

EMPLOYEE HANDBOOK

CREATED: February 2021
IMPLEMENTED: March 1, 2021 (or as indicated within provisions)
REVISED: December 19, 2025

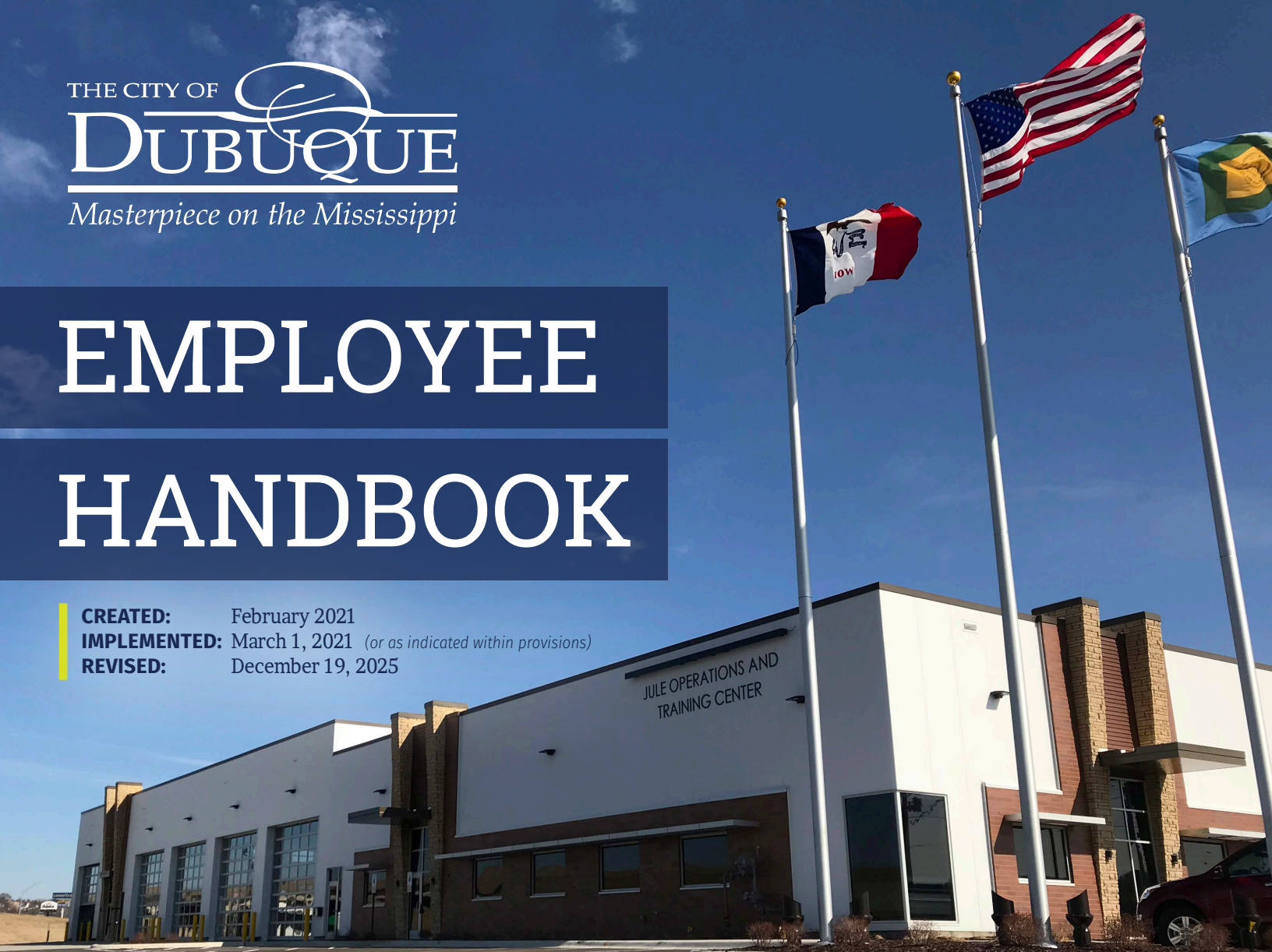




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CHAPTER 1

Welcome and Overview

Welcome to the City of Dubuque! We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further the City of Dubuque's goals.

You are joining an organization that has a reputation for outstanding leadership, innovation, and expertise. Our employees use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services. With your active involvement, creativity, and support, the City of Dubuque will continue to achieve its goals. We sincerely hope you will take pride in being an important part of the City of Dubuque's success.

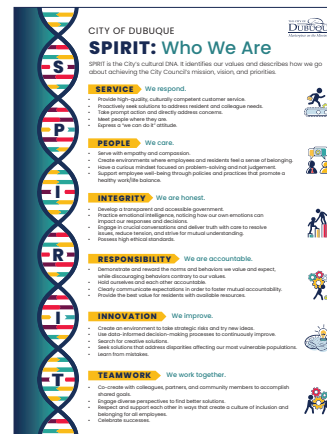
Please take time to review the policies contained in this handbook. If you have questions, feel free to ask your supervisor, department manager/director, or to contact the Human Resources Department.

The following documents will familiarize you with the ins and outs of local government, and the way of life at the City of Dubuque.

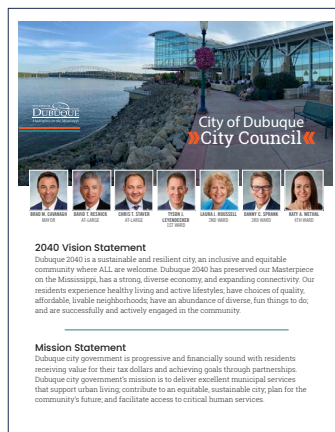
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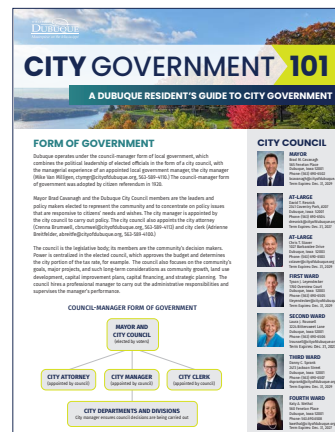
[City Manager Mike Van Milligen's Management Philosophy](#)



[SPIRIT Statement \(City of Dubuque Values\)](#)



[City Council Vision and Mission](#)



[City Government:101](#)

CHAPTER 2

Employee Handbook Purpose and Scope

This Handbook provides a general overview of the City of Dubuque and its policies as they relate to employees of the City. This Handbook along with the Administrative Policies (AP's) are the principal sources of information on all the City's personnel-related policies and procedures.

Where it would be difficult for employees to access, read, and/or understand these policies, it is the responsibility of the immediate supervisor to facilitate the communication of each of these policies or statements to the individual employee. City employees will comply with the terms of relevant City policies as part of their employment obligation. Employees at the City of Dubuque are classified or categorized into one of several groups as described in this Handbook.

Union-represented Employees and scope of the Employee Handbook

While this Handbook is a primary document containing governing policies and procedures for ALL employees, in cases of unionized or union-represented employees, a provision within a negotiated contract through their respective unions takes precedence for some policies. In addition, benefits, holidays, holiday pay, wage plans, all supplemental pays, overtime pay/compensatory time and paid or unpaid leaves contained herein, including, but not limited to, Chapters 10 and 11 are not available to union-represented employees. Information about collectively bargained for contracts may be found within each negotiated contract.

Where provisions of this Handbook, if any, conflict with Iowa Code or Federal Law applicable to City employees, the provisions of Iowa Code and Federal law supersede.

Department and/or Division Policies and Procedures

The provisions contained within this Handbook do not limit the power and authority of a department head or manager to establish department rules, regulations, or procedures governing the conduct and performance of employees under the department head's/manager's supervision. Such departmental rules shall not conflict with the provisions of this Handbook.



CHAPTER 3

Employment at Will

Employment at the City of Dubuque is on an at-will basis.

This means that either the employee or the organization may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this employee handbook is intended to or creates an employment agreement, express or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. In addition, no organization representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship.

Any wage or salary figures provided to an employee in annual, monthly, or hourly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period of time.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the Iowa Public Employment Relations Act. Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. The City of Dubuque employees have the right to engage in or refrain from such activities.

CHAPTER 4

Handbook Revision or Modification

The City of Dubuque has the right to unilaterally modify, amend, or terminate policies, procedures, or employee benefit programs whether or not described in this handbook at any time without notice.

The provisions of this Handbook remain in full force and effect until amended by the City Manager.

All personnel policies contained herein were adopted by the City of Dubuque and supersede previous policies. The City periodically reviews personnel policies in part, or as a whole, to ensure that they continue to reflect current thinking in the field of Human Resources Management, the City Council goals, and are consistent with trends and legislative requirements.

CHAPTER 5

Equal Opportunity and Commitment to Fair Treatment

5.01 Equal Opportunity

The City of Dubuque provides equal employment opportunities to all employees and applicants for employment without regard to race, color, national origin, gender, gender identity, sex, pregnancy, sexual orientation, marital status, religion, age, disability, results of genetic testing, or service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

The City of Dubuque expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is not tolerated.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Human Resources Department. The City will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels the employee has been subjected to any such retaliation, the employee should bring it to the attention of the employee's supervisor or Human Resources Department.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described in this Handbook. "Adverse conduct" includes but is not limited to:

1. shunning and avoiding an individual who reports harassment, discrimination or retaliation;
2. express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
3. denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure.

5.02 Americans with Disabilities Act (ADA) and Reasonable Accommodation

To ensure equal employment opportunities to qualified individuals with a disability, the City of

Dubuque will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the organization would result.

Employees who may require a reasonable accommodation should contact the Human Resources Department.

5.03 Commitment to Fair Treatment

The City of Dubuque is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the organization and are valued for their skills, experience, and unique perspectives. This commitment is embodied in organization policy and the way we do business at the City of Dubuque and is an important principle of sound municipal management.

5.04 Harassment and Complaint Procedure

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as Iowa law. Harassment based on a characteristic protected by law, such as race, color, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or other characteristic protected by local, state or federal law, is prohibited. The Iowa Civil Rights Act and City prohibit harassment on the basis of age (18 or older), race, creed, color, sex, sexual orientation, national origin, religion, disability (physical or mental), marital status, or pregnancy.

It is the City of Dubuque's policy to provide a work environment free of sexual and other harassment. To that end, harassment of the City of Dubuque's employees by management, supervisors, coworkers, or non-employees who are in the workplace or with a nexus to the employee's work is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. The City of Dubuque will take all steps necessary to prevent and eliminate unlawful harassment.

Definition of Unlawful Harassment. "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law.

Definition of Sexual Harassment. While all forms of harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding some one's sex life, comments about an individual's body, comments about an individual's sexual activity or sexuality, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward;
- Inquiries into an employee's sexual experiences; and
- Discussion of an employee's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated at the City of Dubuque.

Complaint Procedure

Any employee who believes they have been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. You may complain directly to your immediate supervisor or department manager, the Human Resources Director, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a good faith complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality.

If the investigation confirms conduct contrary to this policy has occurred, the City of Dubuque will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

Informal Consultation with Chief Human Resources Officer

Any City employee who wishes to consult with someone about a specific situation before or without making a complaint under this provision, or who wishes to simply learn more about the enforcement processes, may contact the Chief Human Resources Officer for an informal consultation. In the case of an informal consultation, the action of consulting the Chief Human Resources Officer and the identity of the person(s) involved will normally remain confidential unless the person initiating the consultation consents to further action or other circumstances require that the City Manager be notified of the concerns. In the latter case, the Chief Human Resources Officer will explain the reason for notifying the City Manager to the person(s) involved.

Request for Representation

Any City employee may request to bring a non-conflicted representative with them when filing a formal complaint or when participating in an investigation of a formal complaint. The Chief Human Resources Officer must be consulted to review and assure that any requested representative is not conflicted.

Other available remedies

The procedures available under this provision do not preempt or supersede any legal procedures or remedies otherwise available to a victim of sexual harassment or protected-class discrimination under local, state, or federal law.



CHAPTER 6

Conflicts of Interest and Confidentiality

6.01 Conflicts of Interest

Business Practices and Outside Activities

The City of Dubuque expects all employees to conduct themselves and City business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. The City of Dubuque recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the City.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest, the employee should discuss this with their manager or human resources for advice and guidance on how to proceed. The list below suggests some of the types of activity that indicate a prohibited practice, improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. Simultaneous employment by another business that is a competitor of or supplier to the City of Dubuque. Examples of employment by a competing business or service include, but are not limited to, teaching, speaking, consulting. Examples of competing businesses or services include, but are not limited to, private EMS services, private security companies, colleges.
2. Outside employment or activity which tends to impair the employee's mental or physical capacity to perform assigned duties and responsibilities in an acceptable manner.
3. Carrying on City business with a business in which the employee, or a close relative of the employee, has a substantial ownership or interest. Substantial ownership interest means control of, legal ownership of, or a beneficial interest in a business or an interest that is not remote or nominal and affects a proprietary or pecuniary interest. A conflict of interest may exist when an employee is involved in multiple interests and serving one interest could involve working against another.
4. Holding a substantial interest in, or participating in the management of, a business to which the City makes sales or from which it makes purchases.
5. Borrowing money from customers or businesses, other than recognized loan institutions, from which the City buys services, materials, equipment, or supplies.
6. Accepting substantial gifts, entertainment, compensation, or any other thing of monetary value from an outside organization, business, or agency that conflicts with Iowa's Public Employee Gift law.
7. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the City.

8. Participating in civic or professional organization activities in a manner that divulges confidential City or departmental information inconsistent with City job duties or scope.
9. Misusing privileged information or revealing confidential data to outsiders.
10. Using one's position in the City or knowledge of its affairs for personal or private gains.
11. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of the City's business.
12. Appointment to or serving on any City Commission or City Board.

Employment of Relatives and Domestic Partners

Relatives and domestic partners may be hired, promoted, or transferred by the City if (1) the persons concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties for supervision, security, safety, or morale. For the purposes of this policy, "relatives" are defined as spouses, domestic-partner, children, step-children, siblings, step-siblings, parents, step-parents, grandparents or step-grandparents, in-laws, uncle, aunt, step-uncle, step-aunt, niece, nephew, step-niece, step-nephew, first cousin, and step-first cousin. A "domestic partnership" is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with the City provided they do not work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above. If employees who marry or live together do work in a direct supervisory relationship with each other, the City will attempt to reassign one of the employees to another position for which the employee is qualified if such a position is available. If no such position is available, the employees will be permitted to determine which one of them will resign from the City.

Outside Employment

City staff employed full-time must consider their employment with the City as their primary employment. Employees are permitted to perform work outside the City if it does not interfere with their job performance with the City of Dubuque. Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action, up to and including termination.

Endorsements

Use of materials, products or services by the City does not constitute official endorsement. Employees are prohibited from endorsing in an official capacity, without prior approval by the City Manager, the proprietary products or processes of manufacturers or the services of commercial firms for advertising, publicity or sales purposes. Employees are prohibited from engaging in outside employment or other outside activity which identifies the City of Dubuque or any employee in an official capacity with organization commercializing products relating to work conducted by the City or with any commercial advertising matter.

This does not preclude City employees from participating in organized athletics where it is the

practice of sponsors to provide equipment and/or uniforms to which identification of the sponsor or advertising material is sewn on or otherwise attached.

Use of Credentials

Credentials and other City identification are for use only in establishing identity or authority in connection with official duties. Such credentials and identification of an employee's official position, status or designation shall not be used by employees to exert influence to obtain either directly or indirectly privileges or rewards for themselves or others.

6.02 Confidential Information and Media Inquiries

The protection of confidential organizational information is vital to the interests and success of the City of Dubuque. Confidential information is any and all information disclosed to or known by you because of employment with the organization that is not generally known to people outside the organization about its business.

An employee who improperly uses or discloses trade secrets or confidential business information will be subject to disciplinary action up to and including termination of employment and legal action, even if the employee does not actually benefit from the disclosed information.

All inquiries from the media must be referred, if time permits, to the Public Information Office manager. If time does not permit, the Public Information Office manager must be informed of the media inquiry.

This provision is not intended to, and should not be interpreted to, prohibit employees from discussing wages and other terms and conditions of employment if they so choose.

6.03 HIPAA Medical Information Privacy and Protected Health Information Confidentiality

Basic Requirements

The City of Dubuque has adopted a policy that protects the privacy and confidentiality of protected health information (PHI) whenever it is used by City representatives. The private and confidential use of such information will be the responsibility of all employees with job duties requiring access to PHI in the course of their jobs.

Protected Health Information Defined

PHI refers to individually identifiable health information received by the City's group health and insurance plans or received by a health care provider, health plan or health care clearinghouse that relates to the past or present health of an individual or to payment of health care claims. PHI information includes medical conditions, health status, claims experience, medical histories,

physical examinations, genetic information, and evidence of disability.

HIPAA Compliance Officer

The organization has designated the Human Resources Director as the HIPAA compliance officer (HCO), and any questions or issues regarding PHI should be presented to the HCO for resolution. The HCO is also charged with the responsibility for:

- Issuing procedural guidelines for access for PHI.
- Developing a matrix for personnel who will need access to PHI.
- Developing guidelines for describing how and when PHI will be maintained, used, transferred or transmitted.

