

RESOLUTION 3122

A RESOLUTION FOR APPROVAL OF THE HUDSON EMPLOYEE'S PERSONNEL
POLICY MANUAL

WHEREAS, the Administration-Personnel-Finance Committee, has determined it necessary for the City Council to adopt a revised and updated Employee's Personnel Policy manual; and

WHEREAS, the Council, Mayor and staff have reviewed the Employee's Personnel Policy manual; and

WHEREAS, the new manual will be reviewed and maintained as required; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, it is the council's recommendation to approve the Hudson Employee's Personnel Policy manual effective upon passage by the Council and signature from each employee as reading the Policy manual by October 31, 2023.

PASSED and APPROVED this 11th day of September 2023.

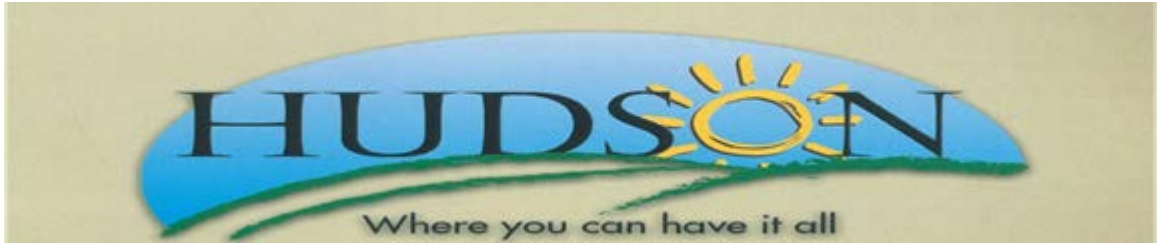
George Wessel, Mayor

date of signature

ATTEST:

Chrissi Wiersma, City Administrator/City Clerk, MPA/CMC/CMFO

date of signature



PERSONNEL POLICY MANUAL

REVISED BY
BY THE HUDSON CITY COUNCIL
ON SEPTEMBER 11, 2023

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SIGNATURE OF ACCEPTANCE AND UNDERSTANDING OF THE HUDSON EMPLOYEE
PERSONNEL POLICY MANUAL
to be submitted to Department Head to be retained in Employee file with the City Clerk or Library
Director as required.

CITY OF HUDSON PERSONNEL POLICY MANUAL

CHAPTER 1 - WELCOME

Welcome to the City of Hudson. This manual has been written to describe and outline some of the City's policies, procedures, employment benefits, and other matters concerning your employment with the City of Hudson. Some of the policies and benefits described in this manual, such as the group health insurance plan, are covered in greater detail in official policy documents from the insurance carrier. You should refer to those documents for more information.

Every City of Hudson employee is covered by this manual, including:

- Elected officials (Mayor, councilpersons);
- Employees hired to fill jobs either with hourly pay or salaried pay;
- Employees hired on a temporary or contractual basis;
- Members of committees, boards, and commissions;
- Persons appointed to serve without compensation.

This Handbook is provided for informational purposes only. The policies, procedures, benefits, and plans described in the Handbook may be revised by the City at any time without proper notice. The City retains the exclusive rights to change, add to, eliminate or modify any of the policies in the Handbook at any time at its discretion, with or without notice.

Any promises, representations, or actions by a City official or employees which are contrary to this Handbook are not the official policy of the City and are of no force or effect. This Handbook superseded and cancels the effect of any previous versions of this Employee Handbook.

It is the policy of the City of Hudson to provide equal opportunity to all employees, and program beneficiaries; to provide program and employment facilities that are accessible to the handicapped; and to administer its programs in a manner that does not discriminate against any person because of race, creed, color, sex, national origin, religion, age sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, political affiliation, or other class/category protected by federal, state, or local law.

The Mayor has ultimate responsibility for the overall administration of the affirmative action/equal opportunity program. The total integration of equal opportunity into all parts of personnel and program management is the Mayor's responsibility. The Mayor will review all policies and procedures as they affect equal opportunity and affirmative action and ensure compliance with relevant federal and state statutes.

The City of Hudson guarantees the right of appeal and recourse. Any person who feels that he or she has been denied employment, participation, representation, or service in any program administered by the City of Hudson, has the right to file an equal opportunity complaint. Information and assistance relative to equal opportunity complaints shall be provided by the Mayor who can be contacted through City Hall.

The Equal Opportunity Policy of the City of Hudson shall be provided to all employees, contractors, applicants, and to the persons of all advisory and policy-making groups associated with the City of Hudson including committee, board, and commission members.

Complaint Procedure:

All complaints and inquiries shall be promptly investigated. The results of the investigation shall be reported to the Mayor or Mayor's designee, who shall take the appropriate corrective or disciplinary action. This policy applies to all employees, contractors, and the persons of all advisory and policy-making groups associated with the City of Hudson including committee, board, and commission members and applicants for employment. The person bringing a complaint will not suffer retaliation by the City of Hudson. However, false accusations could be pursued by the accused through the civil courts.

CHAPTER 2 - EMPLOYMENT

- 2.1 Definitions of Employee Status: Employees for the City of Hudson are governed by the FLSA (Fair Labor Standards Act) are either "exempt" or "nonexempt." Exclusion to FLSA is the City of Hudson union police officers.

2.1.1 Full-time regular employee:

Full-time regular employee means an employee hired to work the City's normal full-time forty (40) hour work week or more regularly. Such employees may be exempt or non-exempt under the Fair Labor Standards Act (FLSA). Regular full-time employees are eligible for all benefits described in this Policy Handbook unless otherwise indicated.

FLSA RULE: Nonexempt employees must be paid time and a half for any hours worked more than 40 in a workweek.

2.1.1.1 Exempt job duties.

Job duties are exempt job duties if the employee regularly supervises two or more other employees, has management as the primary duty of the position, and, has some genuine input into the job status of other employees, such as hiring, firing, promotions, or assignments. The Hudson City Council per the Mayor and City Administrator's request can hire and discharge employees. The City Administrator has the authority to appoint, promote, reassign, reclassify, discipline, demote, and discharge all employees in compliance with law and ordinances.

Supervision means what it implies. The supervision must be a regular part of the employee's job and must be of other employees. The supervision of non-employees does not meet the standard. The "two employees" requirement may be met by supervising two full-time employees or the equivalent number of part-time employees (Two half-time employees equal one full-time employee).

2.1.1.2 Nonexempt job duties.

Nonexempt employees are entitled under the FLSA to time and one-half of their "regular rate" of pay for each hour they work over the applicable FLSA overtime threshold in the applicable FLSA work period.

2.1.2 Three-quarter regular employee:

A three-quarter regular employee means an employee hired who may work a minimum of thirty (30) hours or more per week on a regular basis. Three-quarter regular employees are eligible for benefits described in this manual at a ratio equal to a minimum of thirty (30) hours unless otherwise indicated. Three-quarter regular employees are considered nonexempt, exempt, or contractual employees depending on job duties as approved by the Mayor and the Personnel Committee with final approval by the Hudson City Council through resolution. Refer to section

2.1.1.1 Exempt job duties or 2.1.1.2 Nonexempt job duties above.

2.1.3 Part-time employee:

Part-time employee means an employee hired who is scheduled through succeeding pay periods not to exceed 29 hours per week regularly. Part-time employees are not eligible for any benefits described in this manual unless otherwise indicated.

2.1.4 Temporary or Seasonal or Contractual employee:

Temporary or seasonal or contractual employee means an employee engaged to work full-time or part-time on the City's payroll with the understanding that his or her employment will be terminated no later than upon completion of a specific assignment and no longer than 6 months. Temporary or seasonal or contractual employees are not eligible for any benefits described in this manual unless otherwise indicated.

2.2 Equal Employment Opportunity:

Decisions regarding all employment terms, conditions, and privileges, including, but not limited to, recruitment, hiring, placement, training, promotion, and layoffs, shall be made without regard to race, creed, color, religion, sex, pregnancy, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status, or any other characteristic protected by applicable federal, state or local laws.

2.2.1 Job Opening Posting:

Whenever a position within the City of Hudson departments becomes available, a notice of such opening will be posted at minimum at City Hall, the Hudson City Website, and the Hudson Herald Office for at least ten calendar days before the deadline for filing the position. The notice will contain the position title, a brief job description, and minimum hiring specifications or can be the entire Job Description. All resumes including the City of Hudson application will be submitted to the City Administrator/City Clerk or designee at the city clerk's office by the deadline stated in the posting. The City Clerk's office will stamp date the receipt of all such applications. Applicants, including current employees, shall be considered based on ability, performance, experience, training, aptitude, and other job-related qualifications.

2.2.2 References:

Those applications considered for employment in any City of Hudson department will have all references validated before the review by the Administration-Personnel Committee.

Upon written request by a potential employer of current or past City Staff, the City will release only information limited to, dates of employment, job description, and salary. The City will release information relating to the results of federally required drug tests following the applicable law if so requested in writing by the applicant and the potential employer.

2.2.3 Physical Examination:

The City currently requires, per job function, a newly hired employee to submit to a job-related physical examination by a physician designated by the City and at the City's expense. This is determined after the employee has been offered a position, accepted the position, and before the employee starts work if the physical examination is required of entering employees per the job classification or if required of an existing employee after hire randomly. The results of the examination will be kept in a confidential file separate from other employee records and held by the City Administrator/City Clerk in all cases, inclusive of the Fire and Police department staff or volunteers. The City Administrator/City Clerk will notify the Department Head and Mayor of the employee's pass or fail exam. The information will be shared with the Department Head in detail upon the written approval of the potential employee or the current employee.

Department Heads must contact the City Administrator/City Clerk to determine which entity is considered the designated physician with notification before the employee arrives at the facility. This determination will be related to the current physician or entity serving the City as the Worker's Compensation physician or entity as determined by Personnel Committee and Council. See section 10.3.2. A1 for more information.

2.2.4 Proof of Employability:

To comply with the Immigration Reform and Control Act of 1986, the City requires all employees to present documented proof of identity and eligibility in the United States. You are required to complete Section 1 of Form I-9 on the first day of employment, and to submit proof of employability and identity on the first day of hire.

2.2.5 Employment of Relatives:

It is the City's policy to hire the best-qualified person available for each position. Relatives of current employees are eligible for employment with the City, subject to limitations of state law governing the employment of a family member of public officials and appointed employees and the terms of this policy. To avoid the appearance of favoritism and difficulties in administering discipline, the City will hire the most qualified applicant and ensure the hired individual reports to the Mayor or the Mayor's designee when applicable for purposes of promoting, evaluating, or initiating a salary change. For purposes of this policy, "family member" includes the individual's mother, father, grandparent, spouse, son, daughter, grandchild, great-grandchild, niece, nephew, aunt, or uncle and inclusive of in-law relationships.

This policy applies to all City departments and all categories of employment, including full-time, part-time, three-quarter time, and temporary classifications.

2.2.6 Employment of Minors:

Employment of all individuals under the age of eighteen (18) years at the time of hire, whether full-time, part-time, three-quarter time or temporary/seasonal, shall be subject to all provisions of Chapter 92, Iowa Code, and its revisions (permit to work authorized by Workforce Development with a parent or guardian authorization).

2.2.7 Rehires:

Former employees applying to be re-hired may be considered for employment as members of the public. However, special consideration will be given to past job performance, the circumstances surrounding previous separation or termination, and the former employee's knowledge of City procedures and operations at the current time of application.

A person who is separated in good standing may be reinstated with prior approval of the City Council; to his/her previous position within one (1) year following separation, provided the individual has remained qualified for the position and that the position is available and such reinstatement would be in the best interest of the City. The exception to this is if a person is called back as a temporary fill-in to ensure proper coverage during the absence of a current employee.

2.2.8 Employment Outside:

Employees may be employed outside normal City times provided it does not interfere with their assigned work hours or their performance in the City. There shall be no use of City time, facilities, materials, or equipment involved in such "other" employment.

Volunteers for the City cannot volunteer during their normal scheduled hours unless prior agreement with the City Council is arranged. The City does not pay for volunteer time away from their hired job.

2.2.9 At-Will Employment:

You are an "at-will" employee. You may resign your employment at any time and for any reason, and the City reserves the same right to discontinue your employment at any time and for any lawful reason or no reason at all. Nothing in this Handbook changes the at-will nature of your employment with the City. This Employee Handbook is not intended to create any contractual rights in favor of you or the City. This Handbook is not to be construed as an employment contract or as a promise that you will be employed for any specified period.

At-will employees are not subject to the just cause standard for discharge. Further, the terms of this Handbook do not supersede the terms of any collective bargaining agreement negotiated with the City's unions. When in conflict, the terms of the collective bargaining agreements will control, except to the extent this manual is determined to reflect the requirements of federal or state law which superseded the collective bargaining agreements.

2.2.10 Union Postings:

All regular job position openings for Police union positions that occur will be posted following 2.2.1 above and the union contract provisions, specifying job duties, knowledge, skills, basic requirements, pay range, and locations for making an application.

2.2.11 Hiring Ineligibility

A person with a criminal record may be considered for employment if he/she indicates that record on the employment application and if it has no direct bearing on the job requirements. The Mayor and City Council, in closed session, will evaluate the appropriateness of hiring an applicant with a record of conviction if the candidate is considered the most qualified for the position.

2.2.12 Hiring Policy

1. All federal and state laws concerning the hiring process shall be followed.
2. The Personnel-Administration Committee shall authorize staff to begin the hiring process as soon as possible after learning of an employee's resignation or retirement if the position is to be filled, to allow for training and/or to keep staff shortages to a minimum.
3. The Personnel-Administration Committee shall authorize staff to begin the hiring process when necessary to add staffing positions.
4. Open positions shall be posted for a minimum of 10 days according to the Iowa Veteran's Preference Law.
5. The Personnel-Administration Committee shall formulate a hiring plan for all full-time positions. This includes setting the dates for advertising the open position, the deadline to receive completed applications, and where the City of Hudson shall advertise for the open position in addition to the three legal posting locations in the City of Hudson and the City's website. The hiring plan shall be approved by the city council.
6. The Mayor shall establish a hiring committee for this open position. The Committee should consist of the Mayor, at least one, but not more than two, councilmembers, and any appropriate staff or committee member.
7. Mayor, City Administrator/City Clerk, and the position's supervisor shall review and update the job description as needed, before advertising for the position.
8. Mayor, City Administrator/City Clerk, and the position's supervisor shall write the advertisement for the open position.
9. Mayor, City Administrator/City Clerk, and the position's supervisor shall write an informational sheet about the position.
10. The City Administrator/City Clerk shall place the advertisement and other documents after they are finalized and as instructed.
11. Staff shall make packets of documents for distribution to interested persons and the hiring committee members, both on paper and electronically.
12. Staff shall provide the information requested to help the hiring committee. This may include, but not be limited to budget information for the position, comparable wages from area communities or businesses, historical salary information about current or former employees, legal requirements about the hiring process, certification information, and other information.
13. To be eligible, a candidate must submit a completed City of Hudson Application for Employment. That and any supporting paperwork may be submitted to Hudson City Hall via email, U.S. mail, in the night drop box, or in-person and must be received, not postmarked, by the deadline stated in the advertisement.
14. Upon receiving a completed City of Hudson Application for Employment, staff shall mark the date and time received on the front.

15. After the deadline for submission, the staff shall make a list of all the eligible candidates. This list and the completed applications shall be available to the hiring committee members.
16. At all times the candidate must be informed that the Hudson City Council makes all final hiring decisions.
17. The hiring committee shall meet as soon as possible to discuss the applications and choose which eligible candidates (if any) they wish to interview the schedule for the interviews, and other specifics.
18. If the hiring committee determines there is a candidate they wish to hire, they shall draft a conditional employment offer to discuss with the candidate.
19. Following federal law, this conditional employment offer must include pre-employment drug screening and ongoing participation in a drug screening program if this position requires a Commercial Driver's License.
20. Information will be made available to the candidate about benefits and any employee costs for such benefits.
21. The hiring committee shall report to the Personnel-Administration Committee about their process and, if a candidate is found, make a recommendation for the employment offer. If a candidate is not found, the committee shall make a recommendation of what to do next.
22. The Hudson City Council shall make a motion to fill any position, being specific about the name, position, start date, status, and rate of pay.
23. Once a motion is passed to fill a position, the staff will contact the candidate and make the formal employment offer. If accepted by the candidate, staff will work to get any necessary tests and forms completed and arrange for the official start date.

Please refer to section 3.8 for the definition of Full-Time, Three-Quarter, and Part-Time employees.

