

GROTON CITY PERSONNEL MANUAL

POLICY #1: PURPOSE AND USE

1.1 Purposes.

The purpose of this policy and benefits manual for personnel administration are enacted by the City of Groton in order to further the following goals:

(1) To provide a uniform and sound personnel administrative system throughout the municipality of Groton.

(2) To inform employees of the general policies and procedures of the City and the benefits and obligations of employment with the City.

(3) To ensure that all personnel actions are based upon employee qualifications (knowledge, skills and abilities) and job performance and are in compliance with federal and state law.

(4) To serve as written documentation of the City's commitment to fair employment practices and equal employment opportunity.

(5) To assist managers in carrying out sound, equitable and consistent personnel administration and in making effective use of their human resources.

(6) To promote and encourage communication between the employer or supervisor and the employee.

(7) To protect the rights of the employee and employer throughout the employment relationship and to ensure that the responsibilities of both parties are carried out.

1.2 Applications.

This manual is not meant to be an all-inclusive personnel manual, but rather an overview of current policies and practices. This manual applies to all regular, full-time employees of the City of Groton, and to all regular, part-time employees to the extent and as described in employee classifications.

1.3 Revision.

The City of Groton specifically reserves the right to repeal, modify or amend any of these policies at any time, with or without notice, upon a majority vote of the governing board.

1.4 Disclaimer.

The City of Groton recognizes that South Dakota is an employment at-will state and the intent of this City is to maintain that employment at-will status of all employees. This manual does not confer a contract of employment. The policies, procedures, rules, and benefits contained herein are subject to change upon majority vote of the City Council. These policies are provided as a reference of present policies and not a guarantee of employment or specific employment benefits.

POLICY #2: GENERAL POLICIES

2.1 Equal Employment Opportunity.

It is the policy of the City of Groton to recruit, hire, train, promote, discipline and discharge all applicants and employees equally and without regard to race, religion, creed, color, national origin, sex, age, disability, political affiliation, marital or veteran status, or any other basis prohibited by state or federal law. Violations of this policy by any City employee may be cause for immediate disciplinary action. Any employee who feels they have been discriminated against according to this policy should bring this concern to his/her supervisor or higher authority according to the procedure specified herein.

2.2 Harassment/Discrimination.

The City of Groton is committed to providing a work environment that is free from discrimination and harassment. To maintain this commitment, the City will not tolerate **any** form of harassment, including sexual harassment. Harassment on the basis of race, religion, color, national origin, sex, age, disability or any other basis prohibited by state or federal law will not be tolerated. Employees must avoid any conduct that could be viewed as harassing or offensive even if the conduct does not violate federal or state law. Harassment and offensive behavior may take different forms and may be verbal, non-verbal or physical in nature. Under this policy, sexual harassment is defined as behavior of a sexual nature which is unwelcome and personally offensive to its recipient. This sexual harassment policy also applies to same-sex harassment. It is a form of employee misconduct which is demeaning to another person and undermines the integrity of the employment relationship.

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. By threat or insinuation, either explicitly or implicitly, an employee's refusal to submit to sexual advances or refusal to tolerate or participate in unwanted conduct or communication of a sexual nature will adversely affect the employee's terms and conditions of employment, including but not limited to wages, advancement, evaluation, assigned duties, shift assignment, career development, etc.

2. Any conduct or communication of a sexual nature has the purpose or effect of substantially interfering with work performance or of creating a hostile, intimidating, or offensive employment environment that may be considered offensive to another employee, including but not limited to:

- Repeated sexual flirtations, advances, or propositions;
- Continual or repeated verbal abuse of a sexual nature;
- Foul language;
- Unwanted physical contact;
- Graphic verbal commentaries about an individual's body or manner;
- Sexually degrading words used to describe the individual;
- The display of sexually explicit pictures, cartoons, or other materials.

Any employee who feels he/she has been sexually harassed or that his/her personal rights have been violated should immediately report the matter to his/her immediate supervisor unless the supervisor is the offending party. If the supervisor is unavailable, or the employee believes that it would be inappropriate to contact his/her supervisor, the employee should immediately contact

the Mayor. Any supervisor or manager who becomes aware of any possible sexual harassment shall immediately advise the Mayor.

The municipality will make a thorough, confidential, and impartial investigation of the complaint. All employees must cooperate with any such investigation. The City will take prompt remedial measures to immediately end the offending action.

Harassment and discrimination of any kind in the work place is prohibited by Federal and State law, whether committed by supervisory or non-supervisory employees, and will not be tolerated. Retaliation or intimidation directed toward a complaining party is also prohibited by law and will not be tolerated by the City under any circumstances. A legitimate complaint of sexual harassment will not have any bearing on the terms and conditions of employment of the complaining party, including but not limited to wages, advancement, evaluations, assigned duties, shift assignments, career development, etc. The City will not tolerate sexual harassment of or by any non-employees, such as customers, visitors, or others. A formal complaint of sexual harassment may be initiated in lieu of, during, or following this informal process as provided by State or Federal law. All employees, including supervisors and managers, are responsible for reminding employees on a reoccurring basis of this policy, and all are responsible for assuring that the work place is free of sexual harassment. Violations of the above stated policy by any employer, supervisor, co-worker, or other employee may be cause for immediate disciplinary action.

2.3 Americans with Disabilities Act:

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments (ADAA) provides rights and protection to individuals with disabilities in the areas of employment. The City of Groton is committed to the fair and equal employment of individuals with disabilities under ADA and ADAA. It is also the City's policy to provide reasonable accommodations to qualified individuals with disabilities unless the accommodations would impose an undue hardship on the City. The employee or employment applicant shall inform the Mayor of the need for an accommodation, and the City shall engage in an interactive process regarding the request. The City may request documentation of the functional limitations to support the request.

Any individual who believes that he/she or a specific class of individuals with disabilities has been subjected to unlawful discrimination on the basis of that disability by the City, may, by himself or herself or by any authorized representative, file a complaint with the City. Complaints should be written and addressed to: ADA Coordinator, City of Groton, PO Box 587, Groton, SD 57445-0587. The Finance Officer has been designated to coordinate ADA compliance efforts.

Nothing prevents an individual from pursuit of other remedies including filing the complaint with any federal agency he/she believes is appropriate or with the U.S. Department of Justice.

2.4 Violence in the Workplace Prohibited.

The City of Groton unequivocally condemns harassing, intimidating, threatening, or assaulting behavior, speech or actions by any City employee against any employee or the public at and away from the workplace. In addition, the City will not tolerate intentional damage to City property by City employees. The City unequivocally condemns violence in any form in the

workplace by its employees. Any employee who violates this policy will be subject to discipline up to, and including, discharge. Employees having knowledge of violation of this policy shall report such violations to the Mayor or to the City Council President if the complaint involves the Mayor. The City will assist law enforcement in the prosecution of anyone who commits violent acts against employees.

2.5 Weapons Prohibited.

For the safety of City employees and the public, no person will be permitted to bring or possess firearms, explosives, or other weapons on City property, except those individuals authorized to do so in the course of their duties with the City. Examples of prohibited weapons include, but may not be limited to:

- A. All types of firearms, including rifles, shotguns, pistols.
- B. Archery equipment, including arrows, hunting bows, crossbows.
- C. Large hunting or weapons-style knives, including “bowie” knives, machetes, stilettos, or switchblades, etc. (This does not prohibit possession of personal, folding pocket or penknives or other bladed tools used in the course of work activities.)
- D. All explosive devices or explosive materials used in such devices.
- E. Other objects clearly designed or intended to be used as weapons, such as nunchakus, clubs, brass knuckles.

Duly authorized educational programs, demonstrations, displays, dramatizations, competitions, or other similar public events as approved by the respective department may be exempted.

2.6 Accident Investigation.

All work related accidents and injuries, no matter how minor, should be reported to the Finance Officer immediately. This is for your protection in case medical attention is necessary or in the event of some future complication caused by the accident.

The City provides workers’ compensation insurance for every employee. It protects you for loss of pay and time and for the cost of medical care for injuries sustained while working. For details, see the Workers’ Compensation policy in this handbook.

If you are involved in an automobile accident while working or while driving a City rented vehicle, you should:

- Obtain all information relating to the accident in a professional manner, including the names and addresses of any witnesses.
- Do not negotiate the settlement of any claim, promise payment for any injury or damage or admit liability.

2.7 Seat Belt Policy.

The City of Groton is committed to prevent injury to employees, prevent damage to property and to protect the employees and the public from the results of accidents. The City realizes that safety belts are an important and efficient means to accomplish this goal. Thus, it is the policy that all City employees and their passengers shall be required to use seat belts when driving any City owned or leased vehicle (if equipped with seat belts) or while driving their personal vehicle on official City business. Failure to comply with this policy may result in disciplinary action.

2.8 Outside Employment.

Employees shall not accept additional outside employment except with the prior written approval of the Mayor. Such approval will not be granted when additional employment will interfere, conflict with, or adversely affect the employee's City duties and responsibilities. The Mayor may rescind prior approval if the additional outside employment begins to interfere with the employee's City duties. The Mayor shall provide the employee with written notification if the approval is to be rescinded.

2.9 Performance Discussions.

Performance discussions are designed to provide the employee with a record of his/her performance, to encourage professional growth and to promote communication between the supervisor and employee. The performance discussions will be conducted by the supervisor as time permits or circumstances require.

