

City

Of

Tontitown

Personnel Handbook

Revision – Meeting of 1/8/2008 ORD# 2008-01-303

Revised: 2/2/2010, 7/6/2010

Table Of Contents

SECTION 1. EMPLOYMENT POLICIES

Equal Opportunity Statement	1
At-Will Employer	1
Authority to Hire and Fire	2
Job Posting and Advertising	2
Fitness for Duty Exam	2
The Omnibus Transportation Employee Act of 1991	2
Other Drug and Alcohol Testing	3

SECTION II. GENERAL EMPLOYEE BENEFITS

Vacations	3
Holidays and Holiday Pay	4
Sick Leave	5
Funeral or Bereavement Leave	7
Maternity Leave	7
Uniformed Services	7
Family Medical Leave	8
Court Duty Leave	8
Miscellaneous Leave	9
Employee Health Benefits	9
Occupational Injuries	9
Accidental Injury	9

SECTION III MATTERS AFFECTING THE STATUS OF EMPLOYEES

Attendance	9
Work Hours	10
Compensation	10
Overtime Pay	11
Vacancies and Promotions	11
Training	11
Performance Evaluations	12
Personnel Information	12
Job Safety	12
Refusal to Work	13
Emergency Closings	13
Resignation/Termination	13

SECTION IV. STANDARDS OF CONDUCT

Conduct Toward the Public	14
Personal Appearance	14
Unlawful Harassment	15
Guidelines for Appropriate Conduct	16
Absenteeism and Tardiness	17
Inclement Weather	18
Outside Employment or Moonlighting	19
Voting	19

Gifts or Outside Compensation	19
Use of Narcotics, Alcohol and Tobacco	20
Drug-Free Workplace	20
Security and Safety Inspections	21
Conflicts of Interest	21
Disciplinary Action	22

SECTION V. MISCELLANEOUS INFORMATION

Policy Statement	22
Sever ability	22
Construction	23
At Will Employment	23

SECTION 1. EMPLOYMENT POLICIES

EQUAL OPPORTUNITY EMPLOYER

The City of Tontitown is committed to providing equal employment opportunity without regard to race, color, religion, marital status, ethnic background, national origin, sex, age, disability, veteran status or any other characteristic protected by federal or state law. Furthermore, the City does not discriminate on the basis of disability. The City's commitment extends to all employment-related decisions, terms and conditions of employment, including job opportunities, promotions, pay and benefits.

AT-WILL EMPLOYER

The City of Tontitown is an at-will employer. This means that the City of Tontitown or any City employee may terminate the employment relationship at any time for any reason, so long as there is no violation of applicable federal or state law, with the understanding that neither has an obligation to base that decision on anything but his or her intent not to continue the employment relationship. The provisions of the Handbook have been developed at the discretion of the Tontitown City Council, and except for its policy of employment at-will, may be amended or cancelled at any time, at the City's sole discretion. No policies, comments, or writings made herein or during the employment process shall be construed in any way to waive this provision.

All employees should understand that this Handbook and the policies set forth herein are not intended to create any contractual obligation, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the City and any of its employees. Nothing herein shall be construed to create any right to continued employment with the City or to create any vested right to any other benefit set forth herein or to create any other legal rights. It does not alter the City's at-will employment policy nor does it create an employment contract for any period of time.

For purposes of interpreting the Handbook, the term "City" will include an employee's supervisor, the department head, the Mayor, or the Tontitown City Council acting for and on behalf of the City of Tontitown.

AUTHORITY TO HIRE AND FIRE

The Tontitown City Council establishes the number and compensation of all city employee positions. The job title, classification and annual pay rate will be specified as set forth in the annual budget, and will not be exceeded unless authorized by the City Council. The Mayor may hire and fire those City employees not working under the direct supervision of a department head, unless they are independently contracted as approved by the City Council. City Employees working under the direct supervision of a department head may be hired and fired by the department head which supervises the employees, unless they are independently contracted as approved by the City Council.

JOB POSTING AND ADVERTISING

An application for employment will be accepted from anyone who wishes to apply for employment on forms provided by the City. Application forms are available in the City Recorder's Office at the Tontitown City Hall.

Applications for full-time City employment will not be accepted from anyone less than eighteen (18) years of age. Except as otherwise provided by Arkansas law or City Ordinance, the Mayor shall make the final decision with respect to hiring new employees and promoting existing employees.