2.2.13 Selection Process of new Employee

The selection of the new full-time employee is made after the interviews, interview scorecard assessment, and input from the Department Head, Mayor, City Administrator/City Clerk, and Administration, Finance, and Personnel Committee. Once concurrence is reached it will be recommended to the City Council for approval to proceed with the offer. Part-time positions can be presented to the City Council for approval upon recommendation of the Department Head and the Mayor.

2.2.14 Employment Offer

All employment offers shall be in writing or email for full-time and three-quarter time positions. Part-time positions may be by phone as there are no benefits for this position level; however, for consistency, it is recommended the offer be done by the hiring Department Head, Mayor, or Mayor's designee.

No person is considered an employee until all pre-employment tests and forms are submitted and confirmed complete. A designee will contact all applicants for the position being filled and determine if any applicant not hired wishes to maintain their resume on file for the time allotted per the Policy of the City of Hudson, see 2.2.15. In some hired positions, a random drug test is required. The recommended candidate will have up to one hour or as reasonably determined to

report for drug testing as requested. Failure to meet the request could result in the disqualification of the candidate. See section 2.2.3 for more information.

2.2.15 Documentation of Advertising through Hiring

Copies of job notices/advertising, pre-employment testing results, and applications/resumes for all qualified applicants, those invited to an interview, are to be kept on file according to the City of Hudson Policy for up to two months from the receipt of the application/resume. The City Administrator/City Clerk will not accept applications when no positions are open.

2.3 ADA Compliance

In compliance with the Americans with Disabilities Act (ADA), the City of Hudson will consider reasonable accommodations to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The City encourages applicants or employees to make suggestions regarding reasonable accommodations to the Mayor, City Administrator/City Clerk, Administration, Finance and Personnel Committee Chair, or immediate Department Head.

2.4 Harassment

Harassment, retaliation, coercion, interference, or intimidation of any employee due to that employee's race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, or other class/category protected by federal, state, or local law, is strictly forbidden. Harassing conduct in the workplace includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts or words; and written or printed material made or posted in the workplace or during employment for the City that denigrates or shows hostility toward an individual or group. H.I.S.S. offers classes on harassment and is available to all employees to take. See your Department Head, City Administrator/City Clerk, or Mayor for more information.

If you believe you are being harassed or subjected to discrimination of any kind, you should use the complaint procedure outlined in the City's policy against sexual harassment in the workplace.

2.5 Preventing Sexual Harassment in the Workplace

2.5.1 Purpose:

It is the policy of the City of Hudson that all employees are responsible for maintaining a workplace free from sexual harassment. Submission to sexual harassment shall not be a condition of employment or advancement with the City of Hudson. The City strongly disapproves of offensive or inappropriate sexual behavior in the workplace and all employees including the Mayor, City Council, committees, boards, and commissions must avoid any conduct which could be viewed as sexual harassment.

This policy was prepared following the Equal Employment Opportunity Commission's Regulations, 29 CFR Part 1604, and reaffirms that sexual harassment in the workplace is illegal under Title VII of the Civil Rights Act of 1964, as amended.

2.5.2 Definitions:

Sexual harassment is illegal discrimination based on sex. It can consist of unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct of a sexual or harassing nature by Department Heads, managers, co-workers, or others in the workplace. Sexual harassment exists when:

1. Submission to such conduct is made either explicitly or implicitly, a term or condition of your employment;
2. Submission to or rejection of the conduct is used as the basis for decisions affecting your employment; or
3. The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Sexual harassment may consist of a variety of behaviors, including, but not limited to the following examples:

1. Verbal conduct such as sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions, or threats;
2. Nonverbal or visual materials such as derogatory posters, photography, graffiti, cartoons, drawings, gestures, or improper dress;
3. Physical contact such as unwelcome touching, hugging, kissing, coerced sexual contact, or assault;
4. Threats or demands to submit to sexual requests to keep your job or receive some job-related benefit; or
5. Retaliation for reporting or threatening to report harassment.

2.5.3 Procedures:

1. Any employee who has a complaint of sexual harassment at work, by anyone, including Department Heads, co-workers, or visitors to the workplace, should immediately bring the problem to the attention of the Mayor, City Administrator, Administration, Finance, and Personnel Committee or immediate Department Head.
2. The person receiving a complaint of sexual harassment shall immediately notify the Mayor, City Administrator, Administration, Finance and Personnel Committee, the City Attorney, and the immediate Department Head, excluding anyone named in the complaint. It may be determined an impartial investigator is required to follow up. Investigations will be conducted promptly. Confidentiality will be maintained to the extent that it is possible.
3. Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint under this policy, participating in an investigation, or filing a complaint with a state or federal agency.
4. Any employee determined after investigation to have harassed another employee will be subject to appropriate disciplinary procedures depending upon the severity of the behavior, up to and including termination. The City will take appropriate action intended to punish the offender and to prevent further harassment.

5. A non-employee who subjects an employee to sexual harassment in the workplace will be informed of the City's policy against harassment by the Mayor, Councilperson, or the City Attorney. Other actions may be taken as appropriate.

2.6 New Hire's Orientation Period

Health insurance coverage will be effective the first of the month following or coinciding with the first month of employment.

2.7 New Hire's Probationary Period

The probationary period is in effect for all paid employees. The probationary period for a new hire will be ninety (90) days after the first day of work.

Certifications, such as a commercial drivers' license, if necessary for the position, shall be gained before the start of employment, unless circumstances warrant an extension of time agreed by the Department Head, Mayor, City Councilpersons or Administration, Finance, Personnel Committee.

2.8 Residency Requirements

To ensure a reasonable response time for staff and personnel for the City of Hudson, such personnel are required, within a reasonably agreed to the time frame set by the Mayor and Council at the date of hire, to establish residency as follows:

Fire Department Personnel shall reside within the Hudson Fire District.

Police Department Personnel must be able to respond within twenty (20) minutes.

Public Works Director must be able to respond within twenty (20) minutes.

Public Works Department (including water and sewer) Personnel must be able to respond within thirty (30) minutes.

Aside from the Fire Department Personnel, the response time requirement pertains to Full-Time Employees Only. The response time requirement will be from City Hall.

For purposes of this policy, residence shall mean the actual domicile of the employee where that employee normally eats and sleeps and maintains the normal personal and household effects for daily living. "Residence" shall not include a place secured solely for meeting the requirements of this policy which is maintained in addition to the employee's actual place of residence outside the City's maximum limit.

2.9 Personnel Records and Privacy

The City Administrator/City Clerk maintains personnel files on each employee paid by the City of Hudson. These files contain job-related information including performance evaluations,

disciplinary records, and beneficiary designations for insurance. Any information contained in the files will be released only if required by law or if a written request for the City Administrator/City Clerk to release the information for reference purposes.

If interested in reviewing the contents of your personnel file, you may do so at a time mutually agreed upon by you, your department head, and the City Administrator/City Clerk, except you, will not have access to or be able to review letters of reference received or furnished by the employer or any reference check performed by the employer. A representative of the City may be present during your review. You may, at your own expense, request and receive copies of the contents of your personnel file, except as provided above.

2.9.1 Notification of Personal Changes

Employees are expected to keep the City Administrator/City Clerk and Department Head informed of any change regarding their records; this is preferred in writing when possible. Changes in any of the following categories must be reported to the City Administrator/City Clerk as soon as they occur, but no later than seven (7) days after the change occurs.

1. Residency
2. Telephone number(s)
3. Emergency contact(s)
4. Legal name change
5. Marital status change
6. Bank Account change (for payroll deposit)
7. Insurance coverage or deductions (for payroll information)
8. Tax changes or deductions (for payroll with a form to complete per IRS)
9. Injury on the job – immediate notice to City Administrator/City Clerk and Department Head whether paid employee or volunteer

CHAPTER 3- PAYROLL PRACTICES AND HOURS OF WORK

3.1 (RESERVED)

3.2 Rates of Pay:

The Administration, Finance and Personnel Committee shall establish a pay increase for each employee each budget year as applicable as determined by considering but not limited to: the duties, responsibilities, and requirements for each position

3.3 Non-Salary Adjustments:

Non-annual salary adjustments will be sent to the City Council per the recommendation of the Department Head and the Administration, Finance, and Personnel Committee. These would be increases for immediate job description changes to passing a class and being certified.

3.4 Total Remuneration:

Any rate established for an employee shall be the total remuneration for the employee, but not to be construed as including overtime, group medical insurance benefits, life insurance, pension, or reimbursement of uniforms and official travel.

Except as otherwise provided, no employee shall receive payment from the city in addition to the salary authorized for services rendered by him/her, either in the discharge of ordinary duties or any additional duties which may be imposed upon the employee, or which he/she may undertake or volunteer to perform. Under no circumstances may city services be extended by employees in exchange for special rewards, gifts, or other remuneration from someone else.

3.5 Temporary Pay Increase:

If an employee's duties are expanded temporarily, the Administration, Finance, Personnel Committee may recommend to the city council an increase in pay to the employee during the time the employee is responsible for the additional duties.

3.6 New Appointments:

Upon initial appointment to a position, the employee will receive a rate of pay as set in the recommendation accompanying the request to hire when sent to the Council for approval.

3.7 Performance Evaluation:

Performance evaluation is a continual process. Mayor and Department Heads are responsible for conducting a formal performance evaluation of their employees no later than May 1st of the year following the evaluation period.

3.8 Hours of Work:

The Mayor will define, with the collaboration of Department Heads, the City Hall hours, Public Works hours, and other departments' work hours within the Mayor's oversight. Library Hours are defined by the Librarian or the Library Board.

Regular full-time employees normally work a total of forty (40) hours per week. A 15-minute paid rest period is allowed, however, may not be allowed in all City Departments, and should be discussed with the Department Head. Lunch breaks for regular full-time employees should not be planned for the last hour of work. Lunch breaks are not included as a paid benefit and time must be scheduled with the immediate Department Head as applicable. Weekly schedules for part-time employees will be established by the Department Head with approval by the Mayor or the Mayor's designee as deemed necessary.

Three-quarters time employees work a minimum of thirty (30) hours per week on average in a year. Schedules are established between the Department Head and employee about 2 weeks in advance.

Part-time employees work a maximum of twenty-nine (29) hours per week on average in a year. Schedules are established between the Department Head and employee about 2 weeks in advance.

Daily and weekly work schedules may be changed at the discretion of the Department Head to meet varying conditions and workloads. Changes in work schedules will be announced as far in advance as possible to reduce the impact on the employee(s).

Employees are responsible to keep accurate records reflecting all time worked on the appropriate excel timesheet. All employee's timesheet records must be signed by the employee and the Department Head and given to the City Administrator/City Clerk or the Clerk's designee by 8 am on the first business day after the end of the payroll work period. An email with the timesheet attached and sent to the Department Head and then on to the City Administrator/City Clerk (or Clerk's designee) will be accepted as signed by both parties when completed by the deadline stated above.

3.9 Pay Periods:

3.9.1 Bi-Weekly:

The workweek for bi-weekly (once every two weeks) payroll purposes shall begin at 00:00 on Saturday and end at 24:00 on Friday. Each pay period will cover two weeks, beginning with a Saturday and ending on a Friday. Pay for the pay period will be issued on the following Wednesday by direct deposit per the City of Hudson Policies.

Staff increases will be effective at the beginning of the pay period which includes July 1 or at the next pay date on which the increase was approved.

All payroll is paid through the automatic bank transfer process or by payroll check as approved by the Administration, Finance, and Personnel Committee.

Bi-weekly payroll is due to the City Administrator/City Clerk on the first business day after the two (2) week pay period by 8 am. The pay period begins on Saturdays at 12:01 am through Friday mid-night and will constitute one week's calculation. Failure to record the start of work or to check out for lunch or check out at the end of your workday may result in an inaccurate payment of pay.

Special time off or personal time away must be signed by the Department Head for approval and submitted with the timesheet. In the case of an emergency, the time-off request must be provided no later than the first day returning to work. Special forms are available at the City Clerk's office. If this overlaps a pay period and into the next pay period, it is critical this is sent to the City Clerk's office for accurate calculations of the worked hours in the initial pay period by 8 am. the first business day after the pay period ends.

3.9.2 Monthly

The Mayor is paid on the first payroll of every month through the automatic bank transfer process. See Hudson Code of Ordinances Chapter 15, Compensation 15.04.

3.9.3 Quarterly

The Council is paid on the first payroll of the quarter following the quarter in which it was earned. Council is never paid more than \$2,000.00 gross per year. See Hudson Code of Ordinances Chapter 17, Compensation 17.06.

3.9.4 Annually

The Hudson Fire and Rescue members defined by rank and determined by council resolution as to the pay for the past year of service are paid annually per the recommendation of the Fire Chief and the funds available in the year's budget. Annually paid Fire and Rescue ranked volunteers will be paid after the last payroll scheduled for November, provided the information is received from the Fire Chief timely.

3.9.4 Pay In Lieu Of Vacation

It shall be the policy of the Hudson City Council that currently, active employees shall use accumulated vacation leave annually as accrued. The Council recognizes that from time to time, employees will have accrued vacation leave that cannot be used timely. Therefore, the Council has in place a policy of paying the employee, at the employee's option, up to a maximum of 50% of the employee's accumulated vacation time at the pay rate in effect during the current fiscal year of request.

An employee wishing to receive "pay in lieu" of vacation leave may apply once a year. The written request shall be received in the Clerk's office and will be presented at the next scheduled Administration, Finance, and Personnel Committee with a recommendation for approval or denial at the next scheduled Council meeting. Payment in lieu of vacation will be made with the next scheduled payroll or as stated in the written request and approval.

3.10 Deductions from Pay:

3.10.1 Voluntary Deductions:

Payroll deductions are voluntary, except for government-mandated deductions, and made only if authorized, in writing, by the employee. If the employee authorizes a deduction, the City Clerk's office will process this request as soon as possible, but no later than by the second paycheck after the request is filed. An example of an allowable deduction would be the following as required by law or authorized by the City of Hudson:

- Federal Withholding Tax
- FICA
- Medicare
- IPERS
- State Withholding Tax
- Health Insurance Premium (employees portion)

3.10.2 Garnishments from Pay:

The City will garnish wages from an employee's pay bi-weekly as required by court order and applicable laws.

3.11 Overtime and Compensation:

3.11.1 Overtime Work:

Employees will receive compensation for approved overtime work at the rate of time and one-half their hourly rate for each hour worked over eighty (80) hours in a bi-weekly pay period. Individual departments will distribute overtime work as equitably as possible among employees who do similar work. For proper payment of overtime, the overtime form must be to the City Clerk's office at 8 a.m. the Monday after the pay period ends and signed by the appropriate authority.

3.11.2 On-Call Time:

If you return to work after you have left work for the day, before your next scheduled work start time, or on a day you are not scheduled to work a regular shift, you will receive payment for the hours worked.

The form must be attached to your timesheet and submitted to the City Clerk's office at 8 a.m. the Monday after the pay period ends and signed by the appropriate authority to be paid for On-Call hours.

Personnel "On Call" will serve on a rotating basis as defined by the Department Head and or the Mayor. Substitutions may be done as necessary between applicable staff. A schedule of personnel "On Call" will be compiled in three-month minimum increments and given to the staff, City Administrator/City Clerk, and sent to the Answering Service.

When a page is received, notify the pager company within 15 minutes to acknowledge receipt. Compensation for being On Call will be an amount equivalent to hours worked and if over 80 hours in one pay period may be taken as overtime or compensation time after it was earned. See the compensation hour section for how to use the time earned.

On-Call employees will be given a 36-hour work schedule Monday to Friday to allow for 2 hours of work on Saturday and 2 hours of work on Sunday. If situations occur for whatever reason, any hours worked over 80 will be paid as overtime or be recorded as time and a half toward compensation earned, this is up to the employee and Department Head on the timesheet and approval form.

If the call is outside of the expertise of the person first responding to the On-Call issue, it is the “on-call” person’s responsibility to notify the Department Head to have the appropriate individual called to handle the situation.

3.11.3 Compensatory Time Off:

The decision to convert overtime hours to compensatory time off or to be paid overtime pay shall be made through the request of the employee, approved by the Department Head, the Mayor, or the Mayor's designee before the timesheet and form submission to the City Clerk. A payroll form must be to the City Clerk’s office at 8 a.m. the Monday after the pay period ends and signed by the appropriate authorities defining how compensatory time will be processed.

Compensatory time off accrued instead of paying overtime shall be accrued at the rate of one and one-half hours for each overtime hour worked, keeping with applicable state and federal laws.

3.11.4 Compensatory Time off Pay:

Use of compensatory time will be used in place of working hours, 8 hours of non-work for 8 hours of banked compensatory time. This must be detailed in the form attached to the timesheet and on the day-specific on the timesheet.

If your employment ends for any reason, you will be paid for unused accrued compensatory hours at the current regular hourly rate of pay. The compensatory time will be paid at the time the employee receives the last payment of regular payroll.

Compensatory time can be paid out over weeks or in a lump sum as agreed to by the employee, City Administrator/City Clerk, and Mayor.

3.11.5 Overtime Computation:

Hours taken as holiday, vacation, bereavement, sick, compensatory time, and personal days will be considered as time worked for computation of overtime over eighty (80) hours per pay period for City staff excluding the Police Department. See Police Union Contract.

3.12 Attendance:

The City relies on employees to report to work regularly and on time. If you are going to be late or absent, you must contact your Department Head, City Clerk’s office, or the Mayor,

immediately. If you must leave early, you must obtain approval from the Department Head, City Clerk's office, or the Mayor.

The City will take disciplinary action, up to and including termination, where attendance is unacceptable. This policy shall not be construed to conflict with the Americans with Disabilities Act, the Family, and Medical Leave Act, the Iowa Civil Rights Act, and other applicable federal and state laws.

3.13 Automatic Payroll Deposit:

All employees, unless grandfathered employees hired before 2013, are required to provide a personal bank account for payroll deposits. No checks will be given as payment for wages without special circumstances as requested by the employee and presented to the Administration, Finance, and Personnel Committee at least two weeks before a payroll distribution. The request can only be temporary and no longer than 3 months.

CHAPTER 4- EMPLOYEE BENEFITS AND SERVICES

4.1 Holidays:

4.1.1 Holidays Observed:

Employees will be provided with a holiday listing every December after Council resolution setting the specific holidays for the next year.

As a Veteran, you may request Veteran's Day off per legislation passed (Code of Iowa Section 35.1 HF2197) in 2010. The request must be received 30 days before Veteran's Day if that day has not been defined by the Council as a City-wide holiday for all employees.

4.1.2 Holiday Pay:

All regular full-time employees will receive eight (8) hours of regular pay and three-quarter time employees will receive six (6) hours of regular pay for each of the observed holidays provided each year according to 4.1.1. Part-time or temporary employees are not eligible for holiday pay.

4.1.3 Holidays on Saturdays or Sundays:

Holidays occurring on Saturday will be granted on the previous Friday, and holidays occurring on Sunday will be granted on the following Monday. If the holiday occurs during authorized paid leave, the day will be considered as a holiday and not as the authorized paid leave.

4.1.4 Holidays and Vacation Time:

When a holiday falls within an eligible employee's vacation, the employee shall be entitled to an additional regular day off.

4.1.5 Birthday Time:

Each full-time or three-quarter-time employee may take their birthday as a holiday or a floating holiday on some other date than their actual birthday. Hours are eight (8) hours for full-time and (6) hours for three-quarter time employees.

4.1.6 Snow Day – Weather Related Day

The Mayor will determine with the guidance of staff whether the conditions warrant the City Hall offices to be closed. No employee is to risk their well-being to open the office.

If the office is not officially closed by the Mayor, it is considered a workday, and anyone unable to get to work will need to use vacation, sick, floating holiday, or consider the day unpaid and should be properly noted on the timesheet with a payroll form attached.

If the office is closed by the Mayor or the Mayor's designee, the employee will be paid according to the hours the employee is scheduled to work and should be properly noted on the timesheet with an attached payroll form stating the reason.

4.2 Vacations:

4.2.1 Vacation Eligibility – Regular Full Time Employees (40 hours a week)

Date of hire or date employee was considered full time

| Vacation Schedule | Accumulated per Month Worked |
|--|------------------------------|
| Year 1: from date of hire for 12 months Total of 40 hours for one year | 3 1/3 hours |
| Year 2: from anniversary month for 12 months Total of 40 hours for the second year | 3 1/3 hours |
| Year 3-5: from anniversary month for 12 months Total of 80 hours for the third, fourth, fifth year | 6 2/3 hours |
| Year 6-15: from anniversary month for 12 months Total of 120 hours for sixth through the fifteenth year | 10 hours |
| Year 16-19: from anniversary month for 12 months Total of 160 hours per sixteenth through the nineteenth year | 13 1/3 hours |
| Year 20+: from anniversary for 12 months Total of 200 hours per the twentieth year and thereafter | 16 2/3 hours |

4.2.2 Vacation Eligibility - Regular Three-Quarter Time Employees (30 or more hours per week)

Date of hire or date employee was considered the three-quarter time

| Vacation Schedule | Accumulated per Month Worked |
|-------------------|------------------------------|
|-------------------|------------------------------|

| | | |
|-------------|--|--------------|
| Year 1: | from date of hire for 12 months Total of 30 hours for one year | 2 1/2 hours |
| Year 2: | from anniversary month for 12 months Total of 30 hours for the second year | 2 1/2 hours |
| Year 3-5: | from anniversary month for 12 months Total of 60 hours for the third, fourth, fifth year | 5 hours |
| Year 6-15: | from anniversary month for 12 months Total of 90 hours for sixth through the fifteenth year | 7.5 hours |
| Year 16-19: | from anniversary month for 12 months Total of 120 hours per sixteenth through the nineteenth year | 10 hours |
| Year 20+: | from anniversary for 12 months Total of 150 hours per the twentieth year and thereafter | 12 1/2 hours |

4.2.3 Scheduling Vacation

Scheduled vacation must be requested at least one (1) week before the proposed start of your vacation. Unscheduled vacation requests will be honored when possible due to workload or staffing availability. Vacation preferences are subject to staffing requirements as determined by the City on a first-come basis. Conflicts in vacation dates will be resolved by reference to the employee who requested the time first.

4.2.4 Vacation Carryover

Vacation entitlement is determined by the amount on record at the end of each December. Vacation time may be carried over with approval from the Department Head, the Mayor, or the Mayor's designee. A maximum of two (2) times your current vacation earned can be carried over for reasons beyond the normal control.

4.2.5 Vacation Pay Upon Termination

If your employment is terminated for any reason, you will be paid for the unused earned vacation at the next scheduled payroll pay date or per an approved schedule of payout between the City Administrator/City Clerk, Mayor, and you.

4.3 Sick Leave

Eligible employees shall accumulate sick leave per section 4.3.6

4.3.1 Sick Day

Employees must call their Department Head or City Hall within fifteen (15) minutes of the start of their regular work hours to report a sick day. This should be discussed with your Department

Head as to whether call or email. The phone number or email is to provide timely notification by the employee to Department Head.

4.3.2 Extended Sick Leave

The City offers protection to employees disabled to the extent that they are unable to work due to sickness or off-the-job injuries. In no event will this be misconstrued to mean additional vacation or additional pay for sick leave. It is the employee's responsibility to complete timesheets for the period and identify the benefit that is being utilized.

Every 3rd day an employee is absent from work, the employee must call their Department Head or City Administrator/City Clerk before scheduled work hours to report status.

A written statement from the employee's physician will be requested as of the 3rd day an employee is on sick leave.

Employees out for surgery must provide the Department Head with a doctor's statement of the anticipated length of leave before taking the leave. When returning to work the employee must bring a doctor's statement of detail to what the employee can or cannot do on the job.

4.3.3 Notification and Verification:

To be eligible for sick leave benefit, an employee shall notify the Department Head or City Administrator/City Clerk as soon as possible, unless the employee is unable to notify the employer because of an emergency. A family member or friend should call the City Administrator/City Clerk as soon as possible. If an employee is absent more than three (3) consecutive days, a doctor's excuse is required and must be given to the immediate Department Head and the City Administrator/City Clerk before returning to work.

4.3.4 Abuse of Sick Leave:

If sick leave appears to be abused as evidenced by a pattern of use after three (3) days of consecutive sick days, at the discretion of the Department Head or Mayor, you may be required to submit competent proof of the necessity for such absence. Abuse of sick leave privileges will constitute grounds for disciplinary action up to and including termination.

4.3.5 Conversion of Sick Leave upon Termination:

Employees with accumulated sick leave will receive compensation equal to 15% (fifteen percent) of their unused accumulated sick leave should employment with the City be terminated or separated for any reason. Sick hours may be paid out as agreed to by the Department Head or City Administrator/City Clerk per this policy.

4.3.6 Sick Day Accumulation

Regular Full-Time Employees will earn ten (10) days or eighty (80) hours of sick leave per anniversary year with an accumulation of up to 90 days maximum. The earned calculation of sick time is 3.0769 per pay period.

Regular Three-Quarter Time Employees will earn eight (8) days or sixty (60) hours of sick leave per anniversary year with accumulation up to 72 days maximum. The earned calculation of sick time is 2.30769 per pay period.

4.4 Work-related Injuries Leave

To provide for payment of your medical expenses and partial salary continuation in the event of a work-related injury or illness, you are covered by worker's compensation insurance. The amount and duration of benefits payable depend upon the nature of your injury or illness. If you are injured on the job, you must notify the Work Compensation Nurse immediately and then notify your Department Head. Within twenty-four (24) hours of the injury, you and/or your Department Head must report the injury to the City Administrator/City Clerk so that injury reports required by state law can be completed timely. Failure to report work-related injuries promptly may result in a denial of worker's compensation benefits.

An employee who is injured while at work and is covered by Worker's Compensation will be paid the difference between the pay normally received for sick leave, based on the available accumulation of sick time, and the amount received under the Worker's Compensation Law. However, no additional leave time will be accumulated while the employee is receiving Worker's Compensation Benefits, refer to section 5.7.5.

4.5 Personal Leave

Two personal leave days will be awarded each anniversary year based on full-time (8) or three-quarter time (6). Personal leave days are not accumulated and will be forfeited if not used within the employee's anniversary year. The employee shall give at least one-day notice to the Department Head although no reason need be given for the personal leave day. This can be declined if there is not sufficient coverage of the department per the Department Head.

4.6 Bereavement Leave

In the case of death(s) in the immediate family, an eligible employee may be granted leave up to a maximum of 40 hours for full-time employees and 30 hours for three-quarter employees in an anniversary year with full pay. Such leave will not be charged against sick leave, nor shall it be cumulative. The immediate family shall be interpreted as Spouse, parent, step-parent, child, step-child, sister, brother, grandchild, grandparents, and comparable in-laws of the present spouse.

The Mayor may grant additional days of paid leave under this section in those circumstances where one of the combinations of death occurs within the same anniversary year or other circumstances occur and warrant consideration.

- | | | |
|-----------------|------------------|-----------------|
| 1. Spouse/Child | 2. Spouse/Parent | 3. Child/Parent |
| 4. Child/Child | 5. Parent/Parent | |

A maximum of one-day leave during an anniversary year with full pay may be granted to attend funerals of other relatives (such as aunts, uncles, nieces, nephews, cousins, and comparable in-laws of the present spouse). Such leave will not be charged against sick leave, nor shall it be cumulative.

4.6.1 Unpaid Bereavement Leave

Any employee may request unpaid leave to attend the funeral of a friend or to serve as a pallbearer, subject to the approval of the Department Head.

4.7 Professional Development Leave

The Department Head in concurrence with the Mayor may grant leave for employees to attend conventions, conferences, seminars, etc. with full pay and benefits if the opportunity adds knowledge to the jobs at the City. See Travel for details.

4.8 Family Sick Leave

Full-time employees shall be granted leave for immediate family at full pay for up to forty (40) hours per year and three-quarter time employees shall be granted leave at full pay for up to thirty (30) hours per year for the following:

- for illness
- for injury
- for pregnancy/childbirth of the spouse requiring hospitalization or requiring the presence of the employee due to said condition
- during the first two weeks following child delivery by an employee's spouse.

For this section, the term "immediate family" shall include spouse, child, step-child, grandchild, parent, step-parent, parent of current spouse, brother, sister. These absences shall not be charged against an employee's sick leave. Unused Family Sick Leave shall be forfeited at each employee's anniversary date.

4.9 Family and Medical Leave

The Family and Medical Leave Act (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles of the main office.

The City of Hudson does not meet the 50-employee requirement to offer FMLA.

4.10 Extended Leave-Illness/Disability

A regular full-time, regular three-quarter time, or regular part-time employee who is unable to work because of illness or injury shall be eligible for unpaid leave for up to six months after all paid leaves have been exhausted. During this time, the City will seek information about the medical condition of the employee and assist in obtaining Long Term Disability Insurance or other benefits to which the employee may be entitled.

4.11 Jury Duty Leave

All employees required to report for jury duty shall receive a paid leave of absence for the time spent on jury duty. Leave for jury duty is paid leave by the City. The City will continue your regular rate of pay for the time served, but you must submit certification of the number of hours spent in jury service and assign any compensation you receive regarding such duty, less reimbursement for parking, travel, and meal expenses to the City Administrator/City Clerk.

Employees subpoenaed to appear as a witness in a civil or criminal proceeding in which that employee is not directly involved as a plaintiff or defendant shall be granted a leave without pay unless the employee uses vacation or compensation hours.

Employees who must appear as a witness in a civil or criminal proceeding in which they are directly involved as a plaintiff or defendant may be eligible for an unpaid leave of absence under Section 4.10 of this manual unless the employee uses vacation or compensation hours.

Hours spent by an employee appearing as a witness in any job-related legal proceeding at the direction of the City will be paid as time worked. If such proceeding occurs outside of working hours, such employee shall be paid at one and one-half (1.5) times the regular pay for a period over regularly scheduled work hours. Employees will be reimbursed for travel and/or meal expenses as applicable.

All employees summoned to jury duty shall promptly notify their Department Head and the City Administrator/City Clerk. An employee who is summoned for jury duty but is not selected shall return to work and an employee who is selected for jury duty shall return to work when released from jury duty within the employee's scheduled work hours.

4.12 Voting/Political Leave:

4.12.1 Civic Responsibilities:

The City encourages all employees to fulfill their civic responsibilities and to vote in all official public elections. Generally, your working hours are such that you will have ample time to cast your vote before or after working hours. However, if you do not have one (1) consecutive non-working hours between the opening and closing of polls in which to vote, you may submit a written request to the Mayor as soon as possible before the election for paid time off up to 1 (one) hour to vote.

4.12.2 Voting Rights:

The City of Hudson recognizes the right of its employees, as citizens, to engage in political activity. However, the City Council also recognizes that the City of Hudson's property and time is paid for by the taxpayers and shall not be used for political purposes. The following is a policy regarding political activity:

No employee shall engage in political activity during hours for which the City pays compensation or by use of City property, such as but not limited to, copier, folding machine, postage machine, or city staff work.

Violation of the above policy shall, at the discretion of the Hudson City Council, constitute cause for disciplinary action.

An employee who is elected or appointed to a public office that requires absence from City duties for an extended period shall be granted a leave of absence as required by State law. Where Council discretion is allowed, each leave will be dealt with on an individual basis and per the city ordinances.

4.13 Military Leave

An employee entering the U.S. Armed Services will be expected to show orders to the Mayor and Department Head as soon as they are received. Eligible employees who have completed service may return to work at their regular job or one like the one they left following applicable state and federal laws.

4.13.1. Leaves Available:

The City will grant leaves of absence for military service to full-time, three-quarter time, and part-time regular employees with applicable state and federal laws. A full-time, three-quarter-time, or part-time regular employee, who is a member of the uniformed services, when ordered by proper authority to serve in the uniformed services, shall be granted leave for the period of service. This leave shall be without loss of pay for the first thirty (30) calendar days of the leave. You are entitled to thirty (30) calendar days of paid leave for military service per calendar year (January 1st to December 31st). Any amount of military leave taken during any part of an employee's scheduled workday, regardless of the number of hours taken, shall count as one full day toward the thirty (30) calendar days without loss of pay. Absences required for military service that exceed thirty (30) calendar days shall be granted following the City's policies on vacation, compensatory time, or unpaid leave, and with applicable state and federal law.

4.13.2 Re-employment Rights – Eligibility:

Your eligibility for re-employment with the City after you complete military service will be determined following applicable state and federal law. Conditions for re-employment are briefly explained as follows:

- A. You, or an appropriate officer of the uniformed service in which you serve, must give advance written or verbal notice of your service to the City Clerk unless military necessity prevents you from giving notice or it is otherwise impossible or unreasonable;
- B. The cumulative length of the absence and all previous absences from your employment with the City for the reason of military service must not exceed five (5) years;
- C. Your discharge from military service must be honorable; and
- D. When you return from military service, you must report to work or submit a timely application for re-employment according to the following schedule:
 - For service of fewer than 30 days, you must report to work by the beginning of your first regularly scheduled workday that would fall eight hours after you return home.