The performance discussions are to be structured to each employee's position. The purpose of the discussions is to commend strengths, address weaknesses, suggest ways to improve, and discuss employee goals, and objectives. Discussions will be conducted in a private meeting between the employee and supervisor. If written notes are kept by the supervisor of the discussion, the employees are required to sign the notes and will receive a copy. Signing does not imply agreement, but that the contents have been made know or discussed with the employee. If notes are kept, the supervisor may use any form of his/her choosing.

2.10 Personnel Records.

2.10.1 Personnel File.

It is the policy of the City to maintain accurate and updated information on each City employee in its personnel files. The personnel file may include the following, but will not include any information contained in the confidential file listing:

- personal data sheet
- letters of commendation
- payroll deduction authorizations
- I-9 and W-4 form
- leave and absence slips
- disciplinary actions
- termination or discharge record
- previous positions held with the municipality and rates of pay
- performance appraisals
- signed receipt of Policy Statement

The Finance Officer shall be responsible for maintaining all personnel records. In the absence of the Finance Officer, the Deputy Finance Officer shall assume responsibilities for such personnel records. All employee records are confidential. Such records shall be accessible only to the individual employee, and the Mayor, and any others with a demonstrated need to know (such as in legal proceedings).

The employee or his/her representative shall have reasonable access to his/her personnel records upon request to the Finance Officer. The file will be made available to the employee's representative only upon express written authorization by the employee.

No written incident report or records of disciplinary action shall be placed in an employee's personnel file unless the municipality first advises the employee of its intent to enter such document into the file and affords him/her an opportunity to read and sign such material. Signing does not imply agreement; only that the contents have been made known to or discussed with the employee.

The employee shall have the express right to submit a letter of rebuttal to his/her file regarding any information contained in his/her file that is in dispute.

2.10.2 Changes of Name, Address, Telephone and Withholding Status.

It is the employee's responsibility to inform the Finance Officer of any changes in name, address, telephone number or withholding status. An employee must immediately report any of the above or other pertinent changes. Intentional failure to report such information is grounds for disciplinary action.

2.10.3 Benefits, Medical and Confidential File.

The City of Groton maintains a complete confidential file on each employee. This file may include:

- benefit forms (retirement, health and life insurance, etc.);
- injury reports and workers' compensation information;
- necessary medical examinations and records;
- Harassment/discrimination investigatory documents

kept in a separate file or sealed within the benefits, medical, and confidential file.

Access to this file is limited to the Finance Officers and on an absolute need to know basis only as deemed appropriate by the Finance Officers.

2.11 Employment References.

Absent a written authorization from the employee, it is the City's policy to provide only the following information on both present and past employees:

- if an employee has been employed with the City in City government service
- dates of employment
- current position or position at the date of separation from employment and other positions held
- verification of salary information.

Any written information disclosed about the job performance of an employee or former employee to a prospective employer or the employee or former employee at the written request of the prospective employer or the employee or former employee is presumed to be done in good faith and, unless lack of good faith is shown by clear and convincing evidence, the disclosing party and the City of Groton may not be held liable for the disclosure or its consequences. Any written response to the written request shall be made available to the employee or the former employee upon written request.

2.12 Executive Session - Personnel Discussion.

It is the policy of the governing board to recess into executive session to discuss personnel issues such as employee qualifications, competence, performance, and character or fitness. However, in accordance with South Dakota's open meeting law, no official action will be taken except in an open official meeting. Such sessions are called to protect the employer/employee relationship.

2.13 Political Activity.

Employees are encouraged to exercise their right to vote in City elections, but shall not engage in or participate in any other way in said elections, except with permission of the governing body. Failure to comply with this provision will result in immediate disciplinary action.

Any employee who intends to give testimony in a legislative process involving issues relevant to the City of Groton or the employee's position with the City, the employee must get permission from their supervisor. This does not prohibit the employee from taking leave and testifying for themselves or exercising their rights as citizens.

Employees should not have direct or indirect conversation with state or federal legislators or their staff involving policies relating to the City without knowledge of the appropriate supervisor.

2.14 City Property.

2.14.1 Property in General.

Property owned by the City of Groton shall only be used for City business. Any use of City property for personal use may result in disciplinary action. Employees who separate from employment shall return all City property. Where any outstanding debts for equipment loss or unauthorized charges exist, the City may consider the employee to have left on unsatisfactory terms and may be subject to legal action for recovery of the loss.

2.14.2 Telephone Policy.

While personal phone calls are not prohibited, their frequency, duration, and volume should not interfere with on-going work nor distract fellow employees. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate attention.

Employees are not permitted to make personal long-distance telephone calls using the City's telephones or telephone credit card, except in emergencies. Employees may place personal long-distance calls if they use their personal calling card or call collect.

Violations of any portion of the telephone policy may lead to disciplinary action.

A) Personal Cellular Phones.

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City phones. The City will not be liable for the loss of personal cellular phones brought into the workplace.

B) Personal Use of City-Provided Cellular Phones.

In its discretion, the City may issue a business cell phone to an employee for work-related communications.

Employees are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested may be expected to bear the cost of a replacement.

C) Safety Issues for Cellular Phone Use.

Employees are expected to refrain from using their phone while driving. Safety must come before all other concerns.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

D) CDL Mobile Phone Use.

All holders of Commercial Driver's Licenses are banned from hand held mobile telephone use. The Federal Motor Carrier Safety Administration defines a mobile phone as "a mobile communication device that falls under or uses any commercial mobile radio service." This includes "satellite telephone service or a broadband radio service or push-to-talk phones." Citizen's band and two-way radios are not covered. One touch single button on mobile telephone or headset to initiate, answer, or terminate a call will be allowed. Employees are disqualified from driving a CMV for 60 days if convicted of two hand-held violations in any three-year period; or disqualified for 120 days if convicted of 3 or more hand-held violations in any three-year period; and employers may be fined up to \$11,000 in civil penalties if convicted of violating the prohibition on requiring or allowing hand-held cell phone use. Employee fine for a first offense is \$2,700.00.

E) Privacy.

All camera equipped mobile devices must be turned off and put away in areas where employees have an expectation of privacy, such as restrooms, except in the case of emergencies. All picture taking and videotaping is prohibited unless approved by management.

2.14.3 Fax Machine and Copier.

These machines are to be operated only by City employees. There is no charge to the consumer for use of the fax machine or copier if that use is directly related to the transaction of the requesting party's private business with the City. All other copy or fax requests shall be charged:

Fax – Incoming and outgoing rates as set by the City Council on file at the City Finance Office.

Copies – Rate as set by the City Council on file at the City Finance Office.

2.14.4 Credit Card Use.

The City may issue a business credit card for use by the employee for payment of work related expenses. The employee must take safeguards to insure that the card is not lost or stolen, but if it is, the loss must be reported to the Finance Officer immediately so that the card can be cancelled immediately. The employee is not permitted to make payment of personal items on this card account. Copies of all receipts for charges on this card must be given to the Finance Officer within three (3) days of the transaction or the employee will be held liable for payment of the charges personally.

2.14.5 Computer and Internet Policy.

A) General Terms.

The City of Groton provides access to computers, networks, internet and electronic mail (e-mail) to assist employees to do their jobs more efficiently. Every employee has a responsibility to maintain and enhance the City's public image and to use the above listed tools in a productive, businesslike manner. The electronic equipment listed above is City owned property, thus its access and use, except in limited circumstances listed below is for OFFICIAL USE ONLY. The City's electronic equipment is to be used only for official City business;

however, brief and occasional e-mail, browsing the internet and use for non-business and/or personal matters within the confines of good judgment and within the guidelines herein described will not be deemed a violation of City policy. Usage for personal and/or non-business reasons must not impede the conduct of the City's business and must not cause the City to incur any direct cost. An employee assumes full risk and responsibility for the exercise and application of good judgment; and all personal usage of the City's electronic equipment is subject to later review and determination of the City, on a basis which may arguably be subjective, as to whether or not the personal usage was within the confines of good judgment and not an abusive misuse of public property. Employees shall have NO EXPECTATION OF PRIVACY, regarding their use of e-mail or the internet. All records created by internet use or e-mail are subject to inspection and audit by management or its representatives at any time, *without notice*. When using City e-mail or internet services, employees agree to allow the employer to review and monitor all messages they send, store, or receive on the system or any searches they make on web sites they visit using the City's internet server. By use of this equipment/system, the employee understands and consents to the *City's right to inspect, audit, and/or monitor*.

B) Discrimination/Harassment.

Employees are prohibited from using electronic equipment to violate the Harassment/Discrimination Policy, relating to all forms of harassment and/or discrimination.

C) Specific Rules and Prohibition.

-The creation, dissemination, download, upload, installation or copying of illegal or pornographic documents or images is strictly forbidden. Certain work related situations will exclude the Police Department from this rule.

-Employees must be aware of and comply with licensing and copyright restrictions applicable to software and data files they may access.

-Unless authorized, employees may not use another employee's personally assigned account, password, login, logout, user name, etc. or lend use of any of these to another person.

-Employee users must respect the privacy of others; employee users may not access private files or communications of others, even if unprotected, except by a management as stipulated within this policy.

-Employees shall not use the electronic equipment in a manner which results in damage to any City property (hardware or software); employees shall use all City provided computer equipment in a manner which shall not knowingly result in the introduction of computer virus or other destructive program or file to any City computer system.

-Accessing, posting, or sharing any racist, sexist, threatening, offensive, obscene, or otherwise objectionable material (whether visual, textual, or auditory) via the Internet or e-mail is strictly prohibited.

-Employees shall not use the City's computing equipment at any time to play games and view inappropriate materials.

-Employees shall not send indiscriminate e-mail message or chain mail.

-Forging or attempting to forge e-mail messages, or disguise or attempt to disguise the sender's identity when sending mail.

-Electronic equipment will not be used for personal commercial purposes, political purposes, illegal or unauthorized purposes.

D) Monitoring, Violations, Penalties.

-Violations of this policy shall be reported to the employee's supervisor.

-Monitoring individual usage of the electronic equipment by authorized individuals may occur. No expectation of privacy may be implied. Review of network and Internet activity may occur at any time.

-Violation of these policies may result in disciplinary action up to and including termination. Employees may also be held personally liable for any violations of this policy.

2.15 Blogging and Social Networking.

The City recognizes that Social Networking (such as personal web sites, blogs, Facebook, Myspace, Twitter, online group discussions, text messaging, message boards, chat rooms, etc.) can be used by employees for personal reasons as well as business purposes. The City also understand how the use of internet social network sites and blogs can shape the way the public views our products, services, employees, vendors, partners, and clients. The City respects the right of any employee to maintain a blog or post a comment on social networking sites. However, the City is also committed to ensuring that the use of such communications serves the needs of our business by maintaining the City's identity, integrity, and reputation in a manner consistent without values and policies. Therefore, the City of Groton has established the following rules and guidelines for communicating City-related information via Social Networking forums whether used in or outside the workplace:

2.15.1 Personal Blogging or Social Networking on City Time.

Employees may not post on a personal blog or web page or participate in a personal social networking site during working time or at any time with City equipment or property. Working time is your scheduled time of work not including lunch time, breaks, or time prior to or after your shift.

2.15.2 Disclaimer

If from your post in a blog or elsewhere in social media, it is clear you are a City employee, or if you mention the City, or it is reasonably clear you are referring to the City or a position taken by the City, and also express a political opinion or an opinion regarding the City's position or actions, the post must specifically note that the opinion expressed is your personal opinion and not the City's position. This is necessary to preserve the City's good will in the marketplace.

2.15.3 Restriction on Customers, Clients, Vendors, Products, and Services.

Employees are prohibited from soliciting City customers, vendors, or clients, vendors, or clients to be "friends" or contacts on any social or professional networking site except when the contact has also been divulged to the City or in cases where there is a pre-established relationship outside the City which has been disclosed to and approved by the Mayor at the time of employment or institution of this policy. Employees are not to advertise or sell any of the City's products or services on any website or social network.

2.15.4 Right to Monitor.

The City reserves the right to monitor all public blogs and social networking forums for the purpose of protecting its interests and monitoring compliance with City policies. The City reserves the right to access any City computers and electronic communication devices to monitor blogs and on-line websites. Employees should not maintain any expectation of privacy with respect to information transmitted over, received by, or posted on such sites.

2.15.5 Reporting.

If an employee believes that a blog or other online communication violates any City policy, the employee should immediately report the blog or online communication to his or her supervisor. The City will investigate the matter, determine whether such blog, posting, website, or communication violates City policies, and take appropriate action.

2.15.6 Employee Rights.

This policy does NOT supersede any local, state, or federal laws, or any other City policy regarding confidential information dissemination or standards of conduct. This policy is not intended to restrict any employee's rights to discuss wages and working conditions with co-workers or in any way limit employee's rights under the National Labor Relations Act.

2.16 Public Relations.

All employees are responsible for providing their particular City services to the public in a courteous, polite manner. All employees are expected to maintain high standards of conduct and cooperation in their duties for the City. The City feels an individual accepts an additional responsibility to the community by accepting a position with the municipality and urges its employees to act accordingly.

2.17 Smoking.

It is the policy of the City of Groton that smoking shall not be permitted in City buildings, facilities, or vehicles except in designated smoking areas.

2.18 Personal Appearance.

All employees are expected to exercise discretion and good taste in the matter of dress. Cleanliness and good grooming are expected of all personnel. Employees are expected to report to work each day in clean clothing.

Departments may require City issued uniforms be worn as their standard to ensure safety, consistency and public identification. Shirts shall be short-sleeved at a minimum. Clothing items purchased with City funds shall be worn or used during work hours. Employees who are issued work clothing will normally wear the issued clothing. Employees will have the same responsibilities to maintain work clothing as applies to other City issued property. Employees will be required to replace missing work clothing at their own expense if the work clothing is lost or stolen due to the employee's own negligence. Clothing items paid for with City funds shall not be worn when the employee is off duty unless authorized by the Department Head. When a shirt is considered unwearable, the shirt will be returned to the appropriate supervisor. The supervisor will cut off the City logo and then dispose of the shirt. Employees in the Police Department should refer to regulations in the Police Department manual.

The wearing of suggestive attire, soiled clothing or radical departures from conventional dress is not permitted. Tank tops with large baggy, gaping armholes are not permitted.

Employees wearing inappropriate attire will be instructed by their Supervisor not to wear the attire again. A second offense will result in the employee being asked to go home and change into appropriate attire. Third and subsequent offenses will result in a written further disciplinary action.

2.19 Solicitation. Solicitation on City property is not allowed.

POLICY #3: EMPLOYEE CLASSIFICATIONS

3.1 Definitions

Regular Full-Time Employee: An employee who is employed or appointed by the City to work a predetermined schedule of at least 40 hours per week and has completed their employee-in-training period. Benefits for full time employees are as follows: Full benefit for Vacation Leave, Sick Leave, Holiday Pay, Health Insurance-Individual Coverage and a Portion of Family Coverage (begins the 1st day of the month after 30 days of employment) , Life Insurance-Individual Coverage (begins the 1st day of the month following the date of employment), Personal Emergency Leave, Extended Disability, Funeral Leave, Jury Duty Leave, Military Service Leave, S.D. Retirement System (begins immediately after employment).

Regular Part-time Employee: An employee who is employed by the City to work at least 20 hours but less than 40 hours per week on a regular continuing basis and has completed his/her employee-in-training period. Not eligible for any benefits until annual average weekly hours equals 20 hours per week or more, then eligible for enrollment in SD Retirement System; or annual average weekly hours equals 30 hours per week or more, then eligible for enrollment in SD Retirement System, Health Insurance- Individual Coverage and a Portion of Family Coverage, and Life Insurance- Individual Coverage.

Temporary or Seasonal Employee: An employee who is employed by the City to work for less than 20 hours per week (part time) or less than 6 months. Not Eligible for Any Benefits.

Employee-in-Training: An employee who is newly hired by the City in a regular full [or part] time position who is completing his/her six-month training period. Vacation Leave-Accrue full benefits but may not use leave until completion of six-month training period. All other benefits are the same as their respective classification above, or else stated by City Council.

POLICY #4: RECRUITMENT AND SELECTION

4.1 Recruitment and Hiring Policy. It is the policy of the City of Groton to recruit and fill job vacancies with the most qualified individual for the position. The City has three methods of recruiting qualified applicants to fill job vacancies in City employment. These are: 1) promotion from within; 2) transfer from within; or 3) open announcement and advertisement. All selections shall be based on merit and fitness to fill the job vacancy. All recruitment efforts are based upon equal employment opportunity and conducted without regards to race, religion, creed, color, national origin, sex, age, disability, political affiliation, and marital or veteran status.

4.2 Job Announcement. Announcements for regular full-time and part-time job vacancies shall be made according to the position. Announcements may include the job title; a brief job summary; the minimum qualifications for appointment; the deadline for filing an application; and location to send application. All announcements and advertisements shall state that the City of Groton is an "Equal Opportunity Employer."

4.3 Applications for Employment. Individuals interested in applying for a specific position with the City must submit a resume, and cover letter may be strongly encouraged. Temporary or seasonal employees are required to submit a new application each season.

4.4 Eligibility. To be eligible for employment with the City of Groton you must:

- 1) be legally eligible to be employed in the United States as proven on the required I-9 form; and
- 2) be registered for the selective service, if born after December 31, 1959.

4.5 Disqualification.

An applicant is disqualified from employment by the City if he/she 1) does not meet the minimum qualifications for appointment; 2) knowingly has made a false statement on the application form or resume; 3) has committed fraud during the selection process; or 4) has failed to register for the selective service.

4.6 Selection.

Selection to fill a job vacancy is made on the basis of knowledge, skills, education, experience, and ability to perform the duties of the specific position. All selections are to be made without regard to race, religion, creed, color, national origin, sex, age, disability, political affiliation, and marital or veteran status.

4.7 Appointment of City Employees.

Appointment of City employees is by the Mayor with the approval of the City Council.

4.8 Employment Offers.

After the proper authorities have selected an individual to fill a job vacancy, the individual will be notified of their selection by the Mayor. An offer of employment shall be extended and a starting date established at this time.

Employment offers are for at-will employment, under which the employment relationship may be terminated with or without cause, with or without prior notice, by either the City or the employee.

4.9 Acceptance of Employment.

After an individual has accepted employment with the City, the Deputy Finance Officer shall ensure that the necessary and proper paperwork is filed within the employee's personnel file.

4.10 Residency Requirement.

Residency within the City shall not be a condition of employment, provided however, that such residency does not interfere or hamper the employee from fulfilling the duties of his/her position or cause the employee to miss work often. Employees performing essential or emergency services and police protection and civil defense and employees performing essential or emergency services in public works such as street, water, electric, and sanitary sewer must be able to reach the City from their primary, permanent residence within 30 minutes or live within 30 miles of the City. The City Council, by majority vote, may grant a special exception to the above paragraph for any employee.

4.11 Employee-in-Training Period.

Every employee hired by the City of Groton must complete a six (6) month training period for the purpose of assessing the individual's ability to perform their assigned duties.

Such employment may be terminated if either the City or the employee feels this is the appropriate action. There is no notice required of either party for such termination and no due process procedures will be held by the City for discharge during this time period.

During this training period an employee shall accrue both sick and vacation leave at the regularly scheduled rate. Sick leave may be used as necessary at this time; however, the employee is not entitled to use their accrued vacation leave until completion of their training period. An employee-in-training is entitled to paid holidays as observed by the City. At the discretion of the Mayor, the training period may be extended by an additional 3 months.

POLICY #5: HOURS OF WORK

5.1 General Policy.

It is the governing board's intent to create a standard work week within which an employee is expected to perform municipal services. The board also realizes that emergency and extenuating circumstances may arise in which an employee is required to work variable hours. Nothing within this policy is meant as a guarantee to the number of hours, either daily or weekly, that an employee may be required to work. However, it is the City's policy that every employee be treated equally and fairly when expected to work odd or extended hours.

5.2 Standard Work Week.

The standard 40-hour work week, unless otherwise stated, for the purpose of calculating pay and overtime shall begin at 12:01 a.m. Saturday and end after seven (7) consecutive days at 12:00 midnight Friday, except police department personnel will have a flexible scheduled work week.

5.3 Standard Work Day.

The standard eight (8) hour work day for City employees, unless otherwise stated will begin at 8:00 a.m. and end at 5:00 p.m., including a one-hour break for noon lunch and a fifteen (15) minute break period in both the morning and afternoon. Break periods may not be accumulated for time off. Public works department employees shall begin at 7:30am and end at 4:30pm with the exception of the Electric Department employees, who begin at 7:00am and end at 3:30pm with a half hour lunch break.

5.4 Call Back Pay.

When an employee is called in to work he/she shall receive a minimum of one half hour of work time to be applied to his/her total hours worked for the work week.

5.5 Flex Time.

The governing board reserves the right to authorize flexible work hours within the 40-hour work week in situations where it is appropriate or necessary. Employees must still adhere to the standard 40-hour work week unless flex time or overtime has been approved by the Mayor.

5.6 Overtime.

Eligible employees may be required to work overtime when determined necessary by their supervisor or the governing board. Overtime is defined as time that is worked in excess of the first 40 hours worked within the standard work week and does not include hours paid but not worked such as holidays, vacation days or sick days. The employee shall have the option of selecting compensatory time off or overtime pay and the Deputy Finance Officer shall be advised of that decision by writing on his/her time card.

All overtime must be authorized by the Mayor prior to the working of such hours except in emergency situations. Overtime is to be authorized only if the work cannot be otherwise done during normal work hours. Insofar as possible, the opportunity to work overtime shall be distributed as equally as practicable by the City among the employees in each department. Accrual of overtime without prior authorization may result in disciplinary procedures.

Overtime compensation for all overtime eligible employees shall be at the rate of one and one-half times (150%) of the employee's regular hourly rate. As stated above, time paid for but not worked (holidays, sick leave, etc.) does not count toward hours worked for the purpose of calculating overtime hours. However, if an employee is required to work on a holiday, the City will follow the holiday policy.

5.7 Compensatory (Comp) Time.

Authorized comp-time shall be administered within the same guidelines as overtime and be accrued at time and one-half. The maximum amount of comp-time that may be accrued is 40 hours. When the amount of comp-time reaches 40 hours all overtime shall be paid in cash.

The City, within reason, may restrict the amount of comp time to be taken at one time during a time of the year when the employee is needed at work. Upon separation from municipal service, the employee will be paid for any unused comp time at their final rate of pay.

5.8 Exemptions to Overtime.

The following employees are exempt from the overtime standards as mentioned in the above sections if they are determined to be FLSA exempt:

- 1) Appointive officers (if determined to be FLSA exempt)
- 2) Police personnel (if less than 5 within the department)
- 3) Summer Recreation personnel (if operated for less than 7 months).

5.9 Attendance.

All City employees are expected to be at work on time and during their regularly scheduled hours. Employees who are unable to report for work on time are required to notify their immediate supervisor or the Finance Officer prior to their being absent, unless an emergency exists. If an emergency situation exists, the employee is expected to notify the proper authority as soon as reasonably possible.

Except in cases of an emergency, if an employee is absent more than 2 consecutive days without proper notification, the employee will be considered to have voluntarily resigned their position and/or may be discharged from City service by the Mayor.

5.10 Time Sheets or Cards.

Each employee's time sheet is a record of their regular hours worked, overtime worked, and vacation or sick leave used for the purpose of calculating and issuing pay checks. Every employee and their supervisor must sign their time sheet to verify that all entries are accurate. Intentional falsification of time sheets may result in disciplinary action.

5.11 Time Clocks.

Time clocks are used by the City for recording work time of all employees specified by the governing board. Each employee required to use a time clock must punch in and out promptly and have their supervisor initial changes necessary to correct time records. **IT IS ABSOLUTELY FORBIDDEN TO PUNCH ANOTHER EMPLOYEES TIME CARD.** Such action may result in disciplinary action.

POLICY #6: COMPENSATION

6.1 Pay Period and Pay Day.

Semi-monthly paid City employee's payment of wages are issued on the 15th and the 30th of each month. In the event the payday falls on a holiday or a weekend, payment of wages will be distributed on the nearest workday preceding payday. Municipal employees that are paid on a biweekly schedule, payment of wages are issued on the first Friday following the end of the biweekly pay period.

6.2 Early Pay Checks.

The City does not grant early pay checks to employees, unless approved by the Mayor. A bank account is required for each employee to have their pay electronically transferred.

6.3 Time Sheets.

Each employee is responsible to ensure that his/her time sheets/cards are correct and submitted on time. Any vacation or sick leave should be noted on the time card. Any misrepresentation of time worked or falsification of any time sheet may result in disciplinary action.

6.4 Payroll Deductions.

The City is required to withhold Federal Income Tax and Social Security (FICA) from each employee's pay check. Other deductions include:

- 1) Employee contributions to the South Dakota Retirement System.
- 2) Employee contributions to Family Health & Life Insurance.
- 3) Optional deferred compensation (such as additional insurance coverages, savings, or flex accounts).

6.5 Benefits.

6.5.1 Health Insurance. Full coverage is provided by the municipality for the regular full or part-time employee (and partial payment of his/her family if a full-time employee) as set annually by salary ordinance.

6.5.2 Life Insurance. A life insurance policy on the regular full-time employee is provided by the City.

6.5.3 South Dakota Retirement System. For eligible employees, participation in the South Dakota Retirement System is mandatory. A deduction of 6% (8% for Class B Public Safety) of the monthly salary is made in each payroll period. The deduction amount is matched by the City toward the retirement of the employee.

6.5.4 Workers' Compensation. The City of Groton participates in the SDML Workers' Compensation Fund. This fund is designed to protect employees against medical costs and salary loss as a result of injuries while on the job.

The City pays the entire cost of worker's compensation insurance. If an employee is injured on the job, all work related medical costs will be paid as well as the compensation rate for salary loss as set by the State of South Dakota.

6.5.5 Extended Health Benefits. In compliance with the South Dakota Continuation Law and COBRA (Consolidated Omnibus Budget Reconciliation Act) requirements, the City will offer continuing health care coverage on a self-pay basis to employees or their qualified beneficiaries following termination of employment (other than for gross misconduct), a reduction in hours, retirement, death, or change in familial status. These health benefits will be identical to the coverage offered to regular full time employees.

For terminated or reduced-hour employees, the coverage may last up to 18 months, (29 months for disabled employees or qualified beneficiaries if under Federal COBRA requirements), or until they become eligible for other health insurance coverage, whichever is earlier. In the event of the employee's retirement, divorce, separation or death, the coverage may last up to 36 months for a qualified beneficiary. The full policy monthly premium plus a 2% administration fee will be paid by the employee or the beneficiary to the City. The employee or beneficiary may waive all rights to continuation coverage, notification procedures and time limits are outlined in the continuation coverage "Notification of Rights" letter.

6.6 Changes of Employee Status and Address. It is the employee's responsibility to inform the Finance Officer of any changes in name, address, telephone number or change of withholding status. An employee must immediately report any of the above changes. Failure to report or the intentional withholding of such information may result in disciplinary procedures.

6.7 Travel and Reimbursement of Expenses

6.7.1 General Policy. It is the policy of the City that employees be fully reimbursed for necessary and reasonable job related travel expenses. Every effort will be made to treat all employees fairly and equally when granting travel expenditures.

6.7.2 Travel Approval Required. All travel must be approved by the governing board prior to the date of travel except in emergency instances.

6.7.3 Receipts Required for Lodging. Receipts shall be required for all lodging expenses which are to be reimbursed by the municipality.

6.7.4 Meal Rate and Mileage Rate. Meal reimbursement for travel will be at the SD State level. When employees must use their private vehicles for approved travel, mileage reimbursement will be at the Federal level.

6.8 Training and Certification. The City encourages all personnel to be certified under SD State programs for their positions. Any employee training preauthorized by the City Council, and with the employee attending such training and receiving a passing grade for the course, shall qualify for reimbursable expenses for travel, registration, study materials and compensation for work time and travel time. Electric Department personnel may also participate in an independent study course incentive program.

POLICY #7: LEAVES OF ABSENCE

7.1 General Policy. Leaves of absence are considered a benefit and privilege offered by the City of Groton. Leaves are not granted automatically, but are to be requested by the employee. Every effort will be made to ensure that all employees are treated equally and fairly. In some instances, it may not be possible to grant all leaves requested during busy times or emergency situations, however every effort will be made to grant requests. Employees anticipating a leave of absence are encouraged to apply for such leave as soon as possible and no later than one day prior to the leave being taken. The City Council, by majority vote, may grant a special exception to all types of leave for any employee.

7.2 Vacation Leave. Paid vacation leave will be granted to all qualified employees. Vacation leave for all employees except police department will accrue at a rate according to the following schedule:

0- 6 months = 16 hours after 1st 6 months
6 months – 1 year = 4 hours per month (24 hours)
1-10 years = 6.75 hours per month (80 hours per year)
10-20 years = 10 hours per month (120 hours per year)
Over 20 years = 13.33 hours per month (160 hours per year)

Police Department personnel will accrue at a rate according to the following schedule:

0- 6 months = 1/2 week (21 hours) after 6 months
6 months-1 year = 1/2 week (21 hours) (3.5 hours per month)
1-10 years = 2 weeks per year (7 hours per month)
10-20 years = 3 weeks per year (10.5 hours per month)
Over 20 years = 4 weeks per year (14 hours per month)

Employees on leaves of absence without pay or suspensions without pay do not accrue vacation leave benefits. Employees-in-training accrue vacation leave but may not take such leave until they have successfully completed such training period. Vacation hours not used during the

calendar year in which they are earned may be carried over into successive years. Eligible employees may accrue a maximum of 40 hours (or 1 week for the police department) of vacation leave above the employee's annual eligible vacation leave. Upon accrual above the maximum vacation leave hours, hours accrued will automatically be subtracted down to the maximum allowable hours without time being granted for leave. Under special circumstances the Council may grant an exception to this maximum accrual for up to one year. It is the employee's responsibility to ensure that hours are used on a timely basis according to this policy. Upon separation from employment, an employee will be paid for any accumulated vacation time. Reimbursement for vacation leave will be at the employee's salary rate per their last day of employment. When an employee's vacation time falls on a holiday, such time is not to be subtracted from an employee's vacation leave balance. Vacation leave must be scheduled with the employee's immediate supervisor or department head at the earliest possible time prior to the use of such leave. The City reserves the right, within reason, to disapprove requested time for vacation leave for the purposes of maintaining the work force during heavy scheduled work periods. However, the City will make reasonable effort possible to accommodate employee requests for time off. Prior approval of vacation leave will be granted by the supervisor on a first come first serve basis, based on operational needs.

7.3 Sick Leave. All employees not in the police department who are eligible for full benefits, shall accrue sick leave at a rate of eight (8) hours of sick leave per month. Police department employees shall accrue sick leave at a rate of twelve (12) hours of sick leave per month. Employees on leaves of absence without pay or suspensions without pay who are absent for a full pay period do not accrue sick leave benefits. Sick leave benefits not used during the calendar year in which they are earned may be carried over and used during the succeeding calendar years. All eligible employees except those in the police department may accumulate up to 240 hours of sick leave. Police department employees may accumulate up to 252 hours of sick leave. Sick leave benefits shall be paid at the employee's regular rate of pay at the time the leave is taken. The minimum charge to sick leave is one fourth (1/4) hour per leave period. An employee absent from work due to illness or disability shall notify his/her immediate supervisor or department head before scheduled to work, or as soon as possible if an emergency situation exists, and indicate the nature of the illness or disability and the expected length of absence. Failure to report an illness in a timely manner may be cause to consider the absence as unauthorized and without pay. After three days of continuous sick leave, medical doctor approval may be necessary to prove that a legitimate illness exists. However, the immediate supervisor or department head may request a physician's statement concerning such absence at any time. Any employee found to have abused their sick leave privileges may be subject to disciplinary action. City employees are not eligible to be paid for any unused sick leave benefits upon termination of employment.

7.3.1 Federal Medical Leave Act. Employees are allowed up to twelve (12) weeks of job-protected leave in any twelve-month period: 1) to care for a child born to or placed for adoption or foster care with an employee; 2) because of the serious health condition of an employee; 3) because of the serious health condition of an employee's immediate family member (parent, spouse or child). All accumulated vacation and/or comp time must be used in full before any of the leave is unpaid. No additional leave or other benefits shall accrue during such leaves without pay. The employee may continue his/her group insurance coverage by prepaying the entire premium during the affected period of the leave. Employees must arrange for such continuation of coverage with the municipality prior to the commencement of the extended leave without pay.

7.4 Extended Leave for Illness or Temporary Disability. Employees may request approval to use accumulated sick leave and vacation leave for the purpose of paid release time to recover from an extended illness or temporary disability which may interfere with proper job performance or that continued performance of duties endangers the health of the employee. Upon depletion of all accumulated sick leave, vacation, and comp time, an employee may request an unpaid leave of absence of up to one (1) year for extended disability. No additional leave or other benefits shall accrue during such leaves without pay. The employee may continue his/her group insurance coverage by prepaying the entire premium during the affected period of the leave. Employees must arrange for such continuation of coverage with the municipality prior to the commencement of the extended leave without pay. For extended periods of illness or temporary disability, a medical doctor's certification of illness shall be required. Failure of the employee to abide by the arrangements made with the City Council pertaining to the leave of absence shall be grounds for dismissal. Neither this policy nor any other policy takes precedent over the Family and Medical Leave Act (FMLA) or Americans with Disabilities Act (ADA) should either of those acts otherwise apply to the employees of the City.

7.4.1 Sick Leave Bank. The City will contribute to the sick leave bank all sick leave granted to employees that is not credited to individual sick leave accounts.

The bank may be used by an employee under all of the following conditions:

1. All of the employee's earned leaves must be exhausted (sick leave, personal days, vacation time, comp-time., etc.)
2. A physician must certify the nature, extent, and approximate duration of the illness or injury.
3. Past usage of sick leave benefits will be reviewed and taken into consideration.
4. An employee for any one occurrence may borrow no more than 240 hours.
5. The employee's request has been presented to the City Council and they have concurred.
6. The employee, to the extent he/she is able to, must reimburse the sick leave bank when he/she returns to work. The reimbursement shall be at the rate of 50% of the sick leave earned each month, until the entire amount borrowed is repaid.
7. A request for more than 240 hours to be used from the sick leave bank may be granted upon review of the City Council.

7.5 Leave Without Pay. Employees may request leave without pay in extenuating circumstances. Such leave is at the sole discretion of the governing board. It is the policy of the City that in circumstances such as these, vacation and/or comp-time leave will be used in full before such leave without pay is granted. No additional leave or other benefits shall accrue during such leaves without pay. The employee may continue his/her group insurance coverage by prepaying the entire premium during the affected period of the leave. Employees must arrange for such continuation of coverage with the municipality prior to the commencement of the extended leave without pay.

7.6 Maternity and Paternity Leave. The City shall treat maternity and paternity leave the same as any other temporary disability.

7.7 Community Service Hours. Can be granted to employees (voting leave, jury duty, etc.) with approval by the Mayor.

7.8 Military Leave.

7.8.1 Request for Military Leave of Absence. An employee who wishes to be granted military leave of absence must submit the request and a copy of his/her official orders or other records from the military service to his/her immediate supervisor or department head prior to the dates of attendance. If the reservist or National Guard member submits a copy of his/her official annual training schedule prior to beginning of the year's military activities, the employee need only submit separate requests and orders for those training duties not included on the annual schedule, or when the annual schedule is modified.

7.8.2 Active Duty. An employee who enlists or is called into Active Duty for the military service of the United States or who, in time of national emergency, voluntarily enlists for active duty, shall be granted military leave for the time necessary to permit completion of the military service. In order to have re-employment rights, a person leaving active duty in the military service of the United States must apply to the City for re-employment within 90 days after his/her separation from active duty, or within 90 days after his/her release from hospitalization continuing after such separation for not more than one year. This applies to inductees and enlistees, as well as to reservists and National Guard members performing full active duty, as opposed to initial duty for training, or active or inactive duty training, or other active duty where different re-employment rights are defined by Federal Statute.

7.8.3 Reserve or National Guard Training Leave. An employee who enlists as a Reservist or a member of the National Guard shall be granted time off without pay for initial active duty for training, annual training encampment, weekend training drills, and other active and inactive training duty. The reservist or National Guard member must report back to his civilian job at the beginning of his first regularly scheduled shift on the first day after the completion of initial active duty for training or other training duty plus the necessary travel time to return from the training site to the place of employment. He/She is also entitled to a reasonable rest time, and a reasonable time thereafter if return is delayed by factors beyond his/her control. If an employee fails to report to his/her job within this specified time period, he/she may be subject to the penalties which would be imposed on any employee who is tardy or absent without permission. If an employee separates his/her employment with the City in order to enlist in the Reserves or National Guard, he/she must reapply to the City within 31 days after his/her separation from initial active duty for training in the Reserves or National Guard in order to retain re-employment rights.

7.8.4 Federal Statute. An employee who participates in any branch of the Military Service of the United States is covered by and subject to Federal Statute, US Code Title 38, Chapter 43, and all other applicable statutes.

7.9 Funeral Leave. If necessary, qualified municipal employees may use funeral leave. This leave may be used for the following: Death in the immediate family - an employee's spouse, children, step-children, parents, step-parents, brothers, sisters, step-brothers, step-sisters, grandparents, grandchildren and great grandchildren = 5 days; uncle, aunt, niece, nephew, or close friend = 1 day. Any further time needed for leave will either be vacation time, comp time, or leave without pay. This leave does not accumulate from year to year.

7.10 Holidays. The City of Groton recognizes and observes the following as paid holidays for eligible employees:

New Year's Day - January 1

Pioneer Day – 2nd Monday of October

President's Day - 3rd Monday in February
Memorial Day - Last Monday in May
Independence Day - July 4

Veteran's Day - November 11
Thanksgiving Day - 4th Thursday in
November & the following Friday
Christmas Eve (1/2 Day) – December 24
Christmas Day - December 25

Labor Day - 1st Monday in September

And all other days proclaimed as legal holidays by the Mayor of Groton and/or South Dakota State Governor.

When a holiday falls on a Saturday, the preceding Friday is observed as the paid holiday for eligible City employees. If a holiday falls on a Sunday, it is observed on the following Monday. Police department employees are ineligible for these paid holidays, but will be granted ten additional days of vacation leave which may be paid as the holiday occurs. Other employees ineligible for paid holiday leave will be granted a day off without pay in observance of a holiday.

7.10.1 Work on a Holiday. An employee who is eligible for paid holidays and not a police department employee, and who is required to work on a paid holiday observed by the City will receive time and one-half for those hours worked.

POLICY #8: SEPARATION FROM CITY SERVICE

8.1 General Policies

8.1.1 Definitions.

Voluntary Separation: Includes written resignation, extended absence without proper notification, or retirement. Voluntary separation is initiated by the employee.

Involuntary separation: Layoff or discharge. Involuntary separation is not initiated by the employee.

8.1.2 Return of City Property. City employees are expected to return all City property at the time of their departure from City service. The City reserves the right to withhold from the employee's final paycheck the amount for any property that is not returned or for which there is no explanation for the absence of the property. The City may take further action if necessary to recover City property.

8.2 Voluntary Separation

8.2.1 Resignation. A City employee may resign from City service by giving the governing board written notice of his/her resignation at least two weeks in advance of their leaving City service. In extenuating circumstances, the governing board may accept the employee's resignation as taking affect immediately.

8.2.2 Un-notified Absence. If an employee is absent for more than three consecutive days without proper notification in accordance with the attendance policy, they shall be considered to have voluntarily resigned their position in City service. Re-instatement upon presentation of extenuating circumstances or reason for such absence shall be at the discretion of

the governing board. Any un-notified absence of less than three days may result in disciplinary action.

8.2.3 Retirement Age. There is no mandatory retirement age for City employees. However, all employees must continue to meet the performance requirements for their position.

8.2.4 South Dakota Retirement System. The City of Groton is a member of the South Dakota Retirement System (SDRS) and follows the Retirement System law as set forth. All eligible employees will be members of the SDRS and all benefits will be administered through the SDRS office in Pierre.

8.3 Involuntary Separation

8.3.1 Reemployment Assistance Benefits. The City follows the state of South Dakota Unemployment laws as found in SDCL Title 61.

8.3.2 Misconduct Defined. The following is a partial listing of employee misconduct that may result in disciplinary action up to and including immediate discharge. This list is not intended to completely list all employee misconduct that may result in the above, but rather is provided as a guideline by which employees can judge actions that will not be tolerated by the City.

- incompetent, inefficient, unreliable, unwilling, or incapable of fulfilling his/her job duties as assigned
- inadequate performance of duties
- neglect of duty
- theft or misappropriation of City property
- insubordination
- conviction of a felony or misdemeanor offense which might adversely reflect on or create doubt about the moral character, credibility or reliability of the employee
- failure to observe drug and alcohol policies of the City
- failure to observe harassment policies of the City
- knowing or willful violation of City ordinances
- unauthorized absences
- habitual tardiness
- abuse of sick leave
- sleeping/loafing during working hours
- disclosure of confidential information
- offensive or inconsiderate conduct, or use of abusive language in public, or toward the public, City officials, or fellow employees while on duty
- personal acceptance or appropriation of any fee, gift, tip or other gratuity or remuneration received solely for the performance of official duties in connection with municipal employment
- knowing, intentional or repeated falsification of any application for employment or any City record, report or time sheet
- willful alteration, destruction or waste of City property, facilities, equipment or records
- serious or repeated disorderly conduct or horseplay
- threatening, intimidating, coercing or interfering with supervisors or other employees
- deliberate attempts to injure another employee or fighting on City property while on the job

- unauthorized possession of fire arms, explosives or any dangerous weapons while performing City work
- recklessness resulting in a serious accident while on duty, whether on or off City property.

8.3.3 Misconduct. Employee misconduct will not be tolerated and may result in immediate disciplinary action.

POLICY #9: DISCIPLINARY ACTION

9.1 Disciplinary Action. Disciplinary actions shall be applied when the governing board determines such actions are necessary. A disciplinary action may be in the form of oral reprimand, written reprimand, suspension, demotion or reassignment, or dismissal as defined below. The City may, but is not required to, apply these actions progressively. For example, suspension or termination of employment may be applied as a first step of discipline. Employment is at-will and this disciplinary policy does not otherwise create any other employment relationship. The City reserves the right to suspend any employee with pay, however, such action is not deemed to be a disciplinary action.

9.1.1 Oral Reprimand. The governing board may orally reprimand an employee. This informal disciplinary consultation may be documented on an employee's performance appraisal or referenced in further progressive disciplinary actions.

9.1.2 Written Reprimand. The governing board may discipline an employee by written reprimand.

9.1.3 Suspension without Pay. The governing board may temporarily suspend an employee without pay for disciplinary purposes. Suspension shall be for no more than 10 working days. No benefits or leave will accrue during the suspension without pay.

9.1.4 Demotion or Reassignment. The governing board may reduce an employee's salary, assign the employee to a lower position, or change the employee's duties within his/her current position or use any combination of the above for disciplinary purposes.

9.1.5 Dismissal. The governing board may terminate an employee from City employment for disciplinary purposes.

9.1.6 Signing Requirements. In all cases of formal disciplinary action, the employee will be required to sign the written notice of discipline and such notice shall be dated and placed in the employee's permanent personnel file. If the employee refuses to sign the notice, a notation to that effect shall be made by the decision making authority with another City employee or official as a witness. The employee may submit a written statement of response to the disciplinary action which shall be attached to and remain with the disciplinary action in his/her permanent personnel file. Documentation of such discipline may be submitted to the Mayor for review. In all instances in this policy where an employee is required to sign, signing does not imply agreement with the action, only that the contents have been made known to or discussed with the employee.

9.2 Retaliation. No hardship, no loss or benefit, and no penalty may be imposed on an employee as punishment for: a) filing or responding to bona fide complaint of discrimination or

harassment; b) appearing as a witness in the investigation of a complaint; or c) serving as an investigator. Retaliation or attempted retaliation is a violation of this policy and anyone who does so will be subject to severance sanctions up to and including termination.

POLICY #10: DRUG AND ALCOHOL ABUSE POLICY

10.1 City's Commitment to Drug and Alcohol Free Workplace.

The City of Groton has a strong commitment to its employees and the public to provide a safe, healthful, and productive work environment and to promote high standards of employee health and the City strives to establish and maintain a work environment that is free from the effects of alcohol and drug abuse. The City complies with the Drug-Free Workplace Act of 1988. The unlawful possession, use, distribution, dispensation, sale or manufacture of controlled substances is prohibited while employees are on the City's property and while conducting business-related activities off the City's premises. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Any employee found to be in violation of this policy will be subject to discipline up to and including termination of employment. The City may conduct drug and alcohol testing of employees where reasonable suspicion exists to suggest the employee is under the influence of drugs or alcohol or where there has been an accident causing personal injury or property damage.

10.2 Management Responsibilities and Guidelines

1. Supervisors and department heads are responsible for carrying out consistent enforcement of this policy.

2. Supervisors and department heads shall not physically search, or confiscate prescription drugs or medications from employees without the employee's consent.

3. Supervisors and department heads are responsible for notifying the appropriate law enforcement agency when they have "reasonable suspicion" that an employee may have illegal drugs in their possession or in an area jointly or fully controlled by the City.

4. Supervisors and department heads are responsible for identifying performance problems or employee safety habits as they pertain to possible drug and alcohol use/abuse and inform the employee of the Employee Assistance Program (EAP) and the City's policy.

5. Supervisors and department heads should prevent an employee from beginning or engaging in further work when they have "reasonable suspicion" that an employee is intoxicated or under the influence of drugs or alcohol. Supervisor or department heads encountering an employee that refuses to consent to a drug/alcohol analysis when "reasonable suspicion" has been identified, shall remind the employee of the requirements of the policy and that they may be subject to disciplinary action. The reason(s) for refusal shall be considered in determining the appropriate disciplinary action. Where there is "reasonable suspicion" and the employee refuses drug/alcohol analysis, the supervisor or department head should direct the employee to remain until the employee can be safely transported home.

6. Supervisors and department heads are required to detail in writing, specific facts, symptoms, or observations which form the basis for their determination of "reasonable suspicion" to warrant the testing of an employee. This documentation should be forwarded to the appropriate department head and personnel department. Information and dates collected will be held in the strictest of confidentiality.

10.3 Employees Responsibilities and Guidelines

1. An employee must not report to work or be subject to duty while their ability to perform their job duties is impaired due to on or off duty alcohol or drug use.
2. An employee must not directly, or through a third party, sell, possess, use, manufacture or dispense any controlled or illegal substance on or off duty.
3. An employee must not possess or use alcohol, controlled substances or prescription drugs without a prescription during working hours or while subject to call to duty, on breaks or during meal periods.
4. An employee must notify their supervisor, before beginning work, when taking any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duty or operation of City equipment.
5. An employee must notify their supervisor, department head or authorized personnel of any drug or alcohol use/abuse that is in violation of the City.
6. An employee must notify their supervisor, department head or authorized personnel of any violations of any drug status occurring in the work place or that may affect their work performance within five (5) days. An employee shall notify their supervisor, department head or authorized personnel of any use/abuse of alcohol, drugs or other intoxicating substances or prescription medications by other employees occurring in the work place or that may affect their work performance.

10.4 City Responsibilities

1. The City will notify the federal or state sponsoring agency within ten (10) days after receiving notice of any drug related criminal conviction for a violation occurring in the work place of any employee of the City.
2. The City desires drug-free awareness in order to inform employees of:
 - a. The dangers of drug/alcohol in the work place.
 - b. The City's policy of maintaining a drug-free work place.
 - c. Any drug-alcohol counseling, rehabilitation and employee assistance programs that are available.
 - d. The penalties that may be imposed upon employees for drug-alcohol use/abuse occurring in the work place.
 - e. Each employee will be given a copy of the City's policy on Drug and Alcohol Substance Abuse.
3. The City will provide an Employee Assistance Program (EAP) designed to help all employees and their family members recognize and overcome drug and alcohol related problems that interfere with their performance of their assigned duties. The objectives of the EAP are, but not limited to:
 - a. Early identification of medical / behavioral / substance abuse problems.
 - b. Referral of employees to qualified counseling resources.
 - c. Confidential handling of employee records.
4. The City recognizes that any employee with an alcohol, drug or other controlled substance problem affecting the safety or job performance, that will seek help (either voluntarily or at the direction of their supervisor or department head) through the EAP, will not jeopardize either job security or promotional opportunities. However, employees identified as having a substance problem and not seeking assistance or following through with recommended treatment / counseling as directed, will constitute cause for disciplinary action.
5. The City acknowledges that nothing in this policy shall be interpreted as constituting any waiver of or limitation on the City's responsibility to maintain discipline or the right to invoke disciplinary measures, not the employee's right to due process.

10.5 Drug and Alcohol Abuse Policy. It is the City of Groton's policy that:

1. The possession, use, sale, manufacture, dispensing or possession of a controlled drug or substance on or off City property is cause for disciplinary action.

2. The use, possession or consumption of alcohol, or other intoxicating substances, while on duty, subject to being called, immediately prior to reporting for duty or having their ability to work impaired as a result of the use thereof, is cause for disciplinary action.

3. The City reserves the right to search, without consent, all areas and property in which the City maintains full or joint control. The City will notify the appropriate law enforcement agency of any findings.

4. The illegal use, sale, and possession of controlled drugs or substances while off City premises which result in criminal conviction will be cause for disciplinary action.

5. The legal use of medically prescribed medications or drugs is not in violation of this policy provided that their effects on the employee do not hinder the employee's ability to safely perform their assigned duties. The employee is responsible and must report to their supervisor before beginning work or continuing work where such medications could cause known side effects that could affect performance and safety. Failure to notify the supervisor is cause for disciplinary action.

6. Employees believed to be under the influence of alcohol, controlled drugs, or other controlled substances will be prevented from beginning or engaging in further work assignments and shall be detained until a supervisor, department head or authorized law enforcement representative can transport the employee from the work site.

7. The City may request an employee to undergo drug and alcohol testing if there is "reasonable suspicion" that the employee is under the influence of drugs or alcohol while on duty or reporting for duty. "Reasonable Suspicion" is a clear belief based on specific objective facts or information that would lead a reasonable prudent supervisor to suspect that an employee is under the influence of drugs or alcohol as to question the employee's ability to safely perform the functions of their job. Circumstances which constitute a basis for determining reasonable suspicion may include, but not limited to:

- a. A pattern of abnormal or erratic behavior that warrants summoning of a supervisor, department head or other authorized personnel.
- b. Information obtained from a reliable and credible source with personal knowledge.
- c. Presence of the physical symptoms or drug or alcohol use, including slurred speech, alcohol or unusual odors on breath, glossy or droopy eyes, verbal or physical altercation, accident involving City property, inability to walk or function normally.
- d. Direct observation of drug or alcohol use or possession in violation of the City's drug and alcohol policy.

Where "reasonable suspicion" exists, the supervisor or department head may request the employee to submit to a blood and/or urine test. This will be done by a qualified physician or hospital at the City's expense and time and after securing a signed release statement from the employee. If the employee refuses to consent to a drug and alcohol test when "reasonable suspicion" has been identified, necessary action taken against the employee will be based on the facts and circumstances that led to reasonable suspicion and is cause for disciplinary action. The City will conduct an investigation.

10.6 Federal Omnibus Transportation Employee Testing Act Compliance. Employees required to possess and maintain a Commercial Driver's License (CDL) to operate commercial vehicles shall be free of drugs and alcohol. In order to come into compliance with the Omnibus Transportation Employee Testing Act of 1991, the City of Groton has

implemented an alcohol and controlled substance testing program which is designed to help reduce and avoid traffic accident injuries to our employees and the public, to eliminate substance and alcohol abuse, and to reduce absenteeism, accidents, health care costs, and other drug and alcohol related problems. The Department of Transportation (DOT) and the Federal Highway Administration (FHA) have issued Federal Regulations (49 CFR Parts 40 and 382) implementing the provisions of the Federal Omnibus Transportation Employee Testing Act of 1991 which requires alcohol and controlled substance tests for those who are required to possess a Commercial Driver's License (CDL). These regulations include detailed procedures for urine controlled substance testing and breath alcohol testing (BAT) of employees in safety-sensitive positions. The purpose of this policy is to establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of these substances by employees that possess a CDL and operate or service commercial motor vehicles. The City of Groton has established the following alcohol and drug abuse prevention program as well as the subsequent enforcement of violations for its employees performing safety-sensitive job functions. Although the City of Groton strictly prohibits the use of alcohol and/or controlled substances by their regular, seasonal, part-time, temporary, or volunteer employees, and more specific for this policy, all employees that are required to possess a CDL and/or who are performing, subject to being called to perform, commencing to perform or concluded safety-sensitive duties are subject to alcohol and controlled substance testing. Safety-sensitive duties for this policy are defined as all duties performed by the employee for the City of Groton.

10.7 Prohibited Conduct - CDL Holders. All drug and alcohol use/abuse as previously stated in this Drug and Alcohol Abuse Policy is prohibited including the following:

1. Alcohol Prohibited - (CDL holders)
 - a. While performing assigned duties, within four (4) hours of performing duties, while subject to being called to perform duties, within eight (8) hours or until tested following involvement in a reportable vehicular accident.
2. Controlled Substance Prohibited - (CDL holders)
 - a. Any unauthorized or illegal use of any controlled substance is strictly prohibited in all situations.

10.8 Testing Procedures - CDL Holders

10.8.1 Pre-employment. Given to applicants after a conditional job offer contingent on appropriate results of the tests for substance use and/or abuse, but prior to actually beginning employment.

10.8.2 Post-incident. Within two (2) hour after a reportable incident on duty involving the employee, where the actions of the employee contributed to the incident. A reportable incident shall include any of the following, but not limited to: a fatality, a citation issued under state or local law for a moving violation, any personal injury or when a vehicle or property damage exceeds \$500.00.

10.8.3 Reasonable Suspicion. The belief that the employee has violated the alcohol or controlled substance prohibitions, based on specific contemporaneous articulable observations concerning the appearance, behavior, speech or body odors or failure of sobriety test of the CDL holder. The Drug/Alcohol test will be given within two (2) hours of the observed suspicion.

10.8.4 Random. Unannounced, selected by a scientifically valid method from a pool of CDL holders, reasonable throughout the calendar year, selected while performing, immediately prior to performing or immediately after performing safety-sensitive functions, (work hours). The employee must proceed immediately to testing site upon selection.

10.8.5 Return to Duty and Follow-up. The City of Groton reserves the right to review individual circumstances regarding a positive alcohol test result, 0.04 % BAC or greater prior to approving any return to duty or follow-up plan. Considerations would be, but not limited to, concentration level, post-accident, past alcohol history, cooperation and performance. Prior to a return of duty, the employee shall agree to submit to a minimum of six (6) random tests in the twelve (12) months following the original test. All costs and expenses for alcohol tests, time off and benefits paid, counseling or treatment relating to qualifying for the return to duty will be the employee's responsibility. (A positive test for controlled substance is grounds for termination, therefore, follow-up or return to duty testing does not apply.)

10.9 Procedures and Substances to be Tested For - CDL Holders.

10.9.1 Alcohol Tests. Alcohol testing will be done by a certified Breath Alcohol Technician (BAT) using an Evidential Breath Testing device (EBT) capable of calibration of one hundredths (0.00) and approved by the National Highway Traffic Safety Administration (NHTSA) as required under 49 CFR part 40 subpart C. Random alcohol tests will be done on 25 % of the CDL pool per calendar year. Location of tests will be conveyed to the selected CDL holder. Upon notice and upon reporting to designated location, the employee shall provide positive identification. Completion of BAT forms with employee signature and participation/cooperation by employee will be required. Failure by the employee to cooperate, participate, or sign BAT forms will be considered a "refusal". Refusal of any test or part thereof is grounds for disciplinary action including termination. A screening test with a result of 0.02% B.A.C. or greater of alcohol will be followed by a confirmation test. If the confirmation test is 0.02 but less than 0.04, the employee will be removed from the work site for a minimum of twenty-four (24) hours and placed on Leave Without Pay (LWOP). If the confirmation test result is 0.04 or greater, the employee will be removed from the work site and placed on LWOP until a determination as to their employment status has been made. The employee must present a verified EBT test of 0.02 or less, an evaluation from a Substance Abuse Professional (SAP) (at their expense), and meet with their supervisor and personnel director in order to qualify for consideration for return to work within five (5) days from being placed on LWOP. At this time, notification and/or continued employment conditions will be conveyed in writing to the employee as soon as reasonable.

10.9.2 Controlled Substance Tests - CDL Holders. Controlled substances for which tests will be conducted are marijuana, (THC metabolite) cocaine, amphetamines, opiates, including heroin and phencyclidine (PCP). Urine specimens will be used to test for these drugs. To ensure accuracy, specimen collection, handling, and testing procedures will be conducted according to the US Department of Health and Human Services (DHHS) guidelines as required under 49 CFR part 40 subpart B. Procedures will include "chain of custody" and split sample collection. One of the two parts will be tested. After review by a medical review officer (MRO) and a verified positive test occurs, the employee had the option, within three (3) days to have a second part of the specimen tested at a different conforming laboratory at their expense. Random drug tests will be done on 50 % of CDL pool per calendar year. Location of tests will be conveyed to selected CDL holders upon notice and identification of employee at collection site is required. Cooperation and participation, including required signatures by the employee is

required. Refusal and/or positive controlled substance test result will be the grounds for termination.

10.10 Consequences for Violations - CDL Holders

10.10.1 Refusal. Refusal to take a required controlled substance or alcohol test, failure to report for scheduled test, failure to cooperate with testing officials, or failure to comply with follow-up program or conditions will result in removal from assigned work which, in turn, will result in disciplinary action including termination.

10.10.2 Positive Controlled Substance Test. After confirmation from Medical Review Officer (MRO) of a positive test result, the employee will be removed from duty and served with a letter of intent of termination.

10.10.3 DUI Conviction. Employees driving under the influence (DUI) conviction while operating City equipment will be served with a letter of intent of termination.

10.10.4 Alcohol Test Result of 0.04 or Greater. An employee with a confirmation test of 0.04 or greater will be removed immediately from the work site and placed on Leave Without Pay (LWOP) until a determination as to their employment status has been made. The employee must present a verified EBT test of 0.02 or less, an evaluation from a Substance Abuse Professional (SAP) (at their expense), and meet with their supervisor and personnel director in order to qualify for consideration for return to work within five (5) days of being placed on LWOP. At this time, notification and/or continued employment conditions will be conveyed in writing to the employee as soon as reasonable.

10.10.5 Alcohol Test Result of Greater Than 0.02 But Less Than 0.04. The employee will be removed immediately from the work site for a minimum of twenty-four (24) hours and placed on LWOP. The employee must present a verified EBT test of 0.02 or less, an evaluation from a Substance Abuse Professional (SAP) at employee's expense, and meet with their supervisor and personnel director. A determination as to the conditions of continued employment of the employee will be reviewed.

APPENDIX 1

Reference Release Authorization Form

In response to a written request from a prospective employer who is seeking information from my file, the City of Groton is authorized to release the following information:

- _____ Summary of job performance
- _____ Attendance and punctuality
- _____ Ability to work with others
- _____ Reason for leaving; i.e. resignation, discharge, etc.
- _____ Recommendation to rehire
- _____ Adherence to rules
- _____ Other _____

Signature

Date

The following information from your file is available to anyone seeking references without written permission:

- ≡ Dates of employment
- ≡ Current position or position at the date of separation from employment and other positions held.
- ≡ Verification of salary information

**APPENDIX 2
APPLICATION FOR EMPLOYMENT
CITY OF GROTON
PO BOX 587 / 209 N MAIN ST
GROTON, SD 57445-0587**

An Equal Opportunity Employer

Position Applying for: _____

Name: _____

Address: _____

| | | |
|------|-------|--------|
| Last | First | Middle |
|------|-------|--------|

| | | | |
|------------|------|-------|-----|
| Street/Box | City | State | Zip |
|------------|------|-------|-----|

Social Security Number: _____ Are you under age 18? Yes No

Email Address: _____

Telephone: Home _____ Office _____

Are you legally eligible to be employed in the United States? Yes No

Do you have or can you get a State of SD Driver's License? (If position requires) Yes No

Employment for which you are available:

Full-Time Permanent Seasonal Part-Time Temporary (Less than 6 months)

When could you begin employment? Now Beginning on _____

After _____ waiting days notice to current employer

May we contact your current or most recent employer regarding your qualifications? Yes No

Education and Training

Circle last year of education completed. For high school diploma or GED circle "12".

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18plus

Please list name of school and degrees completed. Please indicate diploma, GED, or BS/BA.

| | Graduated or credit hours | Major(s) |
|--|------------------------------|----------|
| High School _____ | _____ | |
| College/ University _____ | _____ | _____ |
| Graduate School _____ | _____ | _____ |
| Business or Vocational School _____ | _____ | _____ |

Internships: _____

Additional Training (workshops, seminars, apprenticeships, military or other training). Include approximate hours or days of training. _____

List any relevant licenses or certificates: _____

Employment

1. Current or Most Recent Position: _____
Dates of Employment: From (mo/yr) _____ to (mo/yr) _____ Total Yrs _____ Mons _____
Starting Salary _____ Last Salary _____
Job Title _____ Type of Business _____
Employer _____ Phone _____
Employer's Address _____
Supervisor's Name and Title: _____
Number employees supervised _____ Average hrs worked per wk _____
Reason for Leaving _____
Complete description of duties _____

2. Next Previous Position: _____
Dates of Employment: From (mo/yr) _____ to (mo/yr) _____ Total Yrs _____ Mons _____
Starting Salary _____ Last Salary _____
Job Title _____ Type of Business _____
Employer _____ Phone _____
Employer's Address _____
Supervisor's Name and Title: _____
Number employees supervised _____ Average hrs worked per wk _____
Reason for Leaving _____
Complete description of duties _____

3. Next Previous Position: _____
Dates of Employment: From (mo/yr) _____ to (mo/yr) _____ Total Yrs _____ Mons _____
Starting Salary _____ Last Salary _____
Job Title _____ Type of Business _____
Employer _____ Phone _____
Employer's Address _____
Supervisor's Name and Title: _____
Number employees supervised _____ Average hrs worked per wk _____
Reason for Leaving _____
Complete description of duties _____

4. Next Previous Position: _____
Dates of Employment: From (mo/yr) _____ to (mo/yr) _____ Total Yrs _____ Mons _____
Starting Salary _____ Last Salary _____
Job Title _____ Type of Business _____
Employer _____ Phone _____
Employer's Address _____
Supervisor's Name and Title: _____
Number employees supervised _____ Average hrs worked per wk _____
Reason for Leaving _____
Complete description of duties _____

Additional Space. Use this block to complete information given elsewhere on this form. If you still need more space, attach additional sheets. You may also use this space to summarize other pertinent education or experience which qualifies you for the position for which you are applying. _____

Pre-Employment Agreement

I understand and agree that:

1. If I misrepresent or deliberately leave out a fact in my applications, I may be refused employment or, if employed, I may be terminated.
2. The City has my authorization to thoroughly investigate my work, medical and personal history that is job-related. I will hold no person, corporation or organization liable for giving or receiving information in this investigation.
3. In consideration of my employment, I agree to conform to the rules and regulations of the City and I understand that no representative of the City has any authority to enter into any agreement, oral or written, for employment for any specified period of time or to make any agreement or assurances contrary to this policy.
4. Any doctor, hospital or testing laboratory may conduct medical tests and I hereby give my consent to having all information released necessary for the City to determine my abilities to perform job duties now or in the future.
5. Passing the pre-employment physical examination including a drug and alcohol screening test may be a prerequisite for qualifying for employment. If a job offer is made, I understand it is conditioned on this requirement. Failure to provide accurate medical information will be considered grounds for dismissal.
6. The City is an equal opportunity employer. The City does not discriminate and no question on this application is used for the purpose of limiting or excluding any applicant's consideration for employment on a basis prohibited by local, state, or federal law.
7. If employed, I understand that my employment is for no definite period of time, and if terminated, the City is liable only for wages and salary and benefits earned as of the date of termination.
8. I understand that an appointment shall not be deemed complete until a probation period of six months has elapsed as a new employee or a six month probation period for a promotion transfer.
9. I have read and agree to the above and hereby certify that the facts I have provided in my employment application are true and complete.
10. This application is current and active for only the position applied for and it will be necessary for me to fill out a new application for other positions that may be available.

Signature of Applicant

Date