Annual Activities Necessitating Use of PHI

Annually or more frequently as necessary, the City performs enrollment, changes in enrollment and payroll deductions; provides assistance in claims problem resolution and explanation of benefits issues; and assists in coordination of benefits with other providers. Some or all of these activities may require the use or transmission of PHI. Thus, all information related to these processes will be maintained in confidence, and employees will not disclose PHI from these processes for employment-related actions, except as provided by administrative procedures approved by the HCO. General rules follow:

- **Disclosures that do not qualify as PHI-protected disclosures include:**
 - Disclosure of PHI to the individual to whom the PHI belongs.
 - Requests by providers for treatment or payment.
 - Disclosures requested to be made to authorized parties by the individual PHI holder.
 - Disclosures to government agencies for reporting or enforcement purposes.
 - Disclosures to workers' compensation providers and those authorized by the workers' compensation providers.
 - Information regarding whether an individual is covered by a plan for claims processing purposes may be disclosed.
 - Information external to the health plan is not considered PHI if the information is being furnished for claims processing purposes involving workers' compensation or short- or long-term disability and medical information received to verify Americans with Disabilities Act (ADA) or Family and Medical Leave Act (FMLA) status.

6.04 Personnel Records/File

Access

Employee personnel records are maintained electronically by Human Resources Department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis. As required by law, some records pertaining to employees are maintained in separate files relating to medical issues and internal investigations. Employees, or their authorized representative, may request access to their basic personnel file. Depending

upon the circumstances, employees may be provided access to records pertaining to internal investigations, with appropriate redactions to protect the rights of others.

All requests for access to an employee's personnel file must be provided in writing to Human Resources. Upon receipt of a written request, Human Resources will make arrangements for an employee to view within three business days the allowable sections of that employee's file during normal office hours. For purposes of this policy, an employee's personnel file includes records related to performance and training as well as other records used for hiring, promotion and disciplinary decisions. It will not include any reference checks, medical records or investigation files. Employees are not permitted to remove any documents from the e-personnel file but may provide a written response to any document in the personnel file. Written responses will be e-filed in conjunction to the original document in the e-personnel file.

Employees may request copies of documents in their personnel file. Requests for copies must also be made in writing to Human Resources.

Retention

Personnel records and disclosures of PHI will be maintained for a period of six years as required by federal law, unless a state law requires a longer retention period. Records that have been maintained for the maximum interval will be destroyed in a manner to ensure that such data are not compromised in the future in accordance with the City's record destruction policy.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.



CHAPTER 7

Employment Relationship

7.01 Employment Status

Each new or internally transferring employee should receive a detailed offer letter providing information pertaining to salary/wages, benefits, job responsibilities and employment status

At-will status

Employment with the City of Dubuque is on an at-will basis.

Probationary

Probationary status is that time during which an employee's performance is evaluated to determine whether the employee is demonstrating the capacity for continued performance at a level necessary to meet the department's or division's standards for the position. Probationary status is generally the first six continuous months of employment unless otherwise specified in the offer letter due to the nature of the employee role and position duties. Probationary status may be extended at the discretion of the employing department and with approval by the Chief Human Resources Officer. During this initial employment/probationary period, an employee may be discharged without recourse to appeal through the grievance procedure in the Handbook or the appeal procedure in Iowa Code, Chapter 400, if applicable.

Successful completion of the probationary period does not guarantee continued employment for any term.

Temporary (fka seasonal), specified term (Sometimes known as limited, fixed, or specified term employment)

An employee may serve in a temporary status in a continuous appointment for a specified period of not more than one year to meet an emergency or temporary need and are not expected to be required after the specified date. Reappointments to a temporary term status may be made, provided the total continuous and consecutive period in temporary term status does not exceed three continuous years of work. No right of reappointment is implied by the appointment. Employees who are temporarily scheduled to work 40 hours weekly for a limited duration are temporary, specified term, full-time employees. Employee who are temporarily scheduled to work fewer than 40 hours weekly for a limited duration are temporary, specified term, part-time employees.

Temporary, as needed

An employee who is hired to work on an as needed basis and is not guaranteed to be scheduled to work any minimum number of work hours per week. To maintain employment with the City temporary, as needed employees must work at least one work shift every rolling 90-calendar days.

Regular

An employee who is regularly scheduled to work in a continuous employment status and who is not temporary or probationary.

Regular, Full-Time

Employees who are not in a temporary status and are regularly scheduled to work a minimum of 40 hours per work week and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

Regular, Part-Time

Employees who are not in a temporary status and who are regularly scheduled to work fewer than 40 hours weekly (on the average), but typically at least 10 hours weekly, and who maintain continuous employment status. Part-time employees are eligible for only some of the benefits offered by the City and are subject to the terms, conditions, and limitations of each benefits program for which they are expressly eligible. Part-time employees are subject to all the non-benefit provisions of this handbook.

7.02 FLSA Status

In order to determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, the City of Dubuque classifies its employees as shown below. The City may review or change employee classifications at any time.

Exempt

Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay. The employee is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) because the employee is classified as an executive, professional, administrative, certain computer professional, or outside sales employee and meets the specific criteria for the exemption and meets the minimum salary criteria.

Nonexempt

Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for actual hours worked beyond 40 in a workweek.

7.03 Work Week and Hours of Work

The standard workweek is from Sunday 12:00 a.m. until Saturday 11:59 p.m. and generally consists of 40 work hours. Standard office hours are 8:00 a.m. to 5:00 p.m., with a 60-minute lunch/meal break. Individual work schedules may vary depending on the needs of each department.

Employees engaged in continuous operations are defined as those employees working in a department or City activity for which there is regularly scheduled labor for seven days a week and twenty-four hours a day. It is understood that because of the operating needs of some departments, including those with continuous operations, other work arrangements outside of those referenced in the initial paragraph are necessary.

(See also Flexible Work Arrangements).

7.04 Meal Periods and Rest Breaks

Bona fide meal periods of 30 minutes or more are not considered work time and are unpaid. Employees must be completely relieved from duty for the purpose of eating regular meals. The employee is working if the employee is required to perform any work duties, whether active or inactive, during the meal period. If a nonexempt employee is required to work through, or interrupted for work purposes during a meal period, that employee will be paid for the meal period. Whenever possible, the meal period shall be in the middle of the workday.

Employees are entitled to two 15-minute rest periods each day where and when practicable for each eight hours worked. To the extent possible, the rest break should be taken mid-way through the first 4 hours worked and mid-way through the second 4 or more hours worked. These short break periods are customarily paid as working time and must be counted as hours worked. Unauthorized extensions of work breaks are not counted as hours worked when the employer has clearly communicated to the employee that the authorized break may only last for a specific length of time or is contrary to the City's rules, and any unauthorized extension of the break may be cause for discipline or other corrective action.

Meal periods and rest breaks will be scheduled by the department supervisor or manager. It is not permissible to accumulate or tack untaken meal periods or rest breaks to the end of the employee's workday in order to leave a scheduled work shift or work day early.

7.05 Break Time for Nursing Mothers

The City follows and supports the guidelines established under the Fair Labor Standards Act (FLSA) that requires employers to provide:

- "reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express the milk"
- "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and public, which may be used by an employee to express milk"

Ideas for Possible Spaces

- Employee's office or co-worker's office
- Unoccupied office or vacant office
- Conference room
- Sectioned-off corner of a room
- Lounge adjacent to women's restroom

Employers are not required under the FLSA to compensate nursing mothers for breaks taken for the purpose of expressing milk. However, because the City already provides compensated breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time.

7.06 Time Records

All nonexempt employees are required to complete accurate bi-weekly time reports showing all time actually worked. These records are required by governmental regulations and are used to calculate regular and overtime pay. At the end of each bi-weekly pay period, the employee and the employee's supervisor must sign or e-sign the time sheet attesting to its correctness before forwarding it for payroll processing.

Prior to and including June 30, 2021, Employees in salary grades (General Employee/GE) twenty-four (24) through thirty-two (32) are eligible for over time payment and are not otherwise in an exempt status. Effective July 1, 2021, exempt from overtime classification for posted positions is determined by the Fair Labor Standards Act (FLSA) exemption or exception tests as provided for in the FLSA Regulations under the U.S. Department of Labor. Individual employees occupying positions posted prior to July 1, 2021, and in salary grades GE 24-32 may request that Human Resources review their non-exempt classification on an individual basis.

Upon such request Human Resources will apply the FLSA Regulations exclusion/exemption tests.

7.07 Overtime

Through June 30, 2021, overtime is defined as all time worked in excess of an employee's regularly schedule workday or work shift.

Except as modified in the Compensatory Time and Payment for Court Appearance Payment sections of this chapter, eligible, nonexempt employees who are required to work in excess of their regular workday or work shift are reimbursed for all hours worked in excess of their regular workday or work shift at the rate of one and one-half times their regular rate of pay. When overtime is required, the employee's supervisor must approve in advance.

Effective July 1, 2021, when required due to the operational needs of the employing department or the City, non-exempt employees may be asked to work overtime. Overtime is actual hours worked in excess of 40 hours in a single workweek. Nonexempt employees will be paid overtime compensation at the rate of one and one half ($1 \frac{1}{2}$) their regular rate of pay for all hours over 40 actual hours worked in a single workweek. Paid leave, such as, but not limited to, holiday leave, sick leave, vacation, bereavement time, and jury duty does not apply toward actual work time. All overtime work must be approved in advance by a supervisor or manager.

7.08 Compensatory Time

At the discretion of the Department or Division Manager, employees who are eligible for overtime may be granted compensatory time off at the rate of one and one-half times the actual hours worked in excess of 40 in a single workweek in lieu of overtime payment. This compensatory time accrues to a maximum of 48 compensatory hours (e.g. $32 \text{ hours} \times 1.5 = 48$ of compensatory time) per fiscal year. Unused compensatory time is paid out to the employee with the last pay period of each fiscal year.

7.09 Employee Travel Time Compensation

Travel time will be compensated or paid according to the Fair Labor Standards Act (FLSA) requirements.

7.10 Deductions from Pay for Exempt Employees

The City does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

Permitted deductions

The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions that are required by law, e.g., income taxes;
- Deductions for employee benefits when authorized by the employee;
- Absence from work for one or more full days for personal reasons other than sickness or disability;
- Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- Offset for amounts received as witness or jury fees, or for military pay; or
- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

During the week an exempt employee begins work for the City or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA).

Improper deductions

If an employee classified as exempt believes that an improper deduction has been taken from the employee's pay, the employee should immediately report the deduction to the Payroll Department. The report will be promptly investigated and if it is found that an improper deduction has been made, the City will reimburse the employee for the improper deduction.

7.11 Pay Advice/statements

The City of Dubuque's pay period for all employees is biweekly and pay day is every other Friday. If pay day falls on a federal holiday, employees will receive their pay on the preceding workday. Pay is directly deposited into the employee's specified checking and/or savings accounts.

7.12 Separation from Employment

In all cases of voluntary resignation (resignation that is initiated by the employee), employees are asked to provide a written notice to their supervisors at least 10 working days (two calendar weeks) in advance of the last day of work. The 10 days must be actual working days. Holidays and paid time off (e.g., vacation, compensatory time, sick leave) will not be counted toward the 10-day notice period. Employees must be present for and work their last day of employment. Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire.

In most cases, Human Resources staff, the department manager, and/or a third-party vendor will conduct an exit meeting or survey on or before the last day of employment to assure that arrangements have been made for the department or designee to collect all City property, and to discuss final pay. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

Should it become necessary because of business conditions to reduce the number of employees or work hours, this will be done at the discretion of the City.



CHAPTER 8

Workplace Safety

8.01 Drug-Free and Alcohol-Free Workplace

The City of Dubuque is committed to providing a safe work environment and to promoting and protecting the health, safety and well-being of our employees. This commitment is jeopardized when a City employee engages in the use, possession, sale, conveyance, distribution, or manufacture of illegal drugs, intoxicants, or controlled substances or abuses prescription drugs or alcohol. Substance abuse is a significant public health problem which has a detrimental effect on an organization in terms of productivity, absenteeism, accidents, medical costs, theft, and worker's compensation costs. Therefore, the City of Dubuque has established the following policy:

1. It is a violation of City policy for any employee to use or be under the influence of, possess, sell, convey, distribute, or manufacture illegal drugs, intoxicants, or controlled substances, or to attempt to do the same at any time while on or using City property, conducting City business, or otherwise representing the City.
2. It is a violation of City policy to use or be under the influence of alcohol or impaired by drugs or other substances at any time while on or using City property, conducting City business, or otherwise representing the City, except where specifically authorized by the City Manager for specified City-sponsored activities or special events.
3. It is a violation of City policy for anyone to use prescription drugs illegally. However, nothing in this policy precludes the appropriate use of legally prescribed medications.
4. Violations of this policy are subject to disciplinary action up to and including termination of employment and referral for criminal prosecution.

The organization values its employees and recognizes the need for a balanced approach to achieving a drug-free workplace. Our comprehensive program includes the following components:

Employee Education

The City will provide drug- and alcohol-awareness information to all employees. This will include the City's policy on drug and alcohol abuse, information on the magnitude and dangers of drug and alcohol abuse, and the availability of counseling and treatment through the employee assistance program.

Supervisory Training

Supervisors have a significant role in establishing and maintaining the City's program. Their understanding and support are key factors in establishing a successful program. Supervisor training is not intended to train supervisors to be drug- or alcohol-abuse experts, counselors or to conduct medical evaluations.

Employee Assistance

The City recognizes that drug and alcohol abuse can be successfully treated and is committed to helping employees who suffer from these problems, while holding them responsible for their own recovery. The City offers an employee assistance program (EAP) benefit for employees and their dependents. The EAP provides confidential assessment, referral, and short-term counseling for employees and their dependents who need or request these services. If the EAP determines a referral to a treatment provider is necessary, the cost may be covered by the employee's medical insurance, but the employee is responsible for the costs of these services.

The organization is balancing our respect for individuals with the need to maintain a safe, productive, drug- and alcohol-free environment. We are offering a helping hand to those employees who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at the City.

Alcohol and Drug Testing

The purpose of drug and alcohol testing is to prevent the hiring of individuals who illegally use drugs and deter employees from abusing drugs and alcohol, when necessary, for employees with drug- or alcohol-abuse problems. The City is committed to promoting and maintaining a drug-free work environment for all of its employees and to promoting and protecting the safety, health, and well-being of its employees.

1. The City will use the model collection and drug-testing standards, issued by the Department of Health and Human Services for federal government funded and critical employee positions.
2. Alcohol testing will be conducted using breath-testing instruments and procedures approved by the U.S. Department of Transportation or the Iowa Code.
3. The following employee protections will be incorporated to ensure the accuracy and integrity of the testing program:
 - Only a Substance Abuse and Mental Health Administration-certified drug-testing laboratory will be used.
 - A strict chain-of-custody procedure will be used to ensure the integrity of each urine specimen.
 - The process will ensure individual privacy during the collection process and the confidentiality of test results.
 - All "positive" drug screens will be confirmed by a second test using a different chemical process, and only those samples which test positive on both the screen and the confirmation test will be considered a "positive."
 - All confirmed "positive" test results will receive a professional medical review, which includes the opportunity for employees to explain the result.
 - Employees who test "positive" for the first time for drugs or alcohol will be referred for treatment as required by law at the employee's expense and are subject to termination of employment upon first offense.
 - The refusal by an employee to take a drug or alcohol test is considered equivalent to a verified "positive" drug test and therefore subjects the employee to the same adverse employment actions, including termination of employment and/or criminal referral.

4. Reason for testing:

- **Post-Accident.** Testing employees who are involved in on-the-job accidents or near accidents, or who engage in unsafe job-related activities that pose a significant danger to themselves, other employees, or the public.
- **Follow-up.** Testing employees who have violated the City's substance abuse policy but were given the opportunity to keep their jobs conditioned on successful rehabilitation and no further "positive" tests.
- **Reasonable Suspicion.** Testing that is conducted when there is information about an employee's appearance, conduct or behavior that would cause a reasonable person to believe that the employee has used or may be impaired by drugs or alcohol.
- **Random.** As authorized by federal or state law, testing conducted on a neutral selection basis for employees in positions where the health and safety of themselves, other employees, or the public are subject to testing having an equal chance of being selected.

Any employee violating this policy is subject to discipline, up to and including termination, for the first offense.

Post Accident/Incident Drug and Alcohol Policy & Procedures

The City of Dubuque is committed to providing a safe work environment and to promoting and protecting the health, safety, and well-being of our employees. Therefore, the City has created the following post-accident drug and alcohol policy and procedures. This post accident/incident drug and alcohol policy is not intended to override any law enforcement investigations, procedures or authority. Any drug testing done pursuant to this policy shall be used for internal administrative use only and will not be used as part of any criminal investigation or prosecution.

Required Testing

Post-Accident Testing

Employees involved in an on-the-job accident are required to undergo drug and alcohol testing as indicated in the following chart:

Type of Vehicle/Equipment Accident Involved	Citation Issued to the City Employee	Test Must Be Performed on Employee
Human Fatality	Yes	Yes
Human Fatality	No	Yes
Bodily Injury with Immediate Medical Treatment away from the Scene	Yes	Yes
Bodily Injury with Immediate Medical Treatment away from the Scene	No	No
Disabling Damage to Any Motor Vehicle Requiring Tow Away	Yes	Yes
Disabling Damage to Any Motor Vehicle Requiring Tow Away	No	No

Workplace Incidents

The City will carry out drug and alcohol testing on employees to determine the underlying cause of any workplace incident resulting in employee harm. Comprehensive post-accident testing shall be conducted on all employees whose actions may have contributed to the incident or who participate in unsafe job-related activities which could pose significant risks to themselves, their coworkers, or the public.

Testing Timeframe

Post-accident testing will be conducted as soon as possible, but in no event shall testing be conducted later than eight (8) hours after the incident for alcohol testing or 32 (thirty-two) hours for drug testing. This policy allows time for employees to leave the scene of an accident to seek assistance or obtain necessary medical care. However, any employee who does not remain available for testing, including failing to inform their supervisor of their location, or who leaves the scene without proper authorization prior to testing, will be deemed to have refused testing.

If circumstances prevent the City from conducting post-accident testing within the timeframe referenced above (e.g., the employee is unconscious or detained by law enforcement), then the City may accept test results from any federal, state, or local law enforcement agency which has the authority to perform such testing. If a test cannot be completed in time, the supervisor/manager must document why the test was not completed on time and keep a record of the reason and provide it to the Human Resources Benefits and Compensation Manager and Employee Relations Manager.

Testing Procedures

- **Consent:** No test will be conducted without prior consent of the employee being tested.
- **Right to Refuse Testing:** Employees have the right to refuse a drug or alcohol test. However, any employee who refuses to submit to any required drug or alcohol test, execute any relevant documentation, cooperate with the City or collection site personnel, or engages in any conduct which creates reason to believe that a test specimen may have been altered or substituted will be subject to immediate discipline, up to and including termination of employment.

All testing performed in accordance with this policy will be conducted in compliance with applicable local, state, and federal law with due regard for the personal privacy of the employee. An employee whose test results are positive may be subject to immediate discipline, up to and including termination of employment.

Manager/Supervisor Responsibilities

Post-Accident Testing Protocol

1. The employee will be advised there is need to test for drug and alcohol testing due to the nature of the incident/accident.
2. Supervisors/managers must notify the facility below prior to arrival that testing will need to be done for a post-accident/incident on behalf of the City. In addition, notifications must be given to the Human Resources Benefits and Compensation Manager and Employee Relations Manager. The employee will be transported to a testing facility. One member of management/designated attendant will accompany the employee along with a union representative, if requested by the employee. Under no circumstances will the employee be allowed to drive themselves to the testing facility. Supervisors/managers can contact a taxi, Uber, or similar type of provider for transportation, when necessary, which can be paid for via p-card.

Testing Facilities:

Standard Hours of Care:

Tri-State Occupational Health
4155 Pennsylvanian Ave.
Dubuque, Iowa 52002
Phone: 563-584-4600 or 1-800-637-2959
Fax: 563-582-7847
Hours: Monday - Friday, 7:30am to 5:00 pm

After Hours Care:

Medical Associates Clinic Acute Care
1000 Langworthy St.
Dubuque, Iowa 52001
Phone: 563-584-3455
Fax: 563-584-3177
Hours: Monday - Friday, 7:00 am to 8:00 pm
Saturday- Sunday, 8:00 am to 5:00 pm

MercyOne Dubuque Emergency Care

250 Mercy Dr.
Dubuque, Iowa 52001
Phone: 563-589-9666

3. Prior to leaving for the testing facility, supervision/management will contact the testing facility to inform them that staff from the City of Dubuque will be arriving and will need to have a drug and/or alcohol test completed.
4. The employee to be tested MUST present a PHOTO ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure the employee brings this with them when leaving the premises.
5. The employee to be tested must sign a consent form provided by/at the testing facility. Employees have the right to refuse a drug or alcohol test. However, the refusal by an employee to take a drug or alcohol test is considered equivalent to a verified "positive" drug test and subjects the employee to discipline, up to and including termination of employment.
6. When leaving the testing facility, the supervisor/manager may assist in making arrangements to transport the employee (unless testing results are both immediate and negative).
7. The employee will be placed on administrative leave until test results are obtained. The employee will be contacted by Human Resources when the results of the test are received. Supervisors and managers will be informed of the next steps as deemed necessary by Human Resources and identified within the City employee handbook.

Drug or Alcohol Conviction Reporting Requirement

Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under criminal drug or alcohol use statutes for violations occurring on or in the workplace, or away from the workplace while conducting City business. A report of a conviction must be made within five (5) days after the conviction.

8.02 Smoke and Tobacco Free Workplace

Smoking is not allowed in City buildings, vehicles, grounds surrounding City buildings, or work areas at any time. "Smoking" includes the use of any tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes.

Smoking is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking/tobacco debris safely and properly.

8.03 Workplace Violence Prevention

The City of Dubuque is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace, while conducting City business, or at City-sponsored functions.

All City employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, manager, or the Human Resources Department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the City, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

The City prohibits the possession of weapons on its property at all times, except for sworn law enforcement officers acting in an official capacity including our parking lots or City vehicles. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons/firearms, and knives that can be used as weapons (excluding pocketknives, utility knives, and other instruments that are used to open packages, cut string, and for other miscellaneous work tasks), martial arts paraphernalia, and stun guns. It is illegal in the State of Iowa to carry a concealed weapon on your person or in your vehicle unless you have a state-issued weapons permit. However, regardless if any employee has a weapons permit, this provision applies to all employees at their City workplace. Any employee violating this policy is subject to discipline up to and including dismissal for the first offense.

The City reserves the right to inspect all belongings of employees on its premises, including packages, briefcases, purses and handbags, gym bags, and personal vehicles on City property. In addition, the City of Dubuque may inspect the contents of lockers, storage areas, file cabinets, desks, and workstations at any time and may remove all property and other items that are in violation of City rules and policies.

8.04 Commitment to Safety

Protecting the safety of our employees and visitors is the most important aspect of our operations. It is the policy of the City to provide a safe and healthful workplace for our employees and to observe all State and Federal laws and regulations.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all. Active participation and adherence to safety programs in place are a condition of each employee's employment. No employee is required to work at a job that the employee knows is not safe. We must work to make every workplace safe by detecting and correcting unsafe working conditions, as well as the detection of unsafe work practices.

In the event of an emergency, notify the appropriate emergency personnel by dialing 911 or clicking on the City's cell phone app to activate the emergency services.

8.05 Emergency Closings

The City will always make every attempt to be open and stay open for business. In situations in which some employees are concerned about their safety, management may advise supervisors to notify their departments that the office is not officially closed, but any one may choose to leave the office if the employee feels uncomfortable. Where permissible, employees may work from home. Employees who leave work or do not present for work due to safety concerns and working from home is not practical or permissible, must use accrued paid leave for missed work.

With supervisor approval, employees who feel they may safely do so are permitted to report for work and conduct work in work locations that are officially closed. If the office is officially closed during the course of the day to permit employees to leave early or for the entire day, nonexempt employees who are working on-site as of the time of the closing will be paid for a full day. If employees leave earlier than the official closing time, they will be paid only for actual hours worked, or employees can use accrued vacation, compensatory or personal leave time. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

See also Inclement Weather 10.21

8.06 COVID-19 Safe Workplace Guidance

Introduction

This Guidance is meant to protect the health and safety of all employees. Each department should continue to take precautions to create a safe workplace and implement any additional actions necessary that are specific to their department. None of the recommendations in this document are intended to contradict policies or procedures that have been previously put in place on a case-by-case basis within a department.

While many actions including face coverings and social distancing are no longer required, employees should evaluate their own risks in determining what safeguards to continue practicing. All employees are still welcome to practice these healthy habits, especially in times when COVID-19 or other illnesses have been confirmed in a work area or building.

Individuals with concerns about their safety and/or work arrangements should discuss these concerns with their direct supervisor/manager or the Human Resources department.

Quarantine & Isolation Protocols

All City staff, whether vaccinated or unvaccinated, must follow the requirements of this Guidance as it relates to them.

A. Isolation Requirements Following an Employee Positive COVID-19 Test

If an employee tests positive for COVID-19, or is assumed to be positive, follow this procedure as soon as possible.

Under CDC's "Isolation Guidance," COVID-19-positive employees (regardless of vaccination status) may return to in-person work after all the following are true:

- At least 5 full days have passed since a positive test, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

"Day 1" of the five-day count begins the first full day after symptoms appear or the individual receives positive test results, whichever occurred first.

Take precautions until day 10, even after you return to in-person work. Wear a high-quality mask* for 10 full days from "day 1" any time you are around others.

If symptoms are not improving after day 5, continue to isolate until you are fever-free for 24 hours and your symptoms are improving.

This isolation requirement is consistent with that provided by the CDC and is subject to change should the CDC's isolation guidance be revised. If an employee has severe COVID-19 or an immune disease, the City of Dubuque will follow the guidance of CDC or a licensed healthcare provider regarding return to work.

*Masks and respirators (i.e., specialized filtering masks such as "N95s") can provide different levels of protection depending on the type of mask and how they are used. Loosely woven cloth products provide the least protection, layered finely woven products offer more protection, well-fitting disposable surgical masks and KN95s offer even more protection, and well-fitting NIOSH-approved respirators (including N95s) offer the highest level of protection.

Whatever product you choose, it should provide a good fit (i.e., fitting closely on the face without any gaps along the edges or around the nose) and be comfortable enough when worn properly (covering your nose and mouth) so that you can keep it on when you need to.

B. Quarantine Protocols After Exposure

Individuals with a known COVID-19 exposure do not need to quarantine, but are encouraged to wear a face covering for 10 days when around others and watch for symptoms.

For all those exposed, best practice would also include a COVID test at least 5 days after exposure with or without symptoms. If symptoms occur, individuals should get tested immediately and isolate until you receive your test results. If you test negative, employees should:

- Continue to watch for symptoms until 10 days after exposure.
- Wear a high-quality face mask, stay at least 6 feet from others, wash their hands, avoid crowds, and take other steps to prevent the spread of COVID-19.
- If symptoms develop, immediately self-isolate and test or see a health care provider.
- If you test positive without symptoms, but later develop symptoms, the 5-day isolation period begins the day AFTER YOU DEVELOPED SYMPTOMS.

Consult the latest CDC quarantine guidance or the Public Health Director for additional guidance and information.

CHAPTER 9

Workplace Guidelines

9.01 Ethics and Responsibilities for City of Dubuque Staff

Employees will adhere to ethical standards of professional conduct and act in a manner consistent with the City's mission and core values.

The accountabilities reflected in this policy statement are essential to the full achievement of the City's mission and goals. The policy is a product of the City's accountability to the residents of the City and its employees, as public employees of the City. The adherence to these ethical standards should be reflected both in the work product of each employee, and in employees' interactions with residents, colleagues, customers, co-workers, and clients of their work. It is the obligation of each City employee to make a good faith effort to understand these standards and to conduct themselves accordingly.

City departments may also establish more specific expectations in addition to these standards or elaborate on these standards in greater detail. Such expectations will be clearly communicated to effected staff.

- a. Violations of this policy may result in disciplinary action. Supervisors will investigate and appropriately address perceived violations of "Ethics and Responsibilities" standards with individual employees under their authority. Reports of alleged violations of the policy initiated by other members of the City community may be initiated through the conflict resolution procedures, unless specifically reserved to a particular procedure defined in City policy.
- b. Alleged violations of City policies should be investigated and addressed promptly, following appropriate procedures for performance management and/or discipline. Disciplinary sanctions may include written letters of discipline, paid or unpaid disciplinary suspensions, and/or termination of employment as warranted by the individual circumstances. Unpaid suspensions may be applied to salaried staff exempt from the [Fair Labor Standards Act](#) for violation of written policies governing workplace conduct rules or for violations of state or federal laws. Disciplinary sanctions should be taken only as necessary to ensure the standards of conduct and performance are maintained.

Ethics and Responsibilities

- a. **Professional conduct.** Employees will conscientiously and professionally fulfill their assigned responsibilities relative to residents, colleagues, co-workers, customers, and clients. They will meet reasonable standards of work quality and quantity, as established by their supervisor. They will act with honesty and integrity in all matters related to their employment. When fulfilling workplace responsibilities in supervision of other staff, supervisors will demonstrate professional conduct through both instruction and example. All staff will support a varied-perspective, safe, equitable, and non-hostile work environment among all City staff. For example:
 1. Staff will report to work free of the influence of alcohol and drugs that may impair their performance and ability to perform their work in a safe manner.
 2. Staff will refrain from unauthorized use of work effort or resources for non-City

business.

3. Staff will maintain regular attendance and provide an acceptable quantity and quality of work.
4. Staff will not engage in dishonesty and will conduct themselves with integrity and professional ethics.
5. Where appropriate, staff will promote and protect varied perspectives of opinion in the workplace, in support of fair treatment and a sense of belonging.
6. Supervisors will be responsible for encouraging the development and professional growth of employees for whom they have supervisory responsibility.

b. Fairness. Staff will be fair and treat equitably all members of the City of Dubuque work environment. For example:

1. Staff will adhere to and promote the City policies regarding Equal Opportunity and Commitment to Fair Treatment.
2. Staff will disclose and manage any real or reasonably perceived conflicts of interest, so as not to interfere with objective judgment.
3. Supervisors will be held accountable for fairness related to those employees for whom they have supervisory responsibility and will carry out their supervisory responsibilities consistent with the standards outlined in this policy.
4. The equitable treatment of employees will be based upon consideration of the relevant facts and circumstances to the individual situations, which may lead to differences in treatment based upon these factors.

c. Civility. Employees will treat all City staff with dignity and respect. Staff must not engage in, nor permit incivility in or affecting the workplace. For example:

1. Employees will respect the varied perspectives of individuals in the workplace and respect the differences among them.
2. Employees will not use threatening, intimidating, profane, or abusive language, or otherwise engage in conduct that creates a hostile environment that interferes with work of the department or City.
3. Employees will comply with the City policy on Workplace Violence Prevention.
4. Supervisors will establish and maintain standards for collaborative interaction among peers and employees that is characterized by respect, honesty, and service, and will constructively manage conflict as it occurs.

d. Compliance. Supervisory staff will see that those who report to them are informed about, understand, and comply with laws, regulations, policies, or procedures. Employees will understand and comply with federal, state, and local laws and regulations related to their duties. Employees are responsible for adherence to all City policies and procedures. For example:

1. Employees will comply with health and safety regulations and policies, including those governing the reporting of workplace injuries or illnesses, and use of hazardous materials in the workplace.
2. Employees will comply with City policies governing the use and protection of City resources, including, but not limited to, administration of public funds, vehicles, equipment, supplies and other property entrusted to employees.
3. Employees will report any unsafe workplace conditions or practices to appropriate City authorities.

4. Managers and supervisors are responsible for compliance with the City's Administrative Policies that address Finance, Business and Fiduciary conduct for themselves and also those for whom they are responsible.
- e. **Information and data management.** Employees will act with honesty and integrity with respect to information and data management and will respect the rights and dignity of all City staff by keeping confidential information secure, including, but not limited to, employee personnel, grievance, and medical files. For example:
1. Employees will refrain from any breach of confidentiality, falsification, fabrication, destruction, inappropriate and/or unacknowledged appropriation, or other misuse of data, and shall report any violations of such to appropriate administrative authority.
 2. Supervisors are responsible to establish appropriate safeguards for the information and data under their authority, and to assure their employees have the ability and expectation to comply with appropriate expectations for the protection and appropriate use of this information.
 3. All staff will adhere to the City policy on the Acceptable Use of Information Technology Resources
- f. **Stewardship.** Employees will exercise fairness, integrity, and respect in the use of City resources, and will be responsible and accountable for the appropriate use of City equipment, facilities, and all other City assets. For example:
1. Employees will safeguard City time and property from inappropriate use, appropriation, or abuse.
 2. Employees will not accept money for research or gifts on behalf of the City or as part of their City activities, except as permitted per Iowa Code and Gift Laws.
 3. Employees will assure that all funds provided must be spent in ways consistent with the funding documents and in compliance with the guidelines on allowable costs.
 4. Employees in charge of budgets will monitor records of expenditures for compliance with City policies and procedures and will allow these records to be viewed by appropriate parties.
 5. Employees are strongly encouraged to report potential financial fraud or other inappropriate use of City assets through one of the following options:
 - i. Through their normal line of authority, starting with their supervisor, or anyone above, or,
 - ii. To any Finance Department or Human Resources representative, or,
 - iii. To a central City office such as City Manager's Office or City Attorney's Office, or
 - iv. In the case of possible criminal activity, the City of Dubuque Police Department.

The City's Anti-Retaliation policy prohibits adverse actions resulting from the filing of a report of City-related misconduct.

6. Supervisors are responsible for the employees assigned to them, and will correct, through education, coaching or discipline, any violations of City policy or lack of satisfactory performance.
- g. **Relevant policies.** In order to fully comply with this statement on professional ethics and responsibilities, it is essential that staff understand and comply with all City regulations, rules, and policies and departmental policies relevant to their employment.

Where it would be difficult for employees to access, read, and/or understand these standards, it is the responsibility of the immediate supervisor to facilitate the communication of each of these

standards and responsibilities to the individual employee. City employees will comply with the terms of relevant City policies as part of their employment obligation.

9.02 Attendance

All employees are expected to arrive on time, ready to work, every day they are scheduled to work.

If unable to arrive at work on time, or if an employee will be absent for any part of or an entire day, the employee must contact the supervisor or designee per departmental procedure as soon as possible. Excessive absenteeism or tardiness will result in discipline up to and including termination. Failure to show up or call in for a scheduled shift without prior approval may result in termination. If an employee fails to report to work or call in to inform the supervisor of the absence for 3 consecutive days or more, the employee will be considered to have voluntarily resigned employment (job abandonment).

9.03 Flexible Work Arrangements

General

The City supports the general concept of flexible work arrangements. Flexible work arrangements apply to all eligible staff.

A flexible work arrangement allows the application of an innovative approach to achieve a highly productive, harmonious work environment that is responsive to the changing professional and personal needs of today's workforce. Flexible work arrangements refer to **flex scheduling, compressed work week, and telecommuting**.

Formal flexible work arrangements as described in this policy do not replace incidental temporary adjustments of an employee's schedule that, on occasion, arise in the workplace. Neither this policy nor any formalized flexible work arrangement can supersede or contradict the terms and conditions of any union contract and/or the appropriate administration and use of vacation and sick leave credits as defined by City policy.

Flexible work arrangements can produce a variety of benefits for both the employee and department. Typical benefits may include:

1. uninterrupted time for creative, repetitive, or highly detailed work;
2. reduced stress;
3. improved balance between work and personal commitments;
4. expanded coverage;
5. more efficient use of space and equipment;
6. a better fit between individual work schedules and work styles; and
7. overall greater productivity, higher morale, improved retention, and more effective recruitment.

Flexible work arrangements are not appropriate for all positions or in all department or unit settings. The City is an organization with diverse work environments, many of which require specific staffing patterns to function effectively. Additionally, health and safety considerations may preclude a specific flexible work arrangement.

A flexible work arrangement is not a right of employment. It is established at the discretion of the employing department and may be subject to change at the discretion of the department or the City.

If established, a flexible work arrangement does not serve as a precedent for a future arrangement within a department. The success of a flexible work arrangement lies in it being mutually beneficial for the department and the employee established on a case-by-case basis. The City recognizes many valid reasons why an employee may request a flexible work arrangement, including, but not limited to professional development, community activities, family responsibilities, individual work habits and style, health and well-being. The decision to grant a flexible work arrangement request should be based on employee performance and operational interests.

Flex Scheduling

Flex Scheduling refers to practices such as:

- a. individualized start and end times that remain constant each workday;
- b. individualized start and end times that vary daily, however, the same number of hours are worked every day;
- c. individualized start and end times with varied daily hours but consistency in the total number of hours worked every week;
- d. mandatory core-time with individualized start and end times with varied daily hours but consistency in the total number of hours worked every week; or
- e. extended meal periods offset by additional hours at the beginning and/or end of the day or shift.

Flex Scheduling does not reduce the number of hours or total effort worked in a given week by an employee.

Compressed Work Week

Compressed work week refers to practices such as:

- a. a full work week that is condensed into fewer than five days; or
- b. two full-time work weeks compressed into nine or nine and one-half days.¹

1. Consistent with the Fair Labor Standards Act, non-exempt staff receive time and a half for work over 40 hours in a week. Hence the flexible work arrangement cannot alter a non-exempt schedule in a manner that causes overtime to occur. Although it is permissible, with the supervisor's approval, for a non-exempt staff to alter when the 40 hours are worked during the work week, staff cannot "bank" overtime hours worked in one work week for use as time off in a future work week (e.g. a flexible work arrangement that provides for a non-exempt staff person to be scheduled 45 hours the first week of a pay period and 35 hours the second work week of a pay period is not permissible)

Telecommuting

Telecommuting (or working from home) refers to the practice of fulfilling a portion of the employee's work/job responsibilities at an alternative work site at a minimum of eight hours weekly on a regular basis.

Process and Requirements for Establishing Flexible Work Arrangements

- a. An employee follows City (or departmental) guidelines to request a flexible work arrangement. (See related guidance documents.)

- b. The arrangement supports the department's or division's goals, including cost effectiveness, excellent customer service, high productivity, and equitable work distribution among colleagues, which may include cross training.
- c. Appropriate performance standards and measures, means of supervision, communication, and systems for accountability must be feasible and practical.
- d. Appropriate materials, resources, systems, supervision, etc., must be available during non-traditional hours.
- e. The employee's past performance indicates that the arrangement will be successful.
- f. Arrangements are in writing and signed by the employee, the employee's supervisor, and other relevant administrators as appropriate.
- g. Arrangements are time specific, that is, have a specific date for review and reconsideration. The initial review may follow a short-term pilot period.
- h. The denial of a flexible work arrangement request is based upon employee performance and/or the operational needs of the unit, and the rationale is communicated to the employee in writing. Such a denial of a request cannot be grieved.

Ongoing Flexible Work Arrangements

Flexible work arrangements are evaluated and modified as appropriate on a regular schedule.

Flexible work arrangements can be discontinued by either party with a four-week notice unless an immediate and unanticipated operational need supports the suspension of the flexible work arrangement by the employer.

The dissolution of a flexible work arrangement by a supervisor is based upon employee performance and/or the operational needs of the unit, and the rationale is communicated to the employee in writing. Such an action cannot be grieved under City policy.

9.04 Volunteer Time Release

The City recognizes that community engagement can strengthen the City's presence within our local community and throughout the State of Iowa. Additionally, fostering and encouraging community engagement by City staff not only shines a positive light on the generosity of staff and their departments, it can also contribute to overall workplace satisfaction. The City encourages staff to participate in City-sponsored community engagement activities or volunteer activities in support of the City, by offering work schedule flexibility and paid leave opportunities for all full time and part-time employees who work a minimum of twenty (20) hours per week.

As volunteer opportunities arise, employees are encouraged to communicate with their supervisor regarding their interest in participating. Supervisors are encouraged to utilize reasonable discretion in balancing operational needs against the goal of facilitating employee participation in these engagement activities.

9.05 Job Performance Feedback

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year.

9.06 Dress and Grooming

The City of Dubuque provides a casual yet professional work environment for its employees. Even though the dress code is business casual, it is important to project a professional image to our customers, visitors, and coworkers. All employees are expected to dress in a manner consistent with good hygiene, safety, good taste, and operational services. Employees and supervisors should apply common sense. Departments may establish expectations regarding dress and appearance for the department that are consistent with this policy and with a basis in operational needs.

Any questions or complaints regarding the appropriateness of attire should be directed to the Human Resources department. Decisions regarding appropriateness of attire and grooming will be made by the Human Resources.

9.07 City of Dubuque Driving Policy

General Standards

City staff may be authorized to operate City vehicles for the purpose of conducting City business, provided the employee driver is at least 18 years old, has an appropriate and valid U.S. driver's license for the vehicle being driven, has reasonable experience driving the type of vehicle being used, could reasonably be expected to operate the vehicle in a safe and prudent manner, and meets the City Driving Policy requirements as set forth below.

Compliance with applicable motor vehicle laws and the City Driving Policy is required for any eligible driver to be authorized to use a City vehicle and for any driver of a non-owned, borrowed, or rental vehicle being used on City business. Finance (risk management) is authorized to deny a vehicle to anyone if, in the opinion of Finance, Human Resources, or the City Attorney, there is any reason the City vehicle may not be operated safely. Individual departments may impose additional standards, restrictions, or driver education or training requirements. This City Driving Policy is in addition to any requirements, standards, operating restrictions, or suspensions imposed by law.

Required Reporting

Any employee performing work which requires the operation of City vehicle or private vehicle on City business is required to report to the employee's supervisor if the employee's license is allowed to expire or is suspended or revoked. Any employee who fails to report such information is subject to disciplinary action. For employees required to drive as an essential function of their position, disciplinary action may include termination.

Authorized Drivers

Authorized drivers are City employees, who comply with applicable motor vehicle laws and the City Driving Policy. Contractors are NOT eligible and may not use City vehicles without written authorization from Finance and Budget.

Driver record reviews

A driver's past-three-year driving record will be reviewed in the following circumstances to determine compliance:

- a. For employees where driving is a condition of employment or City duties, driving record will be checked prior to the commencement of City duties and annually thereafter;
- b. Upon discovery that a driver has been convicted of or pled guilty to a moving traffic violation or driving under the influence of alcohol or drugs, or that the driver's license has been denied, canceled, suspended, revoked, disqualified, or barred.

Driving records will be reviewed as required by this policy on a case-by-case basis when requested by departments. The driving-record reviews will be conducted as permitted by the provisions of the Federal Driver's Privacy Protection Act and Iowa Code 321.11, which regulates the use and disclosure of personal information from driver records. Access to the driving record is restricted to assigned staff in Finance and Budget; Human Resources; and members of the Vehicle Appeal Board.

Out-of-state licenses

The City contracts with a private company to conduct out-of-state driver record reviews and will require the individual who holds an out-of-state license to provide a signed disclosure and release for the purpose of complying with this policy. The costs for out-of-state driver license reviews vary and are charged back to the individual's department. Alternatively, departments may require drivers to be licensed in Iowa or require the employee to provide Human Resources or Finance and Budget with a certified copy of their past-three-year driving record.

Temporary restricted driving license

The installation of any ignition interlock device on City-owned or leased vehicles is prohibited. City departments may NOT approve a temporary driving permit for any employee whose driving privileges are restricted by a temporary restricted driving license that would require the installation of an ignition interlock device on a City vehicle or a personal vehicle used for City business.

The City reserves the right to review the driving record of any driver to determine driver eligibility related to any vehicle (owned, non-owned, rented, borrowed, leased, or any other vehicle) for which the City may be held legally liable.

Driving standards

Driving privileges will be denied if the driver's current or past-three-year driving record indicates any of the following:

- a. Conviction of or pled guilty to reckless driving; driving with a suspended, denied, revoked, or barred license; hit and run; or leaving the scene; or
- b. License denied, canceled, suspended, revoked, disqualified, or barred; or
- c. Conviction of or pled guilty to driving while under the influence of alcohol or drugs, vehicular homicide, or any driving offense punishable as a felony;
- d. Three or more moving violations.

For purposes of reviewing driver records, the following will not affect eligibility or corrective action:

- a. Failure to use safety belts;
- b. Parking violations;
- c. Past convictions, suspensions, or revocations related to civil or criminal actions unrelated to driving or vehicle operation; or
- d. Speeding violations of 10 miles per hour or less over the legal speed limit only in speed zones where the legal speed limit is between 34 miles per hour and 71 miles per hour.

Training requirements

Defensive-driving course

Drivers who are required to complete remedial driver training by the Vehicle/Driver Appeal Board, must complete a defensive-driving training course. Failure to do so may result in suspension of driving privileges and/or termination of employment.

Driver Record Review

Job applicants who will be required to drive as a condition of employment must comply with the City Driving Policy standards prior to employment. Individual departments should conduct or assist Human Resources in conducting subsequent driver-record reviews. The individual department may require more frequent record review and may impose more restrictive standards, or require other education or training requirements, other than those provided under this Driving Policy, as a condition of employment.

An employee who holds a position in which driving is a condition of employment may be terminated if their driving record does not comply with the requirements of the Driving Policy.

Accidents/violations

Required reporting

A City driver must promptly report to their department supervisor all moving violations or other vehicle citations that occur while conducting City business. The driver's supervisor must immediately forward the information to the Finance and Budget Department and also notify the City Manager of any incident involving significant damage to a City vehicle..

A City driver must promptly report "hit and run" and vandalism incidents to the police.

City drivers must report any accident involving injuries immediately and all other accidents as soon as possible and within 48 hours (two working days).

Failure to report an accident or incident of damage as required may result in loss of vehicle, restricted use, or assessment of repair costs or insurance deductibles to the department, up to \$1,000. It may also result in the loss of the privilege to use City vehicles and/or in disciplinary action, up to and including termination of employment.

Driving restrictions and discipline

After any accident that results in bodily injury or property damage of more than \$1,000 (all parties combined) involving a City vehicle, the driver's record will be reviewed by Finance and Budget and/or Human Resources for compliance with the Driving Policy. Finance and Budget will then work with the department and Human Resources to determine any driving restrictions and/or discipline.

Suspension of privilege to drive.

In the event of an accident where there is substantial property damage (\$5,000 or more) or injury, or serious criminal violation, driving privileges may be immediately suspended for the use of City vehicles.

Driving privileges shall be suspended pending the outcome of a serious criminal charge involving a vehicle, a charge for driving under the influence of alcohol or drugs, charge of vehicular homicide, or any charge punishable as a felony. Other restrictions may be applied, up to and including prohibition from transporting passengers or using any vehicle (private, rented, or city-owned) on City business, if there is clear evidence of unsafe driving behavior, such as extreme violations of motor vehicle laws, that would affect the safety, health, and welfare of the driver, passengers, or the general public.

Appeals

Employees or departments may appeal vehicle-use restrictions to the Vehicle/Driver Appeal Board. A written request for appeal should include information on any special circumstances that should be considered. The request should be forwarded to Finance and Budget. The Vehicle/Driver Appeal Board may reinstate driving privileges or vehicle use, with or without contingent conditions, if it is determined that safe and prudent operating standards will be met.

The Vehicle/Driver Appeal Board will review appeals from drivers or departments who have been adversely affected by enforcement of the Driving Policy. The Vehicle/Driver Appeal Board members include representatives from Finance and Budget (staff person with risk management role) (chair), Human Resources, and the City Attorney's Office. The Appeal Board may implement internal administrative procedures or policies to facilitate the review of appeals and may make recommendations for changes to the Driving Policy.

Probation and reinstatement

Employees who would otherwise lose their driving privileges due to non-compliance may be approved for probationary reinstatement of driving privileges by the Vehicle/Driver Appeal Board. Probationary reinstatement will require successful completion of remedial driver training and satisfaction of a clean probationary period (60 days to one year) during which the employee may not have any accident or conviction of a driving violation covered by this policy. If the conditions set by the Vehicle/Driver Appeal Board are not met, the probationary reinstatement status will be revoked and the original penalty, restriction, or corrective action will resume.

Approved uses

City vehicles may be used solely for the purpose of conducting City business. Examples of approved uses include conducting departmental business; business errands; and City-related, -sponsored, or -approved conferences, meetings.

Misuse of vehicles

All drivers and departments are expected to properly safeguard the City's vehicles and use them in accordance with City policy. If it is determined that a vehicle is being misused or is at substantially higher risk of theft or damage due to a lack of reasonable precautions by the driver or department, Finance and Budget shall notify the department. If corrective action is not taken, the department may be required to forfeit use of the vehicle.

In the event any City vehicle is stolen or damaged from misuse or failing to take reasonable safety precautions, is subjected to intentional damage, or is allowed to be used in violation of City policy, the driver and/or the department may be prohibited from further use of City vehicles and the department will be assessed for actual damage plus any associated administrative and remedial costs of up to \$1,000.

Personal liability

In compliance with Iowa law and City policy, the City Driving Policy strictly prohibits the use of City vehicles for personal purposes, vacations, or trips; to conduct personal business; for transportation of non-City passengers (except as authorized); or for use by family members. Any employee or other person who uses City vehicles for personal transportation or other personal purposes is personally liable for any accident that occurs during such personal use.

Authorized passengers

Authorized passengers include those in official City-sponsored or -authorized transportation programs (e.g., the Jule) and City employees, agents, or volunteers while on authorized City business.

Authorized passengers may also include persons who are in the City at the City's request, for example, for potential employment at the City, to provide contracted services, or for participation in a City event or program. Other examples of authorized passengers include visiting staff, visiting artists or speakers, government representatives, or community organization staff. All other passengers are prohibited from traveling in City vehicles.

Examples of unauthorized passengers are an employee's spouse, children, or other family members, friends, or neighbors of a City employee driver, or members of the general public.

9.08 Recording Workplace or Work Conversations (No-Recording Policy)

Unauthorized electronic surveillance of employees is disruptive to employee morale and inconsistent with the respectful treatment required of our employees. For this reason, no employee may record the conversation of another employee without the employee's full knowledge and consent. This includes, but is not limited to, recording of electronic/virtual meetings, in-person conversations, and telephone calls.

No employee may record, by any means, a conversation with another employee unless all of the following criteria are met:

1. A legitimate purpose for the recording.
2. A recording device must be in plain view or an announcement made to all attendees that the electronic/virtual meeting is being recorded.
3. Consent of all the participants must be documented.

This policy is not intended to interfere with employees' right to engage in protected concerted activity or whistle-blower protections under state or federal law.

Secret recordings are strictly prohibited unless authorized in writing by legal counsel. A violation of this provision may result in disciplinary action, including termination.

9.09 Social Media Acceptable Use

The City of Dubuque encourages employees to share information with co-workers and with those outside the City for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provide inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, the City has established the following guidelines for employee participation in social media.

As used in this policy, "social media" refers to blogs, forums, and social networking sites, such as Facebook, X, LinkedIn, YouTube, Instagram, and Snapchat, among others.

Off-duty use of social media

Employees may maintain personal websites or weblogs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the City considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas.

On-duty use of social media

Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference City clients, customers, or vendors without express permission. The City monitors employee use of City computers and the Internet, including employee blogging and social networking activity.

Respect

Demonstrate respect for the dignity of the City, its leaders, its customers, its vendors, and its employees. A social media site is a public place, and employees should avoid inappropriate comments. For example, employees should not divulge the City of Dubuque confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites. Similarly, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

Post disclaimers

If an employee identifies himself or herself as a City employee or discusses matters related to the City on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of the City and that the employee is expressing only his or her personal views. For example: "The views expressed on this website/Weblog are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to the City or the City's business. Employees must keep in mind that if they post information on a social media site that is in violation of City policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

Competition

Employees should not use a social media to criticize the City's competition and should not use it to compete with the City.

Confidentiality

Do not identify or reference City clients, customers, or vendors without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. When in doubt, ask before publishing.

New ideas

Please remember that new ideas related to work or the City's business belong to the City. Do not post them on a social media site without the City's permission.

Links

Employees may provide a link from a social media site to the City's website during employment (subject to discontinuance at the City's sole discretion). Employees should contact the Web design group to obtain the graphic for links to the City's site and to register the site with the City.

Trademarks and copyrights

Do not use the City's or others' trademarks on a social media site or reproduce the City's or others' material without first obtaining permission.

Legal

Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.

City restrictions

Because the City is publicly held, it may require that employees temporarily confine social media commentary to topics unrelated to the City or that employees temporarily suspend such activity to ensure compliance with the SEC's regulations or other laws. The City may also require employees to delete references to it on a website or Web log and to stop identifying themselves as an employee of the City.

Discipline

Violations of this policy may result in discipline up to and including immediate termination of employment.

Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits.

9.10 Bulletin Boards

All required governmental postings are posted on the boards located in the break room or in virtual bulletin boards. These boards may also contain general announcements. Employees may submit to Human Resources notices of general interest, such as:

- For-sale notices;
- Recreational-type announcements and/or club functions (e-mail should not be used for the aforementioned);
- Postcards;
- Expressions of gratitude or sympathy; and
- Notices looking for/offering carpools, tickets, roommates, or pets.

Human Resources approves, posts, and takes down all notices. All notices posted by employees will be removed after 2 weeks unless otherwise stipulated. The City reserves the right to refuse permission to post or to take down any announcement.

9.11 Solicitation

Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work. However, voluntary options for interested employees to work with like-minded colleagues as a group to personally support a nonprofit(s) can also provide valuable services to the community, enhance employee engagement, and can demonstrate the City's commitment to building and maintaining positive community relations.

In order to protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on "working time." "Working time" is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after the employee's shift. Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and, at all times, in "working areas," which includes all office areas. "Working areas" do not include break rooms, parking lots, or common areas shared by employees during nonworking time. Non employees may not trespass or solicit or distribute materials anywhere on City property at any time.

Employees may solicit colleagues' individual and voluntary personal support of nonprofit organizations outside of working time under certain circumstances. Permission to solicit must be granted by the City Manager or a designee of the City Manager and does not represent official City support of the nonprofit organization. No City funds may be contributed to a nonprofit organization as a result of solicitation. City resources may not be used to solicit support.

- a. An employee may solicit individual personal support from their colleagues for a nonprofit of their choice. The employee should represent themselves as an individual and not as representing the City when doing so.
- b. An employee may place physical materials in non-working areas soliciting support for an organization subject to 9.10 Bulletin Boards (see above).
- c. An employee may use electronic communications (Office365) to solicit support for an organization. Communications should not be sent during working time and should provide personal contact information as appropriate to avoid the repetitive use of City electronic resources to communicate regarding the fundraising opportunity.

The City may support City of Dubuque employee teams at community events/walks/runs. Support is defined as advertising the formation of a City employee team via email, SPIRIT Times, and/or other mechanisms. Decisions regarding support of a City employee team will be made by the City Manager or a designee of the City Manager.

A City employee team may be considered if the following conditions are met:

- a. An individual City employee agrees to be the team leader, organizing the team outside of paid work time.
- b. Fundraising may be an element of the event but is not required in order to participate in the City team.
- c. Any use of the City of Dubuque logo on materials for the event should be approved in advance by the Public Information Office.

9.12 Computers, Internet, Email, and Other Resources

The City provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other City-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner. Violating copyright laws using graphics or other protected content should be avoided and is not permitted.

Employees should not have any expectation of privacy in their use of City computer, phone, or other communication tools. All communications made using City-provided equipment or services including email and Internet activity, are subject to inspection by the City. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the City's systems.

Employee use of City-provided communication systems, including personal e-mail and Internet use, that are not job-related have the potential to drain, rather than enhance, productivity and system performance. You should also be aware that information transmitted through e-mail and the Internet is not completely secure or may contain viruses or malware, and information you transmit and receive could damage the City's systems as well as the reputation and/or competitiveness of the City. To protect against possible problems, delete any e-mail messages prior to opening that are received from unknown senders and advertisers. It also is against City policy to turn off anti-virus protection software or make unauthorized changes to system configurations installed on City computers. Violations of this policy may result in termination for a first offense.

The City does not allow the use of personal computers and personal mobile phones to access resources directly on the City's network. Approved telecommuters will be provided the tools and applications for access to city technology resources. City owned data, documents and work-related communications such as e-mail stored on personal devices may render the device "discoverable" should a legal request for information occur. The City encourages employees to use e-mail only to communicate with fellow employees, suppliers, customers, or potential customers regarding City business. Internal and external e-mails are considered business records and may be subject to federal and state record-keeping requirements as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the City.

All use of City-provided communications systems, including e-mail and Internet use, should conform to our City guidelines/policies, including but not limited to the Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. So, for example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites. Finally, use of City-issued technology should not be used for engaging in unlawful activities, personal commercial activities, including offering services or merchandise for sale, and any activity which would compromise the security of City of Dubuque's computers, phones, servers or network equipment.

Because e-mail, telephone and voice mail, and Internet communication equipment are provided for City business purposes and are critical to the City's success, your communications may be accessed without further notice by Information Services department administrators and City management to ensure compliance with this guideline.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.

Office telephones are for business purposes. While the City recognizes that some personal calls are necessary, these should be kept as brief as possible and to a minimum. Personal use of the City's mobile phones, long-distance account, or toll-free numbers should be extremely limited and is permitted only if personal use of these resources is reimbursed. Abuse of these privileges is subject to corrective action up to and including termination.

The City reserves the right to monitor customer calls to ensure employees abide by City quality guidelines and provide appropriate levels of customer service. All employees may be subject to telephone monitoring and e-mail. Should the subject matter of any telephone conversation become personal while monitoring is taking place, monitoring of the call will immediately be discontinued.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as protected under the National Labor Relations Act. Employees have the right to engage in or refrain from such activities.

Technology resources are assigned to employees based on their need to perform their assigned work. Passwords, which allow access to networks, data, and hardware, always need to be protected.

Employees are not to disclose confidential information to unauthorized individuals. Using another person's password or distributing another person's password along with accessing another person's computer, folders, work, or files without their consent is not permitted.

9.13 Disciplinary Procedure

The City expects employees to comply with the City's standards of behavior and performance and to correct any noncompliance with these standards.

Under normal circumstances, the City endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. Behavior or conduct of a serious or egregious nature may escalate immediately to termination and does not require a progression of discipline. This policy does not modify the status of employees as employees-at-will or in any way restrict the City's right to bypass the disciplinary procedures suggested.

Supervisors/managers are strongly encouraged to consult with Human Resources regarding employee performance or behavior concerns and employee discipline.

The following progressive steps are suggested in the discipline procedure. Step 1 should be documented in the supervisor's management file for that employee. Steps 2-5 shall be documented in the employee's personnel file maintained by Human Resources.

Step 1: Informal Discussion (aka Coaching/Counseling). When a performance problem is first identified, the nature of the problem and the action necessary to correct it should be thoroughly discussed with the employee. Inform the employee that failure to correct the problem may result in disciplinary action. Documentation of informal measures should be maintained in the Supervisory File.

Step 2: Written Reprimand. If a private informal discussion with the employee has not resulted in satisfactory performance or corrective action is not achieved, the supervisor, if not conflicted, and the supervisor's superior or designee should meet with the employee in private to investigate the situation and (a) review the problem, (b) permit the employee to present their views on the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action which may include discharge, and (e) issue a written reprimand notice to the employee.

Step 3: Suspension. If Written Reprimand has not resulted in satisfactory performance or corrective action is not achieved, the supervisor, if not conflicted, and the supervisor's superior or designee should meet with the employee in private to investigate the situation and (a) review the problem, (b) permit the employee to present their views on the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action which may include discharge, and (e) issue a notice of suspension to the employee. Supervisors have the authority to temporarily remove employees from the workplace, with or without pay, if approved in advance by the department director and the Chief Human Resources Officer. An exempt employee generally may not be suspended without pay for less than a full day, and the suspension must be related to written workplace conduct rules applicable to all employees, e.g., such as a written policy prohibiting sexual harassment or workplace violence.

Step 4: Discharge/Termination of Employment. Failure to improve performance or behavior after the written warning(s) or suspension can and may result in termination.

The progressive disciplinary procedures described above also may be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.

In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a major breach of policy or violation of law, the progression contained above may be disregarded and may escalate immediately to termination of employment. Typically, the supervisor should suspend the employee immediately (with or without pay) and an investigation of the incidents leading up to the formal discipline should be conducted to determine if any further action, such as termination, should be taken.

Disciplinary Action

Disciplinary action should be promptly administered and thoroughly documented. Formal disciplinary action taken against an employee during the employee's probationary period is not subject to any grievance process.



CHAPTER 10

Time Off & Leaves of Absence

All provisions in Chapter 10, unless expressly indicated otherwise, apply only to full-time employees who are not represented by a bargaining unit.

A request for any of the leaves of absence in this section must be submitted by the employee to the employee's department manager who approves or denies the request. An employee requesting such leave must provide the department or division manager with the reason(s) the leave of absence is being requested and the length of time of the requested absence. Denial of a request is not a subject for the grievance procedure of this Handbook or the appeal procedure set forth in Chapter 400, Code of Iowa.

10.01 Holidays

The City observes and allows time off with pay for the following holidays:

New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday following Thanksgiving
Christmas Eve Day	December 24
Christmas Day	December 25
New Year's Eve Day	December 31

Any additional holidays will be designated by the City at start of each calendar year.

For employees scheduled for a standard Monday through Friday workweek:

- If one of these holidays falls on a Sunday, it will be observed on the succeeding Monday.
- If the holiday falls on a Saturday, it will be observed on the preceding Friday.
- If last day of consecutive holidays (such as December 24 and December 25 or December 31 and January 1 of the new year) falls on a Saturday, the consecutive holiday days will be observed the preceding Thursday and Friday.
- If the first day of consecutive holidays (such as December 24 and December 25 or December 31 and January 1 of the new year) falls on a Sunday, the consecutive holiday days will be observed the succeeding Monday and Tuesday.
- If consecutive holidays (such as December 24 and December 25 or December 31 and January 1 of the new year) fall on Saturday and Sunday, the first consecutive holiday day will be observed

the preceding Friday and the second of the consecutive holiday days will be observed on the succeeding Monday (for example: December 31 will be observed the preceding Friday and January 1 will be observed the succeeding Monday).

10.02 Holiday Paid Time-Off/Leave

Full-time regular employees are eligible for holiday paid time-off. Non-exempt, hourly employees become eligible after they have been actively with the City for three (3) months. Exempt, salaried employees may receive holiday paid time off immediately upon joining the City. Part-time and temporary employees, including summer employees, are not eligible for holiday paid time off.

Holiday paid time off shall be at the employee's regular straight-time rate, inclusive of shift premiums, times the employee's regularly scheduled hours (not to exceed 8 hours), including longevity.

Effective July 1, 2021, Holiday paid time-off is not considered actual hours worked for the purposes of calculating overtime.

To receive holiday paid time off, an eligible nonexempt employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid sick leave. If an employee is absent on one or both of these days because of an illness or injury, the City may require verification of the reason for the absence before approving holiday pay. An employee who is on a leave due to a job-related injury or illness is entitled to holiday paid time off for the duration of the leave.

Religious observances

Employees who need time off to observe religious practices or holidays not already scheduled by the City should speak with their supervisor. Depending upon business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. Employees may also be able to switch a scheduled day with another employee, or take vacation time, or take off unpaid days. The City will seek to reasonably accommodate individuals' religious observances.

10.03 Holiday Pay

Non-exempt, hourly employees, who are required to work on any of the City recognized holidays will be compensated at the rate of one and one-half (1 ½) times the employee's regular rate of pay for all hours worked on the holiday. In no event may a non-exempt, hourly employee be paid holiday paid time off and holiday pay for the same hour.

Effective January 1, 2026, non-exempt, hourly employees, who are required to work on any of the City recognized holidays will be compensated at the rate of three (3) times the employee's base rate of pay for all hours worked on the holiday. In no event may a non-exempt, hourly employee be paid holiday paid time off and holiday pay for the same hour.

Employees in the classifications of Airport Operations Specialist, Police Lieutenant, Police Captain and Assistant Fire Chief assigned to a shift (56 hours per week-2912 hours per year) will be paid eight (8) hours at their base rate of pay for each holiday in lieu of time off. The base rate of pay corresponds to the hourly rate set forth in the pay plan and is based on 2,080 hours per year.

10.04 Vacation

The City of Dubuque recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The City provides paid vacation time to full-time employees for this purpose and employees are encouraged to take vacation during the year.

Accrual Rates

Full-time employees will accrue paid vacation according to the following schedule (annual totals should be rounded to the nearest whole day):

Years of Continuous Service	Annual Vacation (stated as number of work hours per year)
Through Year 7	80
Year 8 - Year 14	120
Year 15 and after	160

Department Managers accrue annual vacation according to the following schedule and service requirements:

Years of Continuous Service	Annual Vacation (stated as number of work hours per year)
Through Year 3	120
Year 4 - Year 7	160
Year 8 - Year 14	200
Year 15 and after	240

Employees in the classification of Assistant Fire Chief assigned to a shift (56 hours per week - 2912 hours per year) accrue annual vacation according to the following schedule and service requirements:

Years of Continuous Service	Annual Vacation (stated as number of work hours per year)
Through Year 6	144
Year 7 - Year 13	192
Year 14 - Year 20	240
Year 21 and after	288

Employees in the classifications of Assistant Fire Chief, EMS Supervisor and Assistant Fire Marshall assigned to a regular work week (40 hours per week - 2080 hours per year) accrue annual vacation according to the following schedule and service requirements:

Years of Continuous Service	Annual Vacation (stated as number of work hours per year)
Through Year 6	80
Year 7 - Year 13	120
Year 14 - Year 20	160
Year 21 and after	200

Employees in the classification of Airport Operations Specialist accrue annual vacation according to the following schedule and service requirements:

Years of Continuous Service	Annual Vacation (stated as number of work hours per year)
Through Year 2	72
Year 3 - Year 7	144
Year 8 - Year 14	192
Year 15 and after	240

Employees in the classifications of Police Lieutenant, Police Captain and Assistant Police Chief accrue annual vacation according to the following schedule and service requirements:

Years of Continuous Service	Annual Vacation (stated as number of work hours per year)
Through Year 3	80
Year 4 - Year 7	120
Year 8 - Year 14	160
Year 15 and after	200

An employee who is on a paid leave due to an illness or injury (job or non-job related) accrues vacation only for paid leave time.

Requesting Vacation

The employee's supervisor must approve all vacations. The number of employees allowed off at any one time will be determined at the sole discretion of the employee's supervisor. Generally, employees should submit vacation plans to their supervisor at least 4 weeks in advance of the requested vacation date. Vacation is typically requested and scheduled in whole hour increments, ½-day, 1-full workday, or up to a maximum of 2 weeks in a row. Managers have the right to designate when some or all of vacations must be taken based on business or operational needs.

Employees may not take paid vacation until they have actually earned or accrued the vacation time. Vacation being earned during a pay period is not accrued and may not be used until, at the earliest, the following pay period. New employees accrue paid vacation at the start of employment but may not take any vacation until they have completed at least 6 months of employment.

Vacation Accrual Maximums/Caps

The maximum number of vacation hours that can be accumulated is three hundred and forty (340) hours for employees assigned to a standard 40-hour work week and three hundred and twelve (312) hours for employees assigned a 56-hour work week. Managers are encouraged to proactively monitor employee vacation utilization and work to assure employees are able to take vacation to reduce the likelihood of an employee's accruals exceeding the maximum.

Vacation Pay

Vacation time or hours are paid at the employee's regular rate of pay, including longevity pay, applicable to an employee's regular classification. Vacation time or hours are not considered actual hours worked for the calculation of overtime.

Holiday Falls During Vacation Period

If a holiday falls during an employee's vacation time off, the holiday is not charged as vacation.

Termination of Employment

Wages/salary earned in the employee's final pay period will be paid on the normal pay date.

Payouts for an employee's accrued, unpaid vacation are disbursed as a separate payment, typically on the pay date immediately following the regular pay period. Accrued, unpaid vacation will be paid at the employee's regular rate of pay at the time of the termination.

10.05 Sick Leave

Paid sick leave is a safety net for employees from financial loss during an absence from work due to illness or injury. The City provides regular, full-time employees with paid sick leave. Employees become eligible to use accrued sick leave after completing thirty (30) continuous days of employment.

Accrual

An employee accrues sick leave from the date of the hire into a regular, full-time position.

Except as hereinafter modified, sick leave accrues at the rate of eight (8) hours per month (3.6923 hours biweekly) of continuous service. Sick leave is paid to the employee at the employee's regular rate of pay, plus longevity, predicated on an eight 8-hour workday or a 10-hour workday, depending on whether the employee is assigned to an 8-hour workday or a 10-hour workday.

Employees in the classification of Airport Operations Specialist and Assistant Fire Chief assigned to a shift accrue sick leave at the rate of 12 hours per month (5.5385 hours biweekly) of continuous service. Sick leave is paid to employees in this classification at the regular rate of pay, plus longevity,

predicated on 2,912 hours per year. Employees are charged two (2) sick days (24 hours) for each day of absence.

A partial month's accrual is computed on the basis of the number of working days in the month.

Sick leave credits do accrue during a period of absence for which an employee is paid sick leave and may be used during that particular period of illness, if earned prior to use.

Any unused portion of sick leave shall accumulate from fiscal year to fiscal year to a maximum of one-hundred twenty (120) sick days or nine hundred and sixty (960) hours, whichever is less.

Sick leave accrues during any period of service in pay status. Sick leave does not accrue during terminal vacation, nor is sick leave allowed during terminal vacation.

Usage

Sick leave may not be used on an employee's regular day off. Sick leave may be used for personal illness or injury, medical or dental appointments of the employee, medical appointments, medical quarantine or isolation, supplemental to bereavement leave, or other similar situations. Sick leave may not be granted in excess of the employee's accrued sick leave.

Accrual of sick leave terminates upon discharge, resignation, retirement, death or layoff of the employee.

Employees may carry accrued sick leave over from one year to the next. The maximum accrual allowed for full-time employees is 120 days or 960 hours, whichever is less.

If the need for sick leave is foreseeable, employees are required to give at least 30 days' advance notice (e.g., a planned medical treatment) whenever possible. If the need for sick leave is not foreseeable, employees are asked to notify their supervisor as soon as is practical. It is the responsibility of the employee to inform the employee's department or division manager each day of absence chargeable to sick leave.

Holidays falling during a period of absence due to a medically related disability are paid as holiday paid time off and are not charged to the employee's sick leave accumulation.

An employee who incurs an injury or illness while employed by another employer or doing contract work for pay is not entitled to sick leave benefits.

If an employee misses three or more consecutive workdays because of illness, the City of Dubuque may require the employee to provide a healthcare provider's written permission to return to work.

The City reserves the right to require that an employee provide documentation or excuse from a healthcare provider for any sick leave use. Such documentation is at the employee's expense.

Except as required by state law or provided for in the "Retirement Sick Leave Pay-Out" provision, unused sick days are forfeited when an employee's employment ends for any other reason.

10.06 Maximum Sick Leave Accrual - Payout or Conversion to Vacation Options

If an employee has accumulated sick leave to the maximum amount, at the discretion of the employee's department manager, the employee will receive either 50% of the sick leave that would have been accrued each pay period, but for having reached the maximum accrual amount, in payment or convert it at the 50% ratio to vacation leave.

The 50% of sick leave accrual above the maximum will be either credited to the employee's vacation accrual account or be paid at the employee's regular rate of pay, plus longevity, unless the employee is at the employee's maximum vacation accrual. Eligible employees at their maximum vacation accrual have only the option of being paid at their regular pay rate, plus longevity, for 50% of sick leave accrual above the maximum accrual permitted for sick leave.

The default election for eligible employees having reached their maximum sick leave accrual is being paid at their regular pay rate, plus longevity, for 50% of sick leave accrual above the maximum accrual permitted for sick leave.

Eligible employees, who are nearing or are at their maximum sick leave accrual, may twice per year, to be effective the first pay period in January and/or the first pay period in July, submit a preference notice to their department manager indicating their preference to have 50% of their sick leave accrual over the maximum allowed to be credited to the employee's vacation leave accrual. Employees must submit a preference notice form by no later than November 10 for the first pay period in January and by no later than May 10 for the first pay period in July. Conversion of sick leave to vacation will be granted or denied solely at the discretion of the department manager taking into consideration the employee's indicated preference and department scheduling and budgetary implications.

10.07 Retirement Sick Leave Pay-Out

Employees will be paid 100% of accrued sick leave at retirement. Payment will be based on the employee's straight time/base rate of pay at retirement. Payment will be made bi-weekly over a five-year period. In order for a retiring employee to be eligible for such payment, the retiring employee shall have completed twenty (20) years of continuous service in a full-time position or retired as a result of a disability and must be eligible for pension payments from the employee's respective pension system (Iowa Public Employees' Retirement System or the Municipal Fire and Police Retirement System of Iowa) immediately upon retirement. In the event a retired employee dies before all of the unused sick leave is paid, the remaining unpaid sick leave balance will be paid as a lump sum to the retiree's next of kin. If a currently employed employee dies while still employed by the City and would have otherwise been eligible for Retirement Sick Leave Pay-Out, the decedent employee's next of kin will be paid the lump sum, as if the employee had retired. The straight time/base rate of pay for employees assigned to a forty (40) hour work week shall be based upon two thousand eighty (2,080) hours per year and one (1) sick day shall equal eight (8) hours. The regular (straight time/base) rate of pay for employees assigned to a fifty-six (56) hour work week shall be based on two thousand nine hundred twelve (2,912) hours per year and one sick day shall equal twelve (12) hours.

10.08 Family Caregiving Leave

Family caregiving leave is available so that employees may provide care of and necessary attention to an ill or injured family member. Family caregiving leave was established to assist the employee with family-related responsibilities. Family caregiving leave is in addition to vacation leave that can also be used for care and necessary attention of an ill or injured family member.

Family caregiving leave is paid leave charged to an employee's accrued sick leave. Appropriate verification of the status of the ill or injured person may be requested.

In the event that the employee does not have accrued sick leave, family caregiving leave is not available. However, the department is encouraged to permit the employee to use vacation or leave without pay to respond to family-related responsibilities.

Immediate family members include the employee's spouse, children, parents, stepchildren, and stepparents.

10.09 Paid Parental Leave Policy

Bargaining unit represented employees are not eligible for paid parental leave as provided for in this chapter.

Purpose/Objective

The City of Dubuque will provide up to 12 weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster to adopt care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed to adopt child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable.

Eligibility

Eligible employees must meet the following criteria:

- Have been employed with the City of Dubuque for at least 12 months (the 12 months do not need to be consecutive).
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Not be represented by or included in a bargaining unit.
- Be a full -time, regular employee. (Part-time, temporary, or seasonal employees and interns are not eligible for this benefit).
- In addition, employees must meet one of the following criteria:
 - Have given birth to a child.
 - Be a spouse or committed partner of a woman who has given birth to a child.
 - Have adopted a child or been placed with a foster-to-adopt child (in either case, the child must be age 17 or younger). The adoption of a new spouse's child is excluded from this policy.

Amount, Time Frame and Duration of Paid Parental Leave

- Eligible employees will receive a maximum of twelve weeks of paid parental leave per birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the up to twelve-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than twelve weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster-to-adopt care placement event occurs within that 12-month time frame.
- Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the twelve-month period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this twelve-month time frame.
- In the event of a female employee who herself/themselves has given birth, the twelve weeks of paid parental leave will commence at the conclusion of any short-term disability leave/benefit provided to the employee for the employee's own medical recovery following childbirth.
- Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during twelve-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the twelve-month time frame.
- Upon termination of the individual's employment at the City, the employee will not be paid for any unused paid parental leave for which the employee was eligible.

Coordination with Other Policies

- Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster to adopt, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- After the paid parental leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of FMLA leave (if applicable) will be compensated through employee accrued sick, vacation and personal time. Upon exhaustion of accrued sick, vacation and personal time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- The City will maintain all benefits for employees during the paid parental leave period just as if they were taking any other City paid leave such as paid vacation leave or paid sick leave.
- If a City holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.

Requests for Paid Parental Leave

- The employee will provide the employee's supervisor and the Human Resources Department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary forms and provide all documentation as required by the Human Resources department to substantiate the request.
- As is the case with all City policies, the organization has the exclusive right to interpret this policy.

10.10 Family and Medical Leave

Note: FMLA leave as a federal policy applies to all Employees of the City both non-union represented and union-presented.

The City complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The City also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact the Human Resources Department to discuss options for leave.

The FMLA requires all public agencies, including state, local, and federal employers, to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons. The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered servicemember with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

Basic Leave Entitlement

The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave in a 12-month period to eligible employees for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or child birth; (2) to care for the employee's child after birth or placement for adoption or foster care; (3) to care for the employee's spouse, child, or parent who has a serious health condition; or (4) for a serious health condition that makes the employee unable to work.

The City defines the 12-month FMLA leave period as a fiscal year beginning July 1 and ending June 30.

Military Family Leave Entitlements

Eligible employees with a spouse, child, or parent on active duty or called to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from (1) short notice of deployment (limited to up to seven days of leave); (2) attending certain military events and related activity; (3) arranging childcare and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling

sessions; (6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to five days of leave); (7) attending post-deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. The single 12-month period in which the 26-weeks-of-leave-entitlement using the 12-month period is measured forward from the date an employee's first FMLA leave to care for the covered servicemember begins. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform the servicemember's duties and for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections During FMLA Leave

During FMLA leave, the City will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Certain highly compensated key employees also may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the City's operations. A "key" employee is an eligible salaried employee who is among the highest paid ten percent of the City's employees within 75 miles of the worksite. Employees will be notified of their status as a key employee, when applicable, after they request FMLA leave.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employee Eligibility

The FMLA defines eligible employees as employees who: (1) have worked for the City for at least 12 months; (2) have worked for the City for at least 1,250 hours in the previous 12 months; and (3) work at or report to a worksite which has 50 or more employees or is within 75 miles of City worksites that taken together have a total of 50 or more employees.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school, work, or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies also may be taken on an intermittent or reduced work schedule basis.

Substitution of Paid Leave for Unpaid Leave

Employers may require the use of accrued paid leave while taking FMLA leave. Accordingly, the City requires employees to use any accrued paid vacation, personal, compensatory, and sick days, etc. during an unpaid FMLA leave taken because of the employee's own serious health condition or the serious health condition of a family member or to care for a seriously ill or injured family member in the military. In addition, the employee must use any accrued paid parental leave, vacation, compensatory, or personal days (but not sick days), as applicable, during FMLA leave taken to care for a newborn or newly placed child or for a qualifying exigency arising out of a family member's active duty or call to active duty status in support of a contingency operation. In order to use paid leave for FMLA leave, employees must comply with the City's normal paid leave procedures found in its Vacation and Sick Leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the City's normal call-in procedures. The City may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The City also may require a second, and if necessary, a third opinion (at the City's expense) and, when the leave is a result of the employee's own serious health condition, a fitness for duty report to return to work. The City also may delay or deny approval of leave for lack of proper medical certification.

City Responsibilities

The City will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If employees are not eligible, the City will provide a reason for the ineligibility.

The City will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's FMLA leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

Other Provisions

Under an exception to the Fair Labor Standards Act (FLSA) in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly-skilled computer professionals; and certain highly compensated employees who are exempt from the minimum wage and overtime requirements of the FLSA, without affecting the employee's exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the City has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude the outside employment.

Unlawful Acts by Employers

The FMLA makes it unlawful for any employer (1) to interfere with, restrain, or deny the exercise of any right provided under the FMLA; or (2) to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

10.11 Military Leave

Military leave (paid and unpaid) as provided for in this chapter applies to all Employees of the City both non-union represented and union-presented, unless a collectively bargained for agreement contains a provision for Military Leave. In which case, that bargaining agreement controls for employees who are covered by that collectively bargained for agreement.

The City of Dubuque is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the City of Dubuque policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment based on such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised their rights under applicable law or this policy. If any employee believes that they have been subjected to discrimination in violation of this policy, the employee should immediately contact the Human Resources (HR) department.

Eligibility

Employees taking part in a variety of military duties are covered under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including active duty, reserve or National Guard, for training, periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the law, these benefits are generally limited to five years of leave of absence.

Procedures for Military Leave

Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the City of Dubuque with notice of the need for leave as far in advance as is reasonable under the circumstances. Written notice is preferred, but not required under the law or this policy.

To request a temporary or extended military leave of absence, the employee should generally obtain a request for leave of absence form from HR. However, a written application is not required under the law or this policy.

HR will review and sign the request for leave of absence form or respond in writing to the request, collect any applicable insurance premiums from the employee, generate other applicable documents, and process the leave of absence accordingly. In the event of verbal notice by the employee, HR will document the military leave on a leave of absence form or in military leave of absence letter.

Employees on temporary or extended military leave may, at their option, use any or all accrued paid vacation or personal leave during their absence.

When the employee intends to return to work, the employee must make application for reemployment to HR within the application period set forth below.

If the employee does not return to work, the supervisor must notify HR so that appropriate action may be taken.

Paid Military Leave

All employees of the City of Dubuque, other than employees employed temporarily for six months or less, who are members of the national guard, organized reserves or any component part of the military, naval, or air forces or nurse corps of this state or nation, or who are or may be otherwise inducted into the military service of this state or of the United States, or who are members of the civil air patrol, shall, when ordered by proper authority to state active duty, national guard duty, or federal active duty, or when performing a civil air patrol mission pursuant to section 29A of Iowa Code, will be entitled to a leave of absence from such civil employment for the period of state active duty, national guard duty, federal active duty, or civil air patrol duty without loss of status or efficiency rating, and without loss of pay as provided below.

Where state active duty, national guard duty, federal active duty, or civil air patrol duty is for a period of less than thirty days, a leave of absence under this section shall only be required for those days that the civil employee would normally perform services (workdays) for the City. For duty that is for a period of less than thirty days, a cumulative calendar year maximum of forty workdays shall be paid military leave. The provisions of this section shall also apply to a leave of absence by a member of the national disaster medical system of the United States when activated for federal service with

the system. If the workday for a civil employee encompasses more than one calendar day, the civil employee shall only be required to take a leave of absence for one day for that workday.

Where a duty order is for a period of thirty days or greater, the first thirty calendar days per calendar year shall be paid military leave.

Where duty in the same calendar year consists of both less than thirty day periods and thirty days or greater period(s), a cumulative calendar year total of forty workdays shall be paid military leave per calendar year.

Benefits

If an employee is absent from work due to military service, benefits will continue as follows:

An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31-day period, the employee and covered dependents can continue group health insurance up to 24 months at 102% of the overall (both employer and employee) premium rate. Be sure to elect your coverage and make the required payments to HR in a timely manner to continue your coverage.

The group term life/AD&D insurance provided by City of Dubuque will terminate the day the employee becomes active military.

The group long term disability insurance provided by City of Dubuque will terminate the day the employee becomes active military.

Employees do not accrue vacation, personal leave, or sick leave while on military leave of absence status.

With respect to City of Dubuque's retirement plan, upon reemployment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and that is not greater in duration than three times the length of the employee's military service. Employees will receive all associated company match for such contributions.

Voluntary supplemental life/AD&D insurance will terminate the day the employee becomes active military. Converting to an individual policy may continue voluntary dependent life insurance coverage. To exercise this conversion option, dependents must submit a written application and the first premium payment to the insurance company within 31 days immediately following the termination of coverage.

Reemployment

Upon an employee's prompt application for reemployment (as defined below), an employee will be reinstated to employment in the following manner depending upon the employee's period of military service:

Less than 91 days of military service – reinstated to a position that the employee would have attained if employment had not been interrupted by military service; or, if found not qualified for such position after reasonable efforts by City of Dubuque, in the position in which the employee had been employed prior to military service.

More than 90 days and less than 5 years of military service – reinstated to a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or, if proved not qualified after reasonable efforts by City of Dubuque, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.

Employee with a service-connected disability – if after reasonable accommodation efforts by the employer, an employee with a service-connected disability is not qualified for employment in the position he or she would have attained or in the position that he or she left, the employee will be employed in another position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by City of Dubuque; or, if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

Application for Reemployment

An employee who has engaged in military service must, to be entitled to the reemployment rights set forth above, apply for reemployment to HR according to the following schedule:

If service is less than 31 days (or for the purpose of taking an examination to determine fitness for service) – the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee's residence.

If service is for 31 days or more but less than 181 days – the employee must apply for reemployment with HR no later than 14 days following the completion of service.

If service is over 180 days – the employee must apply for reemployment with HR no later than 90 days following the completion of service.

If the employee is hospitalized or convalescing from a service-connected injury – the employee must apply for reemployment with HR no later than two years following completion of service.

Exceptions to Reemployment

In addition to the employee's failure to apply for reemployment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

- City of Dubuque's circumstances have so changed as to make reemployment impossible or unreasonable
- Reemployment would pose an undue hardship upon City of Dubuque.
- The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
- The employee did not receive an honorable discharge from military service.

General Benefits Upon Reemployment

Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will

be counted toward their eligibility for FMLA leave once they return to their job at City of Dubuque. Additionally, upon reemployment, a covered employee will not be discharged except for cause for up to one year following reemployment.

Documentation

The HR department will, upon the employee's reapplication for employment, request that the employee provide City of Dubuque with military discharge documentation to establish the timeliness of the application for reemployment, the duration of the military service, and the honorable discharge from the military service, if applicable.

10.12 Catastrophic Leave Donation Policy

Note: Catastrophic Leave donation as provided for in this chapter applies to all Employees of the City both non-union represented and union-represented.

The City of Dubuque recognizes that employees may have a medical emergency or family medical emergency resulting in a need for additional time off more than their available sick or personal time. To address this need, all eligible employees will be allowed to donate accrued paid vacation or personal leave hours from their unused balance to their co-workers in need of additional paid time off, in accordance with the policy outlined below. This policy is strictly voluntary.

Eligibility

Employees must be employed with the City of Dubuque for a minimum of one year to be eligible to donate and/or receive donated vacation/personal time to an employee's catastrophic sick leave bank.

Guidelines

Employees who would like to make a request to their supervisor or department manager to receive donated vacation/personal time from their co-workers must have a situation that meets the following criteria:

Medical emergency, defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available and for a period not to exceed the employee's eligible or qualifying FMLA leave time period. An immediate family member is defined as a spouse, child, or parent.

Donation of Vacation/Personal Time

- The donation of vacation/personal time is strictly voluntary.
- Donated vacation/personal time will go into an individual's leave bank for use by each eligible recipients.
- The donation of vacation/personal time is on an hourly basis, without regard to the dollar value of the donated or used leave.
- Vacation or personal day hours shall be donated in whole-hour increments and designated as donated leave. However, donations may be credited to the recipient in other than whole hour increments. All of the recipient's accrued leave must be used before donations will be credited

to the recipient for an employee's own or a qualifying family member's illness. Hours will be credited in increments not to exceed the employee's regularly scheduled work hours on a pay period-by-pay period basis. Recipients will not accrue vacation or sick leave on donated leave hours.

- The minimum number of vacation/personal hours that an eligible employee may donate is 4 hours per donation; the maximum number of hours an employee may donate per calendar year is 40 hours or no more than 50 percent of the employee's current balance.
- Employees cannot borrow against future (not yet accrued) vacation/personal time to donate.
- Employees will be given the opportunity to donate vacation/personal time upon notice of a co-worker's need and qualifying status. The donated vacation/personal time will be transferred from the donor to the leave pool in the order it is received and only if needed by the recipient.
- Donations shall be credited on a first-in/first-out basis according to the date the donor indicates in writing the desire to donate vacation time/personal time(fka casual day).
- Employees who are currently on an approved leave of absence cannot donate vacation/personal time.
- Donated leave shall be irrevocable after it is credited to the recipient. Donated leave hours not credited to the recipient will not be deducted from the donor's leave balance.

Requesting Donated Vacation/Personal Time

Employees who would like to request donated vacation/personal time are required to make a request to their department manager.

Requests for donations of vacation/personal time must be approved by the employee's immediate supervisor, department manager, Human Resources, and City Manager

If the recipient employee has accrued, available sick/personal/vacation time, this time will be used prior to any donated vacation/personal time. Donated vacation/personal time may only be used for time off related to the approved request.

Employees who receive donated vacation/personal time may receive no more than 480 hours (12 weeks) within a fiscal year.

Approval for use of donated leave shall be for a period not to exceed one year either on an intermittent or continuous basis for each occurrence.

An occurrence is considered a period of incapacity from an illness or injury.

An occurrence is not to exceed a period of one year from the date the employee was deemed unable to work as notated by the provider on appropriate forms or medical certification.

Donated leave can only be used one time (for up to one year) per diagnosis.

For example: An employee is diagnosed with liver cancer. The donated leave may be used for a period of one year, either continuously or intermittently. If liver cancer comes back after that one year, it is still considered the same occurrence. If a different type of cancer is identified, it would be a new occurrence since it is a different type of cancer.

Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.

Human Resources will assist departments with posting notice that City employees may donate vacation leave to the employee's pool indicating that an employee is eligible to receive donated leave and the name of the person to contact for donating.

10.13 Bereavement Leave

Regular, full-time employees with 30 days or more of continuous service may take up to 5 days of paid bereavement leave upon the death of a member of their immediate family. "Immediate family members" for the purposes of bereavement leave are defined as an employee's spouse, domestic partner, parents, stepparents, siblings, children, stepchildren, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild. All regular, full-time employees may take up to one (1) day off with pay to attend the funeral of an extended family member (and employee's aunts, uncles, nieces, nephews, and cousins and a spouse's/domestic partner's grandparents).

The City may require verification of the need for the leave. The employee's supervisor and Human Resources will consider this time off on a case-by-case basis.

Payment for bereavement leave is computed at the regular hourly rate to a maximum of 8 hours for 1 day. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime.

Department or division managers are encouraged to permit employees to use accrued sick or vacation time to supplement bereavement leave in consideration of the circumstances for which bereavement leave is needed.

10.14 Personal Leave (fka Casual Day)

Full-time employees receive sixteen (16) hours of personal leave time with pay each fiscal year. To be eligible for a personal day during the fiscal year, a new full-time employee must complete at least four (4) months of continuous service prior to June 15 of the fiscal year in which the employee is appointed to a full-time position. The personal days must be used each fiscal year. Personal days cannot be accumulated and carried over from fiscal year to fiscal year. Under no circumstances is payment made in lieu of the personal day.

10.15 Jury Duty/Court Appearance for Non-Police Employees

The City supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty or subpoena for a court appearance to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

Full or part-time employees required to report for jury duty or court appearance are paid the difference, if any, between the compensation received for jury duty or court appearance and their regular wage for each day of jury duty witness testimony. Mileage and meal allowance received by the employee is not deducted from the employee's regular wage. Normally this is processed by having the employee submit the jury duty or witness compensation, excluding expense reimbursement, to the Finance Office in exchange for the employee's regular paycheck.

If an employee is released from jury duty or witness appearance after 4 hours or less of service, the employee must report to work for the remainder of that workday.

Time for appearance in court for personal business will be the individual employee's responsibility. Normally, personal days or vacation days will be used for this purpose.

10.16 Injury Leave

When an employee sustains a job-related injury or illness, the employee may use accumulated sick leave or vacation for the first three (3) days of total disability following the date of injury or illness. Beginning on the fourth (4th) day of total disability following the date of injury or illness, the employee may receive, in addition to Worker's Compensation benefits to which the employee is entitled, a sum which together with the Worker's Compensation benefits shall not exceed one hundred percent (100%) of the employee's regular rate of pay, plus longevity. The difference between Worker's Compensation benefits and the employee's regular rate of pay, plus longevity, may be deducted from the accumulated sick leave and/or vacation of the employee. Upon expiration of an employee's accumulated sick leave and vacation, the employee is entitled only to the benefits payable under the Iowa Worker's Compensation Law. It is the responsibility of the employee to keep the department or division manager informed of their status when the employee is off work due to a job-related injury or illness.

An employee who sustains a job-related illness or injury must report the incident to the department or division manager. The employee and supervisor, whenever practical, shall together contact Company Nurse to report the injury and complete a first report of injury/incident report. The supervisor must also complete and submit a "Supervisor Accident Investigation Report." All information is forwarded to the Human Resources Department. The supervisor must also notify the City Manager regarding on-the-job injuries to any City employee resulting in death or requiring hospitalization.

With the exception of those benefits provided by State law, an employee who is physically able to but fails to report within seventy-two (72) hours any job-related injury or illness, however minor, to the department or division manager, and fails to take such first aid or medical treatment as may be necessary is not eligible for the benefits outlined in this section.

An employee must return to work when the healthcare provider states the employee is able to do so. Prior to being allowed to return to work, the employee must provide a written statement from a healthcare provider indicating that the employee is released to return to work and is capable of performing the essential functions of the employee's position with or without any reasonable accommodation for a disability as defined by law.

Police and Fire employees covered by Chapter 411, Code of Iowa, who sustain an injury or illness on the job will be compensated in accordance with the applicable Code provisions.

10.17 Pregnancy or Temporary Disability Leave

An employee's pregnancy, childbirth or related medical condition is regarded as a temporary disability. The commencement and duration of leave, availability of extensions, accrual of seniority and other benefits and privileges, reinstatement, and payment under the city's health insurance, disability insurance or sick leave plan, formal or informal, are applied to a disability due to the employee's pregnancy, childbirth or related medical condition on the same terms and conditions as

they are applied to other temporary disabilities. Sick leave benefits, to the extent of an employee's accumulated sick leave, will be granted, if requested by the employee, for the period that the employee is disabled because of the employee's pregnancy, childbirth or related medical condition. The employee may use other available paid leaves such as vacation, compensatory time or personal day or a leave of absence without pay during the period of temporary disability. A leave of absence without pay beyond the period of temporary disability may be granted in accordance with the applicable provisions of this handbook. The employee is responsible for providing timely notice of the period of leave requested. When leave is not available, Iowa law provides that an employee is legally entitled to an unpaid leave of absence for up to eight (8) weeks for a healthcare provider certified physical disability due to pregnancy, childbirth or related medical conditions. The City reserves the right to require that the employee's disability resulting from pregnancy be verified by medical certification stating that the employee is not able to reasonably perform the essential functions of the employee's position.

10.18 Professional Development

Employees may be granted paid or unpaid leave for the purpose of attending conferences, seminars, training sessions or other functions of a similar nature that are intended to improve or upgrade the employee's skill or professional ability. All absences from work for this purpose are subject to the approval of the employee's department manager/director. Department managers/directors must consult with the Finance and Budget Director and City Manager prior to granting approval.

10.19 Time Off for Voting

The City recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason an employee has legitimate reason to think this will not be the case, contact your supervisor to discuss scheduling accommodations.

10.20 Leave of Absence Without Pay

A leave of absence without pay may be granted by the department manager/director with the approval of the Chief Resources Officer and City Manager. An employee desiring a leave of absence without pay must submit a request in writing stating the reason(s) for the desired leave, the date when the leave is to begin, and the date of return to work. Failure to return to work at the end of such leave constitutes a resignation. An employee may be required to take a medical examination before being allowed to return to work after a leave of absence without pay. An employee granted a leave of absence without pay, upon completion of the leave, will be returned to the same position at the same pay step within the salary range corresponding to the classification occupied at the time the leave began. Except as provided in the Family and Medical Leave Act, during a leave of absence without pay exceeding thirty (30) calendar days the employee continues to accrue seniority, but does not accrue or receive any other privileges, benefits or pay granted by this Handbook. Disposition of all requests for a leave of absence without pay must be in writing.

In the event an employee incurs an injury or illness and does not have sufficient sick leave or vacation accrued to provide a continuous salary during the sixty (60) day waiting period prior to when disability income protection benefits commence, an unpaid leave may be granted. Such absence will not be subject to the requirements of this section.

10.21 Inclement Weather

In the event of inclement or adverse weather conditions, if an employee feels they cannot safely report to work and work from home/teleworking is not permitted, the employee must notify their supervisor prior to when the employee is scheduled to report to work. Employees whose absence from working due to inclement or adverse weather conditions has been authorized have the option of using vacation, or personal leave time. If the employee has no accrued time available, the supervisor has the discretion to grant an unpaid absence for the employee.

See also 8.05 Emergency Closing

10.22 Recognition Benefit - Paid Leave

Purpose

The City of Dubuque, as an employer, is committed to recognizing employee contributions to the overall objectives of their department, collaborations among City employees, and accomplishing City Council goals and objectives. The City of Dubuque supports and encourages internal award/reward programs that acknowledge and formally recognize employees for their contributions, exemplary performance, and continuous service in the form of rewards and recognition. In addition, the City believes that employee rewards and recognition can contribute to and maintain a high retention rate and encourages excellence in service to the City and those we serve. Recognition paid leave is intended to promote and reward extraordinary accomplishments and contributions of employees in ways separate from the performance appraisal process.

Definition

Recognition paid leave is defined as paid leave time to reward an employee for organizational contributions.

Eligibility

Regular full-time and regular part-time, active employees are eligible to receive Recognition Paid Leave when a recipient of a SPIRIT Award, the City's Wellness Committee's Wellness Challenge incentives or winners, and upon request by a department manager and subject to the approval of the Chief Human Officer and City Manager.

Use

Use of the leave time requires manager/supervisor pre-approval.

Recognition leave hours do not expire and are carried over from year to year. While it is our desire that employees take this time off for a well-deserved refresher away from work, if they cannot or do not take the time off, unused recognition leave will be paid out to an employee at their base rate of pay on the regular pay date following the pay period in which the employee was last employed, unless the employee is involuntarily terminated from employment.

CHAPTER 11

Employee Benefits

All provision in Chapter 11, unless expressly indicated otherwise, apply only to full-time employees who are not represented by a bargaining unit.

11.01 Group Insurance Plan

Health and Prescription Drug Insurance

Payment

Employees pay 15% of the cost of the premium established for the health and prescription drug insurance plan for which the employee is enrolled. The premium for the health and prescription drug insurance plan is the premium established for retirees and COBRA enrollees.

Effective Date of Coverage

Regular, full-time employees are eligible for coverage the first of the month following the completion of thirty (30) days of continuous service in a full-time position.

11.02 Life/Accidental Death and Dismemberment Insurance

Payment

The City pays the full cost of a life insurance and accidental death and dismemberment insurance policy for all full-time employees.

Effective Date of Coverage

Employees are eligible for coverage the first of the month following the completion of thirty (30) days of continuous service in a full-time position.

11.03 Disability Income Protection Insurance

Payment

A disability income protection insurance policy is provided to all regular, full-time employees covered by this Handbook. The cost of such coverage is paid in full by the City.

Effective Date of Coverage

Employees are eligible to apply for coverage the first of the month following the completion of thirty (30) days of continuous service in a full-time position.

Eligibility

Disability income protection insurance shall be granted for any non-service-connected illness or injury which renders an employee unable to perform the duties of the employee's position and for enforced quarantine of the employee.

An employee who has been absent from work for the above reasons for a period of sixty (60) calendar days may be eligible to receive disability income insurance protection. The benefits may extend to a maximum of fifty-two (52) weeks and entitle an employee to receive sixty percent (60%) of the employee's regular rate of pay in effect on February 1, prior to the date of disability or two hundred and fifty dollars (\$250) per week, whichever is less. Employees who become eligible for disability income protection insurance may supplement accrued sick leave and/or vacation with the disability income protection benefit. Sick leave and vacation are charged on a prorated basis to provide the employee one hundred percent (100%) of the employee's regular rate of pay plus longevity. Total income of an employee's sick leave payment and/or vacation payment and disability income protection insurance benefits shall not equal more than one hundred percent (100%) of the employee's regular rate of pay plus longevity in effect on the last day worked prior to becoming disabled. Upon expiration of an employee's accumulated sick leave and vacation, the employee is entitled only to the benefits payable under the disability income protection insurance policy.

An employee must return to work when the doctor states that the employee is able to do so. Before returning to work, the employee must provide a written statement from a physician indicating that the employee is released to return to work and is able to perform the essential functions of the employee's position.

An employee who incurs an injury or illness while employed by another employer or doing contract work for pay is not entitled to the benefits provided under the disability income protection insurance policy.

Plan Documents

Specific benefits of each aspect of the group insurance plan are set forth in the plan documents which determine the eligibility and amounts of coverage extended to each employee.

Coverage During a Granted Leave of Absence Without Pay

An employee may elect to continue group insurance coverages while on a leave of absence without pay exceeding thirty (30) calendar days. For all such leave, except leave granted under the Family and Medical Leave Act, the employee must pay the total cost of all group insurance benefits.

Status of Insurance Benefits Upon Termination of Employment

When a covered employee is discharged, laid off, resigns, retires or dies, the City discontinues payment of all insurance premiums. Insurance benefits for dependents terminate when the dependent ceases to be eligible as a dependent or when the employee withdraws the authorization for dependent insurance. In compliance with applicable federal and state laws, employees and their eligible dependents are entitled to continue their health insurance coverage after termination of employment at their expense.

11.04 Longevity

Description

Longevity payment is additional compensation and represents a percentage of an employee's regular rate of pay based upon an employee's length of service in a full-time position. Longevity payments are made each payday in accordance with the longevity pay plan set forth in this chapter.

Schedule

Longevity payments are made in accordance with the following schedule:

Years of Continuous Service	Percent of the Regular Rate of Pay
After 6 years of continuous service	1%
After 12 years of continuous service	2%
After 18 years of continuous service	3%
After 24 years of continuous service	4%
After 30 years of continuous service	5%

11.05 Payment for Court Appearances

Employees in the classifications of Police Lieutenant and Police Captain who are required to appear in court on behalf of the City during off-duty hours are paid a minimum of two (2) hours at the regular rate of pay, provided the court appearance and the beginning or end of an employee's scheduled workday or work shift do not overlap. When the court appearance and the beginning or end of an employee's schedule workday or work shift overlap, the employee is compensated at the regular rate of pay for the time spent in court outside of the scheduled workday or work shift. Employees in the above classifications who are required to appear in court during their vacation are paid a minimum of two (2) hours pay at two (2) times the regular rate of pay in addition to vacation pay.

See also Jury Duty/Court Appearances for Non-Police

11.06 Shift Premium Pay

Non-exempt employees regularly assigned to the second shift, normally 3:00 P.M. to 11:00 P.M., receive an additional ten cents (\$.10) per hour on their regular rate of pay as a shift premium.

Non-exempt employees regularly assigned to the third shift, normally 11:00 P.M. to 7:00 A.M., receive an additional twenty cents (\$.20) per hour on their regular rate of pay as a shift premium.

Non-exempt employees whose work schedules overlap into a shift for which premium payment is allowed are entitled to the appropriate premium payment only if three (3) hours or more of the work shift overlaps into a shift for which premium payment is allowed. If the conditions of this section apply, an employee will receive the appropriate premium payment for the number of hours worked during the shift for which premium payment is allowed. If an employee's work schedule overlaps from the second shift to the third shift, the employee will receive the appropriate premium payment based upon the hours worked in each shift.

Example 1:

Shift Assignment - 5:00 A.M. to 12:00 Noon Shift Premium Payment - 0

Example 2:

Shift Assignment - 10:00 A.M. to 6:00 P.M.

Shift Premium Payment - 3 hours @ \$.10 per hour

Example 3:

Shift Assignment - 1:00 P.M. to 9:00 P.M.

Shift Premium Payment - 6 hours @ \$.10 per hour

Example 4:

Shift Assignment - 9:00 P.M. to 5:00 A.M.

Shift Premium Payment - 2 hours @ \$.10 per hour

6 hours @ \$.20 per hour

An employee who is on paid or unpaid leave will not receive shift premium payment. Shift premium payment does not apply when an employee receives overtime or any other type of premium payment.

Police Captains and Police Lieutenants assigned to a ten (10) hour workday shall receive shift premium as follows:

Work Schedule	Rate
3:00 p.m. to 1:00 a.m.	\$.25 per hour
7:00 p.m. to 5:00 a.m.	\$.30 per hour
11:00 p.m. to 9:00 a.m.	\$.35 per hour

Police Captains and Police Lieutenants assigned to a eight (8) hour workday shall receive shift premium as follows:

Work Schedule	Rate
3:00 p.m. to 11:00 p.m.	\$.25 per hour
11:00 p.m. to 7:00 a.m.	\$.35 per hour

A Police Captain or Police Lieutenant on paid or unpaid leave will not receive shift premium payment. Shift premium payment does not apply when an employee receives overtime or any other type of premium payment.

Employees in the classification of Airport Operations Specialist are exempt from the provisions of this Article.

11.07 Health and Safety

Uniform Clothing

Statement of Policy

Employees who are provided a uniform must be in uniform while on duty and are responsible for maintaining the uniform in presentable condition. All uniform clothing issued and paid for by the City remain the property of the City at all times and must be worn only while on duty. All uniform clothing paid for by the City must be returned upon separation from the City service.

Uniform Issue

Police Lieutenant, Police Captain and Assistant Police Chief

Employees in the above classifications must maintain the following issue of uniform clothing:

- one (1) cap
- one (1) jacket

- two (2) long sleeve shirts
- two (2) short sleeve shirts
- two (2) pairs of trousers
- one (1) necktie

Employees in these classifications receive a yearly cash allowance of five hundred fifty dollars (\$550.00) for the purpose of maintaining and replacing the uniform.

An employee who is required to wear plain clothes may use the uniform allowance to purchase plain clothes as well as the required uniform clothing. Plain clothes purchased under this section need not be returned to the City upon separation from the City service.

Assistant Fire Chief, EMS Supervisor and Assistant Fire Marshall

Employees in the above classification must maintain the following issue of uniform clothing:

- one (1) cap
- one (1) jacket
- six (6) shirts
- three (3) pairs of trousers
- one (1) dress uniform consisting of one (1) pair of trousers and one (1) coat
- one (1) necktie

Employees in this classification receive a yearly cash allowance of five hundred fifty dollars (\$550.00) for the purpose of maintaining and replacing the uniform.

All Other Employees

The City provides required uniform clothing at no cost to the employee. Uniform clothing articles must be replaced as needed, but employees are liable for loss or damage to clothing caused by negligence. Replacement of uniform clothing articles is subject to the approval of the employee's supervisor.

Safety and Uniform Equipment

The City provides all protective clothing, protective devices, safety equipment and uniform equipment required to be worn or used by employees at no cost to the employee. Employees must return such items to the City upon separation from the City service.

Medical Examination/Pre-Employment Assessment

After an offer of employment has been made, and as a condition of employment, employees may be required to undergo and pass a medical examination paid for by the City and performed by a physician or healthcare provider designated by the City. Additionally, when, in the judgment of the City Manager, department manager or Human Resources Director, an employee's physical or mental condition adversely affects the employee's ability to perform the essential functions of the employee's position, or endangers the employee's health or safety and/or the health and safety of others, the employee may be asked to undergo a complete medical examination paid for by the City and conducted by a healthcare provider chosen by the City.

11.08 Educational Incentive Plan - Sworn Fire and Police

Employees

To qualify for this benefit, employees in the classifications of Police Lieutenant, Police Captain and Assistant Police Chief must have completed at least sixty (60) semester hours of course work at an accredited university or college with a minimum of twelve (12) semester hours of course work in professional law enforcement. Employees must have achieved an overall grade of "C" in order to be eligible for this benefit. The following represents a descriptive list of acceptable courses: Law Enforcement, Police Administration, Criminal Law, Juvenile Delinquency, Correctional Philosophy, Traffic Administration, Criminal Investigation, Police-Community Relations, Criminal Procedures and Evidence, American Government, Public Administration, Legislative Process, American Political Parties, Judicial Process, Municipal Government and Urbanism, American Constitutional Law, General Psychology, Social Psychology, Personal and Industrial Psychology, Abnormal and Criminal Psychology, Principles of Sociology, Social Problems, Race and Ethnic Relations, Criminology and Sociological Research. To receive consideration for this benefit, employees must submit to the Chief of Police a certified transcript(s) from the college(s) or university(ies) attended. The Chief of Police will determine whether an employee is eligible for this benefit. Employees qualifying for this benefit will receive an additional four (4) percent of their regular rate of pay.

Employees in the classifications of EMS Supervisor and Assistant Fire Marshal who possess an associate degree in Fire Science from an accredited college or university will receive payment in the amount of \$105 per month. In order to verify eligibility for this payment, employees must provide a certified transcript from the college or university that awarded the Fire Science degree.

11.09 Tuition Assistance, Reimbursement Program

Purpose

The purpose of the City's support of personal, professional career development is to enhance the employee's potential for productivity in a City position, and to aid in the employee's personal growth and development within the City Organization. The City believes this will result in long-term improved services to our customers and help build a professional, productive, and efficient workforce.

Employees are encouraged to take advantage of educational opportunities through courses, programs or degree studies that reasonably relate to current job responsibilities or possible future City assignments or that will help employees grow personally and professionally and ultimately improve productivity, efficiency, and customer service.

Eligibility

The Tuition Reimbursement Program is open to all regular full-time and regular part-time employees who have been employed by the City for one year or more and who are not eligible for any other City educational program or benefit. Course work must be pursued at an accredited educational institution or from an educational provider that is approved in advance by the employee's department manager. Course work must be scheduled outside normal working hours; however, exceptions may be approved in advance by the employee's department manager.

Procedure

Prior to enrollment, a Tuition Reimbursement Program form must be completed by the employee and approved by the department manager. The department manager submits the form to Human Resources for review by the Employee Development Committee. Each applicant must submit a career action plan indicating how the requested class fits into an overall career plan. The request must be reviewed and approved at least two weeks prior to enrollment. The employee will be notified promptly of approval or disapproval.

Applications should be submitted by term, and courses within each application are approved on a course-by-course basis. Courses may be approved that are not directly related to the employee's current position, but that would enhance an employee's ability to advance an employee's career or provide better customer service. Upon completion of all course work for the term, the employee must submit a tuition receipt, a school calendar showing the dates of the term, and a grade report to the Development and Learning Manager with a copy to the department manager.

Qualifications

A course grade of B or 80% or above is necessary to receive a 50% reimbursement of tuition, and a course grade of C or 70-79% is necessary to receive a 25% reimbursement of tuition. Reimbursement is based on funds available, for all course work. Pass/fail courses do not qualify. In the event a letter grade is not given, evidence of a satisfactory completion in the form of a certificate or a diploma must accompany the receipt. Request for reimbursement for tuition costs must be submitted within 30 days of the course completion of the term.

Reimbursement will be made for tuition costs only. The cost of books, materials, student fees, etc. are not eligible for reimbursement.

Reimbursement is reduced by the amount of any government, college or other program grant, scholarships, fellowships, etc. that the employee may receive.

Cap

Employees are limited to a maximum reimbursement cap per term and calendar year, based on the total funds available. The reimbursement cap is established each fiscal year.

11.10 Professional Certification and Recertification

Purpose

It is the City's policy to support the professional and career development of employees. This includes covering the cost, up to the cap identified below, for certifications or recertifications that

are either required or preferred for a position held by an employee. The purpose of the City's support of certification and recertification is to allow employees to demonstrate their level of expertise in their chosen profession and to assist them in operating in accord with best practices as they carry out their duties for the City of Dubuque.

Eligibility

Employees are generally encouraged to work with their department manager on a professional development plan. When elements of that plan include pursuing certification or recertification that is either required or preferred for the job the employee currently holds or for another job within the employee's department, this Certification and Recertification Policy applies. In general, all full-time regular employees are eligible for City funded certification or recertification costs for any positions within their home department after one year of employment, unless certification or recertification is provided for in a department policy. Employees who are seeking certification or recertification as part of a professional development plan to pursue a position outside of their home department should utilize the Tuition Reimbursement Program. Using both this policy and the tuition reimbursement program together to cover the costs for any single certification is not permitted.

Procedure

Employees should set forth in their development plan the specific certification or recertification they would like to pursue. This information should be provided to the employee's department manager prior to September 1 of each calendar year so that it can be evaluated as part of the following year's budget process. Employees should work with their department manager or supervisor on estimating costs, which can include study materials, course fees, exam fees, continuing education units, certification fees, and associated travel costs. The most cost-efficient alternatives shall be pursued in order to maximize funding availability for all employees.

Department managers will incorporate certification and recertification requests into the department's budget requests following general budget guidelines, as well as the guidelines in this policy. Once budgeted, the City will directly pay for budgeted costs, up to the cap below, following general purchasing and travel policies. Employees will be responsible for the balance of any costs that exceed the cap and/or the budgeted amount.

Cap

Any single employee is limited to a maximum budget allocation of \$3,500 per fiscal year. When budgeting, departments will prioritize certifications and recertifications as follows:

1. Any certifications or recertifications for a department employee who currently holds a position requiring those certifications;
2. Any certifications or recertifications for a department employee whose professional development plan includes seeking a position that requires those certifications;
3. Any certifications or recertifications for a department employee who currently holds a position preferring those certifications;
4. Any certifications or recertifications for a department employee whose professional development plan includes seeking a position that prefers those certifications.

11.11 Employee Allowance for Commuting to Work Expenses

Effective Date: The first full pay period of July 2022

Replaces Administrative Policy 7.03 "City Hall Municipal Parking Lot"

Purpose

The purpose is to provide a more equitable benefit regarding the costs of commuting and/or parking for City employees who present for work in downtown buildings where employees may need to pay for parking. Employees are encouraged to avail themselves of public transportation and mode-neutral, more sustainable commuting means such as carpooling, bicycling to work, and others.

Eligibility

Eligible employees are all regular full-time and regular part-time employees and non-employee AmeriCorps members, who have an assigned work location in one of the following buildings to which they report regularly and for whom the respective departments have budgeted sufficient funds:

- City Hall
- City Hall Annex
- Ruby Sutton Building
- Historic Federal Building
- Dubuque Law Enforcement Center
- Carnegie-Stout Public Library

Benefit Description

City Municipal Parking Lot Assigned Parking Spaces

The City has a limited number of unmetered parking spaces available in municipal lots. Each assigned employee's department is charged an annual fee for that parking spot, and is tasked with coordinating with the Transportation Services department to manage those spaces.

Commuter Allowance

Eligible employees who are not assigned a parking space in a City municipal parking lot, may receive a monthly Allowance in the amount of \$42.00. The Allowance may be used towards personal transportation expenses such as, but not limited to, a paid parking space in a City or private lot, a monthly full transit bus pass, parking meter expenses, bicycle-related expenses, or other personal transportation expenses. This allowance is considered taxable income.

Bicycle Racks

Bicycle racks are located near most City buildings, or employees may contact the Facilities Manager to request additional placement. Employees who ride a bike to work are encouraged to lock the bike to the rack. The City will not be responsible for lost, stolen or damaged bicycles while on City

property. While not required by State of Iowa law, employees are highly encouraged to wear helmets while riding.

Disabled Parking

Specific parking stalls are reserved in some lots for persons with physical disabilities and are marked by signs. Parking is by special permit available only for disabled persons. When a motor vehicle with a special license plate or identification card issued by the Department of Motor Vehicles that is being operated by, or used for transportation of a disabled person, this motor vehicle may park in any space which is clearly marked as being reserved for the use of the disabled or persons responsible for the transportation of a disabled person.

Procedure

A Standard Operating Procedure will be established for each of the buildings listed above.



CHAPTER 12

Employee Relations

12.01 Grievance Procedure

Definition

A grievance means a dispute or disagreement raised by an employee involving the interpretation or application of specific provisions of this Handbook. Any matters governed by Civil Service law are not grievances and are not subject to this grievance procedure. Any disciplinary actions which may be appealed to the Civil Service Commission are not grievances and are not subject to this grievance procedure. Any action or claim under the jurisdiction of the Civil Service Commission must be processed in accordance with Iowa Civil Service law. In case of doubt, the action will commence initially under Civil Service procedures. If jurisdiction is ultimately denied by the Civil Service Commission, the dispute may be appealed to the grievance procedure. If jurisdiction is denied, the grievance will commence at Step 2 of the grievance procedure within five (5) days of such denial. Employees may process grievances as outlined below after completion of the probationary employment period. During the probationary employment period, employees cannot utilize the grievance procedure for any matter arising during the probationary employment period.

Complaints involving an allegation of discrimination are to be filed per the discrimination or harassment complaint procedure and are not a proper subject for the grievance procedure of this Handbook or the appeal procedure set forth in Chapter 400, Code of Iowa. The process for reporting concerns of discrimination is set forth in other provisions of this handbook or administrative policies:

Procedure

Step 1

An aggrieved employee considering filing a grievance must first contact the employee's immediate supervisor within five (5) days of the underlying occurrence or event to explain the grievance to the supervisor. The immediate supervisor must attempt to adjust the grievance within five (5) days after being presented with the grievance.

Step 2

If the outcome of Step 1 does not satisfy the employee, the employee may submit a written statement of the grievance to the employee's department manager within five (5) days of receipt of the supervisor's oral response. The department manager must respond in writing to the grievant within five (5) days of receipt of the written grievance.

Step 3

If the grievance remains unresolved, the employee may present the grievance in writing to the City Manager, together with a copy of the reply from the department manager, within five (5) days of receipt of the department manager's response.

The City Manager will hold a hearing within ten (10) days of receipt of the appeal. The employee and the employee's representative and City representatives have the right to present information necessary to assist the City Manager in reaching a decision on the grievance. The City Manager will issue a decision within fifteen (15) days of the completion of the hearing. The City Manager's decision is final and binding.

Time Limitations

The time limits specified for each step in the grievance procedure may be extended by mutual consent. All time limits exclude Saturdays, Sundays and holidays, and all references to days mean workdays. If an answer to a grievance is not given to the employee by the City within the time limits specified in this chapter, the grievance may be appealed to the next step of the grievance procedure. Failure by the employee to comply with any time limits constitutes a withdrawal of the grievance.

City Council Relations

Employees shall process all grievances and complaints arising from their employment through the provisions of collective bargaining agreements except as otherwise provided by Chapter 400 (Civil Service Law) of the Code of Iowa, or in the case of non-bargaining unit employees, through the provisions of the Employee Handbook. Employees are not to appear before the City Council and/or boards/commissions unless granted permission to do so by the City Manager.

This section does not preclude an employee from petitioning the City Council and/or board/commission while off duty with respect to matters not relating to their employment with the City.

12.02 Layoff and Recall

Civil Service Employees

Employees covered by Civil Service are laid off and recalled in accordance with Chapter 400, Code of Iowa. During layoff, employees do not receive or accrue any benefits or pay as provided for in this Handbook.

Non-Civil Service Employees

Except as otherwise expressly provided for within a Collective Bargaining Agreement or Federal or State law, which shall supersede this policy if contradictory, the following policy applies to all City employees.

Objective

If the City of Dubuque determines that it must reduce the workforce because of adverse economic or other conditions, then layoffs and recall from layoffs will generally be conducted in a manner that is consistent with the procedures described below.

Procedures

Layoff

- If a layoff is expected, the City of Dubuque will attempt to communicate information about an impending layoff as soon as possible considering the City's interests and compliance with state and federal notice requirements.
- Employees will generally be selected for layoff based on the multiple criteria that follow, although not in this particular order:
 - Employee's skills, abilities, knowledge, and versatility across the organization
 - Employee's education and experience levels
 - Employee's quantity and quality of work
 - Employee's attendance history
 - Employee's tenure within the organization
- An employee's length of service is measured from the original date of employment with the City if there has not been a break in service greater than 30 days. Employees with breaks in service greater than 30 days, but less than one year, are credited only for their time actually worked; that is, the break in service time does not get credited in an employee's length of service unless required by law. Employees with a break in service greater than one year will receive credit for service from their most recent date of hire with the company.
- Employees selected for layoff will be given as much notice as is required by law or as much as is reasonable under the circumstances.
- If the layoff is expected to exceed 30 days, unused vacation days accrued will be paid at the time of layoff. Employees who are laid off will not continue to accrue vacation or sick leave during the layoff.

Recall

- Employees who are laid off will be maintained on a recall list for six months or until management determines the layoff is permanent, whichever occurs first. Removal from the recall list terminates all job rights the employee may have. While on the recall list, employees should inform the human resource (HR) department if they become unavailable for recall. Employees who do not keep a current personal email address, home address and phone number on record with the Human Resources department will lose their recall rights.
- Employees will be recalled according to the needs of the City, the employee's classification and ability to perform the job. Notice of recall will be sent by email to the person's personal email address and registered mail, return receipt requested, to the employee's home address on record. Unless an employee responds to the recall notice within seven days following receipt of the notice or its attempted delivery, the employee's name will be removed from the recall list and the employee will no longer have any job rights with the City.
- Credit for seniority will continue to accumulate during any layoff of 30 days or less. Employees laid off for more than 30 days and subsequently recalled within six months from the date of layoff will be credited with the service accumulated at the time of layoff. If the layoff is expected to exceed 30 days, unused vacation days accrued will be paid at the time of layoff. Employees who are laid off will not continue to accrue vacation or sick leave during the layoff.

12.03 Separation from Service

In addition to the reasons set forth herein, an employee's seniority and employment relationship are terminated for any of the following reasons:

- Voluntary Resignation
- Retirement
- End of Appointment
- Involuntary Termination/Discharge
- Layoff/Reduction in Force
- Service Closure

Resignation and Retirement

Employees resigning or retiring from the City service must provide written notice to their supervisor, and a copy to the Human Resources Department, at least two (2) calendar weeks or ten (10) working days in advance of the effective date of the resignation or retirement. Resignation notices must include the effective date of and reason for the resignation. Employees who voluntarily separate from the City and who are not eligible to receive pension payments immediately after separation are considered to have resigned.

12.04 Employee Assistance Program

The Employee Assistance Program (EAP) is a full-service resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. The City wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP includes, among other services and resources, a confidential counseling and referral service that can help employees successfully deal with life's challenges and both supports and enhances the health and well-being of employees, families, and workplaces.

The free, comprehensive counseling service provides employees and members of employees' households easily accessible and high-quality counseling services in a safe and confidential setting to address issues such as depression, anxiety, addiction, family or marital conflict, and/or other concerns that impact daily functioning and quality of life.

As a full-service resource EAP also provides free many resources in the areas of Wellness Solutions, Management Consultations and Referral, Crisis Response, and much more.

A complete list of services and resources may be accessed at www.efr.org/myeap or 800.327.4692

The City encourages employees to use this valuable service whenever they have such a need. Employees who choose to use the counseling and other services are assured the information disclosed in their sessions is confidential and not available to the City, nor is the City given any information on who chooses to use the services. For questions or additional information about this program, employees may contact the Human Resources department.

CHAPTER 13

This chapter is intentionally left blank.

CHAPTER 14

Acknowledgment Forms

Employee Handbook Acknowledgment and Receipt

I hereby acknowledge receipt of the employee handbook of the **City of Dubuque**. I understand and agree that it is my responsibility to read, understand, and comply with the policies in the handbook.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. Neither it, City practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal, and change by management at any time without notice.

I further understand that, except as provided for within a collective bargaining agreement or state or federal statute, I am an at-will employee and that neither this document nor any other communication shall bind the City to employ me now or hereafter and that my employment may be terminated by me or the City without reason at any time. I understand that no representative of the City has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment or make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the City Manager or Human Resources Director may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the Department Manager.

Employee's Name in Print

Signature of Employee

Date Signed by Employee

Receipt of Harassment Policy

I have read and I understand the City's Harassment Policy.

Employee's Name in Print

Signature of Employee

Date Signed by Employee

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OUR VALUES

SPIRIT describes our values and how we approach our daily work and long-term goals.



SERVICE
PEOPLE
INTEGRITY
RESPONSIBILITY
INNOVATION
TEAMWORK