

Franklin Parks & Recreation

Part-Time Personnel Policy Handbook



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Acknowledgment of receipt and agreement to comply

I acknowledge that I have received a copy of the Part-Time Personnel Policy Handbook as approved by the Franklin Parks and Recreation Park Board. I understand the Handbook sets forth the general terms of my employment and I agree: (1) to read and comply with the policies and procedures contained in the Handbook; (2) that the Franklin Parks and Recreation Park Board has reserved the right to unilaterally abolish or modify any personnel policy or employee benefit effective at the beginning of a pay period; (3) that I am an at-will employee, and this Handbook is not a contract and/or promise of continued employment; (4) that upon receipt of notice of a change in any policy or benefit, I am responsible to update this handbook accordingly; (5) I accept and agree to be subject to the change by reporting for work as scheduled at the beginning of the next pay period; (6.) I acknowledge receipt of a copy of the job description for my position and I agree that I meet the qualification standards for this position and I am able to perform the essential functions of the position.

Name (please print) _____

Signature _____

Date _____

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Chapter 1: Introduction

A. Scope and Intent of Handbook

This employee handbook describes the personnel policies and procedures that govern part time employment by the Franklin Parks and Recreation Department (referred to in this document as “Department”). These policies and procedures are subject to change any time without prior notice. Such changes will be posted or otherwise provided to employees as soon as practicable. Department employment policies are based upon and are to be applied consistent with applicable federal and state laws and local ordinances. Indiana and Federal laws and local ordinances shall supersede the provisions of this Handbook in the event of any conflict.

The primary purpose of this Handbook is to insure employee compliance with employment policies and procedures and its consistent application. The ultimate purpose of this Handbook is to promote a positive work environment that provides to the Franklin community with an inviting and enjoyable recreational experience.

None of the content of this Handbook constitutes an expressed or implied contract of employment. All employment is at-will and may be terminated at any time, with or without cause and with or without notice. Any oral or written statements to the contrary are hereby expressly disavowed and should not be relied upon by any current or prospective employee.

B. Personnel Policy Administration

Each employee is responsible for reading and understanding this Handbook and abiding by its provisions.

All employment policies are issued by the Park Board. Primary responsibility for administering the policies and procedures outlined in this Handbook rests with the Director (“Director”) of the Franklin Parks and Recreation Department (“Department”) and his designees. Questions and comments regarding these policies may be directed to the Department’s Human Resources Area. (“Human Resources”.)

Chapter 2: Employment Policies

A. Equal Employment Opportunity

Our Policy

The City, as required by law, makes equal employment opportunities available to all persons without regard to race, sex, age, color, religion, national origin, disability, citizenship status, military status, or any other category protected under federal, state, or local law. This policy applies to applicants and employees and to all aspects of employment including hiring, promotion, demotion, treatment during employment, rates of pay or other forms of compensation, and termination of employment. Further, irrespective of whether sexual orientation is a legally-protected status, the City does not tolerate discrimination on the basis of an employee's sexual orientation.

Reasonable Accommodation

The City will take appropriate steps to provide reasonable accommodation upon request to qualified individuals with disabilities so long as doing so does not cause an undue hardship. The City will also take appropriate steps to provide reasonable accommodation upon request to employees whose religious beliefs or restrictions create a conflict with the City's policies, practices, or procedures so long as doing so does not cause an undue hardship. If you need accommodation, please provide a written description of your situation and your needs to your Department Head and someone will contact you to discuss your request.

B. Hiring

The Department is committed to recruiting and selecting qualified applicants to fill vacant positions from internal and/or external applicants for each open position. An applicant must meet the minimum qualification standards for a position in order to be considered a candidate for that position. Qualification standards may include education and training, licenses, certifications, work experience, skills and abilities. All hiring shall be conducted in accordance with the Department's policy of equal employment opportunity to ensure open and fair competition for all applicants.

The Department is under no obligation to post all openings nor to wait until the posting period is over to seek external applicants. The decision will be made by the Director, based on the nature of the position, the required qualification standards and other relevant considerations. Applicants must meet a position's qualification standards to be considered for it. The posting process does not guarantee that a qualified internal applicant will be given preference over an external applicant to fill a position.

All applicants, including internal applicants and former employees, must submit an application and may submit a resume for consideration, as directed by the posting notice or advertisement. Applications will be accepted for current or projected openings only. An application is valid for 90 days or until the position is filled, whichever is longer. After 90 days a new application may be required. Names of applicants who meet the qualification standards for an open position shall be forwarded to Human Resources.

Any material misstatement or omission concerning a qualification standards on an application or resume

or in the interview process will result in disqualification of the applicant, or termination of an employee, when detected.

The hiring supervisor is responsible to conduct interviews and make hiring recommendations; Human Resources makes employment offers with proper approvals. All appropriate pre-employment tests in compliance with equal employment laws are paid for by the Department. Every offer is contingent upon verification of a right to work in the United States and may be contingent upon testing negative for the use of illegal drugs.

C. Employee Classification

For purposes of this section, an employee of the Department is an individual who is actively carried on Department payroll records and who receives wages or a salary from the Department. Employee classification descriptions are as follows:

Part-Time Employee – An employee who is regularly scheduled to work fewer than 37-1/2 hours per week or who work a full-time schedule on a temporary basis. Part-time employees are not eligible for Department benefits, leaves or paid time off, except for overtime compensation for working more than 40 hours in a 7 day work week.

If an employee changes his/ her employment status from one classification to another, the employee shall be subject to any resulting changes in benefits eligibility effective at the beginning of the next pay period. For employees who transfer from Part-Time to Full-Time, the date of transfer is treated as the hire date for purposes of benefits eligibility.

Independent Contractors are not Department employees. They do not receive Department benefits. Their total compensation is determined by contract terms.

D. Employing Minors

The Department shall complete an Intent to Employ/A1 form and receive a work permit from an issuing officer of the minor's school before employing a minor under the age of 18 years who has not graduated from high school or received a GED diploma. The Department in employing a minor who is under 18 years of age will comply with all federal, state and local laws. The Department shall also comply with all guidelines as set forth by the Federal Bureau of Child Labor, Indiana Department of Labor.

AGE 15

Restricted to:

- ❖ 3 hours per school day
- ❖ 18 hours per school week
- ❖ 8 hours per nonschool day
- ❖ 40 hours per nonschool week
- ❖ No work before 7 a.m. or after 7 p.m. (except 9 p.m. June 1 through Labor Day.)

Age 16

Restricted to:

- ❖ 8 hours per school day

- ❖ 30 hours per school week
- ❖ No more than 6 working days per week
- ❖ No work before 6 a.m.
- ❖ Work until 10 p.m. on school nights

Age 17

Restricted to:

- ❖ 8 hours per school day
- ❖ 30 hours per school week
- ❖ No more than 6 working days per week
- ❖ No work before 6 a.m.
- ❖ Work until 10 p.m. on school nights

As a worker under the age of 18, you must receive one or two breaks totaling 30 minutes when you are scheduled to work 6 or more consecutive hours. 16 or 17 year olds may not be employed or permitted to work on a school day after 7:30 a.m. and before 3:30 p.m. unless the Department has on file a written exception issued by the school that the minor attends. 16 or 17 year olds who have withdrawn or graduated from high school are not subject to the hour restrictions listed above.

E. Nepotism

The Department recognizes that members of the same family may desire to pursue similar careers. The Department recognizes the potential for favoritism in employment decisions and to the necessity of maintaining professional work relationships while on the job. Department employment and the hiring/promotion process is subject to the following restrictions:

- All applicants for employment with the Department shall be required to demonstrate his/her compliance with the qualification standards for the position for which they have applied. Applicants are responsible for disclosing and to state any family relationship with current employees of the Department or Board members.
- The decision to hire or promote a family member of a current employee or Board member must be jointly approved by the Human Resources Manager and the Director and a conflict of interest disclosure may need to be filed. A family member of a Department employee or Board member shall not automatically be disqualified from employment with the Department. Consideration will be given to such factors as the nature of the family relationship and the work relationship, the physical location of the work areas, and the division and positions in question.
- An individual shall not be hired, promoted or transferred into a position that reports directly to or supervises a family member on a day-to-day basis.
- In the event of a marriage between employees that results in a violation of the direct supervision or reporting prohibition, one of the affected employees must transfer to another position or resign as soon as possible but not later than within six (6) months of the marriage date.

For purposes of this Nepotism Policy, family members include husbands, wives, parents, children,

brothers, sisters, grandparents, grandchildren, first cousins, aunts, uncles, nieces, nephews, stepparents, stepchildren, stepbrothers and stepsisters, half brothers and half sisters, mothers-in-law and fathers-in-law, sons-in-law and daughters-in-law, brothers-in-law and sisters-in-law and any person residing in the home.

F. Ethics

The following standards of ethical conduct ensure that as public servants, Department employees are independent, impartial, and responsible to the public, decisions are made through the proper channels of governmental structure, public office is not used for personal gain, and the public has confidence in the integrity of its government.

Disqualifications: Any employee shall disqualify himself/herself from and take no part in final action on any matter in which the employee or a member of the employee's Immediate Family, has a Pecuniary or Financial Interest. Improper Use of Official Position: No Employee shall use or permit the use of his/her Department position, Departmental funds or Department property under his/her official control, direction or custody, for a purpose which is primarily for the benefit of the Employee or his/her Immediate Family; provided that this policy shall not prohibit the private use of Department property that is available on equal terms to the public generally, or the use of property in accordance with Department policy in the conduct of official business, the use of vehicles and other equipment by off-duty employees in compliance with the Department rules, and/or the employment of any Employee or his/her Immediate Family by the Department.