FITNESS FOR DUTY EXAM

Employees who become incapacitated due to mental or physical disabilities from performing the essential job functions with or without reasonable accommodation or who pose a direct safety threat shall be subject to a fitness for duty examination. Based on the findings of the exam and other job restructuring factors, the City Council shall take such action that is necessary for the good of the service.

THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991

It is the City of Tontitown's intent to comply with all regulations and requirements of the Omnibus Transportation Employee Testing Act of 1991. City employees required to have a Commercial Driver's License (CDL) must comply with all regulations in the 1991 Omnibus Transportation Act. The Act requires alcohol and drug testing for all City employees whose job require a CDL. These test include pre-employment, post-accident, random, reasonable suspicion, and return to duty and follow-up testing. The City of Tontitown will not permit an employee who refuses to submit to required testing to perform or continue to perform any activity that requires a CDL. All CDL drivers must obtain from the City of Tontitown a copy of the written substance abuse policy. CDL drivers are required to read this material and sign a statement

acknowledging that they have received a copy of the City's Substance Abuse Policy.

OTHER DRUG AND ALCOHOL TESTING

Employees other than those with a CDL are subject to testing for the use of alcohol and illegal substances as outlined in the City's policy on this subject. All employees must obtain for the City of Tontitown a copy of the written substance abuse policy. Employees are required to read this material and sign a statement acknowledging that they have received a copy of the City's substance abuse policy.

SECTION 11. GENERAL EMPLOYEE BENEFITS (Revised 7/6/2010)

VACATIONS

Vacation time off with pay is available to all regular full-time employees who have completed one (1) year of employment for the City. Vacation time is offered to employees to provide opportunities for rest, relaxation and personal pursuits. Except for uniformed employees, for which vacation time is prescribed by state law, the amount of paid vacation time employees are eligible to accrue each year is based upon the length of their employment. Paid vacation, holiday and sick time are counted for purposes of vacation accrual:

VACATION TIME

An employee will be entitled to:

1. Forty (40) hours of vacation time after completion of one (1) year of continuous employment.
2. Eighty (80) hours of vacation time after completion of two (2) years of continuous employment.
3. One hundred and twenty (120) hours of vacation time after completion of seven (7) years of continuous employment.
4. Vacation will be considered earned as of the date of hire anniversary date.
5. A new employee will be entitled to forty (40) hours of vacation after completion of (1) year employment.
6. Maximum vacation leave to be taken at any one time is (14) days unless advance approval is granted.
7. If a City-observed holiday occurs within an employee's vacation period, equivalent time off with pay will be provided, or at the employee's request, the employee's vacation may be extended for one (1) additional working day not to

exceed a (14) day maximum.

3

Vacation time can be used in minimum increments of four (4) hours. Vacation time shall be scheduled and governed by and through the employee's supervising department head, or if there is no supervising department head, the Mayor's office. The amount of personnel off work at any one time shall be governed by the supervising department head or Mayor's office based upon departmental workloads.

To schedule and take vacation time, employees should notify and request advance approval from their department heads at least 14 days prior to being absent for vacation time. All requests will be reviewed by the supervising department head or Mayor's office based upon a number of factors, including workload needs and staffing requirements.

Vacation time is not included as hours worked for the purpose of calculating non-exempt overtime. Vacation time off is paid at the employee's regular pay rate at the time of vacation. It does not include overtime or any other special forms of compensation, such as bonuses.

Accrued vacation time may be paid if the employee leaves the employment of the City. Vacation time is not cumulative. No payment or compensation shall be provided for expired vacation time. The City encourages employees to utilize all of their vacation time and to make sure no unused vacation time is allowed to expire. It is the employee's responsibility to make sure his or her vacation time is used before it expires and to schedule vacation sufficiently in advance of the expiration date.

It should be understood that policies concerning vacation time in no way alters the City's at-will employment policy as described in Section 1 of this Handbook.

HOLIDAYS AND HOLIDAY PAY

The appropriation made by the City Council for salaries shall include additional pay for holidays for all agents, servants, and full-time employees of the City, as provided by the laws of the State of Arkansas. Any employee may be scheduled to work a holiday if the need arises. Otherwise, the City offices shall be closed on the days declared to be legal holidays, and all non-uniformed regular full-time employees employed by the City shall, unless otherwise specified by the appropriate department head or Mayor's office, not be required to work on said holidays. The following days are the specified holidays applicable to the City: