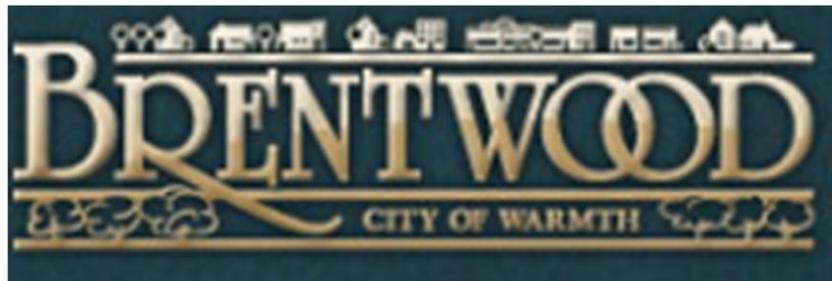


City of Brentwood, Missouri

Employee Handbook



David Dimmitt
MAYOR

Board of Aldermen

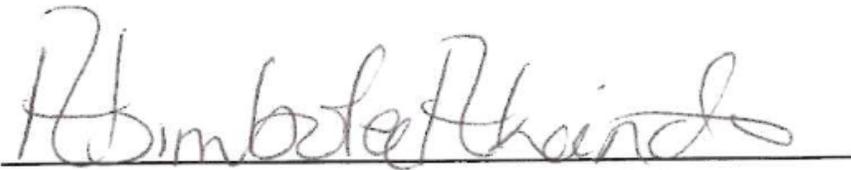
Ward One: Nancy Parker Tice
David Plufka

Ward Two: Sunny Sims
Michele Goad

Ward Three: Jeff Gould
Steve Lochmoeller

Ward Four: Sullivan Erger
Sharon Harter

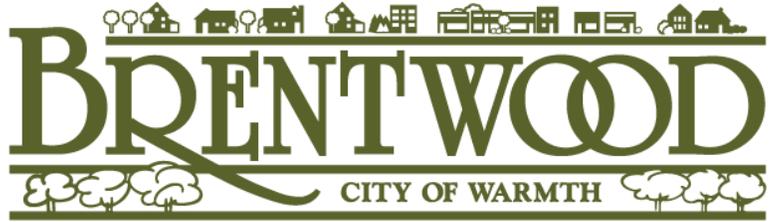
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Bola Akande, City Clerk/Administrator

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May 5, 2025

Dear City of Brentwood Employee:

Welcome! Thank you for being part of the City of Brentwood team. Whether you are just beginning your career with us or have been with the City for many years, we are grateful for your service and commitment to our community.

The City of Brentwood is known for its dedication to quality services, fiscal responsibility, and a strong sense of community. Our employees are key to maintaining that reputation. I invite you to take pride in the work you do every day and to join us in our ongoing efforts to provide efficient, responsive, and compassionate service to the residents and businesses that call Brentwood home.

This handbook is designed to support you by outlining important policies, benefits, and expectations. I encourage you to read it carefully and keep it accessible as a resource. Should you have any questions, please don't hesitate to reach out to Human Resources or your supervisor.

Thank you again for the role you play in making Brentwood a great place to live, work, and serve.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Dimmitt", is written over a light blue horizontal line.

David Dimmitt
Mayor, City of Brentwood

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The City of Brentwood, at its option, may change, delete, suspend or discontinue parts of the handbook or the handbook in its entirety at any time without prior notice. In the event of such a change, employees will be notified. Any such action shall apply to existing and future employees. Ordinances and statutes that are referenced in the handbook can be viewed by contacting Human Resources or the Deputy City Clerk.

1 INTRODUCTION AND OVERVIEW

The purpose of this handbook is to outline the working conditions, key policies, procedures, and benefits affecting employment at the City of Brentwood. Each employee is asked to read this handbook carefully and become familiar with these policies, as adherence directly affects your continued employment with the City. These policies apply to all employees of the City of Brentwood, although slight modifications are made for part-time or temporary/seasonal employment. Please see your supervisor if clarification is needed.

While containing general statements of City policy, the employee handbook does not operate to form an expressed or implied contract or promise between the City and its employees. The Employee Handbook does not alter the employment at will relationship in any way. Should you have questions regarding any of the policies and procedures contained herein, or if you have suggestions for amendments to the employee handbook, please feel free to forward your comments to the City Clerk/Administrator.

We seek to have policies that are uniform for all employees; however, due to the unique services of some departments, special provisions may apply to specific groups of employees. Such provisions will be clearly defined in this handbook. Unless an exception or special provision is approved by the City Clerk/Administrator, acting only under the authority of the Mayor and Board of Aldermen, this handbook will supersede departmental policy.

1.1 Welcome

The City of Brentwood hopes that all employees will experience personal satisfaction and success and will find their employment rewarding and productive. While our resources are directed towards serving the citizens of the City, we are also vitally concerned about the wellbeing of our employees. It is through your efforts, combined with those of other employees, that the most efficient, effective and professional services can be provided.

1.2 Community Overview

The City of Brentwood is a fourth class municipality in St. Louis County, Missouri. The City was incorporated in 1919 and encompasses approximately 2.5 square miles. Its population is approximately 8055. The City operates under a Mayor/Board of Alderman form of government with a full-time City Clerk/Administrator.

1.3 Changes in Policy

This employee handbook supersedes and replaces any previous version of the employee handbook, application, memoranda or materials provided regarding the subjects herein. Since the policies and procedures contained herein are guides only, the City reserves the right to amend, terminate, or modify any of the policies, practices and procedures contained herein with or without notice. No entity or individual other than the City Administrator, acting only under the authority of the Mayor and Board of Aldermen, is authorized to modify the employee handbook or enter into any agreement, oral or written, contrary to the policies and procedures contained herein.

1.4 Conflict with Local, State or Federal Law

Whenever the provisions of this employee handbook unlawfully conflicts with City of Brentwood ordinances, St. Louis County ordinances, Missouri state or federal law, City of Brentwood ordinances, St. Louis County ordinances, Missouri state or federal law shall govern.

2 EMPLOYEE DEFINITION AND STATUS

2.1 Employment Classification

Employees are grouped into the following categories for purposes of benefits and employment status. Regardless of employment status, per state statute, any employee who works more than 1,500 hours in a calendar year must participate in LAGERS (see Section 6.14)

Employee: A person employed for an indefinite period of time by the City of Brentwood.

Regular Employee: Employees who have successfully completed the Probationary Period.

At-will Employment: A non-contractual relationship in which the employee and employer can end the employment relationship at any time and for any reason.

Immediate supervisor: The person directly responsible for the assignment and the quality of employee performance.

Department Head: The head of a principal department appointed by the Mayor with the consent and approval of the Board of Aldermen and responsible to the City Clerk/Administrator. Department Heads include the following: Police Chief, Fire Chief.

Division director: The head of a division, appointed by and responsible to the City Clerk/Administrator. Division directors include the following: Finance Director, Parks and Recreation Director, and Public Works Director/City Engineer. The fire Chief and Police Chief are appointed by the Mayor with the approval of the Board of Aldermen and report to the City Administrator, as is the Court Administrator who is designated and reports to the Municipal Judge.

Temporary/Seasonal employee: Employees who are hired on a temporary basis for a limited amount of time, usually to perform seasonal work, to work on a special project, or to fill in for an employee who is out on leave. No change in such employee's status can occur without the written approval of the City Clerk/Administrator or his/her designer. Temporary employees serve the City without a benefit

package. Parks and Recreation Instructors are considered temporary/seasonal employees. Overtime pay or compensatory time off may, under certain conditions, apply to this category of employee.

- Full Time Employee:** Employees who are scheduled to work a minimum of 1,664 hours per year (32 hours per week). Full-time employees are eligible for the full-time benefits package.
- Part-Time Employee:** Employees who are scheduled to work less than 1,500 hours per year on a regular, year round basis. Overtime pay or compensatory time off may, in certain situations, apply to this category of employee.
- Declaration:** In order to participate in various City benefit programs, the employee and employee's partner must complete and submit a notarized Domestic Partner Affidavit to the Human Resources Manager. These forms are included in the Appendix.
- Domestic Partner:** A domestic partner is defined as an unrelated adult of the same or opposite sex of the employee with whom the employee is living in an intimate, long-term relationship with an exclusive commitment similar to marriage, in which the partners are jointly responsible for one another's welfare and share financial obligations.
- Elected Officials:** The Mayor, Board of Aldermen, and Municipal Judge are elected positions, with two-year terms.
- Hourly (non-exempt) employee:** Employees designated by the City as eligible for overtime pay in accordance with the Fair Labor Standards Act (FLSA). These employees are paid on an hourly basis. Deductions from pay are made for any absence, including absences of less than one day.
- Salaried (exempt) employee:** Employees who are in executive, administrative or professional positions and who are exempt from the FLSA overtime pay requirements. These employees do not receive overtime pay or compensatory time for hours worked in excess of "regularly scheduled hours". They may, at the Department Head's discretion, arrange for "administrative leave" but this time off is not required to be on a time-and-a-half or even an hour for hour basis.
- Fire protection employees:** Employees, including firefighters, paramedics, emergency medical technicians, rescue workers, ambulance personnel, or hazardous materials worker, who are:
- a) trained in fire suppression, has the legal authority and responsibility to engage in fire suppression, and is employed by a fire department of a municipality, county, fire district, or State, and
 - b) engages in the prevention, control, and extinguishment of fires or response to emergency medical situations

where life, property, or the environment is at risk. 29 USC*207 (k).

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| <i>Intern:</i> | A student or recent graduate undergoing temporary supervised practical training within the City. |
| <i>Active working status:</i> | Performing normal job duties or on City approved leave. An employee out on City-approved vacation, sick, jury, funeral, injury, military, or family medical leave who is reasonably expected to return to active duty maintains their active working status. |
| <i>Transfer:</i> | Movement of an employee from one City position to another of equivalent pay. |

2.2 Selection and Appointment

Qualification for employment is based on knowledge, skills, ability, training, and experience in relation to the actual job requirements needed for satisfactory performance of job duties. Adherence to the normal selection procedures will assure the hiring of the most qualified applicants to fill the available openings.

Vacant positions within the City are filled by the standard recruitment process and will be posted on the City's website. Internal positions will be advertised for a minimum of 5 working days. External positions will be advertised for a minimum of 10 working days. Per the State Auditor's recommendations, external positions will be advertised in the St. Louis Post-Dispatch, a minority publication, and any related professional organization, trade, and/or municipal organization websites. The City Clerk/Administrator determines whether a position qualifies for the internal or external recruitment process.

POLITICAL ACTIVITIES

City employees, as all citizens, are free to exercise their full rights of suffrage. As public servants, employees are required to support the Constitution of the United States of America, the Constitution of the State of Missouri, all duly elected City officials while engaged in the lawful performance of their duties and to serve the interest of the public without regard to their personal political opinions or affiliations. As a result, the City reserves the right to restrict certain types of political activity on the part of employees with the intent to maintain the neutral and efficient performance of official duties, and to avoid any real or apparent conflict of interest. The following shall apply:

- No employee shall publicly support or actively campaign for a political candidate for the offices of Mayor or Board of Aldermen or the City of Brentwood while on duty or off duty in uniform. Conversely, no employee shall publicly oppose or campaign against a political candidate for the offices of Mayor or Board of Aldermen of the City of Brentwood while on or off duty in uniform. The definition of "in uniform" includes City-issued uniforms as well as any apparel with insignia, logos, or language indicating an affiliation with the City of Brentwood.
- Elected and appointed board members do not fall into this category.
- No employee shall solicit, sell, or handle political contributions while on City business or property.

PROBATIONARY PERIOD

The probationary period serves as an opportunity for every new employee's performance to be monitored and evaluated. Within one month of hire, each new employee should receive a copy of their job description and a performance planning document which outlines the performance objectives and key duties and responsibilities on which they will be evaluated.

All new full-time employees shall be subject to a one (1) year probationary period. All part-time employees shall be subject to a six (6) month probationary period.

- During the employee's probationary period, the employee's work habits, abilities, attitude, promptness and other pertinent characteristics will be observed closely and evaluated at six (6) months by the supervisor, Department Head and other appropriate City officials. Probationary period employees are required to meet expectations based on their performance review. Subject to City Clerk/Administrator approval, if the probationary employee fails to meet the required standards of performance, said employee will be dismissed by the City Administrator without right of appeal or hearing. Probationary employees separated from the City's service shall not receive payment for any accrued vacation or sick leave benefits.
- At the end of each employee's probationary period, the Department Head shall complete a Payroll/Status Change Notice form, attach the performance review, and notify the City Clerk/Administrator in writing that either: (1) the employee has successfully completed the probationary period and is capable of satisfactorily performing the duties of the position and is henceforth to be considered a non-probationary employee; or (2) the employee has not demonstrated the ability to perform satisfactorily the duties of the position and will be separated from City employment. An employee is not removed from the probationary status until the City Clerk/Administrator has adopted the Department Head's report and a change in the employee's work status is expressly issued by the Department Head and the City Clerk/Administrator. Nothing in this paragraph shall prevent the Department Head from recommending separation from City employment.
- Employees who pass their probationary period are still at-will employees, as set forth under the General Rules of this Policy.
- The probationary period may be extended by the City Clerk/Administrator, upon recommendation of the Department Head, for a period not to exceed ninety (90) days if there is reason to believe that the employee may develop the ability to perform satisfactorily by an extension of the probationary period. The probationary period may also be extended if the employee, for any reason, misses more than thirty (30) days of duty during the period.

PROMOTIONAL PERIOD

All promoted employees shall be subject to a six (6) month probationary period. Within one month of promotion, each new employee should receive a copy of their job description and a performance planning document which outlines the performance objectives and key duties and responsibilities on which they will be evaluated.

During an employee's promotional period, the employee's work habits, abilities, attitude, promptness and other pertinent characteristics will be observed closely and evaluated at six (6) months by the supervisor, Department Head and other appropriate City officials. At the end of each employee's promotional service period, the Department Head shall complete a Payroll/Status Change Notice form, attach the performance review, and notify the City Clerk/Administrator in writing that either: (1) the employee has successfully

completed the promotional service period and is capable of satisfactorily performing the duties of the position and is henceforth to be considered a promoted employee with all rights and privileges due such employee; or (2) the employee has not demonstrated the ability to perform satisfactorily the duties of the position and will be returned to the previous position prior to promotion or a substantially equivalent position as determined by the City, if available and appropriate.

An employee is not removed from the promotional service status until the City Clerk/Administrator has adopted the Department Head's report and a change in the employee's work status is expressly issued by the Department Head and the City Clerk/Administrator.

Nothing in this handbook shall prevent the Department Head from recommending return to a previous position at any time during a promotional period should it become evident that the employee will be unable to satisfactorily perform the duties of the position.

- Employees who pass their initial/promotional service period are still at-will employees, as set forth under the General Rules of this Policy.
- An employee who is serving a promotional six month probationary period is eligible for a step/merit increase in January (if earned).
- Any employee who has not completed his initial probationary period will not be eligible for the annual merit/step increase until the probationary period has been successfully completed.
- The Department Head will notify the City Clerk/Administrator of the increase in writing by utilizing the Payroll/Status Change form.

The filling of PART-TIME positions shall be the Department Head's responsibility subject to budget restrictions and the approval of the City Clerk/Administrator. As part of the qualifications for employment, applicants to positions within the City service must satisfy the following provisions regarding nepotism and fraternization (see Sections 3.19 and 3.20).

Full-time City of Brentwood employees cannot accept a part-time position in another department if doing so would result in the employee earning overtime. Part-time City of Brentwood employees cannot accept a second part-time position in another department if doing so would result in the employee earning overtime or becoming benefit eligible.

No relative within the fourth degree of any elected official of the City shall be appointed, hired, or otherwise employed by or contracted with the City of Brentwood.

No part-time or full-time employee may directly supervise a relative employee. No employee shall accept appointment, in other than an ex officio capacity, to any Board or Commission of the City except as may be otherwise allowed by City/State ordinance. See Nepotism Policy (Sec. 3.19) and Fraternization Policy (Sec. 3.20).

No elected city official or employee shall participate, either directly or indirectly, in a decision to appoint or hire an employee of the City, including regular and part-time appointments, who is related to such person within the fourth degree by blood or marriage. It also shall be a violation of this policy for an employee to supervise, either directly or indirectly, the work of another employee who is related within such fourth degree, unless the supervisory role is specifically approved by the Board of Aldermen. A relative within the fourth degree includes, but is not limited to spouse, child, grandchild, great-grandchild, great great-grandchild, parent, grandparent, great grandparent, great great-grandparent, brother/sister,

aunt/uncle, great aunt/uncle, niece/nephew, grandniece/nephew and cousin. All relationships are included, whether full-, half-, step-, foster-, adopted, or in-law. An employee or supervisor who has a question pertaining to the relatives covered by the City's nepotism policy should contact his/her department head or the Office of Human Resources.

In sum,

- The Board and/or Mayor cannot appoint or hire a full-time employee or part-time employee of a relative within the fourth degree;
- The Board and/or Mayor should not promote a full-time employee or part-time employee of a relative within the fourth degree;
- The Board and/or Mayor may retain a part-time or full-time employee of a relative within the fourth degree; and
- Pay increases or increases in other benefits incidental to the original employment do not result in violating the nepotism policy.
- A member of the Board of Aldermen or the Mayor who abstains from voting violates nothing and is in compliance with this policy.

2.3 Fire Dept New Hires without the St. Louis County Fire Academy Cert.

In an effort to promote diversity within the fire department, the pre-requisite of the St. Louis Fire Academy (Academy) Certification may be waived for an otherwise qualified candidate. In the event that a new hire does NOT possess the Academy, (and the City has the funds available) the employee MUST attend and complete the Academy within 1 year of hire as a condition of continued employment. In such case, the City will pay the employee's tuition with the agreement that the employee repay the amount via payroll deduction or in another manner agreeable to the City (for e.g., lump sum payment) within 18 months of the completion of the Academy. In the event that the employee's employment terminates prior to the repayment of the full tuition, the employee shall agree that the remaining balance shall be paid in full immediately and may be deducted from the employee's final paycheck. Employees who leave their employment for any reason prior to repaying his or her tuition in full shall not be eligible to receive accrued vacation time.

While the employee attends the Academy, the employee will continue to be paid the employee's regular salary; however, the employee will be converted to an 80 hour employee for the duration of the employee's attendance at the Academy for the purposes of payroll. The employee will be paid for each day the employee attends but will not be paid additionally for holidays during the course of the Academy training (they will continue to receive the Holiday Pay as if they were on a regular work schedule). Failure to complete the Academy for any reason may be grounds for termination.

2.4 Police Department Recruits

In an effort to promote diversity and improve recruitment efforts for entry-level Patrol Officers for the Police Department, the City may “sponsor” a recruit attending one of the local Police Academies in lieu of requiring POST Certification prior to hire. In such case, the City will pay the employee’s tuition to the Academy (if not already paid) with the agreement that the Employee will repay the amount via payroll deduction or in another manner agreeable to the City (for e.g., lump sum payment) within 18 months of completion of the Academy. In the event that the employee’s employment terminates prior to the repayment of the full tuition, the employee shall agree that the remaining balance shall be paid in full immediately and may be deducted from the employee’s final paycheck. Employees who leave their employment for any reason prior to repaying his or her tuition in full shall not be eligible to receive accrued vacation time.

Additionally, the City will hire the Recruit at 75% of the current Step 1 for a Patrol Officer while they attend the Academy. The recruit shall be treated as a full-time employee for the purposes of benefits, but will not be eligible to participate in the Police and Fire pension until graduating from the Academy and are brought on as a full-time Patrol Officer. Entrance into this employment relationship shall obligate the recruit to repay \$1000 per month (or partial month) of payment (i.e. 3 months in the Academy = \$3000) should the employee leave employment of the City within 36 months. This amount shall be reduced by 1/3 for each full 12 months of service. While under this obligation, the employee shall not be eligible for payout of accrued vacation should they leave the employment of the City for whatever reason.

While attending the Academy, the recruit will be paid as a standard 80-hour employee, and will not be eligible for the typical Holiday Pay afforded to non-exempt public safety employees.

If the recruit fails to complete the Academy for any reason, their employment will be terminated and they will be responsible for repayment of any covered tuition and payment as indicated above.

Upon graduation from the Academy, the recruit will be brought on as a full-time Patrol Officer at step 1 in pay grid and afforded all the benefits they are entitled to.

3 EMPLOYMENT POLICIES

3.1 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, it continues to be the policy of the City of Brentwood to implement fair, effective and positive personnel and management practices. These practices are designed to ensure the full realization of equal employment opportunity without regard to race, color, religion, gender, age, national origin, ancestry, disability or handicap, status of Vietnam-era or special disabled veteran, or status in any other classification whose consideration is prohibited by law.

Accordingly, the City of Brentwood has and will continue to (a) hire, train and promote individuals in accordance with its equal employment opportunity policy; (b) make decisions according to the principle of equal opportunity by imposing only valid requirements for employment opportunities; and (c) administer all personnel practices and programs (including, but not limited to, compensation, benefits, transfers and training) in accordance with this equal employment opportunity policy.

All Brentwood employees are expected and required to accomplish their work in a professional manner and with concern for the well-being of other City employees. Any harassment of any City employee by any other City employee is prohibited, regardless of their working relationship or status. Specifically, forbidden is any harassment based on a person's race, color, religion, gender, sexual orientation, age, national origin, ancestry, disability or any other classification protected by law. Any employee who experiences or

is aware of conduct of this nature should immediately notify his or her supervisor or manager. Any employee who is uncomfortable in notifying his or her supervisor or manager, or who is not satisfied after bringing the matter to the attention of his or her supervisor or manager, should immediately contact the City Clerk/Administrator or Human Resources. Any questions about this policy or potential harassment should be brought to the attention of the same persons.

The City of Brentwood will promptly investigate all allegations of discrimination or harassment in as confidential manner as possible and take appropriate corrective action if, and where, warranted. Some examples of possible appropriate actions include, but are not limited to, counseling, training, transfer, suspension with counseling, and/or immediate termination of employment.

Any form of retaliation against any individual for filing a bona fide complaint under this policy or for assisting in a complaint investigation is expressly prohibited. Given the seriousness with which all allegations of discrimination or harassment are treated, the City of Brentwood may also take disciplinary action up to and including termination against any employee who files a false complaint against any individual and/or knowingly or purposely provides false information during the investigation of any complaint.

3.2 Affirmative Action/Diversity

The City of Brentwood is committed to affirmative actions that will build on the strengths of our current workforce and continually enhance the diversity of our organization.

3.3 Americans with Disabilities Act

The City of Brentwood is fully committed to fulfilling its obligations under the Americans with Disabilities Act and applicable state disability and handicap discrimination statutes and regulations. Accordingly, the City does not refuse to hire, dismiss from employment or discriminate in compensation or other terms of employment because of an otherwise qualified employee's or applicant's mental or physical disability. All City employees, however, must be able to perform the essential functions of their positions. Thus, it is not illegal discrimination to require that all employees, including those with disabilities, be able to perform the essential functions of their jobs or jobs for which they apply, either with or without the use of a reasonable accommodation.

The City also provides reasonable accommodations for qualified individuals with disabilities in accordance with applicable laws and regulations. When an employee or applicant requests reasonable accommodation, the employer gives serious consideration to the possibility of special arrangements. Each request for reasonable accommodation must be considered on its own merits in light of the particular job and the specific accommodation requested. When the City makes accommodations to the needs of a particular employee, the City does not make any commitment that these special arrangements are permanent or that they will be extended to any other employee.

Rather, the City must retain its flexibility to reorganize work and redefine job requirements in light of its overall mission to serve the citizens of the City. Any disabled employee who believes that the City could make an accommodation that would enable that disabled employee to perform his or her job properly and safely, should immediately notify his or her supervisor or manager, **in writing**, by utilizing the City of Brentwood Accommodation Request Form, which is available at the back of this handbook and at the office of the City Clerk/Administrator.

Pursuant to and consistent with applicable federal regulations, the City has adopted and published grievance procedures providing for the prompt and equitable resolution of any complaints by City employees or applicants for employment regarding any conduct prohibited by the ADA. For further information regarding the City's grievance procedures, employees or applicants are encouraged to contact the City Clerk/Administrator or Human Resources.

3.4 Immigration Law Compliance

All offers of employment are contingent on verification of the candidate's right to work in the United States. The City of Brentwood, as required by federal law, utilizes the E-Verify system. Every new employee will be asked to provide original documents verifying his or her right to work and to sign a Federal I-9, Employment Eligibility Verification Form. Pursuant to federal guidelines, employees only need to be verified at the time of hire. Employees who experience a change of status (i.e. changing from part time to full time or vice versa) do not need to be re-verified in the system.

3.5 Employee Background Check

Prior to making an offer of employment, the City of Brentwood conducts a job-related background check appropriate for that position. A comprehensive background check may consist of a criminal record check, prior employment verification, professional reference checks, education confirmation, driving record check, Missouri Casenet search and credit check. Criminal record checks contain conviction records only and are used in a manner that is job related and consistent with business necessity.

3.6 Post-Offer Testing

Once a candidate has been selected for hire and has been offered a conditional job offer, post-offer testing that is appropriate for that position will be conducted. This testing may include a comprehensive psychological evaluation, fitness for duty testing, and drug and/or alcohol screening. Any current employee who is being promoted, transferred, or demoted into a position for which post-offer testing is normally required, must also successfully complete the post-offer testing. Procedures for post-offer testing by position type are maintained by the City Clerk/City Administrator or Human Resources.

3.7 Fitness for Duty Testing

Post-offer, pre-employment fitness evaluations are required for the following positions:

- All uniformed public safety positions (Police/Fire)

- All non-exempt Public Works employees
- All non-exempt Parks Maintenance employees

Fitness for Duty testing will comply with the Americans with Disabilities Act.

3.8 Psychological Evaluations

Post-offer, pre-employment psychological evaluations are required for the following positions:

- All uniformed public safety positions (Police/Fire)
- All senior managerial positions (in all departments)
- All Department Heads

3.9 Anniversary Date

The first day an employee reports to work is his or her official anniversary date. This anniversary date is used to compute the following benefits:

- Vacation Accrual*
- Seniority
- Sick Leave Accrual
- Eligibility for FMLA

*Public Safety employees will have their vacation reset on January 1 after their first year of employment due to scheduling requirements and to accommodate seniority selections.

3.10 New Employee Orientation

The formal welcoming process, or “employee orientation,” is conducted by Human Resources and includes an introduction to the City and an overview of employment policy and procedure. All benefit-eligible employees must complete the orientation process.

3.11 Personnel Records, HIPAA, and GINA

Employee records are maintained in the administration department with secured, limited access. Personnel data is kept in personnel files, finance files, and benefit/medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc.

The task of handling personnel records and related administration functions at the City of Brentwood has been assigned to the City Clerk/Administrator and Human Resources. Personnel files will be kept confidential at all times and include some or all of the following documents:

- Payroll/Status Change Notice Forms
- Performance related documents
- Benefits election forms

All medical records, if any, will be kept in a separate confidential file. Workers Compensation, Accident, and Injury Reports and Employee Grievances are maintained in separate confidential files.

The City Clerk/Administrator designates a Health Insurance Portability and Accountability Act (HIPAA) privacy officer. The Human Resources Manager is the designated HIPAA officer and is responsible for ensuring that privacy procedures are adopted and followed.

The Human Resources Manager as HIPAA privacy officer will evaluate employees' roles to determine which positions need access to any and all employee's Protected Health Information (PHI); implement written policies and procedures to ensure that only designated employees have access to PHI; and ensure access is only granted to the extent necessary to perform their duties.

The City follows these restrictions regarding the personal health information of our employees and other participants in our health plans:

- Disclose PHI only as permitted by HIPAA or with the individual's written authorization.
- Will not use or disclose PHI for employment-related actions or decisions or in connection with any other benefit or employee benefit plan of the sponsor
- Report any improper use or disclosure of PHI to the group health plan.
- Allow individuals to inspect and obtain copies of records containing their own PHI.
- Provide individuals with an account of disclosures of PHI to the extent required by the rule.
- Make internal practices, books, and records relating to the use and disclosure of PHI available to the federal Department of Health and Human Services for purposes of auditing the group health plan's compliance.

The City of Brentwood also complies with Title II of the Genetic Information Nondiscrimination Act. This act protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

3.12 Change of Personal Data

Any change in an employee's name, address, telephone number, marital status, dependents, insurance beneficiaries, or a change in the number of tax withholding exemptions, needs to be reported in writing without delay to Human Resources.

3.13 Safety

The safety and health of employees is a priority. The City of Brentwood makes every effort to comply with all federal and state workplace safety requirements. The City's workplace safety rules and regulations are located in the Safety Manual.

Each employee is expected to obey safety rules and exercise caution and common sense in all work activities. Employees are also responsible for reviewing and becoming familiar with the safety procedures for the facilities in which they work.

3.14 Building Security

Employee safety is of paramount concern to the City. Also extremely important is the security of City property and materials. Workplace violence, theft and vandalism of City property/materials will not be tolerated. Reasonable measures, as outlined below, will be taken to ensure security.

Each and every employee must follow the building security rules and regulations listed here:

- Employees are expected to be alert to suspicious persons and activities in their work areas.
- Isolated meeting areas should be avoided.
- Unknown individuals should not be allowed in work areas unescorted.
- If an individual or group causes a disturbance or seems suspicious, or if a potential problem situation is anticipated, dispatch should be contacted and requested to dispatch a police officer to the work location.
- It is the responsibility of the respective Department Heads to oversee the distribution of keys to various facilities and equipment. Strict control should be maintained.
- No employee should be given keys unless there is a specific need.
- Before an employee separates from employment, all keys and any other City property must be collected by the employee's supervisor or Department Head.
- If an employee has knowledge of theft, vandalism, unauthorized personal use of City equipment or property, or any other security violation, it is that employee's responsibility to report the violation to their supervisor or Department Head.
- Employees are responsible for familiarizing themselves with the safety procedures for the facilities in which they work.

3.15 Personal Property

If an employee suffers damage or loss of personal property while actively engaged in the line of duty, and directly resulting from the work activity, upon approval from the appropriate Department Head, the City may replace the item or reimburse the employee who presents a receipt for the item. The replacement or reimbursement must be for an item of reasonable cost. In the case of financial hardship, with the approval of the Department Head and the City Clerk/Administrator, the City may advance the money needed for a replacement based on actual estimates with the understanding that a receipt must be furnished after the purchase is made and any surplus will be returned to the City.

If the damage or loss is not the direct result of an on-the-job incident, the employee will remain responsible for replacing his/her own personal property. This includes misplacing

items, theft or damage which occurs after hours or off the job site, or any act which could be attributed to negligence on the part of the employee.

3.16 Health-related Issues

Employees who become aware of any health-related issue should notify their supervisor of their health status as soon as possible. The City of Brentwood understands that employees who are ill with a contagious temporary illness such as H1N1 or other viruses may still need to continue with their normal daily activities, which includes working. In determining whether an employee with a short-term temporary contagious illness may continue to work, several factors need to be considered. First, the employee should be able to perform the essential job duties of his job (with or without reasonable accommodation) and meet regular performance standards. In the judgment of management, the employee's continued presence in the workplace should pose no risk to either the employee, fellow coworkers, or to the public. If an employee disputes management's determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee's continued presence in the workplace poses no significant health risk to the employee, other employees, customers, or the public.

3.17 Employee Requiring Medical Attention

Employees should report all work-related injuries and accidents immediately to their supervisor, and then follow the steps outlined in the Safety Manual for on-the-job injuries. Employees experiencing a non-work-related medical issue should seek personal medical attention as appropriate. Failure to report accidents/injuries in a timely fashion can result in diminished benefits and/or disciplinary action.

3.18 Visitors in the Workplace

For safety, insurance, and other business considerations, only authorized visitors are allowed in the workplace. When making arrangements for visitors, employees should follow the check-in procedures for their specific building/department. Department Heads are responsible for identifying which areas of their building are accessible by visitors.

3.19 Nepotism

No elected city official or employee shall participate, either directly or indirectly, in a decision to appoint or hire an employee of the City, including regular and part-time appointments, who is related to such person within the fourth degree by blood or marriage. It also shall be a violation of this policy for an employee to supervise, either directly or indirectly, the work of another employee who is related within such fourth degree, unless the supervisory role is specifically approved by the Board of Aldermen. A relative within the fourth degree includes, but is not limited to spouse, child, grandchild, great-grandchild, great great-grandchild, parent, grandparent, great grandparent, great great-grandparent, brother/sister, aunt/uncle, great aunt/uncle, niece/nephew, grand niece/nephew and cousin. All relationships are included, whether full-, half-, step-, foster-, adopted, or in-law. An employee or supervisor who has a question pertaining to the relatives covered by the City's nepotism policy should contact his/her department head or the Office of Human Resources.

In sum,

- The Board and/or Mayor cannot appoint or hire a full-time employee or part-time employee of a relative within the fourth degree;
- The Board and/or Mayor should not promote a full-time employee or part-time employee of a relative within the fourth degree;
- The Board and/or Mayor may retain a part-time or full-time employee of a relative within the fourth degree; and
- Pay increases or increases in other benefits incidental to the original employment do not result in violating the nepotism policy.

3.20 Fraternalization

Employees are encouraged to keep all aspects of personal relationships with any co-worker out of the workplace. Work related problems that occur in full or in part, due to personal relationships between co-workers, will be dealt with just as any performance issue. If the performance problem is not corrected, one or both of the employees may be terminated from employment if the City Clerk/Administrator determines this to be in the best interest of the City.

- All supervisors or other managerial employees must refrain from dating any City employee or developing personal relationships of a similar nature with any employee. In the event such a relationship does develop, it must be reported on a timely basis to the Department Head and City Clerk/Administrator. In the event such a relationship develops, an immediate transfer, resignation or termination of the supervisory employee will be required. Either employee may be disciplined, up to and including termination, for failure to report the relationship in a timely fashion.
- All non-supervisory employees are strongly discouraged from dating or developing personal relationships of a similar nature with co-employees. In the event such a relationship does develop, it must be immediately reported to both employees' Department Head(s). If the relationship is not reported on a timely basis, the failure to notify is cause for immediate disciplinary action, up to and including termination. Furthermore, the City may also transfer or reassign the employee with less continuous service with the City to another department.
- In the event that such actions are not possible, and there is a judgment that the service of the City might be adversely affected by the personal relationship, the employee with the less continuous service to the City might be asked to resign.

3.21 Weather-related and Emergency-related Closings

In the event the City Clerk/Administrator approves the early closure of any City facilities and sends employees home prior to the end of their normally scheduled work period, those employees will not be charged any vacation time for leaving at the time the City Clerk/Administrator so designates.

Employees regularly scheduled to work on those days which a facility is closed early, and who leave earlier than the time designated by the City Clerk/Administrator or who do not make it to work that day, will be charged applicable leave time for the total number of hours for which they were scheduled to work but did not. In the event of extreme weather conditions, the City Administrator may allow for modification of start (and/or end) times to allow for the safe completion of tasks. Any such modification will be done in such a manner to not disturb the residents at off hours (i.e. excessively early or late). If such hours are

permitted, work will be complete in non-residential or less populated areas.

In the event the City Clerk/Administrator determines that a City facility will not open at all on a given day and employees of the facility are advised not to report to work, employees will not be charged vacation time for that day.

4 STANDARDS OF CONDUCT

4.1 General Guidelines

In accepting City employment, employees become representatives of the City and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of Brentwood. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a City employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

All employees are urged to become familiar with the City of Brentwood rules and standards of conduct and are expected to follow these rules and standards faithfully in doing their own jobs and conducting the City's business.

- No person shall make any false inference, misrepresentation, statement, certificate, mark, rating or report in regard to any test, certification or appointment held or made under the personnel provisions of the rules or regulations made hereunder.
- The City shall not prohibit any appointed officer or employee from being a candidate for elected or appointed office but no appointed officer or employee of the City of Brentwood shall continue in such position after becoming a candidate for nomination or election to any public elective office of the City of Brentwood.
- No City officer, appointed official, appointed salaried officer, employee, independent contractor or consultant of the City shall in any way be otherwise employed by the City of Brentwood.
- No person seeking appointment to or promotion in the service of the City shall either directly or indirectly give, render or pay any money, service or other valuable thing to any person for or on account of or in connection with his/her test, appointment, proposed appointment, promotion or proposed promotion.
- No City of Brentwood elected official shall ask any Brentwood employee for campaign funds and/or support at any time.
- No employee, independent contractor or consultant of the City shall make any contribution to the campaign fund of any candidate for City office or to any organization supporting any such candidate, nor shall he/she work actively in any campaign of any candidate for any City office while on duty or off duty in uniform (see Section 2.2) which reads: No employee shall publicly support or actively campaign for a political candidate for the offices of Mayor or Board of Aldermen or the City of Brentwood while on duty or off duty in uniform. Conversely, no employee shall publicly oppose or campaign against a political candidate for the offices of Mayor or Board of Aldermen of the City of Brentwood while on or off duty in uniform. The definition of "in uniform" includes City- issued uniforms as well as any apparel with insignia, logos, or language indicating an affiliation with the City of Brentwood.

- No employee shall directly or indirectly be involved in any contract under the City or in any work done by the City or in furnishing of supplies for the City.
- It is imperative that all employees of the City of Brentwood strive to maintain the highest possible ethical standards. As public servants it is very important for all of us to not only adhere to these standards, but we must also be sensitive to the appearance of impropriety, even when none exists (see Section 4.11). Therefore, all employees or officials are expected to comply with the gift policy (see Section 4.22).
- No employee shall accept monetary gifts (see Section 4.22).

4.2 Attendance and Punctuality

The City of Brentwood expects employees to be ready to work at the beginning of assigned daily or shift work hours, and to reasonably complete their projects by the end of assigned work hours.

4.3 Work Schedule

Department Heads are responsible for establishing a normal work schedule (days and times for scheduled work) for all positions and for designating the work period for each position.

4.4 Absenteeism and Tardiness Policy

When an employee misses all or part of the day's work, that employee places an extra burden on fellow employees. Punctuality and regular attendance are essential to the City's proper operation. In order that the City may operate its business effectively, we ask that you keep us informed of your status when you are off work because of illness or accident from any cause.

If you are unable to report to work for any reason or if you will arrive late, notify your supervisor, or, in his or her absence, your Department Head before your starting time. You must also notify your Supervisor or your Department Head if you must leave work early, prior to leaving. Uniformed personnel are responsible for following their specific departmental reporting guidelines.

Chronic, uncorrectable, excessive absenteeism or tardiness, **even for reasons which are excused** (such as illness or injury) when so pronounced as to interfere with your reliability as an employee, may be grounds for discharge, within the confines of applicable law. Failure to advise of absence in advance when possible, or as promptly as possible (absent exceptional circumstances, within thirty minutes of normal starting time), if absence is unanticipated, and failure to obtain the prior permission of your supervisor to leave work early will also violate this policy.

Absence and tardiness may be the subject of disciplinary action, either at or after the time of the offense or upon periodic review of attendance records.

Any unauthorized absence from work for any part of the day or full day shall constitute just cause for appropriate disciplinary actions, up to and including discharge. Absence from work for three (3) consecutive days or shifts without notifying management will be considered a voluntary resignation.

4.5 Meal and Break Periods

Full-time employees receive two (2) fifteen (15) minute paid break periods. Part-time employees who work a continuous four-hour shift are entitled to one (1) fifteen (15) minute paid break period per four-hour shift.

Uniformed personnel who work shifts are subject to the rules and regulations stipulated by their specific department.

Employees in the Parks and Recreation Department are subject to the procedures stipulated by their department.

Employees are expected to use these breaks as intended and will not be permitted to adjust work start time or end time by saving these breaks. Employees working in City buildings will normally take their break at the place provided for that purpose in each building. Employees working out-of-doors will normally take their break at the location of their work. Exceptions must be approved by the supervisor, Department Head, or City Clerk/Administrator.

Full-time employees (except for Police and Fire) shall include a one (1) hour non-compensated meal period. This period is normally scheduled by supervisory designation but is not required to be provided by the City at any specific time. Before an employee may work through the designated meal period and be compensated, **it must be approved in advance** by their supervisor.

Employees are expected to use the meal period as intended and will not be permitted to adjust work start time or end time by saving these breaks.

4.6 Harassment Policy

It is the policy and commitment of the City of Brentwood not to discriminate or allow harassment on the basis of race, religion, color, gender, sexual orientation, national origin, disability, veteran, age or any other protected class in its employment policies. The City strives to promote respect for individuals of all backgrounds.

Harassment and hate crimes of any nature will not be tolerated. All employees are to act respectful and tolerant of all. Any harassment of any City employee by any other City employee is prohibited. As stated previously, forbidden is any harassment based on a person's race, color, religion, gender, sexual orientation age, national origin, ancestry, disability or any other classification protected by law.

Any employee who experiences or is aware of conduct of this nature should immediately notify his or her supervisor or manager, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form, which is available at the back of this handbook and at the office of the City Clerk/Administrator. Any employee who is uncomfortable in notifying his or her supervisor or manager, **in writing**, or who is not satisfied after bringing the matter to the attention of his or her supervisor or manager, **in writing**, should immediately notify the City Clerk/Administrator, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form.

Any questions about this policy or potential harassment should be brought to the attention of the same persons. Any behavior found to contribute to an atmosphere of disrespect and discomfort will lead to appropriate corrective actions which include, but are not limited to, counseling, training, transfer, suspension with counseling, and/or immediate termination of employment.

Any form of retaliation against any individual for filing a legitimate complaint under this policy or for assisting in complaint investigation is expressly prohibited. Any employee who experiences any form of retaliation should immediately notify his or her supervisor or

manager, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form, which is available at the back of this handbook and at the office of the City Clerk/Administrator. Any employee who is uncomfortable in notifying his or her supervisor or manager, **in writing**, or who is not satisfied after bringing the matter to the attention of his or her supervisor or manager, **in writing**, should immediately notify the City Clerk/Administrator, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form.

Note: If your complaint is with the City Clerk/Administrator, you should file the conduct complaint form with the Mayor's office. The Mayor will immediately notify the Board of Aldermen.

Given the seriousness with which all allegations of harassment are treated, the City of Brentwood may also take disciplinary action, up to and including termination, against any employee who files a false complaint against any individual and/or who knowingly or purposely provides false information during the investigation of any complaint.

4.7 Sexual Harassment Policy

It continues to be the policy of the City of Brentwood that sexual harassment of employees, applicants for employment, or clients and/or residents of the City in any form is unacceptable conduct that will not be tolerated. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature.

No supervisor or other employee shall engage in such conduct, nor state or even imply that an applicant's, or employee's refusal to submit to such conduct will adversely affect any person's prospective or continued employment, work status, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment or career development. Similarly, no employee shall promise, imply or grant any preferential treatment in connection with another employee, applicant or client/resident engaging in sexual conduct.

In our efforts to act positively to protect both current employees, as well as applicants for employment, against such harassment, the City endorses the following policy:

It is illegal and against the policies of the City of Brentwood for any employee, male or female, to sexually harass any employee, applicant for employment, client and/or resident by:

- making unwelcome sexual advances or requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature, a condition of an applicant's prospective employment or an employee's continued employment; or
- making submission to such conduct the basis for any employment decisions affecting the applicant or employee; or
- creating an intimidating, hostile or offensive working environment by such conduct.

Any employee who feels that he or she is a victim of sexual harassment by any supervisor, manager, official, other employee, agent, customer, client, or any other person in connection with employment with the City of Brentwood should immediately bring the matter to the attention of his or her direct supervisor, **in writing**, by utilizing the Brentwood Conduct Complaint Form, which is available at the back of this handbook and at the office of the City Clerk/Administrator.

Any employee who is uncomfortable in notifying his or her direct supervisor, in writing, or

who is not satisfied after bringing the matter to the attention of his or her supervisor or manager, in writing, should immediately notify the City Clerk/Administrator, in writing, by utilizing the City of Brentwood Conduct Complaint Form. Any questions about this policy or potential sexual harassment should also be brought to the attention of the same persons.

The City of Brentwood will promptly investigate allegations of sexual harassment in a confidential manner and take appropriate corrective action if, and where, warranted. Some examples of possible appropriate corrective actions include, but are not limited to, counseling, training, transfer, suspension with counseling, and/or immediate termination of employment.

Any form of retaliation against any individual for filing a legitimate complaint under this policy or for assisting in complaint investigation is expressly prohibited. Any employee who experiences any form of retaliation should immediately notify his or her direct supervisor, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form, which is available at the back of this handbook and at the office of the City Clerk/Administrator. Any employee who is uncomfortable in notifying his or her direct supervisor, **in writing**, or who is not satisfied after bringing the matter to the attention of his or her direct supervisor, **in writing**, should immediately notify the City Clerk/Administrator, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form.

Note: If your complaint is with the City Clerk/Administrator, you should file the conduct complaint form with the Mayor's office. The Mayor will immediately notify the Board of Aldermen.

Given the seriousness with which all allegations of sexual harassment are treated, the City of Brentwood may also take disciplinary action up to and including termination against any employee who files a false complaint against any individual and/or who knowingly or purposely provides false information during the investigation of any complaint.

While sexual harassment may appear to be a fairly limited problem of an unwelcomed sexual advance by managers upon employees, there are many variations on the circumstances out of which claims of sexual harassment may arise. One way sexual harassment problems develop is through dating or similar personal relationships between employees, especially between supervisors and subordinates. Obviously, the potential exists, in any intimate or personal relationship between City employees, for subsequent claims of harassment when the intimate or personal relationship ends. Dating or similar personal relationships between City employees can also lead to other problems. Confidentiality and efficiency may be damaged by such affairs. Moreover, morale, professional development and fairness in treatment of employees suffer when special relationships develop between supervisors and employees. Accordingly, the City of Brentwood has adopted a policy addressing personal relationships in the workplace (see section 3.20).

4.8 Whistle-Blower Policy

As an employee of the City of Brentwood, you are protected from being disciplined or terminated if you "blow the whistle" on the City or a City employee for failing to follow city, state, or federal law. Any employee who feels that the City or a City employee is violating city, state, or federal law should immediately bring the matter to the attention of his or her direct supervisor, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form, which is available at the back of this handbook and at the office of the City Clerk/Administrator. Any employee who is uncomfortable in notifying his or her direct supervisor, **in writing**, or who is not satisfied after bringing the matter to the attention of his or her supervisor or manager, **in writing**, should immediately notify the City Clerk/Administrator, **in writing**, by utilizing the City of Brentwood Conduct Complaint Form.

Note: If your complaint is with the City Clerk/Administrator, you should file the conduct

complaint form with the Mayor's office. The Mayor will immediately notify the Board of Aldermen.

4.9 No Weapons Policy and Violence in the Workplace

All appointed officials, employees and contractors with the City of Brentwood entering upon or using the property of the City of Brentwood ("City"), including persons to whom a concealed carry endorsement has been issued, and excepting *only* police officers, security guards or other persons who have been given express written permission by the City to carry a weapon on or in City property, are prohibited from carrying prohibited weapons.

Prohibited weapons include, but are not limited to: firearms, explosives, knives, bows and arrows, stun guns, blackjacks or any other weapons, devices, instruments, substances or objects that may be used as a means of intimidation or may produce bodily injury or death, or any other devices restricted or regulated under local, state or federal law. Exception: City employees who are required to carry knives in the course of performing their job duties are allowed to possess such knives with the approval of their Department Head.

City property includes, but is not limited to: all buildings, walkways, parks, storage areas, lockers and desks, City of Brentwood-owned, rented, used or leased real and personal property, including City of Brentwood-owned, rented or leased vehicles, or any other property under the City's ownership or control. This subdivision shall not apply to any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by the City of Brentwood.

All employees and contractors are further prohibited from possessing prohibited weapons while in the course and scope of performing their job for the City, whether or not they are on or in City property at the time and whether or not they are licensed to carry a weapon.

This policy also prohibits all persons from possessing weapons at City sponsored functions such as, but not limited to, parties or cookouts.

All employees and contractors who are on or in City property, including those to whom a concealed carry endorsement has been issued, are subject to a search request of their person and belongings including, but not limited to, purses, briefcases, lunch boxes, or other packages in their possession.

Failure to abide by the terms and conditions of this policy, including refusing to consent to a search will result in disciplinary action up to and including termination of employment. Further, carrying a weapon on to City property in violation of this policy may be considered an act of criminal trespass, may be grounds for immediate removal from City property, and may result in prosecution.

If you have a question about whether an item or device is covered by this policy or if you become aware of anyone violating this policy, please contact the City Clerk/Administrator or Human Resources.

The City of Brentwood has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect the City of Brentwood, or which occur on City property, will not be tolerated.

4.10 Confidential Information and Nondisclosure

By continuing employment with the City of Brentwood, employees agree that they will not disclose or use any of the city's confidential information, either during or after their employment. Employment with the City of Brentwood assumes an obligation to maintain

confidentiality.

4.11 Conflict of Interest

No employee may have any sort of financial interest, either direct or indirect, in any contract with the City, or in the sale to the City of land, materials, supplies, goods or services.

An employee shall not engage in any activities (whether volunteer, appointed, elected, or paid) which create a conflict of interest, or might appear to conflict, with the employee's responsibilities and obligations with the City of Brentwood. An employee shall disclose to his or her Department Head or City Clerk/Administrator any situation in which the employee has a real or potential conflict of interest.

Further, an employee shall disclose conflicts of interest in writing on the City's Conflict of Interest Disclosure Form, including a brief statement of the nature and extent of the conflict. Elected officials shall comply with City of Brentwood Ordinance Nos. 3153 and 4294 which require disclosure of any substantial personal or private interest as defined by state law.

4.12 Ethical Standards

The City of Brentwood insists on the highest ethical standards in conducting its business. When faced with ethical issues, employees are expected to make the right professional decision consistent with the City's principles and standards. Employees should be familiar with and follow the ICMA Code of Ethics and guidelines. The ICMA Code of Ethics is available from the Office of the City Clerk/City Administrator and is included in the appendix of this document.

4.13 Dress Code

Employees of the City of Brentwood are expected to present a clean and professional appearance while conducting business, in or outside of the office. Dressing in a fashion that is clearly unprofessional, that is deemed unsafe, or that negatively affects the City's reputation or image is not acceptable.

Any unusual attire or sloppiness suggests a lack of consideration for others and a low opinion of your job and the City of Brentwood. A person who violates the dress code may be required to clock out and return home in order to dress appropriately; and may be subject to discipline, up to and including discharge, for repeated violations of the dress policy.

Dress and Appearance: While it is not the City's intention to dictate the personal wardrobe of employees, the appearance and dress of employees are important in creating a favorable image supportive of public confidence. In general, dress and grooming which the citizens of Brentwood might consider faddish, extreme, slovenly, overly casual or seductive should be avoided. The following guidelines should prove to be helpful:

- **Uniformed Personnel:** Uniforms, which are provided to many City employees, are required to be neat and clean when employees report for duty. Uniforms will be complete and appropriate for the season. Each Department Head is responsible for assuring that employees in his/her department follow regulations regarding uniforms, related accessories and equipment. Uniforms bearing a City identification patch will not be worn during off-duty hours or in combination with non-uniform clothing. While the City does not prohibit the wearing of T-shirts and other apparel with the City logo/name, the employees should be aware that, when wearing such clothing, they are representing the City and should behave accordingly.

- Non-Uniformed Personnel: Employees who are not provided uniforms should wear clothing which is neat, clean, attractive and suitable for business, except when field work is required. Employees may wear polo and button-down shirts with appropriate slacks, shirts, jumpers, skorts or culottes in lieu of more formal attire. Jeans, blue, black or otherwise are not permitted except for on Fridays or city-designated casual days. Shorts, leggings, jogging suits, sweatshirts and tee shirts are not acceptable attire. Employees are encouraged to wear City sponsored shirts.
- Grooming, hairstyles and length should be by individual choice and should avoid extremes. Personnel of the Fire and Police Departments may be required to follow departmental regulations regarding dress and hair length. All clothing, accessories and shoes should be functional, safe, and appropriate for the type of work performed.
- Tattoos are not permissible on the hands, neck or face. Visible tattoos must not contain vulgarity, nudity, reference criminal activity, hate speech/symbols or other obscenities.
 - Employees with existing tattoos must demonstrate compliance to this policy with their department head or City Administrator before having their tattoos visible.
 - Employees wishing to get tattoos in a visible area must demonstrate compliance to this policy with their department head or City Administrator

prior to displaying the tattoo. (An employee may share the design of the tattoo with the department head or City Administrator prior to obtaining it, to ensure compliance.)
 - If the department head or City Administrator indicates that the tattoo does not comply with the policy, it must be covered while on duty.
- Earrings and small nose studs are permissible (provided they do not interfere with the duties of the employees – i.e. SCBA), while other facial piercings must be removed while on duty.
- Ball caps and hats are not permitted to be worn while on duty unless they are approved by a Department Head or Division Director.
- Hygiene: Employees are expected to practice daily hygiene and good grooming habits. Excessive, offensive or overly pungent fragrances should not be used in the workplace.

As always, Department Heads and Division Directors will determine the appropriateness of the overall appearance of the individual based on the duties performed by the employee and will maintain the right to send an employee home without pay if they are not dressed appropriately.

4.14 Use of Equipment

The City of Brentwood will provide employees with the equipment needed to do their job. None of this equipment should be used for personal use, nor removed from the physical confines of City facilities—unless it is approved for a job that specifically requires use of City of Brentwood equipment outside the physical facility.

The City of Brentwood recognizes that all City employees are a reflection of the community, and as such, their use of City equipment and City vehicles is to be conducted in a manner that has a positive impact on the image of the City. Public Safety personnel (Police and Fire) play an especially important role, by virtue of their visible presence in the community, in creating a community environment that feels safe and secure. Because of this, there are times that City employees may be at community events while on-duty and may be using City-owned equipment and City vehicles at such events. Employees who wish to attend community events while on-duty must request and receive, **in writing**, prior approval of the Department Head for both their attendance at the event and for the use of City equipment and/or City vehicles. Public Safety personnel (Police and Fire) are responsible for ensuring that attendance at any approved event will not prevent them from responding to service calls as needed or required.

4.15 Use of Computer, Phone, and E-Mail

The use of any information technology equipment owned, leased or rented by the City of Brentwood (herein called "the City systems") for non-business/government purposes is prohibited.

All information transmitted by, received from, or stored in the City's systems is considered to be the confidential property of the City and is to be used solely for the City's purposes. Any person using the City's systems is not permitted to access, copy, transmit or otherwise retrieve any stored information or communication unless necessary for the City's purposes. No user may download or install programs without authorization from the Information Technology Manager or City Clerk/Administrator.

The City's systems allow for the transmission and receipt of both internal and external electronic mail (e-mail) messages. The City's electronic mail is to be used for the City's business/government purposes. The City's systems may also be connected to on-line computer information services and the Internet for a variety of purposes. Any person accessing the Internet or other on-line services should have a legitimate City-related business/government purpose for doing so and should limit time spent on such services.

The availability of electronic mail and Internet resources are offered to the employees for the furtherance of their work as City employees. E-mail specifically includes all transmissions of information between users of the City of Brentwood' e-mail network, e-mail accounts, and corresponding passwords. Transmissions sent or received by employees during business hours should be appropriate and professional.

In accordance with State law, messages created on the system have the same classification and are accessible to the public as though they were written memorandums. Missouri Statutes, Sections 109.080, 109.090 and 610.010 et seq., provide that state, county and municipal government records "regardless of physical form or characteristics" must be made available for personal inspection by any citizen of Missouri. Only limited exceptions are authorized by the Data Practices Act.

E-mail transmissions, e-mail passwords, and any information transmitted via the City e-mail network are the property of the City of Brentwood. The City maintains the right to access and monitor stored e-mail messages. Any unauthorized use, as described in the following paragraphs, is prohibited and will be subject to disciplinary action, up to and including termination.

E-mail passwords and corresponding accounts are non-transferable. No employee may use the email account or password of another employee without the express written consent of the appropriate Department Head.

All personal e-mail transmissions and Internet usage is to be kept at a minimum. Use of e-mail transmissions, or Internet sites, that are vulgar, offensive, obscene, discriminatory, harassing, or otherwise inappropriate are strictly prohibited. The City will not tolerate the sending of inappropriate, obscene, harassing or abusive language or materials. Expressly prohibited is the transmission of any sort of racist, sexist or other discriminatory comments. The sending of offensive materials, chain letters and the conduct of illegal activities through electronic mail or use of Internet sites is not permitted and will not be tolerated. The illegal transmittal or printing of copyrighted materials is also prohibited. All employees are advised that all e-mail transmissions will be stored on tape in conjunction with the City's computer backup procedure.

To ensure that the use of the City's electronic and computer resources is consistent with the City's legitimate interest in serving the public, authorized representatives of the City may monitor the use of such systems from time to time. This includes, but is not limited to, monitoring internet usage of any kind and/or reviewing the content of or attachments to any e-mail transmission. Employees are specifically advised, and consent as a condition of using any City's computer resources, that there is no expectation of privacy in any message or file sent, stored or received on the City's computer system.

To ensure that the use of the City's systems is consistent with the City's mission, authorized representatives of the City may monitor and/or audit the use of such equipment and communications. All messages and documents on the City's systems may be saved for some period of time and deleted messages and documents may be recoverable.

As a condition of employment and continued employment, all City employees are required to sign an Information Systems Access and Use Acknowledgment Form. Applicants for employment are required to sign this form on acceptance of an employment offer by the City.

Violations of this policy may result in discipline up to and including discharge.

- City telephones are intended for City related business only, however, the City recognizes that there are times when personal calls must be made (e.g., to doctors, spouses, children etc.). Employees are encouraged to keep all calls to a minimum length. Personal calls should be made during non-working hours whenever possible.
- If a personal call is long distance, the call must be either a collect call or charged to a personal calling card. Long distance personal calls should not be made with the intention of later reimbursing the City. All personal calls should be reasonably limited in duration.
- Professional calls (e.g., those related to the employees' occupation, position with the City, professional societies and organizations) can be made on City time, and can be long distance as long as they are not abused by length or number of calls.
- Long distance calls made in reference to personal educational pursuits are considered personal, and therefore, should be treated as such by the employee in accordance to the above stated guidelines.
- Collect calls should be made and accepted only in emergency cases.
- City owned fax machines are to be used for City-related business only.
- 411 (Information) should not be used on city-owned land lines or cell phone lines.

Failure to comply with any of the above stated rules and procedures may result in disciplinary action up to and including termination.

4.16 Recorded Phone Lines

In the interest of public safety, the City of Brentwood reserves the right to record and store incoming and outgoing telephone calls.

Employee communications on any City numbers or extensions are not considered private and employees should have no expectation of privacy when using these numbers and extensions.

Every employee's implied consent to the interception and storage of phone conversations on the above numbers and extensions is a condition of employment with the City of Brentwood.

4.17 Cellular Phone Policy

The acquisition, distribution, and use of cellular telephones will be based on an analysis and justification that takes into account cost, efficiency, and enhanced job performance.

Cellular telephone use is subject to all rules and regulations regarding regular telephone use unless as otherwise determined by the City Clerk/Administrator. Cellular phone service, due to the cost of acquisition and operation, should be used only when normal telephone service is not reasonably available to initiate or receive calls. Examples of justified use include situations where:

- Mobile communications are essential to assign job responsibilities and performance would be impaired without the use of a cellular phone;
- Telephone calls are necessary and other normal landline services are not readily available;
- Cellular phones are a more economical alternative;
- Job related time, travel, and safety factors dictate use of a cellular phone as the most prudent and cost efficient communications option.
- The use of a mobile device is prohibited when operating a city owned vehicle unless in situations when responding to emergency call or dispatch.

Use of City-owned cellular telephones to make or receive personal calls or messaging is not allowed. Detailed billing showing every incoming & outgoing call is received monthly. Any excess fees resulting from personal calls, messaging, directory assistance or internet access are to be reimbursed to the City by the employee to whom the phone is issued within 10 days of receipt of the bill. If a cellular phone is lost or damaged due to employee negligence, it will be the responsibility of the employee to immediately repair or replace the equipment at his/her own expense.

Employee communication via City-issued cellular telephone equipment is not considered private. No employee shall have any expectation of privacy in the use of the equipment and no employee shall use the equipment for any type of communication that is offensive, illegal, inappropriate, or in violation of any City or departmental policy.

The safe operation of the vehicle is the primary responsibility of all personnel. Cellular telephone usage, personal or city-related, is prohibited while operating a City-owned

vehicle. Employees who need to use a cellular telephone while driving are encouraged to safely stop the vehicle before activating the cellular telephone. In the event that any employee is involved in an accident while using a cellular telephone, appropriate disciplinary measures will be imposed if negligence is determined. For legitimate safety reasons, this policy does not apply to the Police or Fire Department. The Police and Fire Department shall adhere to its own department's communications device policies.

Departments may restrict employee-owned cellular telephone equipment during the work day and may ban them from job sites. Departments may develop additional cellular telephone equipment policies and procedures for City-assigned equipment to meet specific departmental needs.

Employees whose job responsibilities may require them to be contacted after hours in emergency situations should supply the City with contact information, including the numbers of any cellular telephones they might regularly carry. Such information should not be considered to make the employee "on call" or result in additional compensation outside of what may be required under state or federal law.

4.17 a Cell Phone Stipend Policy

Eligible employees (below) may receive a cell phone stipend from the City for business-related costs incurred when using their personal cell phones.

I. ELIGIBILITY

- a. An employee may be eligible for the stipend if the following criteria is met, as determined by the employee's Department Head:
 - i. The job function of the employee requires considerable time outside of his/her assigned office, work area, or at irregular hours and the employee must be accessible during those times;

II. STIPEND PLAN:

- a. Eligible employees may receive a stipend of \$30 a month upon the approval of the employee's Department Head and the City Administrator.
- b. Once approved, the employee will be eligible to receive the stipend automatically each month.
- c. A stipend will be received in lieu of receiving a City provided cell phone and service plan.

III. OVERSIGHT, APPROVAL & FUNDING

- a. Department Heads are responsible for identifying eligible employees. Each department is strongly encouraged to review whether a cellular device is necessary, and to select alternative means of communication.
- b. Each Department Head is responsible for determining employee cell phone needs and assessing each employee's continued eligibility for a cell phone stipend. This includes an annual review to determine continued eligibility of their employees.
- c. Stipends are funded by the eligible employee's department budget for cell phones

IV. EMPLOYEES RIGHTS & RESPONSIBILITIES

- a. The eligible employee is responsible for purchasing a cell phone and establishing and maintaining service with the cell phone service provider of his/her choice. The cell phone contract is in the name of the eligible employee, who is solely

- responsible for all payments to the service provider.
- b. To the extent allowed by law, the stipend provided is not considered taxable income.
 - c. Do not use the cellular phone while operating a motor vehicle, machinery, or in other dangerous situations.
 - d. If the employee terminates his or her cell phone service plan at any point, they must notify his/her supervisor within 5 business days to terminate the stipend.
 - e. Comply with all Federal and State data maintenance and protection laws (e.g. record retention requirements), as well as all City policies, including those pertaining to data security, acceptable computing use, and email.
 - f. Agree to install the City Mobile Device Management app, so in the event a device is lost the City can wipe City data from the cell phone. A lost device must be reported to your supervisor and Information Technology as soon as possible.
 - g. Delete all City data from the cell phone when employment with the City is severed, except when required to maintain the data in compliance with a litigation hold notice.
 - h. The cell phone stipend does not constitute an increase in base pay, and will not be included as base compensation for future raises, salary adjustments, retirement calculations, and employee benefits.

V. CANCELLATION OR REDUCTION

- a. Any stipend will immediately cease or be reduced if:
 - i. An employee's employment with the City terminates;
 - ii. An employee's Department Head determines he/she is no longer eligible for the stipend;
 - iii. The eligible employee no longer has a cell phone or cell phone service plan;
 - iv. The City decides to eliminate or reduce the stipend or the eligible employee's Department Head determines to reduce the amount of the stipend.; or
 - v. The eligible employee uses the cell phone in any manner contrary to local, state, or federal laws or City policy.

4.18 Use of Internet and Social Media

The City of Brentwood 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 as well as business purposes. The City also understands how the use of internet social network sites and blogs can shape the way the public views our elected officials, employees, vendors, partners, residents, and community. The City of Brentwood respects the right of any employee to maintain a blog or post a comment on social networking sites. However, the City of Brentwood is also committed to ensuring that the use of such communications serves the needs of our community by maintaining the City of Brentwood's identity, integrity, and reputation in a manner consistent with our values and policies. The following rules and guidelines apply to communications about City of Brentwood-related information via Social Networking forums whether used in or outside the workplace:

Personal Blogging or Social Networking on City of Brentwood 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 of Brentwood equipment or property. Working time is your scheduled time of work, not including lunch hour, breaks or time prior to or after your shift.

Authorization

Employees must obtain written authorization before commenting about the City of

Brentwood's services on blogs or social networking sites. If authorization is given, the employee must clearly and conspicuously disclose his or her employment relationship with the City of Brentwood when posting a comment regarding our services.

Legitimate City Purposes

Any employee engaging in Social Networking or Blogging for legitimate City purposes (an employer-sponsored blog or media site) must get express approval of all content with the appropriate Department Head before posting. Employees engaged in blogging or networking for legitimate City purposes are responsible for complying with all City of Brentwood policies.

Disclaimer

Any employee who mentions the City of Brentwood on a personal blog or social networking account must include a disclaimer that specifically states that the opinions and attitudes expressed are those of the employee alone and may not be aligned with those of the City of Brentwood. The employee must make it clear that he or she is speaking for himself or herself and not on behalf of the City.

Restriction on Customers, Clients, Vendors, Products and Services

Employees are prohibited from soliciting City of Brentwood residents, 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 of Brentwood or in cases where there is a pre-established relationship outside the City of Brentwood which has been disclosed to and approved by the City Clerk/Administrator at the time of employment or institution of this policy. Employees are not to promote any of City of Brentwood's services on any website or social network without express authorization of the City Clerk/Administrator.

Proprietary and Confidential Information

All other City of Brentwood rules and policies regarding disclosure of sensitive, proprietary, financial or confidential information apply in full to blogs and Social Networking sites. City of Brentwood logos and trademarks may not be used without express written permission from the City Clerk/Administrator.

To ensure that the City of Brentwood, its residents, vendors and employees are not defamed or injured through use of blogs and Social Networking sites, the City of Brentwood takes a strong stance against employee blogs or Social Network sites containing false information or false accusations.

Discrimination and Harassment

All other City of Brentwood rules and policies regarding discrimination and harassment apply in full force to blogs and Social Networking sites. The City of Brentwood is firmly committed to its equal employment opportunity policies and does not condone or tolerate discrimination.

The City of Brentwood also prohibits all forms of unlawful harassment. Employees are prohibited from engaging in any conduct, activities, communication or postings which violate City of Brentwood policies regarding discrimination and harassment. No messages with derogatory or inflammatory remarks about any legally protected characteristic shall be transmitted or retrieved.

No abusive, profane or offensive language is to be transmitted. Any conduct which is impermissible under the law if expressed in any other form or forum is also impermissible if expressed through blogs, social networks, text messages or other electronic means.

Media Contacts

Formal news releases concerning municipal affairs are the responsibility of the City Clerk/Administrator. All media interviews must be approved by the City Clerk/Administrator before the interview. All contacts with the media should be reported to the City Clerk/Administrator as soon as practicable. No City employee is authorized to speak on behalf of the City without prior authorization from the City Clerk/Administrator or his/her designee.

Media contacts made through blogs or Social Networking Sites regarding the City of Brentwood, its services, employees, partners, vendors, residents, or elected officials should be referred for coordination and guidance to the City Clerk/Administrator.

Right to Monitor

The City of Brentwood reserves the right to monitor all public blogs and social networking forums for the purpose of protecting its interests and monitoring compliance with City of Brentwood policies. If activity is found to be compromising, insubordinate or adverse to the City of Brentwood, the City may require cessation and removal of any detrimental commentary or postings. The City of Brentwood reserves the right to access any City of Brentwood 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.

Reporting

If an employee believes that a blog or other online communication violates any City of Brentwood policy, the employee should immediately report the blog or online communication to their Department Head or the City Clerk/City Administrator. The City of Brentwood may investigate the matter, determine whether such blog, posting, website, or communication violates City of Brentwood policies, and take appropriate action.

Violations of Policy

Any employee who violates this policy may be subject to disciplinary action, up to and including termination. Additionally, violations of this policy may result in criminal prosecution, reimbursement of expenses incurred as a result of the violation, and additional legal action.

Employee Rights

This policy is not intended to restrict an employee's right to discuss wages and working conditions with co-workers or in any way limit employees' rights under the National Labor Relations Act.

4.19 Use of Computer Software

The City of Brentwood does not condone the illegal duplication of software. The copyright law is clear. The copyright holder is given certain exclusive rights, including the right to make and distribute copies. Title 17 of the U.S. Code states that "it is illegal to make or distribute copies of copyrighted material without authorization" (Section 106). The only exception is the user's right to make a backup copy for archival purposes (Section 117).

4.20 Smoking Policy

The policy establishes guidelines for all City employees by providing restrictions for smoking on or within city owned facilities. It is not the intention of this policy to infringe upon the right and decision of any employee to smoke. Rather, this policy is intended to provide a smoke-free environment for non-smoking employees who wish not to be affected by those who do smoke.

Definitions

- *Smoke*: shall include the smoking or carrying of any kind of lighted pipe, cigar, cigarette, e-cigarette or vaping device.
- *City facility*: shall be defined as any enclosed facility owned or operated by the City of Brentwood municipal corporation that is frequented by the public or represents the workstation of more than one employee.

Policy

In accordance with City Ordinance No. 4243, smoking shall be prohibited in all enclosed places of employment within the City of Brentwood to include all City Vehicles. Smoking shall also be prohibited in all enclosed public places within the City of Brentwood. In accordance with St. Louis County Ordinance No. 605, smoking shall be prohibited within 15 feet from the doors, windows that open, or ventilation intakes of all municipally-owned or operated facilities. Smoking shall be prohibited in all city-owned vehicles. No smoking signs are required to be visibly posted on the exterior of all City of Brentwood facilities.

Enforcement

The effectiveness of this policy shall depend largely on the understanding and cooperation of City employees and the public. Complaints of violation of this policy should be directed to the supervisor or Department Head responsible for the particular work area or facility. This person should notify the violator of the pertinent provisions of this policy.

4.21 Alcohol and Substance Abuse

It continues to be the policy of the City of Brentwood to maintain a drug-free workplace in keeping with the spirit and intent of the Drug Free Workplace Act of 1988. The use of controlled substances is inconsistent with the behavior expected of City employees and subjects both our employees and our citizens to unacceptable safety risks. Accordingly, the unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance or alcohol in the workplace or while engaged in City business is strictly prohibited. Such conduct is also prohibited during non-working time to the extent that, in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City's workforce.

As part of the City's employment procedures, the City conducts post-offer, pre-employment alcohol and drug screening conducted by a physician designated by the City. An offer of employment by the City is contingent upon, among other things, satisfactory completion of this examination and screening. As a condition of continued employment, City employees may also be required to undergo periodic alcohol and drug screenings at times specified by the City. In connection with these examinations, employees are required to provide the City with access to the drug testing records. All required alcohol and drug screens are paid for in full by the City, although the employee shall be responsible for the cost of any retesting that is performed at the employee's request.

If an employment applicant tests positive for drugs and/or alcohol during the pre-employment screening, he/she may be eligible to reapply for employment after six (6)

months has passed. At this time, the applicant may resubmit his/her employment application for consideration when applications are being accepted.

Although the above paragraphs provide a general description of the City's policies and procedures, employees should be aware that the City has developed and implemented a **comprehensive Substance Abuse Policy** (see Section 11.2) which details the full range of the employees' responsibilities as well as the City's testing policies and procedures. Copies of the Substance Abuse Policy are available from the City Clerk/Administrator or his/her designee. Employees who violate the City's Substance Abuse Policy are subject to discipline, up to and including termination.

Special Testing Requirements

Pursuant to the Omnibus Transportation Employee Testing Act of 1991, certain employees who perform safety sensitive functions may be required to undergo periodic alcohol and drug screenings at times specified by the City as a condition of continued employment with the City. Continued employment with the City is contingent upon satisfactory completion of any periodic random screening, and unsatisfactory completion will be considered misconduct connected with the employee's work and will result in discipline, up to and including discharge.

Under the direction of the City Clerk/Administrator, the Human Resources Manager maintains a list of job positions which require a CDL license and are subject to this policy.

Current positions which require a CDL license are certain Maintenance I positions, Maintenance II, Route Driver, Mechanic, and Crew Leaders. Human Resources can provide any employee with additional information concerning this policy and procedures for its implementation. Employees are advised that in order for the City to comply with any subsequent or otherwise applicable federal and/or state laws and regulations, the terms of this policy, including the list of job positions covered, is subject to change at any time.

4.22 Gifts

City employees are prohibited from directly or indirectly soliciting any gifts or gratuities from any persons doing or seeking to do business with the City. Further, employees shall not accept or receive any gifts or gratuities, directly or indirectly, whether in the form of money, services, loans, travel, entertainment, hospitality, things or promises or in any other form under circumstances in which such could reasonably be expected to influence the performance of official duties, or where it could reasonably be presumed to be a reward for any official action. These limitations are not intended to prohibit the acceptance of:

- a. small gifts of no significant value, such as pens, pencils, note pads and other items which can be used in the performance of work duties, and
- b. non-alcoholic consumable articles such as food, of no significant value, that can be shared equally on the City premises by all employees.

The items listed in (b) above should be brought to the attention of the Department Head to send out an appropriate letter accepting the gift on behalf of all City employees so as to avoid any appearance of influence.

Additionally, modest and customary business hospitality and entertainment listed below may be accepted by employees without being in violation of this Section provided such gestures are unsolicited by employees and are not made in exchange for any action or promise of specific action. This policy is not intended to isolate employees and from normal social practices where gifts among associates and friends are appropriate for certain occasions.

1. A gift is defined as:

- a. Occasional complimentary lunches or dinners.
- b. Occasional tickets to sporting or cultural events.
- c. Entry or other associated fees for sporting activities.
- d. Modest holiday gifts of fifty dollars (\$50.00) or less in value.
- e. Occasional invitations to hospitality suites at meetings and conventions.

Any other product, merchandise or service given as a gift other than the above is specifically prohibited.

2. A gift does not include:

- a. Campaign contributions which are reported under Chapter 130, RSMo.
- b. Compensation from an employer, a sole proprietorship or a partnership.
- c. Coffee, donuts and similar refreshments as a normal courtesy incidental to the conduct of a business meeting or work activity.
- d. Costs of attending events or functions in official City capacity.

Reporting Requirements.

- 1. If the retail value of such gifts received in any calendar year from such person, organization or corporation to an employee or official does not exceed fifty dollars (\$50.00), then the gifts may be accepted and no reporting is required.
- 2. If the retail value of such gifts received in any calendar year from such person, organization or corporation to an employee or official exceeds fifty dollars (\$50.00), the employee or official must notify the City Administrator in writing about the gift's offer and the City Administrator shall decide if the gift may be accepted. The City Administrator shall maintain a list of all gifts received and such information will be considered public records.

Awards. Any award given in recognition of service by a professional, social or service organization and any food, lodging, honorariums, registration or similar courtesies given by such organizations in exchange for presentations or other services to the organization may be accepted regardless of value, but shall be reported as provided herein.

Non-Discrimination. Under no circumstances shall any City employee discriminate against any individual or business or professional entity with respect to City business on account of the failure of such individual or entity to offer business hospitality or entertainment of the type described hereinabove.

4.23 Solicitations and Distributions

Solicitation for any cause (such as school or community fundraisers) during working time and in working areas is subject to Department Head approval. Employees are not permitted to distribute non-City literature in work areas at any time during working time without approval by their Department Head. City-wide solicitation emails are not allowed without

prior management approval.

The posting of written solicitations on workplace bulletin boards is prohibited. Employees may post information on these bulletin boards only with the approval of the City Clerk/Administrator.

Solicitations and/or donations for the annual golf tournament, National Night Out, MS Boot Drive, and city-selected charities are approved by the Mayor and Board of Aldermen, if held.

4.24 Grievance Procedure

We hope that your employment with us will be problem-free. However, if a misunderstanding or problem does arise, or if you have a suggestion, we encourage you to bring this matter to our attention as soon as possible. Nearly all problems and questions can be resolved fairly if we learn of them promptly.

Under normal conditions, if you have a job-related problem, question or complaint, you should discuss it with your Department Head, preferably within five working days of the date the problem arises. While employees are encouraged to solve job-related problems at the departmental level by utilizing their department's complaint process, employees have the right to leave the departmental process at any time and utilize the city's grievance process.

The simplest, quickest and most satisfactory solution will often be reached at this level. If the discussion with the Department Head does not resolve the matter to your satisfaction or if you believe that discussion with your Department Head is not appropriate (for example, if your complaint is about the Department Head), you may then present the matter to the City Clerk/ Administrator, preferably within ten working days of the conclusion of the matter with the Department Head. In order to expedite processing, complaints to the City Administrator should be submitted in writing utilizing the City of Brentwood's grievance form.

Note: If your complaint is with the City Clerk/Administrator, you should file the grievance form with the Mayor's office. The Mayor will immediately notify the Board of Aldermen.

Purpose

- An employee problem exists when an employee feels dissatisfied with some aspect of his/her work over which he/she has no control. These problems are often referred to as grievances. It is important to employees and supervisors alike that these problems be presented by employees to his/her supervisor. Unless the problem is expressed clearly to the person in authority, often it cannot be understood and therefore cannot be solved.
- The City has adopted the procedure outlined below to be used by any employee who has completed his/her probationary period who sincerely feels that he/she has a valid work- related problem and who desires that it be reviewed by higher authorities. The objective of this procedure is to describe to the employee, the immediate supervisor and higher authorities the steps to be used to provide answers to employee problems. Employees are also strongly encouraged, without resort to this formal procedure, to discuss informally with supervisors any problems within the scope of the grievance procedure, and supervisory and administrative personnel are to be accessible for such discussion. The City supports a policy of having supervisors meet with any employee on an informal basis to exchange views and opinions on all matters relating to the conditions of employment. Employees are encouraged to make use of any departmental communication and problem-solving channels before utilizing the grievance procedure.

General Provisions

- Whenever possible, grievances will be handled during the regularly scheduled working hours of the persons involved.
- In the event of the unavailability of a supervisor or administrator during the processing of a grievance, the subordinate's designated substitute supervisor or administrator shall handle the grievance. If this is not practicable, the grievance shall then be processed at the next higher step in the procedure.
- In the event that an employee is grieving about a manager other than the employee's direct supervisor, the grievance shall be forwarded to the supervisor or administrator above the accused manager.
- Any problem or grievance shall be considered settled at the completion of any step, if all parties are satisfied. Dissatisfaction on someone's part is implied in the movement of the grievance to the next step.
- The Grievance Form shall be used in processing employee problems or grievances.

Forms are available from the City Clerk/Administrator and are included in the back of this handbook.

The filing of a grievance and the entire grievance procedure is to operate without discrimination, restraint, coercion, or reprisal on the part of any supervisor or employee. The filing of a grievance, or the intention to file, does not relieve an employee in any way of his/her responsibility to perform any and all of his/her assigned duties promptly and completely.

When the organizational structure or special departmental circumstances do not permit the normal steps to be followed in processing a grievance, the City Clerk/Administrator may modify or interpret the plan so as to provide fair and equitable procedures to be used.

An employee complaint, dissatisfaction or problem need not be submitted or accepted by management as a grievance subject to the grievance procedure if the employee fails to file the written grievance, as required in step two (2) below, later than three (3) work days following the date of the incident, event or activity which gave rise to the grievance or the failure to satisfy an oral grievance. For the purpose of this grievance section, the term "workday" shall be defined as those days the employee is scheduled to work, however, if circumstances prohibit the thorough completion of the grievance investigation in a timely manner, additional time will be allotted.

In the event a grievance is filed which involves two (2) or more employees in the same or similar event, happening or condition, the City Clerk/Administrator may rule that all grievants will be governed by the same grievance form and resulting decision. The departments, City Clerk/Administrator and Arbitrator need not rule on each individual grievant's case separately when the foregoing conditions are present.

Either party may request and automatically be granted, without prejudice to either party, a time extension from the City Clerk/Administrator, once, for a reasonable length of time, to initiate or respond to a grievance.

Further extensions of time may be allowed at any step upon mutual consent of the parties involved. However, if a grievance is not presented within the time limits set forth below, it will be considered "waived." If a grievance is not appealed to the next step in the specified

time limit or any agreed extension thereof, it will be considered settled on the basis of the City's last answer. If the City does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step.

Matters Included in the Grievance Procedure

The variety of employee problems that may occur in the workplace could be numerous; therefore, it is impossible to list all aspects of the work environment which conceivably could lead to employee problems or grievances. Most employee problems can be placed into broad groupings, which include, but are not limited to, the following:

- The methods and working conditions which the employee uses and meets on his/her specific job.
- Relationships with supervision and fellow employees.
- The implementation of the City's personnel rules or departmental regulations or procedures as applied to the employee.

An employee problem does not need to fit into any of the above groupings to be considered a grievance. The important consideration is that it must be a problem specifically related to the work situation. If the facts are stated specifically, accurately and understandably, management will consider the matter. With the exception of those grievances outlined in the section immediately following, the ultimate decision on any grievance shall rest with the City Clerk/Administrator and shall not be subject to further appeal to a State certified arbitrator.

Matters Which May Ultimately Appeal to Binding Arbitration

Problem areas which are included in the grievance procedures and may ultimately be appealed to a binding arbitration hearing by full-time employees are the following:

- Discharge
- Demotions
- Layoffs
- Suspensions of longer than three (3) workdays or a forty-eight (48) hour shift for members of the Fire Department.

Steps of the Grievance Procedure

Step One

- The employee will explain orally the situation and problem to the employee's immediate supervisor within five (5) workdays or shifts of the events giving rise to the grievance. If the grievance concerns the employee's immediate supervisor, the employee should go to the next level of supervision.
- The immediate supervisor will, either alone or after consultation with his/her superiors, reach a decision and communicate it orally to the employee within five (5) workdays or shifts after being informed of the situation causing the grievance.
- Every possible effort should be made by all parties concerned to settle employee problems at this level on an oral basis.

Step Two

- If the employee is not satisfied with the oral decision rendered, he/she will submit the problem in writing on the Grievance Procedure Form to his/her immediate supervisor within five (5) workdays or shifts of receiving the immediate supervisor's oral response. The problem being submitted shall also include the proposed remedy.
- The immediate supervisor, either alone or after consulting his/her superiors, within five (5) workdays or shifts of receiving the written grievance, will notify the employee in writing of his/her decision in the appropriate space on the Grievance Procedure Form. This form shall be returned to the employee.

Step Three

- If the grievance is not settled at the second step, the employee may submit the grievance in writing to the employee's Department Head by the use of the appropriate space on the Grievance procedure Form within five (5) workdays or shifts after receiving the supervisor's written response. The Department Head need not act on any grievance referred which is received later than five (5) workdays or shifts after the date the written decision was returned to the employee by the immediate supervisor.
- The employee's Department Head shall use the appropriate space on the Grievance procedure Form to notify the employee of his/her decision within five (5) workdays of receipt of the grievance.

Step Four

- If an employee does not have his/her grievance settled to his/her satisfaction based on the decision of the Department Head, he/she may file an appeal with the City Clerk/Administrator. The employee shall complete the appropriate space on the Grievance procedure Form and submit it to the City Clerk/Administrator within five (5) workdays or shifts following the date the written decision was returned to the employee by the Department Head.
- The City Clerk/Administrator shall study the record of the appeal and may, at his/her discretion, hold an informal hearing to obtain any additional information. Such hearing shall be held by the City Clerk/Administrator, or by a representative authorized by the City Clerk/Administrator to serve as the hearing officer. The City Clerk/Administrator shall render a written decision within five (5) workdays following receipt of the record or, if an informal hearing has been held, within five (5) work days following the close of such hearing.
- The City Clerk/Administrator is the ultimate, binding authority with regards to all employment-related decisions. Upon taking action, the City Clerk/Administrator will notify the Mayor and Board of Aldermen. The only way to overturn the City Clerk/Administrator's employment-related decision is to proceed to Step 5, if applicable. Upon receipt of the City Clerk/Administrator's decision, the Department Head will carry out the terms of the decision with the appropriate action.

Step Five (Applies only to those grievances delineated in section number 4)

- If an employee does not have his/her grievance settled to his/her satisfaction based

on the decision of the City Clerk/Administrator, he/she may file an appeal with an arbitrator to be selected by the employee, and mutually agreed upon by the City, from a pre-selected panel of Arbitrators within the St. Louis area (Standard Metropolitan Statistical Area).

- Such appeal shall be requested in writing and directed to the City Clerk/Administrator within five (5) working days after the effective date thereof. Upon such appeal, both the employee and the appointed authority shall have the right to be heard and to present evidence. At the hearing of such appeals, technical rules of evidence shall not apply. After the hearing and consideration of evidence, the Arbitrator shall either confirm the action of the City Clerk/Administrator, award the employee the relief requested in the Grievance or recommend an alternate course of action.
- The Arbitrator shall file a written statement of the findings and award with the City Clerk/Administrator within thirty (30) workdays following the close of the hearing, and such decision shall be binding and final. The grievance, all written documents that may have been considered in the hearing, the findings and the award issued by the Arbitrator in the binding Arbitration Hearing shall be promptly filed in the Human Resource office.

4.25 STANDARDS OF CONDUCT AND CORRECTIVE ACTION

Disciplinary Actions: Reasons

Any employee of the City may be disciplined, up to and including discharge, as outlined below for breaching the standards herein set forth. The standards listed below are not exclusive, but exemplary, in that the City Clerk/Administrator may determine additional standards, or the City Clerk/Administrator may determine in individual cases whether any conduct reflects unfavorably upon such individual's employment. This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Disciplinary Procedures

- Reprimands: The first method of disciplinary action may be a reprimand given orally or in writing by the Department Head.
- Warnings: Written reprimands will become a matter of record. The report will show the date and time of the infraction of the rules involved, prior record of similar violations, and efforts made to correct the problem indicated. The employee shall be notified within five (5) workdays of the incident. The term "workday" shall be defined as those days the employee is scheduled to work. The employee and the supervisor shall sign the reprimand, and the employee shall receive a copy.
- Suspensions: Suspensions are temporary separations from City service for disciplinary purposes where the case is not sufficiently serious to merit dismissal or is under investigation. Suspensions are a matter for the Department Head to decide upon if the Department Head deems the offense to be serious enough to suspend an employee. Suspensions may be with or without pay depending on the circumstances.
- Automatic suspensions: An employee arrested and charged with a felony shall automatically be suspended until final disposition of the case. If the City has probable or reasonable cause to believe that a serious offense has been committed

for which a sentence will be imposed by a municipal, state or federal court and, in the judgment of the City Clerk/Administrator, the City's service might be adversely impacted, the employee may be subject to suspension without pay pending final disposition of the proceedings.

- **Demotions:** Demotions are necessary in order that employees whose work has not been satisfactory, but who do not warrant dismissal, may be retained and assigned less difficult work. When there is a vacancy in a lower classification for which the employee is qualified, the Department Head may place the employee in the vacancy with the approval of the City Clerk/Administrator. Such action could result in a correspondingly lower compensation level. Should any action outlined above be taken against an employee, a note of the action will become part of the employee's file.
- **Discipline/Dismissals:** The Department Head shall have the power to recommend discipline up to and including dismissal of any employee. All dismissals must be approved by the City Clerk/Administrator. Upon taking action, the City Clerk/Administrator will notify the Mayor and Board of Aldermen. Reasons for discipline/dismissal include, but are not limited to, the reasons listed below. Obviously, these reasons deal with matters that impair harmony among co-workers, result in a detrimental impact on close working relationships for which personal loyalty and confidence are necessary, impede performance of employees' duties and/or otherwise interfere with the operation of the City. The list is not intended to be exclusive but exemplary and the order in which these items appear does not imply degree of importance:
 1. Fighting or committing or threatening any act of violence while in the workplace or while performing your duties; Making verbal or physical threats toward staff, supervisors, co-workers, management, vendors, guests, or anyone else while on City premises or conducting work-related business off-site;
 2. Personnel other than authorized law enforcement bringing firearms or other weapons onto City premises;
 3. Any other acts that may be viewed as carrying the potential for workplace violence.
 4. Use of abusive language;
 5. Boisterous or disruptive activity;
 6. Conviction of a felony **or other crime involving moral turpitude** which the City deems to impact the employee's ability to perform his or her job;
 7. Use of any city resources (including but not limited to time, material and/or equipment) outside the scope of normal, established city services, for one's own personal benefit or for the benefit of any third party;
 8. Any willful damage, careless or negligent use, theft or any other unauthorized removal or appropriation of property or records belonging to the City, or to another employee;
 9. Misrepresentation of information in connection with any absence from work or application for use of an employment benefit;
 10. Falsification of personnel, medical, timekeeping or other records, or omission of pertinent facts from those records;

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11. Failure to maintain the confidentiality of City records;
12. Any act of dishonesty or any act which causes the City management to be unable to invest trust or confidence in an employee;
13. Insubordination or other disrespectful conduct, including, but not limited to, refusal to obey a direct order or instruction from a supervisor, failure to perform job duties, verbal abuse, or exhibiting a derogatory attitude toward a supervisor;
14. Improper, careless, negligent, reckless, destructive or unsafe use or operation of City equipment (including any City vehicles);
15. Immoral conduct or indecent or inappropriate behavior;
16. Possession or use of alcohol in the workplace or while on duty, except where authorized;
17. Soliciting or accepting gratuities in violation of the gift policy (see section 4.22);
18. Working while under the influence of non-prescription drugs or alcohol; illegal manufacture, possession, use sale, distribution or transportation of drugs; violation of the City's Alcohol and Drug Policy;
19. Possession of dangerous or unauthorized materials, such as explosives or firearms, on City premises (except as required in the performance of duties);
20. Excessive or unexplained tardiness and absenteeism; failure to advise of an absence or tardiness in advance, if anticipated, or to call in promptly if not anticipated;
21. Violation of the Harassment or Non-Discrimination Policies;
22. Unexcused absence of three or more consecutive days without calling in to your supervisor and without providing an explanation for the absence and the failure to call in which your supervisor deems to be satisfactory;
23. Secondary employment without authorization;
24. Unsatisfactory work performance; Incompetence or inefficiency in the performance of the duties of his/her position; failure to meet established work standards;
25. Violation of any personnel policies or procedures.
26. Inducing or attempting to induce an officer or employee in the service of the City to commit an unlawful act;
27. Failure to comply with additional conditions of employment established by the City;
28. Use of bribery or political pressure to secure appointment or advantage;
29. Threatening or attempting to use personal or political influence in securing promotion, leave of absence, transfer, change of pay rate, or any other conditions related to his/her work;
30. Conduct on or off duty whenever behavior threatens order, safety, health or public

respect for the City service and when such conduct is solely the fault of the employee;

31. Illegal gambling;
32. Clocking in or out for another employee;
33. Failure to follow safety rules;
34. Disclosing confidential information to unauthorized sources;
35. Refusal to attend mandatory meetings, mandatory EAP counseling, or in-service training;
36. Evidence of continued unsound judgment in performing official duties;
37. Any employee who receives two (2) consecutive unsatisfactory annual performance appraisals;
38. Any form of harassment of fellow employees, supervisors, or elected officials and clients and/or residents of the City;
39. Acts of carelessness;
40. Failure to follow supervisor's directions;
41. Abuse of leave benefit;
42. Promotion of disharmony and/or discontent within any department or the City as a whole;
43. Sleeping on the job (does not apply to downtime of 24-hour public safety employees)
 - Notice of dismissal: When it is not practicable to give notice of dismissal to an employee in person, it may be sent to the employee by certified or registered mail, Return Receipt Requested, at his/her last mailing address as shown in the personnel records of the City. Proof of refusal of the employee to accept delivery or the inability of postal authorities to deliver such mail shall be accepted as evidence that the notice of dismissal, warning, or other correspondence regarding disciplinary action has been given.
 - Failure of employee to testify: If any employee willfully shall refuse or fail to appear before any court or judge, any legislative committee, or any officer, Board of Aldermen, or body authorized to conduct any hearing or inquiry, or having appeared shall refuse to testify or answer any question relating to the affairs or government of the municipality on the ground that his/her testimony or answers would tend to incriminate him/her, or shall refuse to waive immunity from prosecution on account of any matter about which he or she may be asked to testify at any such hearing or inquiry, he/she shall forfeit his/her position and shall not be eligible for appointment for any position with the City.

4.26 Outside Employment

Outside employment is any activity which results in payment for products or services provided whether in employment of another individual, corporation, or one's self.

- Since City service is the primary responsibility of each full-time employee, outside employment is strongly discouraged. However, employees may accept part-time jobs if:
 - There is no conflict with City working hours; and
 - The employee's efficiency is maintained; and
 - There is no conflict of interest; and
 - There is no negative reflection on the City; and
 - The Department Head gives written approval to acceptance of outside employment.
- Any employee who is considering outside employment shall so advise his/her Department Head in writing when seeking outside employment and before accepting any outside employment in order to fulfill the requirements set forth herein. The City may at times require proof of Workers' Compensation coverage for the employee by his or her outside employer.
- All employees are required to complete a *Report of Outside Employment* each year and before accepting any new outside employment. The form will require the employee to state whether or not the employee is currently engaged in outside employment.
- During the period of time an employee is on injury leave due to a Workers' Compensation compensable injury claim or non-work-related medical leave, permission for outside employment which might adversely impact the employee's recovery period may be rescinded at the City's discretion.
- The injured employee may be required to submit to the City Clerk/City Administrator or his/her designee a release for information regarding the outside employment during this injury leave. If requested by the City, the employee must submit paycheck stubs or other verifiable information concerning outside employment compensation during the injury leave to the Accounting Clerk.

4.27 License Requirement and Traffic Violations

As a condition of employment, certain City employees are required to maintain current licenses and/or certifications. Examples include, but are not limited to, valid drivers' licenses, paramedic licenses, etc. Specific requirements are outlined in the employee job description. Failure to maintain licenses and certifications required for employment will result in disciplinary action up to and including termination.

The City retains the right to change license and/or certification requirements and to make periodic inquiries to ensure that the employee is currently licensed and/or certified. Reports related to licensing and related certification will be maintained in the Finance Department as part of the City's risk management program.

Employees are required to inform the City of Brentwood of a change in status of any license (in jeopardy of being revoked or expired) which is a requirement for employment. Failure to timely inform the City of a change will result in disciplinary action up to and including termination.

Any employee who violates a state or municipal traffic law while operating a City-owned vehicle shall be responsible for any penalties assessed and may also be subject to disciplinary action.

4.28 Resignations and Exit Interview

If you decide to resign from your employment with the City, please advise your supervisor, in writing, at least two weeks prior to your date of departure. Employees who give less than two weeks' notice are not eligible to receive pay for accrued vacation time, unless the City determines, in its discretion, that failure to give the required notice was due to circumstances beyond the employee's control. The City follows the state regulations regarding deadlines for employees to receive their final paycheck.

In a voluntary separation situation, the departing employee will be interviewed by the City Clerk/Administrator or his/her designee on or just prior to his/her last day of work. This will serve to confirm the employee's forwarding address, to sign off on remaining retirement or other paperwork, to clarify benefit status, and address any other pertinent issues. It shall also serve to obtain information regarding the employees' perception of working conditions and recommendations for improvement in City operations. The written results of the exit interview will be placed in the employees' Personnel File.

4.29 Return of City Property

All City of Brentwood property issued to employees, such as computer equipment, keys, cell phones, uniforms, access cards, identification badges, City of Brentwood credit cards, etc.... must be returned to the supervisor at the time of termination. Employees will be responsible for any lost or damaged items.

4.30 Reference Requests

Whenever any supervisor or other City employee is contacted for reference information on a former City employee, that request should be referred to the Human Resources Manager. Under the Federal Privacy Act, it is the City's obligation to protect the privacy of any current or former employee in this regard. The City will only verify an employee's dates of employment, title or position and, if appropriate, salary. Under no circumstances will information regarding performance (whether positive or negative), "eligibility for rehire" or other data be released by any person in any department.

5 PERSONNEL ADMINISTRATION AND COMPENSATION

5.1 Salary Schedule Plan

The City has adopted a salary schedule plan which lists all position classes in a jurisdiction together with the corresponding amount of remuneration to be paid for each position. The objective of the salary schedule plan is to provide equal pay for equal work, to provide promotional opportunities, employee development, job retention and to allow the City to compete in the job market with other public employers. This policy does not apply to seasonal and part-time employees. Each budget for the next ensuing fiscal year shall include the approved salary proposals for that year.

Objectives

The objectives of the Salary Schedule Plan are as follows:

- To facilitate the employment and retention of the best qualified personnel available to fill job vacancies at all levels in the organization.

- To obtain the highest possible degree of employee performance, morale, and loyalty through fair and equitable salary administration.
- To ensure internal equity and consistency for all City employees.
- To provide an effective means of controlling payroll costs and salary expenditures.
- To provide recognition and reward for differences in individual ability and performance.
- To provide uniform methods for establishing and applying salary rates, and to facilitate the classification and promotion of wage and salaried employees.

Operation

Under the pay plan, salary increases will be tied to an employee's performance evaluation (see section 5.17). Any full-time employee receiving an evaluation that indicates their performance meets or exceeds expectations will be eligible for the board- approved and board-defined pay increase. Department Heads will have the flexibility to award additional pay increases to high-performing employees as the budget allows.

Those employees who are not meeting expectations will not receive an increase at that time. Employees who are not meeting expectations may be re-evaluated thirty (30) days in the future and must show improvement and be meeting minimum expectations on their evaluation. In order to avoid the possibility of an employee showing improvement only for the thirty (30) day period, the employee will not receive an increase until he/she continues to meet minimum expectations for a second thirty (30) day period of time. Once expectations have been met for at least sixty (60) days, the employee will be eligible to receive an increase.

New employees will be paid at the hire step for their pay grade unless an exception has been granted by the City Clerk/Administrator. Employees promoted shall be moved to the hire step of the new grade. If the employee is already above the hire step of the new grade, he/she will be placed at the step immediately above the employee's present salary.

Such increase shall be effective at the time of promotion, as opposed to the completion of the promotional service period. Promotional increases may be above the hire step with City Clerk/Administrator approval.

5.2 Compensatory Time, Overtime Pay and Emergency Callouts

All employees will be compensated for overtime in accordance with the Fair Labor Standards Act.

All full-time hourly employees will receive one and one-half (1-1/2) times their base rate of pay for overtime hours worked.

All overtime work by non-exempt employees must be authorized/approved by your supervisor in writing. Non-exempt civilian employees will be paid time and one-half for hours worked in excess of forty hours in one work week.

Sick leave will not count as hours worked for purposes of determining overtime pay.

Employees may take compensatory time in lieu of overtime pay with approval of the employee's supervisor.

- For firefighters, all hours worked in excess of one hundred eighty-two (182) hours in a twenty-four (24) day work cycle. Compensatory time is limited to two hundred and forty (240) hours (240 hours divided by 24-hour shifts = 10 days).
- For police officers, all hours worked in excess of eighty (80) hours in a two (2) week work cycle. Compensatory time is limited to one hundred and twenty (120) hours (120 hours divided by 12 hour shifts = 10 shift days) for police officers.
- For all other employees, all hours worked in excess of forty (40) hours in any work week. Compensatory time is limited to forty (40) hours.

Limits may be extended or lifted at the discretion of the City Clerk/Administrator under special circumstances.

Exempt Employees - Overtime does not apply to exempt employees. These professional, management and administrative employees are required to work the number of hours necessary to ensure that their jobs are completed in a proper and timely manner.

It is recognized that exempt employees must devote a great deal of time outside the normal office hours to the business of the City of Brentwood. To that end, exempt employees will be allowed to take time off as they shall deem appropriate during said normal office hours with the prior approval of their Department Head or the City Clerk/Administrator.

On occasion, when irregular and unscheduled overtime work for classified, hourly employees is required, compensatory time off may be allowed on the basis of equal time for overtime worked within the work period. If outside the work period, compensatory time shall be recorded and taken at one and one-half (1-1/2) times the time worked.

Employees cannot receive both compensatory time and over-time as compensation for the same overtime hours worked.

Any employee called in during unscheduled hours shall receive a minimum of two (2) hours' pay unless it is a direct extension of normally scheduled working hours.

Home to Work Travel: An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel, which is not work time.

5.3 Shift Differential Pay

The Shift Differential Policy allows for extra compensation (termed "shift pay") to non-exempt employees in the Public Works, Police Department and Fire Department who are scheduled on a regular, rotating, or sporadic basis to work outside of their normally assigned job classification. Shift pay will only apply to actual hours worked outside of the classification and will not apply to time taken as paid leave. Shift Pay is currently available for the following job classifications:

Patrol Officer
Firefighter/Paramedic
Firefighter/EMT
Maintenance Worker I
Maintenance Worker II
Maintenance Worker III

Police Department: In the event that both the Corporal and Sergeant are not scheduled to work, a qualified Patrol Officer will receive an additional amount per hour as indicated in the Salary Schedule for working as an Acting Shift Commander (ASC). In the event that the Sergeant will be out for an extended period of time (30 days or more), a Corporal may be

temporarily elevated to the position of Acting Sergeant at the direction of the Chief or his/her designee.

Fire Department: In the event that both the Lieutenant and Captain are not scheduled to work, a qualified Firefighter/Paramedic or Firefighter/EMT will receive an additional amount per hour as indicated in the Salary Schedule for working as an Acting Shift Commander (ASC). In the event that the Captain will be out for an extended period of time (30 days or more), a Lieutenant may be temporarily elevated to the position of Acting Captain at the direction of the Chief or his/her designee.

Public Works Department: In the event that a Maintenance Worker (I, II or III) works in the sanitation Department, they will be paid an additional \$1.00 per hour for duties performed as a sanitation worker. The Public Works Superintendent or his/her designee assigns Maintenance Workers on a rotating basis when the Sanitation Division requires temporary staffing.

5.4 FLSA Classifications (Fair Labor Standards Act)

Definitions

Non-exempt - Employees who are not exempt from the FLSA standards governing overtime pay. These employees are paid on an hourly basis. Deductions from pay are made for any absence, including absences of less than one day.

Exempt - Employees who are in executive, administrative or professional positions and who are exempt from the FLSA overtime pay requirements. These employees do not receive overtime pay or compensatory time for hours worked in excess of "regularly scheduled hours". They may, at the Department Head's discretion, arrange for "administrative leave" but this time off is not required to be on a time-and-one-half or even an hour-for-hour basis.

- Deductions from pay are not made for absences of less than one (1) day unless the employee has exhausted all applicable paid time off.
- Determination of exempt status is made by the City Clerk/Administrator based on the provisions of the law.

Employee in fire protection activities - means an employee, including a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or inclement materials worker, who is:

- trained in fire suppression, has the legal authority and responsibility to engage in fire suppression, and is employed by a fire department of a municipality, county, fire district, or State, and
- engaged in the prevention, control, and extinguishment of fires or response to emergency medical situations where life, property, or the environment is at risk. §203(y):

For purposes of this section only, the terms "executive", "administrative" and "professional" shall be defined and interpreted the same as those terms are currently defined and interpreted under the Fair Labor Standards Act.

Summaries of those definitions follow:

Executive Exemption:

- Salary of at least \$684/week
- Primary duty is management

- Direct the work of two or more employees

Administrative Exemption:

- Salary of at least \$684/week
- Responsible non-manual work related to management
- Regular exercise of discretion, independent judgment

Professional Exemption:

- Salary of at least \$684/week
- Work requiring job-specific advanced knowledge acquired through prolonged course of study
- Regular exercise of discretion, independent judgment

The Human Resources Department shall prepare and keep up to date a list of the positions which are exempt from overtime pay and that list is available upon request.

All other positions will be subject to overtime procedures. Positions may be re-evaluated for exempt/non-exempt status based on job responsibilities.

5.5 Emergency Recall Policy

The following policy is hereby established for the emergency recall for additional manpower within all departments of the City. This policy shall not countermand any public safety policies of the Police or Fire Departments but shall act in conjunction with said policies in times of greater need. The purpose of this policy is to provide for additional manpower resources. This policy shall take effect in anticipation of a disaster or at the time of an unusual disastrous event or directly thereafter.

It is the duty of all employees, as public servants, to report for duty and/or respond for service when notified to report for the public's welfare. Notification and recall may take place in the form of a telephone call, individual contact by another City of Brentwood employee, a law enforcement officer or agency, and/or by radio announcement. Employees called out under these circumstances shall receive a minimum of two (2) hours' compensation.

All personnel recalled to report for duty shall report to their respective workstations or to the designated Emergency Operations Command Center.

For employees who are on duty at the time of a disaster, necessary steps will be taken to assure their family's well-being. In the event that public service contact or other agency contact cannot be made, the employee on duty may be released for a reasonable period of time to see to the family needs before reporting back to duty. Such relief shall occur only with appropriate supervisory approval prior to departure.

Failure to report to duty under recall will be reviewed on an individual basis and a direct refusal to comply without proper cause will be dealt with by appropriate disciplinary measures up to and including discharge.

Any employee called in during unscheduled hours shall receive a minimum of two (2) hours' pay unless it is a direct extension of normally scheduled working hours.

5.6 Promotions

Promotions will be granted only after the promotion criteria have been fully met, to-wit:

- Successful completion of probationary periods;

- Job evaluation must be such that the City Clerk/Administrator feels the employee performs his/her present job in accordance with the prescribed standards or in accordance with acceptable job standards. Included, but not limited to, will be:
 - Immediate supervisor's observations as to job performance; affirmative/negative job related evaluations;
 - Any reprimands of record and the employee's actions subsequent thereto;
 - Successful completion of any required tests and/or interview for movement to a higher range.
- To be eligible for promotion to a supervisory position in the Police Department, personnel must have a minimum of five (5) years of overall public safety service and:
 - Three (3) years with the City for Corporal consideration.
 - Four (4) years of experience as a Corporal or two (2) years as a Corporal with the City for Sergeant consideration.
 - Three (3) years as a Sergeant with the City or two (2) years as a Sergeant with a bachelor's degree for Lieutenant consideration.
 - Ten (10) years of law enforcement experience, including three (3) years of supervisory experience at the rank of Lieutenant or above for Major consideration.

The full list of minimum eligibility requirements for each position are included in the job description. Police Department promotional processes are governed by CALEA Accredited policies and can be found in the CALEA Handbook (Included as an Addendum).

- To be eligible for promotion to a supervisory position in the Fire Department, a firefighter must have a minimum of:
 - Four (4) consecutive years with the City for Lieutenant consideration. The rank of FD Lieutenant is filled by promotional process and approved by the Fire Chief and City Clerk/Administrator.
 - Seven (7) consecutive years with the City for Captain consideration. The rank of Captain is filled by promotional process and approved by the Fire Chief and City Clerk/Administrator.
 - The rank of Assistant Fire Chief is filled by appointment by the Fire Chief and approved by the City Clerk/Administrator. An Assistant Fire Chief or Captain reduced in rank by the Chief will be returned to the last commissioned rank they had successfully held prior to their appointment.

The full list of minimum eligibility requirements for each position are included in the job description.

All other positions within the City are filled by the standard recruitment process (see Section 2.2, Selection and Appointment) and will be posted on the City's website. Internal positions will be advertised for a minimum of 5 working days. External positions will be advertised for a minimum of 10 working days. The City Clerk/Administrator determines whether a position qualifies for the internal or external recruitment process.

5.7 Employee or Status Change

Employees are required to promptly notify the City by means of their Department Head and/or the Finance Department of any change of address and/or telephone number, so that the employee may be contacted at all times by mail, telephone or physical location.

Any other change, such as change of dependents, marital status, and any other vital information which may affect the status of the employee with the City shall also be promptly submitted to the Human Resources Department.

5.8 Reduction in Classification/Pay Level

The City Clerk/Administrator may, as a result of disciplinary action or a reduction in force, move an employee to a lower pay level range than that to which such employee had been assigned at the time of the disciplinary action or a reduction in force.

5.9 Reduction in Force

The City Clerk/Administrator may, in his/her discretion, determine from time to time that a reduction in force is necessary to maintain certain necessary services within the City. Should this occur, the City Administrator will present his or her recommendation to the Ways and Means Committee and the Board of Aldermen for approval.

Should such a reduction in force occur, layoffs will be recommended by classification from the department affected according to the following factors, as determined by the Department Head and with approval of the City Clerk/Administrator:

- Length of continuous service;
- Ability;
- Efficiency;
- Conduct;
- Competence;
- Attendance; and
- Training.

Where the other factors are relatively equal, length of continuous service shall be controlling.

5.10 Salary Increases

Whenever a salary increase is approved, the effective date of that increase will be the first date of the first full pay period following the approval date as recorded on the Payroll/Status Change Notice form unless otherwise directed by the City Clerk/Administrator.

5.11 Longevity Awards

Reserved [Note, Section 5.11 had provided for longevity awards as an element of employee compensation. As part of the City's compensation restructuring on January 1, 2016, longevity awards were incorporated into base pay and eliminated as a separate element off compensation. Section 5.11 was repealed as of January 1, 2016, by Ordinance No. 4679.]

5.12 Vehicle Commuting Policy

Employees who are required to travel on City business are encouraged to use a City vehicle if it is the most economical option. If a City vehicle is used, it will be fueled at the Department service point prior to leaving the City. If public transportation is used, a round-trip ticket for the most direct route will be purchased. Airline travel will be coach fare if available.

Employees who accept commuting authorization adhere to the following limitations. Exceptions to any of these limitations may be granted by the Department Head in writing or as outlined in specific employee agreements. Employees who use city vehicles for personal use are required to report and be taxed on such use pursuant to IRS regulations. See IRS publication 15-B, "Employer's Tax Guide to Fringe Benefits". Per IRS regulations, Public Safety employees are exempt from this policy. At the City of Brentwood, this includes the Police Chief, Police Major, Fire Chief and Assistant Fire Chief. Resolution no. (add new resolution number) further details the City Vehicle policy.

- Non-City employees may not be transported in City vehicles unless doing so on City business.
- Employees may use vehicles to get food for mid-shift meals and authorized breaks with supervisor approval, however, personal business should not be conducted.
- Employees are strongly encouraged to use off-street parking at their residence for the assigned vehicle. The parking area need not be covered, but should be well lit and easily observed.
- Commuting privileges may be withdrawn if a City vehicle is vandalized at or stolen from an employee's residence.
- Employees are required to have a valid driver's license in their possession at all times when operating a City vehicle.

5.13 City Business Trips and Mileage Reimbursement

Employees who are required to travel on City business are encouraged to use a City vehicle if it is the most economical option. If a City vehicle is used, it will be fueled at the Department service point prior to leaving the City. If public transportation is used, a round-trip ticket for the most direct route will be purchased. Airline travel will be coach fare if available.

Mileage reimbursement is available to employees who occasionally are required to use their personal automobiles for City business.

Allowable mileage is the shortest distance (most direct route) from either the employee's home or permanent work location. Reimbursement is paid at the current rate established by the Internal Revenue Service.

Department Head approval must be obtained before the expense is incurred. Once the expense is incurred, the employee must complete a voucher requesting reimbursement for mileage, providing an explanation of the expense. The signature of the Department Head must be obtained before submitting the voucher for payment. See the Travel Advance Procedures located on page #110 of the appendix for further details.

5.14 Reimbursement of Expenses

Employees shall be reimbursed for expenses incurred in conducting City business. All expenses must be approved by the City Clerk/Administrator prior to the time that they are incurred. The City has a travel advance policy. Employees must provide receipts in order to receive reimbursement.

Reimbursement for meals and other incidental expenses (M & IE) will be based on the maximum allowable per diem amount as determined by the Internal Revenue Service. The City will not reimburse the employee for any amounts spent on meals and incidentals that are above the prescribed rate.

Any meals that are included in any pre-paid expenses (i.e. registration fees), will result in the employee's per diem advance being reduced accordingly. Also, any personal items or charges not approved by City rules and regulations, that are charged to an employee's room will also have to be reimbursed to the City (Some examples of items that are not reimbursable are: in room movies, use of the mini bar, alcoholic beverages, excessive personal phone calls, purchases of gifts or souvenirs, personal grooming supplies, other personal expenses).

If the employee does not spend the amount of time at the location that was specified in the advance payment, the balance must be reimbursed. The city reserves the right to deduct any unauthorized expenses or reimbursements from an employee's paycheck should an employee fail to make such payments in a timely manner. See the Travel Advance Procedures located in the appendix for further details.

5.15 Memberships and Dues

The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the City. Normally, one City membership per agency, as determined by the City Clerk/Administrator is allowed, providing funds are available. Upon separation of employment, individual memberships remain with the City if the membership is transferrable.

5.16 Payroll and Paydays

The work week runs from midnight Saturday morning through 11:59 p.m. on Friday night. Commissioned Police and Fire Department employees will work schedules as established by their respective departments.

5.17 Payroll Direct Deposit

Bi-weekly paychecks are automatically deposited into the employee's preferred banking institution electronically. All employees are encouraged to use direct deposit for their payroll. Direct deposit is easier, faster and safer for employees. Employees who do not have access to a bank account can speak with the Finance Department about payroll options.

5.18 Performance Appraisals

Supervisors and employees are strongly encouraged to discuss job performance and goals regularly on an informal basis. It is the City's goal that performance reviews will keep the communication channels open, encourage two-way information flow and develop a team of employees working together toward the achievement of agreed-upon goals and objectives. You are encouraged to make the most of the performance appraisal process by communicating effectively and actively participating in the process.

Performance appraisals are normally conducted at the end of the Probationary Period, and then annually. You will be given the opportunity to respond fully to all of your supervisor's observations and comments, to discuss your working relationship with the supervisor, to discuss any problems encountered during the year, and to make suggestions to improve workplace effectiveness.

Salary increases are not guaranteed, and will depend on certain factors, such as your performance, level of responsibility and any other factors that the City deems relevant including current budget conditions.

If your performance appraisal reveals that your job performance does not meet the City's standards, the City may take such action it deems appropriate, including discharge. You may be put on probation for an amount of time deemed to be appropriate by your supervisor, and you will not be given an increase in compensation. If your performance has improved sufficiently as of the end of that probationary period, you will be entitled to receive any salary increase which would have been given at the time of the review. If your performance has not improved by that time, then appropriate action will be taken, up to and including termination of employment.

If an employee does not agree with the performance evaluation he/she receives, he/she may appeal the review to the department Head. The employee's signature on the evaluation form shall not signify acceptance of the evaluation; it shall be the acknowledgment of the review of the employee by the Department Head. Consistent with the City's grievance policy, only employees who have completed their Probationary Period have the right to appeal their performance evaluation.

All appeals must be filed within seventy-two (72) hours of the evaluation. Failure to do so will be regarded as acceptance of the evaluation, and the right to further appeal shall be forfeited. Appeals must be filed in duplicate with the Department Head and the City Clerk/Administrator.

6 GROUP HEALTH AND RELATED BENEFITS

6.1 Benefits Summaries and Eligibility

The City provides a variety of benefits to its employees. Complete and official details of insurance and payroll plans are contained in materials which employees receive when they begin their employment with the City, as updated. The descriptions in this Handbook are only brief summaries for your general information and you should contact the Human Resources Manager if you would like more specific information.

The existence of these employee benefits and plans, in and of themselves, does not signify that an employee will be employed for the requisite time necessary to qualify for these benefits and plans. It is also important to understand that the City may change benefits (including enhancing or eliminating benefits), sometimes without notice, and that no benefit

will be created by oral agreement or by past practice.

For a description of benefits that apply to part-time employees see the part-time policy addendum.

6.2 Health Insurance

The City provides group medical, dental, and vision insurance coverage for all full-time, benefit-eligible employees and their dependents. The City also recognizes domestic partnerships. In order to participate in various City benefit programs, the employee and employee's partner must complete and submit a notarized Domestic Partner Affidavit to the Human Resources Manager. These forms are included in the Appendix. The City pays 100% of the premium for the employee and 50% of the cost for dependent coverage for medical insurance coverage. The City pays 100% of the premium for the employee for dental and vision insurance coverage.

Employees may be eligible for post-employment coverage at their own expense depending on the circumstances and as prescribed by federal law. Employees facing this situation should contact the Finance Department. For more information, see Section 6.5 on COBRA.

The City reserves the right to cancel coverage, change carriers, modify or limit coverage or make any other changes or modifications whenever the City considers such changes or modifications are in the best interest of the City and its employees.

6.3 Disability Insurance

The City provides both short and long-term disability coverage for all full-time employees. This coverage provides compensation should an employee become so sick or disabled that he/she is unable to perform his or her duties for a period of time.

Short-Term Disability provides financial protection for full-time employees with a qualifying disability after a thirty (30) day elimination period. The maximum period of payment is 22 weeks.

Long-Term Disability provides financial protection for full-time employees with a qualifying disability after a one-hundred eighty (180) day elimination period. The certificate of coverage contains a full description of this program.

The City reserves the right to cancel coverage, change carriers, modify or limit coverage or make any other changes or modifications whenever the City considers such changes or modifications are in the best interest of the City and its employees.

6.4 Life, Accidental Death, and Dismemberment Insurance

The City provides a term life insurance policy and Accidental Death and Dismemberment insurance policy for all full-time employees at no cost to employees. The life insurance policy will be twice the employee's annual salary, capping at \$150,000.00 and will be payable at the time of the employee's death. This benefit will be paid to the assigned beneficiaries as determined by the employee.

The City reserves the right to cancel coverage, change carriers, modify or limit coverage or make any other changes or modifications whenever the City considers such changes or modifications are in the best interest of the City and its employees.

Additional life insurance products are available through payroll deduction. Employees who choose to purchase voluntary insurance productions pay the full premium.

6.5 COBRA Notification

According to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, in the event of your termination of employment with the City of Brentwood or loss of eligibility to remain covered under the City's group health insurance program, employees and their eligible dependents may have the right to continued coverage under the City's group health insurance program for a limited period of time at their own expense. Consult the Finance Department for details.

6.6 Retiree Medical Insurance

The City of Brentwood will permit employees who retire to continue their medical coverage through the City's insurance policies at the employee's expense until they become eligible for coverage under Medicare or any similar federal or state program. This coverage is subject to the following conditions:

- The retired employee pays 100% of the premium
- The retired employee elects to continue the coverage within 60 (sixty) days of retirement
- The coverage is available and allowed by the insurance carrier

The City may contribute a portion of the monthly premium payment for retirees based on budget conditions. The availability of this benefit and the amount of monthly premium to be paid will be reviewed annually.

6.7 Payroll Deduction Opportunities

All full-time employees have the option of participating in various payroll deduction plans to augment their benefit package. These include:

- Deferred compensation through applicable plans.
- Supplemental sickness, long term care and life insurance plans
- Flexible spending account (FSA) contributions (Section 125 contribution)

The City encourages employees to take advantage of any or all plans that suit their individual needs. The City reserves the right to cancel coverage, change carriers, modify or limit coverage whenever the City considers such changes or modifications are in the best interest of the City and its employees.

6.8 Section 125 Pre-Tax Benefit

In order for all full-time employees to obtain the maximum benefit from the payroll deducted insurance coverage benefits, the City participates in the Section 125 Pre-Tax benefit plan. This plan allows portions of the dependent health and dental premiums, flexible spending accounts and other applicable coverage to be deducted prior to taxation which then results in a lower taxable income to each employee. This allows employees not only flexibility but also tax savings as they pay for various benefit plans. One can enroll in the plan only upon open enrollment or employment, and terminate the plan when employment is discontinued or during open enrollment.

6.9 Uniforms and Clothing Allowance Benefit

Regular, full-time employees who are required to wear uniforms will receive a uniform allowance. In accordance with the current City ordinance, the following employees receive a uniform allowance:

- Police Chief/Majors \$83.33 per month
- Uniformed Police Officers \$83.33 per month
- Fire Chief/Asst. Fire Chief \$83.33 per month
- Firefighters \$83.33 per month

Such sums shall be paid every six (6) months; \$500 on the first pay date in June and \$500 on the first pay date in December.

6.10 Employee Assistance Program

The City provides, at no cost to the employee or his/her immediate family, an employee assistance program to confidentially counsel and help employees resolve personal problems. Information, consultation and counseling are provided by professionals who work for an independent, outside firm. As part of a written performance improvement plan, Department Heads may require employees to submit to short-term counseling through the Employee Assistance Program.

6.11 Occupancy Permits

Fees for occupancy permits for City employees who reside in Brentwood will be waived.

6.12 Worker's Compensation

In order to provide payment of employees' expenses and for partial salary continuation in the event of a work-related accident or illness, the City provides workers' compensation insurance for all City employees. The amount of benefits available and the duration of payment depend on the nature of the employee's injury or illness. In general, however, all medical expenses incurred in connection with an injury or illness are paid in full, and partial salary payments are provided beginning with the fourth (4th) day of your absence from work.

If you are injured or become ill on the job, you must **immediately** report such injury or illness to your supervisor, Department Head or the Human Resources Manager, regardless of whether you believe medical treatment is required. This ensures that the City can assist you in obtaining appropriate medical treatment. Your failure to follow this procedure may result in the appropriate workers' compensation report not being filed in accordance with State law, which may consequently jeopardize your right to benefits in connection with the injury or illness.

Each Department Head has a right to designate the number of limited duty positions available within his/her department at any one time and the maximum length of time for such assignments up to a six-month maximum. The City Clerk/Administrator shall reserve the right to review and approve or disapprove individual requests based on the circumstances.

A physician selected or approved by the City shall determine the physical ability of the employee to continue working or to return to work.

Injury leave benefit shall not exceed six (6) months for any one injury.

An employee's injury leave benefit may be discontinued under any of the following conditions:

- The employee submits a fraudulent report.
- Unexplained delay in reporting any injury to his/her immediate supervisor or Department Head.
- The accident involves gross negligence by the employee including, but not limited to, incidents involving the use of drugs and/or alcohol in violation of the *Substance Abuse Policy* or direct violations of the City's Safety Manual.
- The employee fails to seek or take prescribed medication/treatments by the City's appointed Worker's Compensation physician(s).
- The employee fails to attend all scheduled treatment and follow-up visits unless other arrangements have been made and approved by the City Clerk/Administrator or his/her designee.
- It is the employee's duty to report, in a timely manner, the status of future medical appointments and return to work information to either the Department Head or his/her designee. Failure to do so can become grounds for disciplinary action.
- The employee continues to perform duties for an outside employer.
- The employee has a prognosis that he/she cannot ever return to work.
- The initial three (3) shift days of temporary disability are not compensable by workers' compensation unless the length of temporary disability time exceeds fourteen (14) shift days. After the fourteen (14) shift day limit, the employee will be reimbursed the initial three (3) shift days of temporary disability benefit. The initial three (3) days will be covered under the City's Injury Leave benefit.

An injured employee shall be required to submit a workers' compensation injury report and claim. The effect of receiving injury leave shall be that an employee shall receive that portion of his/her regular salary which will, together with workers' compensation benefits, equal his/her total salary for the period of disability up to the limit prescribed. In no case shall the employee receive compensation and sick leave benefits in excess of normal pay; provided, however, that any award of permanent partial disability benefits shall be excluded from such limitation.

If an employee is not on injury leave but is scheduled for Worker's Compensation medical treatment during his/her regular working hours, he/she will be compensated with their regular hourly wage for a reasonable length of time to travel to and from the facility for treatment and the time actually spent at the facility.

This compensation is dependent upon receiving a note from the treatment facility noting time of departure and work release information which is required upon return to work. Except for the above noted travel and treatment time, the employee is expected to be performing his/her duties unless otherwise directed by the City's physician.

Employees may be requested to sign a release for medical information in order for the municipality and its agents to obtain pertinent medical information from private care providers or hospitals. This information is vital to the continuation and/or payment of benefits to which the employee may be entitled.

Disability leave may be extended by the City Clerk/Administrator to a maximum length of one (1) year after consultation with the City-appointed physician and upon reasonable assurance that said injured employee will be capable of fully performing his/her duties at the end of said extension.

ACCIDENTS IN THE WORKPLACE

For more information and examples of all reporting forms, please refer to the City of Brentwood's Safety Manual.

- **ALL** accidents that occur in the workplace, whether the employee is on or off duty, must be reported **immediately**, regardless of whether or not there is any apparent physical injury or property damage.
- When an injury involving medical treatment, lost time or death occurs, a Worker's Compensation Report of Injury and City of Brentwood Injury Report must be completed as soon as possible. These forms shall be completed by the immediate supervisor and the injured party or employee other than the injured party who has knowledge of the incident. Any serious injuries should be reported immediately by the Finance Department to BCA Inc. (If the employee's immediate supervisor is not available, then he or she should report to the next appropriate, available person in the chain of command.) The supervisor with whom this report is filed is responsible for assuring that the report and all other pertinent information pertaining to the accident is received by the Finance Department as soon as is practical.

NOTE: For detailed information on reporting an injury or accident, refer to the *City of Brentwood Safety Manual*.

- If an employee in a supervisory capacity learns of an accident after the fact and the accident was not properly or timely reported, then he or she and the employee involved should fill out and file the necessary forms at that time. The supervisor should then review the incident with his or her Department Head to determine whether any disciplinary action is warranted.
 - It is the prerogative of management to decide whether they will send the employee for medical evaluation, either at the time of the accident or at a later date should some physical ailment or condition arise that may be attributable to the accident in question. If a medical evaluation is required, the employee will be given a drug and alcohol screening test. NOTE: For detailed information, refer to the *City of Brentwood Safety Manual*.
 - Failure to comply with these rules may result in disciplinary action up to and including termination.

WORKER'S COMPENSATION COVERAGE

Covered injuries are those which result from an accident arising out of and in the course of your employment.

The law also provides coverage for occupational diseases which arise out of and are in the course of employment.

Ordinary diseases of life are not covered unless such disease follows as an incident of an occupational disease.

Coverage begins the first minute you are on the job and continues anytime you are working. You do not have to work a certain length of time.

All benefits accrue while on Workers' Compensation leave.

The Missouri law guarantees you three kinds of Workers' Compensation benefits:

- Medical care to cure the injury, not just the doctors' bills but also medicines, hospital costs, fees for lab tests, x-rays, crutches and so forth. There is no deductible, and all costs are paid directly by the employer's insurance City of Brentwood, so you should never see a bill.
- Rehabilitation services necessary to return to work. Sometimes this is just an extension of medical treatment - for example, physical therapy to strengthen muscles. However, if the injury keeps you from returning to your usual job, you may also qualify for vocational rehabilitation and retraining.
- Cash benefits for lost wages - The most usual kind are benefits for "temporary disability", which will be made so long as the doctor says you are unable to work. Additional cash benefits may be made after you are able to work if there is a permanent disability -- for example, the amputation of a finger or loss of sight. If the injury results in death, payments will be paid to surviving dependents. The benefits provided for temporary total disability are calculated at sixty-six and two-thirds ($66\frac{2}{3}$) of the injured worker's average week wage - not to exceed 75 percent of the state average weekly wage. Workers' Compensation payments are tax-free. There are no deductions for state or federal taxes, Social Security, or union, etc. Deductions are made for Police/Fire Pension contributions. Compensation is paid at least every two weeks.

WHAT IS NOT COVERED BY WORKER'S COMPENSATION

No compensation is paid for the first three (3) shift days of disability unless the disability lasts longer than fourteen (14) shift days. The City shall compensate the employee for the first three (3) days under the Injury Leave Benefit.

Although the Workers' Compensation law provides that an employer cannot discharge or discriminate against an employee for exercising his rights under the Workers' Compensation law, there is no specific requirement that an employer keep a job open while the employee is off, or to rehire him.

The employer and insurer are not required to pay for treatment the employee seeks without authorization.

ADDITIONAL COVERAGE BY THE CITY

The effect of receiving injury leave shall be that an employee shall receive that portion of his/her regular salary which will, together with workers' compensation benefits, equal his/her total salary for the period of disability up to the limit prescribed. In no case shall the employee receive compensation and sick leave benefits in excess of normal pay; provided, however, that any award of permanent partial disability benefits shall be excluded from such limitation.

6.13 Social Security

The United States Government operates a system of mandated insurance known as Social Security. As a wage earner, employees are required by law to contribute a set amount of weekly wages to the trust fund from which benefits are paid. As employer, the City of Brentwood is required to deduct this amount from each paycheck an employee receives. In

addition, the City matches employee contribution dollar for dollar, thereby paying one-half of the cost of employee Social Security benefits.

6.14 Municipal Retirement Plan Benefit

All full-time employees, except commissioned Police and Fire Department personnel, are covered by a State-wide retirement plan called the "Local Government Employees

Retirement System (LAGERS)", as set forth in "70.600 to 70.755 of the Missouri Revised Statutes. The City provides a contribution for each employee in an amount determined annually by the State plan. Any employee who works over 1500 hours in a calendar year on a permanent basis must participate in LAGERS.

Full-time commissioned Police and Fire Department personnel are covered by the Policemen's and Firemen's Retirement Fund, a separate tax-supported pension and retirement fund, as set forth in the City's Municipal Code and are so assessed for their participation as established by the Plan.

6.15 Education Benefits

Any regular, full-time employee who has successfully completed the probationary period and twelve (12) consecutive months of employment is eligible to take courses in job-related subjects at the City's expense.

In order to qualify for reimbursement, employees must submit a written application entitled "Tuition Reimbursement Request" stating:

- The subject of the course (including the school's published course description);
- The school or institution offering the course;
- The length of the course;
- The cost of the course;
- A statement of why such training will be beneficial to you in performing your present duties.
- Department Head approval of the requested course and verification that the employee is currently meeting job expectations and has met expectations for the previous 12 months of employment (see the Tuition Reimbursement Request Form, page #117).

Employees will only be eligible for reimbursement for courses in which they receive a grade of "C" or higher. The employee is entitled to reimbursement as described above for up to three (3) credit hours per semester, including the cost of tuition and books. This benefit is subject to the approval of the City Clerk/Administrator and availability of funds. Employees are responsible for notifying their Department Head of their request to utilize the education benefit prior to the budgeting process each year.

After a course of instruction has been approved and successfully completed, the city will reimburse the employee for the costs of the course, tuition, and books. The reimbursement will not exceed the current cost of graduate or undergraduate credit hours for students at the University of Missouri-St. Louis and is limited to a maximum reimbursement of \$3,000 per budget year (\$3,500 approved for FY26). Additionally, employees who separate from City service are responsible for repaying any educational benefits per the following schedule. This schedule is measured from the date when each course was completed.

| | |
|---|---------------------|
| Employee separates from the City before 12 months | 100% must be repaid |
| Employee separates from the City between 13-18 months | 67% must be repaid |

| | |
|---|--------------------|
| Employee separates from the City between 19-24 months | 33% must be repaid |
| Employee separates from the City any time after 25 months | No repayment due |

7 TIME-OFF BENEFITS

Leave allowances include holidays, vacation, light duty, sick leave, special leave, family medical leave, leave of absence and injury leave. As paid leave balances are intended to prevent loss of income, leave benefits shall not be doubled up but instead shall be used only to restore compensation to normal levels. Special leave includes funeral leave, military leave and jury duty, as set forth herein. Leave of absence includes leave with pay and leave without pay, as set forth herein.

7.1 Holidays

Regular, full-time employees are eligible for twelve paid holidays in each calendar year, as follows:

- New Year's Day
- Martin Luther King's Birthday
- Presidents Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Personal Holiday

The effect of the "paid holiday" shall be that full-time salaried employees shall, for one (1) week, have their regular work schedule reduced by one (1) normal workday

All police and firefighter personnel shall receive, in addition to their regular monthly salary, compensation based upon the regular rate of pay for their rank for the eleven (11) holidays designated above and will be eligible to use one (1) personal holiday.

All hourly employees who are employed for the full week in which any of the holidays occur, shall receive a regular day's pay for each of the holidays on which he does not work, or shall receive double pay for each of the holidays on which he does work.

To receive holiday pay, you must work the regularly scheduled workday before and after the holiday, unless such absence is approved in advance by your supervisor. You will not be paid for a holiday if it follows or precedes a sick day, unless holiday pay for that day is approved by your supervisors.

When a holiday falls on Sunday, the following Monday will be observed as the holiday. If a holiday falls on Saturday, the preceding Friday will be observed as the holiday. Holidays that fall on an employee's regularly scheduled day off may be taken at another time, within one year of the holiday, as an additional vacation day.

Holidays that occur during an employee's pre-approved sick leave will be counted as holidays, not sick leave days.

The Personal Holiday can be taken at any time during the calendar year, subject to advance

approval from your supervisor.

7.2 Vacation Time

The City provides paid vacations to all regular, full-time employees. Vacation accrual starts over each year on the date of hire (anniversary date) and accrues at the following rates:

| | | |
|--|--|-----------|
| First year of service | 10 Days (½ after 3 months, ½ after 6 months) | 80 Hours |
| After 1 year continuous service | 10 Days | 80 Hours |
| After 5 years continuous service | 15 Days | 120 Hours |
| After 15 years continuous service | 20 Days | 160 Hours |
| After 25 years continuous service (Or after 1 Year*) | 25 Days | 200 Hours |

*Dept. Heads are defined as the following positions: City Clerk/Administrator, Fire Chief, and Police Chief.

Police personnel who work 12 hour shifts accrue vacation at the following rates:

| | | |
|-----------------------------------|--|-----------|
| First year of service | 6.67 Days (1/2 available after 3 months, remaining after 6 months) | 80 Hours |
| After 1 year continuous service | 6.67 Days | 80 Hours |
| After 5 years continuous service | 10 Days | 120 Hours |
| After 15 years continuous service | 13.33 Days | 160 Hours |
| After 25 years continuous service | 16.67 Days | 200 Hours |

Fire Department personnel accrue vacation at the following rates:

| | | |
|-----------------------------------|---|-----------|
| First year of service | 6 Shift Days (3 available after 3 months, remaining after 6 months) | 144 Hours |
| After 1 year continuous service | 6 Shift Days | 144 Hours |
| After 5 years continuous service | 9 Shift Days | 216 Hours |
| After 15 years continuous service | 12 Shift Days | 288 Hours |
| After 25 years continuous service | 15 Shift Days | 360 Hours |

All vacations must be approved by your supervisor at least two weeks in advance. Keep in mind, though, that to satisfy your preferences, as well as meet the City's staffing needs, you should discuss your vacation plans as well in advance as possible with your supervisor.

The minimum amount of vacation time than may be taken on a single day is ½ day, and in 1 hour increments thereafter, and employees may be required to take at least five days of their vacation together, at the direction of their Department Head.

If you give two weeks' notice of resignation (or less notice if due to circumstances beyond your control) you will be paid for vacation time that has been earned and accrued (**accrued vacation will not be paid out if an employee has less than 1 year of service**). Accrued but unused vacation will also be paid to employees upon retirement.

If a holiday falls during your vacation, you may either receive holiday pay in addition to vacation pay, or you may take an additional vacation day.

You may not carry over vacation into the following year, unless there were extenuating circumstances which prevented you from using your vacation during the previous year. If such extenuating circumstances exist, as determined by the City Clerk/Administrator and at the recommendation of your department head, then you may carry up to five (5) days of your vacation over into the first three months of the following accrual year. Employees entitled to 20 days or more vacation per year may be required to take at least 5 days of vacation during the first quarter of the accrual year.

When employees are dismissed, they may not be compensated for any unused accrued vacation time. Those employees who voluntarily terminate their employment shall be paid for unused vacation if two (2) weeks written notice has been provided and approved by the City Clerk/Administrator after the City determines the employee is leaving in good standing.

7.3 Sick Leave

Sick leave with pay shall not be a right which an employee may demand but a privilege granted to such employee by the city for the benefit of the employee when he is sick.

Sick leave for regular employees (except for firefighters) shall accumulate at the rate of one (1) eight-hour day per month of continuous service for a total of twelve (12) paid sick days per year. Employees (except for firefighters) may accumulate up to a total of one hundred twenty (120) days (960 hours).

Firefighters shall accumulate sick leave at the rate of one (1/2) shift day (12 hours) per month of continuous service for a total of (6) paid sick days per year. Firefighters may accumulate up to a total of sixty (60) working days (1440 hours).

Sick leave will be granted for the following reasons:

- Personal illness or physical incapacity resulting from causes beyond the control of the employee.
- *Pregnancy.* As required by 1978 Amendments to Title VII of the Civil Rights Act of 1964, Pregnancy and Pregnancy related conditions shall be treated as any other illness or short-term disability.
- *Quarantine.* Forced quarantine of the employee in accordance with state or community health regulations.
- *Medical and dental appointments.* These should be scheduled at the beginning or end of the work day whenever possible to avoid disruption of work.
- *Counseling.* Inpatient or outpatient treatment or counseling for mental or emotional problems when the appointments conflict with the regular work schedule.
- *Disallowed.* Sick leave will not be allowed for an injury incurred while working for another employer.

PROCEDURES

Continuance of pay during absence from duty due to sickness or other approved reasons, shall depend upon compliance with the following procedures:

On the first day of absence from duty, the employee, or someone on his behalf, shall notify the appropriate supervisor or Department Head of the reason for such absence. If the duration of the illness lasts longer than one (1) day, the employee shall keep the Department Head apprised of the progress of the illness.

Within thirty-six (36) hours after returning to duty such employee shall fill out, and file with the Department Head, a written report and request for approval of the absence or sick leave. A copy of the request shall be given to the city administrator if denied.

An employee shall be required after three (3) days' absence to furnish a certificate from a licensed physician or practitioner to support their sick leave claim. It shall be the employee's responsibility to maintain good health. This includes seeking competent medical attention if an illness lasts longer than three (3) days.

Official record. There shall be maintained by the accounting clerk, as a part of the personnel records, an accurate and permanent record of approved sick leave for each employee.

Receipt during probationary period; accumulation. Employees shall not be eligible to receive sick leave until three (3) months' continuous employment is completed. Sick leave credit will accumulate during the initial three-month period.

After one year of continuous employment, regular, full-time employees are eligible for twelve paid sick days per year, measured from the anniversary date (i.e. date of hire) of employment.

Employees hired **before** April 1, 2013 (the adoption date of this handbook) who voluntarily

leave employment **will be** eligible to have their sick leave paid out as follows:

| | |
|------------------------------------|------|
| After 3 complete years of service | 25% |
| After 5 complete years of service | 50% |
| After 10 complete years of service | 100% |

The City will pay out the accrued benefit in a lump sum or over a specified period of time if necessary for budget purposes. Former employees receiving such payments will not be eligible to participate in City-provided benefits except as required by law under COBRA.

When an employee voluntarily resigns his/her position or retires from the City, the position will not be filled until the accrued benefit is paid out. The City Clerk/Administrator may recommend a position be filled before the accrued benefit is fully paid upon approval of the Ways and Means Committee, the Board of Aldermen, and the Mayor.

Employees hired **on or after** April 1, 2013, are not eligible for sick leave payouts.

Employees who are terminated from the City of Brentwood, regardless of tenure, will not be eligible to receive payouts for accrued sick leave.

Time paid for sick leave does not count as time worked in calculating overtime for that week.

Sick Leave Abuse: Sick leave abuse is indicated upon the noticeable repeated use of all or most of the accruable sick leave, or where a pattern of sick leave can be determined. Department Heads may require a physician's excuse from an employee if sick leave abuse is detected.

Supervisors or Department Heads may require an employee to provide a physician's excuse when sick leave is taken before its use is approved or when sick leave is taken the day preceding or the day following scheduled time off.

Sick leave credits shall not be earned by employees while on family or medical leave of absence without pay, a suspension without pay, or when employees are otherwise in an inactive working status, should such a period without pay exceed thirty (30) consecutive calendar days in any calendar year. Such loss of sick leave shall be computed by dividing the number of lost days by the number of working days in the year and multiplying the result by the number of sick hours allowed in that year and rounded up to the nearest fifteen (15) minute increment.

Sick leave may be granted to employees by the Department Head upon presentation of reasonable justification and notice for the following reasons:

- Personal illness.
- You may use sick leave for illness in your immediate family when personal care and attention are required. (This includes pre-scheduled medical and/or dental appointments.)

"Family" is defined as spouse, domestic partner, child, step-child, parent, step-parent, grandchild or grandparent. Other family members may also be covered under this policy depending upon the specific situation and with the express approval of the Department Head.

Sick leave may be taken in no less than fifteen (15) minute increments.

Outside employment is not permitted while an employee is on sick leave.

When an employee has advance notice of an impending physical disability such as elective surgery or pregnancy, such employee shall, before commencing sick leave, submit a

statement from the attending physician which shall include:

- The condition requiring the leave;
- The anticipated date on which the leave will begin;
- The date on which the physician anticipates the employee will be able to return;
- Whether the physician anticipates the employee to be under any physical restrictions as a result of the illness or injury upon return to work.

Those employees who have been absent from work due to illness for more than thirty (30) days shall give the City as much notice as possible on a return-to-work date. **A minimum of two (2) weeks' notice of an anticipated return to work date is required.**

Any employee who has taken three (3) consecutive sick days, or firemen who have taken two (2) consecutive shift days, shall obtain a physician's release when returning to work. Such release shall indicate whether or not the employee is under any physical restriction and the nature of such restriction. A physician's certificate may be required by the Department Head to verify the employee's sickness or injury.

The City reserves the right to require a physical examination and drug/alcohol screening, at the City's expense, whenever in the City's judgment, such examination is required to determine the employee's fitness for duty.

Employees who are ill and unable to work, but do not have accumulated sick leave, will be charged for personal leave without pay, unless the Department Head authorizes use of vacation for continued compensation. After all leave benefits have been exhausted, additional unpaid leave may be requested under the Family Medical Leave Act (if the employee qualifies).

LIGHT DUTY FOR NON-WORK-RELATED ILLNESSES/INJURIES

Light duty assignments may be provided for employees who are unable to perform full and regular duty due to work and non-work-related illnesses or injuries. Light Duty assignments due to work related injury shall be given precedence over non-work-related injury. Approval of any and all Light Duty assignments will be at the discretion of the City Clerk/Administrator or his/her designee.

7.4 Compensatory Time

Accrual of comp time shall be limited to a maximum of two-hundred forty (240) hours for firefighters, one hundred twenty (120) hours for police officers, and forty (40) hours for all other employees unless deemed otherwise by the City Clerk/Administrator. Employees may not carry over more than their annual accrual limit.

Use of vacation or compensatory time to attend special City events during working hours is at the discretion of the Department Head with approval by the City Clerk/Administrator.

7.5 Funeral Leave

All full-time employees, with the exception of the Fire Department shall be entitled to 3 work days (up to twenty-four (24) hours), with pay for a death in the family. Fire Department employees will be entitled to two (2) shifts (48 hours), with pay, for a death in the family. **Family** is defined as a spouse, father, mother, step-father, step-mother, brother, sister, step-brother, step-sister, child, grandchild or step child, mother-in-law, father-in-law, brother-in-law, sister-in-law, grand parent, aunt or uncle.

Such leave shall be available on a per-occurrence basis, as reviewed and approved by the Department Head. Sick leave may be used with the Department Head's approval in those cases where the times set out above are not adequate. Upon request, the employee shall provide the City with proof of needs by presenting an obituary or other evidence deemed sufficient by the City.

7.6 Jury/Witness Duty

The City will pay all full-time regular employees who are summoned to serve on jury duty the difference between the employee's regular salary and the amount received from the Courts for serving as a juror (excluding any transportation allowance received) during your active period of jury duty for up to a maximum of fifteen (15) days per calendar year. Other employees will be given time off without pay while on jury duty.

Exempt staff members will be paid their normal salary in weeks they appear as a witness or juror and also perform services for the City, regardless of the amount of time spent performing those services.

All employees are allowed time off if summoned to appear in court as a witness.

To qualify for jury duty or witness duty leave, employees must submit to their supervisors a copy of the summons to serve as soon as it is received. In addition, proof of service must be submitted to the employee's supervisor when the period of jury or witness duty is completed.

Employees must submit all payments received for jury duty (excluding any transportation allowance) to the Finance Department.

7.7 Voting Leave

Pursuant to Missouri State Statute 115.639.1, employees who are registered to vote may be allowed to take time off from work if they do not otherwise have three consecutive hours during the time that the polls are open in which to vote. In order to qualify for this leave, employees must arrange voting time, in advance, with their supervisor or Department Head. The supervisor or Department Head may specify the actual hours during which the employee may be absent to vote.

7.8 Leave for Religious Observances

In keeping with the City's policy of non-discrimination of employees and applicants for employment, no aspect of employment will be influenced in any manner by race, color, religion, sex, pregnancy, marital status, age, national origin, physical or mental disability or any other basis prohibited by law. The City will reasonably accommodate a person's religious observance and practice so long as the accommodation does not cause undue hardship on the conduct of the City's business.

All requests for leave for a religious observance or practice must be approved by your supervisor at least two (2) weeks in advance. Keep in mind, however, that to satisfy your preferences, as well as to meet the City's staffing needs, you should discuss your plans as well in advance as possible with your supervisor. Leave taken for a religious observance or practice, shall be taken as vacation time. If not taken as vacation time, such leave for religious observance or practice is unpaid leave.

In addition to securing the advanced approval of the employee's supervisor, to request time off for a religious observance or practice, the employee must also:

- attempt to secure an appropriate employee to fill in for the time during which

the employee will be gone; and

- not disrupt or attempt to override any agreed-upon seniority system.

The use of accrued vacation leave to attend a religious observance or practice will not result in the loss of any employment benefit that accrued prior to the start of employee's leave.

Any Questions regarding religious accommodations should be addressed to the City Clerk/Administrator.

7.9 Military Leave

- (A) All employees who are or may become members of the National Guard or any reserve component of the armed forces of the United States shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other employment rights or benefits as provided herein.
- For all periods of military services during which said employees are engaged in the performance of duty or training in the service of this state at the call of the Governor and as ordered by the Adjutant General, the leave period shall be indefinite.
 - For all periods of military service during which the employees are engaged in the performance of duty in the service of the United States under competent orders, the leave period shall be fifteen (15) calendar days per federal fiscal year for training or education.

After the expiration of paid leave for fifteen (15) calendar days of federal service, for any additional times of service due to activation but not training, employees shall be paid an amount such that the employee receives a total amount from the City and the military equal to his or her normal and customary wage or salary to be paid by the City. Such amount will be calculated by subtracting the employee's gross military pay from his or her normal or customary wage or salary, with the remainder thereof to be paid by the City to the employee or deposited to the employee's bank account at his or her direction. Any such employee shall further receive during all such additional times of service, to be paid by the City at the direction of the employee, all other normal and customary rights or benefits to which the employee would have otherwise been entitled; provided, however, that if such rights or benefits are rendered duplicative or unnecessary because of similar rights or benefits being received by the employee as a result of said service, the City shall not be obligated to provide the duplicative and unnecessary right or benefits, nor shall the City be required to pay any cash equivalent.

- (B) Before any payment of salary or benefits is made for any period of military leave, the employee shall file with the City Administrator an official order from the appropriate military authority as evidence of such duty for which military leave is granted, which order shall contain the certification of the officer or employee's commanding officer of performance of duty in accordance with the terms of such order. The employee shall also submit proof of any compensation, rights or other benefits actually received, or to be received, by the employee during such service for the purpose of calculating all amounts, rights and benefits due to the employee under this section.
- (C) No member of the organized militia shall be discharged from employment of the City because of being a member of the organized militia, nor shall he or she be hindered or prevented from performing any militia service that he or she may be called upon to perform by proper authority, no otherwise be discriminated against or dissuaded from

enlisting or continuing his service in the militia by threat or injury to him in respect to his employment.

- (D) The City should be notified of military training with as much advance notice as possible.
- (E) All rights, protections and entitlements required by federal and state law will be granted employees on military leaves of absence.

7.10 Family and Medical Leave (FMLA)

This policy has been developed by the City of Brentwood to comply with the Family and Medical Leave Act of 1993. It is not the intent of this policy to reduce or restrict rights of employees to obtain paid or unpaid leaves of absence under the City's other leave policies; however, as a condition to obtaining leave under this policy, employees may be required to first exhaust any other leave allowance as part of the leave provided under this policy. Also, any leave taken under the City's disability plans will be designated as FMLA leave and both shall run concurrently for purposes of both the benefit plan and the FMLA leave entitlement.

If the requirements to qualify for payments pursuant to the City's temporary disability plan are more stringent than those of the FMLA, an employee must meet the more stringent requirements of the disability plan, or the employee may choose not to meet the requirements of the plan and instead receive no payments from the plan and use FMLA leave. Holidays that fall within this leave will not be paid. Any questions regarding this policy should be directed to the City Clerk/Administrator.

GUIDELINES FOR FMLA

Those employees who have been employed for at least twelve (12) months and who have worked at least 1,250 hours during the twelve (12) month period prior to the start of leave may be entitled to up to twelve (12) work weeks' leave, ordinarily unpaid, during a rolling twelve (12) month period, measured backward from the date an employee uses any FMLA leave, provided certain requirements are met.

An FMLA leave of absence will be granted to eligible employees for the following reasons:

- For the birth and care of a child, or placement of a child through adoption or foster care, provided, however, the leave is taken within twelve (12) months following birth or placement.
- To care for the employee's spouse, son or daughter, or parent suffering from a serious health condition, where the employee is needed to care for such person.
- For a serious health condition that makes the employee unable to perform his/her job.

All leave granted under this policy, including intermittent and/or reduced leave, will be applied against the twelve (12) week maximum.

Responsibilities:

Employee—It is the responsibility of the employee to promptly notify his/her supervisor **and** the City Clerk/Administrator or his/her designee of the request for time off required for family or medical reasons and to produce any required medical certifications within the time limits provided by the FMLA.

Supervisor—It is the responsibility of the supervisor to notify the City Clerk/Administrator or his/her designee immediately when an employee has requested leave due to a family or medical reason.

The City Clerk/Administrator or his/her designee will notify the employee of his or her eligibility to take a designated family medical leave of absence within 5 business days of

the date an employee requests FMLA leave or the employer acquires knowledge that an employee's leave may be FMLA-qualifying, absent extenuating circumstances.

Eligible employees are required to provide at least thirty (30) days' advance notice of the need for leave when foreseeable.

When unforeseen events occur that require leave under this policy, notice must be given as soon as practicable, ordinarily not later than one (1) or two (2) working days of learning of the need for leave. An employee who fails to give appropriate advance notice as outlined above may have his or her leave delayed or be subject to disciplinary action.

An employee who requires leave must, within fifteen (15) calendar days after providing notice of the need for leave, submit the prescribed written certification form, signed by the appropriate health care provider, verifying, among other things, the data on the prescribed form. Failure of the employee to submit the prescribed form within fifteen (15) days after providing notice of the need for leave will result in delay of leave until certification is submitted, and if the certification is not provided, the leave is not FMLA-qualifying. An employee may be required to obtain a second medical opinion, in the City's discretion and at the City's cost. If the two (2) opinions differ, the City and employee will select another health care provider for a third opinion, at the City's expense, and that opinion shall be final and binding. Subsequent recertification may be required in accord with law.

Intermittent leave requests or requests for a reduced leave schedule are subject to the same rules and hence a health care provider's certification of medical necessity and the expected duration and schedule of the leave must be submitted on the prescribed form. The employee must, however, make a reasonable effort to schedule medical treatment so as not to unduly disrupt business operations. Further, if the need for leave is foreseeable based on planned medical treatment, the City reserves its right to transfer the affected employee temporarily to an alternate position with equivalent pay and benefits for which the employee is qualified, if the transfer better accommodates the requested leave.

Eligible employees who are husband and wife are limited to only a combined total of twelve (12) weeks of leave during any twelve (12) month period, if the leave is taken (1) for birth and care of a child; (2) for placement and care of a child; or (3) to care for a parent (but not a "parent-in-law") with a serious health condition. Where the husband and wife both have used a portion of the twelve (12) week entitlement for one (1) of the above purposes, each is entitled to the difference between the amount he or she has taken individually and twelve (12) weeks to care for a child with a serious health condition or to care for their own serious health condition.

Employees are required to substitute and exhaust accrued vacation pay, the personal leave pay and/or paid sick leave for leave requested. Such substituted paid time will be applied against the twelve (12) week maximum.

During the twelve (12) week maximum leave period, coverage under the group health insurance plan, if any, will be maintained at the level and under the conditions coverage would have been provided had leave not been taken.

Employees will be required to continue to pay their portion of premiums as if they had not taken leave. Said premiums will be paid in two (2) possible ways: (a) if a portion of the leave is paid then the ordinary payroll deduction system will be used, to the extent possible; and/or (b) to the extent that payroll deduction does not cover the entire premium

cost for which the employee is responsible, the employee must deliver to the City the full monthly cost of said premium on or before the last day of the month prior to the month for which coverage is desired; one (1) written reminder will be provided, and if the full portion of the premium has not been received by the date specified in the written reminder, the coverage will lapse as of the last day of the month for which the full coverage premium was paid. If an employee fails to return to work for at least thirty (30) days after expiration of the leave, the City reserves its right to recover premiums paid, if any, to maintain employee coverage during the leave period under circumstances provided by law.

As a condition of returning to work from a leave granted, the employee must timely present a certification from his/her health care provider that the employee is able to resume work. Restoration will be denied until the certification is presented. An employee returning from leave under this policy, who has complied with its terms, generally will be restored to the same (or equivalent) position the employee held prior to leave. A returning employee does not, however, have a greater right to restoration or other benefits than if the employee had been continuously employed during the leave period. Employees are to notify personnel of their intent to return to work at least two (2) weeks prior to the anticipated date of return.

An employee who has exhausted his/her twelve (12) weeks maximum and fails to return to work, shall be considered to have resigned with notice and his/her employment will be terminated unless he/she applies for, and has been granted, leave under some other policy of the Employer.

MILITARY FAMILY LEAVE ENTITLEMENTS

The National Defense Authorization Act for Fiscal Year 2008 (2008 NDAA), Public Law 110-181, amended the FMLA to allow eligible employees to take up to 12 workweeks of job-protected leave in the applicable 12-month period for any “qualifying exigency” arising out of the active duty or call to active-duty status of a spouse, son, daughter, or parent. The 2008 NDAA also amended the FMLA to allow eligible employees to take up to 26 workweeks of job-protected leave in a “single 12-month period” to care for a covered service member with a serious injury or illness. These two types of FMLA leave are known as the military family leave entitlements.

- **Military Caregiver Leave:** A covered employer must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness up to a total of **26 workweeks of unpaid** leave during a “single 12-month period” to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating. The “single 12-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the employer for other types of FMLA leave. An eligible employee is limited to a **combined** total of 26 workweeks of leave for any FMLA-qualifying reason during the “single 12-month period.” (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.)

- **Qualifying Exigency Leave:** A covered employer must grant an eligible employee up to a total of **12 workweeks** of **unpaid** leave during the normal 12-month period established by the employer for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Under the terms of the statute, qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.

Qualifying exigencies include:

Issue arising from a covered military member's short notice deployment (i.e., deployment on seven or less days of notice) for a period of **seven** days from the date of notification; Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member; Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member; Making or updating financial and legal arrangements to address a covered military member's absence; Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member; Taking up to **five** days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment; Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member; Any other event that the employee and employer agree is a qualifying exigency.

Spouses employed by the same employer are limited to a **combined** total of 26 workweeks in a "single 12-month period" if the leave is to care for a covered service member with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA leave may be taken intermittently whenever **medically necessary** to care for a covered service member with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active-duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation. Under certain conditions, employees **or** employers may choose to "substitute" (run concurrently) accrued **paid** leave (such as sick or vacation leave) to cover some or all of the FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.

NOTICE REQUIREMENTS

Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for planned medical treatment for a serious injury or illness of a covered service member. If leave is foreseeable but 30 days advance notice is not practicable, the employee must provide notice as soon as practicable – generally, either

the same or next business day. An employee must provide notice of the need for foreseeable leave due to a qualifying exigency as soon as practicable. When the need for military family leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave within the time prescribed by the employer's usual and customary notice requirements.

An employee does not need to specifically assert his or her rights under the FMLA, or even mention the FMLA, when providing notice. The employee must provide "sufficient information" to make the employer aware of the need for FMLA leave and the anticipated timing and duration of the leave. Depending on the situation, such information may include, as applicable:

That the requested leave is for a particular qualifying exigency related to the active duty or call to active-duty status of a covered military member and the anticipated duration of the leave; that the leave is for a qualifying family member who is a covered service member with a serious injury or illness and the anticipated duration of the leave.

When an employee seeks leave due to a FMLA-qualifying reason for which the employer has previously provided the employee FMLA-protected leave, the employee **must** specifically reference either the qualifying reason for leave or the need for FMLA leave.

When an employee requests FMLA leave or the employer acquires knowledge that leave may be for an FMLA purpose, the employer must notify the employee of his or her eligibility to take leave, including a reason for non-eligibility if the employee is determined not to be eligible. Such eligibility notice may be oral or written and should, generally, be given within five business days of the request for FMLA leave. Subsequent eligibility notice in the same 12-month leave period may be required when an employee's eligibility status changes. Employers also must inform employees of their rights and responsibilities under the FMLA, including giving specific written information on what is required of the employee.

CERTIFICATION REQUIREMENTS

Employers may require that an employee's request for military family leave be supported by an appropriate certification. An employer may require that:

- leave for a qualifying exigency be supported by a copy of the covered military member's active-duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party;
- leave to care for a covered service member with a serious injury or illness be supported by a certification completed by an authorized health care provider **or** by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

Second and third opinions and recertification are not permitted for certification of a covered service member's serious injury or illness or of a qualifying exigency. An employer may use a health care provider, a leave administrator, or a management official but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious injury or illness, or an ITO or ITA. Additionally, an employer may contact the individual or entity named in a certification of leave for a qualifying exigency for purposes of verifying the existence and nature of the meeting.

7.11 Victims Economic Safety and Security Act (VESSA) Leave

Policy Statement

Effective on August 28, 2021, the Missouri Victims Economic Safety and Security Act (VESSA) requires Missouri employers with at least 20 employees to provide leave and reasonable safety accommodations to employees who experience domestic or sexual violence.

Leave Requirements

Under VESSA, the City will grant up to two (2) weeks of unpaid leave per year, though the employee may choose to substitute paid leave from their accrued leave banks. VESSA leave, however, is not available where such leave would result in an employee taking more leave than the amount of leave allowed under the Family and Medical Leave Act (FMLA). Much like FMLA leave, VESSA leave can be taken intermittently or on a reduced work schedule. The City will maintain health coverage for an employee on VESSA leave.

Qualifying Reasons for Leave

VESSA leave is available for any of the following reasons:

- (a) Seeking medical attention from or recovering from, physical or psychological injuries caused by domestic or sexual violence against the employee or the employee's family or household member;
- (b) Obtaining victim service for the employee or the employee's family or household member;
- (c) Obtaining psychological or other counseling for the employee or the employee's family or household member;
- (d) Participating in safety planning, including temporary or permanent relocation, or other actions to increase the employee or the employee's family or household member's safety from future domestic or sexual violence; and
- (e) Seeking legal assistance to ensure the health and safety of the employee or the employee's family or household member, including participating in court proceedings related to the violence.

Employee Eligibility

Employees working the City are eligible to take VESSA leave if:

1. They are victims of domestic or sexual violence, or
2. They have a family or household member who is a victim of domestic or sexual violence.

VESSA defines the term "family or household member" to include spouses, parents, children and "other blood relatives and relatives through a present or prior marriage."

Notice of Leave and Documentation Requirements

Employees who wish to take VESSA leave must provide:

1. At least forty-eight (48) hours' advance notice of the need for leave unless such

notice is impractical, in which case the notice must be given as soon as possible;
and

2. A sworn statement of the employee and documentation showing that the employee is eligible for the leave, such as a police report or document from a victim services organization, or medical professional corroborating eligibility.

This shall be accomplished through the completion of the VESSA Leave Request Form, available from the Human Resources Office. The completed VESSA Leave Request Form and supporting documentation shall be submitted to the Human Resources Office for approval processing. All documentation collected in connection with VESSA leave will be maintained separate from the employee personnel files and with the strictest confidence.

Safety Accommodations

Upon request, the City will attempt to make reasonable safety accommodations unless such accommodations would result in undue hardship for the City. Such an accommodation must be made timely to the known limitations resulting from the domestic or sexual violence experiences of an employee or an employee's family or household member.

Reasonable safety accommodations encompass the following actions by the City:

- (a) Adjustment to a job structure, workplace facility or work requirement;
- (b) A transfer or reassignment;
- (c) A modified schedule;
- (d) Leave from work;
- (e) A changed telephone number or seating assignment;
- (f) Installation of a lock or implementation of a safety procedure; or
- (g) Assistance in documenting domestic violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic violence.

An employee requesting such accommodation is required to provide a written statement signed by the employee or someone acting on the employee's behalf certifying the requested accommodation is for purposes authorized under VESSA.

This shall be accomplished through the completion of the VESSA Accommodation Request Form, available from the Human Resources Office. The completed VESSA Accommodation Request Form shall be submitted to the Human Resources Office for approval processing. All documentation collected in connection with VESSA leave will be maintained separate from the employee personnel files and with the strictest of confidence.

Retaliation Prohibited

Retaliation against employees for exercising their rights under VESSA is prohibited. Likewise, employees who take VESSA leave shall be restored to their job or an equivalent employment position upon returning from leave.

8 EXPENSES

8.1 Introduction

The City of Brentwood has procedures in place to ensure that correct accounting controls are being followed. Employees who are authorized to make purchases on behalf of the City should familiarize themselves with and adhere to the City's accounting guidelines. These procedures ensure that the City's funds are being monitored properly.

8.2 Sales Tax Exempt Status

The City of Brentwood is an exempt political subdivision of the state of Missouri, and the State has issued the City with an Exemption Certificate from Missouri Sales and Use Tax on Purchases related to civic purposes concerned with and related to the citizenry at large and benefiting the community being served on an unrestricted basis. It is strictly forbidden for any employee of the City of Brentwood to knowingly use the City's tax-exempt status for personal use or provide a copy of the State of MO tax exempt certificate and or MO Tax ID No. to any unauthorized businesses, individuals, or other not-for-profit organizations. Violations of this policy may result in disciplinary action, up to and including termination.

8.3 City Credit Card Usage

Credit accounts, office supply accounts, or membership club accounts established by the City are for the sole purpose of City use. Cardholders are prohibited from using City credit cards, office supply accounts, or membership club accounts for personal use. See the City Credit Card Policy and Cardholder Usage Agreement (Section 11.3) for additional information.

9 FRAUD POLICY

The City of Brentwood is committed to protecting its revenue, property, information and other assets from any attempt, either by members of the public, contractors, sub-contractors, agents, intermediaries, or its own employees, to gain by deceit, financial or other benefits. This policy prohibits fraud or misuse of City of Brentwood assets and sets forth specific guidelines and responsibilities regarding appropriate actions that must be followed for the investigation of fraud and other similar irregularities.

DEFINITIONS:

As used in this policy, the terms listed below shall have the following definitions:

Embezzlement is **any loss** resulting from the misappropriation of City of Brentwood assets.

Misappropriate is to take or make use of any item without authority or right.

Loss is defined as the City of Brentwood losing possession or control of any type of asset through fraudulent activities.

Fraud is the intentional misrepresentation or omission of facts for personal gain.

Assets refer to the entire property of the City. Assets include, but are not limited to, all City vehicles and building properties, public water supply, computers and software, cash receivables, wages and benefits.

Equipment is defined as a fixed asset that is not consumable or expandable; it is movable, even though sometimes attached to other objects or buildings: and its removal does not create a readily observable physical impairment or deterioration. Examples include but are not limited to: office equipment including computers, desk cabinets, printers and scanners, any electronic data processing equipment, training/education including audio- visual, cameras and recording devices. Equipment also includes but is not limited to all construction and maintenance equipment, air conditioners, athletic equipment, fire- fighting equipment, forklifts, lawn mowers and tools.

STATEMENT OF POLICY:

The City of Brentwood has adopted a zero-tolerance policy regarding fraud. No employees of the City, City of Brentwood residents, or City of Brentwood property owners who reside outside the City limits shall remove any City of Brentwood asset from the property, misuse any City asset for one's personal gain, or willfully misappropriate any City of Brentwood asset. Any evidence supporting fraud, theft or embezzlement of City of Brentwood assets and equipment may be subject to the following actions including but not limited to suspension, termination, restitution, and criminal charges.

PROHIBITED ACTS:

Fraud and misuse of City of Brentwood assets are prohibited. Examples of fraud and misuse of City assets include but are not limited to:

1. Embezzlement, misappropriation or other financial irregularities
2. Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, other financial documents) or computer files.
3. Purposely inaccurate financial reporting.
4. Misappropriation or misuse of City of Brentwood resources, such as funds, supplies, or other assets such as inventory, furniture, fixtures or equipment.
5. Improper handling or reporting of money or financial transactions.
6. Theft of any asset (money, tangible property, etc.)
7. Authorization or receipt of compensation for goods not received or services not performed.
8. Authorizing or receiving compensation for hours not worked.
9. Misrepresentation of fact.
10. Bribery, conspiracy, extortion.

Employees and residents of the City of Brentwood shall read and understand this policy. Additionally, suspected or known fraudulent acts by employees shall be reported to their respective supervisor or to the City Clerk/Administrator. If the employee has reason to believe that their supervisor may be involved, the employee shall notify the City Clerk/Administrator.

If an employee or resident has reason to believe that the City Clerk/Administrator may be involved in fraudulent activity, they should notify the Mayor or City Attorney. The Mayor will immediately notify the Board of Aldermen.

Supervisors shall communicate the provisions of this policy to all staff and recommend appropriate disciplinary action when there is evidence of wrongdoing.

Department Heads shall communicate any suspected or known fraudulent act to the City Clerk/Administrator's office. The City Clerk/Administrator may initiate internal investigative actions of the suspected act. The internal investigation may include but is not limited to surveillance, either electronic or visual. Document research may include, but is

not limited to, cash terminal journal rolls, ledgers, and accounting records.

All participants in a fraud investigation shall keep the details and results of the investigation confidential.

No person acting on behalf of the employer shall dismiss or threaten to dismiss an employee; discipline or suspend or threaten to discipline or suspend an employee; impose any penalty upon an employee; or intimidate or coerce an employee because the employee has acted in accordance with the requirements of the policy. Any violation of this section may result in disciplinary action up to and including termination of employment.

PREVENTION:

Each department will maintain an internal control environment to protect the department and the City from loss or other damages as a result of fraudulent act.

FALSE ALLEGATIONS:

False allegations of suspected fraud with the intent to disrupt or cause harm to another might be subject to disciplinary action up to and including termination of employment.

CORRECTIVE ACTIONS AND DISCIPLINE:

Appropriate and timely action will be taken against those proven to have committed a fraudulent act. These actions may include, but are not limited to:

- Disciplinary action
- Restitution for all losses, including investigation and legal expenses, to the fullest extent of the law.
- Criminal prosecution
- Civil action to cover losses

During all aspects of any investigation, the Constitutional rights of all persons are to be observed. All investigations will be conducted in the strictest of confidence. The name or names of those communicating information about fraudulent activity and the name or names of those suspected of fraudulent activity will be revealed only if required in conjunction with legal action. The City Clerk/Administrator will determine the extent to which disciplinary action, in accordance with personnel policies and procedures will be imposed.

10 EMPLOYEE COMMUNICATIONS

10.1 Open Communication

The City of Brentwood encourages employees to discuss any issues they may have with a co-worker directly with that person. If a resolution is not reached, employees should arrange a meeting with their direct supervisor. If the concern, problem, or issue is not properly addressed, employees can contact the City Clerk/Administrator. Any information discussed in an Open Communication meeting is considered confidential, to the extent possible while still allowing management to respond to the problem. Retaliation against any employee for appropriate usage of Open Communication channels is unacceptable.

Employees are encouraged to use the appropriate form located in the back of this handbook. These forms include:

- Accommodation Request Form (page 138)
- Conduct Complaint Form (page 139)
- Grievance Form (page 140)

10.2 Employee Suggestion Program

The City encourages its employees to suggest new and better ways to service our residents through the Employee Suggestion Program.

11 APPENDICES-RESOURCES

FLSA
<http://www.dol.gov/esa/whd/Flsa/>

ICMA
www.icma.org

11.1 ICMA CODE OF ETHICS

ICMA members adhere to the principles of the ICMA Code of Ethics, developed in 1924, as a condition of membership and agree to submit to a peer-to-peer review of their conduct under established enforcement procedures. ICMA's Code of Ethics, most recently amended by the membership in 1998 to reflect changes in the profession, includes Guidelines to assist members in applying the principles outlined in the Code. The Guidelines were adopted by the ICMA Executive Board in 1972 and most recently revised in July 2004. Individuals seeking advice on ethics issues or enforcement are encouraged to contact Martha Perego, ICMA's director of ethics at 202/962-3668 or email mperego@icma.org.

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

Tenet 1

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant

Tenet 3

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4

Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Tenet 8

Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12

Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

11.2 SUBSTANCE ABUSE POLICY

A. Purpose

1. This policy provides guidelines for the detection and deterrence of alcohol and controlled substance abuse. It also outlines the responsibilities of management and employees. It is the policy of the City of Brentwood to maintain a safe, healthy and productive work environment for all employees. To that end, the City will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale, or tends to undermine public confidence in the City's work force. All persons covered by this policy should be aware that violations of the policy may result in discipline, up to and including termination.
2. In recognition of the serious duty entrusted to the employees of the City, with knowledge that substance abuse hinders a person's ability to perform duties safely and effectively, the following policy against such abuse is hereby adopted by the City of Brentwood.

B. Definitions:

1. Personnel:
 - a. All employees of the City of Brentwood, and all applicants for employment.
2. Substances:
 - a. Alcohol
 - b. Controlled substances, which shall be defined as any substance which an individual may not sell, possess, use, or distribute under the laws of the federal government or the state of Missouri, as well as prescription drugs obtained without authorization or prescribed drugs and over-the-counter drugs not being used for their intended purposes

C. Policy

1. It is City policy that employees shall not report to work under the influence of alcohol or controlled substances, or have the odor of alcohol or controlled substances on their breath, or manufacture, ingest or possess, while on duty, or ingest while "on call" or during a period when they have been forewarned of a possible emergency call out (snow storms, severe windstorms, etc.). An employee shall not buy, receive, sell or provide controlled substances or alcohol to or from any other employee or to any person while such employee is on duty, or have their ability to work impaired as a result of the use of alcohol or controlled substances.

(Exceptions to particular portions of this paragraph may be made

only with the prior consent of the City Clerk/Administrator.)

2. While use of medically prescribed medications and drugs is not *per se* a violation of this policy, failure by the employee to notify his/her supervisor, before beginning work, when taking medications or drugs that may interfere with the safe and effective performance of duties or operation of City equipment, can result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician will be required. Upon notification of the supervisor of this condition, if appropriate action is not taken by the supervisor, the supervisor may be subject to applicable disciplinary action as well.
3. Employees who are called in for service also should be aware that if they have been consuming alcoholic beverages in such quantities as to potentially interfere with the safe and effective performance of their duties or operation of City equipment prior to their call-in, they should notify their supervisors, at the time of the call-in or as soon as possible, otherwise such failure can result in discipline, up to and including termination.
4. During special, infrequent, City sponsored occasions such as retirement or holiday parties, consumption of alcoholic beverages may be allowed on City property but only upon specific approval of the City Clerk/Administrator. On such authorized occasions, individual consumption of alcohol must be limited in order to avoid impairment of the employee's ability to perform his/her normal duties in a safe and efficient manner should it be necessary for the employee to return to work. Further, if the employee is instructed to cease alcohol consumption by his/her Department Head, the employee shall immediately comply.
5. Any employee whose off-duty use of alcohol or a controlled substance results in a violation of this Drug Policy, including but not limited to excessive absenteeism or tardiness, accidents, or inability to perform duties in a satisfactory manner, may be referred to the Employee Assistance Program for rehabilitation in lieu of disciplinary action. In the event the employee refuses to contact the Employee Assistance Program or fails to continue his rehabilitation action plan, the employee will be dismissed.
6. Employees reasonably believed to be under the influence of alcohol or controlled substances shall be prevented from engaging in further work and shall be instructed to wait a reasonable time until an authorized City representative can transport the employee from the work site.
7. The City has established a voluntary Employee Assistance Program (EAP) to assist those employees who seek help for alcohol or controlled substance problems. Employees should contact the City Clerk/Administrator for additional information.
8. The City reserves the right to search, without employee consent, all areas and property in which the City maintains joint or full control with the employee. All City vehicles are subject to search by appropriate management personnel.

9. In the event that an employee is involved in an automobile accident while operating a City vehicle, the employee operating the vehicle will be required to submit to drug and alcohol testing.
10. Violations of this policy shall be grounds for disciplinary action, up to and including discharge, for serious or repeated infractions. Refusal to submit immediately to an alcohol and/or controlled substance analysis when requested by management will constitute insubordination, which alone will form a basis for discipline.

D. Employee Responsibilities

An employee must:

1. not report to work or be subject to duty while his/her ability to perform job duties is impaired due to alcohol or controlled substance use, on or off duty;
2. not manufacture, or possess or use, or have the odor of alcohol or controlled substances on his/her breath during working hours, on breaks, or during meal periods, while on City property, in an official capacity or while operating any City vehicle or equipment;
3. not directly or through a third-party manufacture, sell or provide controlled substances or alcohol to any person or any other employee while either employee or both employees are on duty, or are "on call";
4. submit immediately to reasonable requests for alcohol and/or controlled substance analysis when requested by a supervisor, Division Director, Department Head, Human Resources, or the City Clerk/Administrator;
5. notify his/her supervisor, before beginning work, when taking any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of City equipment;
6. provide within twenty-four (24) hours of request a current valid prescription, as determined by the Medical Review Officer (MRO), for any drug or medication identified when a controlled substance screen/analysis is positive. The prescription must be in the employee's name. The City shall have the right to contact the employee's physician to verify effects of prescription medication. Employee will be required to execute any medical release necessary to obtain this information;
7. notify his/her supervisor of any criminal drug statute conviction for a violation occurring while on duty or "on call" no later than five (5) days after such convictions.
8. not ingest or consume in any way, prescription medication originally prescribed to any third party without the express written approval of the employee's personal physician.

E. Grounds for Analysis

The City shall have the right to require that an employee submit to urinalysis and/or other analysis for controlled substances and alcohol under the following circumstances:

1. Following each accident within the workplace resulting in property damage or personal injury; the words "property damage" are to be considered as all property, excluding city vehicles;
2. Where the City has reasonable suspicion that the employee is under the influence of and/or has recently ingested a controlled substance and/or alcohol;
3. Where the employee has failed prior urinalysis and/or other analysis for controlled substances and alcohol within the last twelve (12) months;
4. Prior to his/her return from rehabilitation leave as set forth below;
5. Prior to his/her return from any other leave during which the employee used prescribed or over-the-counter drugs or medication which could impair his/her ability to perform his/her job duties, or after the employee has had treatment or rehabilitation leave set forth below, or
6. Following each vehicle accident.
7. Special Testing Requirements: Certain employees who perform safety sensitive functions may be required to undergo periodic alcohol and drug screenings at times specified by the City as a condition of continued employment with the City. Continued employment with the City is contingent upon satisfactory completion of any periodic random screening, and unsatisfactory completion will be considered misconduct connected with the employee's work and will result in discipline, up to and including discharge.
 - a. CDL holders – Pursuant to the Omnibus Transportation Employee Testing Act of 119, holders of a Commercial Driver's License (CDL) who perform safety sensitive functions are required to undergo periodic alcohol and drug screenings at times specified by the City as a condition of employment with the City.
 - b. Those employees deemed to be in safety sensitive positions other than CDL holders may be required to undergo periodic, random alcohol and drug screening as specified by the City as a condition of employment with the City.

The City Clerk/Administrator will maintain a list of job positions subject to this policy. Employees are advised that in order for the City to comply with any subsequent or otherwise applicable federal and/or state laws and regulations, the terms of this policy, including the list of job positions covered, is subject to change at any time by the City Clerk/Administrator.

F. Testing

1. The City shall designate the physician, health care institution, clinic and/or laboratory (NIDA certified only for drugs) to carry out the provisions of such analysis, as well as the date and time of day the analysis shall be carried out. The City shall be responsible for the expenses incurred in carrying out the analysis, but not for the expenses incurred by employee challenges to the initial analysis.
2. Each employee to be tested shall: cooperate fully; execute and complete truthfully such documents and releases as may be required by the physician, health care institution, clinic and/or laboratory; and authorize a written report of the results and/or other relevant records and testimony to be submitted to the City.

3. Drugs to be tested for:

| | Screening Cut-Off | Confirmation Cut-Off |
|---|----------------------|-------------------------|
| Drug Class | Limit (ng/ml) | Limit (na/ml) |
| Amphetamines | 1000 * | 500* |
| Barbiturates | 300 | 200 |
| Benzodiadepine | 300 | 300 |
| Benzoylecgonine (Cocaine Metabolite) | 300 * | 150 * |
| Cannabinoids (THC) | 100 * | 15 * |
| Methadone | 300 | 300 |
| Methaqualone | 300 | 100 |
| Opiates | 300 * | 300 * |
| Phencyclidine (PCP) | 25 * | 25 * |
| Propoxyphene | 300 | 200 |

Alcohol will conform to State of Missouri driving intoxication levels.

*Cut-off limits established by the Department of Health and Human Services in their mandatory Guidelines for Federal Workplace Drug Testing Programs.

4. Test Methodology:

Screening test will be performed with an Immunoassay type test and upon finding a positive with the screen test the sample will be confirmed by the use of a gas chromatography-mass spectrophotometry (GC-MS) test.

5. Specimen Collection Procedures:

- a. Collection will be unwitnessed but will be temperature tested for authenticity. The employee will observe the specimen sealed in a tamper proof sealed container, with container signed for and dated by collection site personnel.
- b. Any individual who attempts to alter to their advantage, the results of these tests through manipulation of the specimen, or

in any other way attempts to cheat on this process, or anyone who assists an individual in attempting to cheat on this process, will be subject to immediate disciplinary action up to and including termination.

6. Challenges to Positive Results:
 - a. An employee may challenge the results of a positive test by notifying the personnel office in writing within 24 hours of the employee's notice of such positive results.
 - b. All costs associated with the original specimen retest will be borne by the employee presenting the challenge unless it is shown that the original test was in error.

G. Results of Controlled Substance and/or Alcohol Analysis

1. If an employee complies with the analysis procedures as set forth above, and if the testing reflects the presence of a controlled substance (other than as per a physician's order):
 - a. On the first such occasion, the employee shall be referred to the E.A.P. At this time, rehabilitation leave will be utilized. Should the employee fail to cooperate or comply, he/she shall be subject to immediate discharge. The employee may use vacation or sick leave benefits if available, otherwise the rehabilitation leave shall be unpaid.
 - b. On the second such occasion, the employee shall be discharged.
2. The purpose of the rehabilitation leave shall be to allow the employee to seek medical treatment, at his/her expense, with the goal of the employee returning to the workplace as a productive and safe employee, all without disciplinary penalty. The rehabilitation leave shall operate as follows:
 - a. Within seven (7) days of the start of the rehabilitation leave, the employee shall submit to the City an initial written report of a health care institution, physician or clinic (reasonably qualified at the discretion of the City) outlining the plan of treatment for the employee, as well as the anticipated duration thereof. On an as needed basis thereafter, the employee shall submit to the City a written report of the physician, health care institution or clinic, outlining the employee's treatment and progress, and confirming his/her cooperation therein.
 - b. The employee will be provided a reasonable time to successfully complete the plan of treatment and obtain the necessary medical release to return to work. The employee must cooperate fully with his/her treatment provider so that such leave is not unnecessarily prolonged. Any employee who fails to cooperate fully with his/her treatment provider and/or unnecessarily prolongs their

treatment program is subject to discharge.

- c. The employee shall give **at least two (2) weeks'** written notice of the date he/she intends to return to work, which notice shall be accompanied by the written report of the physician, health care institution or clinic, reflecting that the employee can safely return and perform all work duties.
 - d. **(During the two (2) weeks' notice period, the employee shall submit to analysis pursuant to those terms set forth above.)** The City reserves the right to require the employee wishing to return to work under this policy to undergo a return to work drug and alcohol testing. The expense of this testing shall be borne by the employee.
 - e. During and after the rehabilitation leave, the employee shall execute such documents as may be necessary to allow the City to consult with the Physician, health care institution and/or clinic and to obtain copies of all of the pertinent records and reports; and to allow the physician, health care institution and/or clinic (and their agents) to testify in any proceeding arising as a result of this policy.
 - f. Upon successful completion of rehabilitation leave, the employee shall return to work, unless otherwise directed by the City Clerk/Administrator.
 - g. After the return to work, the employee shall be subject to periodic, unannounced, random drug and alcohol testing for one year after the date of the return to work.
3. Any employee who fails to comply with any or all of the above procedures and policies is subject to discharge.

H. Management Responsibilities and Guidelines

1. Supervisors are responsible for consistent enforcement of this policy. Any supervisor who knowingly permits a violation of this policy by employees under his/her direct supervision shall be subject to disciplinary action.
2. Supervisors may request that an employee submit to a controlled substance and/or alcohol analysis when a supervisor has a reasonable suspicion that an employee is using or is under the influence of a controlled substance and/or alcohol. "Reasonable suspicion" is a belief based on objective and state able facts sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of a controlled substance or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced. For example, any of the following, alone or in combination, may constitute reasonable suspicion:
 - a. Slurred speech;
 - b. Alcohol on the breath;
 - c. Inability to walk a straight line;
 - d. An accident involving City property or City personnel;

- e. Physical altercation;
 - f. Verbal altercation;
 - g. Behavior which is so unusual that it warrants summoning a supervisor or anyone else with authority;
 - h. Possession of alcohol or controlled substances;
 - i. Information obtained from a reliable person with personal knowledge.
3. Any supervisor requesting an employee to submit to a controlled substance and/or alcohol analysis should immediately notify the Department Head or his/her designee(s) to meet him/her to observe the employee's behavior. Should the Department Head or his/her designee(s) concur that the employee appears to be in violation of the policy, the following procedure shall immediately be applied:
- a. The supervisor should document in writing the facts constituting reasonable suspicion that the employee in question is using or under the influence of controlled substances and/or alcohol. This information shall be stated on the Substance Abuse Policy Report Form.
 - b. Any supervisor requesting an employee to submit to a controlled substance and/or alcohol analysis shall be responsible for the employee's transport to the City's designated physician, health care institution, clinic and/or laboratory where a controlled substance and/or alcohol test will be requested.
 - c. Any supervisor encountering any employee who refuses to submit to a controlled substance and/or alcohol analysis upon request should remind the employee of the requirements and consequences of this policy. Any employee refusing to submit to a controlled substance and/or alcohol test shall not be forced to submit to such testing. The supervisor shall wait a reasonable time until an authorized City representative can transport the employee home.
 - d. Supervisors shall not physically search employees.
 - e. Supervisors shall not confiscate, without consent, prescription drugs or medications from an employee who has a prescription.
 - f. Supervisors noting illegal or criminal behavior with controlled substances should notify the Department Head for subsequent law enforcement action. No threats of Police action should be made at any time.

I. Applicant Testing

- 1. Applicants for employment with the City shall be subject to voluntary drug and alcohol analysis.
- 2. A positive result from a substance analysis may result in the applicant not being hired. The City Clerk/Administrator and Department Head shall decide whether the applicant may be hired after considering all relevant information, including discussions with the City's health care provider, the

applicant's medical history and the position.

3. An applicant may challenge the results of a positive test by notifying the personnel office in writing, within twenty-four (24) hours of the applicant's notice of such positive results. All costs associated with the retest will be borne by the applicant presenting the challenge.

J. Confidentiality

Laboratory reports or test results shall appear in an employee's or applicant's confidential medical file. The reports or test results may be disclosed to city management on a strictly need-to-know basis and to the tested employee or applicant upon request. Disclosures, without patient consent, may occur when: (1) the information is compelled by law or judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employer and the employee or applicant; (3) the information is to be used in administering an employee benefit plan; (4) the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure. All exceptions to this policy must be approved by the City Clerk/Administrator.

K. Severability

The provisions of this policy are severable and if any of its provisions shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

This policy encompasses those requirements set forth in the Drug-Free Workplace Act of 1988.

11.3 CITY CREDIT CARD POLICY AND CARDHOLDER USAGE AGREEMENT

The city credit card policy and cardholder usage agreement are being provided to ensure that the correct accounting controls are being followed with regard to usage of the City issued credit cards. These procedures will ensure that the City's funds are being monitored properly. Please follow the guidelines as listed below:

Introduction

The CITY credit card is a purchase card system benefiting CITY and the cardholder through prompt payment to suppliers and delegates responsibility for low value purchase authority to those making the commitment.

Policy

Credit cards are issued at the discretion of the CITY to current employees who are granted a formal delegation of CITY purchasing authority and the Mayor and Board of Aldermen who are granted a formal delegation of CITY purchasing authority. Delegation of CITY purchasing authority governs the use of the credit card as a tool for purchasing materials and services for less than \$2,000. The cardholder agrees to comply with all applicable CITY policies and procedures and this Cardholder

agreement. When signed and accepted, this form acts to assign the formal delegation of purchase authority to a current CITY employee or CITY officer to execute credit card purchases.

Compliance with Policy, Violations and Consequences

Employee violations to this agreement or to any policy regarding the purchase of goods or services will be investigated and may result in either one or more of the following actions: written warning, revocation of credit card privileges, cancellation of delegation of purchasing authority, disciplinary action, and termination and/or criminal prosecution. Human error and extraordinary circumstances may be taken into consideration when investigating any violation to this agreement.

Elected Official violations to this agreement or to any policy regarding the purchase of goods or services will be investigated and may result in either one or more of the following actions: written warning, revocation of credit card privileges, and cancellation of delegation of purchasing authority. Human error and extraordinary circumstances may be taken into consideration when investigating any violation to this agreement.

The CITY and the City Clerk have the authority to investigate and to determine whether a violation of procurement policy has occurred, and to recommend actions to the Ways and Means Committee and the Board of Aldermen that may be taken because of such determinations. CITY will consider the facts and circumstances of each incident, and will take action as deemed appropriate, and as permitted by applicable law and/or CITY policy.

Credit Card violations include but are not limited to:

- Purchase of items for personal use
- Purchase of items in violation of the CITY travel policy
- Use of the credit card for cash advances
- Exceeding bank credit line limit
- Use of the credit card for purchase of more than \$2,000 by splitting purchases into more than one transaction
- Failure to return the credit card when an employee is reassigned, terminated or upon request
- Failure to return the credit card when CITY member resigns, is no longer in office or upon request
- Failure to turn in packing slips, receipts or other back up documentation to the CITY Finance Department within 30 days of the purchase for the purpose of establishing accountable reconciliation procedures.

Ownership and Cancellation of the Credit Card

The credit card remains property of the Bank. It may not be transferred to, assigned to, or used by anyone other than the designated Cardholder. The Cardholder is accountable for the activity on the card. The bank or CITY may suspend or cancel Cardholder privileges at any time for any reason. The Cardholder will surrender the credit card upon request to CITY or any authorized agent of the Bank.

Spending Limits

Each credit card has a pre-set limit of \$3,000 (including shipping, handling and tax) that may not be exceeded under any circumstances.

Receipts

It is the Cardholder's responsibility to obtain transaction receipts from the merchant each time the credit card is used. Individual transaction receipts are to be attached to periodic statements and submitted to the Finance Director in a timely manner.

Individual transactions should have a description of the purchase and the city purpose for the expenditure. The Finance Director will be responsible for review and approval of periodic statements. The CITY must keep statement data and proof of reconciliation, including receipts and packing slips, on file for a period consistent with the record retention requirements of the law.

Disputed Items

It is the Cardholder's responsibility to follow up on any erroneous charges, returns or adjustments to ensure proper credit is given on subsequent statements.

Protecting the Credit Card

The credit card is valuable property which requires proper treatment by the Cardholder to protect it from misuse by unauthorized parties.

Validation and Safekeeping

Sign the credit card immediately upon receipt. The credit card should always be treated with the same care as personal credit cards, bankcards, cash and checks. Keep your card(s) in an accessible, but secure location. When using the credit card for internet purchases, cardholders should ensure that the site utilizes industry recognized encryption transmission tools. When the expiration date is passed and/or after you have received a new credit card, cut the old credit card in half and dispose of it. Make sure the credit card is returned to you after each charge and verify that the returned credit card has your name on it.

Lost or Stolen Credit Cards

If the credit card is lost or stolen, contact the Bank's 24-hour toll-free number immediately.

GENERAL

CITY employees must receive approval from the CITY to have permission to use CITY's credit cards.

The credit card may be used by CITY employees who have authority to buy goods and services on behalf of CITY.

Each credit card bears the Cardholder's name but is actually issued to CITY, which is responsible for making prompt payment to the Bank. However, Cardholders are

responsible for ensuring proper use of the card.

The Finance Director helps ensure the proper use of credit cards by overseeing CITY implementation and use of the card.

CARDHOLDERS

Cardholders must use the card responsibly and in accordance with this policy.

Cardholder responsibilities include:

- Purchasing items for CITY business use only
- Never lend or share the credit card or account number.
- Purchasing only goods and services that are approved by the CITY or are in accordance with CITY policies and the current budget.
- Keeping all individual purchases to less than \$2,000.
- Returning the Credit Card to FINANCE and privilege of its use upon leaving CITY or the position which entitled use of the card or upon ending employment with CITY, or upon request of the City Clerk or his and/or her designee.
- Forwarding purchasing documents, such as sales receipts, to the Finance Director and/or his or her designee; and
- Timely processing of statements to avoid late payment penalties and interest.

CITY CLERK

The CITY Clerk is responsible for:

- Ensuring that these procedures are in place for all cards before employees, the Mayor and Board of Aldermen are given card privileges.
- Timely reconciliation
- Appropriate record keeping

Handling these administrative duties:

- Knowing the credit card limitations and restrictions;
- Developing and implementing internal procedures that govern City use of the credit cards;
- Sharing new program information with cardholders;
- Answering cardholder questions about use of cards;
- Monitoring card usage to ensure that CITY policies, and internal policies and procedures are being followed;
- Assigning credit card privileges to employees, the Mayor and Board of Aldermen;
- Communicating with employees, the Mayor and Board of Aldermen when new or modified cards are required;
- Requesting new cards from the Bank;
- Communicating with employees, the Mayor and Board of Aldermen when card cancellations are required; and
- Terminating accounts and inactive cards and individual authority to use

cards.

CARDHOLDER USAGE AGREEMENT

I have read the City Credit Card Policy and by my signature, I agree to use my city credit card(s) in accordance with the policy.

Employee Name: _____

Employee Title: _____

Signature: _____

Date: _____

11.4 FUELMAN POLICY



Fleet Purchasing Card

DRIVER FUEL POLICY

Employees authorized to fuel company vehicles are issued a (5) digit Personal Identification Number (PIN) to be used with the company's Fuelman Fleet Cards. This document is to verify that you understand your responsibilities and the company's policies regarding the use of your PIN.

Employee Acceptance Statements

1. I have been issued a PIN, which authorizes me to fuel company vehicles only, using the company's Fuelman Fleet Cards.
2. I understand that my PIN identifies me by name on a weekly fuel report and that I am accountable for all transactions made using my PIN. Therefore, I will not share my PIN with anyone. If I believe someone else knows my PIN, I will immediately notify my supervisor and/or fleet manager.
3. I understand that the Fuelman Fleet Cards are not to be used for personal vehicles or non-business purposes. Using the Fuelman card for any purpose other than official business use will be considered theft of company property.
4. I understand that each time I use a Fuelman Fleet Card I am required to completely fill the vehicle's tank and enter an accurate odometer reading. This will allow the company to monitor fuel usage and track required maintenance intervals.
5. I understand that each Fuelman Fleet Card is assigned to either an individual company vehicle or specific fueling purpose (example; off road equipment fuel card). My PIN will work with any Fuelman Fleet Card issued to the company. I understand that it is against company policy to swap or share cards between vehicles or to use any card for other than the intended purpose.

Evidenced by my signature below, I understand and agree to the above statements.

Employee Name (Print): _____

PIN#: _____

Signature: _____

Date: _____

11.5 DIESEL VEHICLE FUEL POLICY

DIESEL VEHICLE FUEL POLICY

Employees authorized to fuel company diesel vehicles are required to keep accurate records of the fueling and filling of vehicles. This document is to verify that you understand your responsibilities and the City's policies regarding the fueling of City diesel vehicles.

Employee Acceptance Statements

1. I have been authorized to fuel the City's diesel vehicles.
2. I understand that each time I fuel a City's diesel vehicle that I am required to completely fill the vehicle's tank and enter an accurate odometer reading on the vehicle's mileage log. This will allow the City to monitor fuel usage and track required maintenance intervals.
3. I understand that the City's diesel fuel is not to be used for personal vehicles or non-business purposes. Using the City's diesel fuel for any purpose other than official business use will be considered theft of City property.
4. I understand that I am responsible for keeping these records up-to-date and available for review at any time. Monthly logs will be submitted to the Finance Department.
5. I understand that I am authorized to fill company diesel vehicle tanks with diesel fuel only.

Evidenced by my signature below, I understand and agree to the above statements.

Employee Name: (Print) _____

Signature: _____ Date: ___/___/___

11.6 CITY OF BRENTWOOD TRAVEL ADVANCE PROCEDURES

Purpose

To support the needs of employees who are required to travel for city purposes and to minimize the financial hardship incurred by employees in this situation.

Policy

City employees who travel for business purposes are expected to arrange for prepayment of expenses wherever possible, using a procurement card, a purchase order, or a confirming requisition. Those expenses that cannot be prepaid by one of these methods should be paid from the employee's personal funds during the period of travel. Approved expenses will be reimbursed to the employee within two weeks following submission of a complete and correct Expense Statement to the Finance Division.

Employees who are required to travel, for business purposes, for a continuous extended period of time or otherwise unable to arrange for prepayment or pay with personal funds are eligible to apply for a travel advance. Continuous extended travel is defined as continuous absence from home, for business purposes, lasting at least 10 days. Business travel during at least 20 days of any consecutive 30-day period also qualifies the employee for an advance.

The traveler is advised to request the advance at least 2 weeks prior to the date the disbursement of funds is required. This time interval permits the request to be properly reviewed, approved and paid through the normal accounts payable process.

Eligible Expenses

The following categories of expense are eligible for a cash advance:

1. **Per diem** at the currently approved level (must be listed by date, with a dollar estimate for each day and must show the total per diem requested).
2. **Lodging** (cost of room plus applicable taxes only): Note that lodging fees will only be advanced in special circumstances where the hotel will not accept the Procurement Card and will not invoice against a City Purchase Order. Traveler will be required to provide documentation from the vendor to this effect.
3. **Ground transportation.**
4. **Incidental Expenses** (*approved on a case-by-case basis*). These must be listed in detail with estimated totals for each item.

Note that receipts will be required to settle the advance for all items except per diem.

Excluded Expenses

The following types of expenses are **excluded** from cash advances:

1. **Phone calls**, including business calls. Business calls should be submitted on a separate Expense Statement form and reimbursed to the traveler after the fact, through the normal process.
2. **In-room expenses.** These are not reimbursable to the traveler at all.
3. **Pre-trip expenses**, such as passport and travel visa fees, cost of inoculations, etc. These should be paid from the traveler's own funds and then submitted to

City of Brentwood Employee Handbook
Accounts Payable for reimbursement. These expenses will be considered on a case-by-case basis.

4. **Cost of personal trip insurance.** These are not reimbursable to the traveler at all.

Expenses not listed above will be considered on a case-by-case basis. Generally, any expense incurred by the traveler prior to the departure date, or after the return date will not be eligible for an advance.

Disbursement

If an advance is approved, funds will be disbursed to the traveler the week prior to the departure date. Special circumstances that would require an earlier disbursement date must be documented and submitted at the time of application.

Method of Application

The traveler should submit the list of estimated eligible expenses at least 2 weeks prior to the requested disbursement date of the travel advance.

Settlement of the Advance

If a travel advance is issued, the traveler is responsible to present the following items to their supervisor in settlement of the advance, no later than 2 weeks after the return date of travel:

1. Unused funds (preferably in a check payable to the City of Brentwood).
2. Original receipts for all items except per diem. If the receipt is in a foreign currency, the traveler is responsible to calculate and show the US dollar conversion in effect on the date of the transaction.
3. An approved Expense Statement Form, showing the per diem claimed, as well as the other expenses involved in the settlement of the advance.

If the traveler's *eligible* expenses exceed the amount of the advance, a check for the balance due the traveler will be issued within 2 weeks of receipt of the completed and approved Expense Statement Form.

Delinquent Travel Advances

Employees with delinquent advances will be subject to immediate payroll recovery or other collection methods as allowable by law. Employees with past delinquent advances may be denied future advances.

It is the responsibility of the traveler to advise their supervisor and the Finance Division of any circumstances that will prevent timely settlement of the advance. Extension of the due date may be granted, at the sole discretion of the City Administrator.

11.7 FINANCIAL SYSTEM ACCESS AND AUDIT IT POLICY

Purpose

The purpose of this policy is to provide guidance for the security of the financial systems within the City of Brentwood. Additionally, the policy provides guidance to ensure the requirements of the financial audits are met.

Scope

This policy applies to all City of Brentwood employees, contractors, and agents with access to the City of Brentwood financial system.

Policy

Appropriate measures must be taken when using the financial systems to ensure the confidentiality, integrity, and availability of the data and that access to the data is restricted to authorized users.

Access

The City's IT Department will ensure that network access is granted using Active Directory user accounts and groups whenever possible. This minimizes the possibility of unauthorized access.

System Security

The City of Brentwood will implement physical and technical safeguards for the financial system application server access and ensure that the financial system is internally audited by the IT Manager and Finance Director at least annually to ensure only authorized users are provided access to the systems.

Account Review

The City of Brentwood Finance Director will ensure that individual financial application accounts are reviewed at least annually to ensure only authorized users are provided access to the financial applications.

Desktop Security

The City of Brentwood will implement physical and technical safeguards for workstations with network access to the financial systems. Appropriate measures include:

- Restricting workstation access to only authorized personnel.
- Securing workstations (screen lock or logout) prior to leaving area to prevent unauthorized access.
- Enabling a password-protected screen saver with a 10-minute timeout period to ensure that workstations that were left unsecured will be protected
- Complying with all applicable password policies and procedures.
- Ensuring workstations are used for authorized business purposes only.
- Never installing unauthorized software on workstations.
- Complying with the City of Brentwood Anti-Virus Guidelines.
- Ensuring that monitors are positioned away from public view. If necessary, install privacy screen filters or other physical barriers to public viewing.
- Ensuring workstations updated with all operating system security patches and updates.

Enforcement

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

Definitions

| Term | Definition |
|-------------|---|
| Workstation | Includes laptops, desktops and authorized equipment accessing the City of Brentwood network. |
| Server | For the purposes of this policy, a server is defined as an internal City of Brentwood server. |

11.8 IT Remote Access Policy

1.0 Purpose

Remote access to the City of Brentwood network is a resource to allow the City of Brentwood and its employees to meet City goals and objectives.

2.0 Scope

The remote access policy is designed to outline the City of Brentwood's policy for and requirements to allow remote access to City equipment and infrastructure. **Exceptions** Some employees will be unable to participate in the remote access program. Remote access will be provided at the discretion of department managers in conjunction with the IT Department. Remote access is currently limited to exempt employees.

3.0 Policy

3.1 Acceptable Use

Hardware devices, software programs, and network systems purchased and provided by the City of Brentwood for remote access are to be used only for creating, researching, and processing City-related materials. By using the City's hardware, software, and network systems you assume personal responsibility for their appropriate use and agree to comply with this policy and other applicable company policies, as well as City, State, and Federal laws and regulations.

3.2 Equipment & tools

The City of Brentwood will provide a workstation for remotely accessing the City's data network. The City will provide a secure, two-factor authentication method to access the City's network. Only City licensed software will be installed on the City provided computer. Additional software or equipment drivers are not to be installed by the user without express, prior authorization from the IT Department and approval by the user's department manager. The use of equipment and software provided by the City for remotely accessing the City's computer network is limited to authorized persons and for purposes relating to City business.

3.3 Use of personal computers and equipment

The IT Department will only provide support and maintenance for equipment and software provided by the City during regular business hours. Home computer equipment will not be allowed to remotely access the City network. The City is not responsible for providing an Internet connection for remote access to the City's network. Remote users are responsible for providing their own broadband Internet connection to the City's network. The IT Department will not troubleshoot or be responsible for a remote user's poor or slow Internet connection.

4.0 Enforcement

Penalties for violation of the Remote Access Policy will vary depending on the nature and severity of the specific violation. Any employee who violates the Remote Access Policy may be subject to:

- (i) Disciplinary action as described in the City's personnel manual including but not limited to reprimand, suspension and/or termination of employment
- (ii) Civil or criminal prosecution under Federal and/or State law

5.0 Definitions

| Term | Definition |
|--------------------|--|
| Workstation | Includes laptops, desktops and authorized equipment accessing the City of Brentwood network. |
| Network | For the purposes of this policy, the network is defined as all City of Brentwood internal and hosted servers, data, software, and systems. |

Acknowledgment of Remote Access Policy

This form is used to acknowledge receipt of, and compliance with, the City of Brentwood's Remote Access Policy.

Procedure

Complete the following steps:

1. Read the Remote Access Policy.
2. Sign and date in the spaces provided below.
3. Return this page only to the Information Technology Manager.

Signature

By signing below, I agree to the following terms:

- (i) I have received and read a copy of the "Remote Access Policy" and understand and agree to the same;
- (ii) I understand and agree that any software and hardware devices provided to my be the City remain the property of the City of Brentwood;
- (iii) I understand and agree I am not to modify, alter, or upgrade any software programs or hardware devices provided to me by the City without the permission of the Information Technology department;
- (iv) I understand and agree that I shall not copy, duplicate (except for backup purposes as part of my job), or allow anyone else to copy or duplicate any software;
- (v) I understand and agree that, if I leave the City of Brentwood for any reason, I shall immediately return to the City the original and copies of any and all software, computer materials, or computer equipment that I may have received from the City that is either in my possession or otherwise directly or indirectly under my control;
- (vi) I understand and agree I must make reasonable efforts to protect all City of Brentwood provided software and hardware devices from theft and physical damage;

Employee Signature

Employee Title

Employee Name

Date

Department/Location

11.9 SERVER SECURITY IT POLICY

1.0 Purpose

The purpose of this policy is to establish standards for the base configuration of internal server equipment that is owned and/or operated by the City of Brentwood. Effective implementation of this policy will minimize unauthorized access the City of Brentwood proprietary information and technology.

2.0 Scope

This policy applies to server equipment owned and/or operated by the City of Brentwood.

3.0 Policy

3.1 Ownership and Responsibilities

All internal servers deployed at the City of Brentwood must be maintained and operated by the City's IT Department, which is responsible for system administration. The IT Department should monitor configuration compliance and implement an exception policy tailored to their environment.

- At a minimum, the following information is required to positively identify the point of contact:
 - Hardware and Operating System/Version
 - Main functions and applications, if applicable
- Configuration changes for production servers must follow the appropriate change management procedures.

3.2 General Configuration Guidelines

- Operating System configuration should be in accordance with industry norms.
- Services and applications that will not be used should be disabled where practical.
- Access to services should be logged and/or protected through access-control methods.
- The most recent security patches must be installed on the system within 90 days, the only exception being when immediate application would interfere with business requirements.
- Always use standard security principles of least required access to perform a function.
- If a methodology for secure channel connection is available (i.e., technically feasible), privileged access must be performed over secure channels, (e.g., encrypted network connections using SSH or SSL VPN).
- Servers should be physically located in an access-controlled environment.
- Servers are specifically prohibited from operating from uncontrolled cubicle areas.

3.3 Monitoring

- All security-related events on critical or sensitive systems must be logged and audit trails saved as follows:
 - All securityrelated logs will be kept online for a minimum of 1 week.
 - Daily tape backups will be retained for at least 1 month.
 - Weekly full tape backups of logs will be retained for at least 1 month.
 - Monthly full backups will be retained for a minimum of 3 years.
- Security-related events will be reported to the IT Manager, who will review logs and report incidents. Corrective measures will be addressed as needed. Security-related events include, but are not limited to:
 - Evidence of unauthorized access to privileged accounts
 - Anomalous occurrences that are not related to specific applications on the host.

3.4 Compliance

- Audits will be performed on a regular basis by the IT Department as required for compliance.
- The IT Department will filter findings not related to a specific operational group and then present the findings to the appropriate supervisor for remediation or justification.

4.0 Enforcement

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

5.0 Definitions

| Term | Definition |
|-------------|--|
| Server | For purposes of this policy, a Server is defined as an internal City of Brentwood Server. Desktop machines and Lab equipment are not relevant to the scope of this policy. |

11.10 IT CHANGE CONTROL POLICY

1.0 Purpose

This policy covers changes to processes, systems, hardware, applications, and the process/personnel needed to make changes. Making changes to system software, hardware, processes or even configurations can be a huge undertaking. All systems changes must follow this policy.

2.0 Scope

This policy applies to all IT staff, technical contractors, and consultants for the City of Brentwood. There are no exceptions unless otherwise authorized by the IT Manager.

3.0 Policy

Appropriate measures must be taken when using the financial systems to ensure the confidentiality, integrity, and availability of the data and that access to the data is restricted to authorized users.

3.1 Changes to Applications

Application upgrades or new application installations must be documented and include the following information:

- Reason for the change – this should include the business reason for the change
- Version of the upgrade – the version and build information of the existing application as well as that of the upgrade or application being installed
- Licensing information – if the application contains licensing information, a CD key, license document, etc, this information should be documented and securely stored
- Cost information – this should document the cost of the upgrade as well as the cost savings (if any) that the City will see as a result of the upgrade/installation.

3.2 Changes to Hardware and/or Configurations

When replacing hardware, the serial number of the original device and its function should be recorded along with the serial number and function of the new device. The location of the hardware or virtual machine should also be recorded. Network documentation should be updated accordingly. When changing configurations on existing hardware or software, the original configuration should be saved (with screen shots) along with the date it was saved, the name of the individual making the changes, and the business reason for the change. The configuration should be saved along with the original configuration, including the date it was implemented and the date it was replaced. This will help others within the department identify previous configurations in the event of a problem.

3.3 Responsible Parties

Whenever a change is made to the IT environment at the City of Brentwood, the IT staff member handling the changes should thoroughly document the process planned and discuss it with the IT Manager to ensure that the entire process is understood and will achieve the desired results.

- Any configuration changes to network equipment, servers, applications running on servers, database systems, or any other IT equipment must be documented. The IT Change Request form must have signed approval *prior* to the modification. In the event of an after-hours emergency, a verbal approval may be obtained to be followed up with the signed Change Request form as soon as possible. The modification log approved Changed Request form, and associated documentation must be completed and filed in the System Admin area.
- Applications running on servers will be maintained. All upgrades to applications should be discussed within IT as well as with affected users in the organization to provide an understanding of the changes and benefits likely to be seen. An approved Change Request form must be on file for every application or database upgrade.
- System administrators will also be responsible for Windows Updates, security, and maintenance patches on server and desktop systems. This should be documented and noted in the modification log. This information should also be shared via an email update with others in the IT department, so all staff members are aware of changes in case of problems.
- Any changes to hardware, software, or other IT equipment should be discussed regularly with the IT Manager. During an ongoing project or upgrade, monthly meetings to review progress and/or changes to the process need to be covered within the IT department.

3.4 Procedures

When making changes to hardware, software, or processes -- along with documentation and discussion -- testing should be performed whenever possible to ensure the result of the change will occur as expected.

There may be some cases where an update must get applied to fix a problem or prevent a vulnerability providing less than adequate time for testing. However, the changes should be tested initially to ensure there are no conflicts with existing items.

A spare workstation for each configuration in use should be maintained within the IT department, either in a virtual capacity or on physical hardware, to facilitate testing changes to hardware and applications.

All server upgrades and changes should be tested on virtual servers with configurations similar to the live environment, or with the use of virtual snapshots, in order to be aware of issues that may arise.

Once tested, the results of the testing period should be discussed with all parties involved and a timeframe for the live implementation should be created. Once all involved departments have agreed upon the application implementation schedule, the plan should move forward and execute as closely to the schedule as possible.

3.5 Process Auditing

The IT department will work to audit infrastructure on a regular basis to ensure that undocumented items are discovered and removed or that documentation is added for these items. The installation of untested upgrades or unapproved applications will be documented as closely as possible. Discipline for the installation of unapproved applications, updates, hardware or configurations can include but is not limited to access restriction and/or termination.

4.0 Enforcement

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

11.11 DOMAIN USER ACCOUNT IT SECURITY POLICY

1.0 Purpose

The purpose of this policy is to establish a standard for creation of strong domain user passwords, the frequency of change, and the protection of user accounts. User account security is an important aspect relating to the City's network integrity. Passwords are the front line of protection for user accounts. Poor user account security may result in the compromise of the City of Brentwood's entire network. As such, all City of Brentwood employees (including volunteers, contractors, and interns with access to the City's systems) are responsible for taking the appropriate steps, as outlined below, to secure their user accounts.

2.0 Scope

The scope of this policy includes all personnel who have or are responsible for an account that accesses the City's network.

3.0 Policy

3.1 General

- All City domain user-level passwords (e.g., network and email) must be a minimum of 10 characters and changed at least every three months (90 days). The use of a passphrase is strongly recommended.
- There is a password history of five passwords.
- Passwords must not be inserted into email messages or other forms of electronic communication.
- User accounts will lock out for 30 minutes after 10 unsuccessful login attempts.
- Domain computers will automatically "lock" after sitting idle for 10 minutes.
- A network usage disclaimer will appear when logging onto the City's network.
- The City utilizes a group policy which automatically calculates and enforces the established account policies.
- All domain user-level passwords must conform to the included guidelines.

3.2 Password Construction Policy

Poor, weak passwords have the following characteristics:

- The password is a word found in a dictionary (English or foreign).
- The password is a common usage word such as:
 - Names of family, pets, friends, co-workers, fantasy characters, etc.
 - Computer terms and names, commands, sites, companies, hardware, software.
 - The words "Brentwood", "saintlouis", "sanfran" or any derivation.
 - Birthdays and other personal information such as addresses and phone numbers.
 - Word or number patterns like aaabbb, qwerty, zyxwvuts, 123321, etc.
 - Any of the above spelled backwards.
 - Any of the above preceded or followed by a digit (e.g., secret1, 1secret).

Strong passwords have the following characteristics:

- Contain both upper- and lower-case characters (e.g., a-z, A-Z).
- Have digits and punctuation characters as well as letters e.g., 0-9, !@#\$%^&*()_+|~-=\`{}[]:"';<>?,./).
- Is not a word in any language, slang, dialect, jargon, etc.
- Are not based on personal information, names of family, etc.

Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase.

3.3 Password Protection Standards

Do not use the same password for City accounts as for other non-Brentwood access (e.g., personal email account, option trading, benefits, etc.). Where possible, don't use the same password for various City access needs. Use one password for the network system and a separate password for applications, if so prompted. All passwords are to be treated as sensitive, confidential City of Brentwood information.

Here is a "do not" list:

- Do not reveal a password to anyone, including co-workers and family members.
- Do not write passwords down or store passwords anywhere in your office (includes sticky notes).
- Do not store passwords in a file on any computer system (includes smart phones or similar devices).
- Do not talk about a password in front of others.
- Do not hint at the format of a password (e.g., "my family name").
- Do not reveal a password on questionnaires or security forms.
- Do not use the "Remember Password" feature of applications (e.g., Internet Explorer or Netscape).

If someone demands a password, refer them to the City's IT Manager. In circumstances where an employee is unavailable or away from the office (e.g., illness, business trip, or vacation) and it is absolutely a business necessity to gain access to a co-worker's files or share a password with a co-worker, contact the IT Manager for assistance and guidance.

If an account or password is suspected to have been compromised, report the incident to the IT Manager and change all passwords immediately. If you suspect that someone knows your password then change the password immediately. Each user is responsible for any abuse or misuse of their associated user account.

Password cracking or guessing may be performed on a periodic or random basis by the IT Department or its delegates. If a password is guessed or cracked during one of these scans, the user will be required to change it.

3.4 Passphrase

Passphrases are not the same as passwords. A passphrase is a longer version of a password and is, therefore, more secure. A passphrase is typically composed of multiple words. Because of this, a passphrase is more secure against "dictionary attacks."

A good passphrase is relatively long and contains a combination of upper and lowercase letters and numeric and punctuation characters. An example of a good passphrase (do not use this example as your passphrase):

"170Traffic\$tink\$"

All of the standards above that apply to passwords apply to passphrases.

4.0 Enforcement

Violations of this policy may result in disciplinary action, up to and including termination.

5.0 Definitions

| | |
|-------------|--|
| Domain | A security grouping of computers and servers (e.g., brentwoodmo.org, brentwoodad). |
| Domain User | A user of the network and associated servers and services. |

11.12 ELECTRONIC TABLET USAGE POLICY

City of Brentwood

1.0 Purpose

The City of Brentwood recognizes the benefits of utilizing digital communication and information and, therefore, may provide a tablet (includes iPad devices) to the Mayor, each Board member, and administrative staff ("Users"), for use in performing official duties. This policy is to ensure the Users of the tablet acknowledge, understand, and respect the tablet, Internet, and this Usage Policy.

2.0 Scope

This policy applies to elected officials and administrative staff of the City of Brentwood who are issued a tablet by the City.

3.0 Policy

It is the policy of the City of Brentwood to provide tablet devices to the City's elected officials for the duration of their terms, and/or administrative staff during their tenure. Those in receipt of tablets must adhere to this Usage Policy and these procedures to ensure the appropriate use and optimum functionality of City-issued communication devices. The tablet, Internet, and email access that the City provides to Users are tools for conducting City business. Thus, use of such tools will be primarily for City business related purposes. All of the City's computer systems, including the tablet, are considered public property. The tablet, Internet, and email activities will be traceable to the City and will impact the reputation of the City. City-issued tablets shall not be used to send or knowingly download any vulgar, discriminatory, or pornographic content. Users shall refrain from making any false or defamatory statements in any form or committing any other acts that could expose the City to liability.

3.1 Procedures

1. Receipt of tablet. The Information Technology (IT) Manager will issue to each user a tablet that includes appropriate applications for use relating to City business. The City will direct all of its email and other electronic transmissions for a User to the User's City email address. Each department within the City shall have one designee who will assist the IT manager in disseminating the tablet to the appropriate User and collecting the tablet for the IT manager to conduct necessary updates when necessary.

2. Care of the Tablet. Users are responsible for the general care of the tablet and associated equipment issued by the City. Tablets and equipment must remain free of any writing, drawing, stickers, or labels that are not the property of the City. Only a clean, soft cloth should be used to clean the screen.

3. Software on the Tablet. The software and applications installed by the City must remain on the tablet in usable condition and be readily accessible at all times. From time-to-time, the City may require Users to check in their tablets with the IT Manager to add or upgrade software applications or for periodic updates and syncing. In the event it becomes necessary to restore a tablet to its original condition, the City will not be responsible for the loss of any software or data deleted due to a re-format and/or re-image. Any software, email messages, or files downloaded via the Internet into the City system, including a City-issued tablet, become the property of the City and may only be used in ways that are consistent with applicable licenses, trademarks, or copyrights. The City is the sole licensee of the software included with

a tablet. Any copying, modification, or distribution of any software, including written documentation, by the User is prohibited. The User is responsible for complying with any and all hardware, software, service provider licensing agreements, terms of use, and applicable state and federal copyright and other intellectual property protections.

A User may not download a file or open an email attachment unless the User knows that the file or attachment comes from a trustworthy source. Downloaded files and attachments may contain viruses or hostile applications that could damage or breach the security of the City's information systems. A User will be held accountable for any such consequences that result from the User downloading a file or opening an email attachments for a purpose other than City business. The City provides antivirus software for the tablets. Users are required to scan attachments before opening, and to download all antivirus software updates as directed.

4. Life of the tablet. The technological life of the tablet is estimated at three years; therefore, the tablets will be assessed every three years and, if authorized through the budgeting process, the City will purchase upgraded devices. Replacement or upgrade decisions shall be made by City staff to ensure optimum performance and compatibility at a reasonable cost.

5. WARNING- NO PRIVACY. All software and data (including, and without limitation, email, calendars, downloaded files, and web browsing history) stored on City-issued devices are subject to disclosure under State and City public records laws or for litigation purposes, unless a privilege or exception exists that justifies withholding the information.

6. Representations. In advocating, advancing, or expressing any individual religious, political, or personal views or opinions, Users must not misrepresent their statements as official City policy.

7. Email Usage for City Business. A User shall use his or her assigned City email account for all email related to City business. Emails sent or received on a User's City email account are archived and retained by the City. This account shall be synced to the User's individual tablet. A User's personal email box also may be synced to the tablet, but a User either shall conduct all City-related business through the User's City email account, or copy all email related to City business from the User's personal email box to the User's City email account.

8. Acceptable Use. The tablet, Internet, and email access that the City provides to Users will be primarily for City business related purposes, such as to review City Board and Committee agenda materials and obtain useful information for City-related business. City-issued tablets are not to be used for operation of a business for personal gain, sending chain letters, or any other purpose that interferes with normal City business activities. Users shall not use City-issued tablets for any illegal activity.

Except in an emergency, Elected Officials shall not use email, instant messaging, text messaging, or similar forms of electronic communications at any time during a meeting of the Board of Aldermen. Elected Officials should consult the City Attorney for information regarding Open Meetings Act requirements related to electronic communications.

A User may download and maintain music and applications on the User's tablet; however, the items downloaded and synced to the tablet must be in compliance with

Federal copyright laws and shall be acquired at the expense of the User. The City's IT staff shall not install, work on, or support an application that is not issued by the City. All applications used in the course of business-related activities shall be secured in conjunction with the IT manager.

9. Allowable Monthly Limit. All usage of a City data account, including usage for Internet access through a tablet or other device, is subject to the allowable monthly limits allocated to each User under the City's shared or individual data plan. The User shall pay all charges resulting from City data account usage in excess of such monthly limits.

10. User Responsibility. It is the responsibility of the User to ensure the City-provided tablet is kept in a reasonable and safe condition. Should a tablet be accidentally lost, damaged, or stolen, responsibility for replacement shall be as follows:

a. First time: The City shall pay half the cost of repair or replacement and the User shall pay half the cost.

b. Second and subsequent time: The User shall be entirely responsible for repair or replacement costs and shall replace or repair the unit within two weeks of the equipment damage or loss. Tablets that are damaged or destroyed through intentional, reckless or negligent misuse must be repaired or replaced at the User's expense

11. Security of the tablet. The User is responsible for the security of all data stored on the tablet, whether related to City business or otherwise. The User will maintain appropriate password protection for data on the tablet, and will not delete or modify any security features that the City loads on the tablet. A User shall notify the IT Manager or department designee as soon as possible if the tablet is lost or stolen.

12. Return of the tablet. Users shall return their tablet to the IT Manager or department designee when the User's term of service or employment has ended. Upon return of the tablet to the City and following the preparation of any appropriate backup files, the tablet will be wiped clean of any and all information, and issued to the User's successor.

13. Compliance with Policy. The City reserves the right to inspect any and all files stored on any and all tablets that are the property of the City in order to ensure compliance with this policy. Users do not have any personal privacy right in any material, data, files, programs, etc. created, received, stored in, or sent from any City-issued tablet, and the IT Manager is hereby authorized to institute appropriate practices and procedures to ensure compliance with this policy. Any violation of this policy by employees may result in discipline as deemed appropriate. In the event of a violation of this policy by any elected official, the Mayor and Board of Aldermen may take any action appropriate under the circumstances.

14. Annual Review Date/Lead Review Department. HR will review this document annually for any needed revisions.

15. Acceptable Use Policy. All users will sign the City of Brentwood's Tablet Usage Policy prior to receiving a tablet.

ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Brentwood Tablet Usage Policy and I do commit to read and follow these policies.

I am aware that if, at any time, I have questions regarding the City of Brentwood Tablet Usage Policy, I should direct them to the City Clerk/Administrator.

Procedure

Complete the following steps:

1. Read the Tablet Usage Policy.
2. Sign and date in the spaces provided below.
3. Return this page only to the City Clerk/Administrator's Office

Signature

By signing below, I agree to the following terms:

- I have received and read a copy of the "Tablet Usage Policy" and understand and agree to the same;
- I understand and agree that any software and hardware devices provided to me by the City remain the property of the City of Brentwood;
- I understand and agree I am not to modify, alter, or upgrade any software programs or hardware devices provided to me by the City without the written permission of the Information Technology department;
- I understand and agree that I shall not copy or duplicate (except for backup purposes as part of my job) any software or allow anyone else to copy or duplicate any software;
- I understand and agree that if I leave the City of Brentwood for any reason, I shall immediately return to the City the original and copies of any and all software, computer materials, or computer equipment that I may have received from the City that is either in my possession or otherwise directly or indirectly under my control; and
- I understand that I do not have and cannot expect any privacy with regard to the use of this City's equipment;
- I understand and agree, I must make reasonable efforts to protect all City of Brentwood provided software and hardware devices from theft and physical damage.

I know that the City of Brentwood Tablet Usage Policy and other related documents do not form a contract and are not a guarantee, nevertheless, the provisions of such policies are incorporated into the acknowledgement, and I agree that I shall abide by its provisions.

I also am aware that the City of Brentwood, at any time, may change, add to, or delete from the provisions of any and all policies.

Official's Printed Name: _____

Official's Signature: _____ Date: _____

Title: _____

This Certification and Declaration Statement must be signed, dated and returned to the City Clerk/Administrator for inclusion in the elected officials file.

VEHICLE POLICY FOR CITY EMPLOYEES

Introduction

The City of Brentwood is dedicated to the safety of its citizens and employees and seeks to establish uniform procedures governing the use of all City-owned or leased vehicles and establish requirements for employees using their own vehicles to conduct City business. Vehicles shall include passenger vehicles, trucks, and vans, as well as all tractors, construction, service or maintenance vehicles, golf carts, and off-road vehicles. The goal of the City is to ensure that individuals drive solely in a business capacity for the City, drive in a safe manner, have the legal ability to drive, and that the City of Brentwood is protected from any legal liability.

This policy allows the City to verify that individuals who drive on City business, either in their own vehicle or a City-owned vehicle during City-paid work time, or in a City-owned vehicle after work hours, have a valid driver's license. Further, this policy is designed to ensure that an employee's driver's license meets the minimum qualification requirements for that employee's job title.

Each employee is a representative of the City to the citizens. As such, the City desires that City vehicles be well maintained, be kept clean and in good working order, and that the driver shall comply with all traffic laws and ordinances. Employees shall operate their vehicles with the utmost safety and shall drive defensively to prevent accidents, regardless of the incorrect actions of others.

I. Insurance Requirements

The City self-insures or insures all City-owned vehicles. Employees who are required to drive on City business in their personal vehicle are required to carry automobile liability insurance. This insurance coverage is required to be current and if the status of these changes throughout employment with the City, it is the employee's responsibility to notify the City immediately. A valid certificate of insurance may be requested to be sent to the City before driving on City business. Department Heads are responsible for ensuring that employees who drive their personal vehicles on City business meet these insurance requirements, and that all individuals driving either their personal vehicle or a City-owned vehicle has a valid driver's license.

II. Use of City Vehicles and Personal Vehicles on City Business

- City vehicles shall be used for City business, except when specifically authorized **in writing** by the City Administrator to do otherwise.
- City business shall be defined as activities, jobs, tasks, or other commitments that further the interest of the City, or that provide a benefit to the City or its citizens.
- City vehicles shall not be used for personal activities by any employee, unless specifically authorized **in writing** by the City Administrator.
- City business may include activities to be designated at a later time by the City Administrator or a Department Head.
- If City vehicles are not available, the employee will be reimbursed for mileage for their personal vehicle. The mileage amount is determined by the IRS allowable rate each year.
- City vehicles (or personal vehicles) being used on City business shall not be used to transport non-work-related employees without prior written approval by the Department Head. A copy of this written approval must be given to the Human Resources Department.

III. Authorized Drivers of City-Owned Vehicles

- Only City employees shall be allowed to drive a City-owned vehicle. City employees shall include those on salary, full time, part-time, (but only during the time the employee is on the clock), temporary, provisional, seasonal, and out-of-class employees, as well as interns on the City's payroll. The City Administrator may designate that additional persons be allowed to drive a City vehicle.
- Additional persons shall receive written approval before driving a vehicle, and a copy of this approval must be given to Human Resources. In addition, the HR Manager will be responsible for getting written confirmation from the State of Missouri that the individual has a valid driver's license before the individual will be allowed to drive a City vehicle; this driver's license check (for non-City employees) must be conducted by the department at least once per year, at the department's expense.
- City employees **shall not** include volunteers, interns not on the City's payroll, or citizens who may be working on City business.
- Only the City Administrator can approve the use of take-home City vehicles (**Exhibit A**).

IV. Radio, Communication System, or Cellular Use

- If a City vehicle contains a radio or other communication system, the vehicle shall not be driven until that employee has been trained in the proper use and operation of the radio or communication system.
- Each employee is responsible for knowing and abiding by any City policy involving a radio, communication system, or cellular telephone that may be in place before operating or using such equipment.

V. Requirements for Operators

- All potential vehicle operators, including City employees and others specifically authorized to drive City vehicles, shall submit a copy of the front and back of their driver's license to the City so that a driver's license check can be performed. This will be done at the time of hiring. It is the responsibility of the employee to notify his/her supervisor if the status of the employee's driver's license changes.
- All employees who may drive a City-owned vehicle, or who are required to have a driver's license as a condition of employment, shall maintain a valid driver's license in good standing, and maintain the class of license and endorsements required in the minimum qualifications for their position description.
- Employees are required to immediately inform their supervisor and the City's Human Resources Department of any driver's license status change, e.g., license suspension, limitation, or revocation.
- Revocation of City vehicle driving rights due to moving violations will be consistent with State law.
- No employee shall operate a City-owned vehicle, or his/her personal vehicle for City business while under the influence of any alcoholic beverage, illegal or controlled substance, or while under the influence of any prescription or over-the-counter medication that may impair his/her ability to operate a vehicle.
- By City policy, there is no smoking allowed in any City-owned vehicle.
- All vehicle operators shall be responsible for knowing and abiding by all applicable City, department, office, or division policies.
- All vehicle operators are required to sign the Vehicle Policy Acknowledgment prior to operating a vehicle (**Exhibit B**).

VI. General Operational Policies

- All City vehicles shall be operated in accordance with the laws of the State of Missouri, or the State the vehicle is operated in, and all vehicles shall be operated to comply with all applicable laws and ordinances.
- All available safety devices in a vehicle shall be operational at all times and shall not be disconnected or disabled.
- All occupants of the vehicle shall wear a seat belt at all times.
- Vehicles should only be used within the scope of the design for the vehicle.

VII. Accident Reporting Requirements

Every accident involving a City vehicle must be reported to the nearest law enforcement agency, and a Missouri Motor Vehicle Accident Report must be completed along with a City of Brentwood Vehicle Accident Report. When reporting an accident, employees should be truthful, provide the facts, cooperate with the law enforcement personnel, and take notes on the facts of the accident; photographs of the accident scene should be taken, if possible. All accidents must be immediately reported to the employee's supervisor.

The employee must provide a copy of the complete Motor Vehicle Accident Report, with a copy of any reports from the law enforcement agency, to the employee's supervisor.

Employees must immediately report all damage, including dents or scrapes to vehicles, damage to City property, or damage to other City vehicles, even if not on a public road., to the employee's supervisor. Packets, including this policy and the Missouri Motor Vehicle Accident Report form are available by request from the Human Resources Department. Department Heads are responsible for ensuring that this information is placed in the glove compartment of all City-owned vehicles.

Employees involved in an accident, in a City vehicle or in their personal vehicle, while performing City business must undergo a post-accident random drug and alcohol screening immediately following the accident. Human Resources should be contacted immediately to provide details on where to have the post-accident screenings administered.

VIII. Inspections

- Each time a vehicle is used, the operator shall do a brief exterior inspection of the vehicle. Exterior inspections should verify the condition of the tires, the air pressure of the tires, the overall condition of the exterior, and verify the proper operation of the vehicle's exterior lights. This inspection is not a substitute for required Missouri DOT inspections.
- Each department/office is responsible for the upkeep of its vehicles. Routine maintenance shall include, but not be limited to:
 - properly inflated tires
 - sufficient amount of fuel
 - oil changes when needed
 - sufficient amount of windshield washer fluid
 - maintaining clean windows with all snow/ice/dirt removed
 - sufficient amount of fluids (transmission, antifreeze, brakes)

IX. Compliance with IRS Regulations

All employees should keep adequate records to meet and comply with IRS regulations. These records shall include the beginning and ending mileage for City business, and the nature or use of the City business that is being conducted or performed. Employees should note that there might be tax consequences for the personal use of a City-owned vehicle and the receipt of mileage reimbursement for operation of a privately owned vehicle on City business.

X. Disciplinary Penalties

- Any violation of this policy shall be reviewed with the employee by the employee's supervisor.
- Violation of the policy may involve disciplinary action, up to and including termination.

XI. Personal Commutes and Errands

Due to their emergency responsibilities, Employees identified in Exhibit A are authorized to take City vehicles directly to and from work and use for personal errands.

EXHIBIT A

CITY OF BRENTWOOD

Take home vehicle list (effective 010-01-2025)

The following positions are allowed to take home a City vehicle, as it has been determined that doing so is in the best interest of the community's health, safety, and welfare.

Fire Chief
Police Chief
Assistant Fire Chief
Police Major of Administration
Police Major of Community Policing
K-9 Officer

EXHIBIT B

CITY OF BRENTWOOD

VEHICLE POLICY EMPLOYEE ACKNOWLEDGEMENT

I, _____, have received the City's Vehicle Policy. By signing below, I indicate that I have read the policy, and I agree to abide by the terms and conditions of the policy. I authorize and give permission to the proper City agents or officials to periodically run a driver's license check. This authorization shall remain in place unless I specifically revoke this authorization in writing. A copy (front and back) of my driver's license is attached (this applies to new hires only). By signing this, I acknowledge that the status of my required licenses necessary to perform my job is current. I understand that if I violate this agreement, I will be subject to disciplinary action up to and including termination.

Date Signed: _____

Employee Signature: _____

Department/Office: _____

WAIVER OF DRIVING PRIVILEGES

I, _____, decline to provide a copy of my driver's license information, or I do not have a driver's license. I agree that I will not drive any vehicle on City business during City-paid work time or drive any City-owned vehicle at any time, nor will I receive mileage reimbursement during the course of my employment. The definition of vehicle shall include passenger vehicles, trucks, vans, tractors, construction, service or maintenance vehicles, golf carts, and off-road vehicles. I understand that if I violate this agreement, I will be subject to disciplinary action up to, and including, termination. I also understand that this waiver does not prevent the City taking disciplinary action, up to and including termination, in the event the City determines that driving is an essential function of my job responsibilities.

Date Signed: _____

Employee Signature: _____

Department/Office: _____

City of Brentwood Employee Handbook
**City of Brentwood Annual
Policy Acknowledgment
Year 20_____**

*Please initial
by each
paragraph to
indicate you
have
received,
read and
understand
each policy.*

_____ I acknowledge that I have previously been provided a copy of the City's Sexual Harassment and Equal Employment Opportunity Policies (located in the Employee Handbook) and have read and understand said policies. I understand it is the obligation of every City employee to comply with said policies and to immediately report any violations of either Policy. I agree that if I feel I have been the victim of and/or have witnessed discrimination or harassment of any form, I will bring the matter to the immediate attention of any direct supervisor, Department Head, or the City Clerk/Administrator.

_____ I acknowledge that I have received, read and agree to abide by the City's Information Systems Access and Use and Social Media Policy as contained in the Employee Handbook. I understand and agree that my failure to follow any aspect of the City's Information Systems Access and Use Policy or Social Media Policy may lead to disciplinary action up to and including termination of my employment. I also understand that the City may hold me civilly or criminally liable for any intentional or reckless damage I cause to the City's systems or the information stored therein.

_____ I acknowledge that I have received a copy of the Recorded Phone Lines Policy as contained in the Employee Handbook and I certify that I have read and fully understand the Policy. I further certify that I voluntarily consent to have any and all telephone conversations recorded as outlined under the terms of the policy.

_____ I acknowledge that I have read and understand the City of Brentwood's procedures for Sales Tax Exempt Status as contained in the Employee Handbook.

_____ I acknowledge that I have read and understand the City of Brentwood's Substance Abuse policy as contained in the Employee Handbook.

_____ I understand that all of the above-mentioned policies are available in the Employee Handbook. I further understand that if I have questions about any of the above-mentioned policies, I can contact my Department Head or the City Clerk/Administrator.

Employee Name (please print)

Employee Signature

Date

City of Brentwood Employee Handbook
CITY OF BRENTWOOD
TUITION REIMBURSEMENT REQUEST

Employee Information

Last Name _____ First Name _____
 Job Title _____ Department _____
 Date of Hire _____ Date of Request _____

Name of College/University: _____

| Course Number | Course Title | Credit Hours | Tuition | Cost of Books | Begin Date | End Date |
|---------------|--------------|--------------|---------|---------------|------------|----------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Total Cost of Tuition and Books: \$ _____
(Request cannot exceed annual maximum reimbursement of \$3,500)

Briefly explain how the course(s) improves your current job skills:

Attach an itemized tuition receipt and grades/proof of course completion to this form for reimbursement.

I clearly understand that providing an incomplete form, not providing all the required documents and/or falsification of information will result in me being ineligible for tuition reimbursement. I also understand that I must complete twenty-four (24) months of service with the City after the date of satisfactory completion of each course taken or I will be responsible for repaying the City pursuant to the below-listed repayment schedule.

Repayment to the City of its tuition reimbursement is prorated as follows if the employee separates from City service:

- | | |
|--|----------------------------|
| <i>EE separates from the City before 12 months</i> | <i>100% must be repaid</i> |
| <i>EE separates from the City between 13-18 months</i> | <i>67% must be repaid</i> |
| <i>EE separates from the City between 19-24 months</i> | <i>33% must be repaid</i> |
| <i>EE separates from the City any time after 25 months</i> | <i>No repayment due</i> |

 Employee Name (please print) Employee Signature Date

By my signature below, I affirm that the above-named employee is currently meeting job expectations and has met expectations for the previous 12 months of employment. I also affirm that funds have been budgeted for this request (\$3,500 maximum annual reimbursement per employee).

 Department Head Signature Date

 City Clerk/Administrator Approval Date

Forward completed form and required receipts to the Finance Department.

FIRE ACADEMY TUITION REPAYMENT AGREEMENT

As part of your offer letter (and as a condition of continued employment), you have been enrolled in the St. Louis County Fire Academy. The City of Brentwood will prepay your tuition for the Academy. You will then repay the City of Brentwood via payroll deduction.

If you have any questions regarding the repayment of your tuition or this agreement, please contact the Human Resources Department.

The City of Brentwood agrees to advance educational expenses for you to attend:

| | |
|-----------------------|--|
| Program: | The St. Louis County Fire Academy |
| City, State: | St. Louis, MO |
| Dates of Attendance: | _____ |
| Total Expense Amount: | _____ (includes registration, tuition, fees, required books and other materials) |

In consideration of payment of these expenses, you agree to the following:

If you are unable to complete this course due to what the City considers extenuating circumstances (such as your illness or the illness of a family member) and you receive a tuition or materials refund, you agree to give the full refund to the City of Brentwood via personal check within one week of receipt.

If you voluntarily terminate employment with the City of Brentwood prior to completing the course, you will refund the entire amount of the educational expenses provided to you.

If you voluntarily terminate employment with the City of Brentwood after completion of the course and prior to repayment of the entire tuition amount, you will immediately reimburse the remaining amount owed.

If any action is brought to enforce any provision of this agreement by the City of Brentwood, you agree to pay all costs associated with the action as well as any costs of litigation, including all reasonable attorney fees.

This educational expense agreement creates no contract of employment between you and the City of Brentwood. You may terminate your employment with this organization at any time with or without cause, and the City of Brentwood may terminate your employment at any time with or without cause.

Employee name: _____ Employee signature: _____
Date: _____

Supervisor name: _____ Supervisor signature: _____
Date: _____

City Administrator name: _____ City Administrator signature: _____
Date: _____

POLICE RECRUIT ACADEMY TUITION REPAYMENT AGREEMENT

As part of your offer letter (and as a condition of continued employment), you have been enrolled in the Police Academy. The City of Brentwood will pay your tuition for the Academy. You will then repay the City of Brentwood via payroll deduction.

If you have any questions regarding the repayment of your tuition or this agreement, please contact the Human Resources Department.

The City of Brentwood agrees to advance educational expenses for you to attend:

Program: Police Academy _____
City, State: _____
Dates of Attendance: _____
Total Expense Amount: _____ (includes registration, tuition, fees, required books and other materials)

In consideration of payment of these expenses, you agree to the following:

If you are unable to complete this course due to what the City considers extenuating circumstances (such as your illness or the illness of a family member) and you receive a tuition or materials refund, you agree to give the full refund to the City of Brentwood via personal check within one week of receipt.

If you voluntarily terminate employment with the City of Brentwood prior to completing the course, you will refund the entire amount of the educational expenses provided to you.

If you voluntarily terminate employment with the City of Brentwood after completion of the course and prior to repayment of the entire tuition amount, you will immediately reimburse the remaining amount owed.

If any action is brought to enforce any provision of this agreement by the City of Brentwood, you agree to pay all costs associated with the action as well as any costs of litigation, including all reasonable attorney fees.

This educational expense agreement creates no contract of employment between you and the City of Brentwood. You may terminate your employment with this organization at any time with or without cause, and the City of Brentwood may terminate your employment at any time with or without cause.

Employee name: _____ Employee signature: _____
Date: _____

Supervisor name: _____ Supervisor signature: _____
Date: _____

City Administrator name: _____ City Administrator signature: _____
Date: _____

POLICE RECRUIT COMPENSATION REPAYMENT AGREEMENT

The City of Brentwood has hired you as a Police Recruit. As such, you will be compensated at 75% of the Step 1 for an entry-level Police Patrol Officer while you are in attendance at the Police Academy. You will be treated as a full-time employee and entitled to the benefits afforded as such, with the exception of the Police and Fire Pension plan as described in section 2.4 of the Employee Handbook.

You are expected to participate in all activities of the Police Academy and upon graduation will become a sworn Officer for the Brentwood Police Department at Step 1 of the pay grid for entry-level Patrol Officers for a period of not less than three years. (You will be entitled to rate increases upon successful annual review as with any other full-time employee of the City, as indicated in section 5.1 of the Employee Handbook.)

Should you leave employment for any reason prior to the aforementioned three years, you will be obligated to repay the City for \$1000 per month (or partial month) for which you received compensation while enrolled in the Police Academy. This amount will reduce by 1/3 for each successful 12 month period of continued employment. At the conclusion of the three year period, your financial obligation to the City of Brentwood as a Police Recruit will have been fulfilled.

Your financial obligation to the City of Brentwood in return for Compensation as a Police Recruit are indicated below:

Program: Police Academy _____
City, State: _____
Dates of Attendance: _____
Total Months in attendance: _____
(includes partial months of attendance)
Total Financial Obligation: _____
Patrol Officer Hire Date: _____
Financial Obligation End Date: _____

If any action is brought to enforce any provision of this agreement by the City of Brentwood, you agree to pay all costs associated with the action as well as any costs of litigation, including all reasonable attorney fees.

This agreement creates no contract of employment between you and the City of Brentwood. You may terminate your employment with this organization at any time with or without cause, and the City of Brentwood may terminate your employment at any time with or without cause.

Employee name: _____ Employee signature: _____
Date: _____

Supervisor name: _____ Supervisor signature: _____
Date: _____

City Administrator name: _____ City Administrator signature: _____
Date: _____

Conflict of Interest

Policy Statement and Disclosure Statement

The purpose of this policy is to ensure that high standards of conduct and integrity are maintained and to limit the risk that might arise due to a conflict of interest on the part of City of Brentwood employees.

A conflict of interest occurs when an employee is faced with an actual or potential compromise of his or her loyalties. Conflict of interest may involve personal as well as financial interests.

It is the policy of the City of Brentwood that:

1. Any potential conflict of interest on the part of any employee must be disclosed.
2. All employees will annually sign a Conflict of Interest Disclosure Statement.
3. Employees of the City of Brentwood shall exercise good faith and act with the highest standard of fairness in all transactions touching upon their duties to the City of Brentwood and its assets. They shall not use their positions, or knowledge gained from them so that a conflict might arise between the interest of the City of Brentwood and those of any individual or organization. They shall also seek to avoid any situation that may suggest the appearance of conflict of interest.
4. No employee of the City of Brentwood or any member of their immediate family shall personally benefit by reason of any dealing with the City of Brentwood. Reasonable and just compensation for services actually rendered and payments for goods at below fair market value are acceptable.
5. An employee or any member of their immediate family shall not derive any income from working as an independent contractor for an entity that receives any income from the City of Brentwood.
6. No employee of the City of Brentwood shall accept any favor or gratuity which may influence or appear to influence his or her actions concerning the City of Brentwood.
7. If an employee undertakes any new employment activity, grant award, investment or other interest, which may involve obligations that compete or appear to compete or conflict with the interests of the City of Brentwood, the new activity and potential conflict will be promptly disclosed to the City Clerk/Administrator by completing this Disclosure Statement.
8. Elected officials shall comply with City of Brentwood Ordinance Nos. 3153 and 4294 which require disclosure of any substantial personal or private interest as defined by state law.

-OVER-

DISCLOSURE STATEMENT

1. List any business or organizations, partnerships or corporations (entities) in which you or any member of your immediate family has a material interest and from which you know the City of Brentwood secures any goods or services.

For the purposes of this Disclosure Statement, a person will be deemed to have a material interest in an outside concern if the person or a member of his or her immediately family is (1) an employee or officer of such concern; (2) a partner with more than 10% interest or owner of more than 10% of the stock in such concern; or (3) an independent contractor who derives income from such concern.

No material interests in any such outside concern.

The following material interests in such outside concerns exist:

2. List matters, other than those having to do with other entities, which constitute actual, apparent or potential conflicts of interest with your obligations to the City of Brentwood:

No such other matters.

The following other matters may constitute actual, apparent or potential conflicts of interest:

I have read the Conflict of Interest Policy adopted by the City of Brentwood and in my opinion there are no matters other than those set forth above which could give rise to any conflicts of interest with my obligations to the City of Brentwood.

Dated: _____ Signed: _____

Note: please check the appropriate box above for both numbers 1 and 2.

CITY OF BRENTWOOD REPORT OF OUTSIDE EMPLOYMENT

This form is required to be completed by all employees and submitted to the employee's Department Head. Information requested is in accordance with the City of Brentwood's Employee Handbook.

Employee Name (Printed): _____ Date: _____

Does the Employee participate in any outside employment?: _____

No

Name of Secondary Employer: _____

Address of Secondary Employer: _____ City,

State, Zip: _____

Phone Number: _____

Nature of work performed:

Conditions of application:

1. There is no conflict with working hours
2. The employee's efficiency is maintained
3. There is no conflict of interest
4. There is no negative reflection on the City

Employee Signature: _____

Permission is: Granted: _____ Denied: _____

Department Head signature: _____ Date: _____

Signature by employee authorizes and serves as an official release to contact the above named employer/organization for information if necessary.

Yes

RECORDED PHONE LINES POLICY

In the interest of public safety, the City of Brentwood reserves the right to record and incoming and outgoing telephone calls.

Employee communications on any City numbers or extensions are not considered private and employees should have no expectation of privacy when using these numbers and extensions. Consent to the interception and storage of phone conversations on the above-listed numbers and extensions is a condition of employment with the City of Brentwood.

ACKNOWLEDGMENT AND CERTIFICATION

I acknowledge that I have received a copy of the City of Brentwood's Recorded Phone Lines Policy and I certify that I have read and fully understand the Policy. I further certify that I voluntarily consent to have any and all telephone conversations recorded as outlined under the terms of the policy.

Employee Name (Printed): _____

Employee Signature: _____

Date: _____

This Certification must be signed, dated, and returned to the City Clerk/Administrator for inclusion in the employee's personnel file.

CITY OF BRENTWOOD SALES TAX EXEMPT POLICY AND ACKNOWLEDGMENT

The City of Brentwood is an exempt political subdivision of the State of Missouri. As such, the state of Missouri issued the City an *Exemption from MO Sales and Use Tax on Purchases* certificate with an identifying Missouri Tax ID number. This certificate states (in part):

*Purchases by your Agency are not subject to sales and use tax if within the conduct of your Agency's exempt functions and activities. When purchasing with this exemption, furnish all sellers or vendors a copy of this letter. **This exemption may not be used by individuals making personal purchases.***

A contractor may purchase and pay for construction materials exempt from sales tax when fulfilling a contract with your Agency only if your Agency issues a project exemption certificate and the contractor makes purchases in compliance with the provisions of section 144.062, R.S.Mo.

In order to ensure proper use of the *State of Missouri Exemption from MO Sales and Use Tax on Purchases* certificate and the Missouri Tax ID number, employees should adhere to the following procedures:

1. This certificate and MO Tax ID No. should be kept in a secure location at all times;
2. Permission for use of this certificate and or MO Tax ID No. should be obtained prior to distribution;
3. This certificate and or MO Tax ID No. should only be distributed on an as-needed basis;
4. Employees should not keep a copy of this certificate and/or MO Tax ID No. with them to be used on unplanned purchases. All purchases should be planned and a certificate provided only when needed; and
5. Project exemptions certificates, issued by the City to contractors, shall only be issued by the Finance Department upon obtaining permission from the City Clerk/Administrator.

This exemption status has been assigned for civic purposes concerned with and related to the citizenry at large and benefiting the community being served on an unrestricted basis. It is strictly forbidden for any employee of the City of Brentwood to knowingly use the City's tax exempt status for personal use or provide a copy of the State of MO tax exempt certificate and/or MO Tax ID No. to any unauthorized businesses, individuals, or other not-for-profit organizations. Loss of this status by misuse of this exemption will directly impact the residents of this community by requiring that their tax dollars be spent unnecessarily on sales tax payments.

The City of Brentwood expressly will not tolerate unauthorized use of this exemption status. Violations of this policy may result in disciplinary action, up to and including termination.

ACKNOWLEDGMENT AND CERTIFICATION

I acknowledge that I have received a copy of the City of Brentwood's Sales Tax Exempt Policy and I certify that I have read and fully understand the Policy.

Name (Print Name) Employee

Employee Signature

Date

Authorization Form for Motor Vehicle Records Check

The purpose of this form is to obtain your authorization to conduct a Motor Vehicle Records (MVR) check for the City of Brentwood's use in determining if you will receive or maintain authorization to drive on City business. Only information related to driver's license will be obtained.

As a condition for driving any vehicle on City business, including your personal vehicle or a City vehicle, drivers must give the City authorization to conduct a MVR check and provide all necessary information for the check. Driving on City business will be prohibited if authorization to conduct a MVR check is not given. An MVR check will be conducted annually unless the City Clerk/Administrator determines a more frequent check is necessary.

You will be provided a copy of the MVR check if requested and will receive a copy if its contents will affect the authorization to drive on City business. Because a suspension of your authorization to drive may impact your employment, you and your department will be notified if your authorization to drive on City business is suspended or at risk of being suspended.

Any driver who continues to drive on City business after refusing to authorize a MVR check or after authorization to drive on City business has been suspended will be subject to the disciplinary procedures contained in the Employee Handbook, as applicable. Such drivers will be deemed to be acting outside the scope of their employment and will not be covered by the City's Insurance Policies. In the event of a claim or suit arising while driving on City business under these circumstances, the driver will **not** be indemnified.

Drivers authorized to drive any vehicle on City business must report to their supervisor or Department Head any accident occurring while driving a City vehicle, any license suspension, and any conviction for a moving violation whether the violation occurred on or off the job.

The City of Brentwood will conduct a Motor Vehicle Records (MVR) check if an individual meets any of the following situations:

1. Employees who drive or who are expected to drive on City business at any time whether using a City or a personal vehicle.
2. Individuals offered employment into a job for which authorization to drive on City business is a requirement of the job.
3. Anyone using a City-owned vehicle or renting from an outside agency in the name of the City of Brentwood.
4. Anyone who has had a vehicular accident while on City business or in a City vehicle.

This form will need to be completed again **only** if the state issuing the driver's license or your name changes.

Please type or print as shown on your driver's license

Last: _____ First: _____ Middle Initial: _____

DL #: _____ State Issued: _____

I authorize the City of Brentwood to obtain driver's license information from any state or jurisdiction that I have been licensed to drive motor vehicles and to share this information with the appropriate City officials.

Signature: _____ Date: _____

**COBRA
CERTIFICATION AND DECLARATION**

I acknowledge that I have received and been instructed to read a copy of the City of Brentwood's Group Health Continuation Coverage Under Public Service Act. I understand that I am responsible for notifying the Finance Department of any changes that would make me or my dependents eligible for coverage by the Plan.

If I have any questions about said coverage, I will contact the Human Resources Manager.

_____ Print Name

_____ Employee Signature

_____ Date

_____ Department

**CITY OF BRENTWOOD SUBSTANCE ABUSE POLICY
CERTIFICATION AND DECLARATION**

I have received and been instructed to read a copy of the City of Brentwood's Substance Abuse Policy as contained in Appendix B of the Employee Handbook.

If I have any questions about the Substance Abuse Policy, I will contact my Department Head or the City Clerk/Administrator.

Employee Name (printed)

Signature

Date

ACKNOWLEDGMENT

I acknowledge that on this date I attended and participated in the City's EEO Policy and Anti-Harassment Training and that I have had an opportunity to ask questions and obtain training in these areas.

By my signature below, I also acknowledge that I have previously been provided a copy of the City's Sexual Harassment and Equal Employment Opportunity Policies and have read and understand said policies. I understand it is the obligation of every City employee to comply with said policies and to immediately report any violations of either Policy. I agree that if I feel I have been the victim of and/or have witnessed discrimination or harassment of any form, I will bring the matter to the immediate attention of any direct supervisor, Department Head, or the City Clerk/Administrator.

Employee Name (please print)

Employee Signature

Date

**CITY OF BRENTWOOD
INFORMATION SYSTEMS ACCESS AND USE AND SOCIAL
MEDIA POLICY ACKNOWLEDGMENT**

As a prerequisite for and as a condition of being allowed continued access to any information technology equipment owned, leased or rented by the City of Brentwood (herein, "the City's systems"), I state the following:

- By my signature below, I acknowledge that I have received, read, and agree to abide by the City's Information Systems Access and Use and Social Media Policies as contained in the Employee Handbook and that I am further bound by the representations made in this Acknowledgment Form.
- I understand that all information transmitted by, received from, or stored in the City's systems is the property of the City. I agree not to access, copy, transmit or otherwise retrieve any program, file or other information stored in the City's systems except for City business purposes.
- I understand that the City's systems are to be used solely for City government or business purposes and not for personal reasons. As such, I understand and agree that I have no expectation of personal privacy in connection with the use of the City's systems or with the transmission, receipt, or storage of any information in the City's systems.
- I consent to the City and/or its authorized representative monitoring and/or auditing my use of the City's systems or any information stored on those systems at any time in the City's sole and absolute discretion. Such monitoring and/or auditing may include, but is not limited to accessing, printing and reading all electronic mail or other information of files entering, leaving or stored in the City's systems, regardless of any personal passwords I may utilize.
- I further understand and agree that my failure to follow any aspect of the City's Information Systems Access and Use Policy and/or the Social Media Policy may lead to disciplinary action up to and including termination of my employment. I also understand that the City may hold me civilly or criminally liable for any intentional or reckless damage I cause to the City's systems, or the information stored therein.
- I understand that inadvertence is no defense to violation of these policies.

Employee Name (please print)

Signature

Date

City of Brentwood Accommodation Request Form*

Employee _____ Name: _____ Title: _____ Dept: _____

Section To Be Completed By Employee

On _____, I am requesting an accommodation from the City in relation to my disability of _____ . Specifically, I am requesting the following accommodation:

Section To Be Completed By Employer

On _____, the City received this written request for accommodation. In response to the employee’s written request for accommodation, the City discussed the matter with the employee on _____. After a thorough discussion with the employee, the city determined to take the following action:

Signatures

We have discussed the issues set forth above with the employee involved and have taken the action described above.

Supervisor: _____ Date: _____

City Clerk/Administrator: _____ Date: _____

My signature below means that I have had the opportunity to review the contents of this form and that my supervisor has discussed the issues described above with me and all other appropriate parties and that my supervisor has acted as described above. By signing below, I agree/disagree that the City has satisfactorily addressed my concerns.

Employee: _____ Date: _____

If you believe that the City has not satisfactorily addressed your request for accommodation, what additional action, or information, if any, would you like to see your employer take or consider?

* In accordance with its Anti-Retaliation Policy set forth in the City’s Employee Handbook, the employee shall not be subjected to retaliation for requesting an accommodation.

City of Brentwood Conduct Complaint Form*

Employee _____ Name: _____ Title: _____ Dept: _____

Section To Be Completed By Employee

On _____, I am this complaint to the City about the conduct of _____
_____. Specifically, _____ engaged in the following conduct that I found to be offensive or inappropriate. I am providing all facts, witnesses, documents, records, writings and everything else I feel the City should consider before making a final decision regarding these allegations. (Feel free to write on the back of the page if more space is needed.)

Section To Be Completed By Employer

On _____, the City received this written complaint.. In response to the above employee's written complaint, I have taken the following action:

Signatures

We have discussed the issues set forth above with the employee(s) involved in the conduct described above and, where necessary, taken the action described above.

Supervisor: _____ Date: _____

My signature below means that I have had the opportunity to review the contents of this form and that my supervisor has discussed the issues described above with me and all other appropriate parties and that my supervisor has acted as described above. By signing below, I agree/disagree that the City has satisfactorily addressed my concerns.

Employee: _____ Date: _____

If you believe that the City has not satisfactorily addressed your request for accommodation, what additional action, or information, if any, would you like to see your employer take or consider?

* In accordance with its Anti-Retaliation Policy set forth in the City's Employee Handbook, the employee shall not be subjected to retaliation for requesting an accommodation.

Step 2: Immediate Supervisor

Immediate supervisor must notify employee in writing of his/her decision within three (3) work days of receiving the written grievance.

Action Taken: _____ Settled: _____ Not Settled: _____

Signed: _____ Date: _____

Step 3: Department Head

Must be submitted by employee within five (5) work days or shifts after the written decision was returned to the employee by the immediate supervisor. Department Head must notify employee in writing of his/her decision within five (5) work days of receiving the written grievance.

Action Taken: _____ Settled: _____ Not Settled: _____

Signed: _____ Date: _____

RETURN TO WORK AUTHORIZATION

ATTENTION EMPLOYEE

Employees may not start work until the City Clerk/Administrator or his/her designee has approved the Return from leave of Absence. Before a return from Medical Leave can be approved, this form must be completed by a physician AND submitted to the Human Resources Manager.

We are notifying you that we are requesting private and/or confidential medical data from you so that we can determine whether or not you can perform the essential functions of your position. You are not legally required to provide us with this information, however if you fail to do so, we may be unable to determine what, if any restrictions you have.

TO BE COMPLETED BY EMPLOYEE:

Employee Name: _____ Date of Birth: _____

Home Address: _____ Home Phone: _____

Home Department: _____ Job Title: _____

Work Phone: _____ Date Requesting to Return to Work: _____

By signing this form, you are authorizing the City of Brentwood to contact your physician regarding information provided on this form and for the purpose of determining your eligibility to return from leave.

This authorization may be revoked by the undersigned by written notice. Such revocation shall take effect from the receipt of such revocation. Any release made prior to receipt of the revocation shall remain authorized and valid. This authorization shall remain in effect for a period of six months from the date of signature unless otherwise revoked. A true and correct photocopy of this form shall have the same validity as the original.

Employee Signature: _____ Date: _____

TO BE COMPLETED BY THE PHYSICIAN: (Please refer to the attached job description)

Physician Name(print): _____ Physician Phone: _____

Physician Signature: _____

Physician Address: _____

Date of Last Evaluation: _____ Date Able to Return to Work: _____

Based on your read of the employee's job description, can the employee perform the essential functions of their job? Yes / No

Please explain: _____

Does the Employee have any physical restrictions? Yes / No – if yes, please list.

Expected Duration of Physical Restrictions: _____

Submit this form to the Human Resources Department at: City of Brentwood, 2348 S. Brentwood Blvd, Brentwood, MO 63144. This form may be faxed to the attention of the Human Resources Department: 314-962-0819

DECLARATION OF DOMESTIC PARTNERSHIP

I. DECLARATION

We, _____ (employee) and _____ (domestic partner) each certify and declare that we are domestic partners meeting all of the following requirements:

- We currently reside together in an exclusive mutual commitment similar to marriage and have done so for at least the last six (6) consecutive months and each intend to continue the relationship indefinitely,
- We are not married to each other or any other individual (statutory or common law), and neither of us is a member of another domestic relationship;
- We are both at least 18 years of age;
- We are not related by blood or a degree of closeness which would prohibit marriage under the laws of the State of _____;
- Each of us is the other's sole domestic partner and is responsible for the other's common welfare;
- We are jointly responsible for basic living expenses;
- We were both mentally competent to consent to contract when the domestic partnership began and remain so for purposes of contracting for domestic partner health insurance coverage;
- We are financially interdependent, jointly responsible for the other's basic living expenses and are able to provide documents providing at least two (2) of the following situations to demonstrate that such interdependence has existed for a minimum of the last six (6) consecutive months:
 1. Joint mortgage, joint property tax identification or joint tenancy on a residential lease;
 2. Joint bank or investment account;
 3. Joint liabilities (e.g. credit card, car loan)
 4. A Will which designates the other as the primary beneficiary or a beneficiary designation form currently in effect for a retirement plan or life insurance policy setting forth that one partner is a beneficiary of the other;
 5. Designation of one partner as holding power of attorney for health care or durable property for the other

DECLARATION OF DOMESTIC PARTNERSHIP AFFIDAVIT

We the undersigned do declare that we meet the following requirements of the Anthem Blue Cross/Anthem Blue Cross Life and Health Insurance Company plan(s) available to us at this time:

We share a common residence;

Neither of us is married to someone else or a member of another domestic partnership with someone else that has not been terminated, dissolved, or adjudged a nullity;

We are not related by blood in a way that would prevent us from being married to each other in the state/commonwealth where this affidavit is signed;

We are both at least 18 years of age.

We are both capable of consenting to the domestic partnership.

Note: Completion of this Affidavit is not a declaration that the partners are husband and wife for the purposes of establishing a common-law marriage in any state/commonwealth.

The representations herein are true, correct and contain no material omissions of fact to our best knowledge and belief. Sign and print complete name. (If not printed legibly, affidavit will be rejected.) Signatures of both partners must be notarized.

Signature (Last) (First) (Middle)

Signature (Last) (First) (Middle)

Common Residence Address City State Zip Code

Mailing Address City State Zip Code

| | |
|---|--------------------------|
| NOTARIZATION IS REQUIRED | |
| State/Commonwealth of _____ | |
| County of _____ | |
| On _____, before me, _____, personally | |
| appeared _____ | |
| personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) executed the instrument. | |
| _____ Signature of Notary Public | [PLACE NOTARY SEAL HERE] |

Cell Phone Stipend Agreement

Employee _____ Name: _____ Stipend Start Date*: _____
Monthly Stipend Amount: **\$30**

Job _____ Title: _____
Cellular Carrier: _____

Dept _____ Name: _____

Cell _____ Phone _____ #: _____

Business Purpose:

**Stipend payment should begin with the start of the next month.*

- **Policy Summary**

Employees who hold positions that include the need for a cell phone may elect to receive a cell phone stipend to reimburse for business-related costs incurred when using their personally-owned cell phones. This will be in lieu of receiving a City provided device and cellular service plan. The stipend will be considered a non-taxable fringe benefit to the employee. The City will review and set the amount to be provided for stipends and reimbursement on an annual basis. For more information, refer to the *Cell Phone Stipend Policy*.

- **Employee Responsibilities**

Recipients of a cell phone stipend have the following responsibilities:

- Purchase cellular phone service and equipment and assume responsibility for vendor terms and conditions. The employee is responsible for plan choices, service features, and calling areas that meet the requirements of the job and the area of service the stipend is intended to cover (within City limits, during travel or at home). This includes termination clauses, and paying all charges associated with the cellular service and device.
- Report any job function changes that eliminate or significantly reduce the business need for a cell phone to your supervisor within 5 business days of this change.
- Do not use the cellular phone while operating a motor vehicle, machinery, or in other dangerous situations.
- Comply with all Federal and State data maintenance and protection laws (e.g. record retention requirements), as well as all City policies, including those pertaining to data security, acceptable computing use, and email.
- Agree to install the City Mobile Device Management app, so in the event a device is lost the City can wipe City data from the cell phone. A lost device must be reported to your supervisor and Information Technology as soon as possible.

City of Brentwood Employee Handbook

- Delete all City data from the cell phone when employment with the City is severed, except when required to maintain the data in compliance with a litigation hold notice.
- Adheres to the City's Cell Phone Stipend Policy (attached)

- **Employee Certification**

By signing below, I certify that I have read, understand, and agree to the Cell Phone Stipend Policy and my responsibilities under the policy.

Employee Signature

Date

Department Head Signature

Date

HANDBOOK ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Brentwood Employee Handbook and I do commit to read and follow these policies.

I am aware that if, at any time, I have questions regarding the City of Brentwood Employee Handbook I should direct them to the City Clerk/Administrator or my supervisor.

I know that the City of Brentwood Employee Handbook and other related documents do not form a contract of employment and are not a guarantee by the City of Brentwood of the conditions and benefits that are described within them. Nevertheless, the provisions of such policies are incorporated into the acknowledgement, and I agree that I shall abide by its provisions.

I also am aware that the City of Brentwood, at any time, may change, add to, or delete from the provisions of the company policies.

Employee's Printed Name

Position

Employee's Signature

Date

This Certification and Declaration Statement must be signed, dated and returned to the City Clerk/Administrator for inclusion in the employee's personnel file.