Gifts and Honoraria Prohibited: No employee shall accept Gifts or Honoraria that individually or cumulatively exceed the value of Two Hundred Fifty Dollars (\$250.00) in any calendar year from any Business Entity that is doing business with the Department.

No employee shall accept payment or anything of value from a person in exchange for special consideration or influence any action by the employee in his/her official capacity. However, nothing herein shall prohibit the receipt of donations or gifts to the Department which are accepted by the Board.

For purposes of this Ethics Policy, Immediate Family means the nuclear unit, i.e., married persons and their children, provided however, that for purposes of the Conflict of Interest provision below, the conflict applies when an employee is benefitted by the financial gain of a dependent.

Conflict of Interest

Employees have an obligation to conduct Departmental business in a manner that avoids actual, potential or perceived conflicts of interest. A conflict of interest occurs when an employee in a position to influence a Department decision that may result in personal financial gain for the employee or his or her dependents does not disclose the personal or family interest and abstains from all involvement in the decision.

Any employee who has influence over Department purchases contracts or employment is required by the State of Indiana to disclose the existence of an actual or potential conflict of interest involving the individual or his or her dependents. A Uniform Conflict of Interest Disclosure Statement must be filed as

required by state law and submitted to the Human Resources Manager, prior to the contract being awarded or the purchase authorized. Forms are available at Human Resources.

Questions regarding this policy are to be directed to the Human Resources Manager. The Board's Attorney will advise on the appropriateness of a gift or the existence of a conflict of interest.

G. Confidentiality

Department employees may have access to information regarding Department business and individual members of the public as they interact with the Department and/or Board. *At no time should an employee allow access to personally identifiable information from or about a Department employee or a person's use of Department facilities or programs for any purpose without advance written authorization from the Director.* If in doubt regarding the disclosure of specific information, employees should ask his/her supervisors or Human Resources for assistance in determining whether information should be released. All requests for records pursuant to Indiana's Access to Public Records Act shall be immediately forwarded to the Business Services Division Manager for response.

H. Department Property and Equipment

The Board has custody of and responsibility for maintaining all Department property. All requests for use of Department property outside the normal conduct of Department business must be approved by the Director or in the Director's discretion, the Board.

Department employees may not use Department property for personal purposes or personal gain, and only Department-authorized work may be done on Department premises or using Department facilities, supplies or equipment. The designation and disposal of scrap from the Department is the sole responsibility of the Director. No other employee has authority to use or sell scrap. Scrap revenue will be deposited into the appropriate fund.

If equipment owned by the Department is lost, stolen or damaged due to an employee's negligence or misconduct, the Director may require that the employee reimburse the Department at the fair market value of the item. The employee may also face disciplinary action, up to and including immediate termination.

All paper and electronic files prepared in the course of Department business are the property of the Department and may not be reproduced, altered or removed outside the normal course of business without the consent of the Director. Modification of computer hardware and software must be approved by the Director. The installation of additional software on a Department computer must be approved in an e-mail by the Director.

Property of the Department shall be disposed in accordance with Indiana law; specifically in accordance with a Board-adopted policy. Questions regarding such are to be directed to the Director.

I. Drug and Alcohol Screening Policy

The Policy of the City of Franklin 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 of Franklin employees except law enforcement officers that carry out authorized undercover operations or official duties, such as the handling or transporting of drugs and alcohol.

Policy

- General
 - (1) The use of illegal drugs by employees, on or off duty, is prohibited and will not be tolerated.
 - (2) The use, sale, possession, transfer or purchase of illegal drugs or controlled substances on or in City property or while on duty or performing City business is prohibited and will be subject to termination.
 - (3) Any employee who commits an unlawful act during the course of his or her employment or whose conduct discredits the City in any way will be subject to termination.
 - (4) No employee shall use or be under the influence of alcohol while in the course and/or scope of employment.
 - (5) No employee shall report for duty or remain on duty or operate a City vehicle while having any measurable amount of alcohol in his/her system (which for enforcement purposes is defined at .02) or while having any measurable trace of a controlled substance in his/her system for which the employee does not have an authorized prescription.
 - (6) No alcoholic beverage or illegal drug will be brought or consumed on City property.
 - (7) Employees shall notify the City of any arrest immediately after the arrest.
 - (8) This policy does not limit any other employment rules applicable to employees such as the rules of either the Police or Fire Merit Commissions.
 - (9) 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. For further information, you may review 49 CFR 40 in its entirety at http://www.dot.gov/ost/dapc/NEW_DOCS/Part40_complete_20041109_A.pdf.
- Screenings
 - (1) All employees (and prospective employees) are subject to the following screening:
 - a. Pre-Employment Screening;
 - b. Reasonable Suspicion Screening.
 - (2) Employees that are in Safety Sensitive Positions and employees that are required to maintain a Commercial Drivers License (CDL) are subject to the following screening:
 - a. Pre-Employment Screening;
 - b. Random Screening;
 - c. Reasonable Suspicion Screening;
 - d. Post-Accident Screening;
 - e. Return-to-Work Screening;
 - f. Follow-up on positive test results.

- (3) An employee that refuses to submit to a screening as stated above shall be subject to termination.
- Definitions
 - (1) Safety Sensitive Positions
 - a. An employee that operates or maintains major mechanical, motorized, or electrical equipment on a regular, recurring basis;
 - b. An employee that carries a firearm;
 - c. Firefighters;
 - d. Emergency Medical Technicians.
 - (2) Pre-Employment Screening
 - a. Drug Test administered to a prospective employee prior to actual hiring or the reinstatement or rehiring of a former City employee;
 - b. Notification of the City's drug and alcohol screening policy at the time of application;
 - c. Failing the drug and alcohol screening or refusal to submit to the drug and alcohol screening will result in the denial of employment.
 - (3) Random Screening
 - a. All such screens will be unannounced.
 - b. Employees subject to the 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.
 - c. Except for employees who are off-duty, when an employee is randomly selected to be screened, he/she 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.
 - (4) Reasonable Suspicion Screening
 - a. Reasonable suspicion will exist when an employee's appearance, behavior, speech, or body odors indicate drug or alcohol use, or the withdrawal effects of same. Such observations must be personally observed and documented by the employee's supervisor or a City official who has received training covering the physical, behavioral, speech, and performance indicators of possible drug and alcohol use.
 - b. The employee will be escorted by his/her supervisor to the appropriate specimen collection site for the drug and alcohol screen.
 - c. The supervisor will arrange the transportation of the employees to the employee's home at the completion of the screening.
 - d. The employee will be either assigned to a position which does not require safety sensitive functions or the driving of City vehicles, or placed on the non-disciplinary leave with pay while awaiting the screening results.
 - (5) Post-Accident Screening
 - a. Any employee who, while operating a City-owned 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 after the accident:

- i) Whenever an employee receives a citation for a moving violation involving the accident; or
 - ii) Any person is injured because of the accident and the injuries require immediate medical treatment to the person away from the accident scene; or
 - iii) When an accident results in property damage in the amount of \$1,000 or more to the City property or vehicle.
 - b. 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 position which does not require driving City vehicles, or placed on non-disciplinary leave with pay while awaiting the screening results.
- Positive Screen Results
 - (1) A civilian employee who tests positive will be subject to termination pending a Board of Works hearing.
 - (2) A merit employee of the Police and/or Fire Department who tests positive will be subject to termination pending a Police of Fire Merit Board hearing.
 - (3) The City will pay for all drug and alcohol tests given to its employees.
 - Police/Fire Department
 - (1) Any law enforcement officer or firefighter exposed to alcohol and/or illegal drugs in the line of duty shall immediately notify his/her supervisor.

J. Anti-Harassment

The City is further committed to providing a workplace free of inappropriate treatment of any employee because of the employee's race, color, sex, religion, age, national origin, ancestry, disability, or any other category protected under federal, state, or local law. To be unlawful, conduct must be so severe and pervasive that it unreasonably interferes with an employee's ability to work. The City does not, however, condone or tolerate any inappropriate conduct based on an employee's race, sex, age, religion, national origin, ancestry, disability, or any other category protected under federal, state, or local law. Further, irrespective of whether sexual orientation is a legally-protected status, the City does not tolerate harassment on the basis of an employee's sexual orientation.

Moreover, the City is committed to protecting employees from inappropriate conduct whether from other employees or non-employees such as visitors, vendors, supplies, clients, guests, customers, contractors, or members of the public.

Examples of Inappropriate Conduct

Inappropriate conduct may include, among other things:

- Epithets, slurs, stereotyping, threatening, intimidating, or hostile acts that relate to race, color, sex, age, religion, national origin, ancestry, or disability; and

- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, sex, age, religion, national origin, ancestry, or disability.

Specifically, the City is committed to providing a workplace free of inappropriate conduct of a sexual nature. Such conduct may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Such conduct also may include, among other things:

- Unsolicited and unwelcome comments or conduct of a sexual nature or that are demeaning to women or men as a group (for example: offensive or vulgar jokes, name-calling, comments about one's body or sex life, stereotyping based on a person's sex, touching, leering, ogling, patting, pinching, indecent exposure, physical gestures, or displaying sexually explicit photographs or objects that interfere with a reasonable person's work);
- Unsolicited and unwelcome demands or requests for sexual favors or social or sexual encounters;
- An explicit or implicit promise of preferential treatment with regard to a person's employment in exchange for sexual favors or sexual activity; and
- The use of an employee's or applicant's submission to or rejection of sexual conduct as the basis for making, influencing, or affecting an employment decision that has an impact upon the terms and conditions of the individual's employment (for example: hiring, firing, promotion, demotion, compensation, benefits, or working conditions).

Given the nature of this type of conduct and the serious effects such conduct can have on the target of the conduct and the one accused of the conduct, the City treats alleged violations of this Policy seriously and, to the extent possible, confidentially. The City expects all individuals to treat alleged violations in the same responsible manner. Please help us maintain a comfortable work environment free from inappropriate and offensive conduct of any type irrespective of whether the conduct is unlawful.

Internal Reporting Procedure

If you believe you or any other employee is being subjected to behavior that is not consistent with these policies, you are encouraged to, and have a responsibility to, immediately report these matters to your Department Head. If for any reason you do not feel comfortable reporting your concerns to the Department Head, you may report your concerns to the Mayor. Additionally, any employee who believes a non-employee's behavior violates this policy should promptly report the non-employee's conduct through this policy. If the concern relates to the behavior of the Mayor and you do not feel comfortable reporting your concerns to either your Department Head or the Mayor, you may report your concerns to President of the Common Council.

Supervisors who become aware of any potential violation of this Policy must report the potential violation to the Department Head or the Mayor. Failure to report potential violations will result in appropriate discipline, up to and including discharge.

Our Commitment When Reports Are Made

No action will be taken against any employee merely because he/she reports behavior believed to violate this Policy. The City will investigate and take appropriate action as to all complaints. The City is firm in its commitment to maintaining an environment free of discrimination and inappropriate conduct. Violations of this Policy will not be tolerated and will result in appropriate disciplinary action, up to and including discharge.

Personal Relationships at Work

To avoid even the appearance of impropriety, the City prohibits dating, personal/sexual relationships, and/or cohabitation between supervisors and employees reporting directly or indirectly to the supervisor. The individuals involved must immediately report to the Department Head the existence of such relationships so that appropriate steps may be taken, including reassignment of personnel, to avoid the potential for the personal relationship to adversely affect any employee in any manner. If reassignment is not possible, then the City will permit the two employees to decide which one will resign his/her employment. Any supervisor's failure to report a personal/sexual relationship or cohabitation will result in discharge. Exemptions may be made for any personal/sexual relationship and/or cohabitation existing at the effective date of this policy, but only if the employees immediately report the relationship.

K. Workplace Violence

Our goal is to strive to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening, hostile behaviors, verbal threats, written threats, physical threats, physical contact, inappropriate jokes, and/or offensive comments, vandalism, arson, sabotage, use of weapons, carrying weapons onto City property, or any other act, which in management's opinion, is inappropriate to the workplace.

Employees who feel subjected to any of the behaviors listed above should immediately report the incident to any supervisor, Superintendent, or the Assistant Superintendent. Complaints will receive immediate attention and the situation will be properly investigated. Based upon the results of the inquiry, action will be taken which management feels is appropriate, up to and including termination.

Employees should directly contact law enforcement, and/or emergency services if they believe there is a serious threat to their safety and health or the safety and health of other employees or property.

If there is reasonable suspicion that an employee has engaged in conduct listed above, the Department reserves the right to conduct, without notice, searches and inspections of employees, employee's personal belongings or employer provided materials/equipment. This includes, but is not limited to, such things as vehicles, purses, bags, backpacks, lunch containers, lockers, desks, personal computer files, and file drawers.

Any illegal and unauthorized articles discovered may be taken into custody and may be turned over to a law enforcement representative.

Employees who observe or have knowledge of any violation of this policy should immediately report it to a member of management. The Department will promptly respond to any incident or suggestion of violence.

In keeping with a zero tolerance of workplace violence, all reported incidents will be investigated promptly. In the interest of a safe and productive workplace, an employee who engages in prohibited conduct will be subject to appropriate disciplinary action, as determined by the findings of a fair and impartial investigation. Such discipline may include warnings, reprimand, suspension, or immediate termination. In addition, certain actions may cause the employee to be held legally liable under state and/or federal law.

L. Americans with Disabilities Act

In compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the Department is committed to removing barriers that prevent employees with disabilities who are otherwise qualified from enjoying the same employment opportunities that are available to those without disabilities. The Department will make one or more reasonable accommodation to allow a qualified employee with a disability to perform essential job functions of his or her position as long as the accommodation does not create an undue hardship for the Department or a direct threat to the health or safety of the employee or others.

It is the responsibility of an employee who becomes disabled with a qualified disability and requests reasonable accommodation to notify his/ her supervisor who will refer the request to the Human Resources Manager. Human Resources will confirm the qualification of the reported disability, review the request and respond to the employee. The Department is not obligated to accept the employee's accommodation request and is allowed to recommend alternatives that do not pose undue hardship on the Department or constitute a direct threat to the safety of a person. If warranted, the Department may require the employee to submit medical documentation of his or her condition or, at the Department's cost, to be evaluated by a physician or rehabilitation specialist selected by the Department.

If an employee cannot be reasonably accommodated in his/ her current position, the Department will attempt to find a vacant position for which the employee is qualified. The Department makes no guarantee that a suitable position will be available.

All requests for accommodation, decisions regarding accommodation, and medical information obtained as a result of this policy shall be documented and kept in a confidential file separate from the employee's personnel file and released only on a need-to-know or as legally required.

M. Employee Records

Each Department employee has a personnel file in the Department's Human Resources Area. A sound records management system enables the Department to establish and maintain a uniform, complete and accessible employment record of all Department employees, develop clear and efficient procedures for processing all employee transactions, and create a bank of data for evaluating personnel management policies and procedures. At the same time, it controls access to employee information that is defined as confidential under law. **NOTE: The City's Human Resources Department maintains a personnel file on each Department employee which generally contains only new hire information, payroll and benefits information.**

Contents of Files

Employees shall report changes in his/her name, address, telephone number and other appropriate personal information to the Department's Human Resources Area on forms available from the Department's Human Resources Area. Employees are encouraged to submit copies of educational degrees, certificates and other job-related materials for inclusion in his/her personnel files.

Access to Files

Employees may view his/her personnel files in the Human Resources Area after completing a request form available in that Area. Employees may also give written authorization for another person to view his/her files. Supervisors are allowed to view pertinent documents of those employees who work under his/her supervision or those who have applied for a position under his/her supervision. Other access to personnel files is governed by applicable law, and all such requests must be made to the Human Resources Manager on the appropriate form.

Personnel files shall be viewed under general supervision, and shall not be removed from the Department's Human Resources Area. Copies will be made at the request and the expense of the employee, or any person authorized to view a file pursuant to Department policy or applicable law.

Verification of Employment and Reference Checks

All requests for employment verification shall be directed to Human Resources Area, to provide the appropriate and accurate information requested. Reference checks for former employees shall be directed to Human Resources, which will generally provide only the date of employment, job title and salary. Additional information may be provided at the discretion of the Human Resources Manager.

Public Information in Employee Personnel Files

The following information in an employee's personnel file is public information: an employee's name, compensation, job title, business address and telephone number, job description, education and training background, previous work experience, first and last dates of employment, information relating to the status of any formal charges against the employee, and the factual basis for disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged. Generally, all other employee information is confidential, and shall not be disseminated without the employee's prior written consent or first confirming the appropriateness of such with the Board's attorney.

N. Discipline

Unsatisfactory behavior that fails to meet the Department's established standards of work or conduct will be addressed promptly. Disciplinary action shall be determined by an employee's supervisors, based upon the totality of the circumstances, and shall be appropriate to the severity, frequency and consequences of the employee behavior. Severe offenses – particularly those that are illegal, unethical or dangerous – may warrant immediate suspension or termination. To the extent that off-duty conduct affects an employee's fitness for his or her job, impacts an employee's ability to perform the essential functions of the job or reflects poorly on the Department, such conduct may be subject to disciplinary

action, up to and including termination.

The Department's use of different types and levels of discipline does not alter the Department's policy of employment at will. The Department may terminate an individual's employment, or the individual may terminate his or her own employment, with or without cause and with or without notice, at any time.

The following offenses may be sufficiently serious to warrant immediate termination. The Director has discretion to administer less stringent discipline if mitigating circumstances exist. This list is illustrative, not exhaustive:

- Falsifying (includes omissions) application for employment;
- Falsifying time sheet or work records;
- Misuse, unauthorized reproduction, removal or destruction of Department records or documents;
- Theft or misappropriation of funds;
- Insubordination;
- Breach of duty in connection with work;
- Unauthorized use or removal of Department property;
- Negligent or willful destruction of Department property or malicious damage to Department property;
- Unauthorized possession or use of firearms or explosives;
- Fighting on Department time or on Department property;
- Threatening or doing bodily harm to a co-worker or a member of the public;
- Lewd, indecent behavior;
- Conviction on a misdemeanor or felony charge;
- Failure to report an absence;
- Violation of safety rules;
- Gambling or conducting unlawful games of chance on Department property outside of a Department sponsored program under the terms of a license;
- Personal use or disclosure of confidential information;
- Accumulation of Points – Accountable For Your Actions
- Conduct unbecoming a Department employee on or off the job;
- Failure to comply with Department policies, rules or regulations;
- Inability to perform job requirements, unless qualified for a reasonable accommodation under the ADA.

The Director is required to consult the Human Resources Manager on any pending disciplinary suspensions and all disciplinary terminations so that they may review the circumstances to ensure fairness and consistency. All pertinent documentation regarding the suspension or termination shall be submitted to the Human Resources Area, where it will be placed in the employee's personnel file.

All disciplinary actions which include a written reprimand, probation, suspension without pay, demotion or termination, shall be documented in writing and entered into the employee's personnel file. Documentation shall include as much of the following as is appropriate in a given situation: a thorough description of the unacceptable conduct, the method and results of any investigation undertaken to determine if disciplinary action is warranted, the disciplinary action being taken, the potential

consequences to the employee of further unacceptable conduct, notice that the document will be placed in the employee's personnel file, the signature of the supervisor taking the disciplinary action and the signature of the employee indicating he/she has discussed the issue and action with the supervisor and the date of the discussion. The employee shall also be given the opportunity to submit a written attachment outlining his or her version of events.

O. Separation

Subject to the at-will provision outlined above, the following are conditions relating to different types of employee separation:

Resignation: Employee submits written resignation to his or her immediate supervisor. The Department requests such notice at least 10 working days prior to the separation date. Part time employees that do not work during a twelve week period will result in a voluntary resignation.

Layoff: Employee is laid off by the Department due to lack of available work and/or budget constraints. Factors that may be taken into account in determining order of layoff include performance history, skill level, and length of service and attendance history. If feasible, the Director will give as much notice as possible in advance of a layoff.

Failure to Return After Recall: Employee fails to return to work upon recall from a layoff within the proper time frame, as set out in certified letter of recall.

Restructuring: Employee's position is eliminated or significantly changed due to a restructuring within the Department. The Director will be given as much notice as possible before a position is eliminated. The Department will make every effort to place employees affected by a restructuring in other available positions for which the employee is the most qualified, although the Department makes no guarantee that a suitable position will be available.

Disability: Employee is determined to have a qualified disability and is unable to perform the essential functions of his or her job, despite reasonable accommodation.

Termination: Employee is discharged or dismissed at will, as provided herein.

The official date of separation is always the last day actually worked. The final paycheck(s) will be direct deposited on the next regularly scheduled payday.

If the employee moves after employment is separated, he/she should provide the Department with a current address so year-end tax forms and other pertinent information can be properly and timely delivered.

Employee Exit Process

Whenever an employee separates from the Department, except in cases of immediate termination, he or she shall receive an employment survey via e-mail. The exit survey provides for the uniform treatment of departing employees. It is a vehicle to obtain data on separations as a basis for analyzing turnover.

Chapter 3: On the Job

A. Hours of Work

The basic workweek for part time Department employees is less than 37-1/2 hours, averaging 28 hours or less on a year round basis, while maintaining the minimum number of hours required for the position. Employees working in non-exempt positions shall be subject to his/her supervisors' scheduling. Variations to the employees schedule require supervisor verbal or written preapproval.

Employees are required to record and report all time actually worked. Employees in Fair Labor Standards Act (FLSA) non-exempt positions will be paid their hourly rate for all hours up to 40 hours in a seven day work week, and non-exempt employees will be paid at 150% of their hourly rate for every hour worked beyond 40 the employee's seven day work week.

Meal periods or breaks taken for 20 minutes or more must clock out for the break.

B. Absenteeism/Tardiness

Each employee is crucial to the successful completion of the Department's daily business, and all employees are expected to avoid absences and tardiness. For most part time positions, schedules are posted in an online format. This format is for the convenience of all Department employees. On occasion the site may go off line. In the case employees are not able to view their schedule online, employees should go to their work location to obtain their work schedule. Absenteeism and tardiness cause a disruption of services to the public and may place an undue burden on co-workers. Any employee unable to report for work at the scheduled starting time shall notify his or her immediate supervisor as soon as possible, but always two hours prior to the start of the scheduled shift (except in emergency cases, wherein such notice shall be provided as soon as possible).

Absence

An excused absence is an absence that is authorized in advance. An unexcused absence occurs when the employee fails to pre-arrange a scheduled day off. Failure to report to work without appropriate notification and/or satisfactory explanation shall be subject to disciplinary action, up to and including termination.

Tardiness

Tardiness is defined as arrival at the employee's workstation after the designated starting time at the beginning of the day, end of a preapproved break, or an unauthorized early departure.

Disciplinary action

Supervisors are expected to monitor their employees' unexcused absences and their tardiness. Employees will receive the appropriate points as listed on the Accountable For Your Actions.

C. Customer Service

The citizens of Franklin expect and deserve an efficient and effective workforce. Department employees are expected at all times to provide prompt, courteous and professional service to the public, as well as to their co-workers. Internal and external customer service problems should be reported to a supervisor. Failure to provide good customer service based on acceptable work standards and Department procedures may be subject to disciplinary action, up to and including termination.

D. Dress/Appearance

An employee's appearance is a direct reflection on the image of the Franklin Parks and Recreation Department. Apparel provided by the Franklin Parks and Recreation Department is to be worn for work purposed only, it is not to worn for personal use off the clock.

The dress codes are as listed:

Professional Office Staff:

- Business-casual attire should be worn by the professional office staff. This includes black, navy and khaki pants, capris or shorts. Short length should at least come to just above the knee. Staff shirts or business-casual shirts should also be worn by the professional office staff.
- Fridays will serve as "dress-down" days. Jeans and casual shirts are encouraged to be worn on Fridays.
- Please avoid wearing flip-flop type shoes. Sandals are permitted.

Park Maintenance Staff:

- Jeans or shorts that are in good condition should be worn by the park maintenance staff. Short length should at least come just above the knee. Staff shirts should be worn so that the park maintenance staff is easily identifiable to the general public.
- Proper clothing must be worn when performing tasks such as trimming. Shorts should not be worn by park maintenance staff performing trimming or working with power related tools such as chain saws.
- Hats are permitted to be worn as long as the bill is facing the front and there is not inappropriate writing on the hat.
- Appropriate shoes must be worn at all times. At no time should flip-flops or sandals be worn while working park maintenance.
- Clothing should always be neat and clean when reporting to work.

Recreation/Fitness Center, Active Adult Center, Facility Rental Staff:

- Department supplied shirt or sweatshirt should be worn daily with nice pants or shorts. Short length should at least come just above the knee.
- Appropriate shoes must be worn at all times. Tennis shoes or sandals are permitted.

Kickapoo Camp Staff:

- Department supplied camp shirt or sweatshirt should be worn daily.
- Capris and shorts are permitted. Short length should at least come just above the knee.
- Appropriate shoes must be worn at all times. Flip-flops and sandals are not permitted.

Concession Staff:

- Department supplied shirt should be worn daily.
- Capris and shorts are permitted. Short length should at least come just above the knee.
- Appropriate shoes must be worn at all times. Flip-flops and sandals are not permitted.

Pool Managers, Lifeguards, Cashiers at Franklin Family Aquatic Center:

- Lifeguard suit or trunks with LIFEGUARD logo must be worn at all times.
- Whistle, lanyard and fanny pack must be worn at all times.
- For cold weather, an approved LIFEGUARD jacket, long sleeved shirt or sweatshirt will be permitted. Sweatpants are no permitted when lifeguarding
- A department supplied shirt should be worn daily by the cashiers. Capris and shorts are permitted. Short length should at least come just above the knee.

Defacing, changing or cutting the sleeves of department supplied shirts is not permitted. Staff will be asked to pay for any uniform replacement items as needed.

E. Smoking / Tobacco

The Board has enacted a park system wide “tobacco free” policy. Smoking and the use of tobacco products is prohibited on park property, while performing park duties, and/or while operating Department vehicles or motorized equipment. Violations of this policy may result in disciplinary action, up to and including immediate termination.

F. Telephone Use

The Department issued telephones are essential to Department business and should not be used for personal calls except in emergencies. When personal calls are necessary, including those on personal cell phones, they should be made while on break and out of public view.

All long distance phone calls made by employees from his/her business phones, and paid by the Department, must be related to business. Personal long distance telephone calls shall not be billed to the Department. If an employee must make a long-distance call while at work, he or she should use a personal calling card, bill the call to a third number, or use his/her personal cell phone. Violation of this policy may result in disciplinary action, up to and including immediate termination.

G. Email and Internet Use

All computer systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP are the property of the City of Franklin. These systems are to be used for business purposes.

Effective security is a team effort involving the participation and support of every City of Franklin employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines and to conduct their activities accordingly.

The purpose of this policy is to outline the acceptable use of computer equipment at the City of Franklin. These rules are in place to protect the employee and the City of Franklin. Inappropriate use exposes the

City of Franklin to risks including virus attacks, compromise of network systems and services, and legal issues.

The policy applies to employees, contractors, consultants, temporaries, and other workers at the City of Franklin, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by the City of Franklin.

Policy

General Use and Ownership

- (1) While the City of Franklin's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the system remains the property of the City of Franklin. Because of the need to protect the City of Franklin's network, management cannot guarantee the confidentiality of information stored on any network device belonging to the City of Franklin.
- (2) Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should be guided by department policies on personal use, and if there is any uncertainty, employees should consult their supervisor or manager.
- (3) For security and network maintenance purposes, authorized individuals with the City of Franklin may monitor equipment, systems, and network traffic at any time.
- (4) The City of Franklin reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Security and Proprietary Information

- (1) Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System level passwords should be changed as needed and user level passwords should be changed at the discretion of the user.
- (2) All PCs, laptops, and workstations should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off when the host will be unattended.
- (3) Because information contained on portable computers is especially vulnerable, special care should be exercised.
- (4) Postings by employees from the City of Franklin email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of the city of Franklin, unless posting is in the course of business duties.
- (5) All hosts used by the employee that are connected by the City of Franklin system, whether owned by the employee or the City of Franklin shall be continually executing approved virus-scanning software with a current virus database unless overridden by departmental or group policy.
- (6) Employees must use extreme caution when opening email attachments received from unknown senders, which may contain viruses, email bombs, or Trojan horse code.

Unacceptable Use

The following activities are, in general, are prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (example: systems administration staff may have a need to disable the network access of a host if that host is disrupting production services.)

Under no circumstances is an employee of the City of Franklin authorized to engage in any activity that is illegal under local, state, federal, or international law while utilizing the City of Franklin owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

- (1) 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.
- (2) 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.
- (3) Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
- (4) Introduction of malicious programs into the network or server (example: viruses, worms, Trojan Horses, email bombs, etc.)
- (5) Revealing account password to others or allowing use of account by others. This includes family and other household members when work is being done at home.
- (6) Using a City of Franklin computing asset 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.
- (7) Making fraudulent offers of products, items, or services originating from any City of Franklin account.
- (8) Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- (9) 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.
- (10) Port scanning or security scanning unless prior authorization is obtained.
- (11) Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of employee's normal job/duty.
- (12) Circumventing user authentication or security of any host, network, or account.

- (13) Interfering with or denying service to any user other than the employee's host (example: denial of service attack.)
- (14) Using any program/script/command, or sending messages 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/Extranet.
- (15) Providing information about, or lists of, City of Franklin employees to parties outside the City of Franklin.

Email and Communications Activities

- (1) Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (spam).
- (2) Any form of harassment via email, telephone, or paging, whether through language, frequency, or size of messages.
- (3) Unauthorized use, or forging, of email header information.
- (4) Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
- (5) Creating or forwarding "chain letters", "Ponzi", or other "pyramid" schemes of any type.
- (6) Use of unsolicited email originating from with the City of Franklin's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by the City of Franklin or connected via the city of Franklin network.
- (7) Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

Blogging

- (1) Blogging is defined as writing a blog; a blog (short for weblog) is a personal outline journal that is frequently updated and intended for general public consumption.
- (2) Blogging by employees, whether using the City of Franklin'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 of Franklin'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 of Franklin's policy, is not detrimental to the City of Franklin's best interests, and does not interfere with an employee's regular work duties. Blogging from the City of Franklin systems is also subject to monitoring.
- (3) City of Franklin's Confidential Information policy also applies to blogging. As such, employees are prohibited from revealing any City of Franklin confidential or proprietary information, trade secrets, or any other material covered by the City of Franklin's Confidential Information policy when engaged in blogging.
- (4) Employees shall not engage in personal blogging.

Hold Harmless Provision and Indemnification

In providing employees with access to the computer systems, the employee agrees to hold the City of Franklin harmless and agree to indemnify the City of Franklin from any and all liability, loss, or damages.

Authorized Use by Law Enforcement

These provisions do not apply to law enforcement officers engaged in criminal investigations as authorized and sanctioned by the City's Police Department.

Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

H. Solicitation

The Department does not permit solicitation by employees or non-employees during working hours, as it may distract an employee from his/her work and because unwanted solicitation may be considered a form of harassment. Departmental bulletin boards may be used to inform co-workers of the availability of a particular product or service, but employees may not use work time or Department stored information to make sales contacts.

I. Safety

The Department and all employees of the Department are obligated to comply with the safety standards set by the Occupational Safety and Health Act (OSHA) as well as other applicable federal, state and local regulations. Safety is a shared responsibility. It is the Department's responsibility to provide a working environment free of unreasonable health hazards, to provide training and instruction regarding proper working methods, and to make available special clothing and equipment required to protect employees from particular risks. It is the responsibility of each employee to report workplace injuries safety concerns, questions, hazards and violations immediately as set forth below, to learn and observe established safety regulations, and to use the protective equipment provided.

The Department maintains a safety program directed by a Safety Officer and a Safety Committee. The Safety Officer, with input from the Safety Committee, is responsible for developing Department policies that enhance workplace health and safety. Such policies are provided to all those who perform Safety-Sensitive Functions or hold Safety Sensitive Positions. Safety issues must be reported to the Safety Officer. The duties of the Safety Officer are included in the position of Training Manager.

Employees who observe, suspect or learn of an unsafe condition caused by faulty equipment or work practices, environmental hazards, inadequate training or information, carelessness, failure to follow safety guidelines, or any other factor, shall report it immediately to a supervisor on forms available from all supervisors. Supervisors are responsible to file the original report with the Safety Officer and forward a copy within two (2) business days to the Human Resources Area. Human Resources is responsible for compiling information required by OSHA and the Department's insurer. The primary purpose of such reporting practices is to identify accident trends, prevent recurrences, establish safe practices and provide a safe and healthy working environment.

Failure to comply with any aspect of the Department's safety program may result in disciplinary action, up to and including immediate termination.

J. Exposure Control Plan

All personnel will receive training appropriate to their level of exposure to blood and other potentially infectious materials. New employees will be trained before performing tasks which may involve occupational exposure.

General Precautions

Prior to exposure, it is generally impossible to determine whether blood and other bodily fluids such as saliva, urine or feces are infections, employees will assume that all such fluids are infections and will take proper precautions whenever bodily fluid may be present.

- (1) Employees asked to administer first aid will provide antibacterial ointment, bandages, etc. to the injured party to use if he or she is of sufficient age and otherwise able to do so. A frightened, upset or incapacitated child or adult will receive appropriate basic first aid until transport or arrival of EMS personnel, if necessary.
- (2) Employees administering first aid shall put on disposable gloves before treating open cuts, wounds, dealing with vomit or other bodily fluids. If spurting blood or large quantities of blood are present, employees should also put on the disposable face mask/shield.
- (3) Members of the public and non-essential personnel shall be kept away from the site of treatment or contamination as much as possible under the circumstances.
- (4) Employees should wash with soap and water or appropriate disinfectant immediately after exposure. Employee should thoroughly flush eyes or other mucous membranes if exposed to blood or other bodily fluids.
- (5) Hands should always be washed following any exposure to blood or other bodily fluids, even if gloves or protective equipment have been used.
- (6) Employees who must clean up blood, vomit or other bodily fluids should put on disposable gloves and use clean paper towels or absorbent gel to soak up the fluids. All fluids should be properly disposed of in biohazard bags or containers, along with all used disposable protective equipment such as gloves and face shields and any contaminated debris. Contaminated clothing or reusable equipment should be put into biohazard or leak proof bags until decontaminated by commercial laundering or washing with disinfectant. Biohazard bags will be taken to Fire Station No. 22 for disposal.
- (7) All surfaces upon which blood or other bodily fluids have been spilled will be immediately cleaned with disinfectant or ten percent (10%) bleach/water solution, which shall be kept in a location accessible to employees at all times.
- (8) Eating, drinking, smoking, or applying cosmetics, lip balm or suntan lotion are prohibited until after the employee has washed his or her hands using the appropriate disinfectant.
- (9) Sharp objects, glass, needles, etc. will be picked up and disposed of by mechanical means (i.e. broom and dustpan) rather than being picked up by hand and put into puncture-resistant containers.
- (10) Immediately following an exposure incident (fluid contact with eye, mouth or other mucous membrane, non-intact skin contact or through-the-skin contact such as a bite, cut or punctures) and washing up, the employee shall notify his or her supervisor of the incident. The supervisor shall determine what additional decontamination measures are necessary, if any, shall refer the employee for medical evaluation and follow-up, as required by the City's

Exposure Control Policy. The supervisor shall require the employee to make an exposure incident report, which shall take precedence over all other activities.

Supervisors

- (1) Employees will follow General Precautions listed above whenever administering basic first aid for any injury, call EMS personnel and administer basic first aid, if qualified to do so, until EMS arrival.
- (2) Supervisors will ensure that all new employees receive the required training regarding blood borne pathogens before performing any task which may expose them to blood or other bodily fluids. Whenever an employee's tasks are altered, the supervisor will determine whether such change involves potential exposure to bodily fluids and shall provide the appropriate training.
- (3) Annually, training will be reviewed to update it as necessary and refresher training will be provided to all employees.
- (4) Upon being notified by an employee that the employee has experienced an exposure incident, the supervisor will take the following actions:
 - Ensure that the employee has washed hands and exposed skin with soap or the appropriate disinfecting cleanser and/or flushed eyes or mucous membranes with water.
 - Determine what decontamination is needed at the site of exposure and ensure that such decontamination is carried out immediately. The supervisor shall make sure the contaminated paper towels, rags, disposable protective equipment and other contaminated items are disposed of properly in biohazard bags or containers. The supervisor shall make sure that contaminated clothing or other reusable items are properly disinfected either by commercial laundering or washing down with disinfectant or ten percent 10% bleach/water solution.
 - Assist the employee in making an exposure incident report, which shall take precedence over the employee's other duties and activities.
 - Refer the employee to the appropriate healthcare provider for medical evaluation and follow-up, at Department expense.
 - Gather the appropriate information and records to forward such information to the healthcare provider chosen by the employee.
 - Replace disposable personal protective equipment, if use.

Lifeguards

- (1) Lifeguards shall use pocket masks airway ventilators to resuscitate drowning victims rather than mouth-to-mouth resuscitation.
- (2) Lifeguards will administer basic first aid as described under General Precautions above until a victim is transported or EMS personnel arrive, if necessary.
- (3) Lifeguards will promptly clean up blood, vomit or other bodily fluids using the methods described in General Precautions above or will notify a designated employee to do so.

Park Operations

- (1) At least once per week, all restrooms, changing rooms and locker rooms will be cleaned with appropriate disinfecting cleanser. Employees will wear gloves while cleaning and disposable face shields, if necessary. Gloves should be worn when emptying trash cans and barrels.
- (2) At other times, whenever blood or other bodily fluids are encountered, employees will put on gloves and use clean paper towels or absorbent gel to soak up the excess. Surfaces will then be washed with disinfectant or ten percent (10%) bleach/water solution.
- (3) Disposable gloves, towels, gel, etc., will be disposed of in biohazard bags. Contaminated clothing or reusable gloves or towels will be put in biohazard or other leak proof bags for decontamination by commercial laundering or washing with disinfectant.
- (4) Broken glass, wire, needles and other sharp items that may be contaminated will not be picked up by hand but will be picked up by mechanical means (i.e. broom and dustpan) and put into puncture-resistant containers.
- (5) Whenever performance of tasks involves a risk of being splashed by bodily fluids (i.e. unstopping a toilet), employees should wear disposable face mask/shields. Disposable suits are also available for excessively dirty work and should be requested from the supervisor before each work is undertaken.

K. Department Vehicles and Motorized Equipment

The following policies are standards prescribed for all employees who are required or allowed to operate Department vehicles and motorized equipment.

Department employees who operate Department vehicles and/or motorized equipment are required to hold a valid Indiana driver's license, and to secure, renew and maintain, as necessary, any special licenses required by law to operate the vehicle or equipment. Such employees shall keep his/her supervisor informed of any traffic ordinance, misdemeanor or felony violations they receive as well as any license restrictions, suspensions or revocations. Loss of driving privileges may result in termination.

Assignment/Usage

The Director shall determine which employees will have Department vehicles assigned to them and which employees will have access to Department vehicles. The following guidelines apply to Department personnel authorized to use Department vehicles and/or motorized equipment:

- The employee assigned to the vehicle, or another employee within the same Department and with Director approval, shall be the only person(s) to operate such vehicles.
- An employee using a Department vehicle shall exercise good judgment in vehicle utilization, and shall assure that the operation of such vehicle conforms to all traffic laws. All personnel and passengers shall use lap and shoulder belts during the operation of the vehicle. The number of passengers in a Department vehicle shall not exceed the number of working lap/shoulder belts available.
- While operating a Department vehicle, an employee shall have a Department ID card in his or her possession.
- While conducting Department business, an employee may take his/her assigned vehicle anywhere in the state of Indiana, subject to Chapter 3, Section K of this Handbook. Business outside the state must be authorized by the employee's supervisor. (See travel section for more

guidelines.)

- Employees provided with “take home” vehicles may not use the vehicle for personal purposes other than commuting or *de minimus* use, such as a stop for a personal errand at a store or to drop off or pick up children from school on the way to or from work. The purchase or transportation of alcoholic beverages in a Department vehicle is strictly prohibited.
- Any employee operating a Department vehicle shall be drug and alcohol-free, and shall strictly comply with the Substance Abuse Policy.
- Employees are expected to follow all rules of the road.
- Employees may not use cell phones for any purpose without hands free equipment while operating the vehicle or equipment.
- Employees are not authorized to operate a vehicle or motorized equipment while overly tired.

Maintenance and Repair

The Park Operations and Planning Division is responsible for developing and implementing a preventative maintenance schedule for each Department vehicle. An employee shall not operate any vehicle or equipment that/ she reasonably suspects, believes/knows to be unsafe or in need of repair. An employee is also responsible for the overall condition of his or her assigned vehicle while in his/her possession.

In the event Department vehicles or motorized equipment become inoperable due to a breakdown, the employee should contact his/her immediate supervisor or Division Manager.

Accidents

In the event an employee is involved in an accident resulting in any property damage or personal injury while operating a Department vehicle or motorized equipment, the employee shall refer to the insurance information card that outlines post-accident procedures and carefully follow such procedures. These cards have been provided by the Department’s insurance company and are located in each Department vehicle. All employees who perform Safety-Sensitive Functions or perform a Safety Impact Position which require or involve the operation of a Department vehicle or motorized equipment. An employee should verify that there is an insurance information card in the vehicle before operating it. In addition to the other instructions provided on this card, the employee must have an accident report filled out with the appropriate police department responsible in the jurisdiction of the accident, whether the accident occurs on public or private property. The employee shall provide as soon as possible, a copy of the report to his/her supervisor.

Employees involved in accidents while driving Department vehicles will be subject to drug and alcohol testing, as described in the Department’s Substance Abuse Policy

L. Work-Related Concerns/Complaint Procedures

The Department wishes to ensure that employees are treated fairly and equitably in all matters pertaining to their employment. An employee who believes a Department policy or procedure is being applied in an unfair, inconsistent or inappropriate manner may pursue his or her concern through the following steps.

Employees are encouraged to discuss his/her work-related concerns in detail with his/her immediate supervisors. If a concern involves an immediate supervisor or if the employee is not comfortable discussing it with his/her immediate supervisor, the employee may approach the individual at the next level of management or Human Resources. The issue will be investigated at the appropriate level and take appropriate action within the scope of his or her authority or, if necessary, pass the concern along to a higher level of authority, up to and including the Director.

Chapter 4: Compensation

A. Rate of Pay

Hourly Rate

Hourly rate of pay is set annually by the Board through adoption of an annual salary resolution.

Merit Raise

Subject to the availability of funds and approval by the Director, Part-Time Employees may be eligible for annual merit raises based on an evaluation of his/her work performance.

B. Overtime Compensation

The federal Fair Labor Standards Act (FLSA) details the conditions under which the Department compensates its non-exempt employees for overtime work. The work week runs from Saturday to Friday. The FLSA requires the Department to compensate non-exempt employees at 1-1/2 times his/her regular hourly rate of pay for each hour worked in excess of 40 hours in a week.

All overtime must be approved in advance by the employees Supervisor.

Secondary Employment

Any employee working two jobs within the Department, shall combine the total hours worked in both jobs for purposes of computing overtime compensation.

C. Time Sheets

Each employee is expected to keep an accurate record of his or her hours worked. Biweekly time sheets, as well as the instructions needed to fill out such time sheets, shall be provided by the employee's immediate supervisor. It is the responsibility of the Department to ensure that properly completed time records are submitted to the Department's Human Resources Area in time to meet the payroll deadline.

Hours paid are based on actual hours of work, calculated to the nearest quarter hour. Quarter hours are broken down as follows:

- 1 – 7 minutes = free
- 8 – 22 minutes = 15 minutes
- 23 – 37 minutes = 30 minutes
- 38 – 52 minutes = 45 minutes
- 53 minutes – 7 minutes past the next hour = 1 hour

Similar computations shall be made whether the employee arrives after the beginning of his or her scheduled shift or leaves prior to the end of the shift. This policy is for pay purposes only and is not an authorization for tardiness or absence from scheduled work.

Hourly employees cannot be required to arrive early or stay late to perform work-related activities without being compensated for the additional time. An early start or late departure must be specifically requested and authorized, in advance, by the employee's supervisor. Employees who choose to arrive early or stay late for personal reasons shall be compensated only for the hours actually worked.

It is the responsibility of supervisors to ensure that time sheets or time cards reflect actual hours worked and that unauthorized overtime is not permitted. Unauthorized overtime will be paid according to the FSLA guidelines, however may result in disciplinary action, up to and including termination.

No employee, except an employee in a supervisory position, may record the time of any other employee. Any deviation from regularly scheduled hours, must be approved, in advance, by the employee's supervisor. Falsifying time sheets ***through adding time not worked or omitting time worked***, will result in disciplinary action, up to and including immediate termination. Any employee directed or encouraged by a supervisor to make an inaccurate entry on a time record shall immediately report such to the Human Resources Manager.

D. Pay Periods

Bi-weekly pay periods begin on Saturday and run through Friday two weeks hence. Direct deposits are made on Friday, one week after the end of the pay period. Time sheets are due on alternating Fridays. Mandatory deductions will be made from each employee's pay as required by federal, state and local laws.

The Department does not offer pay advances.

Chapter 5: Benefits

A. Recreation/Fitness Center Admission

Part-Time employees shall receive free admission to the Recreation/Fitness Center upon presentation of their Department-issued employee identification card. In return for receiving this benefit, employees using the Center are requested to immediately report any emergency or hazardous situations they witness to an on-duty employee.

Part-Time employee are required to pay registration fees for all programs and services provided by and/or offered through the Department for which there is a fee. Part-time employees will be charged the Resident rate regardless of residency. Members of an employee's household are not eligible for any discounts for Department programs and services beyond those available to the general public.

B. Concession Items

Part-time employees shall receive a discount towards selected concession items. Employees are required to show their employee ID to receive the discount while visiting the park or while working.

C. Family and Medical Leave

The Family and Medical Leave Act of 1993 (FMLA), as amended, is intended to help balance the demands of the workplace with the needs of employees and their families. It is the intent of the Department to comply in all respects with the FMLA. A copy of the entire FMLA is available upon request from Human Resources.

Please Note: The FMLA is a means of protecting an employee's job during a qualifying absence.

Definitions

Continuing Treatment shall mean any one or more of the following:

- *Incapacity and treatment*: a period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves: a.) treatment two or more times, within 30 days of the first day of incapacity, by a health care provide; or b.) treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the health care provider; or
- *Pregnancy or prenatal care*: any period of incapacity due to pregnancy or for prenatal care; or
- *Chronic conditions*: any period of incapacity or treatment of such incapacity due to a chronic, serious health condition; or
- *Permanent or long-term conditions*: a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective; or
- *Conditions requiring multiple treatments*: any period of absence to receive multiple treatments by a health care provider for: a) restorative surgery after an accident or other injury; or b) a

condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment.

Covered Military Member shall mean an employee's spouse, son, daughter or parent on active duty or call to active duty status.

Covered Service Member shall mean a current member of the Armed Forces, including a member of the National Guard or a reserve component of the U.S. Armed Forces, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary disability retired list for a serious injury or illness incurred in the line of duty on active duty.

Key Employee shall mean a salaried FMLA-eligible employee who is among the highest paid ten percent (10%) of all Department employees.

Next of kin of a covered service member shall mean the nearest blood relative other than the covered service member's spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member, brothers and sisters, grandparents, aunts and uncles and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA in which case the designated individual shall be deemed to be the covered service member's only next of kin.

Parent shall mean the biological, adoptive, step or foster father or mother of an employee, or any other individual who had day-to-day responsibilities to care for and financially support an employee when the employee was a child. This term does not include parents "in law."

Qualifying Exigency shall mean any one or more of the following when it relates to an employee's spouse, son, daughter or parent is notified of an impending call or order to active duty in support of a contingency operation:

- *Short-notice deployment*: to address any issue that arises from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven (7) or fewer calendar days prior to the date of the deployment; or
- *Military events and related activities*: to attend any official ceremony, program or event sponsored by the military that is related to the covered military member's active duty or call to active duty, or to attend family support or assistance programs and informational briefings sponsored by the military, military service organizations or the American Red Cross; or
- *Childcare and school activities*: to arrange for alternative childcare, provide childcare on an urgent, immediate needs basis, enroll in or transfer a child to a new school or day care facility or attend meetings with staff at a school or daycare facility, when any of these activities is necessitated by the covered military member's active duty or call to active duty; or
- *Financial and legal arrangements*: to make or update financial or legal arrangements to address an absence due to the covered military member's active duty or call to active duty, or to act as the covered military member's representative before a federal, state or local agency for the purposes of obtaining, arranging or appealing military service benefits while the covered military member is on active duty or call to active duty status; or
- *Counseling*: to attend counseling provided by someone other than a health care provider for the

covered military member or a child of the covered military member, provided that the need for counseling arises from the active duty or call to active duty of the covered military member; or

- *Rest and recuperation*: to spend time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment (eligible employees may take up to five (5) days of leave for each instance of rest and recuperation); or
- *Post-deployment activities*: to attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following termination of the covered military member's active duty status, or to address issues that arise from the death of a covered military member while on active duty status; or
- *Additional activities*: to address other events that arise out of the covered military member's active duty or call to active duty status, provided that the City and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

Serious Health Condition shall mean an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

Serious Injury or Illness shall mean an injury or illness incurred by a covered service member of the Armed Forces in the line of duty on active duty in the Armed Forces that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

Son or Daughter shall mean a biological, adopted or foster child, a step child, a legal ward or a child of a person standing in place of a parent, who is either under 18 years of age or who is 18 years of age or older and incapable of self-care because of a mental or physical disability. The age limit does not apply when leave is requested for active duty of a son or daughter or to care for a son or daughter who is a covered service member.

Spouse shall mean a husband or wife as recognized by Indiana law.

Qualifying Leave (12 Weeks Maximum)

An employee who has worked for the Department for at least 12 months and for a minimum of 1,250 hours during the 12 months immediately preceding the commencement of FMLA leave may take up to 12 weeks of unpaid leave in any rolling 12 month period, for one or more of the following reasons:

- For birth of the employee's son or daughter, and to care for the newborn child; or
- For placement with the employee of a son or daughter for adoption or foster care; or
- To care for the employee's spouse, son, daughter or parent with a serious health condition; or
- Because of a serious health condition that makes the employee unable to perform the functions of his or her position; or
- For any qualifying exigency arising out of the fact that the spouse, son, daughter or parent of the employee is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.

The 12-month period for taking leave under the conditions described above will be a rolling 12-month period, measured backward from the date an FMLA leave commences.

Leave may be taken intermittently (separate blocks of time for single qualifying reason) or through a reduced schedule (fewer hours per day or fewer days per week) for the care of the employee's spouse, child or parent with a serious health condition or because of the employee's own serious health condition, if medically necessary, or for a qualifying exigency. Intermittent leave can be taken in increments of 15 minutes or more. Intermittent or reduced schedule FMLA leave for the birth or placement of a child may be taken only with the prior written approval of the employee's department head.

An employee on intermittent or reduced schedule leave may be required to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. The alternate position will offer equivalent pay and benefits.

Qualifying leave taken continuously will be designated FMLA leave only after an absence of more than five (5) consecutive work days or shifts (despite the fact that a serious health condition may commence after only three (3) days).

Qualifying Leave (26 Weeks Maximum)

An employee who has worked for the Department for at least 12 months and for a minimum of 1,250 hours during the 12 months immediately preceding the commencement of FMLA leave may take up to 26 weeks of unpaid leave in any single 12 month period to care for a covered service member with a serious injury or illness if the employee is the covered service member's spouse, son, daughter, parent or next of kin.

The leave entitlement to care for a covered service member is applied on a per-covered service member, per injury basis. An eligible employee may be entitled to more than one 26-week period of leave if the leave is to care for different covered service members or to care for the same service member with a subsequent serious illness or injury, except that no more than 26 weeks may be taken within a single 12-month period.

The single 12-month period begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date. If an eligible employee does not take all of his or her 26 weeks of leave entitlement during this single 12-month period, the remaining part of the 26 weeks is forfeited.

Leave to care for a covered service member may be taken continuously, or, if medically necessary, intermittently or through a reduced work schedule.

During the single 12-month period described in this section, an employee shall be entitled to a combined total of 26 weeks of leave for all FMLA-qualifying reasons. However, the employee is entitled to no more than 12 weeks of leave during the single 12-month period for one or more of the following: birth of the employee's son or daughter, and to care for the newborn child; placement with the employee of a son or daughter for adoption or foster care; to care for the employee's spouse, son,

daughter or parent with a serious health condition; because of a serious health condition that makes the employee unable to perform the functions of his or her position; a qualifying exigency.

Requesting Leave

An employee need not specifically assert his or her rights under the FMLA or even mention the FMLA. If the employee provides at least verbal notice sufficient to make a supervisor aware that the employee needs FMLA-qualifying leave, it is the responsibility of the supervisor to ensure that the employee is granted his or her rights under the FMLA.

Whenever foreseeable (e.g., birth or placement of child, planned medical care), the employee shall provide the department head with not less than 30 days advance notice of intended FMLA leave. If circumstances prevent providing 30 days advance notice, the employee shall provide as much notice as is reasonable and practicable. In an emergency, notice may be given by employee's spouse, adult family member or other responsible party. If the employee fails to provide required notice of foreseeable leave with no reasonable excuse, the Department may delay the FMLA leave to the extent permitted by law.

The Department reserves the right to designate any qualifying leave as FMLA leave regardless of whether the employee has specifically requested FMLA leave. An employee who uses or plans to use more than five consecutive sick days shall apply for, or be deemed to have applied for, FMLA leave.

In addition to the requirements outlined below, an employee who is substituting paid leave for unpaid FMLA leave is required to comply with all of his or her Division's usual and customary notice and procedural requirements for requesting such paid leave, absent unusual circumstances. The employee is also expected to make a reasonable effort to schedule medical treatment and other eligible appointments and events so as not to unduly disrupt the ongoing operations of his or her department, subject to the approval of the employee's health care provider.

Documentation

All leave requests shall be put into writing. An employee must submit an FMLA leave of absence request form to his or her department head, who shall sign the form and forward it to the Department of Human Resources. If the employee is unable to complete the form, the employee's department head or a family member may do so on the employee's behalf.

If FMLA leave is for the care of a family member with a serious health condition, to care for a covered service member or the employee's own serious health condition, a written medical certification must be obtained from the patient's health care provider (or in the case of a covered service member, an authorized DOD provider) and submitted along with the leave of absence request form, or within the time frame stated in the Notice of Rights and Responsibilities provided by Human Resources. All certification forms will be supplied by the City and will comply with U.S. Department of Labor guidelines.

The Department may, at its own expense, require a second and third healthcare provider opinion. The Department will designate the health care provider to furnish the second opinion. A third health care provider, whose decision is final and binding, must be designated or approved jointly by the Department and the employee. Pending the receipt of the second or third medical opinion, the employee is

provisionally entitled to the benefits of the FMLA.

If leave is taken for a qualifying exigency, the employee must complete a certification form and submit it with the leave of absence request form, or within the time frame stated in the Notice of Rights and Responsibilities provided by Human Resources. All certification forms will be supplied by the Department and will comply with U.S. Department of Labor regulations. The first time an employee requests leave for a qualifying exigency, he or she will also be required to provide a copy of the military member's active duty orders. The orders need not be provided again unless the exigency arises out of a different active duty or call to active duty.

If an employee fails to provide the required certification in a timely manner, the employee may be denied FMLA leave until such certification is provided.

Human Resources will review all leave requests and provide a written Notice of Eligibility and Rights & Responsibilities within five (5) working days of receipt, absent extenuating circumstances. The Notice of Eligibility will indicate whether the employee is eligible for FMLA leave, and, if not, why not. The Notice of Rights and Responsibilities will detail the specific expectations and obligations of the employee and explains any consequences of a failure to meet these obligations. After all required documentation is provided by the employee and/or his or her health care provider, Human Resources will send Designation Notice, informing the employee whether or not her or her leave will be designated FMLA leave.

When an employee's need for leave due to the employee's own serious health condition or the serious health condition of a family member lasts beyond a single leave year, the Department may require the employee to provide a new medical certification in each subsequent leave year.

Additionally, employees may be required to provide a recertification during FMLA leave. The Department may require such recertification no more frequently than every 30 days, and only in connection with an absence by the employee, except in the following circumstances:

- *More than 30 days:* If the medical certification indicates that the minimum duration of a condition is more than 30 days, the Department must wait until the minimum duration passes before requesting a recertification. However, in no case is the Department required to wait more than six months before requesting a recertification.
- *Less than 30 days:* The Department may request recertification in less than 30 days if the employee requests an extension of the leave, the circumstances described by the previous certification have changed significantly or the Department receives information that casts doubt upon the employee's stated reason for the absence or the continuing validity of the certification.

If an employee is requesting leave to care for a family member with a serious health condition, a qualifying exigency or to care for a covered service member, the Department may require the employee to provide reasonable documentation of a family relationship.

Returning from FMLA leave

The Department may require an employee on FMLA leave to report periodically on his or her status and

intent to return to work. If the circumstances change and it becomes necessary for an employee to take either more or less leave than originally anticipated, the employee is required to provide notice of the changed circumstances within two business days. If an extension is requested a recertification may be required. In no case may the employee be required to take more leave than necessary to resolve the circumstance that precipitated the need for leave.

In general, upon return from FMLA leave an employee is entitled to be reinstated to the same position he or she held when leave commenced, or to an equivalent position with equivalent pay, benefits, working conditions and other terms and conditions of employment. In addition, the position in which the employee is placed will have substantially similar duties, skill, effort, responsibility and authority. The right to reinstatement is not absolute—reinstatement may be denied if:

- The employee would not have been employed by the City at the time reinstatement is requested even if he or she had not taken leave; or
- The reinstatement of a key employee will cause substantial and grievous economic injury to the operations of the Department; or
- The employee is unable to perform an essential function of his or her position or an equivalent position because of a physical or mental condition; or
- FMLA leave has been fraudulently obtained.

An employee who has taken leave for his own serious health condition is required to provide a medical certification from the health care provider stating that the employee is able to resume work. The Department may require that the certification specifically address the employee's ability to perform the essential functions of his or her job. If the employee fails to provide a fitness-for-duty certification, return from leave shall be denied until the certificate is submitted. At the Department's discretion, an employee who fails to provide either a fitness-for-duty certification or a new medical certification for a serious health condition may be terminated.

If the Department questions an employee's ability to resume work, it may, at its own expense, require a medical examination that is job related and consistent with medical necessity.

If an employee gives unequivocal notice of intent not to return to work, the Department's obligations under FMLA to maintain health benefits and to restore the employee to his or her position cease.

Limitations on FMLA Leave

In the case of spouses who are both eligible Department employees, FMLA leave taken by such spouses in any 12-month period shall be limited to a combined total of 12 weeks if the leave is taken for the birth or placement of a child or to care for a parent with a serious health condition. If the leave is taken to care for a covered service member, or for a combination of caring for a covered service member and any qualifying reason, such spouses are limited to a total of 26 weeks of leave in a single 12-month period.

Entitlement to FMLA leave for the birth or placement of a child into an employee's family shall expire at the end of the 12-month period beginning on the date of birth or placement.

Any period of an FMLA qualifying leave that extends beyond 12 weeks in a rolling calendar year (or 26 weeks to care for a covered service member) is not FMLA leave. After the 12 week (or 26 week)

entitlement is exhausted, an employee is no longer entitled to the protections of the FMLA.

D. Military Family Leave

An employee who has a family member ordered to active military duty, but who does not meet the FMLA criteria for a qualifying exigency, may be eligible for Indiana Military Family Leave as provided in *I.C. 22-2-13*.

An employee who is the spouse, parent, grandparent, child or sibling of an individual who is ordered to active military duty for a period that exceeds 89 consecutive calendar days may take up to ten days of unpaid leave per calendar year, provided the employee has been employed by the Department for at least 12 months and has worked at least 1,500 hours during the 12-month period immediately preceding the day the leave begins. The employee may take a leave of absence during one or more of the following periods:

- The 30 days before active duty orders are in effect;
- A period in which the person ordered to active duty is on leave while active duty orders are in effect; and/or
- The 30 days after the service members return from active duty orders are terminated.

An employee requesting leave under this policy must submit a Military Family Leave Request Form, with a copy of the active duty orders attached, at least 30 days prior to the beginning date of the leave (unless the orders are issued less than 30 days before the requested leave date). The Department may require verification of eligibility for the leave. If the employee does not provide verification of eligibility on a timely basis, the absence shall be considered unexcused.

Although Military Family Leave is unpaid, the Department requires the employee to substitute all eligible paid leave (PTO and/or compensatory time) for unpaid leave. Time in an employee's sick leave bank may not be substituted for unpaid leave.

An employee who is eligible for ten (10) or more days of FMLA leave for a qualifying exigency shall not also be eligible for Military Family Leave in the same calendar year.

Returning From Leave

Provided an employee returns to work by his or her scheduled return date, no further documentation or notification is necessary, unless the leave is for medical reasons not covered by FMLA. In that case, the employee's healthcare provider must release the employee to return to work. Leave extensions must be granted by the department head or the Board, as outlined above, based upon the total length of the leave requested and/or taken.

Disciplinary Leave

An employee who is placed on unpaid leave for disciplinary reasons, or pending resolution of criminal charges shall accrue and/or receive benefits as outlined above for employee initiated leave.

E. Other Leaves of Absence

Employee Initiated Leave

Leaves of absence may be granted for reasons other than health, for health reasons that do not meet FMLA criteria, or for individuals who do not qualify for FMLA leave. All leave requests must be in writing and shall be placed in the employee's personnel file in Human Resources.

Every leave not mandated by state or federal law is contingent upon the ability of the Department to maintain adequate staffing during an employee's absence.

Part time employees that do not work for more than 12 consecutive weeks will be considered having resigned their position with Carmel Clay Parks and Recreation. After 12 consecutive weeks of an absence the employee will need to reapply for the position and go through the hiring process. A former employee is not guaranteed to be reinstated to their previous job or pay.

F. Jury Duty/Court Ordered Appearances

Time off shall be granted to any part-time employee who is required to serve as a juror, or to appear in court as a witness or party to a proceeding acting in the scope of his/her employment. The employee shall be paid his or her regular wage for such court time. For non-work related court appearances other than jury duty, employees must request time off.

The employee shall present a copy of the document requiring jury duty or ordering a court appearance to his or her supervisor upon receipt. A copy of the document must be given to his/her Supervisor to be submitted to the Human Resources Manager for inclusion in the employee's personnel file.

An employee selected to serve on a jury duty shall report to court each day as instructed, and provide an attendance slip from the court verifying the actual dates of service. These slip(s) shall be submitted to the Human Resources Manager. An employee released from jury service before 1:00 p.m. on a scheduled work day shall report to his or her work site whenever practical.

An employee is required to request to receive compensation for jury duty or a court-ordered appearance shall remit such payment to the Clerk-Treasurer's office. If the employee fails to remit the payment, the employee's earnings will be reduced by the amount of the compensation. Any payments provided the employee by the court for expenses may be retained by the employee.

G. Administrative Leave

Unpaid Administrative Leave

While criminal charges against an employee are pending or an allegation of employee misconduct is being investigated, if the Director determines that it is necessary to remove the employee from the workplace, the Director may place the employee on unpaid administrative leave. If an employee is placed on unpaid administrative leave for more than ten (10) work days, the Director shall offer to meet with the employee to review any information the employee offers concerning the need for continued

unpaid administrative leave.

If the employee is returned to duty following a period of unpaid administrative leave, the Director may recommend to the Board that the employee receive back pay for all or a portion of any period of unpaid administrative leave.

H. Worker's Compensation Insurance

Through Contracts negotiated by the City or through the City's self insurance program, the Department provides worker's compensation insurance on all Department employees in order to provide coverage for injuries and illnesses arising out of and in the course of employment.

All work-related injuries and illnesses for which treatment is necessary must be recorded on the appropriate form and submitted to Human Resources Area as soon as possible but no later than one (1) business day after the injury or illness. A copy of such form shall be forwarded immediately to insurance carrier and a copy will be kept in the Human Resources Area for record keeping purposes.

The Department is not responsible for accidents or injuries suffered by employees while off the Department's premises unless the employee is acting within the scope of his or her employment, or at the direction of his or her supervisor, and is conducting Department business. Attendance at Department-sponsored social events is voluntary and is not covered by worker's compensation insurance.

Worker's compensation eligibility and benefits are determined by state law and by the City of Franklin.