- For service of 31 to 180 days, you must apply for re-employment within 14 days after completing service.
- For service of 181 days or more, you must apply for reemployment no later than 90 days after completing service.

4.13.3 Continuation of Benefits during Military Service:

Employees on leave for military service and any of their dependents entitled to coverage under the City's health insurance plan are entitled to coverage as follows:

- A. An employee that leaves employment for less than 31 days is entitled to continued health insurance coverage, and will not be required to pay more than what an active employee would pay for coverage.
- B. An employee that leaves employment for more than 30 days can elect to receive continued coverage under the City of Hudson's health insurance plan for up to 18 months following separation from employment or until the employee's re-employment rights expire, whichever event occurs first. The City of Hudson may require the employee to pay up to 100% of the premium under this circumstance (COBRA INSURANCE).

4.14 Good Cause Leave

Employees may be granted unpaid leave for good cause. The decision to grant or deny the request for such leave shall be at the discretion of the Administration, Finance & Personnel, Mayor, and the Department Head. Before going on leave without pay, all appropriate accumulated leave balances must be used. Disability insurance is not available to employees on leave without pay. All other insurance may be maintained at the employee's expense if the duration of the Good Cause Leave/Leave without Pay exceeds one calendar month/30 days.

CHAPTER 5 - EMPLOYEE INSURANCE PLANS AND OTHER BENEFITS

5.1 Group Health Insurance

The City shall offer group health insurance to the employee at each insurance renewal by the City each year. The premium cost for each employee shall be reviewed to allow employee input on the option of health insurance plans for the employee, family, spouse, and child. Unless modified in the future, the employee shall be responsible for 10% of the total premium cost per employee with the City providing the remaining 90%. Employees of the same household are equally responsible for the 90/10% split as well. Until further modification by the Council, premium amounts for employees dependents shall be split equally between the City and the employee. Insurance premium amounts may vary per employee based upon the plan and premium covered by the City of Hudson. Due to the proportionate premium sharing referenced above, the cost in any given year for an employee may change from year to year dependent on the plan selected by the City.

5.1.1 Eligibility

All regular full-time and three-quarter time employees working thirty (30) to forty (40) hours as scheduled each week shall be eligible for a medical and hospitalization insurance policy. Eligible dependents would be covered at the same rate as above.

5.1.2 Start of Coverage

Coverage for eligible employees is effective the first of the month following the new hire date or employee reinstatement date.

5.1.3 Termination of Coverage

Upon termination or separation, the employee's insurance coverage extends to the last day of the month in which they were last paid through payroll or the last official day reported to the City Administrator/City Clerk. Vacation, sick time, or compensation time paid out will constitute the last day employed with the City of Hudson. Any changes to insurance coverage must be done with the City Clerk's Office. All insurance programs are subject to the terms and conditions of the insurance carriers at the time the City renewals are due.

5.1.4 Continuation of Coverage under Iowa Code Chapter 509A

If you resign or your employment is otherwise terminated, or if your work hours are reduced and consequently you or your dependents are no longer eligible to participate in the group health insurance plan offered by the City of Hudson, you and your eligible dependents have the right to continue to participate for up to eighteen (18) months at you or your dependents' expense (COBRA COVERAGE). The eighteen-month continuation coverage period provided in the event of your termination or reduction in working hours below 30 hours per week may be extended to thirty-six (36) months if within those eighteen months, you die or become divorced or legally separated, or if a child ceases to have dependent status. In addition, if you enroll for Medicaid during those eighteen months, your spouse and dependent children may be entitled to extend their continuation period to thirty-six (36) months, starting on the date that you become eligible for Medicaid.

If you are determined to be disabled under the Social Security Act at the time of your termination or reduction in hours, you may be entitled to continuation coverage.

Your eligible dependents may extend coverage, at their expense, for up to thirty-six (36) months in our group health insurance plans in the event of your death, divorce, legal separation, or enrollment for Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan.

If you or your eligible dependents elect to continue in the group health insurance plan, you will be charged for the applicable premium plus administrative costs. Failure to make timely payments may result in termination.

The City Clerk's office will contact you concerning these options at the time termination occurs or your work hours are reduced below 30 hours. The City Clerk's office will contact qualified beneficiaries in the event of your death or enrollment for Medicare benefits. However, if you become divorced or legally separated, or one of your dependents ceases to be eligible for coverage under our group health insurance plan, you and/or your dependent are responsible for contacting the City Clerk's office to discuss continuation/conversion rights. You and your qualified beneficiaries are also responsible for notifying the City Clerk's office within sixty (60) days of your qualification for social security disability benefits.

Employees who retire from City employment before age 65 are eligible to continue in the City's health insurance plan up to age 65. Coverage must be continuous meaning the employee must select the same coverage at retirement and the retired employee must pay the agreed-upon cost of the City's premium based on the last 5 years of coverage of that employee/family. For purposes of this section, a retired employee has applied for and is receiving a retirement allowance, such as a pension, social security funds, and or IPERS.

The IPERS rule of 88 must be met to qualify for early retirement. At which time the employee qualifies for early retirement, the employee is responsible for 100% of their premiums. Once the employee is eligible for Medicare, the coverage will terminate.

5.2 Life Insurance

The City pays the cost of the program. Beneficiaries for such policy shall be as named by the employee. The benefits provided under this program are as follows:

Employee \$20,000 basic Life and AD&D

Spouse/Dependents will be covered for \$1,000.00 on basic Life

5.3 Dental Insurance

The City shall contribute an agreed-upon percentage toward the single-employee dental insurance premium annually as defined to be paid by the employee at insurance renewal by the City each year.

Employees who retire from City employment before age 65 are eligible to continue in the City's dental insurance plan up to age 65. Coverage must be continuous meaning the employee must select the same coverage at retirement and the retired employee must pay the agreed-upon cost of

the City's premium based on the last 5 years of coverage of that employee/family. For purposes of this section, a retired employee has applied for and is receiving a retirement allowance, such as a pension, social security funds, and/or IPERS.

The IPERS rule of 88 must be met to qualify for early retirement. At which time the employee qualifies for early retirement, the employee is responsible for 100% of their premiums. Once the employee is eligible for Medicare, the coverage will terminate.

5.4 Vision Insurance

The City shall offer a program for vision insurance paid in full by the employee at a premium to be defined by the insurance company at renewal each year.

Employees who retire from City employment before age 65 are eligible to continue in the City's vision insurance plan up to age 65. Coverage must be continuous meaning the employee must select the same coverage at retirement and the retired employee must pay the agreed-upon cost of the City's premium based on the last 5 years of coverage of that employee/family. For purposes of this section, a retired employee has applied for and is receiving a retirement allowance, such as a pension, social security funds, and/or IPERS.

The IPERS rule of 88 must be met to qualify for early retirement. At which time the employee qualifies for early retirement, the employee is responsible for 100% of their premiums. Once the employee is eligible for Medicare, the coverage will terminate.

5.5 Disability Insurance

The City shall purchase a short-term Disability Program for all full-time and three-quarter-time employees. The City pays the cost of this insurance. The benefits provided under this program are as follows:

1. Weekly Benefit: 66 2/3% of basic weekly wage,
2. Benefits are payable 1st of every month following the start of disability
3. Benefit period not to exceed 26 weeks

No additional leave time benefits will be accumulated while an employee is receiving disability insurance payments.

5.6 (RESERVED)

5.7 Other Benefits

5.7.1 Iowa Public Employees Retirement System

Employees who meet certain criteria are required to participate in the Iowa Public Employees Retirement System (IPERS). Both the City and eligible employees will contribute to IPERS as defined by the State each year.

5.7.2 Social Security

All-City of Hudson employees are covered by the Federal Insurance Contributions Act (FICA). The employee pays the rate set by the Federal Government as well as the City of Hudson pays at a rate defined for an employer.

5.7.3 Tuition Paid

The City encourages all employees to further their job-related education and improve their job-related skills. To support this effort, the City pays tuition costs on a pre-approval basis. Pre-approval can be the Mayor's approval to register for the class and the Department Head's ability to cover the work as necessary if the class time takes away from the job.

Reimbursement is dependent on the completion of the course by the employee. Please contact your Department Head with the details of the program, class, or seminar that you are interested in attending. For Library staff, the cost and description of the opportunity must be presented to the Library Board for approval BEFORE attending the program, class, or seminar. City Council approval is needed if not approved by the Mayor or if funding is not available in the current budget. Classes are paid provided the annual budget has sufficient funding to allow.

If an employee leaves the City within 4 years of their specialized training certificate program that provided the employee a pay increase, the employee will reimburse the City for all the training expenses based on a prorated amount for the years worked after the training period. Expenses include class registration, food, and hotel fees as applicable.

5.7.4 Employee Assistance

The City understands that all employees must deal with the stress of daily living at work, with family, in other relationships, etc. If you are faced with problems you do not want to deal with alone, you are invited to call the United Way 211 call center, available 24 hours a day, for a referral to an agency that will assist you.

Employee Assistance is also available through the city's health insurance policy. The assistance from our insurance can be found on the following website: www.blue365deals.com. The Cardico App is also available that will have the same resources.

5.7.5 Workers' Compensation

All employees of the City are covered by workers' compensation if injured on the job. Employees must report any on-the-job injuries or illness to the employee's Department Head and to the City Administrator/City Clerk as soon as possible to protect this benefit.

No additional leave time benefits will be accumulated while an employee is receiving worker's compensation benefits. See Section 4.4 for more information.

CHAPTER 6 – TRAVEL

6.1 Business Travel:

6.1.1 Authorization:

All business travel (such as classes or seminars) outside of regular work duties must be pre-approved by the employee's Department Head, City Clerk's Office, or the Mayor. (See 5.7.3)

6.1.2 Travel Expenses:

All employees will be reimbursed for related expenses incurred while traveling on the City of Hudson business as outlined below.

6.1.2.1 Mileage:

If an employee uses a personal vehicle for business travel because there is no city vehicle available, the employee will be reimbursed at the Internal Revenue Service's standard mileage rate (Google: IRS MILEAGE RATE) as stated on the first day of such usage.

If an employee uses a City of Hudson's vehicle for business travel, the City of Hudson will purchase the fuel. Employees must provide a receipt of such a purchase if not purchased at the designated provider for the City of Hudson.

More than one employee traveling for the same business trip will travel together in the same vehicle unless the time of leaving or returning would be different. If this is not possible for the employees to travel together, it must be approved before they travel by the City Administrator/City Clerk.

All mileage payments are reimbursed at the first Council Meeting after the employee completes the designated mileage form for reimbursement with all receipts for expenditures.

6.1.2.2 Lodging:

Lodging and commercial transportation expenses will be paid by the City of Hudson, provided it was budgeted. Reservations must be approved by the City Clerk's office for all staff with the exception that the Library Director approves library staff travel. All staff should use direct billing when possible.

- A. Lodging should be solicited for price comparisons before booking a hotel. Booking should occur as early as possible to allow for options. The City Clerk's Office should approve the choice.
- B. Further, employees are encouraged to work with the City Clerk's office or Library Director, as applicable, to make reservations at facilities where the class/seminar is being held. The City will not issue any lodging reservation payment for reimbursement, before or after the event, without an acceptable invoice. The City prefers direct bills on lodging reservations.

- C. One personal telephone call, of reasonable length, per day, placed while away from home will be reimbursed or paid with the bill/invoice from the lodging facility if the employee does not have personal cell phone availability.
- D. Movie/entertainment costs cannot be charged to a room for billing if the City is directly billed for all costs. Employees are to pay unapproved charges to the hotel at checkout, so it is not on the invoice for the City to pay.

6.1.2.3 Meals:

After returning from City approved trips, City Staff will be reimbursed for meals consumed while away from home when proper documentation is presented and falls within the following parameters (<https://www.irs.gov/pub/irs-regsp/irdiemfaq&a.prn.pdf>):

- A. Per Diem Rates for meals will be according to IRS Publication 1542.
- B. Meals will be paid on the per diem rate.
- C. Meals will be paid at 75% of the per diem rate on the first and last days of travel.
- D. The per diem rate for meals includes the following items:
 - a. All meals
 - b. Room Service
 - c. Fees and tips for food servers
- E. Per diem payments are not part of the employee's wages if the payment is equal to or less than the federal per diem rate **and** the city receives an expense report from the employee **with** all receipts attached. Please ask the City Administrator/City Clerk or other designated staff person for the proper reimbursement form.
- F. The expense report must include the following:
 - a. The business purpose of the trip
 - b. The date and place of the trip
 - c. Any receipts for any travel (including lodging).
- G. The employee must file the expense report with the city within a reasonable time (60 days). If any of these requirements are not met, the payment is taxable to the employee.
- H. Payments will be taxable to the employee when any of these situations are true:
 - a. No expense report is filed with the city.
 - b. The expense report filed does not include the date, time, place, amount, and business purpose of the expense
 - c. A flat amount is given to the employee and no expense report is required
 - d. Per diem is paid more than the allowable standard federal rate.
 - e. These per diem payments listed above would be treated as wages and employment taxes are due from the city.

When the documentation is reviewed and verified, the employee will be reimbursed Tuesday after the next Council Meeting if the City Clerk's Office receives the information the Thursday before the Council Meeting. All reimbursements will be directly deposited to the employee's designated bank account, the same as payroll deposits.

6.2 Travel Compensation Time:

Hourly employees will be compensated for a business trip time as outlined below.

6.2.1 Same Day Travel

Employees traveling for a business purpose and returning the same day will be compensated for all the time spent on the business trip, including travel time to and from. This time begins when an employee leaves for their destination and returns directly to the point of start.

6.2.2 Consecutive Day Travel – Overnight stay

Hourly employees traveling for business purposes that will require an overnight stay will be compensated for time to travel to the destination, time in class, conference session, or a meeting regarding business, and the travel time to return from the destination. If the class, session, or meeting is more than an eight (8) hour day, employees will account for that time on their timesheet as time worked for the period. Employees will be compensated based on class length, scheduled meals, overall session time, or specific meeting times including the travel time as part of payroll. Time not spent on work-related functions will not be reimbursed and should not be recorded within the payroll timesheet.

6.3 Conduct:

Employees traveling for a business purpose are representatives of the City of Hudson and are expected to maintain a high level of professionalism and courtesy and to follow all city policies, rules, and procedures, including the appropriate dress code.

6.4 Vehicle Safety:

Safety belts must be properly worn always in both city and privately-owned vehicles used for city business. Smoking in city-owned vehicles is prohibited, see 8.2. See section 10.1 for details on other vehicle rules.

6.5 Accidents or Violations:

Accidents or violations occurring while using a city vehicle for city business must be reported to City Administrator/City Clerk and Mayor as soon as the police report is completed, if applicable. Accidents or violations occurring while using a privately-owned vehicle for city business must be reported to your Department Head, City Administrator/City Clerk, or Mayor no later than upon completion of travel. All citations generated by such an occurrence and issued to the operator of the vehicle in question will be the responsibility of the employee, except those of the condition of a city-owned vehicle.

6.6 Record Keeping:

All employees expecting reimbursement for trip-related business travel expenses must keep accurate, complete documentation of all expenses including dates of travel, the reason for travel, destination information, beginning and ending odometer readings of all vehicles driven whether a

city vehicle or personal vehicle and receipts for all expenses expected to be reimbursed by the City of Hudson.

CHAPTER 7- STANDARDS OF CONDUCT AND CORRECTIVE ACTION

7.1 Policy:

To maintain safe, efficient, and harmonious operations and to continue to provide the highest standard of public service, the City has adopted the following rules. Each rule reflects a common understanding of what behavior is acceptable in the workplace.

The City can modify these rules as changing conditions warrant. The City may take whatever disciplinary action it deems appropriate in response to an offense, even if it is not included in the following list. You must understand that any offense, whether it is included in these work rules, may result in disciplinary action, up to and including termination, without warning. The City expects your complete cooperation in observing these rules which have been designed for our common protection and benefit.

7.2 Work Rules:

7.2.1 While it is not possible to list all the offenses for which you would be disciplined, the following are examples of inappropriate, unacceptable conduct:

- A. Unsatisfactory work performance.
- B. Falsifying employment or other job-related records, including reporting hours worked.
- C. Violating the City's policy against workplace harassment of any kind.
- D. Establishing an unacceptable pattern of tardiness or absenteeism.
- E. Engaging in excessive, unnecessary, or unauthorized use of City property or supplies, particularly for personal use.
- F. Reporting to work intoxicated or under the influence of an ability impairing drug.
- G. Illegally manufacturing, possessing, using, selling, distributing, or transporting drugs.
- H. Bringing or using alcoholic beverages on City property.
- I. Fighting or using obscene, abusive, or threatening language.
- J. Theft or misappropriation of property of coworkers, customers, clients, or the City.
- K. Engaging in insubordination or failing to cooperate with assigned employees, co-workers, or Department Heads.
- L. Violating a City safety rule or practice or creating or contributing to unsafe, unhealthy, or unsanitary conditions.
- M. Failing to maintain the confidentiality of City, employee, resident, or customer information outside of the Iowa Public records statute.
- N. Losing a drivers' license, or any other license or certification, necessary for the performance of the job assigned.
- O. Discourteous conduct toward citizens or poor customer service.
- P. Not providing a positive image in what you do and say in support of the City of Hudson.
- Q. Notice to Department Head, City Administrator/City Clerk, Mayor regarding an arrest within 24 hours of a city employee, elected official, or appointed committee members

7.3 Promote Teamwork

Goodwill, cooperation, and support between co-workers increase efficiency and satisfaction on the job. Because of limited resources (staff and money), all employees may be asked, on occasion to assist in other departments outside of their normal regimen. This cooperation among departments is essential to maintaining quality service to our Citizens and Customers.

To maintain good relations among co-workers it is important for those employees:

- A. Be punctual
- B. Practice regular attendance
- C. Treat all persons with courtesy, respect, and equality
- D. Carry out those activities necessary for the operation of the City in a spirit of cooperation
- E. Be aware of the obligations of employment and of what constitutes an abuse of working conditions and benefits
- F. Acknowledge the importance of the work done by all staff in all departments and maintain a sense of loyalty to, and cooperation with, all other staff.
- G. Always find better and more efficient processes to tasks or duplication of functions between departments
- H. Carry out assignments so that other staff members need not assume added responsibilities, except in times of emergency
- I. Share knowledge and expertise with others through openly cross-training initiatives with all employees with proper written documentation as applicable
- J. Discourage friends and family from dropping by strictly to socialize thus distracting yourself and others from assigned duties
- K. Discourage personal calls either on the city phone lines or on your personal cell phone to socialize thus distracting yourself and others from assigned duties during working hours
- L. Discourage use of internet activities not associated with business purposes whether using office computers or personal phones or tablets

7.4 Corrective Action/Discipline:

If your performance, work habits, attitude, or demeanor become unsatisfactory in the judgment of the City (Department Head, City Clerk, Mayor and or Council), based on violations of the rules listed above, or other City policies, rules, procedures, or expectations, you will be subject to disciplinary action, up to and including termination. The offenses will be documented and maintained in the personnel file. Certain offenses can be corrected using progressive discipline. Situations that the City believes will respond to corrective discipline will normally be handled as follows:

- A. Counseling:
The employee's Department Head or the Mayor will give the employee a verbal warning with a discussion on how to correct the issue and timeframe of expectations.
- B. Suspension:
If sufficient improvement has not been made, or if the conduct continues, the employee will be suspended without pay by the Department Head and approved of the Mayor with a timeframe of expectations.
- C. Termination:
If the conduct continues, the City will terminate the employment of the employee after the Department Head presents appropriate documentation to the Mayor and/or the City's

Administration-Personnel Committee. Then it is sent to be finalized by the City Council at a closed session if requested by the employee.

The City reserves the right to use whatever discipline it decides is appropriate in any situation, up to and including termination, without regard to the progressive guidelines explained above.

CHAPTER 8 - SAFETY AND HEALTH

8.1 Promoting a Safe Work Environment:

The establishment and maintenance of a safe work environment is the shared responsibility of the City and its employees. The City of Hudson will attempt to do everything within its control to assure a safe environment and to comply with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all work activities. You are asked to immediately report any unsafe conditions to your immediate Department Head, the Mayor, and/or City Council. Every employee is expected to report and/or correct unsafe conditions as promptly as possible.

All accidents that result in injury must be reported immediately regardless of how insignificant the injury may appear. These reports are necessary to comply with laws and initiate insurance and worker's compensation procedures.

Threats, threatening behavior, stalking, bullying, or acts of violence against employees, visitors, guests, or other individuals by anyone will not be tolerated. Violations of this policy will lead to disciplinary action up to and including termination, arrest, and prosecution.

H.I.S.S. offers numerous classes to assist employees in understanding what constitutes a safe work environment. Employees will be directed to attend various classes as deemed necessary by your immediate Department Head, Mayor, and/or City Council.

8.2 Smoking Policy:

Following STATE LAW, all City of Hudson-owned buildings, facilities, and vehicles are smoke-free; this includes a 50-foot area outside of said buildings' property lines. All tobacco, nicotine product usage, including smoking, electronic smoking devices and smokeless tobacco (includes snuff and chewing tobacco), is prohibited in all City-owned buildings, facilities, equipment, and vehicles and on all public grounds owned by the City except in designated areas under the Iowa Smoke-Free Air Act. Each City-owned building may establish a designated smoking/tobacco usage area. This area must be in the building's parking lot away from all building entrances and must not adversely impact other employees or the public. Please contact your Department Head to identify these designated smoking areas.

Employees are permitted to smoke or use tobacco products within their personal vehicles which are parked in a City-owned parking lot. Employees who choose to smoke or use tobacco products must do so per this section and during the normal meal and break periods. Employees are not provided additional time away from work to smoke or use tobacco products.

CHAPTER 9 - EMPLOYEE COMMUNICATIONS

9.1 Privacy Expectations:

All employees are responsible for a level of confidentiality that will preserve an environment that supports sincerity, honesty, and ethical behavior. However, as public-sector employees supported by public funds, employees should not expect privacy in their work, work stations, and/or anything that belongs to the City that is used to produce City work.

As official government records, most types of communication, including personal cell phones or computers used for City business, unless there is a reasonable application of the exception, may be made available to the public upon written request under the requirements of Iowa Code and the Federal Public Information Act.

9.2 Bulletin Boards:

Bulletin boards will be maintained at a reasonable gathering area for employees, such as the bulletin board at the City Hall copier, Public Works building office, Public Library, and the Wastewater Treatment Plant, or by email from the City Clerk's office, which will be used to communicate information as follows:

- A. Legally required posters and notices.
- B. Safety rules and related information
- C. Management memos and announcements, including job openings.
- D. City-sponsored events.

9.3 Open Door:

The City attempts to ensure employment that is enjoyable and rewarding. All employees are encouraged to participate in a free and continuous exchange of questions, suggestions, and information that will improve municipal service, safety, cost savings, or communications and public relations. Employees are urged to first discuss any ideas or suggestions with their immediate Department Head, but employees should also feel free to contact any City employee, including the City Administrator/City Clerk, Mayor, Council, or Committees members.

9.4 Electronic Communications Policy:

9.4.1 Telephone/Cell Phone/Fax Machine/Scanning Use:

The Library or City's telephones, cell phones, fax lines, and scanners are for conducting the necessary business of the City. Long-distance calls in any department may be made but only for official Library or City business. Personal telephone calls should be done on a personal cell phone.

Employees are required to report and reimburse the City for any long-distance calls, scanned documents, faxed documents, or copies made for personal use. Notify the City Administrator/City Clerk of the personal usage to be billed according to the charges paid by the City. Personal calls should not be within earshot of the public when at all possible.

9.4.2 Copy Machine

A fee for the personal use of the Library or City copy machine and paper will be charged at the same rate charged to citizens (0.25 per page) as quoted. If color copies are done the cost will be charged at the same rate charged to citizens (0.30 per page) as quoted per printed color copy. This cost includes the use of the Library or City's paper and ink to create the copy. Charges are incurred if not for city business.

9.4.3 Electronic Communication Policy

Desk Top Computers, Laptops, Tablets, Cell Phones, and/or other devices owned by the City of Hudson as follows:

E-MAIL AND INTERNET ACCESS SYSTEMS

9.4.3.1 Purpose:

The purpose of this policy is to provide guidelines regarding the use of the internet and e-mail services by employees, the Mayor, Council, and Committee members for the City of Hudson. The City encourages the use of e-mail and Internet services by authorized and trained employees when such use improves the effectiveness or efficiencies of the City. The city of Hudson finances these services to support the access and exchange of information. As such, employees, Mayor, Council, and Committee members shall use these services responsibly and in full compliance with this policy.

9.4.3.2 Privacy:

Under routine circumstances, the City will not monitor employee e-mail messages or Internet usage logs. However, the City reserves the right to do so without prior notification to employees.

Employees who use e-mail and Internet systems cannot assume the systems afford them any level of confidentiality or privacy. As City-owned resources, the e-mail and Internet systems are subject to assessment and inspection by the Mayor or other personnel designated by the Mayor. Employees should therefore not assume electronic communications are completely private and should transmit highly sensitive or confidential information in other ways. Such assessments and inspections may be undertaken when there is a legitimate purpose to do so, such as:

- A. For the transfer of messages and files from one employee account to another employee account
- B. When there is evidence of, or suspicion of, use of the e-mail or Internet access systems in violation of this policy or any City policy
- C. When there is evidence of, or suspicion of, a breach in the security of the e-mail or Internet access systems
- D. To assist in the investigation of a crime when required by law

9.4.3.3 Security:

E-mail and Internet access systems are not secure. Employees using these systems should assume their messages can be intercepted and monitored by unauthorized persons.

Each employee is directly responsible for all activities occurring under his or her e-mail name or Internet account. If an employee suspects the security of his or her e-mail or Internet account has been breached, he or she shall notify the City Administrator/City Clerk or the City of Hudson IT Vendor as soon as reasonably possible.

9.4.3.4 Public Information:

E-mail (both internal and external via the internet) is a public record and may be subject to public disclosure under applicable law.

9.4.3.5 Electronic Records Retention Policy:

Weekly, each employee shall review their e-mails and delete all messages no longer needed or required to be retained per state policy or city policy. Junk mail should be deleted and stopped when the option is available.

9.4.3.6 Acceptable Use Guidelines:

Employees shall use the e-mail and Internet access systems only for conducting the business of the City, except as noted in the following section. While using e-mail and Internet access systems, employees shall follow established e-mail and Internet customs, rules, and guidelines. For example:

- A. Employees shall use their e-mail and Internet access systems for lawful purposes.
- B. Transmission of or access to the material (text or images) that could be construed as harassing, threatening, obscene, sexist, racist, slanderous, fraudulent, or unethical is prohibited.
- C. Transmission of documents in violation of copyright laws is prohibited.
- D. Use of e-mail or Internet access systems for commercial purposes or personal profit is prohibited.
- E. Transmission of "chain letters" is prohibited.
- F. Intentionally disrupting the City's e-mail or Internet systems, or the systems of any other entity, by the distribution of a computer virus, worm, or other malicious files, or by overloading a system, is prohibited.
- G. Unauthorized access to another Internet system via the City's systems is prohibited.
- H. Downloading e-mail attachments or other files at a PC not having an active virus detection program running is prohibited.
- I. Opening a message from an unknown source is strongly discouraged (such messages often contain computer viruses and should be deleted immediately)
- J. Downloading software in violation of a software license agreement is prohibited.
- K. Use of e-mail or internet access systems for gaming, political activity, fundraising, or religious promotion is prohibited.

- L. Use of e-mail or Internet access systems to "surf" cyberspace; roam the World Wide Web; engage in online forums, chat rooms, or newsgroups; and visit popular sites of personal interest is prohibited.
- M. Employees shall properly identify themselves when sending an e-mail or when using any Internet service, and shall clearly distinguish between opinion and City policy.
- N. Employees shall not engage in unauthorized transactions which may incur a cost.
- O. Employees shall respect the privacy of others.
- P. Employees shall not distribute e-mail to multi-users outside your department without the specific approval of your department head.
- Q. Employees shall not send or contrive to send or retransmit anonymous messages or publicize proprietary or confidential information.
- R. Employees shall not subscribe to mailing lists or list servers that are not related to official business or professional enhancement within the City Government.
- S. Employees shall not do work for another entity while on City business time.

9.4.3.7 Personal Use:

Employees may use the e-mail and Internet access systems for personal use provided that such use:

- A. Is incidental and infrequent, not offensive to others
- B. It is not during work hours and was previously approved by the employees' Department Head.
- C. Does not interfere with the job performance of the employee or the employee's co-workers
- D. Does not generate a direct cost to the city
- E. Does not interfere with or burden the e-mail or Internet access systems
- F. Does not consume large system resources or storage capacity or otherwise deplete system resources available for city business activity
- G. Is following all other sections of this policy

Employees using the city's account to access these services represent the city during their use, and such use should reflect ethical behavior and appropriate use of city resources.

Examples of acceptable personal use include:

- A. Personal conversation to a business-oriented e-mail message
- B. Infrequent transmission of brief, personal e-mail messages
- C. Infrequent access to a web-based e-mail service to transmit personal e-mail messages

9.4.3.8 Violations:

The use of the City's e-mail and Internet access systems is a privilege afforded to authorized users. This privilege may be revoked at any time for violations of this policy. The Administration, Finance and Personnel Committee, and Mayor or a designee will evaluate said violations on a case-by-case basis. Department heads are responsible for enforcement and reporting violations of this policy or misuse of City equipment to the Administration, Finance and Personnel Committee, and Mayor. Employees found to have violated this policy, or to have engaged in illegal or unethical practices, will be subject to disciplinary action, up to and including termination and criminal prosecution.

The City expressly reserves the right, without prior notice, to alter and update this policy from time to time. Any changes will be communicated to employees and the employee must review the revised policy.

9.4.3.9 Disclaimers:

A wide variety of information exists on the Internet. Some persons may find part of that information to be offensive or otherwise objectionable. Employees should be aware the City has no control over and can, therefore, not be responsible for the information on the Internet other than what we as an organization place there.

9.4.3.10 Tablet/Laptop Policy

Tablet/Laptop Computer Acceptable Use Policies and Guidelines

The focus of the Mayor/Council/Boards/Committees/Staff for tablet/laptop use for the City of Hudson is to limit the amount of paper used and increase efficiencies for all departments.

Tablets/laptops are issued to City Personnel/Mayor/Council Members and Boards/Committee members as applicable but always remain the property of the City of Hudson.

The member is responsible for the care and good judgment when using the tablet/laptop. All members are required to adhere to the following Technology Acceptable Use Policies and Guidelines that are specific to the tablet/laptop as follows:

- A. The tablet/laptop is assigned to various staff and others associated with the City of Hudson for the duration of his/her employment/term/appointment
- B. The tablet/laptop must be surrendered to the City Administrator/City Clerk in appropriate working condition immediately upon the end of elected term/appointment or termination of employment/volunteer term or at the request of the City of Hudson.
- C. No modification of the operating system application or other software will be installed on a City-owned tablet/laptop without the authorization of the City Administrator/City Clerk or IT designee.
- D. Notification of each authorized installation must be given to City Administrator/City Clerk or IT designee for validation.
- E. The tablet/laptop may be taken home by the designated member for City Business use.
- F. The tablet/laptop is sensitive to moisture and extreme heat. It must not be left in a car or location where it will be damaged and must be kept dry away from sources of water such as sinks, bathtubs, and pools.
- G. Every effort will be made to prolong the condition of the tablet/laptop. For example, to extend the battery life of the tablet/laptop, it is best to let the battery drain before recharging when at all possible.

- H. Any physical damage, intentional or not, to the tablet/laptop will be reported to the City Administrator/City Clerk or IT designee immediately. A fee for replacement or repair will be owed to the City from the member.
- I. The member understands that if she/he is found to be the cause of deliberate damage or loss of the tablet/laptop she/he will be responsible for the repair/replacement cost of such equipment. This will be billed to the member after receipt of the bill from the City.
- J. The member understands and acknowledges that all information on the tablet/laptop is subject to the Open Records Law and becomes the property of the City of Hudson. It may be withheld from public disclosure only if it falls under an exemption from disclosure in the Open Records Law.

CHAPTER 10 – CITY OF HUDSON SUBSTANCE ABUSE POLICY

10.1 All Employees, volunteers, elected, and appointed persons representing the City of Hudson:

The City of Hudson (hereinafter "the City") has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees, volunteers, elected, and appointed persons. It is well recognized that individuals who use illegal drugs or abuse alcohol are more likely to have workplace accidents, incur greater amounts of lost time, and perform their jobs in a substandard manner.

The use of the term employee will be interchangeable with the term volunteer, elected, and appointed persons unless otherwise stated throughout this chapter.

10.1.1 Purpose:

The City recognizes that its health and future are dependent upon the physical and psychological health of its employees. Therefore, the City intends to continue to promote a safe and secure work environment, free of illegal drug use and alcohol abuse. It is also our intent to comply, as legally required, with all U.S. Department of Transportation rules and regulations (49 CFR Parts 382 and 40), the Drug-Free Workplace Act of 1988, the Americans with Disabilities Act, and the Family and Medical Leave Act.

10.1.2 General Rule:

Each applicant hired will be provided with this complete Employee policy manual upon receipt of their applicable payroll documents. The Department Head will require the candidate's signature of acknowledgment that the manual was reviewed within the first day of work.

Anyone possessing a valid CDL will comply with the following rules and regulations. These rules shall be construed, supplemented, and controlled by the regulations of the U.S. Department of Transportation regarding safety-sensitive employees. Any questions or concerns regarding the City's Drug and Alcohol Policy or Tobacco-Free Policy shall be directed to the City Administrator/City Clerk at 319-988-3600 or to the Chair of Administration, Personnel, Finance Committee.

Volunteers, elected, and appointed persons will be informed of the city substance abuse policy by providing the Employee Policy Manual to each person.

With these basic objectives in mind, the City has established the following regarding the use, possession, or sale of alcohol or drugs.

10.1.3 Legal Drugs:

An employee may bring to work and take a prescription drug during work hours only if the drug has been prescribed for the employee by a physician or other authorized prescriber and only if the drug is taken following the prescriber's directions. All prescription drugs must be kept in the container in which they were received from the pharmacy or another dispenser.

An employee may bring to work and take an over-the-counter drug during work hours only if the drug is used for its intended purposes and per package directions and any other directions of the employee's physician.

An employee must notify their Department Head, City Administrator/City Clerk, or mayor whenever the employee is using a prescription or over-the-counter drug which potentially may affect the safety or work performance. In deciding whether such a drug may affect the safety or work performance, the employee should rely on the warnings or cautions that accompany the legal drug. The City does not seek information on all drugs that an individual may be taking, but only those where there is an indication that the drug may affect performance, or there is a caution that one should not engage in certain activities which are part of the employee's job duties while taking the drug. The City reserves the right to take appropriate action, including requiring that the employee no longer work, if the use of the drug is impairing or is deemed likely to impair the employee's faculties or work performance.

Abuse of legal drugs will not be tolerated. The City will treat abuse of legal drugs in the same manner as the use of controlled substances.

10.1.4 Alcohol or Drug Possession, Transfer of Use:

Except as provided in the above rules concerning legal drugs, an employee who brings or attempts to bring onto City premises, has possession of, uses, consumes, transfer, sells, or attempts to transfer or sell, any alcoholic beverage, prescription drug, or any form of a controlled substance, or any "look-alike" substance, while on City business or at any time during the employee's workday, whether or not on duty, and whether or not on City business or property, is guilty of misconduct and is subject to discipline, up to and including termination, even for the first offense.

10.1.5 Impairment during Work Hours:

An employee whose faculties are impaired during work hours because of alcohol, the illegal use of a controlled substance, or the abuse of a legal drug, is subject to discipline, up to and including termination, even for the first offense. However, if the City chooses to conduct a drug test, discipline will be imposed by the rules set forth below.

10.2 Definitions

- A. "DRUG TESTS" means any blood, urine, saliva, chemical, or skin tissue test conducted for detecting the presence of a chemical substance in an individual, including but not limited to, marijuana, cocaine, amphetamines, opiates, and phencyclidine (or PCP).
- B. "ILLEGAL DRUG" means any drug,
 - a. Which is a "prohibited substance", or
 - b. Which has not been legally obtained, or
 - c. Which is a prescribed drug not used as a prescribed drug
 - d. Prescribed drugs must be in their original container, which contains the name of the doctor and the drug prescribed.

- C. "LEGAL DRUG" means any drug,
 - a. Which has been obtained legally, and
 - b. Is being used for the purpose prescribed or manufactured
- D. "REASONABLE SUSPICION" means specific, contemporaneous, objective, and articulate observations concerning the appearance, behavior, speech or body odors of the employee and may include indications of the chronic and withdrawal effects of controlled substances. The facts and circumstances known to the observer must logically lead a prudent person to believe an employee is using or has used alcohol or other drugs in violation of this policy.
- E. "REFUSAL TO SUBMIT" means that after an individual has been notified to provide a drug and/or alcohol testing, the individual:
 - a. Fails to provide a sufficient test specimen of breath, saliva, or urine without a valid medical explanation;
 - b. Tampers with or attempts to adulterate the specimen;
 - c. Interferes with the collection procedure;
 - d. Does not immediately report to the collection site;
 - e. Does not remain readily available for testing in post-accident testing situations; and/or
 - f. Refuses to complete and sign a chain of custody form during the specimen collection process.
- F. "PROHIBITED SUBSTANCE" is any of the substances specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. 801 et. Seq. and published at 21CFR 1308.11 and 21 CFR 1308.12, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines.
- G. "SAFETY SENSITIVE EMPLOYEE" shall include any employee whose duties or responsibilities include any safety-sensitive function as defined in 49 CFR 382.107, and shall include all positions for which a commercial driver's license (CDL) is required.
- H. "UNDER THE INFLUENCE" means that an employee is affected by a drug or alcohol, or a combination, in any manner, that demonstrates a disregard for life or property, or impairs his/her ability to perform his/her job or assignment. Symptoms of being under the influence of drugs or alcohol are not restricted to misbehavior, obvious impairment, physical and/or mental ability, slurred speech, or difficulty in maintaining balance.

10.3 Policy

The policy as stated below pertains to all City employees, those on the city payroll, staff, part-time seasonal, Mayor, and Council as well as volunteers on Committees, Boards, and Commission, including volunteers in the Fire Department. Further descriptions of procedures, testing, and circumstances requiring testing, which may be necessary for Safety Sensitive employees are listed under the section titled "DRUG TESTING PROCEDURES". The City of Hudson and its employees are subject to State and Federal laws and regulations concerning illegal drug and controlled substance manufacture, distribution, dispensation, possession, or use. The Hudson City Council adopted the Substance abuse policies and key provisions of these policies as follows:

- a. Employees are expected and required to report to work on time and in appropriate mental and physical condition to work.
- b. Employees needing help are encouraged to seek help and utilize our health insurance or employee assistance plans.

10.4 Prohibited Conduct

Any employee engaging in the manufacture, distribution, dispensing, possession, or use of illegal drugs on City premises, in City vehicles, or while on City business, will be subject to disciplinary action up to and including termination. Law enforcement agencies will be notified as appropriate where criminal activity is suspected.

The possession or use of any alcoholic beverage, beer, or wine by any employee during working hours is prohibited. Fundraising or special events for the City will be reviewed by the City Council on an individual event basis. Any possession or use of any alcoholic beverage, beer, or wine by any employee during any working period will subject the employee to discipline and possible discharge.

Any employee who is reasonably suspected of being impaired or under the influence of alcohol or prohibited substance shall be suspended from job duties pending an investigation and verification of condition. Employees found to be under the influence of a prohibited substance or who fail to pass a drug test shall be subject to disciplinary action up to and including termination.

All-City Safety Sensitive Employees, as defined herein, are subject to federal drug and alcohol testing regulations while performing City work functions and/or Operating City vehicles. Refusal to comply with a request for drug or alcohol testing, the providing of false information relating to a test, or attempts to falsify test results through tampering, alteration, contamination, or substitution are considered insubordination and are grounds for discipline to include termination.

Any employee who fails to notify the City of any criminal drug or alcohol statute conviction for a violation occurring in the workplace no later than 3 days after such a conviction shall be subject to disciplinary action up to and including termination. Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off City property. A report of such conviction must be made in writing to the Mayor within 3 days after the conviction.

Any employee is prohibited from reporting for duty or remaining on duty to perform a safety-sensitive function with an alcohol concentration of 0.04 or greater. Any employee is prohibited from using alcohol within 4 hours of performing a safety-sensitive function (IDOT requires a minimum of 4 hours). Any employee is prohibited from using or being under the influence of alcohol at any time while on duty, 4 hours post-accident, or until tested post-accident. Any employee is prohibited from possessing ANY amount of alcohol (including medications or over-the-counter remedies containing alcohol) while on duty (IDOT Regulation).

The City is dedicated to assuring the fair and equitable application of this substance abuse policy. Therefore, the mayor and/or Department Heads must use and apply all aspects of this policy in an unbiased and impartial manner. Any Department Head who knowingly disregards the requirements of this policy, or who has been found to deliberately misuse the policy regarding subordinates, shall be subject to disciplinary action, up to and including termination.

10.5 Safety Sensitive Employee Testing:

The City will require a drug test of any safety-sensitive employee, including City Fire Department Volunteers, as follows:

INITIAL TEST: As part of a physical required before the commencement of their duties with the City. An employee who transfers from another position to a safety-sensitive position shall be considered a new employee for purposes of the initial test and shall not begin any safety-sensitive function until completing the said test. Satisfactory results of the physical and the drug test will be required to start work. The City shall make any offer of employment or transfer subject to passing the drug test and notify the applicant that a drug test is a requirement of employment.

REASONABLE SUSPICION TEST: Whenever there is reasonable suspicion that the employee has been involved in drug use;

ACCIDENT TEST: Immediately after the employee is involved in an accident, as outlined in 49 CFR 382.303;

RANDOM TEST: On a random basis as determined by the drug testing administrator contracted by the City, including the random follow-up testing required after a positive result;

RETURN TO WORK TEST: Before returning to work after any suspension for violation of the City's drug policy.

The testing of safety-sensitive employees shall be conducted according to the rules and procedures of the third-party administrator contracted by the City, which shall be in conformance with the regulations promulgated by the U.S. Department of Transportation.

The City shall immediately suspend any safety-sensitive employee upon notification of the employee either refusing to submit to a requested drug test or testing positive until the employee has completed the required substance abuse evaluation and passed the return to work test. The City shall provide substance abuse evaluation at its cost, and if treatment is recommended, the City will provide names and phone numbers of substance abuse professionals for further consultation. The City is under no financial obligation beyond what the minimum requirements are as stated in the federal laws. Benefits may be available through the employee's insurance coverage.

10.6 Routine Physicals: This section does not apply to volunteers.

The City will not require a drug test as part of any regularly scheduled physical for those non-safety sensitive employees who undergo such physicals as a condition of employment.

Specific physicals may be required for those employees who have been exposed to toxic or other unhealthy substances during their work. These tests shall be limited to those specific substances.

10.7 Reasonable Suspicion Situations for Drug and Alcohol Testing:

The City may require a drug test of those employees suspected of using or being under the influence of a drug or alcohol at the workplace where the City:

- a. Has reasonable suspicion to believe that the employee's faculties are impaired, and
- b. The employee is in a position where such impairment presents a danger to the safety of the employee, another employee, a member of the public, or the property of the City, or when impairment, because of alcohol/drugs, is a violation of a known work rule of the City.

All test procedures prescribed by law are as follows:

- a. Reasonable suspicion that an employee violates this policy must be established by observations witnessed by a trained Department Head and another who must each sign a checklist or a written observation sheet.
- b. Witnesses should include the employee's immediate Department Head if possible. Observations creating reasonable suspicion that an employee is using or being under the influence of a drug or alcohol at the workplace made by a law enforcement officer are to be considered as a valid reason to ask for a drug and/or alcohol test.
- c. All employees will be required to have taken the appropriate H.I.S.S. class to be able to identify systems. This does not apply to "volunteers".

10.8 Alcohol:

The use of alcohol, being under the influence of alcohol, by any employee while performing City business, is prohibited.

The use of alcohol, being under the influence of alcohol, by any employee while working in a City facility, on City-owned property, in a City-owned vehicle, or other City-owned vessels, is prohibited.

10.9 Legal Drugs:

Being under the influence of any legal drug by any employee while performing City business, or while working in a City facility, vehicle, or other vessels, is as follows:

A. Prescription Drugs:

An employee may bring to work and take a prescription drug during work hours only if the drug has been prescribed for the employee by a physician or other authorized prescriber (such as a dentist) and only if the drug is taken following the prescriber's directions. All prescription drugs must be kept in the container in which they were received from the pharmacy or another dispenser. Use of a legal drug, in which the prescription is not in the name of the user (prescribed for another individual), is considered "abuse" of a legal drug.

B. Over-the-Counter Drugs:

An employee may bring to work and take an over-the-counter drug during work hours only if the drug is used for its intended purposes and following package directions and any supplemental directions of the employee's physician.

C. Notification:

An employee must notify their Department Head whenever he or she is using a prescription or over-the-counter drug, which potentially may affect the safety or work performance. In making this determination, the employee should rely on the warnings or cautions that are received with the lawful drug. The City of Hudson does not seek information on all drugs that an individual may be taking, but only those where there is an indication that the drug may affect performance, or there is a caution that one should not engage in certain activities which are part of the employee's job duties while taking the drug. The City of Hudson reserves the right to take appropriate action including relieving an employee from work if the use of the drug is impairing or is deemed likely to impair the employee's faculties or work performance.

D. Abuse:

Abuse of legal drugs or illegal drug use will not be tolerated.

10.10 Illegal Drugs:

The use, sale, purchase, transfer, or possession of an illegal drug by any employee while in a City facility, vehicle, or other vessels, or while performing City business is prohibited.

10.11 Testing:

All drug or alcohol testing will be conducted by a laboratory or testing facility that has been approved under the rules of the Department of Public Health of the State of Iowa, and certified by the US Department of Health and Human Services. At its discretion, the City may contract with a third party for the administration of all phases of the Drug and Alcohol policy. Employees will be offered the opportunity to review and sign a consent form before any drug testing is done. Should the employee refuse to sign a consent form for testing, it shall be considered the same as a positive test and all restrictions stated in the federal law of this policy statement shall apply.

If a test result indicates the presence of alcohol or an illegal drug, a second test using an alternative method of analysis shall be conducted. If this test also indicates positive, a portion of the original sample will be made available for the employee to have his/her test made at his/her expense.

An employee shall be accorded a reasonable opportunity to rebut or explain the results of a drug test.

In conducting those tests designed to identify the presence of chemical substances in the body, the City shall ensure, to the extent feasible, that the tests only measure, and that the records of the

test only show, or make use of information regarding chemical substances in the body which are likely to affect the ability of the employee to perform his/her duties safely while on the job.

Upon receipt of a positive test result, by the City Administrator/City Clerk, an employee will be offered the opportunity to undergo treatment and evaluation in compliance with City policy. In the event the employee, for any reason, refuses the treatment offered, they must sign a waiver notice stating they understand their refusal may lead to disciplinary measures that could lead to termination.

Scheduling of Tests:

Current Employees - Drug and alcohol testing for current employees shall normally occur during, or immediately before or after, a regular work period. The time required for testing, including travel time, is considered work time for purposes of the Federal Labor Standards Act (FLSA), compensation, and benefits.

DOT Drivers -Alcohol testing for DOT drivers shall normally occur during, or immediately before or after, performing safety-sensitive functions.

Costs of Tests:

Prospective Employees and DOT driver-applicants - The cost of the initial drug test and confirmation will be paid by the City.

Current Employees - The actual costs for testing, other than for a second, confirmatory test if one is requested as provided by law, are paid by the City. If the drug and/or alcohol sample collection is conducted at a place other than the employee's normal work site, the City will provide transportation, or pay reasonable transportation costs to the employee.

10.12 Employee Assistance and/or Discipline for Drugs and Alcohol:

Any employee that receives a positive test result shall be suspended until such time the employee has completed a substance abuse evaluation. The employee shall be required to receive and complete any treatment recommended by said evaluation. The City shall provide substance abuse evaluation at its cost, and if treatment is recommended, the City will provide names and phone numbers of substance abuse professionals for further consultation. The City is under no financial obligation beyond what the minimum requirements are as stated in the federal laws. Benefits may be available through the employee's insurance coverage. The employee shall not be entitled to use accrued sick leave and/or vacation. Additionally, the employee shall receive an unpaid suspension of one workday for a first offense, three workdays for each subsequent offense, and shall be terminated upon the third offense.

10.13 Confidentiality of Test Results:

The City shall protect the confidentiality of all employees and will follow guidelines established by federal law/IDOT Chapter 49 CFR §40.321.

The results of the test may be recorded in the employee's personnel records; however, if the employee has undergone substance abuse evaluation, and, when treatment is indicated under the substance abuse evaluation, completed treatment for substance abuse, the employee's personnel records shall be expunged of any reference to the test or its results when the employee separates from employment. The City contact person for the Drug and Alcohol Testing Procedure shall be City Administrator/City Clerk. The primary contact person is not a safety-sensitive employee and will refer any information to the secondary contact person for proper direction.

CHAPTER 11 - MISCELLANEOUS

11.1 General Housekeeping:

It is important that you take pride in your work area and that you keep it neat and orderly always. Having your work area well organized contributes to efficiency and it creates a good impression for our citizens.

11.2 Use of Equipment and Vehicles:

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using City property, you are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

When driving on City business, you are expected to observe area traffic laws. This includes wearing seat belts. Tickets that result from an infraction of traffic laws or parking violations are your responsibility, as the driver.

Notify the Department Head or Mayor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or needing repair. Prompt reporting of these situations could prevent deterioration of equipment and possible injury to employees or others. The Department Head or Mayor can answer questions about your responsibility for maintenance and care of equipment or vehicles used on your job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action, including termination.

11.3 Dress Code for Office Employees:

We expect our office employees (Clerk's office, Planning and Zoning, Building Inspector) to be neatly groomed and to dress appropriately for the work they are doing. We do not allow our employees to work in torn or soiled clothing or attire that may be offensive to our citizens or other employees. Inappropriate attire will be addressed on a case-by-case basis. If a question arises, discuss the subject with the appropriate Department Head, Administration, Finance and Personnel Committee or Mayor.

Jeans may be considered appropriate with sweaters or jackets for everyday office attire. Jeans can be worn with sweatshirts or t-shirts on Fridays if the items are with no wording inappropriate for the office. University and High School tops are acceptable on Friday.

11.4 Dress Code for Public Works, Building Inspector, Fire Department, and Police Department:

The City of Hudson provides uniform shirts and or uniform safety vests from a uniform supply company for the Public Works, Building Inspector, Fire Department Volunteers, and Police Department employees. The City of Hudson will pay costs associated with purchasing uniforms within the limits of the current budget per person. These uniforms are provided to give these employees a similar presentation to the community.

Individuals identified by the City will wear the uniform always while performing duties for the City so residents in the City know the employees/volunteers. The shirt and or vest allowance can also be used for specific footwear or outerwear for Public Works as prescribed by the City Council if the budget allows for the additional clothing.

Uniforms will be reimbursed by the employee/volunteer to the City if termination occurs within the 3 months of newly purchased uniforms or other purchased items for the specific job.

11.5 Cell Phone:

The City of Hudson will provide cell phones, Smart Phones, or tablets for the following departments: Public Works, Police Department, City Clerk, Building Inspector, Planning & Zoning, Library, and Fire Department. The City of Hudson owns all equipment for business purposes.

ACCOUNT ADMINISTRATORS: The City Administrator/City Clerk and Mayor will be the only administrators on the vendor's phone account. Any time a new phone is required, a phone is to be repaired, or any changes to the account are to be made - the Mayor or City Administrator/City Clerk will be notified first of the circumstances. The employee will then travel to the vendor's shop to determine the type of repair recommendation. The provider company will contact one of the City plan administrators for approval.

DEVICE PROTECTION COVERAGE: Device protection will only be required on the devices being used by the Police Department, Fire Department, and Public Works Department. This is due to the environments the departments work in, as well as what the device can be introduced to. A phone case with a screen protector will be required to be on the device always. A Life Proof Case and/or an Otter box phone case is the brand of choice.

REPLACEMENT: Should an employee cause damage to a device in their possession before 1 year after receiving the device, the employee and Department Head must present to the City Personnel Committee information on what happened and why the City should have the Department budget pay for the replacement. The Committee may determine some damage to be employee negligence and cause the employee to pay the City's expense for replacement.

PERSONAL USE: City-paid devices should not be used for any personal business. These devices are paid for with tax payer's money for City business only.

REPURPOSING DEVICES: Only old devices the city has in their possession will be used before any new device is purchased if those devices are in good working condition and can be used on the plan by an employee.

EMPLOYEE RESPONSIBILITIES:

Employees receiving a City-owned cell phone are responsible for the following associated with this policy:

- As the City provides remote internet access to City-owned computer systems and e-mail through Smart Devices or other Wi-Fi technology, an employee understands that work-related time spent accessing his/her computer and other City computer systems is considered hours worked. The

employee agrees to include all hours reviewing email or other data as City work via remote access to City-owned computers on his/her City timesheet. The employee understands that failure to comply with these terms may result in disciplinary action. Finally, nothing in this administrative memorandum shall be construed to alter the employee's status as an employee subject to the City's Personnel Policies and Rules, which may be revised from time to time.

- Text messaging is strictly prohibited while driving a City vehicle, operating equipment, or when driving a personal vehicle on City business. The use of cell phones while driving a City vehicle or a personal vehicle on City business is strongly discouraged and employees are cautioned that this activity may distract from their ability to drive safely.
- Cell phone use and Smart Device use are prohibited in all commercial motor vehicles (CMV) unless when necessary to communicate with law enforcement officials or other emergency services.
- The employee must also follow the same employee handbook policies for technology usage whether in the office or out of the office. Please review sections:

9.4 Electronic Communication Policy

9.4.1 Telephone/Cell Phone/Fax Machine/Scanning Use

9.4.3 Electronic Communication - Desk Top Computers, Laptops, Tablets, and/or other devices owned by the City of Hudson:

11.6 Professional Memberships/Endorsements/Licenses:

The City of Hudson wants its employees to be active in professional advancement activities and will consider all requests to assist our employees in this effort. Which, if any, costs associated with these activities will be paid by the City of Hudson will be determined by the Department Head, Administration, Finance, and Personnel Committee, the Mayor, or the City Council before the registration of the employee.

Membership fees or dues for professional organizations, endorsement fees, and required license expenses related to the employee's responsibilities and determined by the Department Head and Administration, Finance, and Personnel Committee to be mutually beneficial to both the City of Hudson and the employee, will be paid by the City of Hudson after review by the City Council and is funded within the current budget.

If such memberships, endorsements, or licenses are of marginal or no benefit to the City of Hudson, the Department Head and Administration, Finance, and Personnel Committee may determine that only a portion or none of the fees may be reimbursed.

11.7 Training Assistance:

The City of Hudson believes in investing in the professional development of its employees. There are many different professional training seminars or conferences available to employees. Some of these training sessions are required to maintain professional endorsements or licenses. Information about training opportunities will be given to the Administration, Finance, and Personnel Committee so they may authorize the appropriate employees to attend. The City of

Hudson will pay for the registration costs for all approved job-related training if funds are available in the Department Head's budget.

In the event an advanced educational seminar or course becomes available and is directly related to the job assignment and responsibilities of an employee for the City of Hudson, the employee may request financial assistance to attend. This request must be made in writing to the Administration, Finance, and Personnel Committee before the deadline registration of the seminar or course in question. The actual amount of assistance granted is at the discretion of the committee and based on funds available in the current Department Head's budget. This could range from nothing up to the full amount of tuition for the course. Assistance will be granted on a reimbursement basis and only if the course is completed satisfactorily (grade of "C" or better, if applicable or as defined by Council at time of the request.)

11.8 Disaster Recovery Plan - Computer-Based Policy

11.8.1 Passwords:

Passwords are to be changed every 90 days or as the vendor deems necessary or as required by the City Clerk/IT Services on all systems requiring passwords. When additional users will be using a computer or software, they will be assigned a password of their own. Passwords are to be given to the City Administrator/City Clerk in case of an emergency. Confidentiality is a requirement of the City of Hudson. All passwords will be changed when employment is terminated, or management so directs, due to hacking or other system impacts.

11.8.2 Log Off/Time Out:

Each computer must be logged off if the user will be away from the computer for more than 2 hours. The computer must be shut down if the user will be out of the office for any length of time (end of the day to start of next business day).

11.8.3 Running Anti-Virus Programs:

The City's IT Vendor shall scan for viruses once a month or as issues warrant and check for updates every day or as agreed in the contract.

11.8.4 Storing of System Backup Tapes:

A full system backup of City Hall servers shall be kept off sight through the I DRIVE Program used by City Hall or the backup defined by the City's IT Vendor per contract.

The Library will maintain current backup tapes of their server and server-based programs in the City Hall Vault always.

11.9 Disaster Recovery Plan:

In the event of a fire, windstorm, or other types of disaster, the City of Hudson must have a disaster recovery plan in place to ensure continued service to citizens of Hudson and to maintain the ability to record, process, and report financial data.

If City Hall should be damaged or destroyed, the City Council will establish temporary office facilities. Replacement computers and printers will be purchased as deemed necessary by the Department Heads, City Council, and Mayor. Some staff has the ability with laptops to work from home or any place so designated by the Mayor and City Council. Phones can also be programmed to the temporary office site through the Answering Service. The Police Chief and Fire Chief are considered the 1st responders and will provide direction to all Department Heads, Mayor, and City Council to follow.

No employee should store data on the individual computer hard drive (C drive) as this drive is not part of the daily backup system. While any type of disaster will impose hardship on the City, taking these steps should minimize the damaging effects of such an event.

11.9.1 Computer-based Systems Policy Review and Amendment:

Computer-Based Systems Policy shall be reviewed as appropriate and as determined necessary by the IT Support Vendor and the City Administrator/City Clerk as directed by the Mayor.

11.10 Safety:

Safety and prevention of accidents are the responsibility of every employee, whether in the office, a city building, or on the streets of the Community. You should protect yourself, other employees, and citizens from job hazards strive to prevent and eliminate fires and accidents and promote safety within the workplace and the Community. Employees should report any potentially unsafe conditions or accidents immediately to the Department Head, to the Mayor, or the City Administrator/City Clerk.

11.11 Gift Policy:

All employees of the City of Hudson are subject to the provision of the Iowa Code Chapter 68B that prohibits most gifts to employees. A copy of the Statute is available for review by an employee through the State of Iowa website, Codes. The only gifts employees may receive from restricted donors are items available to the public, food, or drink worth less than \$3.00 per employee.

11.12 Purchasing:

Please see APPENDIX A AND APPENDIX B

11.13 Credit Card Policy

Only the City Administrator/City Clerk, with the Mayor, may apply for Credit Card/Procurement cards with the approval of the City Council.

Employees must review and follow this Use Policy and the Acknowledgement form must be signed by the Employee, City Administrator/City Clerk, and Mayor before being allowed to use a City card.

City credit cards or procurement cards are for City Business use only, no personal use of the credit card is permitted.

City credit cards will be held at the city hall in the City Administrator/City Clerk's possession.

When in an employee's possession, credit cards are to be protected by the employee from loss, theft, or misuse. If the card is lost or stolen, call the credit card company immediately. Also, notify the City Clerk/Treasurer and Mayor as soon as possible.

The city-issued credit cards shall not be used for cash advances.

The Credit Cards may only be used for the following purposes unless otherwise approved by the Mayor or City Council.

- A. Purchases requiring immediate payment where City is unable to issue a check for the purchase. Purchases require prior approval for non-budgeted items.
- B. Meal expenses when on City business (no liquor expenses can be included).
- C. Employee training/travel accommodations including lodging when applicable.
- D. Online purchases that require a credit card and no other payment or billing option are available. Online purchases require prior approval for non-budgeted items.
- E. Emergency vehicle maintenance.

Other credit card purchases need to be coordinated with the respective department head, City Administrator/City Clerk, and Mayor.

All credit card receipts are to be forwarded immediately to the City Administrator/City Clerk with the respective account number to be charged written on the travel reimbursement form. If receipts are not turned in, the City will not be responsible for those charges on the cards issued.

Any misuse of city cards will result in cancellation of the card and other actions as deemed appropriate by the Mayor or Council. Employees may be held responsible for any unauthorized purchases on the card while the card is in their possession. The City may revoke the credit card privileges of any employee at any time.

Each card will be limited to a maximum of \$10,000.

11.14 Public Records Request Policy
Implementation Date: September 14, 2020
Last Reviewed/Update Date: July 11, 2022
Resolution No: 2947

11.14.1 Purpose

The Public Records Request Policy defines the procedures and fees associated with handling public records requests to the City of Hudson, Iowa. It is the policy of the City of Hudson, Iowa to respond in an orderly and expeditious manner following Iowa Code Chapter 22 to requests to inspect or receive copies of public records maintained by the City of Hudson.

11.14.2 Applicability

This policy applies to all City departments, except for the Fire and Police Departments which have their public records policies.

11.14.3 Background

The City of Hudson recognizes the right of the public to access public records maintained by the City following state law. The City also recognizes that certain records maintained by the City are not public records or may be exempt from public disclosure and that a request to access public records may require a balance of the right of the public to access the records, individual privacy rights, governmental interests, confidentiality issues, and privilege issues. Additionally, when the City responds to requests to inspect or copy records, costs are incurred by the City. This policy is adopted to balance these competing interests, to establish an orderly and consistent procedure for responding to public records requests, and to support the adoption of a fee schedule designed to reimburse the City for the actual costs incurred in responding to public records requests.

11.14.4 Designated Custodian

Iowa Code Section 22.1(2) requires government bodies to delegate an official or employee as its “lawful custodian” responsible for implementing the requirements of Iowa Code Chapter 22 and to provide that information to the public. The City’s “lawful custodian” is the City Administrator/ City Clerk or any employee delegated such responsibilities by the City Administrator/City Clerk.

11.14.5 Public Records Requests

The following procedures shall be followed in responding to requests to inspect or receive copies of public records maintained by the City of Hudson.

- A. Records requests may come in the form of a letter, email, fax, or verbal request. To accurately and timely process a records request, the City needs to know the full extent and how to contact the requestor in case the City Administrator/City Clerk, or their designee has any questions or concerns. If possible, the requestor should put his or her request in writing using the City of Hudson’s Public Records Request Form.
- B. Any request for public records maintained by the City of Hudson, except for police and fire records, must be referred to the City Administrator/City Clerk’s office for review of the request, collection of the records, and completion of the request.
- C. The fee to be charged for providing records in response to a public records request will be following the most current fee schedule adopted by the City Council.
 1. At the requestor’s preference, the City may make the requested records available in hard copy or electronic format. The requestor may ask the City to supply copied records either by mail, electronic mail, fax, or pick up at Hudson City Hall.
 2. The City reserves the right to adjust the fee structure for extraordinary requests and provide a cost estimate to the requestor before request completion.
- D. The person requesting public records can request the City to prepare an estimate of the charges that will be incurred to respond to the public records request. The City may also require an advance deposit of the estimated charges before copying any of the requested records available for inspection or copying. If the actual costs incurred

by the City to respond to a records request are less than the amount of any required prepayment, the overpayment will be refunded promptly to the person or entity making the prepayment. If the actual costs incurred by the City to respond to the request are more than the amount of prepayment, the City shall charge the requestor for all additional costs.

- E. Unless otherwise prohibited by law, the City may, at the City's discretion, furnish copies of requested records without charge or at a reduced fee if the City determines that the waiver or reduction of fees is in the public interest.
- F. The City shall provide a reasonable opportunity for the inspection, examination, or copying of requested public records which are not exempt from disclosure. Unless otherwise approved in advance and writing by the City Administrator/City Clerk's office, any inspection, examination, or copying of requested records shall be done at Hudson City Hall during regular City business hours.
- G. The City reserves the right to not release copies of requested public records until the requestor pays for the corresponding charges to complete the said request.

11.14.6 Fee Schedule

The following fees and costs may be charged according to Iowa Code Chapter 22 for access and/or copies of public records maintained by the City of Hudson.

Copy Charges –

The following fees were approved by Resolution 3028 on January 23, 2023.

| Guidelines/Conditions | | Fee |
|-----------------------|-------------------------------|-------------|
| Black & White | Single Sided - 8.5x11, 8.5x14 | \$0.05/page |
| | Single Sided - 11x17 | \$0.15/page |
| | Double Sided - 8.5x11, 8.5x14 | \$0.10/page |
| | Double Sided - 11x17 | \$0.20/page |
| Color | Single Sided - 8.5x11, 8.5x14 | \$0.15/page |
| | Single Sided - 11x17 | \$0.30/page |
| | Double Sided - 8.5x11, 8.5x14 | \$0.20/page |
| | Double Sided - 11x17 | \$0.35/page |

Postage Charges –

If the requestor chooses to have records mailed to them, postage will be charged at actual cost.

Labor Charges –

The City will provide 30 minutes of City staff time free of charge to respond to each requestor. Requestors will be charged \$5.00 for each additional 15 minutes of service.

Legal Charges –

Some requests may need to be reviewed by the City Attorney. In such circumstances, the requestor will be billed for the time spent by the City Attorney at the attorney's hourly rate as determined by the attorney's current contract with the City of Hudson.

11.14.7 Estimated Response Time

The anticipated response times below are approximations:

| Number of Pages Requested | Anticipated Response Time |
|----------------------------------|---|
| 01-10 | 3 full business days |
| 11-100 | 4 full business days |
| 101-500 | 7 full business days |
| 501-1000 | 10 full business days |
| 1000+ | 20 full business days |
| Each additional 1000 pages | 10 full business days per additional 1000 pages |

11.14.8 Disclaimer

Although recorded provided to a requestor may be deemed “open” or “public records” within the meaning of Iowa Code Chapter 22, the City recommends that requestors use any information provided by the City comply with all local, state, and federal laws, including but not limited to laws related to privacy, harassment, discrimination, debt collection, libel, slander, and tort.

11.14.9 Questions

Any questions concerning the City’s Public Records Policy or related procedures or fees should be directed to the records custodian:

City Administrator/City Clerk
City of Hudson
525 Jefferson St
PO Box 536
Hudson, IA 50643
319-988-3600

CHAPTER 12 - SEPARATION

12.1 Employee Separation:

The City expects the employee to provide written notice to the Mayor and your immediate Department Head at least two weeks before the effective date of your resignation. Employment records will reflect the last day worked as the date of termination. You will receive pay through the last day scheduled to work. If you resign or are otherwise terminated, you will be paid for unused vacation and other benefits earned as defined in this policy manual.

12.2 Exit Interviews:

Before leaving the City upon voluntary separation, employees may be asked to meet with the Mayor or Personnel Committee for an exit interview. This interview shall be conducted to determine and document the reasons employees leave the City and provide an opportunity for the airing of unresolved grievances, and solicit constructive feedback.

CITY OF HUDSON STATEMENT OF UNDERSTANDING
AND RECEIPT OF **PERSONNEL POLICY**

THE UNDERSIGNED acknowledges that he/she has been provided with a copy of the Personnel Policy for the City of Hudson and further understands that it is the employee's responsibility to read and understand its contents.

The contents of this manual are presented for information only. The plans, policies, and procedures described are not conditions of employment. The City of Hudson reserves the right to modify, revoke, suspend, terminate, or change any or all plans, policies, or procedures, in whole or in part, at any time with or without notice. The language, which appears in this manual, is not intended to create nor is it to be construed to constitute a contract between the City of Hudson and any one or all its employees.

Dated this _____ day of _____, 20_____

Employee's Signature

Clerk received date and initials _____

APPENDIX A

PURCHASING POLICY AND PROCEDURES MANUAL

CITY OF HUDSON, IOWA

June 2019

INTRODUCTION

The Purchasing Policy and Procedures Manual were developed to explain the purchasing system used by the City of Hudson for non-public improvement projects, as defined by Iowa Code Chapter 26. The manual will outline the responsibilities and duties of the City Council, City Administrator/City Clerk, and the user departments. The manual will first explain the policies that guide the purchasing process. The policies seldom change and provide the governing principles and courses of action to follow. The detailed procedures and instructional statements will be presented after the policies. In general, the purchasing system used by the City is not centralized. This means that user departments independently purchase items needed for their operations. The City does not have a central purchasing department to buy items in bulk for storage until needed by the user departments.

The intent of the Hudson City Council and city staff is to buy materials, supplies, and services of high quality at a reasonable cost. All purchasing actions engaged by the City should be fair, impartial, and free from impropriety or the appearance of impropriety. All qualified buyers and sellers shall have access to compete for City business, and no reasonable offer shall be arbitrarily excluded. Business transactions between the City and City officials or employees are prohibited. Additionally, “related-party” transactions are also prohibited.

This manual applies to all operating departments.

POLICIES

1. COUNCIL AND STAFF ROLES

In the City of Hudson, departments work independently when making purchases. If the proposed purchase is greater than \$2,500, departments work with the City Administrator/City Clerk, Mayor, City Engineer, or contractor to determine the acceptability of materials, supplies, or services provided and will follow the procedures outlined in this policy. The City Administrator/City Clerk reviews all invoices for materials, supplies, or services before payment. Any purchases that qualify as a public improvement, as defined by Iowa Code Chapter 26 are subject to separate regulations; the guidance outlined in this policy should not apply to such projects.

2. IOWA PREFERENCE GIVEN

Under the statutory authority, preference will be given to products and provisions grown and produced within the State of Iowa. The department supervisors shall make every effort to support Iowa products when making a purchase. Tied responses to solicitations, regardless of the type of solicitation, shall be decided in favor of the Iowa products.

Iowa Code, Chapter 73.1, Preference Authorized:

“Every...city and every person acting as contracting or purchasing agent for any such...governing body shall use only those products and provision grown and coal produced

within the state of Iowa, when they are found in marketable quantities in the state and are of a quality reasonably suited to the purpose intended, and can be secured without additional cost over foreign products or products of other states...”

For purchases over \$2,500, if a Hudson based company is bid is within 5% of, or if a Cedar Valley-based company is within 2.5% of, the low-bid and all other specifications of the request for proposal are met by both companies; the city council may award the contract to the Hudson or Cedar Valley-based company.

3. COOPERATIVE PURCHASING

The City may initiate or participate with other governmental bodies, including the State of Iowa, in cooperative purchasing. This may take place either using the Iowa Code Chapter 28E for intergovernmental agreements or utilization of a contract clause. This would allow a legal purchase at the cost designated in another entity’s contract, in the best interest of the City, notwithstanding any provisions of this manual to the contrary. The utilization of existing state or federal government contracts would satisfy bidding and quotation procedures under this policy.

All legally binding contracts that are entered into on behalf of the City, in which the contract requires the City to commit to a purchase of more than \$2,500, must be approved by City Council before entering the contract. Once the contract is approved, expenses under the contract provisions do not require purchase orders.

4. COMPETITIVE PROPOSAL REQUIREMENTS

All purchases of, and contracts for, supplies and contractual services, for an estimated cost greater than \$2,500 or more, except as specifically provided herein, shall be based on competitive proposals. The utilization of a State or Federal bid contract satisfies the competitive proposal requirements. Staff review of posted or advertised prices can also be used to satisfy the competitive proposal requirements. Additionally, a review of prices paid by other government entities for comparable products or services can be used to satisfy the competitive proposal requirement.

All requests for proposals for materials, products, supplies, provisions, and other needed articles and services to be purchased at public expense shall not knowingly be written in such a way as to exclude any company capable of filling the needs of the purchasing entity from submitting a responsive proposal. Whether or not stated in the Request for Proposal, the City may consider life cycle costing analysis and may give weight to the value of standard facilities and equipment, in selecting a vendor.

Exceptions to the competitive proposal requirements include professional services and professional service contracts, items costing under \$2,500, and emergency purchases. Also, competitive proposals for ordinary or reoccurring expenses shall be sought every two years. This includes items such as office supplies, cleaning supplies, concrete, asphalt, etc.

All purchases for light, medium and heavy equipment and vehicles which are budgeted for or not budgeted for shall go through the competitive bidding requirements of this policy.

A vote by the City Council exempting specific opportunities or conditions may be requested. Approval of an exemption of this requirement shall be a simple majority vote by the Council.

5. SALES TAX EXEMPTIONS

Under Iowa Law, the City of Hudson is exempt from tax in the case of sales of articles purchased for the City's exclusive use. Additionally, the City Administrator/City Clerk will require the proper documentation from certain vendors so that the City may apply for sales tax reimbursement or refund.

6. EMERGENCY EXEMPTIONS

This policy may be circumvented if a situation arises that meets any of the following emergency procurement conditions:

1. the situation threatens public health, welfare, or safety; or
2. there is a need to protect the health, welfare, or safety of persons occupying or visiting a public improvement or property located adjacent to the public improvement; or
3. the department must act to preserve critical services or programs; or
4. the need is a result of events or circumstances not reasonably foreseeable.

If any of these situations occur, purchases of emergency need items can be made without the approvals required by this policy. After the situation, formal documentation will be required from staff participating in the event to outline the occurrence and justify the expenditures made under the emergency exemption. These exemptions will be submitted to the Chief Financial Officer/Mayor and if costs exceed \$5,000, to City Council for approval.

7. CHANGE ORDERS

Change orders up to \$2,500 may be approved by the City Administrator/City Clerk. Any change orders exceeding \$2,500, to a maximum of \$7,500, may be approved by the corresponding department's council committee. Change orders exceeding \$7,500 will require additional Council approval.

8. FORFEITED FUNDS

The Comprehensive Crime Control Act of 1984 authorized federal officials to implement a national asset forfeiture program as a tool to target criminals and assist anti-crime measures. Part of this legislation authorized the sharing of forfeited funds with cooperating law enforcement agencies. The Department of Justice (DOJ) has since produced a *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, to serve to promote and maintain the integrity of the equitable sharing program so that it can continue to merit public confidence and support. This guide sets forth specific regulations as prescribed by federal law, and following the Office of the Attorney General, that assure the legal transfer of property and seized assets in matters of administrative or judicial forfeiture. The sole responsibility for administration, regulation and reporting of this

program within local jurisdictions lies with the chief law enforcement officer of that jurisdiction. For the City of Hudson, the official shall be the Chief of Police.

The following expenses are generally approved for the expenditure of forfeiture funds by the Department of Justice: law enforcement investigations, law enforcement training, law enforcement, and detention facilities, law enforcement equipment, law enforcement travel and transportation, law enforcement awards and memorials, drug and gang education and awareness programs, matching funds for federal law enforcement grants, pro-rata funding for multi-agency items or facilities, asset accounting and tracking of forfeiture funds, language assistance services for law enforcement activities, transfers to other law enforcement agencies, and support of community-based programs with a law enforcement initiative.

In general, priority shall be given to supporting community policing activities, training, and law enforcement operations. Preapproval from the Department of Justice of a listed expenditure may be required. All forfeiture expenditures must be approved by the Hudson Chief of Police and submitted to the Chief Financial Officer/Mayor.

APPENDIX B

PURCHASING PROCEDURES FOR DEPARTMENTAL BUDGET ITEMS

1. For all purchases verify that the item is a budgeted item for your Department.
2. Petty Cash Purchases

Petty cash is used for vendors that the City does not already have an account set up for. Receipts with the employee's signature must be submitted to the City Administrator/City Clerk promptly for payment.
3. Determine the process necessary for all your budgeted item purchases:

| | |
|-------------------|---|
| \$1,000 & Under | Retain receipt & turn in for Department approval for all purchases |
| \$1,001 - \$3,999 | 3 verbal quotes <u>before</u> purchase |
| \$4,000 - \$7,500 | 3 written quotes <u>before</u> purchase |
| Over \$7,500 | Sealed bids, require City Council approval before the purchase is made. |
4. Responsibility for purchases within each department rests with the Department Head.
 - a. If the Department Head chooses to designate approval authority for purchasing, the employee must sign the receipt and return it to the Department Head for signature and correct account coding before it is provided to the City Administrator/City Clerk.
 - b. Departments are responsible for submitting their invoices to the City Administrator/City Clerk in a timely fashion to avoid late fees or penalties from vendors.
5. Departments are not to separate purchases to circumvent financial guidelines.
6. All items submitted for payment, regardless of cost, should be coded to an appropriate general ledger account. If the cost of a purchased item is to be split between departments, both or all the Department Supervisors need to approve and initial the invoice and provide the appropriate account coding.
7. All purchases over \$1000.00 are reviewed and signed by the City Administrator/City Clerk unless the City Administrator/City Clerk is making the purchase, in which case the purchase must be approved by the Mayor.
8. The Mayor and City Administrator/City Clerk are responsible for ensuring that departments adhere to this policy.
9. Repeated failure to follow the above guidelines by any individual will be reported to the Mayor or appropriate department head and will be subject to disciplinary action if violations persist.

PROCEDURES FOR OBTAINING COMPETITIVE QUOTES/PROPOSALS

\$1,001 - \$3,999

The employee requesting a purchase in this range must compile three verbal quotes. Telephone quotations are acceptable for these purchases. After writing down all three quotes, reviewing the prices, and determining the low bidder who has met the requirements, the employee may attach the quotes to the bill for payment. Attach the list to the requisition and forward them to the Chief Financial Officer/Mayor.

When obtaining telephone quotations, you are subject to certain legal constraints:

- a. Do not reveal one vendor's price to another until the purchase order has been approved.
- b. Do not ask a vendor to revise the price once it is given. (However, should a vendor call back before you have completed the telephone quotation process requesting to revise the price, you may accept the new price.)

A "No Bid" is not considered a bid when obtaining telephone quotations. Three prices are to be obtained and submitted in writing to the City Clerk's Office. If after contacting 6 or more vendors, a purchaser is unable to obtain the 3 required quotes, the purchaser may document the vendors contacted and proceed with the process noted above. The Chief Financial Officer/Mayor always reserves the right to review each telephone quotation, obtain additional bids if deemed necessary, and verify prices with the named vendors.

The telephone quotation only identifies the lowest bidder meeting specifications. Authority to place an order is given once the appropriate signatures have been secured.

NOTE: In some instances, verbal quotes may not be available from the vendors. Instead of obtaining verbal quotes, written quotes may be obtained for items in this category. See the next section for a discussion of acceptable written quote mediums.

\$4,000-\$7,500

Items \$4,000 to \$7,500 may be awarded using informal competitive bidding. All informal competitive bidding purchases over \$4,000 shall be based on at least three competitive written quotes and shall be awarded to the lowest responsible bidder following the standards outlined in this policy.

All informal competitive bids shall be obtained by the Department Head or designee by any of the written mediums discussed below and the Department shall maintain documents prescribed by the City Administrator/City Clerk on all such transactions, and such records shall be open to the public for inspection. The written quotation only identifies the lowest bidder meeting specifications, subject to the Hudson or Cedar Valley-based company provisions outlined in Section 2 of this policy. Authority to place an order is given once the appropriate signatures have been secured.

If after contacting 6 or more vendors, a purchaser is unable to obtain the 3 required quotes, the purchaser may document the vendors contacted and proceed with the process noted above. The City Administrator/City Clerk reserves the right to review each quotation, obtain additional bids if deemed necessary, and verify prices with the named vendors.

Written quotes can be accepted in a variety of different mediums but must identify the vendor information associated with the pricing (IE: federal tax id#, email, fax, internet pricing lists, traditional catalog price lists, brochures, flyers). Pricing should include all applicable charges and shipping/handling fees.

Above \$7,500

Approval for purchases expected to exceed \$7,500 will follow a competitive proposal process as outlined in Section 4 of this policy. The item to be purchased must be approved by the Department Head and the City Administrator/City Clerk. Once the bidding has been completed, the results will be submitted to City Council for final approval before the purchase is completed.

Whenever practical, purchases expected to exceed \$7,500 must have a minimum of three prospective bidders and shall be bid on by formal written bid form. After due notice is given, the lowest responsible bidder will be chosen, subject to the Hudson-based or Cedar Valley-based company provisions outlined in Section 2 of this policy.

Verbal Quotation Form

For:

| |
|--|
| |
|--|

Quotations Received from:

| Vendor | Contact Name and Number | Price |
|--------|-------------------------|-------|
| | | |

| Vendor | Contact Name and Number | Price |
|--------|-------------------------|-------|
| | | |

| Vendor | Contact Name and Number | Price |
|--------|-------------------------|-------|
| | | |

| Vendor | Contact Name and Number | Price |
|--------|-------------------------|-------|
| | | |

| Vendor | Contact Name and Number | Price |
|--------|-------------------------|-------|
| | | |

| Vendor | Contact Name and Number | Price |
|--------|-------------------------|-------|
| | | |

When obtaining quotations either in person or by phone, you are subject to certain legal constraints:

- Do not reveal one vendor's price to another.
- Do not ask a vendor to revise the price once it is given.

Three quotes are required unless you have contacted six vendors and are unable to obtain three quotes. If a vendor desires to submit a written quote, the written quote is acceptable and may be attached to this form.

Circle the selected vendor and turn this form into Accounts Payable to be attached to the invoice when paid.

| | |
|--|-------|
| _____ | _____ |
| Signature of Employee Obtaining Quotations | Date |

Written Quotation Form

For:

Additional requirements/specifications may be included on the back of this sheet.

Quotations Received from:

| Vendor | Contact Name | Price |
|------------------------------------|------------------|-------|
| | | |
| Address | Phone/Fax/E-mail | |
| | | |
| | | |
| | | |
| | | |
| Federal Tax Identification Number: | | |

Please address questions to and return quotations to: