive it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment.

Employees seeking additional information about conflicts of interest may refer to Ordinance #2017-11, contact their Department Head, or Human Resources.

110 Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their job with the city. All employees will be judged by the same performance standards and will be subject to the city's scheduling demands, regardless of any existing outside work requirements.

If the city determines that an employee's outside work interferes with performance, or the ability to meet the business requirements of the city as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain as an employee with the city. Employees who are receiving workers compensation benefits, or who are on short-term disability leave may not perform work outside of that of the city during the term of their absence.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the city for materials produced or services rendered while performing their jobs. Refer to Policy #108 – Conflicts of Interest for additional information.

Employees seeking additional information about outside employment may contact their Department Head, or Human Resources.

112 Non-Disclosure

The protection of confidential information is vital to the interests and the success of the city. Indiana Code (IC) 5-14-3-4 states what is considered to be public record and the city will comply with all guidelines. Such confidential information includes information acquired in the course of one's work, and may include:

- Computer Processes
- Computer Programs and codes
- Facilities Security Information
- Financial Information
- Marketing Strategies and Related Information
- Pending Projects and Proposals
- Residents, and Local Business Preferences, Lists, and Related Information
- Security Operations and Related Information
- Technological Data
- Vendor and Supplier Lists and Related Information

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose trade secrets or confidential business information may be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

114 Disability Accommodations

The city is committed to complying fully with the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis in accordance with both federal, state, and local laws.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, benefits, and training.

The city is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The city will follow any state or local law that provides individuals with disabilities greater protection than the ADAAA.

Pregnant Workers Fairness Act (PWFA)

The PWFA prohibits employment practices that discriminate against making reasonable accommodations for qualified employees affected by pregnancy, childbirth, or related medical conditions. A qualified employee under the Act is an employee or applicant who, with or without reasonable accommodation, is able to perform the essential functions of the job, as long as the inability to perform the essential functions

is temporary due to pregnancy, childbirth, or a related medical condition. The PWFA declares that it is an unlawful employment practice to:

- Fail to make reasonable accommodations to known limitations of a qualified employee unless the accommodation would impose an undue hardship on the organization's operation.
- Require a qualified employee affected by such conditions to accept an accommodation other than any reasonable accommodation arrived at through an interactive process.
- Deny employment opportunities based on the need of the organization to make such reasonable accommodations to a qualified employee.
- Require such employees to take paid or unpaid leave if another reasonable accommodation may be provided.
- Take adverse action in terms, conditions, or privileges of employment against a qualified employee requesting or using such reasonable accommodations.
- Retaliate against individuals engaging in protected activity under the Act.

This policy is neither exhaustive nor exclusive. The city is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADAAA and all other applicable federal, state, and local laws.

Employees seeking additional information about disability accommodations may contact their Department Head, or Human Resources. Employees may raise questions or complaints about the ADAAA compliance without fear of reprisal.

115 Lactation Accommodations

The City of Franklin supports breastfeeding employees by accommodating the employee who wishes to express milk during their workday when separated from their newborn child. As part of the PUMP Act any employee who is breastfeeding will be provided unlimited breaks to express milk for their newborn for up to one-year from the date of the birth of the child. Employees must be completely relieved from duty or be paid for the break time (in the same manner that other nonexempt employees are paid for normal break periods). Also, a reasonable place to express milk, other than a restroom, will be provided for the employee. The employee and their Department Head will agree on the times for these breaks. In addition, the City of Franklin will provide an area for the milk to be stored.

Employees seeking additional information about lactation accommodations may contact their Department Head, or Human Resources.

116 Job Postings

The City of Franklin makes every effort to post a job internally when one becomes vacant. Vacant jobs may be posted on employee bulletin boards, in the local newspaper, and on Internet job boards, as needed. All job postings will specify the job title, nature of the job, required qualifications, essential functions of the job, compensation range, application deadline, and the place to file an application.

Any employee may apply for a posted vacancy provided they possess the requisite minimum qualifications. Criteria used in evaluating an applicant's qualifications may include performance evaluations, aptitude, attendance records, education, training, prior work experience history, physical and mental fitness, and length of service with the city. Current employees who have an interest in the open position may obtain an application from Human Resources.

All applications will be kept in Human Resources for a period of three-years from the date of application.

Employees seeking additional information about job postings may contact their Department Head, or Human Resources.

EMPLOYMENT STATUS & RECORDS

201 Employment Categories

It is the intent of the city to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment-at-will relationship at any time is retained by both the employee and the city.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. Exempt employees are paid on a salary basis that does not vary from week to week based upon the quality or quantity of work performed. In other words, exempt employees are paid "to get the job done." Thus, an exempt employee's pay will not be reduced in any fashion for partial day absences, except when permitted by law, such as unpaid intermittent FMLA leave. Any deductions from an exempt employee's salary will be in compliance with acceptable parameters for such deductions.

For example, the following types of deductions are permissible with regard to exempt employees' pay:

- No work is performed in a workweek.
- Absences of one or more full days for personal reasons other than sickness or disability if all earned and applicable vacation benefits, sick leave benefits, and personal days have been exhausted.
- Fees received by the employee for jury or witness duty or military leave may be applied to offset the pay otherwise due to the employee for the week.
- Penalties imposed by infractions of safety rules of major significance.
- Unpaid disciplinary suspensions of one or more full days in accordance with the city's disciplinary policy.
- Deductions for the first and last week of employment, when only part of the week is worked by the employee.
- Deductions for unpaid leave taken in accordance with an approved absence under the Family and Medical Leave Act.

Complaint Procedure

Employees who believe their pay has been improperly reduced must immediately contact their Department Head who will contact the Clerk-Treasurer's Office.

The city will investigate the employee's concern and determine whether an inadvertent improper deduction has been made. If the deduction was in fact improper, the city will reimburse the employee on the next regularly scheduled pay date. The city complies with all applicable laws concerning the payment of wages and will correct any inadvertent improper deduction should it occur and monitor the situation to ensure no further issues arise.

An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the Board of Public Works & Safety, or the City Council.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or seasonal status and who are regularly scheduled to work a full-time schedule of 30-hours per week or more. Generally, they are eligible for the city's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are not assigned to a temporary or seasonal status and who are regularly scheduled to work less than 30-hours per week. Regular part-time employees may be eligible for some benefits sponsored by the city, subject to the terms, conditions, and limitations of each benefit program.

PROBATIONARY employees are those Police and Fire Department employees whose performance is being evaluated to determine whether further employment is appropriate. The probationary period is one-year from the date of employment. Refer to Policy #205 – Probationary Period for additional details.

TEMPORARY or SEASONAL employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits such as workers' compensation insurance and Social Security, they are ineligible for all of the city's other benefit programs.

202 Access to Personnel Files

The city maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance evaluations and salary increases, and other employment-related records.

Personnel files are the property of the city and access to the information they contain is restricted. Generally, only Department Heads of the city who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file may contact Human Resources. With reasonable advance notice, employees may review their own personnel file in Human Resources and in the presence of an individual appointed by the city to maintain the files.

203 Employment Reference Checks

The City of Franklin conducts background checks for certain positions within the city. The purpose of these background checks is to confirm and supplement personal information about qualifications, experience, and character, and assist the City of Franklin in determining suitability for continuing employment, driving privileges, and work assignments. These checks may be performed at any time during the employment relationship. Continued employment is contingent upon acceptable results of these routine background checks. Employees will be required to complete the necessary documentation to authorize the background checks. Refusal to execute this documentation may result in disciplinary action, up to and including termination of employment.

The Clerk-Treasurer's Office will respond to those reference check inquiries that are submitted in writing, over the phone, by email, and by facsimile. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written

authorization and release signed by the individual who is the subject of the inquiry unless release is required by law.

204 Personal Data Changes

It is the responsibility of each employee to promptly notify the city of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, recent educational accomplishments, and other such status reports should be accurate and current at all times. If any personal data has changed, employees must notify Human Resources. Any unreported changes in personal status may impact an employee's eligibility under some of the city's benefits.

205 Probationary Period

New employees in the Police and Fire Departments will have a one-year (365 days) probationary period from the date of their employment. The City of Franklin uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the City of Franklin may end the employment-at-will relationship at any time during the probationary period, with or without cause or advance notice. Upon satisfactory completion of the probationary period, employees enter the "regular" employment classification and will be entitled to the rights and protections, if any, afforded to a public safety employee and to the Indiana Code (IC) 36-8-4-12.

During the probationary period, new employees in the Police and Fire Departments are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other city provided benefits, subject to the terms and conditions of each benefit program. Employees should read each Summary Plan Description (SPD) for each specific benefit program for additional information on eligibility requirements.

208 Falsification of Employment Applications

The city relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data, may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

209 Performance Evaluations

The intent of a performance evaluation is to determine whether an employee is performing at an acceptable level of performance and may be used as an instrument to correct employee deficiencies in performance.

The Mayor may evaluate each Department Head, with the exception of the Clerk-Treasurer and City Court Judge, on an annual basis. The date of each evaluation shall be determined by the Mayor. All other employees will be evaluated as determined by their Department Head.

Performance evaluations will be written and may include an employee's performance, efficiency, and dependability during the previous year. Performance evaluations will be discussed between the employee and the evaluator shortly after the written evaluation is prepared. An employee may submit a written response to the evaluator after the initial discussion has taken place. Evaluations may be used in

determining promotions, demotions, terminations, and in the rehiring of a previously terminated employee. Refer to Policy #405 – Employment Terminations for additional information.

210 Job Descriptions

The City of Franklin makes every effort to create and maintain job descriptions for positions within the municipality to aid in establishing hiring criteria, identifying the requirements of each position, orienting new employees to their jobs, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

Department Heads and Human Resources prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up-to-date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees are expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

In the event that the minimum requirements and qualifications of a job are changed, it will be the sole responsibility of the employee to meet, and then maintain, the new requirements within a reasonable period of time. Employees failing to maintain the minimum requirements and qualifications of their job, or satisfactorily perform tasks in an agreed upon amount of time may be subject to reduction in position, provided a vacancy exists in a job for which the employee is qualified, or termination if no such vacancy exists. The City of Franklin has no obligation to create a vacancy for an employee failing to maintain the qualifications of their job.

An employee who is reduced in position shall receive the rate of pay for the job to which that employee is reduced. All employees are expected to make reasonable and diligent efforts to maintain the qualification of their current classification.

Based upon the needs of the City of Franklin as determined by the Department Head, or the Mayor, the city may transfer, permanently or temporarily, employees from one department to another, and may, in its sole discretion, add or delete job duties assigned to employees.

Job descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary. Employees may contact their Department Head, if they have any questions or concerns about their job description. Job descriptions will be kept in Human Resources.

214 Medical Information Privacy

This Medical Information Privacy policy describes how health information about employees may be used and disclosed by the City of Franklin and how employees may obtain access to this information. The City of Franklin is committed to maintaining and protecting the confidentiality of our employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Clerk-Treasurer is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the health plans of the City of Franklin that are covered by privacy regulations, for example medical, dental, and vision plans (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of employees' individually identifiable health information and other personal information and to provide employees with notice about their policies, safeguards, and practices. When the Benefit Plans use or disclose an

employee's protected health information, the Benefit Plans are bound by the terms of this policy, or a revised policy, if applicable.

The Benefit Plans will not use an employee's protected health information or disclose it to others without the employees' authorization, except for the following purposes:

Treatment - The Benefit Plans may disclose an employee's protected health information, or an employee's covered dependents' protected health information, to a health care provider or administrator for its provision, coordination, or management of the employee's health care and related services. For example, prior to providing a health service to an employee, the employee's doctor may ask for information concerning whether and when the service was previously provided to the employee. The Benefit Plans may use and disclose an employee's protected health information for treatment activities of a healthcare provider.

Payment - The Benefit Plans may use and disclose an employee's protected health information to facilitate payment of premiums for an employee's coverage, and to determine and fulfill their responsibility to provide an employee's medical, dental, and vision benefits. For example, an employee's protected health information may be used to make coverage determinations, administer claims, and coordinate benefits with other coverage employees may have. The Benefit Plans may also disclose an employee's protected health information to a health plan or administrator to determine an employee's eligibility for coverage, or for the health care provider to obtain payment for health care services provided to the employee.

Health Care Operations - The Benefit Plans may use and disclose an employee's protected health information for their health care operations, or the health care operations of a third-party administrator of the Benefit Plans. For example, the Benefit Plans may use protected health information to conduct quality assessment and improvement activities. Other health care operations may include providing appointment reminders, or sending an employee's information about treatment alternatives or other health-related benefits and services. The Benefit Plans also may disclose an employee's protected health information to another health plan or provider that has a relationship with an employee, so that it may conduct quality assessment and improvement activities (for example, to perform case management).

Disclosure to Employer or Operating Company - The Benefit Plans may disclose an employee's protected health information to the City of Franklin, or to a company acting on the behalf of the City of Franklin, so that it may monitor, audit, and otherwise administer the employee health benefit plan in which employees participate. The City of Franklin and its operating companies are not permitted to use protected health information for any purpose other than administration of an employee's medical, dental, and vision insurance benefits. The Benefit Plans will not disclose protected health information to the City of Franklin for the purposes of employment-related actions or decisions, or in connection with any other benefit or employee benefit plan. The Benefit Plans will identify employees who are authorized to receive and use protected health information.

Disclosure to Health Care Vendors and Accreditation Organizations - The Benefit Plans may disclose an employee's protected health information to companies with whom they contract, if they need it to perform requested services. For example, the Benefit Plans may provide protected health information to vendors who provide important information and guidance to plan members with chronic conditions such as diabetes and asthma. Protected health information may be disclosed to accreditation organizations such as the National Committee for Quality Assurance (NCQA) for quality measurement purposes. When the Benefit Plans enter into these arrangements, they will obtain a written agreement to protect an employee's protected health information.

Public Health Activities - The Benefit Plans may disclose an employee's protected health information for the following public health activities and purposes: 1) to report health information to public health authorities that are authorized by law to receive such information for the purpose of controlling disease, injury, or disability; 2) to report child abuse or neglect to a government authority that is authorized by law to receive such reports; 3) to report information about a product or activity that is regulated by the U.S. Food and Drug Administration (FDA) to a person responsible for the quality, safety, or effectiveness of the product or activity; and, 4) to alert a person who may have been exposed to a communicable disease, if the Benefit Plans are authorized by law to give this notice.

Health Oversight Activities - The Benefit Plans may disclose an employee's protected health information to a government agency that is legally responsible for oversight of the health care system or for ensuring compliance with the rules of government benefit programs, such as Medicare or Medicaid, or other regulatory programs that need health information to determine compliance.

For Research - The Benefit Plans may disclose an employee's protected health information for medical research purposes, subject to strict legal restrictions.

To Comply with the Law - The Benefit Plans may use and disclose an employee's protected health information to comply with the law.

Judicial and Administrative Proceedings - The Benefit Plans or the City of Franklin may disclose an employee's protected health information in a judicial or administrative proceeding, or in response to a legal order.

Law Enforcement Officials - The Benefit Plans or the City of Franklin may disclose an employee's protected health information to the police or other law enforcement officials, as required by law or in compliance with a court order or other process authorized by law.

Health or Safety - The Benefit Plans may disclose an employee's protected health information to prevent or lessen a serious and imminent threat to an employee's health or safety, or the health and safety of the general public.

Government Functions - The Benefit Plans may disclose an employee's protected health information to various departments of the government such as the U.S. Military, or the U.S. Department of State.

Workers' Compensation - The Benefit Plans or the City of Franklin may disclose an employee's protected health information when necessary to comply with workers' compensation laws.

Other - The Benefit Plans or the City of Franklin may disclose an employee's protected health information when necessary to file claims with re-insurers or stop-loss carriers, or to obtain coverage with re-insurers or stop-loss carriers. The Benefit Plans may also disclose an employee's protected health information to subrogation vendors to recoup payments made by the Benefit Plans that were reimbursed by other insurance arrangements.

Uses and Disclosures with an Employee's Written Authorization - The Benefit Plans will not use or disclose an employee's protected health information for any purpose other than the purposes described in this policy without the employees' written authorization. For example, the Benefit Plans will not supply protected health information to another company for its marketing purposes or to a potential employer with whom an employee is seeking employment without the employee's signed authorization. Employees may revoke an authorization that has previously been given by sending a written request to the Clerk-Treasurer, but not with respect to any actions the Benefit Plans have already taken.

Employees may request restrictions on the use and disclosure of the employee's protected health information for the treatment, payment, and health care operations purposes explained in this policy. While the Benefit Plans will consider all requests for restrictions carefully, the Benefit Plans are not required to agree to a requested restriction.

Employees may ask to receive communications of their protected health information from the Benefit Plans by alternative means of communication, or at alternative locations. While the Benefit Plans will consider reasonable requests carefully, they are not required to agree to all requests.

Employees may ask to inspect or to obtain a copy of their protected health information that is included in certain records the Benefit Plans maintain. Under limited circumstances, the Benefit Plans may deny employees access to a portion of their records. If employees request copies, the Benefit Plans may charge employees copying and mailing costs.

Employees have the right to ask the Benefit Plans to amend protected health information that is contained in the Benefit Plans records. If the Benefit Plans determine that the record is inaccurate, and the law permits the Benefit Plans to amend it, the Benefit Plans will correct it. If the employee's physician or another person created the information that the employee wants to change, the employees should ask that person to amend the information.

Upon written request, employees may obtain an accounting of disclosures the Benefit Plans have made of their protected health information. The accounting that the Benefit Plans provide will not include disclosures made before April 14, 2003, disclosures made for treatment, payment or health care operations, disclosures made earlier than six-years before the date of the request, and certain other disclosures that are exempted by law. If employees request an accounting more than once during any 12-month period, the Benefit Plans may charge those employees a reasonable fee for each accounting statement after the first one.

Employees may contact the Clerk-Treasurer, or Human Resources to obtain a paper copy of this policy, even if the employees previously agreed to receive notices electronically. Employees must also contact the Clerk-Treasurer, or Human Resources, if they wish to make any of the requests listed above.

If employees want additional information about privacy rights, do not understand their privacy rights, are concerned that the Benefit Plans have violated their privacy rights, or disagree with a decision that the Benefit Plans made about access to protected health information, they may contact the Clerk-Treasurer, or Human Resources. Employees may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. The City of Franklin will not take any retribution against employees if they file a complaint in good faith.

The City of Franklin may change the terms of this policy at any time. If the City of Franklin changes this policy, the city may make the new policy terms effective for all protected health information that the Benefit Plans maintain, including any information the Benefit Plans created or received before the City of Franklin issued the new policy. If the City of Franklin makes any changes to the Medical Information Privacy policy, notice of the changes will be provided to employees.

216 Social Security Number Policy

To protect employees' personal information, the city prohibits the use of employees' Social Security numbers for identification purposes, except as allowed by law. The city will not:

- Publicly post or publicly display in any manner an employee's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- Print an employee's Social Security number on any card required for the employee to access products or services provided by the city.
- Require employees to transmit their Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- Require employees to use their Social Security number to access an Internet website, unless a password or unique personal identification number or another authentication device is also required to access the Internet website.
- Print an employee's Social Security number on any materials that are mailed to the employee, unless law requires the Social Security number to be on the document to be mailed.

However, Social Security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the Social Security number.

In instances where the city previously used an employee's Social Security number in a manner inconsistent with this policy, it will continue using that employee's Social Security number in that manner, if all of the following conditions are met:

- The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.
- Employees are provided an annual disclosure that informs them that they have the right to stop the use of their Social Security number in a manner prohibited by those conditions listed above.

A written request by an employee to stop the use of their Social Security number in a prohibited manner will be implemented within 30-days of the receipt of the request. There will be no fee or charge for implementing the request. The city will not deny services to employees because they make a written request to stop the use of their Social Security number. The city will continue to collect, use, or release Social Security numbers as required by federal or state law, and may use Social Security numbers for internal verification or administrative purposes.

Employees seeking additional information about the city's use of Social Security numbers or who feel that their Social Security number has been used inappropriately may contact Human Resources.

EMPLOYEE BENEFIT PROGRAMS

301 Employee Benefits

Benefits eligibility is dependent upon a variety of factors. Human Resources may identify the programs for which employees are eligible. Minimal details of many of these programs may be found elsewhere in the employee handbook.

The following benefit programs may be available to eligible employees:

- Benefits Continuation (COBRA)
- Bereavement Leave
- Clothing/Uniform and Equipment Allowance
- Employee Assistance Program (EAP)
- Family and Medical Leave Act (FMLA)

- Group Life Insurance and AD&D
- Health Insurance
- Holidays
- Indiana Military Family Leave
- Indiana Public Retirement System (INPRS)
- Indiana Public Retirement System (INPRS) 1977 Fund
- Jury Duty
- Kelly Days
- Kentucky Leave
- Licenses, Certifications, and Membership Dues
- Long-Term Disability (LTD) Insurance
- Longevity Pay
- Military Leave
- Personal Days
- Personal Leave
- PMR Healthcare Clinic
- Short-Term Disability (STD) Insurance
- Sick Leave Benefits
- Time Off to Vote
- Vacation Benefits
- Voluntary Benefits
- Witness Duty
- Workers' Compensation Insurance
- 457(b) Defined Contribution Plan

Most benefits are paid for by the City of Franklin. However, some require contributions from employees. Refer to the City of Franklin's annual salary ordinance for additional information.

302 Vacation Benefits

Civilian Employees

Vacation benefits with pay are available to eligible civilian employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn vacation benefits on their anniversary date and use vacation benefits as described in this policy:

- Regular full-time employees after six-months of continuous employment

The amount of paid vacation benefits an employee receives each year increases with the length of their continuous employment as shown in the following schedule:

Civilian Employees Length of Continuous Employment	Number of Days/Hours of Vacation Benefits
After six-months	Five-days or 40-hours must be used before the employee's one-year anniversary
One-year anniversary	Ten-days or 80-hours
Fifth-year anniversary	15-days or 120-hours
Tenth-year anniversary	20-days or 160-hours

Civilian employees may use their vacation benefits in 15-minute increments. To take vacation benefits, employees must request approval from their Department Head, or assigned Supervisor, at least two-weeks

in advance of the proposed vacation starting date. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Department Heads have the authority to approve or deny all vacation requests.

Vacation benefits may not be taken in advance of having earned the time. Vacation benefits are earned for all continuous years of service in an active pay status. Vacation benefits are not earned while an employee is in an unpaid status. In the event that available vacation benefits are not used by the end of the anniversary year, the unused vacation benefits will be forfeited. Requests to carryover vacation benefits must be approved by the Board of Public Works & Safety. Earned, but unused vacation benefits will be paid out upon a voluntary termination of employment, if the employee provides the appropriate notice. Refer to Policy #405 – Employment Terminations and Policy #708 – Resignation for additional information. In the event of an employee's death, vacation benefits will be paid to the estate of the employee. Vacation benefits will not be paid out if an employee is involuntarily terminated from employment with the city. An employee's termination date may not be extended by the use of unused vacation benefits, or to earn additional vacation benefits.

Merit Fire Department Employees

Merit Firefighters will be eligible to earn vacation benefits upon the completion of their fourth-month of employment and awarded on the employee's anniversary date as follows:

Merit Firefighters Length of Continuous Employment	Number of Working Days/Hours of Vacation Benefits
From initial hire date through 11-months of service	Two-days or 48-hours
12-months through 71-months of service	Eight-days or 192-hours
72-months through 155-months of service	11-days or 264-hours
156-months through 239-months of service	14-days or 336-hours
240-months and beyond	17-days or 408-hours

Merit Fire Department Administrative Officers will be eligible to earn vacation benefits upon the completion of their fourth-month of employment and awarded on the employee's anniversary date as follows:

Merit Administrative Officers Length of Continuous Employment	Number of Working Days/Hours of Vacation Benefits
From initial hire date through 11-months of service	Five-days or 40-hours
12-months through 71-months of service	12-days or 96-hours
72-months through 155-months of service	17-days or 136-hours
156-months through 239-months of service	22-days or 176-hours
240-months and beyond	27-days or 216-hours

Merit Fire Department employees must use their vacation benefits before applying for extended medical leave. Requests will be considered by the Board of Public Works & Safety only after all sick leave benefits and compensatory time has been exhausted. Merit Firefighters may not be called in or sign-up for duty if using a Vacation Day, unless an emergency or order is declared by the Fire Chief. Merit employees may refer to the City of Franklin Fire Department Standard Operating Guidelines (SOGs) for additional information.

Merit Police Department Employees

Merit Police Officers who are assigned to the uniform division, will be entitled to earn vacation benefits as follows:

Merit Police Officers in the Uniform Division - Length of Continuous Employment	Number of Working Days of Vacation Benefits
Prior to one-year	.132-hours per day of continuous employment up to four-days
After one-year	11-days
After five-years	16-days
After ten-years	21-days
After 18-years	23-days

Merit Police Officers who are assigned to the administration, the investigations division, or operations will be entitled to earn vacation benefits as follows:

Merit Police Officers in the Categories as Stated Above - Length of Continuous Employment	Number of Working Days of Vacation Benefits
After one-year	14-days
After five-years	21-days
After ten-years	28-days
After 18-years	30-days

In the event that Merit Police Department employees are not able to utilize all authorized vacation benefits due to the needs of the department, the Department Head may allow the unused vacation benefits to be carried over into the next anniversary year. The carried over days must be used within the first 70-days of the new anniversary year or they will be forfeited. Merit Police Department employees may refer to the City of Franklin Police Department Standard Operating Procedures (SOPs) for additional information.

Vacation benefits for all city employees are paid at the employee's current pay rate at the time of the absence and will not be included in the calculation of overtime.

Employees seeking additional information about vacation benefits may contact their Department Head, or Human Resources.

303 Sick Leave Benefits

The City of Franklin provides sick leave benefits to eligible Merit Police and Fire Department employees for periods of temporary absence due to their own personal illness or injury as follows:

Merit Fire Department Employees

Merit Firefighters will receive 72-hours of sick leave at the beginning of each calendar year. Unused sick leave hours will be converted into floating benefit hours to be used within the next calendar year. Unused floating benefit hours are forfeited at the end of the calendar year to which they have been allotted.

Beginning the 2026 calendar year, Merit Firefighters will be able to carry over 72-hours of sick leave as floating benefit hours, if they have them. This will be in addition to the 72-hours of sick leave that they will receive as their yearly benefit.

Floating benefit hours may be used in any increment, with prior approval from the Fire Chief.

Sick leave benefits may extend for all or any portion of a Merit Firefighters single tour of duty. However, sick leave benefits may not exceed one duty day, or 24-hour shift for shift employees, or three duty days for administrative employees. If a Merit Firefighter requires more than the listed sick leave benefits for recovery, then medical leave or limited duty status will apply. Employees seeking additional information about sick leave benefits may refer to the City of Franklin's Fire Department Standard Operating Guidelines (SOGs).

Merit Police Department Employees

Merit Police Officers assigned to the uniform division are entitled to 72-hours of sick leave benefits during the calendar year. Merit Police Officers who are assigned to the administration, the investigations, division, or operations, are entitled to 64-hours of sick leave benefits during a calendar year. Unused sick leave hours will be converted into floating benefits hours to be used within the next calendar year. Unused floating benefit hours are forfeited at the end of the calendar year to which they have been allotted.

Merit Police Officers may use floating benefit hours and sick leave benefits in quarter-hour increments and must notify the proper authority no less than three-hours in advance of any sick leave benefit request, when possible. Employees who fail to report for duty due to an off-duty injury or illness may be visited by proper authority in order to confirm the reported injury or illness. Merit Police Officers may not engage in any conduct that could be considered inconsistent with their reported illness or injury, or engage in any activity that would give the department or public the impression that the employee is capable of working and possibly malingering.

Merit Police Officers who return to duty after using three or more consecutive sick leave days must obtain a full medical release from the employee's attending physician. The full medical release must include a copy of the employee's job description, and the employee's attending physician must certify that the employee is able to perform all of their duties without restrictions. Employees who do not produce the required documentation will be counted as absent without pay.

Sick leave benefits for all public safety employees are paid at the employee's current pay rate at the time of the absence and will not be included in the calculation of overtime. As of the adoption of this handbook, all previous banked sick leave will be paid out by the end of the 2025 calendar year, or upon separation from the City, whichever comes first.

Civilian Fire and Police Department employees are not eligible for sick leave benefits.

Employees seeking additional information about sick leave benefits may contact their Department Head, or Human Resources.

304 Personal Days

Paid personal days are a benefit provided to full-time civilian employees after 90-days of employment with the city. The civilian employee will earn one-day per month for up to eight-days per calendar year. Employees employed on January 1st of each year will earn eight personal days for the calendar year. Personal days may be used in increments of fifteen-minutes. The procedures for requesting personal days will be determined by each Department Head.

Any unused personal days will be forfeited at the end of the calendar year and may not be carried over into the following calendar year. At the end of the calendar year, the city will pay out up to three unused personal days. The employee will not be paid for unused personal days upon termination of employment. Personal days may not be used to extend a termination date, or to earn additional personal days.

Merit Police and Fire Department employees are not eligible for personal days.

Personal days for all civilian employees are paid at the employee's current pay rate at the time of the absence and will not be included in the calculation of overtime.

Employees seeking additional information about personal days may contact their Department Head, or Human Resources.

305 Holidays

The city may grant the following paid holidays, as determined by the Board of Public Works & Safety on an annual basis, to all full-time employees with the city:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (third Monday in January)
- President's Day (third Monday in February)
- Good Friday (Friday preceding Easter Sunday)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Columbus Day (second Monday in October)
- Veterans Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- Day After Thanksgiving (fourth Friday in November)
- Christmas Eve Day (December 24)
- Christmas Day (December 25)
- Birthday (day must be used in the month of the employee's actual birthdate or it is forfeited)

A recognized holiday that falls on a Saturday may be observed on the preceding Friday. A recognized holiday that falls on a Sunday may be observed on the following Monday. Nonexempt employees who work a recognized holiday will be paid time and one-half for all hours worked on a recognized holiday. If a recognized holiday falls during an eligible employee's paid time off, e.g., vacation benefits, sick leave benefits, personal days, or bereavement leave, holiday pay will be provided instead of the paid time off that would otherwise have applied. Employees must be in a paid status the day immediately preceding and immediately following a recognized holiday to be paid for the holiday. Employees on short-term disability leave will not be eligible for holiday pay.

Merit Fire Department Employees

Merit Firefighters who physically work the holiday will receive a stipend.

Merit Police Department Employees

Merit Police Officers in the uniform division are not eligible for holiday pay. However, they will receive 13 floating holidays per year in lieu of the City of Franklin's recognized holidays. Floating holidays may only be taken in full-day increments and at a rate of one-day within each 28-day work period. Merit Police Officers may use one floating holiday per work period or lose it. If an employee is unable to use a

floating holiday during a work period due to a departmental need the Department Head may grant permission to use it within the next two work periods. Floating holidays may only be carried over into the next year with just cause as determined by the Mayor, Department Head, and approved by the Board of Public Works & Safety. All other Merit Police Officers will receive City of Franklin recognized holidays off, unless the needs of the department require them to work, in which event they will receive two banked hours for every hour work on the holiday. All Merit Police Officers will receive one additional floating holiday for their birthday and the day must be used in the same month as the employee's birthday.

Holiday pay for all city employees is paid at the employee's current pay rate at the time of the holiday and will not be included in the calculation of overtime.

The holiday schedule may be determined and amended on an annual basis by the Board of Public Works & Safety.

306 Workers' Compensation Insurance

The city provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable federal and state legal requirements, workers' compensation insurance may provide benefits after a short waiting period or, if the employee is hospitalized, immediately.

An employee who sustains work-related injuries or illnesses must inform their Department Head, the assigned Supervisor, and Human Resources, immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. At the time the injury occurs, the need to see a physician will be determined. Within 72-hours of the incident report being submitted, an accident or injury form must be completed by the involved employee, or if necessary, by the Department Head, or the assigned Supervisor. A person assigned by the Department Head, the assigned Supervisor, and Human Resources may help the employee in the completion of the appropriate forms. The city may select the physician and/or facility seeing all workplace injuries and in accordance with state laws. Reports of injury are necessary to comply with federal and state laws and initiate workers' compensation benefits. Failure to notify the Department Head, the assigned Supervisor, or Human Resources, who notifies the workers' compensation insurance carrier about a work-related injury or illness immediately, may result in an employee losing workers' compensation benefits with regards to that particular injury or illness.

Any employee injured on the job, who must leave the worksite, will be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination of employment. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

An employee must be accompanied by a physician's release upon return to work. An employee who is on workers' compensation leave and does not return to work on their next scheduled workday following release from the health care provider will be considered to have voluntarily terminated employment as of the date of the release.

An employee who is self-employed or accepts other employment or works for any other employer during a workers' compensation leave must report such work immediately to their Department Head, the assigned Supervisor, and Human Resources. An employee who works in one of the above capacities at any time during their workers' compensation leave, performing work of a like or similar character or exertion as that which the employee performed for the city may be considered to have voluntarily terminated their employment as the date such work began.

The city will follow all other federal and state employment-related policies that run concurrent with workers' compensation guidelines, such as FMLA, ADAAA, etc., as appropriate.

Employees seeking additional information about workers' compensation insurance may contact their Department Head, or Human Resources.

307 Kelly Days

A Kelly day is a paid day (24-hour shift) off, in addition to other earned time off, and each Merit Firefighter will earn one Kelly day per 28-day period. Firefighters may not be called in or sign-up for duty on a Kelly Day, unless an emergency or order is declared by the Fire Chief. Departmental procedure and/or restrictions regarding Kelly days are more fully set forth in the City of Franklin Fire Department Standards Operating Procedures (SOPs).

308 Time Off to Vote

The city encourages employees to fulfill their civic responsibilities by participating in elections. Employees who are required to work on an election day should find time to vote either before or after their working hours. If a nonexempt employee is unable to find time to vote in an election during their nonworking hours, the city may grant a maximum of one-hour of unpaid time off to vote.

Kentucky Employees

Employers must provide employees with a least four-hours of leave to either vote or cast an absentee ballot. Employees who are election officers must be given an entire day of leave to attend training or to serve as an election officer. Employees must apply for leave before election day and employers may specify the hours when leave may be taken. Employees cannot be penalized for taking reasonable time off to vote unless they fail to vote under circumstances that did not prohibit them from voting. Kentucky law does not provide that employers must pay an employee for their time off to vote.

Employees seeking additional information about time off to vote may contact their Department Head, or Human Resources.

309 Bereavement Leave

Employees of the City of Franklin who wish to take time off due to the death of an immediate family member must notify their Department Head, or assigned Supervisor, immediately. Eligible employee classifications:

- Regular full-time employees upon date of hire

Up to seven-days of paid bereavement leave may be provided to eligible employees annually in the event of a death of their spouse, parent or stepparent, child or stepchild, sibling, step-siblings, niece or nephew, mother-in-law or father-in-law, brother or sister-in-law, grandparents, grandparent-in-law, grandchildren or step grandchildren, aunt or uncle, foster mother or foster father, foster child, or any other relative residing in the employee's household. Approved time must fall within consecutive work days.

In exceptional circumstances, the employee may request additional days of bereavement leave. The request must be communicated to the Department Head, and must state the exceptional circumstances and the amount of time requested. The Department Head must apply to the Mayor or their designee, on behalf

of the employee. The Board of Public Works & Safety has discretion to approve such leave as determined appropriate.

Merit Firefighters Employees

Merit Firefighters are eligible to receive four 24-hour shift days leave upon the death of a Merit Firefighter's immediate family. Immediate family is defined as spouse, parent or stepparent, child or stepchild, sibling, step-siblings, niece or nephew, mother-in-law or father-in-law, brother or sister-in-law, grandparents, grandparent-in-law, grandchildren or step grandchildren, aunt or uncle, foster mother or foster father, foster child, or any other relative who is residing with the Merit Firefighter. Additional time off will be taken or earned time off or time off without pay.

Bereavement leave for all city employees will be paid at the employee's current pay rate at the time of the absence and will not be included in the calculation of overtime.

Employees seeking additional information about bereavement leave may contact their Department Head, or Human Resources.

310 Jury Duty

The city encourages employees to fulfill their civic responsibilities by serving jury duty when required. Eligible employee classifications that qualify for jury duty are:

- Regular full-time employees
- Regular part-time employees

Immediately upon receipt of the jury summons the employee is required to give it to their Department Head, or assigned Supervisor, who will provide it to the Clerk-Treasurer's Office. Employees will be paid for their time on jury service and are required to give any money received by the court to the city minus travel and meal expenses.

Employees are expected to report for work whenever the court schedule permits. Either the city or the employee may request an excuse from jury duty if, in the city's judgment, the employee's absence would create serious operational difficulties.

Employees seeking additional information about jury duty may contact their Department Head, or Human Resources.

311 Witness Duty

Any employee who is called to testify in court by the city will be paid their current rate of pay for all hours worked.

Employees may be granted unpaid time off to appear as a witness when requested by a party in a court of law when subpoenaed to do so other than by the city. Employees may use any available paid time off to receive compensation for the period of the absence, however, are not required to do so.

The subpoena should be shown to the employee's Department Head, or assigned Supervisor, immediately after it is received, so that operating requirements may be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

312 Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage including medical, dental, and vision, if applicable, under the City of Franklin's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, an involuntary termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

The City of Franklin provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City of Franklin's health insurance plan. The notice contains important information about the employee's rights and obligations, as well as the cost of benefits, under COBRA.

Employees seeking additional information about COBRA may contact Human Resources.

313 Genetic Information Nondiscrimination Act (GINA)

The city follows all federal and state laws with regards to the Genetic Information Nondiscrimination Act (GINA). The city may not use genetic information or genetic testing in furtherance of a workplace wellness program unless certain requirements are met. The city is not prohibited from requesting or requiring genetic information for genetic monitoring of the biological effects of toxic substances in the workplace if certain requirements are met. The city will treat genetic testing information consistent with the requirements of all other federal and state laws.

Employees seeking additional information about GINA may contact Human Resources.

316 Health Insurance

The City of Franklin's health insurance plan may provide employees and their dependents access to medical, dental, vision, and prescription drug insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance:

- Regular full-time employees are eligible the 1st day of the month after hire

Details of the health insurance plans are described in the Summary of Benefits and Coverage (SBC). An SBC and information on the cost of coverage will be provided in advance of enrollment to eligible employees.

Employees seeking additional information about health insurance may contact Human Resources.

317 Group Life and AD&D Insurance

Group life and AD&D insurance offers an employee and their family important financial protection. The City of Franklin provides a group life insurance and AD&D plan for eligible employees. Employees in the following employment classifications are eligible to participate in the group life insurance and disability plan:

- Regular full-time employees upon date of hire

Eligible employees may participate in the group life and disability insurance plan subject to the terms and conditions of the agreement between the City of Franklin and the insurance carrier. Details of the group life and AD&D insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees.

Employees seeking additional information about group life and AD&D insurance may contact Human Resources.

318 Short-Term Disability (STD) Insurance

Short-term disability insurance offers an employee and their family important financial protection. The City of Franklin provides a short-term disability insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the short-term disability insurance plan:

- Regular full-time employees upon date of hire

Eligible employees may participate in the short-term disability insurance plan subject to the terms and conditions of the agreement between the City of Franklin and the insurance carrier. Short-term disability insurance begins on the eighth-day of an illness or injury and employees may use their available paid time off, e.g., vacation benefits, sick leave benefits, or personal days, to cover the first seven-days. Short-term disability insurance pays up to 75% of the employee's annual salary and the employee may use their available paid time off, e.g., vacation benefits, sick leave benefits, personal days, and compensatory time to make themselves whole during the time of the short-term disability leave. Vacation benefits, sick leave benefits, personal days, and holiday pay, will continue to accrue during the time that the employee is on short-term disability leave. Employees will be responsible for paying their portion of all insurance premiums and other payroll-related deductions and must make arrangements with the Clerk-Treasurer's Office to do so in a timely manner.

Details of the short-term disability insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees. Merit Police and Fire Department employees may refer to their Standard Operating Procedures (SOPs) or Standard Operating Guidelines (SOGs) for additional information.

Employees seeking additional information about short-term disability benefits may contact Human Resources.

319 Long-Term Disability (LTD) Insurance

Long-term disability (LTD) insurance offers employee's important financial protection. The City of Franklin provides a basic long-term disability policy for eligible employees. Employees in the following employment classifications are eligible to participate in the long-term disability insurance plan:

- Regular full-time employees

Eligible employees enrolled in the long-term disability (LTD) insurance plan are subject to all terms and conditions of the agreement between the City of Franklin and the insurance carrier. Long-term disability begins after short-term disability insurance has been utilized and exhausted. The long-term disability insurance carrier pays 60% of the employee's annual salary. The employee may be placed on an unpaid leave of absence in conjunction with being on long term disability. Employees on long term disability will be responsible for paying their portion of all insurance premiums and other payroll-related deductions and must make arrangements with Human Resources to do so in a timely manner.

If the disabled employee is unable to return to work within a reasonable time frame, their employment may be terminated. Interactive conversations must take place between the employee, department head and human resources to determine the best course of action for the individual employee. Additional time off may be considered but only if the additional time off does not result in an undue hardship to the department or the City. If the employee is ultimately terminated, the individual may re-apply for their position upon getting a release from their physician to come back to work, full duty.

Details of the long-term disability insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees. Merit Police and Fire Department employees may refer to their Standard Operating Procedures (SOPs) or Standard Operating Guidelines (SOGs) for additional information.

Employees seeking additional information about long-term disability (LTD) insurance may contact Human Resources.

320 Indiana Public Retirement System (INPRS)

Full-time employees who work in eligible covered jobs will be covered by the Indiana Public Retirement System (INPRS). The benefits, costs, and administration are determined by current INPRS directives.

Employees seeking additional information about INPRS may contact Human Resources.

321 Indiana Public Retirement System (INPRS) 1977 Fund

Eligible employees of the Police and Fire Departments who work in covered jobs will be covered by the Indiana Public Retirement System (INPRS) Police Officers' and Firefighters' Fund (1977 Fund). The benefits, costs, and administration are determined by current INPRS 1977 Fund directives.

Employees seeking additional information about the 1977 Fund may contact Human Resources.

322 457(b) Defined Contribution Plan

The City of Franklin has established a 457(b) defined contribution plan to provide employees the potential for future financial security for retirement. The 457(b) defined contribution plan allows employees to elect how much salary they want to contribute and how they want to direct the investment of their plan account, so that they are able to tailor their own retirement package to meet their individual needs. Complete details of the 457(b) defined contribution plan are described in the Summary Plan Description (SPD) provided to eligible employees.

Employees seeking additional information about the 457(b) defined contribution plan may contact Human Resources.

323 Voluntary Benefits

The City of Franklin provides employees the opportunity to purchase voluntary benefits from a third-party vendor through payroll deduction. Employees in the following employment classifications are eligible to participate in the voluntary benefit plans:

- Regular full-time employees

Voluntary benefit plans include:

- Supplemental Life Insurance for Employees
- Supplemental Life Insurance for Dependents
- Accident and AD&D Insurance

Complete details of each voluntary benefit plan are available in the Summary Plan Description (SPD) and the agreement between the vendor and the city. Voluntary benefit deductions require a signed consent form from the employee.

Employees seeking additional information about voluntary benefits may contact Human Resources.

324 PMR Healthcare Clinic

The City of Franklin has engaged with PMR Healthcare onsite at Johnson Memorial Hospital, Franklin, Indiana, to provide outpatient health-related services as a benefit to its employees. The clinic may provide primary care, annual patient physical exams and health screening services, prescription drug, laboratory and diagnostic testing services, and patient education and engagement services to employees of the city. The benefits, costs, and administration are determined by the current agreement between the vendor and the city.

Employees seeking additional information about the PMR Healthcare Clinic may contact Human Resources.

325 Employee Assistance Program (EAP)

The city offers a confidential Employee Assistance Program (EAP) to all employees and their family members, free of charge to assist them with personal problems and/or work-related problems that may impact their job performance, physical health, or mental and emotional well-being.

The employee may contact the Employee Assistance Program (EAP) provider directly. Employees may obtain the contact information for the Employee Assistance Program directly from Human Resources.

Employees seeking additional information about the employee assistance program may contact Human Resources.

326 Clothing/Uniform and Equipment Allowances

The City of Franklin may provide a clothing/uniform allowance for those employees who are required to wear a uniform or meet certain safety standards as established in the Police Department Standard Operating Procedures (SOPs) and Fire Department Standard Operating Guidelines (SOGs) and upon approval by the Department Head. Public Safety Officers and Fire Civilian Inspectors, will receive a uniform allowance after having been employed by the city for one full year, but only in the amount equaling fifty-percent of the full allowance. Evidence Technicians are also eligible for a uniform allowance following one-year of full-time employment with the city. Employees who are terminating their employment with the city are not entitled to any pro rata share of future allowance payments. With the approval of the Board of Public Works & Safety, Police Department employees may be allowed to retain their city-owned gun upon retirement. Employees are encouraged to review the City of Franklin's current salary ordinance for additional information.

Clothing/uniform and equipment allowances will be paid in two equal installments, with the first being paid on or about January 10th and the second being paid on or about July 1st of each year. Otherwise, the Clerk-Treasurer may make the allowance payments in a manner that they deem appropriate, including by separate check to eligible employees. All clothing/uniform and equipment allowances are subject to applicable taxes, except those portions of the allowance used for qualified and approved uses. Employees desiring to exempt some or all of their allowance from their taxable income must submit to the Clerk-Treasurer's Office receipts of approved clothing and/or equipment purchases they have made no later than 30-days before the anticipated issuance of the next semi-annual installment payment. To be considered a valid purchase, the receipt must state the date, time, place, amount, and business purpose of the purchase(s). The Board of Public Works & Safety may use its discretion to determine the validity of purchase(s). Otherwise, applicable income tax withholdings will be made from the employee's next or subsequent wages.

Employees seeking additional information regarding clothing/uniform and equipment allowances may refer to Ordinance #23-13, contact their Department Head, or Human Resources.

327 Licenses, Certifications, and Membership Dues

The City of Franklin may reimburse the employee or directly pay for specific job-related licenses, certifications, and membership dues applicable to each job classification. Department Heads are responsible for approving such expenditures in advance and the type of licensure, certification, or membership dues required is left to their sole discretion and based on the requirements of the job description. Certain licenses, certifications, and membership dues are pre-approved by the Board of Public Works & Safety and the City Council to pay every year. Employees may refer to the City of Franklin's current salary ordinance for additional information.

Employees seeking additional information about licenses, certifications, and membership dues may contact their Department Head, or Human Resources.

328 Longevity Pay

The City of Franklin has a city-wide longevity compensation plan that protects current civilian employees, Merit Police Officers and Merit Firefighters.

Merit Firefighters and Merit Police Officers hired on or before December 31, 2002

Years of Service	Amount of Longevity
Two-years of continuous full-time service	2% of the employee's wages
Four-years of continuous full-time service	4% of the employee's wages
Six-years of continuous full-time service	6% of the employee's wages
Eight-years of continuous full-time service	8% of the employee's wages
10-years of continuous full-time service	10% of the employee's wages
12-years of continuous full-time service	12% of the employee's wages
14-years of continuous full-time service	14% of the employee's wages

16-years of continuous full-time service	16% of the employee's wages
18-years of continuous full-time service	18% of the employee's wages
20-years of continuous full-time service	20% of the employee's wages
22-years of continuous full-time service	22% of the employee's wages
24-years of continuous full-time service	24% of the employee's wages
26-years of continuous full-time service	26% of the employee's wages
28-years of continuous full-time service	28% of the employee's wages
30-years of continuous full-time service	30% of the employee's wages

All employees hired on or after January 1, 2003

Upon completion of one-year of full-time employment, civilian employees will receive \$100.00 for each year of continuous employment, not to annually exceed \$1,000.00 per employee.

Merit Firefighters and Merit Police Officers will receive \$100.00 annually until 20-years of service. At that time, Merit Firefighters and Merit Police Officers will receive 20% of the employee's wages.

Employees seeking additional information about the longevity schedule and payouts should refer to the City of Franklin's current salary ordinance.

TIMEKEEPING/PAYROLL

401 Timekeeping

Accurately recording time worked is the responsibility of *every* city employee. Federal and state laws require the city to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should report to work at the start of their scheduled starting time, and should not stay later than their scheduled end time, without prior authorization from their Department Head, or their assigned Supervisor. All employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period through the automated timekeeping system or computerized software. They should also record the beginning and ending time of any split shift, departure from work for personal reasons, or the use of vacation benefits, sick leave benefits, personal days, holidays, bereavement leave, jury duty, witness duty, or any other type of approved leave on their time record. Overtime, compensatory time and flex-time must always be approved before it is performed. Refer to Policy #507 – Overtime/Compensatory Time/Flex-Time for additional information.

It is the employees' responsibility to make sure that they are utilizing the automated systems or computerized software consistently and that they have their Department Head, or assigned Supervisor, approve their time records to certify the accuracy of all time recorded. Department Heads, or the assigned Supervisor, must submit all employee time records to the Clerk-Treasurer, no later than 10:00 a.m. on Monday prior to the scheduled payday. In addition, if corrections or modifications are made to the time records, both the employee and the Department Head must verify the accuracy of the changes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employees seeking additional information on timekeeping may contact their Department Head, or Payroll within the Clerk-Treasurer's Office.

403 Paydays

The city pays employees on a biweekly basis (26-pays per year and some years 27-pays). The payroll week is from Saturday through Friday. Each paycheck will include earnings for all work performed through the end of the payroll period.

The city mandates that employees enroll in direct deposit where wages are directly deposited into an employee's bank account on the designated pay date. Employees will receive an itemized statement of wages when the city makes direct deposits.

Employees seeking additional information about paydays may contact Payroll within the Clerk-Treasurer's Office.

405 Employment Terminations

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - Voluntary employment termination initiated by an employee.
- Discharge - Involuntary employment termination initiated by the organization.
- Layoff - Involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement - Voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

The city may schedule exit interviews at the time of the employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, and repayment of outstanding debts to the city. Suggestions, complaints, and questions may also be voiced. Employee benefits will be affected by employment termination in the following manner. All earned, vested benefits that are due and payable at termination will be paid according to each policy. Since employment with the city is based on mutual consent, both the employee and the city have the right to terminate the employment-at-will relationship, with or without cause.

An employee who resigns from the city in good standing may be "reinstated" to the same or similar job at the discretion of the Mayor and Department Head within one-year following the effective date of the resignation, thereby preserving certain seniority rights. After the expiration of one-year, a former employee may be eligible for rehire with no seniority rights.

Former employees who are involuntarily terminated by the City of Franklin are not generally eligible for rehire. Similarly, former employees who voluntarily left their employment with the city, but had less than a satisfactory work record are not generally eligible for rehire. However, upon showing of good cause, a Department Head may recommend the rehiring of a former employee to the Board of Public Works & Safety, who has the sole authority to approve or disapprove of the rehiring of the former employee.

Employees seeking additional information about employment terminations may contact Human Resources.

409 Administrative Pay Corrections

The city takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Department Head, or assigned Supervisor, who will contact the Clerk-Treasurer's Office, so that corrections may be made as quickly as possible, or on the next regularly scheduled pay date.

410 Pay Deductions and Setoffs

The law requires that the city make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The city may deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The city matches the amount of Social Security taxes paid by each employee

The city offers programs and benefits beyond those required by law. The city may not make any deductions from an employee's paycheck outside of those that are either required by law or authorized in writing by the employee.

Pay setoffs are pay deductions taken by the city, usually to help pay off a debt or obligation to the city, or others.

Employees seeking additional information about pay deductions or setoffs or who have questions concerning why deductions were made from their paycheck or how they were calculated may contact their Department Head, or Human Resources.

WORK CONDITIONS & HOURS

501 Safety

To assist in providing a safe and healthful work environment for employees, residents, and visitors, the city has contracted with Indiana Public Employers Plan (IPEP) to manage the safety program. This policy is a top priority for the city. Department Heads have the responsibility for implementing, administering, monitoring, and evaluating safety programs. The success of each program depends on the alertness and personal commitment of all.

All employees must wear the appropriate personal protective equipment (PPE) required to perform their job safely or while in certain designated areas of the work environment. Employees who are unsure what PPE they are required to wear at any given time should refer to their Department Head, assigned Supervisor, or Human Resources. The following PPE may be required:

Safety Shoes

An appropriate work boot/shoe may be necessary for certain job classifications while working and on-duty. Under no circumstances will an employee be permitted to work in sandals or open-toe shoes (an exception may be made for office-related jobs or pool employees).

Safety Glasses

The use of safety glasses, or a face shield by all employees is mandatory when using power tools such as weedwhackers, grinders, chisels, saws, and while performing any other activity that has the potential of foreign objects entering the eyes.

Seat Belts

All employees must use seat belts and shoulder restraints whenever they operate city-owned or leased vehicles and equipment, if applicable.

Good Housekeeping

Employees should keep their work location clean and orderly. Clean up spills, drips, and leaks immediately to avoid slips and falls. Always discard trash in the proper receptacles and place materials and supplies on shelves carefully so they will not fall over or off easily upon any inadvertent contact.

General Safety Guidelines

Employees should abide by the following safety guidelines in the workplace:

- Aisles, passageways, and floors must be kept clean, dry, in a sanitary condition and free from stumbling and tripping hazards.
- Guards and other safety devices are installed for an employee's protection. They should not be removed under any circumstance except for maintenance purposes and guards should be replaced before starting the equipment. Guards on machinery should never be down or blocked.
- Before conducting any work on moving machinery, it must be stopped and disconnected from the electrical source to prevent accidental start-up.
- Machinery must be shut down prior to cleaning, adjusting, or repairing.
- Do not wear gloves, ragged, or loose clothing around moving equipment.
- Before using any ladder, check to make sure that it has good safety feet and is free from cracks, broken rungs, and other defects. When necessary to prevent slipping, have another employee hold the bottom of the ladder while in use.
- Do not attempt to lift or push objects that may be heavy. Ask for help when necessary or use an assistive device.
- Do not use defective tools such as chisels, sledgehammers, punches, wrenches, etc. and ensure that they are replaced or repaired.
- Know the location of the nearest fire extinguisher in a city-owned or city-operated facility.
- If working where there are heavy fumes, or dust, make sure there is proper ventilation.
- Pay attention to warning signs, as they indicate danger.
- Do not make electrical repairs unless qualified to do so, and make sure that the power is off. Never touch any loose or broken electrical wires.

If an accident results in an injury, no matter how minor the injury may be, employees are required to report the incident to their Department Head, the assigned Supervisor, and Human Resources. At the time the injury occurs, the need to see a physician will be determined. All workplace injuries will be seen by a physician selected by the city. Reports of injury are necessary to comply with the laws and initiate workers' compensation benefits. Failure to notify the Department Head, the assigned Supervisor, and Human Resources, about a work-related injury or illness immediately may result in an employee losing workers' compensation benefits with regards to that particular injury or illness. Refer to Policy #306 – Workers' Compensation Insurance and Policy #509 – Use of Equipment, Machines, and Tools for additional information.

Any employee injured on the job, may be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination of employment. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

Some of the best safety improvement ideas come from employees. Employees with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their Department Head, the assigned Supervisor, or Human Resources. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work-related activities. Employees must immediately report any unsafe condition to their Department Head, the assigned Supervisor, or Human Resources. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

502 Work Schedules

The city will establish the standard workday, workweek, and starting and ending times for each employee, taking into account current and anticipated workloads, public service needs, and other factors. Department Heads are responsible for communicating these work parameters to the employees. No established schedule will be construed as a guarantee of work hours or as a restriction on the city's right to restructure the workday or workweek.

- **City Court** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:30 p.m. (1-hour lunch)
- **Clerk-Treasurer's Office** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
- **Fire Department** = 24-hours on and then 48-hours off
 - Three-shifts – A/B/C
 - 7:00 a.m. to 7:00 a.m.
 - Schedule is subject to change based upon the needs of the department at the sole discretion of the Department Head.
 - Fire Chief, Deputy Fire Chief, Fire Inspector, and Administrative Assistant = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
 - Training Coordinator = 40-hours per week from Monday through Friday, 8:00 a.m. to 4:30 p.m. (1/2-hour lunch)
- **Information Technology** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
- **Mayor's Office** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
- **Parks and Recreation Aquatics Center** = open seven-days per week (May 18th through Labor Day)
 - 11:00 a.m. to 6:00 p.m.
 - Shifts may range from 7:00 a.m. to 11:00 p.m. based upon programming and pool rentals
- **Parks and Recreation Adult Active Center** = open four-days per week, Monday through Thursday, 9:00 a.m. through 3:00 p.m.
 - Rentals occur on Friday, Saturday, and Sunday
 - Shifts are determined by the hours that the Center is open
- **Parks and Recreation Cemetery** = 40-hours per week from Monday through Friday, 8:00 a.m. to 4:30 p.m. (1/2-hour lunch)

- **Parks and Recreation Center** = open seven-days per week
 - Monday through Thursday, 5:30 a.m. to 9:00 p.m. (March through November until 8:00 p.m.)
 - Friday, 5:30 a.m. to 7:00 p.m.
 - Saturday, 8:00 a.m. to 5:00 p.m.
 - Sunday, 12:00 noon to 5:00 p.m.
 - Shifts are determined by the hours that the Center is open
 - After hours rental may extend a shift
- **Parks and Recreation Custodial Department** = 40-hours per week, seven-days per week based upon reservations year-around (1/2-hour lunch)
- **Parks and Recreation Maintenance Department** = 40-hours per week, seven-days per week from May through October
- **Parks and Recreation Department** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
 - Nights and weekends may be required throughout the year, thus changing the normal workweek
- **Parks and Recreation Office** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
- **Parks and Recreation Splash Pad** – open seven-days per week (May 1st through September 30th)
 - 9:00 a.m. to dark
 - Employees are scheduled daily for chemical monitoring
- **Planning, Engineering, and Community Development Department** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
- **Police Department**
 - Police Chief, Deputy Police Chief and Captain = 37.5-hours per week
 - Captain Training Coordinator and Evidence Technicians = 37.5-hours per week, Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
 - Detectives = 40-hours – Monday through Friday, eight-hours per day or 160-hours per 28-day tour of duty
 - Training Coordinator = 40-hours per week, Monday through Friday, 8:00 a.m. to 4:30 p.m. (1/2-hour lunch)
 - Civilian Employees = 37.5-hours per week, Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
 - Uniformed Officers = 12-hour shifts or 168-hours in a 28-day work period
 - Schedule is subject to change based upon the needs of the department at the sole discretion of the Department Head
- **Public Works (Sewer) Maintenance** = 40-hours per week Monday through Friday, 7:00 a.m. to 3:30 p.m. (1/2-hour lunch)
 - **MS4** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)
- **Public Works (Sewer) Office** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:30 p.m. (1-hour lunch)
 - **Public Works Sewer Billing Office** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:30 p.m. (1-hour lunch)
- **Public Works (Wastewater Treatment Plant)** = 40-hours per week from Sunday through Saturday, 7:00 a.m. to 3:30 p.m. (1/2-hour lunch)
- **Street Department** = 40-hours per week from Monday through Friday, 7:00 a.m. to 3:30 p.m. (1/2-hour lunch)
- **Street Department Office** = 37.5-hours per week from Monday through Friday, 8:00 a.m. to 4:00 p.m. (1/2-hour lunch)

Employees seeking additional information about work schedules may contact their Department Head, the assigned Supervisor, or Human Resources.

503 Working from Home or Offsite Location

Nonexempt employees are prohibited from performing city-related work at home or other outside location instead of the office or space provided the employee by the city. Any exceptions to this policy will require a written request by the affected employee and their Department Head and Human Resources for prior approval of any offsite work. Time worked at home or at any offsite location is considered hours worked for all nonexempt employees for payroll purposes and in accordance with the Fair Labor Standards Act (FLSA). Exempt employees seeking to work from home or an offsite location must obtain authorization from their Department Head and notify Human Resources prior to performing offsite work. Final approval for employees working from home or an offsite location must be pre-approved by the Board of Public Works & Safety.

Employees seeking additional information about working from home or from an offsite location may contact Human Resources.

504 Use of Phone and Mail Systems

Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse the city for any charges resulting from their personal use of the telephone or fax machine.

The use of the city-paid postage for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always speak in a courteous and professional manner. Employees should confirm information received from the caller and hang up only after the caller has done so. All employees are responsible for answering the city's telephones, as needed.

505 Non-Smoking

In keeping with Indiana state law and the city's intent to provide a safe and healthful work environment, smoking, e-cigarettes, chewing tobacco, pipes, cigars, snuff, and other tobacco product use are not permitted in all buildings or vehicles owned or leased by the city. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

This policy applies equally to all employees, residents, and visitors.

506 Rest and Meal Periods

All full-time employees may be provided with one meal period each workday. Department Heads, or the assigned Supervisor, may schedule meal periods to accommodate operating requirements. Nonexempt employees are required to take a meal break of not less than one-half hour for each eight-hours. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Employees must check-out at the beginning of their meal period and check-in at the ending time of each meal period utilizing their designated departmental timekeeping process. Employees who fail to check-out at the beginning of their meal period or check-in at the end of their meal period may be subject to disciplinary action, up to and including termination of employment.

Rest periods may be given at the discretion of the Department Head, or the assigned Supervisor. However, rest periods are not required by law to be provided to employees working eight-hours or less. Employees who do take a rest period of ten minutes or less in length will not be required to check-out or check-in on their time record. Employees under the age of 18 are required to take breaks and rest periods in accordance with State of Indiana Teen Work Hour laws.

Employees are expected to promptly return to their workstations following the allotted time for their rest and meal periods. Any employee who fails to return, in a timely manner, to their workstation will be subject to appropriate disciplinary action, up to and including termination of employment.

Employees seeking additional information about rest and meal periods may contact their Department Head, the assigned Supervisor, or Human Resources.

Kentucky Employees

Employees are entitled to a paid ten-minute break every four-hours worked and a “reasonable period” for meals (ordinarily 30-minutes or more) no sooner than three-hours or later than five-hours into the shift. The statute regarding meals further provides that the section should not be construed to negate any mutual agreement between the employee and the employer, although the term “mutual agreement” has not been definitely interpreted. The Kentucky Supreme Court has stated that “an express personnel policy can become a binding contract once it is accepted by the employee through their continuing work when they are not required to do so. Meals breaks may be unpaid so long as they are duty-free.

507 Overtime/Compensatory Time/Flex-Time

Overtime

When operating requirements or other needs cannot be met during regular working hours, nonexempt employees may be given the opportunity for overtime work assignments. Overtime assignments will be distributed as equitably as practical to all nonexempt employees qualified to perform the required work. All overtime hours must be approved in advance of being worked by the Department Head, or the assigned Supervisor.

Exempt employees are not eligible for overtime thus are not eligible for compensatory time in accordance with the regulations of the Fair Labor Standards Act (FLSA). Exempt employees are paid to “get the job done” thus are paid the same amount each pay period. Refer to Policy #201 – Employment Categories for additional information.

As of the adoption of this handbook, all previously banked compensatory time will be paid out by the end of 2025 or upon separation from the City, whichever comes first. Beginning January 2025, any unused compensatory time will be paid out at the end of the calendar year and may not be carried over into the following calendar year.

Civilian Employees

Civilian employees will receive 1.0 time between 37.5-hours and 40-hours worked in a standard workweek. For any time worked over 40-hours in a standard workweek, nonexempt employees will be paid overtime compensation in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. An employee’s time off while using vacation benefits, sick leave benefits, personal days, holidays, bereavement leave, or any other type of paid leave will not be considered hours worked for purposes of performing overtime calculations. In accordance with the Fair Labor Standards Act (FLSA) exempt employees are not eligible for overtime. Refer to Policy #201 – Employment Categories for additional information.

Nonexempt employees may elect to be paid one and one-half time in compensatory time in lieu of the payment of overtime. For the 2025 calendar year only, if a civilian employee has more than 80-hours of compensatory hours banked, two separate banks will be created in timekeeping. The main bank will have 80-hours, with anything over being put into a separate bank. Employee may pull from the bank with the 80-hours, which would allow them to possibly accrue more compensatory hours, not to exceed 80 compensatory hours. All compensatory time from both banks will be paid out at the end of 2025, starting every employee at zero compensatory hours for the 2026 calendar year. No compensatory time will be carried over into the following calendar year.

All compensatory time will be paid out upon termination of employment in accordance with the regulations of the Fair Labor Standards Act (FLSA).

At no time will employees be allowed to use compensatory time in one department and work for pay in another department. Employee's may also not receive compensatory time in lieu of taking a lunch break. A compensatory time record must be completed and signed by the employee accumulating the compensatory hours, signed by the Department Head and submitted to Human Resources each month.

Merit Fire Department Employees

Merit Firefighters are required to provide fire suppression activities 24-hours a day, seven-days per week. In light of the special responsibilities that the department has in providing continuous, uninterrupted service, special policies apply to the methods in which overtime and compensatory time are provided.

All full-time nonexempt Merit Firefighters who are engaged in fire suppression activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k) the city further adopts the use of a 28-day "work period" for the purposes of determining compensation for overtime hours worked. Based upon the foregoing, the annual salary for full-time nonexempt employees of the Fire Department as set forth in the city's annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each "work period." All full-time nonexempt Merit Firefighters will be paid straight time compensation for up to 212-hours of regular employment during each "work period." Overtime pay or compensatory time will be accrued for all time worked in excess of 212-hours during a "work-period." Overtime earned during a "work period" will be paid in the first regularly scheduled paycheck issued subsequent to the "work period" in which the extra compensation was earned.

All full-time nonexempt Merit Firefighters are eligible for the payment of compensatory time in lieu of the payment of overtime and that time may not exceed 160-hours per calendar year. Employees who reach the 160-hours per calendar year will stop accruing compensatory time and will be paid overtime in accordance with the Fair Labor Standards Act (FLSA) until their time goes below the 160-hours allowed. Compensatory time will be paid out upon termination of employment in accordance with guidelines as set forth in the FLSA.

Merit Police Department Employees

Merit Police Officers are required to provide protection 24-hours a day, seven-days per week. In light of the special responsibilities that the department has in providing continuous, uninterrupted service, special policies apply to the methods in which overtime and compensatory time are provided.

All full-time nonexempt Merit Police Officers, who work in the uniform division and who are engaged in law enforcement activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the city further adopts the use of a 28-day "work period" for the purposes of determining compensation for overtime hours worked. Based upon the foregoing, the annual salary for full-time nonexempt employees

of the Police Department as set forth in the city's annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each "work period." All full-time nonexempt Merit Police Officers will be paid straight time compensation for up to 168-hours of regular employment during each "work period." Overtime pay or compensatory time will be accrued for all time worked in excess of 168-hours during a "work period." Overtime earned during a "work period" will be paid in the first regularly scheduled paycheck issued subsequent to the "work period" in which the extra compensation was earned.

All hours worked up to 168 in a 28-day work period will be paid at one times the base wage rate. All hours worked over 171 in a 28-day work period will be paid at one- and one-half times the employee's base wage rate. In addition, full-time Merit Police Officers required to assist the public for police-related duties when off-duty for periods of more than 15-minutes will add such time to their hours worked for the workweek.

All full-time nonexempt Merit Police Officers are eligible for the payment of compensatory time in lieu of the payment of overtime and that time may not exceed 160-hours per calendar year. Employees who reach 160-hours per calendar year will stop accruing compensatory time and will be paid overtime in accordance with the Fair Labor Standards Act (FLSA) until their time goes below the 160-hours allowed. Compensatory time will be paid out upon termination of employment in accordance with guidelines as set forth in the FLSA.

For the 2025 calendar year only, if a Merit Police Officer or Merit Firefighter has more than 160-hours of compensatory time banked, two separate banks will be created in timekeeping. The main bank will have 160-hours of compensatory time, with anything over being put into a separate bank. Employee may pull from the bank with the 160-hours, which would allow them to possibly accrue up to a maximum of 160-hours of compensatory time. All compensatory time hours from both banks will be paid out at the end of 2025, starting every employee at zero-hours of compensatory time for the 2026 calendar year.

Flex-Time

Each department may utilize nonexempt employees' time differently within the framework of the 40-hour workweek. For this reason, a Department Head, will have the discretion to permit individual nonexempt employees to arrive or depart earlier or later, to work through part of a lunch period, and otherwise adjust their nonexempt employees' schedules to meet demands of the department, while adhering to the 40-hour workweek. All flex-time must be cleared within the same workweek.

Exempt employees are not eligible for flex-time in accordance with the regulations of the Fair Labor Standards Act (FLSA). Exempt employees are paid to "get the job done" thus are paid the same amount each pay period. Refer to Policy #201 – Employment Categories for additional information.

508 On Call and Called In/Out Employees

The definition of on call is being designated to be available to answer calls for an employee's respective job during nonscheduled hours. A nonexempt employee who is on call is required to be available to respond to the workplace within 30-minutes of the time called.

- **Fire Department**

- Investigator - In the event that an employee is called in to work, they will receive compensatory time.
- Merit Firefighters – In the event that a firefighter is called in to work by the Fire Chief or their designee in command, they will receive one and one-half times the base wage rate.

- **Parks and Recreation Maintenance**
 - Employees will be on a rotating weekend and holiday on call schedule during the summer and fall months.
 - Employees are paid based on actual hours worked at their normal hourly rate once they are called in to work, or a minimum of two-hours, whichever is greater.
- **Public Works (Wastewater and Sewer) Maintenance**
 - One employee will always be on call and the schedule will rotate.
 - Employees will be paid for two-hours minimum when called in to work.
 - If an employee works on the weekend, their work schedule will be adjusted the following week.
- **Street Department**
 - One employee will always be on call on the weekends and holidays, and the schedule will rotate every 14 to 15 weeks.
 - Employees will be paid for two-hours minimum when called in to work.
- **Police Department**
 - Detectives – One Detective is on call at all times and is paid a minimum of two-hours, or the amount of time that they are actively working an incident (whichever is greater).
 - Civilians – The Evidence Technician is subject to being on call every day and is paid a minimum of two-hours or the amount of time actively working a call out incident.
 - Police Officer – In the event that an employee is called in to work or attends a court appearance, they are paid for the amount of time they actively work during a call out incident or a minimum of two-hours, whichever is greater.

Exempt employees are not eligible for on call and call in/out pay in accordance with the regulations of the Fair Labor Standards Act (FLSA). Exempt employees are paid to “get the job done” thus are paid the same amount each pay period. Refer to Policy #201 – Employment Categories for additional information.

Employees seeking additional information about being either on call or called in/out may contact their Department Head, the assigned Supervisor, or Human Resources.

509 Use of Equipment, Machines, and Tools

Equipment, machines, and tools, essential in accomplishing job duties are expensive and may be difficult to replace. When using city-owned or leased equipment, machines, and tools, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees should immediately notify their Department Head, or assigned Supervisor, if any equipment, machines, or tools, appear to be damaged, defective, or need repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. A Department Head, or the assigned Supervisor, may answer any questions about an employee's responsibility for maintenance and care of equipment, machines, or tools, used on the job.

Employees must notify their Department Head, or assigned Supervisor, and Human Resources, in the event of an accident. This includes accidents that do not result in personal injury or damage to equipment. By knowing about accidents, the city may investigate the case and determine if corrective action is required to prevent recurrence. Refer to Policy #306 – Workers’ Compensation Insurance and Policy #501 – Safety for additional information.

No employee of the city may request, use, or permit the use of city-owned or leased equipment, machines, or tools, or other property for unauthorized personal convenience, for profit, for private use, or as part of

secondary employment. The improper, careless, negligent, destructive, or unsafe use or operation of equipment, machines, or tools, may result in disciplinary action, up to and including termination of employment.

510 Use of City-Owned or Leased Vehicles

Any employee who is required to operate a city-owned or leased vehicle, or use their personal vehicle, in the course of their employment will be subject to the following conditions and restrictions:

- Must be able to meet insurability standards and requirements of the city's liability insurance carrier.
- Must maintain a valid Indiana driver's license.
- Will have periodic Bureau of Motor Vehicle (BMV) checks completed through the State of Indiana.
- Must use seat belts by all drivers and passengers in the vehicle.
- Employees must immediately report any condition that adversely affects their personal ability to operate a vehicle(s) and/or equipment.
- Employees are required to report any arrest or citation to their Department Head or Human Resources within 24-hours of violation.
- Employees must immediately report an at-fault in an accident resulting in fatality or serious injury within the past five years

Employees may be reassigned or other appropriate employment action(s) may be taken by the city in the event that an employee's license is revoked, suspended, or who has a traffic conviction.

In addition, employees must use assigned city vehicles for the purpose(s) authorized. Reimbursement for necessary emergency road service and repairs, parking, and highway-related tolls require the appropriate receipts for reimbursement. Refer to Policy #512 – Business Travel Expenses for additional information.

In the event of an accident, employees must do the following:

- Provide any assistance possible to any injured party, call the city's Police Department, or the appropriate Police Department, and call for an ambulance, if necessary.
- Do not move any vehicles unless instructed by law enforcement to do so.
- Write down all pertinent facts such as the other driver's name, address, telephone number, license plate number, driver's license number, name of other driver's insurance company, and policy number, and the name, address, and telephone number, etc. as required.
- Do not make any voluntary statement regarding cause of or liability for the accident.
- Do not make any oral or written statements, but employees must provide their name, address, telephone number, etc., as required.
- Employees must immediately notify their Department Head, or assigned Supervisor, and Human Resources and submit a written report as soon as reasonably possible.
- Employees must submit to a drug and alcohol screen as soon as reasonably possible, after the accident at an immediate care center or emergency room near where the accident occurred and which is qualified to perform such screenings.

Employees of the city who are assigned a city-owned or leased vehicle for duty to domicile travel are subject to Internal Revenue Service (IRS) rulings regarding such usage. The use of such a vehicle for commuting is considered by the IRS to be a taxable benefit. A value must be established and the total annual amount reported to the IRS on each employee's W-2 form with an additional W-3 form.

Indiana laws ban text messaging while operating a motor vehicle. The city expects all employees driving city-owned or leased vehicles to comply with this law. Failure to comply may result in disciplinary action, up to and including termination of employment.

Employees who are required to drive a city-owned or leased vehicle as part of their job and who have any of the following infractions may be subject to disciplinary action, up to and including termination of employment.

- One or more of the following Type A violations within the past three-years to include the following:
 - DWI/DUI/OUI/OWI – drugs or alcohol
 - Refusing to take a substance test
 - Driving with an open container (alcohol)
 - Manslaughter or negligent homicide
 - Driving while suspended
 - Operating in the commission of a felony
 - Aggravated assault with a motor vehicle
 - Permitting an unlicensed person to drive
 - Reckless driving
 - Fleeing or evading law enforcement or a road block
 - Resisting arrest
 - Speed contest or racing
 - Hit and run
 - Failure to report an accident
 - Illegal passing of a school bus
- Any three or more Type B violations in the past three-years to include the following:
 - Suspended for moving violations
 - Moving violations to include: speeding, improper lane change, failure to obey traffic signals or signs
 - Failure to yield
 - Careless driving
 - At fault accidents

In addition, no employee under the age of 21, who has been licensed for less than three-years, regardless of age, who currently holds an international or foreign driver's license, and who resides in the State of Indiana and is not licensed in the state within the time required by the state will not be allowed to drive a city-owned or leased vehicle.

Employees seeking additional information about the use of city-owned or leased vehicles may contact their Department Head, or Human Resources.

511 Emergency Closings

At times, emergencies such as severe weather, fires, or power failures, may disrupt the city's operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, employees will be notified by television media, and via text, email, or telephone of the closing by their Department Head, or the assigned Supervisor.

When the decision to close is made AFTER the workday has begun, employees will receive official notification from their Department Head, or assigned Supervisor. In these situations, time off from scheduled work will be paid. When the decision to close is made BEFORE the workday has begun, the Mayor's Office will determine the closure based on clock hours.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive straight time pay.

- Civilian employees and Merit Police Officers who are required to work during the city closure will be paid for all hours worked during the closure. If the hours worked does not equal a normal work day, the civilian employee and Merit Police Officer will be awarded time for the remainder of the hours to equal a full normal work day and the time must be used within the same workweek.)
- Employees who are not required to work during an emergency closure will be excused from work without the loss of pay and will be awarded and paid time in the amount of the normal work day for the day of the city closure.
- In the event that the employee is on scheduled paid time off, the paid time off benefit will be returned to the employee and the leave for the city closure will be awarded.

Civilian employees and Merit Police Officers that work during the hours of the city closure will be awarded the amount of clock hours in personal leave. Merit Firefighters that are scheduled to work on a city closure, but fail to report to work will be required to use paid time off for the shift. Part-time employees will not be compensated for hours not physically worked, regardless of the declared city closure.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees must use available vacation benefits to be paid for the missed time, or in the case of the employee not having any paid time off, the employee must take the time unpaid, as approved by their Department Head, or assigned Supervisor.

When a State of Indiana emergency is declared and employees are prohibited from driving to and from work, the time off may be paid by the city at the discretion of the Board of Public Works & Safety.

Employees seeking additional information about emergency closings may contact their Department Head, or Human Resources.

512 Business Travel Expenses

The city may reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by a Department Head. Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives may be reimbursed by the city. Employees are expected to limit expenses to reasonable amounts per the guidelines below.

Expenses that generally may be reimbursed include the following:

- Mileage costs for use of personal cars, only when less expensive transportation is not available and payable at the federal mileage rate as set by the Internal Revenue Service (IRS) for mileage

reimbursement. Mileage is payable to only one of two or more employees traveling on the same trip and in the same vehicle. The names of each person must be listed on the expense report.

- Costs for taxis, or ridesharing, e.g., Lyft, Uber, etc., will be reimbursed when the use of a personal car, or city-owned or leased vehicle is not available.
- Actual costs incurred for parking while driving a city-owned or leased vehicle, or on any day when an employee is entitled to reimbursement for mileage. Fees for parking violations will not be reimbursed. Itemized receipts for any parking fees in excess of \$1.00 are required.
- Travel by commercial airlines, rail service, bus, or similar common carrier mode will be reimbursed at the prevailing coach or economy rate.
- The cost of registration or similar fees for conferences, seminars, and other similar meetings or functions related to city business will be reimbursed.
- Cost of reasonable accommodations in low to mid-priced hotels, or similar lodgings that are at least 50-miles from the city. Single occupancy will be reimbursed at the actual cost. Double occupancy will be reimbursed at actual cost when both parties are eligible for reimbursement. Double occupancy will be reimbursed at the single occupancy rate when only one party is eligible for reimbursement unless room is a one-rate charge.
- Daily meal costs will not exceed \$80.00 (including gratuities) and no reimbursement will be made for meals already provided for in a registration fee. Meal expenses are not allowed for meals during normal duty hours for routine employee's duties requiring travel or local trainings/conferences less than 50-miles from city hall without prior authorization. Alcoholic beverages and room service charges are not reimbursable expenses.
- Attendance at conferences or meetings that are in excess of 50-miles from city hall and require overnight travel will be reimbursed through an expense report signed by both the employee and the Department Head.
- Tips not exceeding 20% of the total cost of a meal or 20% of the ground transportation fare (e.g., taxi, Uber, Lyft).
- Charges for telephone calls, fax, and similar services required for business purposes.
- Personal expenses incurred in traveling to include: personal telephone calls, laundry, personal entertainment, in-room movies, and room service meals, are not reimbursable.

Employees are responsible for providing the tax-exempt certificate from the City of Franklin to all vendors when traveling overnight. Employees who fail to utilize the tax-exempt certificate may be subject to disciplinary action, up to and including termination.

Employees who are involved in an accident while traveling on city-related business must report the incident to their Department Head, or assigned Supervisor, and Human Resources within four-hours via email or telephone. Vehicles owned, leased, or rented by the city may not be used for personal use without prior approval.

Employees who use their own personal vehicle for work-related activities on behalf of the city are reimbursed for mileage as stated above. Each employee is required by state law to carry liability insurance. The city's liability insurance covers only claims against the city and it does not cover an employee or an employee's personal vehicle when they are using such a vehicle to conduct city-related business. In the event an employee is injured in an accident while they are using their own personal vehicle on city-related business, the employee may be entitled to certain workers' compensation benefits, depending upon the circumstances and state worker's compensation laws.

With prior approval, employees on business travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful completion of business objectives. Generally, employees are also permitted to combine personal travel with business travel, as long as time

away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, expense reports for reimbursement must be turned in to the Clerk-Treasurer's Office with original, itemized receipts within seven-days of completion of the trip or event. Employees must state the origin and destination of each trip in sufficient detail to account for the mileage claimed. Department Head's must review and sign all expense reports before submission for payment to the Clerk-Treasurer's Office.

Employees should contact their Department Head, or Human Resources, for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may be grounds for disciplinary action, up to and including termination of employment.

513 Credit Card Usage

The City of Franklin has engaged with banking institutions for the usage of their credit cards. City credit cards may be used by various departments to purchase items needed for the city, or for travel and educational expenses. The City of Franklin is the cardholder for all credit cards and the users are defined as elected officials and employees of the City of Franklin.

This policy has been established to ensure that the procurement of goods with the credit card is accomplished pursuant to the policy and procedures established by the City of Franklin, specifically to:

- Enhance productivity, significantly reduce paperwork, improve internal controls and reduce the overall cost associated with approved purchases as listed in this policy.
- Ensure appropriate internal controls are established with credit cards, so that they are used for authorized purposes only.
- Ensure that the city bears no legal liability from the inappropriate use of credit cards.

The Clerk-Treasurer, as may be appropriate, will make all decisions regarding the issuance of individual credit cards to users and the establishment of any and all additional controls of their use. The limit on each card will be as follows:

● Mayor (two cards)	\$10,000 credit limit
● Clerk-Treasurer (one card)	\$5,000 credit limit
● City Court (one card)	\$5,000 credit limit
● Planning & Engineering (two cards)	\$5,000 credit limit
● Police Department (nine cards)	\$5,000 credit limit
● Fire Department (two cards)	\$5,000 credit limit
● Parks & Recreation Department (three cards)	\$10,000 credit limit
● Sewer Billing Department (one card)	\$5,000 credit limit
● Wastewater Treatment Plant (two cards)	\$5,000 credit limit
● MS4 Stormwater (one card)	\$5,000 credit limit
● Street Department (three cards)	\$10,000 credit limit
● Greenlawn Cemetery (one card)	\$5,000 credit limit
● Community Development (one card)	\$5,000 credit limit
● Active Adult Center (one card)	\$10,000 credit limit

- Information Technology (one card) \$5,000 credit limit

City credit cards may be used for the travel and educational expenses as follows:

- Hotel or motel accommodations.
- Hotel or motel room charges for telephone calls related to city business.
- Meals, including the 20% maximum gratuity.
- Fees or costs associated with attending schools, conventions, seminars, etc.

City credit cards may be used for the purchases for the city expenses as follows:

- Supplies
- Materials
- Small Tools and Minor Equipment
- Fuel for City-Owned or Leased Equipment

Under no circumstances will the city credit cards be allowed for the purchase of personal items, or for the purchase of alcoholic beverages. The Clerk-Treasurer's Office has the power and authority to pay all reasonable annual fees associated with the credit card accounts. If a credit card is lost or stolen it must be reported to the Clerk-Treasurer's Office immediately after discovery.

Accounts payable vouchers (claims) filed in connection with the use of credit cards must be submitted to the Clerk-Treasurer's Office for processing within 72-hours of use and must be properly itemized and documented as provided in Indiana Code (IC) 5-11-10, including receipts, before approved and paid. The credit card will be paid in full every billing cycle. Improperly itemized and documented items, as well as all interest, carrying charges, or penalties, will be charged back to the department budget line.

Employees seeking additional information about the credit card usage policy may contact the Clerk-Treasurer's Office.

514 Visitors in the Workplace

To provide for the safety and security of employees and the facilities at the city, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Employees are responsible for the conduct and safety of their visitors. Visitors of employees are defined as persons at a city-owned or city-operated facility for social reasons, or any purpose other than directly job-related.

If an unauthorized individual is observed on the city's premises, employees should immediately notify their Department Head, or assigned Supervisor, and/or if necessary, direct the individual off of the property.

515 Social Media

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Generally, these guidelines set forth in this social media policy should be applied to any online medium where information may reflect back on the image of the city, employees, agents, or residents. Examples include but are not limited to: blogs, LinkedIn,

Facebook, X, Instagram, Snapchat, YouTube, Wikipedia or other wikis, etc. Any comments that the city employees may leave on others' blogs, or Facebook pages, edits to wikis, responses to tweets, postings on message boards/forums, opinions on online polls or any product/services the city employees may author are included in this policy.

All social media accounts, blogs, Web pages and related content carrying the city brand identity are and will be owned and licensed by the city, as appropriate. Personal accounts, blogs, Web pages and related content that do not carry the city's brand identity may be owned, licensed and operated by any employee. If the city is referenced in any media as approved by the Board of Public Works & Safety and/or the City Council, or their assigned designee, all social media guidelines must apply or employees may be subject to disciplinary action, up to and including termination of employment.

All employees should consider and follow these guidelines when posting on social media sites:

- Do not post or link any materials that are threatening, intimidating, coercing, or otherwise interfering with the performance of coworkers, or residents.
- Do not disclose information acquired in the course of one's work.
- When reposting or referencing a post on one of the city's online sites, provide a link to the original post or story.
- When relevant, employees should identify their affiliation with the city and their area of concentration. This adds credibility to the employee and the city.
- Do respect the laws regarding copyrights, trademarks, rights of publicity and other third-party rights. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information that they use and accurately cite copyrighted works that they identify in the city's online communications. Do not infringe on city logos, brand names, taglines, slogans, or other trademarks.
- If a negative post or comment is found online about the city or an employee, try not to counter with another negative post. Remedy the situation through a positive action.
- Employees who publish content to any website outside of the city's official online presence (this may include city websites as well as the city's presence on third-party sites) and it has something to do with subjects associated with the city, employees should consider a disclaimer such as this: "The postings are my own and do not necessarily represent the city's positions, strategies, or opinions."

As stated in Policy #517 – Internet Usage, all 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. In addition, employees should understand that all information transmitted via the Internet is not considered to be confidential in nature and employees should not expect privacy of any information transmitted. Employees are also required to provide the city with all passwords used to access the Internet via city-owned or leased equipment, services and technology, as requested by their Department Head, or the information technology provider.

While this policy is comprehensive, it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment.

Employees seeking additional information about social media may contact Human Resources.

516 Computer and Email Usage

All computer systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, web browsing, and file transfer protocols (FTP) are the property of the City of Franklin. and intended for business use, not for personal use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer, Internet activity, and email usage may be monitored.

The city has established a Multi-Factor Authentication (MFA) process, which provides a common method of protection for the City of Franklin. MFA provides a second layer of security to any type of login, requiring extra information or a physical device to log in, in addition to your passphrase. All employees will be required to engage in one additional step for authentication.

The City of Franklin owns the data, files, and content that is created or stored on the city's asset. This information will remain the property of the city. Copying, moving, or modifying data or files without the intent to add value or security to the city is against this policy and may result in disciplinary action including and not limited to termination of employment.

The city strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the city prohibits the use of computers and the email system in ways that are discriminatory, disruptive, obscene, threatening, harassing, intimidating, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to:

- Ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for employees, residents, or visitors.
- Copying, pirating or downloading software and electronic files without permission.
- Participating in the viewing or exchange of pornography or obscene materials.
- Attempting to break into the computer system of another organization or employee.
- Refusing to cooperate with a security investigation.
- Disclosing information acquired in the course of one's work.
- Sending or posting messages that disparage another organization's products or services while engaged in performing their work tasks from a city-owned computer or mobile device.

The city purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither the city nor any employee has the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The city prohibits the illegal duplication of software and its related documentation or the installation of such software on city-owned equipment.

Unacceptable Use

Under no circumstances may an employee of the City of Franklin be authorized to engage in any activity that is illegal under international, federal, state, or local laws while utilizing the city-owned resources. The lists below are by no means exhaustive, but attempt to provide a framework for activities that fall into the category of unacceptable use.

- System and Network Activities that are strictly prohibited, with no exceptions:
 - Violations of the rights of any person or company protected by copyright, trade, secret, patent, or other intellectual property, or similar laws or regulations, including, but not

limited to, the installation or distribution of “pirated” or other software products that are not appropriately licensed for use by the City of Franklin.

- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the City of Franklin or the end user does not have an active license is strictly prohibited.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. A Department Head and the information technology provider must be notified prior to the export of any material that is in question.
- Disabling city encryption or installing unauthorized encryption technology.
- Introduction of malicious programs into the network or server, e.g., viruses, worms, Trojan horses, email bombs, etc.
- Revealing account password(s) to others or allowing use of an account by others. This includes family members and other household members when work is being done from home or another remote offsite location.
- Using City of Franklin computing assets to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user’s local jurisdiction.
- Making fraudulent offers of products, items, or services originating from any city account.
- Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, disruption includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- Port scanning or security scanning unless prior authorization is obtained.
- Executing any form of network monitoring which will intercept data not intended for the employee’s host, unless this activity is a part of the employee’s normal job duty.
- Circumventing user authentication or security of any host, network, or account.
- Interfering with or denying service to any user other than the employee’s host, for example, denial of service attack.
- Using any program, script, or command, or sending message(s) of any kind, with the intent to interfere with, or disable, a user’s terminal session, via any means, locally or via the Internet, Intranet, or Extranet.
- Email and Communications Activities
 - Using city-issued email for personal use
 - Sending unsolicited email messages, including the sending of junk mail or other advertising material to individuals who did not specifically request such material (spam).
 - Any form of harassment, discrimination, or retaliation via email or telephone whether through language, frequency, or size of message.
 - Unauthorized use, or forging, of email header information.
 - Solicitation of email for any other email address, other than that of the poster’s account, with the intent to harass, discriminate or retaliate, or to collect replies.
 - Creating or forwarding chain letters, Ponzi schemes, or other pyramid schemes of any type.

- Use of unsolicited email originating from within the city's networks, or of other Internet, Intranet, or Extranet service providers on behalf of, or to advertise, any service hosted by the city or connected via the city network.
- Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups, e.g., newsgroup spam.
- Blogging – Refer to Policy #515 – Social Media for additional information.
 - Blogging is defined as writing a blog; a blog (short for weblog) is a personal online journal that is frequently updated and intended for general public consumption.
 - Blogging by employees, whether using the city's property and systems or personal computer systems, is also subject to the terms and restrictions set forth in this policy. Limited and occasional use of the city's systems to engage in blogging is acceptable provided that it is done in a professional and responsible manner, does not otherwise violate the city's policy, is not detrimental to the city's best interests, and does not interfere with an employee's regular work duties. Blogging from the city's systems is also subject to monitoring.
 - The City of Franklin's confidential information policy also applies to blogging. As such employees are prohibited from revealing any city confidential or proprietary information, trade secrets or any other material covered by the city's policy when engaged in blogging. Refer to Policy #112 – Non-Disclosure for additional information.

While the above activities are, in general, prohibited, certain employees may be exempted from these restrictions during the course of their legitimate job responsibilities, e.g., information technology administration employees may have a need to disable the network access of a host if that host is disrupting production services. These provisions do not apply to law enforcement engaged in criminal investigations as authorized and sanctioned by the City of Franklin's Police Department. In providing employees access to the computer systems, the employee agrees to hold the city harmless and agrees to indemnify the city from any and all liability, loss, or damages.

Employees should notify their Department Head, or Human Resources, upon learning of violations of this policy. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment.

517 Internet Usage

Internet access to global electronic information resources on the World Wide Web is provided by the city to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. Internet usage is intended for job-related activities and personal use is not permitted.

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 other third-parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful. Refer to Policy #516 – Computer and Email Usage for additional information.

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 the city's online connections and stored in the city's computer systems. Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not

limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state, and local laws.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not obtained authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the city in violation of law or the city policies may result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

- Stealing, using, or disclosing someone else's code or password without authorization.
- Disclosing information acquired in the course of one's work.
- Violating copyright laws.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the city or initiate unwanted Internet services and transmissions.
- Jeopardizing the security of the city's electronic communications systems.

While this policy is comprehensive, it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment.

518 Workplace Monitoring

Workplace monitoring may be conducted by the city to ensure quality control, employee safety, security, and resident satisfaction. Employees who regularly communicate with residents may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our residents' image of the city as well as their satisfaction with our service.

Computers furnished to employees are the property of the city. As such, computer usage and files may be monitored or accessed. Employees tampering with a computer to bypass monitoring systems may be subject to disciplinary action, up to and including termination of employment. Refer to Policy #516 – Computer and Email Usage for additional information.

The city may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence. Because the city is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

519 Speaking to the Media

The city strives to anticipate and manage crisis situations in order to reduce disruption to our employees and to have met and to maintain our presence as a highly reputable municipality. To best serve these objectives, the city will respond to the news media in a timely and professional manner only through the designated spokespersons. Employees should direct media questions to the Department Head or to the designated representative.

Employees seeking additional information about speaking to the media may contact the Mayor's Office for general city inquiries. For inquiries related to the police department, contact the Police Chief, or their designated representative. For inquiries related to the fire department, contact the Fire Chief, or their designated representative.

522 Workplace Violence Prevention

The city is committed to preventing workplace violence and to maintaining a safe work environment. The city has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during working hours or on its premises.

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from being brought into the facilities operated by the city without prior and proper authorization. The only exemption is for law enforcement facilities and security personnel.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to a Department Head, the assigned Supervisor, or Human Resources. This includes threats by employees, as well as threats by residents, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a Department Head, the assigned Supervisor, or Human Resources. Employees should not place themselves in harm's way. Employees who see or hear a commotion or disturbance near their workstation should not try to intercede or see what is happening.

The city will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the city may suspend employees, either with or without pay, pending an investigation.

The city encourages employees to bring their disputes or differences with other employees to the attention of their Department Head, the assigned Supervisor, or Human Resources before the situation escalates into potential violence. The city is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns. Refer to Policy #718 – Problem Resolution for additional information.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

526 Mobile Device Usage

Some employees may be provided with a city-owned mobile device to be used for city-related business. Mobile device invoices are monitored on a regular basis and employees are not permitted to use the mobile device for personal business.

Employees are responsible for ensuring that their mobile device usage while operating a vehicle is compliant with federal, state, and local laws. Mobile device usage while operating a vehicle must be done, hands free if the vehicle is in motion.

As a representative of the city, employees are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a mobile device.

Employees are to refrain from talking on their personal mobile devices, texting, emailing, or accessing data during working hours and should conduct their personal business before their shift, during their lunch period or after hours. Conduct that is in violation of these guidelines may be subject to prompt disciplinary action, up to and including termination of employment.

Employees seeking additional information about mobile device usage may contact their Department Head, or Human Resources.

LEAVES OF ABSENCE

601 Family and Medical Leave Act (FMLA)

Under the Federal Family and Medical Leave Act of 1993, as amended (FMLA), an employee may be eligible for a period of job-protected unpaid leave if they meet the criteria set forth in the FMLA.

General Eligibility

To qualify for FMLA leave an employee:

- must be an employee of the city,
- must have worked at the city for at least 12-months,
- must have worked at least 1,250 hours (paid time off does not count towards the 1,250 hours) during the past 12-month period before the leave is to begin, and
- must work at a worksite at which the city employs at least 50 employees within a 75-mile radius.

Types and Duration of FMLA Leave

- Basic FMLA Leave and Active-Duty Leave

An employee may be eligible for up to 12-weeks of unpaid leave in a rolling 12-month period for the following reasons:

- the birth of a child and to care for such child or placement for adoption or foster care of a child;
- to care for an immediate family member (spouse, child under 18-years old or 18 and over that is incapable of self-care, or parent) with a serious health condition;
- because of a serious health condition which renders an employee unable to work; or
- “Active-Duty Leave,” defined as leave due to any qualifying exigency arising out of the fact that an employee’s spouse, son (of any age), daughter (of any age) or parent is a “covered military member”. “Covered military member” means a member of the Armed Forces or a member of the Reserves (including the National Guard or Reserves) who is

on “covered active-duty,” or has been notified of an impending call or order to covered active-duty. For members of the Armed Forces, “covered active-duty” means duty during deployment of the member with the Armed Forces to a foreign country. For members of the Reserves, “covered active-duty” means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active-duty in a contingency operation.

- **Military Caregiver Leave**

An employee also may take military caregiver leave to care for a spouse, son (of any age), daughter (of any age), and parent or next of kin, e.g., closest living relative who is a “covered service member.” A “covered service member” is (i) a current service member of the Armed Forces or Reserves, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (ii) a veteran of the Armed Forces (including the National Guard and Reserves) who is discharged (other than dishonorably discharged) within the five-year period before the eligible employee takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. For a current service member, “serious injury or illness” means an injury or illness incurred or aggravated by the covered service member in the line of duty on active-duty that may cause the service member to be medically unfit to perform the duties of their office, grade, rank, or rating. For a veteran, “serious injury or illness” means an injury or illness that rendered the veteran medically unfit to perform their military duties, or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work, regardless of whether the injury or illness manifested before or after the individual became a veteran.

Eligible employees are entitled to a total of 26-weeks of unpaid military caregiver leave during a single 12-month period. This single 12-month period begins on the first day an eligible employee takes military caregiver leave and ends 12-months after that date.

The leave entitlement described in this paragraph applies on a per-covered service member, per-injury basis. However, no more than 26-weeks of leave may be taken within a single 12-month period by any covered employee. Even in circumstances where an employee takes other leave covered by the federal FMLA under the bullets in the basic FMLA Leave and Active-Duty Leave section above, the combined leave shall not exceed 26-weeks during that 12-month period.

Definitions

- A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
 - (a) in-patient care (i.e., an overnight stay) in a hospital or other medical care facility (including any period of incapacitation or any subsequent treatment in connection with such in-patient care);
 - (b) a period of incapacitation of more than three consecutive full calendar days, and any subsequent treatment or period of incapacitation relating to the same condition that also involves (i) treatment two or more times by a health care provider or under the supervision of a health care provider within 30-days of the start of the incapacitation, or (ii) treatment by a health care provider on at least one occasion within seven-days of the start of the incapacitation which results in a regimen of continuing treatment under the supervision of a health care provider;

- (c) any period of incapacitation due to pregnancy, or for prenatal care;
 - (d) any period of incapacitation due to a chronic serious health condition requiring periodic visits of at least twice a year for treatment by a healthcare provider;
 - (e) a period of incapacitation which is permanent or long-term due to a condition for which treatment may not be effective, during which the employee (or family member) must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
 - (f) any period of absence to receive multiple treatments by a health care provider or under the supervision of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that will likely result in a period of incapacitation of more than three consecutive calendar days in the absence of medical intervention or treatment.
- A “qualifying exigency” refers to the following circumstances:
 - (a) Short-notice deployment: to address issues arising when the notification of a call or order to active-duty is seven-days or less;
 - (b) Military events and related activities: to attend official military events or family assistance programs or briefings;
 - (c) Childcare and school activities: for qualifying childcare and school-related reasons for a child, legal ward or stepchild of a covered military member;
 - (d) Care of the military member's parent: for certain activities related to the care of a covered military member's parent who is incapable of self-care, such as arranging for alternative care, providing care on a non-routine, urgent, immediate need basis, admitting or transferring a parent to a new care facility, and attending certain meetings with staff at a care facility, such as meetings with hospice, or social service providers;
 - (e) Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member;
 - (f) Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
 - (g) Rest and recuperation: to spend up to 15-days for each period in which a covered military member is on a short-term rest leave during a period of deployment;
 - (h) Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90-days after a covered military member's active-duty terminates or to address issues arising from the death of a covered military member while on active-duty;
 - (i) Additional activities for other events where the city and the employee agree on the time and duration of the leave.

When Spouses Work Together

A husband and wife, when both are eligible for FMLA and both work at the city, are eligible for either a combined 12-weeks of unpaid leave for the birth or placement of a child, or to care for a parent who has a serious health condition. A husband and wife will be eligible for a combined 26-weeks of unpaid military caregiver leave as discussed above. If the husband or wife taking military caregiver leave also takes leave for the birth or placement of a child, or to care for a parent who has a serious health condition, that leave also may count toward the 26-weeks of combined military caregiver leave during a single 12-month period.

Notice of Need for FMLA Leave

If the leave is foreseeable (birth or placement, planned medical care, leave due to active-duty of an immediate family member), the employee must provide at least 30-day's advance notice. If circumstances prevent providing the 30-day's advance notice, then the employee should provide as much notice as possible. If an employee fails to give the required notice for foreseeable leave with no reasonable excuse,

the employee may be denied the taking of the leave until the employee provides adequate notice of need for the leave. Employees should make every reasonable effort to schedule medical treatments so as not to disrupt the ongoing operations of the department.

Intermittent FMLA Leave

Intermittent leave also may be available depending upon an employees' serious health condition, or an employee's immediate family member's serious health condition. Intermittent or reduced schedule leave for the birth or placement of a child for adoption or foster care may be taken only with approval from the Department Head, and Human Resources, in writing. Military caregiver leave may be taken intermittently or on a reduced leave schedule when medically necessary. Intermittent or reduced leave may not exceed the total hours an employee would have worked during their regular 12-week schedule. If intermittent or reduced leave is approved, the city may require the employee to schedule the leave so as not to unduly disrupt its operations, or the employee may be placed in an alternate position which better accommodates the intermittent leave schedule. Refer to Policy #704 – Attendance and Punctuality for additional information.

Employees taking intermittent leave must follow the city's standard call in procedures absent unusual circumstances.

Documentation Supporting FMLA Leave

An employee's reason for the leave must be covered under FMLA and they must provide a completed FMLA Certification of Health Care Provider Form supporting the need for the leave. A request for reasonable documentation of family relationship verifying the legitimacy of a FMLA leave may also be required.

The employee will have 15-days in which to return a completed certification form following receipt of the form from the city. If the employee fails to provide timely certification after being required to do so, they may be denied the taking of the leave under the FMLA. If the certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven-days after receiving such written notice to provide the necessary information.

If there is reason to doubt the validity of the medical certification, a second opinion, at the expense of the city, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of the city, may be required. The opinion of the third health care provider, which the city and the employee jointly select, will be the final and binding decision.

A request for Active-Duty Leave must be supported by the Certification of Qualifying Exigency for Military Family Leave form as well as appropriate documentation, including the covered military member's active-duty orders. A request for military caregiver leave must be supported by the Certification for Serious Injury or Illness of Covered Service member form as well as any necessary supporting documentation.

Recertification

Under certain circumstances as provided by law, including, but not limited to situations in which the need or nature of the approved leave changes, the city may, in its sole discretion, require recertification of an employee's serious health condition.

Return to Work

If an employee's position is eliminated during their FMLA leave time, e.g., layoff, departmental restructuring, etc. the employee will not be entitled to return to their former or an equivalent position. Employee's whose FMLA leave was for their own personal medical condition must, prior to

reinstatement, submit a medical certification to Human Resources, as to their ability to return to work, subject to a second medical opinion as deemed necessary by the city, or a third medical opinion as provided in the FMLA. Employees who do not return to work immediately following release from the health care provider as fully restored to perform all the essential functions of their position, will be considered to have voluntarily terminated employment as of the date of the release. Employment will be terminated if an employee is not able to return to work at the end of the FMLA.

Substitution of Paid Leave

Employees must substitute all earned vacation benefits, sick leave benefits, personal days, and compensatory time for unpaid FMLA leave. FMLA and any paid time off, run concurrently. The entire 12-week FMLA is not in addition to the paid leave, however, is any remaining portion after the paid leave time is subtracted. If an employee requires leave in excess of the weeks for which they are eligible, they will not be assured a position with the city upon their return.

Benefits during FMLA Leave

During the approved FMLA leave, the employee's coverage under the city's benefits will continue, but if the employee goes without pay, they must pay their share of any payroll-related deductions, if applicable. It is the employees' responsibility to make arrangements with the Clerk-Treasurer's Office to pay their portion of the payroll-related deductions during the unpaid period of absence.

602 Indiana Military Family Leave

Under the Indiana Military Family Leave Act, eligible employees may be able to spend time with family members who have been called up for active-duty in the military.

Eligibility

To be eligible for Indiana Military Family Leave, an employee must have been employed with the city for at least 12-months and must have worked at least 1,500-hours during the 12-month period immediately preceding the leave.

The deployed family member must be either:

- A legal spouse as defined under Indiana Code (IC) 31-11-1;
- A child as defined as (1) a biological child, (2) adopted child, (3) foster child or (4) stepchild;
- A parent as defined as (1) a biological father or mother, (2) an adoptive father or mother, (3) a court appointed guardian or custodian, (4) a foster parent, or (5) a stepparent;
- A sibling defined as (1) a biological brother or sister, (2) an adoptive brother or sister, (3) a foster brother or sister, or (4) a stepbrother or stepsister;
- A grandparent as defined as (1) a biological grandparent, (2) an adoptive grandparent, (3) a foster grandparent, or (4) a step grandparent.

Eligible employees are provided an unpaid leave of absence of up to ten working days (consecutive or non-consecutive) per year when the employee's family member, as defined above, who is a member of the U.S. Armed Forces, the U.S. Armed Forces Reserve Unit, or the Indiana Air or Army National Guard, is deployed for full-time military service on active-duty orders for 89-days or longer. For purposes of this policy, a year will consist of a rolling calendar year looking back from the date the leave is scheduled to begin.

The city will require employees to use or exhaust any earned vacation benefits, sick leave benefits, personal days, and compensatory time prior to taking any unpaid time off for Indiana Military Family Leave. All vacation benefits, sick leave benefits, personal days, and compensatory time taken under this

policy will count toward, and not be in addition to, the ten working days of Indiana Military Family Leave. Requests by employees for an exception to this requirement must be made in writing to a Department Head and must state the reason for requesting the exception. Health care benefits in which the eligible employee participated before taking leave under this policy will be continued during the leave period under the same conditions. An eligible employee taking leave under this policy will be required to pay the employee's portion of the health care or other-related payroll deductions normally withheld from the employee's paycheck and should make arrangements to do so with the Clerk-Treasurer's Office prior to the leave.

Timing of Leave

An eligible employee may take up to a total of ten unpaid working days (consecutive or non-consecutive) of Indiana Military Family Leave during a year. The days may be taken during one or more of the following periods, but may not exceed ten-days total:

- During the 30-days before active-duty orders are in effect.
- During a period in which the family member ordered to active-duty is on leave while active-duty orders are in effect.
- During the 30-days after the active-duty orders are terminated.

Notice of Intent to Take Leave

An eligible employee who wants to take an unpaid military family leave under this policy must request leave under the policy by providing written notice of the date the leave will begin, including a copy of the active-duty orders if available, to a Department Head, who will provide them to Human Resources. The notice must be given at least 30-days before the date on which the employee intends to take the leave, unless the active-duty orders are issued less than 30-days before the date the requested leave is to begin. In that situation, notice should be provided as soon as possible after the active-duty orders are issued.

Concurrent Leaves

To the extent an employee's Indiana Military Family Leave also qualifies for some other type of leave such as FMLA and such leaves will run concurrently to the full extent allowed by law.

Employees seeking additional information about this policy may contact their Department Head, or Human Resources.

603 Personal Leave

The city may provide a leave of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations, or medical needs. Employees in the following employment classification(s) may be eligible to request personal leave as described in this policy:

- Regular full-time employees

As soon as eligible employees become aware of the need for a personal leave of absence, but not less than five working days prior to the leave, they should request a leave from their Department Head and Human Resources. Requests for personal leave will be evaluated based on a number of factors including anticipated workload requirements and staffing considerations during the proposed period of absence. Final decisions on who receives a personal leave and the amount of time granted will be made at the sole discretion of the Board of Public Works & Safety.

Personal leave may be granted for a period of up to 30 calendar days every one-year. If this initial period of absence proves insufficient, consideration may be given to a written request for a single extension of

no more than 30 calendar days. Employees must first utilize all available vacation benefits, sick leave benefits, personal days, and compensatory time as part of the approved period of leave prior to utilizing any approved unpaid time off. Employees will not continue to earn vacation benefits, sick leave benefits, personal days, holidays, bereavement leave, longevity pay, or any other paid time off benefits during the time of the unpaid personal leave. Employees are required to make arrangements with the Clerk-Treasurer's Office to pay for all payroll-related deductions during the term of absence in advance of the personal leave.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, the city cannot guarantee reinstatement in all cases. If an employee fails to report to work promptly at the expiration of the approved leave period, the city will consider the employee has voluntarily terminated their employment with the city.

Employees seeking additional information about a personal leave may contact their Department Head, or Human Resources.

604 Kentucky Leave

Kentucky law provides leave for employees to receive an adoptive child. Upon receiving a written request, employers must grant reasonable personal leave not to exceed six-weeks when the reason is to receive an adoptive child under the age of ten. If the employer has established a policy providing time off for birth parents that is greater than six-weeks, that period of time shall be the minimum period of leave available to adoptive parents. If an employer provides paid leave or other benefits to employees who are birth parents, the employer shall also provide the same leave and benefits to employees after adopting a child. There is no requirement to provide leave with pay.

605 Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Civilian employees will continue to receive full pay while on leave for up to 15-days during a calendar year. Merit Firefighters will receive full pay while on leave for up to 120-hours. The portion of any military leaves of absence in excess of 15-days will be unpaid. However, employees may use any available vacation benefits, sick leave benefits, personal days, and compensatory time for the absence.

Continuation of health insurance benefits, if applicable, and as required by USERRA, based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is eligible.

Vacation benefits, sick leave benefits, personal days, holidays, bereavement leave, and all other paid time off benefits will be suspended during the leave after the first 30-days and will resume upon the employee's return to active employment.

Employees on military leave for up to 30-days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Employees seeking additional information about military leave may contact their Department Head, or Human Resources.

EMPLOYEE CONDUCT & DISCIPLINARY ACTION

700 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the city expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of city-owned or leased, or resident-owned or leased property.
- Falsification of timekeeping records or any other city-related document.
- Soliciting or accepting gratuities from residents or visitors.
- Working under the influence of alcohol or illegal drugs.
- Manufacturing, distributing, dispensing, possessing, purchasing, selling, using, transferring, or being under the influence of alcohol or illegal drugs in the workplace, while on duty, or while operating city-owned or leased equipment.
- Fighting or threatening violence in the workplace.
- Being insubordinate, threatening, intimidating, disrespectful, or assaulting a coworker, resident, or vendor.
- Unauthorized use of city-owned or leased equipment, machines, tools, etc.
- Negligence or improper conduct leading to damage of city-owned or leased, or resident-owned or leased property.
- Excessive documented tardiness or absenteeism.
- Violation of safety or health rules.
- Smoking, e-cigarettes, chewing tobacco, and other tobacco use are not permitted in city-owned buildings or leased vehicles.
- Gambling on any city-owned or leased, or resident-owned or leased property.
- Sexual or other unlawful or unwelcome harassment, discrimination, or retaliation.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
- Unauthorized use of telephones, mail system, or other city-owned or leased equipment.
- Unauthorized disclosure of business "secrets" or confidential information acquired in the course of one's work.
- Entering or leaving the city's facilities without permission.
- Violation of any personnel policy.
- Unsatisfactory performance or conduct.
- Fraudulently obtaining workers' compensation benefits, or paid/unpaid leave.
- Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.

Merit Fire Department employees may refer to their Standard Operating Guidelines (SOGs) for additional information. Employment with the city is at the mutual consent of the city and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

701 Arrests, Convictions, and Guilty Pleas

Employees are required to notify the Mayor's Office and Human Resources in writing within three calendar days of any arrest, conviction, or entry of a guilty plea for any criminal offense, or immediately upon reporting to work following such arrest, conviction, or guilty plea entry, whichever is earlier. This reporting obligation includes drug and/or alcohol-related offenses, but does not apply to traffic tickets or citations, unless the employee has an independent obligation to report under departmental policies. Failure to report under this policy may subject an employee to discipline, up to and including termination of employment. An arrest, conviction, or entry of a guilty plea for any criminal offense may be cause for immediate termination of employment.

Merit Fire Department employees may refer to their Standard Operating Guidelines (SOGs) for additional information.

702 Drugs and Alcohol Use/Testing

The use and abuse of drugs and alcohol may seriously impair an employee's ability to perform their duties safely and efficiently and undermine public confidence in the city. Because a drug or alcohol-impaired employee may pose a significant threat to the safety of the public, coworkers, and themselves, the city has adopted this policy as part of its ongoing efforts to maintain a drug and alcohol-free workplace.

All employees are expected to report to work free of the influence of illegal drugs and alcohol. An employee may not sell, distribute, dispense, possess, or use illegal drugs or alcohol on the city's premises or during working time, nor may they conspire in any such activities. Likewise, employees may not distribute, misuse, or abuse any prescription or nonprescription medications, or CBD oils on employer's premises or elsewhere during working time. Employees should bear in mind that distributing controlled substances, including prescription medications and CBD oils to coworkers not only violates this policy, but is also a crime.

Employees using a prescription drug or CBD oil that may impair mental or motor functions so as to affect the employee's ability to safely perform their duties must report the use of that prescription drug or CBD oil to their Department Head, or Human Resources, prior to reporting to work after its use. For the safety of all employees, the city may place employees using such prescription medications or CBD oils in a less hazardous job assignment, provided such assignment is available, or place them on temporary medical leave until released as fit for duty by the prescribing physician. The city reserves the right to have a physician it selects to determine if a medication produces hazardous effects or to restrict the quantity the employee may bring into the workplace.

The city looks to its employees to support this policy for the sake of the safety, health, productivity, and welfare of all. Employees are encouraged to discourage coworkers from violating this policy and are expected to cooperate in the city's effort to enforce this policy and to investigate any suspected violation.

Drug and Alcohol Screening

The policy of the city is to provide a safe working environment for all city employees. The goal of the city's drug and alcohol screening policy is to insure a drug and alcohol-free work environment and reduce, prevent, and help eliminate drug and alcohol-related accidents, fatalities, and damage to property.

This policy applies to all city employees, except law enforcement officers that carry out authorized undercover operations or official duties, such as the handling or transporting of drugs and alcohol.

The use of illegal drugs by employees, on or off duty, is prohibited and will not be tolerated.

The use, sales, possession, transfer, or purchase of illegal drugs or controlled substances on or in city-owned or leased property, while on duty, performing city-related business, or representing the city at a seminar, training, etc. is prohibited and will be subject to termination of employment. Any employee who commits an unlawful act during the course of their employment or whose conduct discredits the city in any way may be subject to disciplinary action, up to and including the termination of employment.

No employee will use or be under the influence of alcohol while in the course and/or scope of employment. No employee will report for duty or remain on duty or operate a city-owned or leased vehicle while having any measurable amount of alcohol in their system (which for enforcement purposes is defined as anything over .00) or while having any measurable trace of a controlled substance in their system for which the employee does not have an authorized prescription.

No alcoholic beverage or illegal drug will be brought or consumed on city-owned or leased property or vehicles.

Employees are required to notify the city in writing within three calendar days of any arrest, conviction, or entry of a guilty plea for any criminal offense, or immediately upon reporting to work following such arrest, conviction, or plea entry, whichever is earlier. This reporting obligation includes drug or alcohol-related offenses, but does not apply to traffic tickets or citations, unless the employee has an independent obligation to report those offenses. Failure to report under this policy subjects an employee to discipline, up to and including termination of employment. Refer to Policy #701 – Arrests, Convictions, and Guilty Pleas for additional information.

This policy does not limit any other employment rules applicable to employees such as the rules of either the Police or Fire Merit Commissions.

The testing procedures (how the test will be conducted, what procedures will be used during the test, and how an employee will be returned to service) will conform to the policies and procedures encompassed in 49 Code of Federal Regulations (CFR) Part 40.

Types of Screenings

All employees are subject to the following screenings:

- Post-Offer Screening
- Reasonable Suspicion Screening
- Post-Accident Screening
- Return-to-Work Screening
- Follow-Up from a Positive Test Result

Employees who are in safety sensitive jobs and employees that are required to maintain a Commercial Driver's License (CDL) are subject to the following screenings:

- Post-Offer Screening

- Random Selection Screening
- Reasonable Suspicion Screening
- Post-Accident Screening
- Return-to-Work Screening
- Follow-Up From a Positive Test Result

An employee who refuses to submit to a screening as stated above will have violated the terms of this policy and will be subject to termination of employment.

Failing a post-offer drug and alcohol screening, or a refusal to submit to the drug and alcohol screening will result in the rescinding of an employment offer and thus the denial of employment.

The city will pay for all drug and alcohol tests given to its employees.

Definitions and Explanations

Safety Sensitive Jobs

- An employee that operates or maintains major mechanical, motorized, or electrical equipment, on a regular and/or recurring basis.
- An employee that carries a firearm.
- Any employee who is engaged in firefighting activities.
- Any employee who is engaged in law enforcement activities.
- Any employee who works with children under the age of 18 years old.

Post-Offer Screening

- A drug and/or alcohol test administered to a potential candidate for employment with the city once an offer of employment has been made or reinstatement or rehiring of a former city employee.

Random Screening

- All such screens will be unannounced.
- Employees subject to a random screening will have an equal chance of being selected every time the selection is conducted. Appropriate safeguards are also present to ensure that the identity of the individual cannot be determined before or at the time of their selection.
- Except for employees who are off-duty, when an employee is randomly selected for screening, they will be notified of the screen and instructed to report to the collection site immediately. Employees who are randomly selected when they are off-duty will report to the collection site at the commencement of their next shift.

Reasonable Suspicion Screening

- Reasonable, articulable, and individualized suspicion will exist when an employee's appearance, behavior, speech, or body odors indicate drug or alcohol use, or the withdrawal effects the same, or a pattern of abnormal or erratic behavior is observed in the employee's work time actions. Such observations must be personally observed and documented by a Department Head, or other city official, or the employee who has received training covering the physical, behavioral, speech, and performance indicators of possible drug and alcohol use.
- Reasonable cause may be based on a third-party observer's report if the report is independently corroborated or if the employee frequently works in an unsupervised environment.
- The employee will be escorted by their Department Head, or assigned Supervisor, to the appropriate specimen collection site for the drug and alcohol screen.
- The Department Head, or assigned Supervisor, will arrange the transportation of the employee to the employee's home at the completion of the screening.

- The employee will be either assigned to a position which does not require safety sensitive functions or the driving of city-owned or leased vehicles, or placed on non-disciplinary leave with pay while awaiting the screening results. If the test result is negative, the employee will be paid for regularly scheduled hours missed while on non-disciplinary leave.

Post-Accident Screening

- Any employee who, while operating a city-owned or leased vehicle, is involved in a vehicular accident while on duty will be required to submit to a drug and alcohol screen as soon as possible, but no later than two-hours after the accident.
 - Whenever an employee receives a citation for a moving violation involving the accident.
 - Any person is injured because of the accident and injuries and requires immediate medical treatment to the person away from the accident scene.
 - When an accident results in property damage in the amount of \$1,000 or more to the city-owned or leased vehicle or property.
- An employee who is required to take a post-accident drug and alcohol screen may, at the city's discretion, either be assigned to a job which does not require driving city-owned or leased vehicles, or placed on non-disciplinary leave with pay while awaiting the screening results. If the test result is negative, the employee will be paid for regularly scheduled hours missed while on a non-disciplinary leave.

Positive Screening Results

A civilian employee who tests positive will be subject to termination of employment. A merit employee of the Police or Fire Department who tests positive will be subject to termination of employment pending a Police or Fire Merit Commission hearing.

Police and Fire Department Exposure

Any Merit Police Officer, or Merit Firefighter exposed to alcohol and/or illegal drugs in the line of duty must immediately notify their Department Head, or assigned Supervisor.

While this policy is comprehensive, it is not all inclusive and employees will be required to follow those regulations surrounding substance abuse, as appropriate. Employees with questions on this policy or issues related to drugs or alcohol use/testing may raise their concerns with their Department Head, or Human Resources without fear of reprisal.

703 Sexual and Other Unlawful Harassment

The city is committed to developing a work environment free of unlawful harassment and discrimination. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the city expects that all relationships among persons in the organization will be business-like and free of bias, prejudice, and harassment.

Equal Employment Opportunity

It is the policy of the city to ensure equal employment opportunity without harassment or discrimination on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state, and local laws.

Definitions of Harassment

I. Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purpose of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; improper use of email or voice mail; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures including screen savers or improper emails or attachments; and other physical, verbal, or visual conduct of a sexual nature.

II. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that derogates or shows hostility or aversion toward an individual on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by law or that of their relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; derogatory jokes; and written or graphic material that derogates or shows hostility or aversion toward an individual or group or that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

Individuals found to be performing such harassing conduct may be subject to disciplinary action, up to and including termination of employment.

Individuals and Conduct Covered

These policies apply to all employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the city, e.g., an outside vendor, consultant, or resident.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

Retaliation Is Prohibited

The city encourages reporting of all perceived incidents of harassment or discrimination. It is the policy of the city to investigate such reports. The city prohibits retaliation against any individual who reports harassment or discrimination or participates in an investigation of such reports.

Reporting an Incident of Harassment, Discrimination, or Retaliation

The city encourages reporting of all perceived incidents of harassment, discrimination, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of harassing conduct should discuss their concerns with their Department Head, Human Resources, or the Mayor.

In addition, the city encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The city recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures.

Complaint Procedures

If for any reason an individual does not wish to address the offender directly, or if addressing the offender does not successfully end the offensive conduct, the individual should notify their Department Head, Human Resources, or the Mayor. In addition, there may be instances in which an individual seeks only to discuss matters with one of the city designated representatives, and such discussion is encouraged.

An individual reporting harassment, discrimination, or retaliation should be aware however, that the city may find it necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual.

As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with their Department Head, Human Resources, or the Mayor.

The city encourages the prompt reporting of complaints or concerns so that rapid and corrective action may be taken before relationships become irreparably damaged. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct, or may have other relevant knowledge.

Retaliation against an individual for reporting harassment or discrimination, or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination of employment. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include, retraining, referral to counseling and/or disciplinary action up to and including termination of employment, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay as deemed appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the Board of Public Works & Safety.

Confidentiality

The city will make all reasonable efforts to maintain the confidentiality of all parties involved in a harassment investigation. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the harassment complaint.

False Claims of Sexual Harassment, Discrimination, and/or Retaliation

In order to cover all possibilities of misconduct, the city reserves the right to discipline employees who have falsely accused another of sexual harassment, discrimination, and/or retaliation. This does not mean that a complaint will be considered "false" solely because it cannot be corroborated.

Conclusion

The city has developed this policy to ensure that all its employees may work in an environment free from harassment, discrimination, and retaliation. The city will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of the city prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges, and prerequisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

Employees seeking additional information about sexual and other unlawful harassment may contact their Department Head, or Human Resources.

704 Attendance and Punctuality

To maintain a safe and productive work environment, the city expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on the business operations of the city.

Employees are expected to report to work as scheduled, on time, and prepared to start work. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head, or assigned Supervisor, at least two-hours prior to the start of their shift, or as soon as possible in advance of the anticipated absence or tardiness. Nonexempt employees who are either absent or tardy from work must use any available paid time off, e.g., vacation benefits, sick leave benefits, or personal days, to cover the missed time. Regular full-time employees may not take unpaid time to cover the absence or tardiness. At the discretion of the Department Head, the employee may use any available compensatory time to cover the missed time.

A tardy or absence is considered excused if one of the following has been met:

- The Department Head, or the assigned Supervisor, has been notified, in person, in advance, or in a timely manner and has granted permission for the tardy or absence.
- Emergencies that are backed by documentation and/or bad weather or natural hazards.
- Vacation benefits, sick leave benefits, personal days, bereavement leave, jury duty, or military leave will not be counted against an employee's attendance record. The use of sick leave benefits in which the Department Head, or assigned Supervisor, have been notified in a timely manner may be an excused absence.
- All requests for foreseeable time off, such as, but not limited to: vacation benefits, sick leave benefits, or personal days must be requested to the Department Head, or assigned Supervisor, via an internal department "Time Off Request" form, at least 24-hours prior to the absence, when possible.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment in accordance with the following:

- Tardiness
 - Three tardies in a rolling 30-day period, will result in a verbal warning placed in the employee's personnel file.
 - Five tardies in a rolling 60-day period, will result in a written warning placed in the employee's personnel file.
 - Six or more tardies in a rolling 90-day period, may result in termination of employment.
- Absenteeism
 - An unexcused absence is defined as an absence from work after all vacation benefits, sick leave benefits, and personal days have been utilized, or prior approval of the time off by the Department Head, or the assigned Supervisor, was not pre-approved.
 - One unexcused absence will result in a written warning placed in the employee's personnel file.
 - Two unexcused absences will result in additional disciplinary action, up to and including termination of employment, unless the Department Head, or assigned Supervisor, determines that the unexcused absence was "unavoidable", then a written warning will be placed in the employee's personnel file.
 - Additional unexcused absences will result in termination of employment.

Merit Fire Department Employees

- Tardiness
 - Notification of tardiness less than one half-hour prior to the start of shift.
- Absence without Leave (AWOL)
 - Member arrives after the start of their shift, or not at all.

Any member in violation of this policy will fall under the General Order-Progressive Discipline, Disciplinary Actions and Procedures. Merit Fire Department employees may refer to their Standard Operating Guidelines (SOGs) for additional information.

Employees seeking additional information about attendance and punctuality may contact their Department Head, or assigned Supervisor, or Human Resources.

705 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the city presents to residents and visitors. During working hours or when representing the city, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their job. This is particularly true if their job involves dealing with residents or visitors in person.

Department Heads are responsible for establishing a reasonable dress code appropriate to the jobs performed. If a Department Head, or the assigned Supervisor, feels that an employee's personal appearance is inappropriate, the employee may be asked to leave the workplace until they are properly dressed or groomed. Under such circumstances, nonexempt employees may not be compensated for the time away from work.

Employees may consult their Department Head, or Human Resources, if they have questions as to what constitutes appropriate appearance. When necessary, reasonable accommodation may be made for a person with a disability or for a sincerely held religious belief, as required by law.

706 Return of Property

Employees are responsible for all city-owned or leased property to include:

- Credit Cards
- Guns and Ammunition
- Keys or Key Fobs
- Laptops and Printers
- Mobile Devices
- Personal Protective Equipment (PPE)
- Security Codes
- Tools and Equipment
- Uniforms
- Written Manuals and Information

Employees must return all city-owned or leased property immediately upon request, or upon termination of employment. Where permitted by applicable laws, the city may withhold from the employee's check or final paycheck the cost of any items that are not returned when required if the employee has signed a written agreement with the city allowing them to do so. The city may also take legal action deemed appropriate to recover or protect its property.

707 Sexual Abuse and Molestation Prevention

The City of Franklin is committed to preventing both sexual abuse and molestation in the workplace. In order to make this “zero tolerance” policy clear to all employees, the city has adopted mandatory procedures that all employees must follow when they learn of, or witness sexual abuse, or molestation during the course of their employment with the City of Franklin.

Definitions of Sexual Abuse and Molestation

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of an employee who comes in contact with a child or adult during the course of one’s work for the City of Franklin. Sexual abuse includes sexual assault, exploitation, molestation, or injury of another employee, resident, or visitor, whether they are a child or an adult. It does not include sexual harassment, which is another form or behavior which is prohibited by the City of Franklin. Refer to Policy #703 – Sexual and Other Unlawful Harassment for additional information.

There are a number of “red flags” that may suggest that someone is being sexually abused. They may take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes but is not limited to:

- Sexually Transmitted Disease
- Difficulty Walking or Ambulating Normally
- Stained, Bloody, or Torn Undergarments
- Genital Pain or Itching
- Physical Injuries Involving the External Genitalia

Behavioral evidence of sexual abuse includes but is not limited to:

- Fear or reluctance about being left in the care of a particular person.
- Recoiling from being touched.
- Bundling oneself in excessive clothing, especially night clothes.
- Discomfort or apprehension when sex is referred to or discussed.
- Nightmares or fear of night and/or darkness.

Individuals and Conduct Covered

This policy applies to all employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the City of Franklin, e.g., an outside vendor, consultant, or resident.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside of the workplace, such as during business trips, business meetings, and business-related social events.

Retaliation is Prohibited

The City of Franklin encourages reporting of all perceived incidents of sexual abuse and molestation. It is the policy of the City of Franklin to investigate such reports. The City of Franklin prohibits retaliation against any individual who reports incidents of sexual abuse and molestation or participates in an investigation of such reports.

Reporting an Incident of Sexual Abuse or Molestation

The City of Franklin encourages reporting of all perceived incidents of sexual abuse or molestation or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of sexual abuse, molestation, or retaliation or who have knowledge of such incidents, should discuss their concerns with their Department Head, or assigned Supervisor, or Human Resources.

If the victim is an adult, the abuse will be reported by the City of Franklin to the local or state Adult Protective Services (APS) Agency. If a child is the victim, the City of Franklin will report the incident to the state or local Child Abuse Agency. Appropriate family members of the victim will also be notified immediately of the suspected sexual child abuse, unless instructed by a child abuse or law enforcement agency.

Complaint Procedures

The City of Franklin encourages the prompt reporting of complaints or concerns so that rapid and corrective action may be taken before relationships become irreparably damaged. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of sexual abuse, molestation, or retaliation.

Any reported allegation of sexual abuse, molestation, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The City of Franklin will cooperate fully with any investigation that is conducted by law enforcement or regulatory agencies and may also refer the complaint and the result of their investigation to those agencies.

Retaliation against an individual for reporting sexual abuse, molestation, or retaliation for participation in an investigation of a claim of sexual abuse, molestation, or retaliation is a serious violation of this policy and, like sexual abuse or molestation itself, may be subject to disciplinary action, up to and including termination of employment. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include retraining, referral to counseling

and/or disciplinary action, up to and including termination of employment, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay, as deemed appropriate under the circumstance.

As noted above, individuals who believe that they have been the victims of conduct prohibited in this policy statement or who believe they have witnessed such conduct may discuss their concerns with their Department Head, or assigned Supervisor, or Human Resources.

If a party to a complaint does not agree with its resolution, that party may appeal to the Board of Public Works & Safety.

Confidentiality

The City of Franklin will make all reasonable efforts to maintain the confidentiality of all parties involved in a sexual abuse or molestation investigation. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the sexual abuse or molestation complaint. Identities of minors will be protected in accordance with both federal and state laws.

False Claims of Sexual Abuse, Molestation, and/or Retaliation

In order to cover all possibilities of misconduct, the City of Franklin reserves the right to discipline employees who have falsely accused another of sexual abuse, molestation, or retaliation. This does not mean that a complaint will be considered “false” solely because it cannot be corroborated.

Conclusion

The City of Franklin has developed this policy to ensure that all its employees may work in an environment free from sexual abuse, molestation, and retaliation. The City of Franklin will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Employees seeking additional information about sexual abuse and molestation prevention may speak with their Department Head, or Human Resources.

708 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the city. Although advance notice is not required, the city requests at least two-weeks' written notice from all nonexempt employees and four-weeks written notice from all exempt employees. Employees who plan to retire are urged to provide the city with a minimum of two-months' notice. If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire. Refer to Policy #405 – Employment Terminations for additional information.

709 Ghost Employment

The city is committed to providing efficient and lawful services to its residents and to maintaining public trust. Therefore, "ghost employment" is a violation of city policy and of Indiana Code (IC) 35-44.1-1-3. Ghost employment is a Level 6 felony.

A public servant who knowingly or intentionally hires an employee for a governmental entity and fails to assign the employee any duties, or assigns duties not related to the operation of the governmental entity, is committing ghost employment.

Additionally, a public servant employed by a governmental entity knowing that they have not been assigned any duties to perform for the entity and accepts property (compensation) from the entity, or a public servant who knowingly or intentionally accepts property (compensation) from the entity for the performance of duties not related to the operation of the entity, commits ghost employment.

Examples of violations of this policy include, but are not limited to, performing work on public property that is not job-related, authorizing or receiving payment for time not worked, and authorizing or receiving payment for leave time not authorized by the city's paid leave policies. Violations of this policy shall result in disciplinary action, up to and including termination of employment, in addition to potential prosecution under Indiana Code (IC) 35-44.1-1-3.

Employees seeking additional information about ghost employment may contact their Department Head, or Human Resources

710 Security Inspections

The city wishes to discourage theft or unauthorized possession of the property of employees, the city, visitors, and residents. To facilitate enforcement of this policy, the city or its representative may inspect not only desks, lockers, and city-owned vehicles, but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the city's premises.

The city wishes to maintain a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, the city prohibits the manufacturing, distribution, dispensing, possession, transfer, sale, or use of such materials in its facilities. The city requires the cooperation of all employees in administering this policy. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

Computers, desks, lockers, and other storage devices may be provided for the convenience of employees, but remains the sole property of the city. Accordingly, they, as well as any articles found within them, may be inspected by any agent or representative of the city at any time, either with or without prior notice. This includes purses, briefcases, personal devices and motor vehicles located on the city's property, based on reasonable cause, as well as all city-owned property used by employees, whether secured or unsecured by a lock or locking device provided by the employee, based on reasonable suspicion. An employee's personal items may be held so that law enforcement officials may conduct the search.

Employees seeking additional information about security inspections may contact their Department Head, or Human Resources.

711 Facilities Security

It is the responsibility of all employees to make sure the facilities and work areas are secure. Any employee entrusted with facility keys, key fobs, door codes, and security codes will make certain the facility is secure when that employee is the last to leave. This includes, but is not limited to, turning off appropriate lights, and closing and locking all doors and windows.

Employees may contact their Department Head, the assigned Supervisor, or Human Resources to report any potential security risks or concerns.

712 Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by the city may not solicit or distribute literature in the workplace at any time for any purpose.

The city recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not engaged in performing their job-related tasks.

In addition, the posting of written solicitations on city bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee Announcements
- Internal Memoranda
- Job Openings
- City-Related Announcements
- Payday Notice
- Workers' Compensation Insurance Information

If an employee has a message of interest to the workplace, they may submit it to Human Resources for approval. All approved messages will be posted by an employee specifically designated by Human Resources.

716 Progressive Discipline

The purpose of this policy is to state the city's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The city's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the city is based on mutual consent and both the employee and the city have the right to terminate the employment-at-will relationship, with or without cause or advance notice, the city may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay when further investigation is warranted, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Department Heads are required to complete the progressive disciplinary action form. Copies of all progressive disciplinary action reports and/or coaching/counseling notes must be placed in the employee's personnel file in Human Resources.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed:

- A first offense may call for a written verbal warning.
- A next offense may be followed by a written warning.
- A third offense may lead to a suspension when further investigation is warranted.

- A fourth offense may then lead to termination of employment.

The city recognizes that there are certain types of employee problems that are serious enough to justify either a suspension when further investigation is warranted, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps. In those instances, as determined by the sole discretion of the city, the employee may be terminated without progressive discipline.

While it is impossible to list every type of behavior that may be deemed a serious offense, Policy #700 - Employee Conduct and Work Rules includes examples of problems that may result in immediate termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline. By using progressive discipline, the city hopes that most employee problems may be corrected at an early stage, benefiting both the employee and the city.

Civilian employees will receive a copy of the disciplinary action report. All documents will be provided to Human Resources to be placed in the employee's personnel file, in accordance with the State of Indiana's records retention requirements. While all disciplinary action remains as a permanent record in the employee's file, the action itself will no longer hold value after one-year from the date of the disciplinary action.

Merit Fire Department Employees

With respect to most disciplinary problems, these steps will normally be followed for Merit Firefighters:

1. Coaching
2. Written Warning
3. Written Reprimand
4. Suspension with or without pay
5. Demotion in rank
6. Dismissal

All documents will be provided to Human Resources to be placed in the employee's personnel file, in accordance with the State of Indiana's records retention requirements. All disciplinary action remains as a permanent record. Merit Fire Department employees may refer to their Standard Operating Guidelines (SOGs) for additional information.

718 Problem Resolution

It is the policy of the city to ensure that employees' who have questions, issues, and complaints arising from misunderstandings and the application of policies, procedures, and work rules be promptly heard, answered and action taken to resolve or clarify each situation.

Any employee who has a question, issue, or complaint with the city should follow these steps:

- Employees should talk with the individual with whom they have an issue to try and come to a resolution of the problem or situation.
- If talking with the employee does not satisfy the problem or situation, or if the employee alternately chooses to initially submit a problem for resolution, then the employee should contact their Department Head, or Human Resources, to discuss the problem or situation, as soon as possible.

- If the problem or situation is not satisfactorily resolved or the problem or situation is with their Department Head, the employee should contact Human Resources directly. Human Resources may engage with the Mayor to assist with resolving the issue.
- If the problem or situation is not satisfactorily resolved or the problem or situation is with Human Resources, the employee may request a meeting with the Mayor to discuss the issue or complaint. The Mayor's decision will be final and will end the problem resolution process.
- If needed, the Board of Public Works & Safety may be consulted to come to a final resolution on all employee-related matters.

Employees seeking additional information about problem resolution may contact their Department Head, or Human Resources.

722 Workplace Etiquette

The city strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues may be addressed by politely talking with a coworker to bring the perceived problem to their attention. In most cases, common sense will dictate an appropriate resolution. The city encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help employees be more conscientious and considerate of their coworkers and the work environment. Employees should contact their Department Head, or assigned Supervisor, or Human Resources, if they have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- Return copy machine and printer settings to their default settings after changing them.
- Replace paper in the copy machine and printer paper trays when they are empty.
- Retrieve print jobs in a timely manner and be sure to collect all papers.
- Be prompt when using the manual feed on the printer.
- Keep the area around the copy machine and printers orderly and picked-up.
- Be careful not to take or discard others' print jobs or faxes when collecting papers.
- Avoid public accusations or criticisms of others in the workplace. Address such issues privately with those involved, the Department Head, or the assigned Supervisor.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how voices travel. Employees should try to lower the volume of their voices when talking on the phone or to others in open areas.
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of personal life/issues in public conversations that may be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone when in the proximity of others.
- Clean-up and do not leave behind waste or discarded papers.

- Keep all desks and work areas neat and orderly.
- Thoroughly clean-up after utilizing break and kitchen areas.

Employees seeking additional information about workplace etiquette may contact their Department Head, the assigned Supervisor, or Human Resources.

MISCELLANEOUS

802 Political Activity

Employees of the city are encouraged to support governments in the political system. However, there are limits on employee political activity. City employees may join civic, partisan, or political organizations, may attend political meetings and advocate the principles or policies of civic or political organizations in accordance with the Constitution and federal and state laws.

Although any solicitation, refer to Policy #712 – Solicitation by employees of the city during working hours is strictly prohibited, employees must make every effort to avoid the appearance of impropriety when engaging in political activities on their own time. Employees must note that they are engaging in political activity on their own time and not on behalf of the city. Employees must also refrain from discussing municipal business during political discussions. No city employee should be required to contribute money or anything of value to any candidate for nomination, or election to any office, campaign or political committee, or be required to take part in any political campaign. In addition, receiving gifts, remuneration of any type or monetary reward in exchange for political activities while conducting or that conflict with municipal business is prohibited.

Employees seeking additional information about political activity may contact their Department Director, or Human Resources.

803 Whistleblower Policy

In its continuing effort to build upon its strong corporate governance standards, the city has established procedures for its employees to convey complaints or to identify concerns (a “complaint”) regarding violations of legal and regulatory requirements to which the city is bound. Such Complaints may be related to financial reporting and disclosure requirements, preparation of financial statements, accounting practices, internal accounting controls, financial audit matters, matters concerning fraud against the city, or inappropriate use of the city’s resources (collectively, “Disclosure Matters”).

The city also respects its employees’ legal right to report actual or suspected unlawful activity directly to government agencies, to their Department Head, to Human Resources, or to the Mayor. It is the city’s responsibility to ensure that employees feel comfortable reporting actual or suspected unlawful activity to government agencies, to their Department Head, to Human Resources, or the Mayor.

Filing a Complaint

Any employee should submit a good faith complaint regarding questionable treatment or alleged violations with respect to the Disclosure Matters that an employee cannot foresee resolving through the city’s problem resolution process. Employees should follow the procedures described below to submit a complaint:

- A complaint may be submitted in writing, confidentially and anonymously, through internal or regular mail or may be delivered in person to a Department Head, Human Resources, or

the Mayor. If an employee desires to discuss the matter in person with the Mayor, they may call the Mayor's office, instead of submitting the complaint in writing.

- If the complaint involves the Mayor, or a member of the City Council, the employee should contact another member of the City Council by phone or U.S. Mail. Submissions may be made anonymously.
- Complaints should be factual and contain as much specific information as possible setting forth all of the information that the employee knows, in order to allow the representative to make a proper assessment. Any envelope containing a complaint should be marked "*confidential and private.*"

Handling Complaints

Upon receipt of a complaint, the Mayor, a member of the City Council, or their designee, will conduct an initial screening of the complaint to assess its nature, legitimacy, and significance. To the extent possible, all complaints will be handled in a confidential manner. All submissions, inquiries, and discussions will be documented by the Mayor, or a member of the City Council, or their designee.

Upon conclusion of the initial screening, the Mayor, or member of the City Council, will decide whether to proceed with further investigation, or close the file. Any Complaint involving (a) the existence of material inaccuracies in the city's financial reports, or (b) a defalcation, fraud, or other intentional misconduct with respect to its cash and/or other financial assets, accounting, auditing, reporting, or internal controls, will be reported promptly to the President of the City Council, or the State Board of Accounts, following the initial screening and any corrective action will be taken, as appropriate.

All submissions, inquiries, discussions, and documentation will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Documentation related to the investigation will be maintained in confidential files. Access to the confidential files will be restricted to the Mayor, City Attorney, and/or their designated representatives. This is important in order to avoid damaging the reputations of persons suspected, but subsequently found innocent of wrongful misconduct and to protect the city from potential civil liability. All such confidential files will be maintained for at least 75-years following the final disposition of the matter.

All other complaints not relating to the accounting, auditing, or reporting of, or the internal controls practices and procedures relating to the city's funds will be handled pursuant to the current policies and procedures applicable to such matters.

Any employee found to have violated any item within this policy may be subject to disciplinary action, up to and including termination of employment, and legal action even if the individual does not directly benefit from the intended action.

Any employee who makes a complaint under this policy by means of allegations that prove not to be substantiated and which also prove to have been made maliciously, recklessly, or with foreknowledge that the allegations were false will be subject to disciplinary action, up to and including termination of employment.

No Retaliation

The city will not retaliate or discriminate against any employee who lawfully provides information to federal or state authorities, or to the city regarding any conduct that the employee reasonably believes constitutes unlawful activity or who participates in, or otherwise assists with an administrative proceeding, judicial proceeding, or investigation by government agencies, the Mayor, or members of the City Council (collectively, the "Proceedings").

Specifically, the city will not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against any employee in the terms and conditions of their employment because the employee participated in the proceedings. The city also respects its employees' legal rights to refuse to engage in unlawful activities and will not take any type of disciplinary action against employees who refuse to engage in unlawful activities.

Employees seeking additional information about the guidelines of the whistleblower policy may contact Human Resources.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM
ISSUE DATE: 01/01/2025

The employee handbook describes important information about the city and I understand that I may consult a Department Head, Human Resources, or the Clerk-Treasurer's Office regarding any questions not answered in the handbook. I have entered into my employment relationship with the city voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the city may terminate the employment-at-will relationship, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

While these policies are comprehensive, they are not all-inclusive. Employees who are in violation of any policy in this handbook may be subject to disciplinary action, up to and including termination of employment.

Since the information, policies and procedures, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the city's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Board of Public Works & Safety and the City Council of the City of Franklin has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies and procedures contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____