



FLORENCE CITY COUNCIL
Regular Meeting Agenda
Monday, February 5, 2024, 6:30 PM

Watch this meeting live on the City's YouTube channel at
<https://www.youtube.com/@CityofFlorenceCO>

- 1) CALL TO ORDER & PLEDGE OF ALLEGIANCE**
City Council Chambers, 600 W. 3rd Street, Florence, CO 81226
- 2) ROLL CALL:**
 - Mayor Wolfe
 - Councilman Vanhoutan
 - Councilman Stiefel
 - Councilman Mergelman
 - Councilwoman Stone
 - Councilwoman Gardner
 - Councilwoman MacKinnon
- 3) PUBLIC COMMENTS**
Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion (three minutes).
- 4) CONSENT AGENDA**
 - a) Meeting Minutes for January 16, 2024
 - b) Expenditure Approval for February 1, 2024, in the amount of \$26,014.87 and January 25, 2024, in the amount of \$39,951.30
 - c) Florence Farmer's Market Park Fees
 - d) Annual Liquor License Renewal: Papa's
 - e) Special Events Permit: Elks Lodge 611
 - f) Annual Liquor License Renewal: Elks Lodge 611
 - g) Report of Change: Elks Lodge 611
 - h) Special Events Permit: Florence Chamber of Commerce
- 5) NEW BUSINESS**
 - a) Resolution 3-2024: A Resolution Providing For the Adoption of a Personnel Policy Document for the City of Florence, Colorado
- 6) COUNCIL UPDATES**
 - a) City Council Reports
 - b) City Manager Reports
- 7) EXECUTIVE SESSION(S): IF NECESSARY**
Pursuant to any of the exemptions set forth in C.R.S. §24-6-402(4) and upon sufficient statement of such purpose, an executive session may be called pertaining to any item listed on the agenda herein and/or any related discussion that may arise thereto. Such executive session may be entered into at any time or at any point on the agenda, if necessary and with the requisite Council approval.
- 8) ADJOURNMENT:** Adjournment until the next regular City Council Meeting
Tuesday, February 20, 2024



CITY OF FLORENCE
REGULAR MEETING MINUTES
Tuesday, January 16, 2024
6:30 PM

1) CALL TO ORDER & PLEDGE OF ALLEGIANCE

City Council Chambers, 600 W. 3rd Street, Florence, CO 81226

Mayor Wolfe called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

2) ROLL CALL:

Mayor Wolfe	Present
Councilman Vanhoutan	Present
Councilman Stiefel	Present
Councilwoman Stone	Present
Councilman Mergelman	Present
Councilwoman Gardner	Present
Councilwoman MacKinnon	Present

OTHERS PRESENT: City Clerk Cortlyne Huppe, City Manager Amy Nasta, and City Attorney Dan Findlay.

3) PRESENTATIONS

a) Tree Board Annual Report

Cathey Young- Tree Board Secretary

Highlighted the Tree Board's End of Year Report. She voiced the need for direction from City Council members on the hazardous and dangerous trees.

4) PUBLIC COMMENTS

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion (three minutes).

Joann Mohr- Florence Farmers Market

Sought permission to use Pioneer Park for the 2024 Florence Farmer's Market.

Requested the City Council waive the \$25 park reservation fees.

5) CONSENT AGENDA

a) Meeting Minutes for January 2, 2024

b) Bills Allowed for \$114,901.57

c) Meeting Minutes Amendment for February 6, 2023

With all of the Councilmembers voting in favor of the motion, the motion carried.



CITY OF FLORENCE
REGULAR MEETING MINUTES
Tuesday, January 16, 2024
6:30 PM

6) NEW BUSINESS

- a) Resolution 2-2024, A Resolution Providing For the Adoption of A Purchasing Policy For The City Of Florence, Colorado

City Manager Amy Nasta stated the Purchasing Policy provides conduct for efficient purchasing, competitive bidding, best practices, and rules and procedures for purchasing.

Kathy Madonna- 504 Brookeway
Questioned the policy's specifics on maximum amounts to spend, and cautionary procedures.

City Manager Nasta noted the Purchasing Policy would go into effect immediately upon approval from the Council.

Motion to approve Resolution 2-2024: A Resolution Providing for the Adoption of a Purchasing Policy for the City of Florence, Colorado: Councilor MacKinnon
Seconded by: Councilor Mergelman
7 Ayes
Motion passed: 7 – 0

7) COUNCIL UPDATES

- a) City Council Reports

Councilor Mergelman attended the Mayor's Round Table in the Mayor's absence and the Florence Art's Council.

Councilor Stiefel thanked Public Works for their diligence with the frozen meters in Florence.

Councilor MacKinnon attended the City/City/County meeting and noted Historical Preservation's meeting on Tuesday at 4:30 PM.

Mayor Wolfe attended the City/City/County meeting and noted the need for a nominee to represent Florence on the E911 Authority Board. He then asked the Council to approve the appointment of Tabby Selakovich and Paul Villagrana to the Planning Commission, and Charlette Henager to BOZA.

With all of the Councilmembers voting in favor of the motion, the motion carried.

- b) City Manager Reports

City Manager Nasta reported the City staff is testing a change in operating hours to better accommodate citizens outside regular working hours. During the three-month test



CITY OF FLORENCE
REGULAR MEETING MINUTES
Tuesday, January 16, 2024
6:30 PM

period, City Hall will be open from 7:30 AM to 5:30 PM on Monday through Thursday. These hours would go into effect on Monday, January 29, 2024, and notice would be posted on the website, on social media, and in The Daily Record.

8) EXECUTIVE SESSION(S): IF NECESSARY

Pursuant to C.R.S. §24-6-402(4)(b), an executive session for the purpose of conferencing with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions pertaining to any item listed on the agenda herein and/or any related discussion that may arise thereto. Such executive session may be entered into at any time or at any point on the agenda, if necessary and with the requisite Council approval.

9) ADJOURNMENT: Adjournment until the next regular City Council Meeting
Monday, February 5, 2024

With all of the Councilmembers voting in favor of the motion, the motion carried.
Mayor Wolfe adjourned the City Council Meeting at 6:54 p.m.

CITY OF FLORENCE, CO

BY: _____
Steve Wolfe, Mayor

RESPECTFULLY SUBMITTED: _____
Cortlyne Huppe, City Clerk

Report Criteria:
 Detail report type printed

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
3	DANA KEPNER	15925929-00	0243807930	Fittings	1	01/17/2024	817.51	.00	817.51	45076	01/25/2024
Total 3:							817.51	.00	817.51		
149	ROCKY MOUNTAIN BANK	BANK FEES	0241505550	Bank Fees	1	12/01/2023	634.13	.00	634.13	11920240	01/23/2024
Total 149:							634.13	.00	634.13		
201	ATMOS ENERGY	3016435394	0140608751	MUNI CENTER	1	01/10/2024	877.24	.00	877.24	11920240	01/23/2024
		3016936816	0243607710	Filtration Plant	1	01/10/2024	1,010.66	.00	1,010.66	11920240	01/23/2024
		3017912536	0444151900	pool	1	01/09/2024	73.88	.00	73.88	11920240	01/23/2024
Total 201:							1,961.78	.00	1,961.78		
861	CIRSA	240276	0141101960	1ST Qrt WC charges	1	01/02/2024	31.95	.00	31.95	11920240	01/23/2024
		240276	0141201960	1ST Qrt WC charges	2	01/02/2024	20.33	.00	20.33	11920240	01/23/2024
		240276	0143101960	1ST Qrt WC charges	3	01/02/2024	34.85	.00	34.85	11920240	01/23/2024
		240276	0141501960	1ST Qrt WC charges	4	01/02/2024	114.72	.00	114.72	11920240	01/23/2024
		240276	0142101960	1ST Qrt WC charges	5	01/02/2024	5,162.56	.00	5,162.56	11920240	01/23/2024
		240276	0143101960	1ST Qrt WC charges	6	01/02/2024	5,329.57	.00	5,329.57	11920240	01/23/2024
		240276	0144001960	1ST Qrt WC charges	7	01/02/2024	104.56	.00	104.56	11920240	01/23/2024
		240276	0144201960	1ST Qrt WC charges	8	01/02/2024	1,007.82	.00	1,007.82	11920240	01/23/2024
		240276	0145201960	1ST Qrt WC charges	9	01/02/2024	200.40	.00	200.40	11920240	01/23/2024
		240276	0243301960	1ST Qrt WC charges	10	01/02/2024	2,015.65	.00	2,015.65	11920240	01/23/2024
		240276	0444151960	1ST Qrt WC charges	11	01/02/2024	499.56	.00	499.56	11920240	01/23/2024
		240455	0141106700	VAMP POLICY AND ADDI	1	01/08/2024	6,118.74	.00	6,118.74	11920240	01/23/2024
Total 861:							20,640.71	.00	20,640.71		
923	ALSCO	LDEN287541	0140608750	MATS	1	01/17/2024	54.22	.00	54.22	45063	01/25/2024
		LDEN287541	0144202000	UNIFORM RENTAL-Street	1	01/17/2024	134.06	.00	134.06	45063	01/25/2024
		LDEN287541	0144202000	UNIFORM RENTAL - Cem	2	01/17/2024	11.33	.00	11.33	45063	01/25/2024
Total 923:							199.61	.00	199.61		
1203	SE WATER ACTIVITY ENT	EN4Q23-04	0249509062	ENLARGEMENT COSTS	1	01/19/2024	568.91	.00	568.91	45080	01/25/2024
		MC4Q23-11	0249509063	excess cap	1	01/19/2024	140.23	.00	140.23	45080	01/25/2024

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		MC4Q23-11	0249509063	MASTER CONTRACT	2	01/19/2024	585.16	.00	585.16	45080	01/25/2024
Total 1203:							1,294.30	.00	1,294.30		
1253	AT & T MOBILITY	2872703950	0241505000	Water Tower	1	01/06/2024	84.96	.00	84.96	45075	01/25/2024
Total 1253:							84.96	.00	84.96		
1719	STAPLES BUSINESS ADV	807276113	0140608754	Cleaning supplies	1	12/30/2023	63.05	.00	63.05	45081	01/25/2024
		807276113	0140608754	Cleaning supplies	2	12/30/2023	49.69	.00	49.69	45081	01/25/2024
		8072838834	0140608754	Cleaning and santizing sup	1	01/06/2024	49.96	.00	49.96	45081	01/25/2024
		8072914722	0140608754	Cleaning supplies	1	01/13/2024	63.05	.00	63.05	45081	01/25/2024
		8072914722	0140608754	Cleaning supplies	2	01/13/2024	17.96	.00	17.96	45081	01/25/2024
		8072914722	0141503000	admin supplies	3	01/13/2024	364.91	.00	364.91	45081	01/25/2024
		8072914722	0141503000	admin supplies	4	01/13/2024	13.10	.00	13.10	45081	01/25/2024
Total 1719:							621.72	.00	621.72		
1927	HEATING & PLUMBING E	10288 JANU	0140608420	Prevention	1	01/12/2024	306.50	.00	306.50	45078	01/25/2024
Total 1927:							306.50	.00	306.50		
1958	XEROX CORP	020533232	0241503700	water Dept	1	01/04/2024	23.14	.00	23.14	45083	01/25/2024
Total 1958:							23.14	.00	23.14		
2291	UMB BANK N.A.	967472	0241505550	adminstration Fees for FL2	1	01/10/2024	400.00	.00	400.00	45082	01/25/2024
		967473	0241505550	adminstration Fees for FL1	1	01/10/2024	400.00	.00	400.00	45082	01/25/2024
Total 2291:							800.00	.00	800.00		
2467	Century Link	3008051051	0241505000	SOUTH PLANT	1	01/08/2024	171.20	.00	171.20	11920240	01/23/2024
		7197840617	0241505000	SOUTH PLANT	1	01/13/2024	265.96	.00	265.96	11920240	01/23/2024
		7197846148	0241505000	SOUTH PLANT fax	1	01/13/2024	119.05	.00	119.05	11920240	01/23/2024
Total 2467:							556.21	.00	556.21		
2614	Amnet Inc.	18151	0142105050	IT after hours billing	1	01/10/2024	607.50	.00	607.50	12520241	01/25/2024
		18177	0141505600	admin	1	01/15/2024	795.38	.00	.00	45074	01/25/2024
		18177	0141506600	admin cybersecurity	2	01/15/2024	255.45	.00	.00	45074	01/25/2024

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date	
		18177	0141505600	court	3	01/15/2024	110.04	.00	.00	45074	01/25/2024	
		18177	0241505600	water	4	01/15/2024	3,641.86	.00	.00	45074	01/25/2024	
		18177	0241506600	water cybersecurity monthl	5	01/15/2024	1,796.57	.00	.00	45074	01/25/2024	
		18177	0142105050	pd	6	01/15/2024	2,717.92	.00	.00	45074	01/25/2024	
		18177	0142106600	pd cybersecurity monthly	7	01/15/2024	1,000.98	.00	.00	45074	01/25/2024	
		18177	0143104550	public works	8	01/15/2024	535.14	.00	.00	45074	01/25/2024	
		18177	0444152300	pool firewall	9	01/15/2024	200.00	.00	.00	45074	01/25/2024	
		18177	0141306000	executive	10	01/15/2024	112.66	.00	.00	45074	01/25/2024	
		18177	0141505600	admin	11	01/15/2024	795.38-					
		18177	0141506600	admin cybersecurity	12	01/15/2024	255.45-					
		18177	0141505600	court	13	01/15/2024	110.04-					
		18177	0241505600	water	14	01/15/2024	3,641.86-					
		18177	0241506600	water cybersecurity monthl	15	01/15/2024	1,796.57-					
		18177	0142105050	pd	16	01/15/2024	2,717.92-					
		18177	0142106600	pd cybersecurity monthly	17	01/15/2024	1,000.98-					
		18177	0143104550	public works	18	01/15/2024	535.14-					
		18177	0444152300	pool firewall	19	01/15/2024	200.00-					
		18177	0141306000	executive	20	01/15/2024	112.66-					
		18177	REPR 0141505600	admin	1	01/15/2024	795.38	.00	795.38	12520241	01/25/2024	
		18177	REPR 0141506600	admin cybersecurity	2	01/15/2024	255.45	.00	255.45	12520241	01/25/2024	
		18177	REPR 0141505600	court	3	01/15/2024	110.04	.00	110.04	12520241	01/25/2024	
		18177	REPR 0241505600	water	4	01/15/2024	3,641.86	.00	3,641.86	12520241	01/25/2024	
		18177	REPR 0241506600	water cybersecurity monthl	5	01/15/2024	1,796.57	.00	1,796.57	12520241	01/25/2024	
		18177	REPR 0142105050	pd	6	01/15/2024	2,717.92	.00	2,717.92	12520241	01/25/2024	
		18177	REPR 0142106600	pd cybersecurity monthly	7	01/15/2024	1,000.98	.00	1,000.98	12520241	01/25/2024	
		18177	REPR 0143104550	public works	8	01/15/2024	535.14	.00	535.14	12520241	01/25/2024	
		18177	REPR 0444152300	pool firewall	9	01/15/2024	200.00	.00	200.00	12520241	01/25/2024	
		18177	REPR 0141306000	executive	10	01/15/2024	112.66	.00	112.66	12520241	01/25/2024	
		Total 2614:						11,773.50	.00	11,773.50		
2793	Employers Council Service	492182	0141502300	Employment Posters	1	01/04/2024	205.80	.00	205.80	45077	01/25/2024	
		Total 2793:						205.80	.00	205.80		
3026	Huppe, Cortlyne	REIMBURSE	0141103500	Reimbursement city coun	1	01/19/2024	31.43	.00	31.43	45079	01/25/2024	
		Total 3026:						31.43	.00	31.43		

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Grand Totals:							<u>39,951.30</u>	<u>.00</u>	<u>39,951.30</u>		

Report Criteria:
Detail report type printed

Report Criteria:
 Detail report type printed

Vendor Number	Vendor Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
3	DANA KEPNER	1580295-02	0243807950	water distribution supplies	1	01/29/2024	2,133.44	.00	2,133.44	45088	02/01/2024
		1592747-00	0243807950	water distribution supplies	1	01/22/2024	988.98	.00	988.98	45088	02/01/2024
Total 3:							3,122.42	.00	3,122.42		
71	CANON RENTAL CENTER	10022797	0145203500	MISC finace charge	1	01/24/2024	1.26	.00	1.26	45087	02/01/2024
		1022597	0145203500	finance charge	1	01/26/2024	1.24	.00	1.24	45087	02/01/2024
		261463	0145205000	lions park	1	01/26/2024	82.50	.00	82.50	45087	02/01/2024
		292898	0143103500	shop	1	01/26/2024	84.00	.00	84.00	45087	02/01/2024
		293048	0145205000	lions park	1	01/26/2024	82.50	.00	82.50	45087	02/01/2024
		293293	0144203500	CEMETERY	1	01/26/2024	75.00	.00	75.00	45087	02/01/2024
		293293	0145204583	Skate park	2	01/26/2024	75.00	.00	75.00	45087	02/01/2024
Total 71:							401.50	.00	401.50		
923	ALSCO	LDEN288209	0140608750	MATS	1	01/31/2024	54.22	.00	54.22	45084	02/01/2024
Total 923:							54.22	.00	54.22		
1253	AT & T MOBILITY	2872917141	0142105000	PD	1	01/28/2024	2,131.20	.00	2,131.20	45085	02/01/2024
		2872917141	0141505000	ADMIN	2	01/28/2024	115.91	.00	115.91	45085	02/01/2024
		2872917141	0141505000	CEMETARY	3	01/28/2024	39.99	.00	39.99	45085	02/01/2024
		2872917141	0141305000	EXECUTIVE	4	01/28/2024	64.33	.00	64.33	45085	02/01/2024
		2872917141	0144005000	PLANNING	5	01/28/2024	79.98	.00	79.98	45085	02/01/2024
		2872917141	0141505000	WATER	6	01/28/2024	670.57	.00	670.57	45085	02/01/2024
		2872917141	0143105000	STREETS	7	01/28/2024	384.26	.00	384.26	45085	02/01/2024
Total 1253:							3,486.24	.00	3,486.24		
1338	FREMONT CO REGIONAL	2024 ANNUA	0243707879	MEMBERSHIP	1	01/11/2024	6,002.65	.00	6,002.65	45089	02/01/2024
Total 1338:							6,002.65	.00	6,002.65		
1455	SAN ISABEL SERVICES	U0065960	0243658790	SO PLANT PROPANE	1	01/29/2024	1,080.72	.00	1,080.72	45094	02/01/2024
Total 1455:							1,080.72	.00	1,080.72		

Vendor Number	Name	Invoice Number	GL Account	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
1718	BLACK HILLS ENERGY	60219977	0140608600	CEMETERY shop	1	01/18/2024	291.67	.00	291.67	45086	02/01/2024
Total 1718:							291.67	.00	291.67		
1903	PSYCHOLOGICAL DIMEN	4176	0142102500	Post eval with written repor	1	01/04/2024	400.00	.00	400.00	45092	02/01/2024
Total 1903:							400.00	.00	400.00		
1927	HEATING & PLUMBING E	69422	0140608420	Boiler 1 not getting to corre	1	01/25/2024	630.00	.00	630.00	45091	02/01/2024
		69446	0140608420	Replace pump on the left h	1	01/25/2024	1,600.60	.00	1,600.60	45091	02/01/2024
Total 1927:							2,230.60	.00	2,230.60		
2921	Watts Uplifting Inc	4304	0142108200	replace siren controller	1	01/26/1824	1,185.41	.00	1,185.41	45096	02/01/2024
Total 2921:							1,185.41	.00	1,185.41		
3008	Great American Financial S	35752050	0141503500	Printer lease	1	01/19/2024	370.00	.00	370.00	45090	02/01/2024
Total 3008:							370.00	.00	370.00		
3171	PVS DX INC.	737000176-2	0243458510	Sodium Hypo 10%	1	01/19/2024	6,775.67	.00	6,775.67	45093	02/01/2024
Total 3171:							6,775.67	.00	6,775.67		
3172	Skydiving Services of Color	REFUND FO	0234101050	Water Bill Credit	1	01/11/2024	613.77	.00	613.77	45095	02/01/2024
Total 3172:							613.77	.00	613.77		
Grand Totals:							26,014.87	.00	26,014.87		

Report Criteria:
 Detail report type printed

COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 5, 2024

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Florence Farmer's Market Park Fees

Department: Administration

Staff Recommendation:

Approve the Florence Farmer's Market's use of Pioneer Park for their 2024 season, waiving all associated park reservation fees.

Background/Description of Item:

The Florence Farmer's Market is held annually at Pioneer Park on Thursdays from June through September. The Market allows local food/craft vendors and organizations to establish a temporary booth for the sale of goods or services.

The Florence Farmer's Market is requesting the City Council waive the \$25 park reservation fees for the entirety of their 2024 season. The Farmer's Market requests permission to use the park on Thursdays from June 6th through September 26th during the hours of 7:00 AM through 2:00 PM.

- **Please note:** in 2024, the Farmer's Market would like to operate on one Wednesday (Wednesday, July 3, 2024, in lieu of Thursday, July 4, 2024) due to the City's use of Pioneer Park for the City's Fourth of July festivities.

Event insurance coverage will be provided by the organization prior to the first scheduled operating day in June.

Financial Impact:

- The requested timeframe would reserve Pioneer Park for a total of 17 days. Based on the current our park reservation fee of \$25 per day, which would equate to a total waiver of \$425:
 - Days x fee per day = total waiver
 - 17 x \$25 = \$425

Attachments:

- Florence Farmer's Market Request Letter

Suggested Motion:

Approve the Florence Farmer's Market's utilization of Pioneer Park between the hours of 7:00 AM and 2:00 PM each Thursdays from June 6th through September 26th, with the exception of Thursday July 4th, 2024, which shall be replaced with Wednesday, July 3rd, 2024, and waiving the associated \$25 daily reservation fees for a total waiver of \$425.

COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 5, 2024

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Consider approving the annual liquor license renewal for Papa's.

Department: Administration

Staff Recommendation:

Approve the annual liquor license renewal for Papa's.

Background/Description of Item:

Papa's is located at 132 W Main Street. The applicant has submitted all required documentation, and with the Council's approval, this item is ready to be sent to the Department of Revenue Liquor Enforcement Division.

Financial Impact:

The City fee for this application was \$175.00

Attachments:

None

Suggested Motion:

Approve the annual liquor license renewal for Papa's.

COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 5, 2024

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Special Events Permit: Elks Lodge 611

Department: Administration

Staff Recommendation:

Approve the Special Events Permit for the Elks Lodge 611 as presented.

Background/Description of Item:

The Elks Lodge 611 is located at 131 E Front Street. The events are proposed to take place on:

- 2/14/2024
- 2/28/2024
- 3/15/2024
- 4/26/2024
- 5/5/2024
- 6/14/2024
- 6/15/2024
- 7/20/2024
- 8/17/2024
- 9/20/2024
- 10/25/2024
- 12/31/2024

The Elks Lodge 611 will be well within its annual permitted SEP dates: 12/15 dates

The applicant has paid the required fees and all supporting documentation has been submitted. With the Council's approval, this item is ready to be sent to the Department of Revenue Liquor Enforcement Division.

Financial Impact:

The City fee for this application was \$100.00.

Attachments:

- Special Events Permit Application
- Proposed Liquor Boundary/Map

Suggested Motion:

Approve the Special Events Permit for the Elks Lodge 611 as presented.

Application for a Special Events Permit

Departmental Use Only

State Only Permit/State Property

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)

- | | | |
|------------------------------------|--|---|
| <input type="checkbox"/> Social | <input type="checkbox"/> Athletic | <input type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input checked="" type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

LIAB	Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110	<input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170	<input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate
 Florence EIK Lodge #611 State Sales Tax Number (Required)

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) 131 E Front St Florence, CO 81226	3. Address of Place to Have Special Event (include street, city/town and ZIP) 131 E Front St Florence, CO 81226
---	---

4. Authorized Representative of Qualifying Organization or Political Candidate Katrina Franco	Date of Birth	Phone Number 9
--	---------------	-------------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)
 non City, CO

Event Manager Home Address (Street, City, State, ZIP) non City, CO	Date of Birth	Phone Number 7
---	---------------	-------------------

Event Manager Name Debbie Channel	Email Address of Event Manager 1.com
--------------------------------------	---

6. Has your organization or political candidate been issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days?	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes License Number 05-02444-01
--	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date 2/14/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 2/28/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 3/15/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 4/26/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 5/5/24 Hours From 11:00 a.m. To 11:59 p.m.
Date 6/14/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 6/15/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 7/20/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 8/17/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 9/20/24 Hours From 11:00 a.m. To 11:59 p.m.
Date 10/25/24 Hours From 11:00 a.m. To 11:59 p.m.	Date 12/31/24 Hours From 11:00 a.m. To 11:59 p.m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.

Oath of Applicant
 I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature Katrina Franco	Title Member	Date 11/14/24
-----------------------------	-----------------	------------------

Report and Approval of Local Licensing Authority (City or County)
 The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.
THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County) CITY OF FLORENCE	<input checked="" type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
Signature	Title	Date

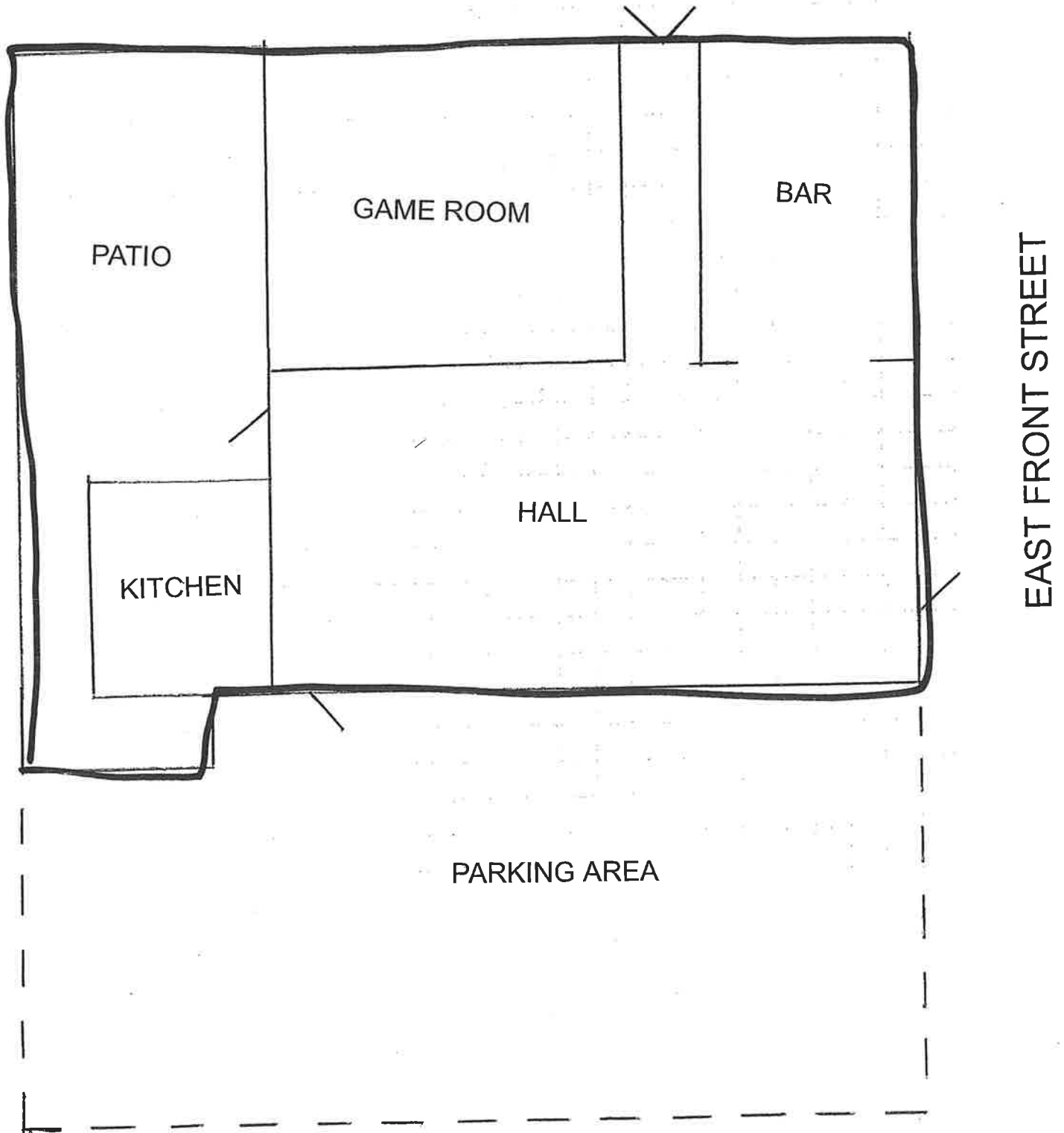
DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$

Florence Elks Lodge NO. 611 BPOE
PROPERTY

131 EAST FRONT STREET

SOUTH PETROLEUM AVENUE



COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 5, 2024

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Consider approving the annual liquor license renewal for Elks Lodge 611.

Department: Administration

Staff Recommendation:

Approve the annual liquor license renewal for Elks Lodge 611.

Background/Description of Item:

Elks Lodge 611 is located at 131 E Front Street. The applicant paid the required fees and all supporting documentation has been submitted. With the Council's approval, this item is ready to be sent to the Department of Revenue Liquor Enforcement Division.

Financial Impact:

The City fee for this application was \$141.25

Attachments:

None

Suggested Motion:

Approve the annual liquor license renewal for Elks Lodge 611.

COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 5, 2024

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Consider approving the change of manager for Elks Lodge 611.

Department: Administration

Staff Recommendation:

Approve the change of manager for Elks Lodge 611.

Background/Description of Item:

Per CRS 44-3-301(8);

Such licensees are required to report the name of the manager to the State and local licensing authorities. For any subsequent change in manager, licensees must report the change to both the State and local licensing authorities within 30 days after the change.”

When a Club License files for a change of manager, there is no associated fee per CRS 44-3-301 (a-b). With the Council’s approval, this item is ready to be sent to the Colorado Department of Revenue Liquor Enforcement Division.

Financial Impact:

None

Attachments:

- DR 8442: Report of Changes Application

Suggested Motion:

Approve the Report of Changes Application for Elks Lodge 611 as presented.

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a		<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company		License Number	
				05-02444-0001	
2. Name of Licensee			3. Trade Name of Establishment (DBA)		
BPDE LODGE NO 611			FLORENCE EIKS CLUB		
4. Address of Premises (specify exact location of premises)			5. Business Email Address		
131 E FRONT ST			P.O. BOX 662		
City	County	State	ZIP	Business Phone Number	
FLORENCE	FREMONT	CO	81226	719-784-3892	

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A – Manager Reg/Change	Section C
<input type="checkbox"/> Manager's Registration (Hotel & Restr.) \$30.00 <input type="checkbox"/> Manager's Registration (Tavern) \$30.00 <input type="checkbox"/> Manager's Registration (Lodging & Entertainment) \$30.00 <input checked="" type="checkbox"/> Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE	<input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00 <input type="checkbox"/> Wholesale Branch House Permit (ea) \$100.00 <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) \$50.00 <input type="checkbox"/> Change Location Permit (ea) \$150.00 <input type="checkbox"/> Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 <input type="checkbox"/> Change, Alter or Modify Premises <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$150.00 x Total Fee:</div>
<p><i>Please note that Manager's Registration for Hotel & Restaurant, Lodging & Entertainment, and Tavern licenses requires a local fee with submission to the local licensing authority as well. Please reach out to local licensing authorities directly regarding local processing and fees.</i></p>	
Section B – Duplicate License	<input type="checkbox"/> Addition of Optional Premises to Existing H/R <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$100.00 x Total Fee:</div>
<input type="checkbox"/> Duplicate License \$50.00	<input type="checkbox"/> Addition of Related Facility to an Existing Resort or Campus Liquor Complex <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$160.00 x Total Fee:</div>
	<input type="checkbox"/> Campus Liquor Complex Designation No Fee <input type="checkbox"/> Sidewalk Service Area \$75.00

Do Not Write in This Space – For Department of Revenue Use Only

Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$ 0 .00

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change

8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change

Select the option that applies to your situation:

- Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or
Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2).

(a) Address of Location 1: City County ZIP

(b) Address of Location 2: City County ZIP

Change of Manager

9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S.

(a) Change of Manager

Former manager's name Charlette Henager

New manager's name Barbara Botulis

(b) Date of Employment 1/16/2024

Has manager ever managed a liquor licensed establishment? Yes No

Does manager have a financial interest in any other liquor licensed establishment? Yes No

If yes, give name and location of establishment

Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area

10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed

(b) If the modification is temporary, when will the proposed change:

Start End (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) Yes No

(d) Is the proposed change in compliance with local building and zoning laws? Yes No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	<p>11. Campus Liquor Complex Designation</p> <p>An institution of higher education or a person who contracts with the institution to provide food services</p> <p>(a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
Additional Related Facility	<p>12. Additional Related Facility</p> <p>To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.</p> <p>(a) Address of Related Facility _____</p> <p>(b) Outlined diagram provided <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature <i>Kara Hverhoff</i>	Print name and Title <i>Kara Hverhoff, Treasurer</i>	Date <i>1/16/2024</i>
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) <i>CITY OF FLORENCE</i>		Date filed with Local Authority <i>1/16/24</i>
Signature	Title	Date
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 5, 2024

STAFF CONTACT: CORTLYNE HUPPE, CITY CLERK

Agenda Item: Special Events Permit: Florence Chamber of Commerce

Department: Administration

Staff Recommendation:

Approve the Special Events Permit for the Florence Chamber of Commerce as presented.

Background/Description of Item:

The Florence Chamber of Commerce is located at 600 West Third Street, Suite G. The 'Business After Hours' events are proposed to take place on/at:

- 2/8/2024 - Mountain View Homes R.E.
- 4/18/2024 - San Juan Bank
- 7/18/2024 - Baker's Rack
- 8/15/2024 - Pioneer Museum
- 9/12/2024 - Millennium Grown
- 10/17/2024 - Trending on Main
- 11/14/2024 - FloCo Gallery
- 12/14/2024 - Florence Chamber Office

The Florence Chamber of Commerce will be well within its annual permitted SEP dates: 8/15 dates

The applicant has paid the required fees and all supporting documentation has been submitted. With the Council's approval, this item is ready to be sent to the Department of Revenue Liquor Enforcement Division.

Financial Impact:

The City fee for this application was \$100.00.

Attachments:

- Special Events Permit Application
- Proposed Liquor Boundary/Maps

Suggested Motion:

Approve the Special Events Permit for the Florence Chamber of Commerce as presented.

Application for a Special Events Permit

Departmental Use Only

State Only Permit/State Property

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)

- | | | |
|------------------------------------|---|---|
| <input type="checkbox"/> Social | <input type="checkbox"/> Athletic | <input type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

LIAB Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate <i>Florence Chamber of Commerce</i>	State Sales Tax Number (Required)
---	-----------------------------------

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) <i>P.O. Box 145 Florence, CO 81226</i>	3. Address of Place to Have Special Event (include street, city/town and ZIP)
---	---

4. Authorized Representative of Qualifying Organization or Political Candidate <i>Joan ELLIOTT</i>	Date of Birth	Phone Number <i>303-880-8146</i>
---	---------------	-------------------------------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager <i>Joan ELLIOTT</i>	Date of Birth	Phone Number <i>46</i>
---	---------------	---------------------------

Event Manager Home Address (Street, City, State, ZIP)	Email Address of Event Manager <i>com</i>
---	--

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
<i>2/8</i>	<i>5 p.m.</i>	<i>8 p.m.</i>	<i>9/12</i>	<i>5 p.m.</i>	<i>8 p.m.</i>	<i>10/17</i>	<i>5 p.m.</i>	<i>7 p.m.</i>						
<i>4/18</i>	<i>5 p.m.</i>	<i>8 p.m.</i>	<i>11/14</i>	<i>5 p.m.</i>	<i>8 p.m.</i>	<i>12/19/14</i>	<i>5 p.m.</i>	<i>8 p.m.</i>						
<i>11/8</i>	<i>5 .m.</i>	<i>8 .m.</i>				<i>8/15</i>	<i>5 .m.</i>	<i>8 .m.</i>						

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <i>Joan Elliott</i>	Title <i>President</i>	Date <i>1/19/24</i>
----------------------------------	---------------------------	------------------------

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

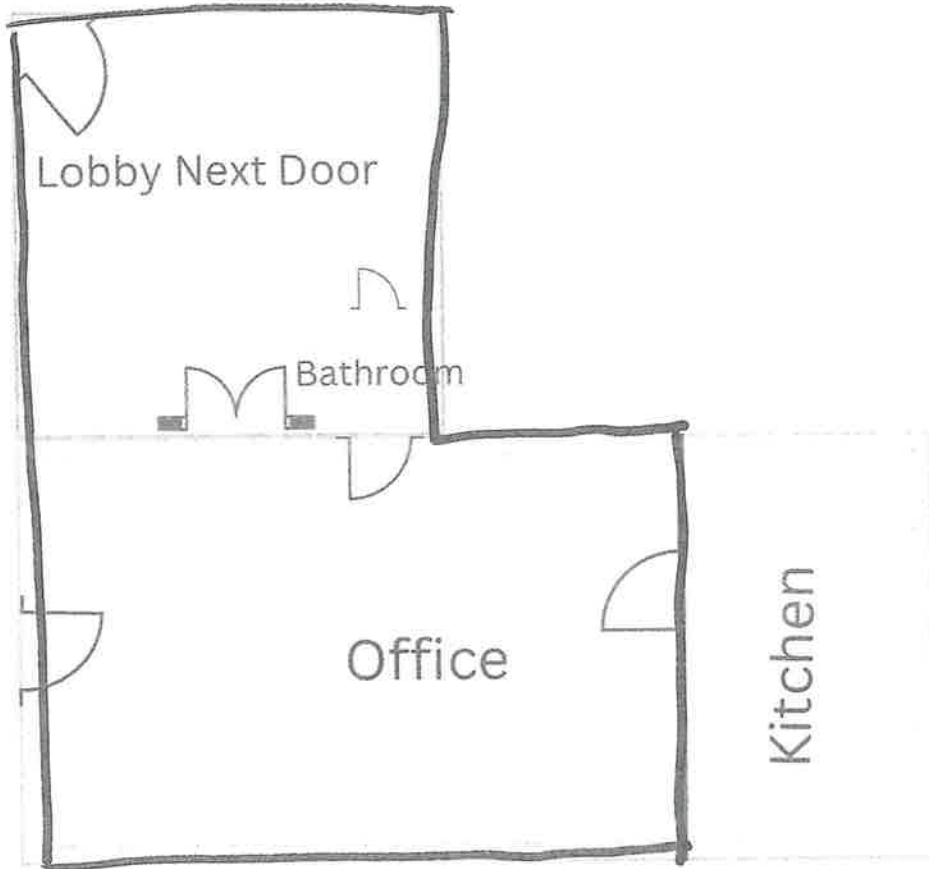
Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
--	--	---------------------------------------

Signature	Title	Date
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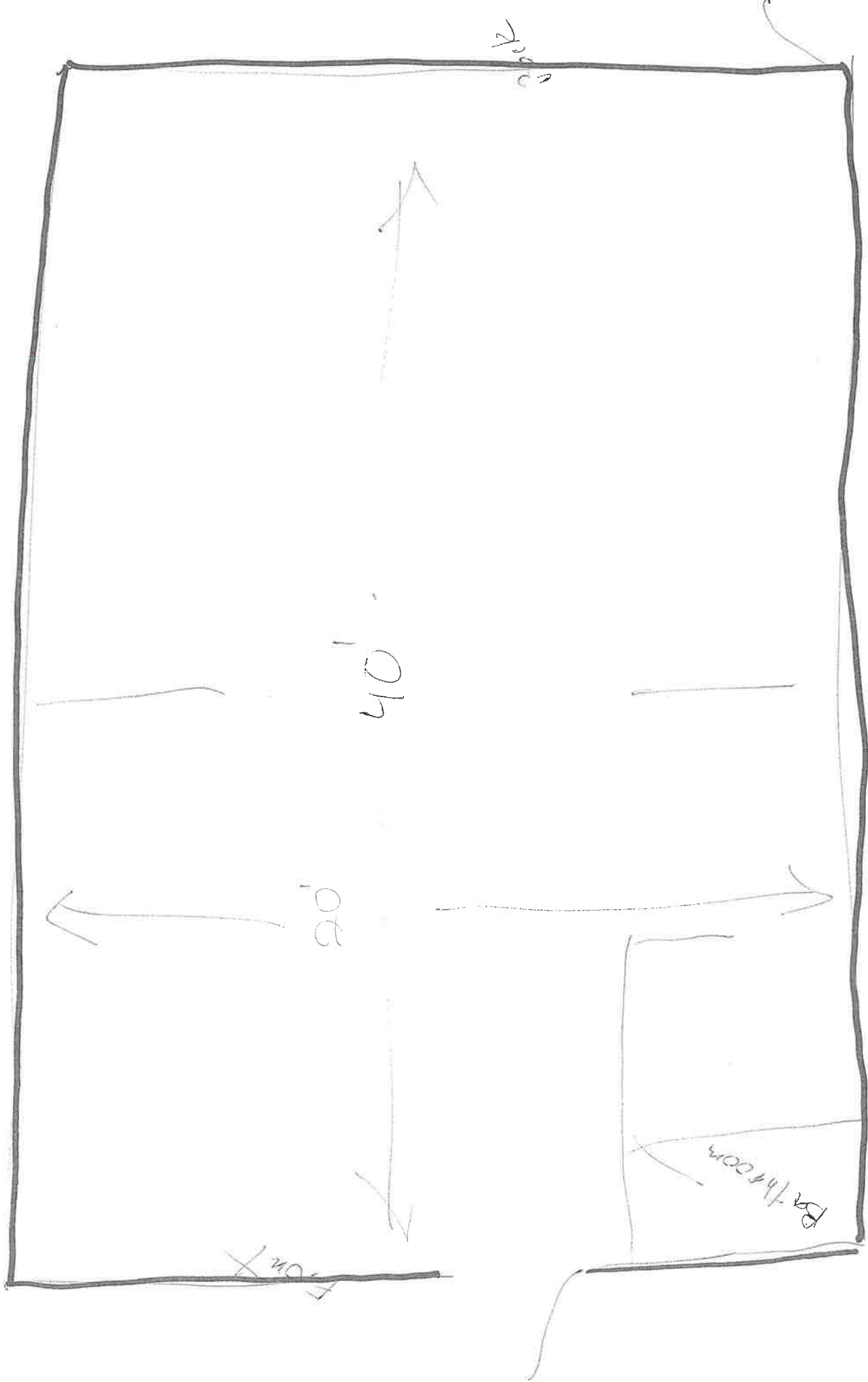
DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$.

Mountain View Homes



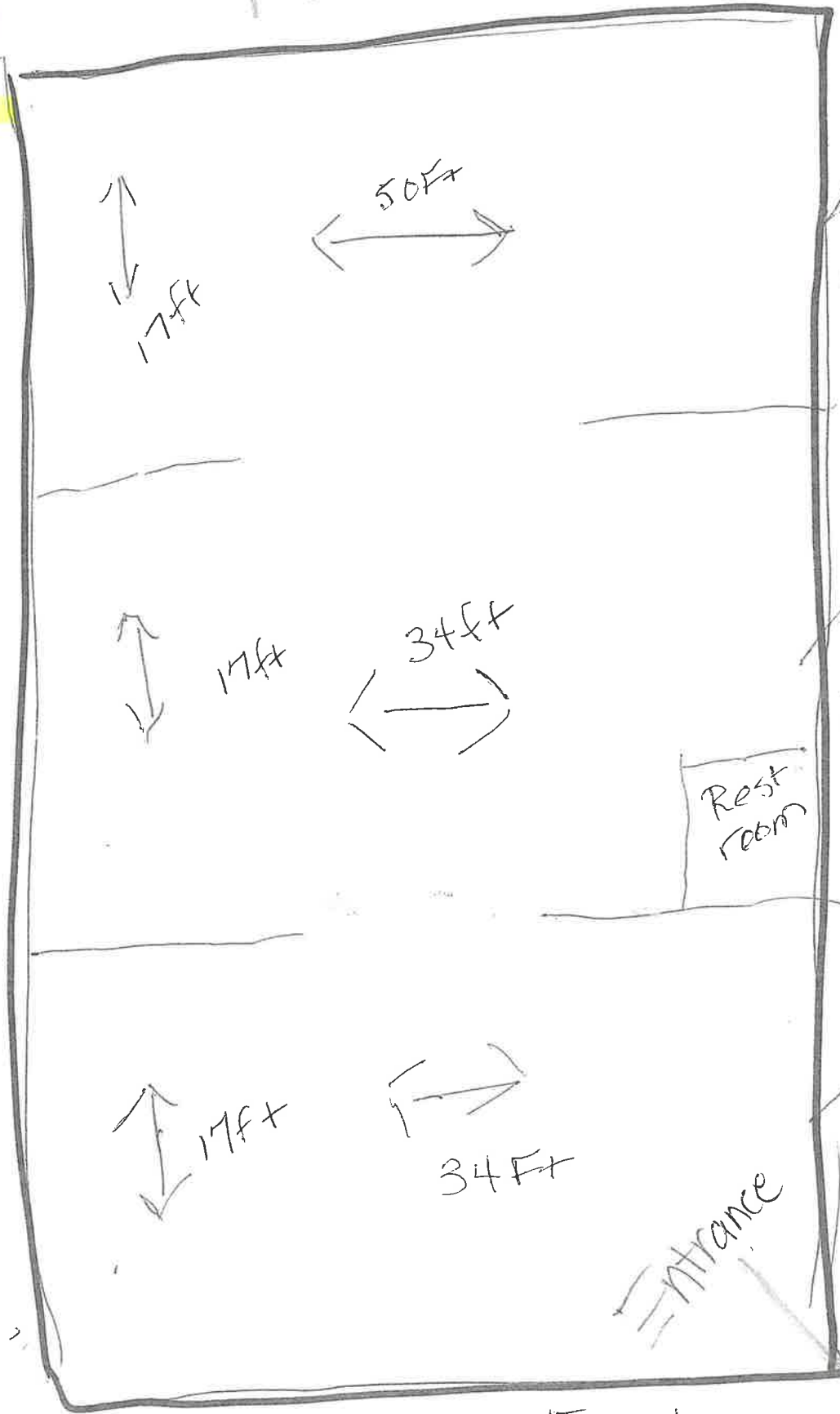
Broken Rock



Florence

FPM

Pioneer
Museum



Exit
Backyard

Exit
Backyard

Rest
room

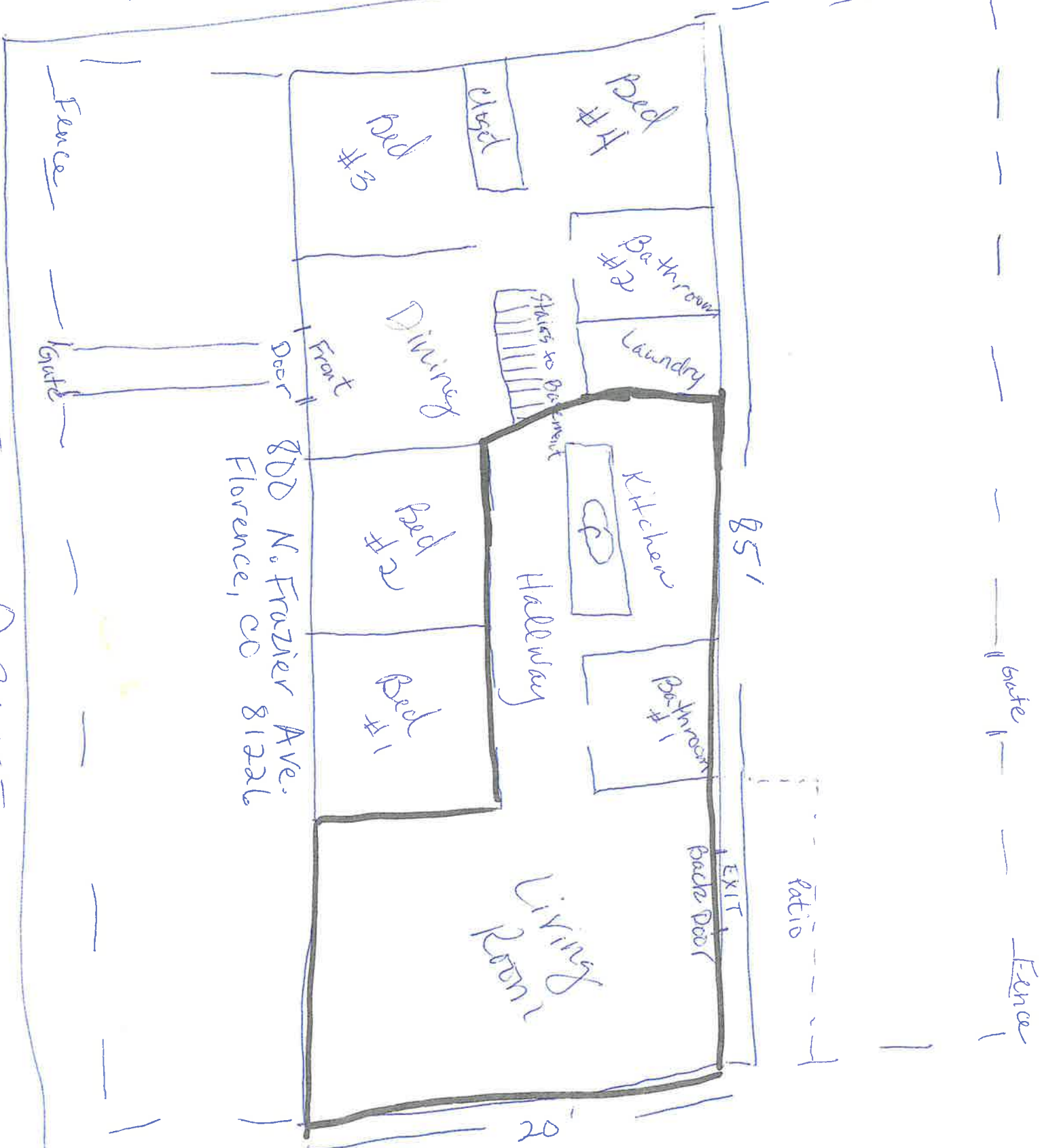
Exit
Pikes
Peak

Entrance

Front St.

FRAZIER AVE.

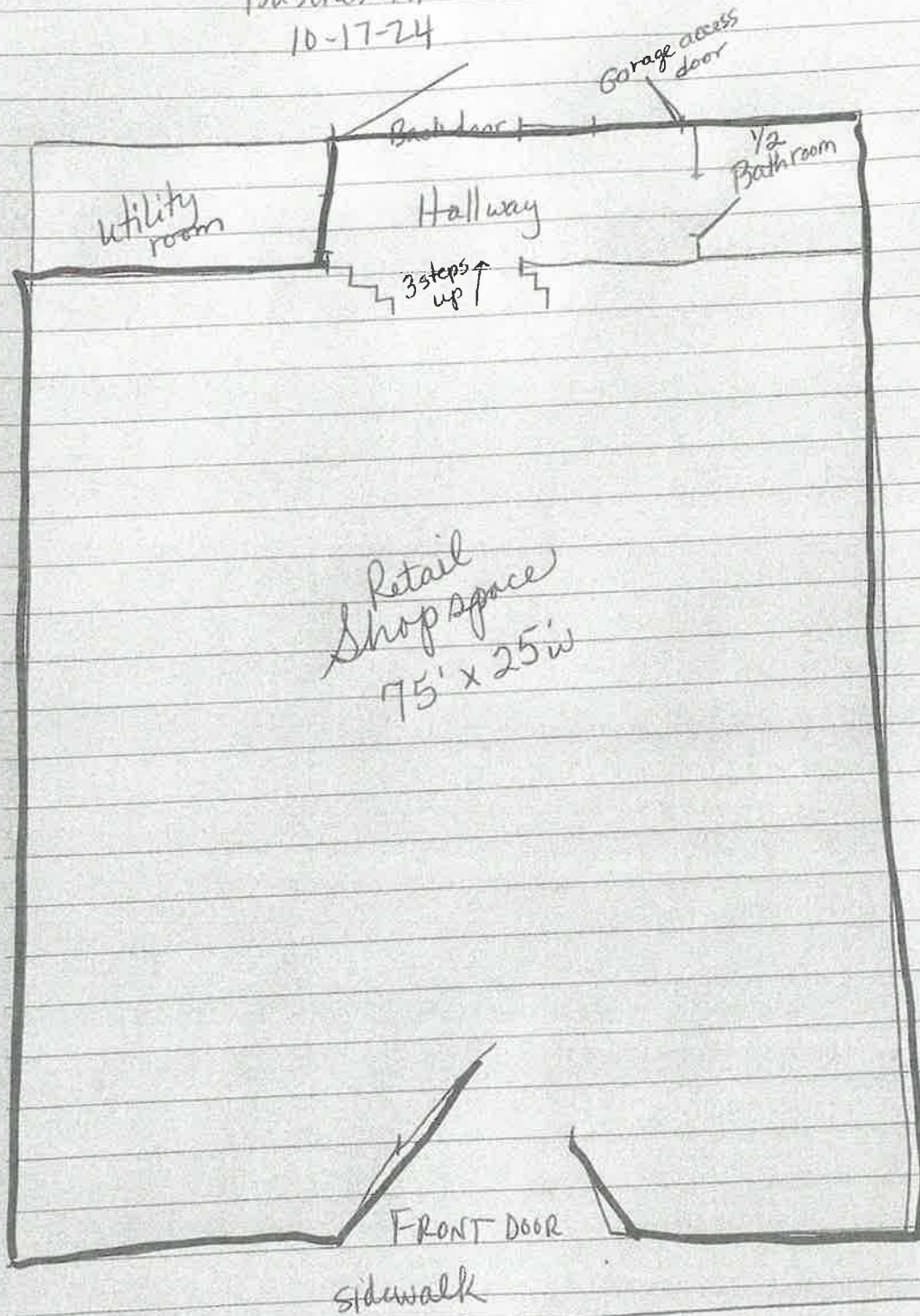
PRIVATE DRIVE



800 N. Frazier Ave.
Florence, CO 81226

Millenium Group

Trending on Main
Business After House
10-17-24



W. Main STREET



Joen Elliott <joenelliott@gmail.com>

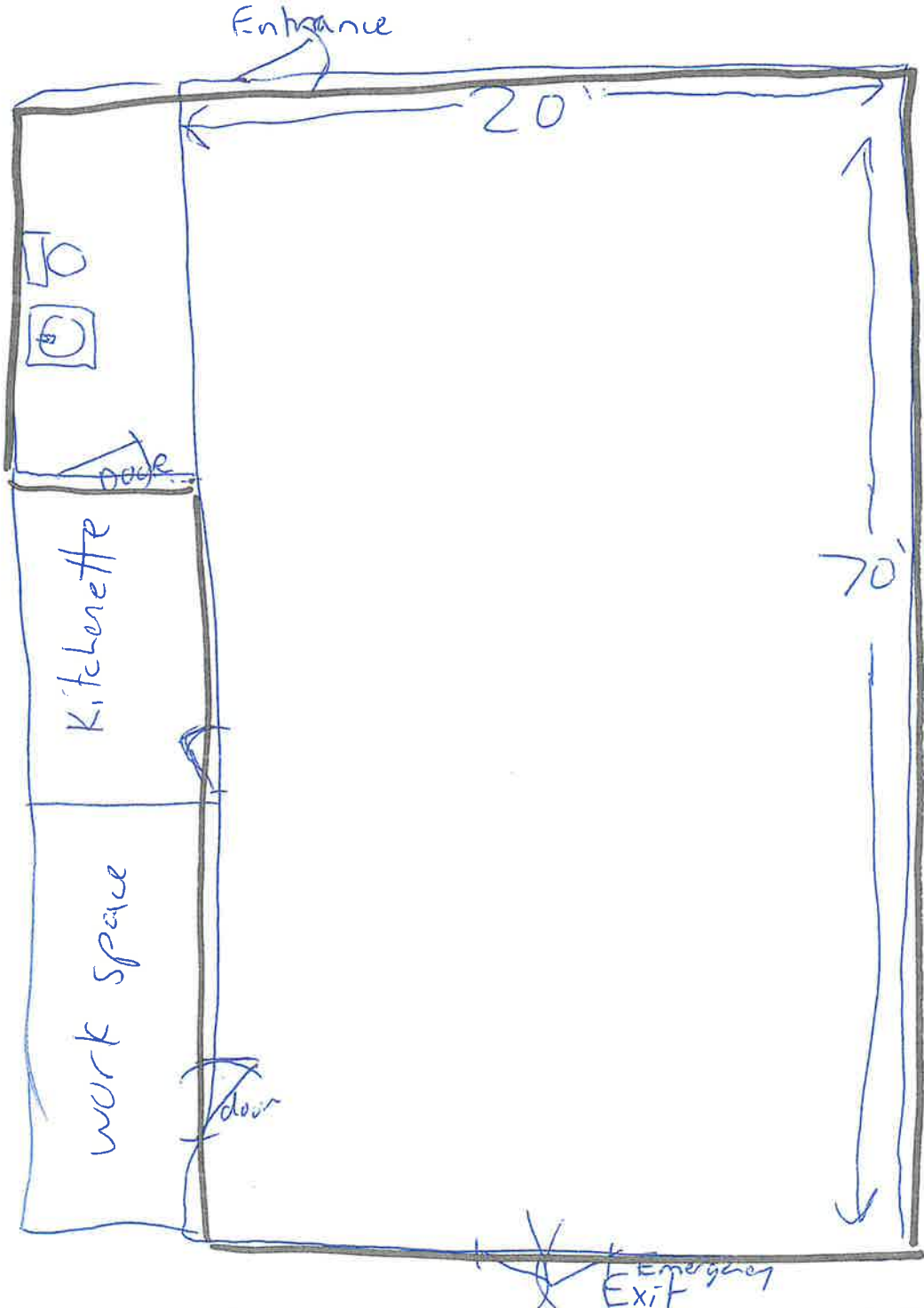
(no subject)

1 message

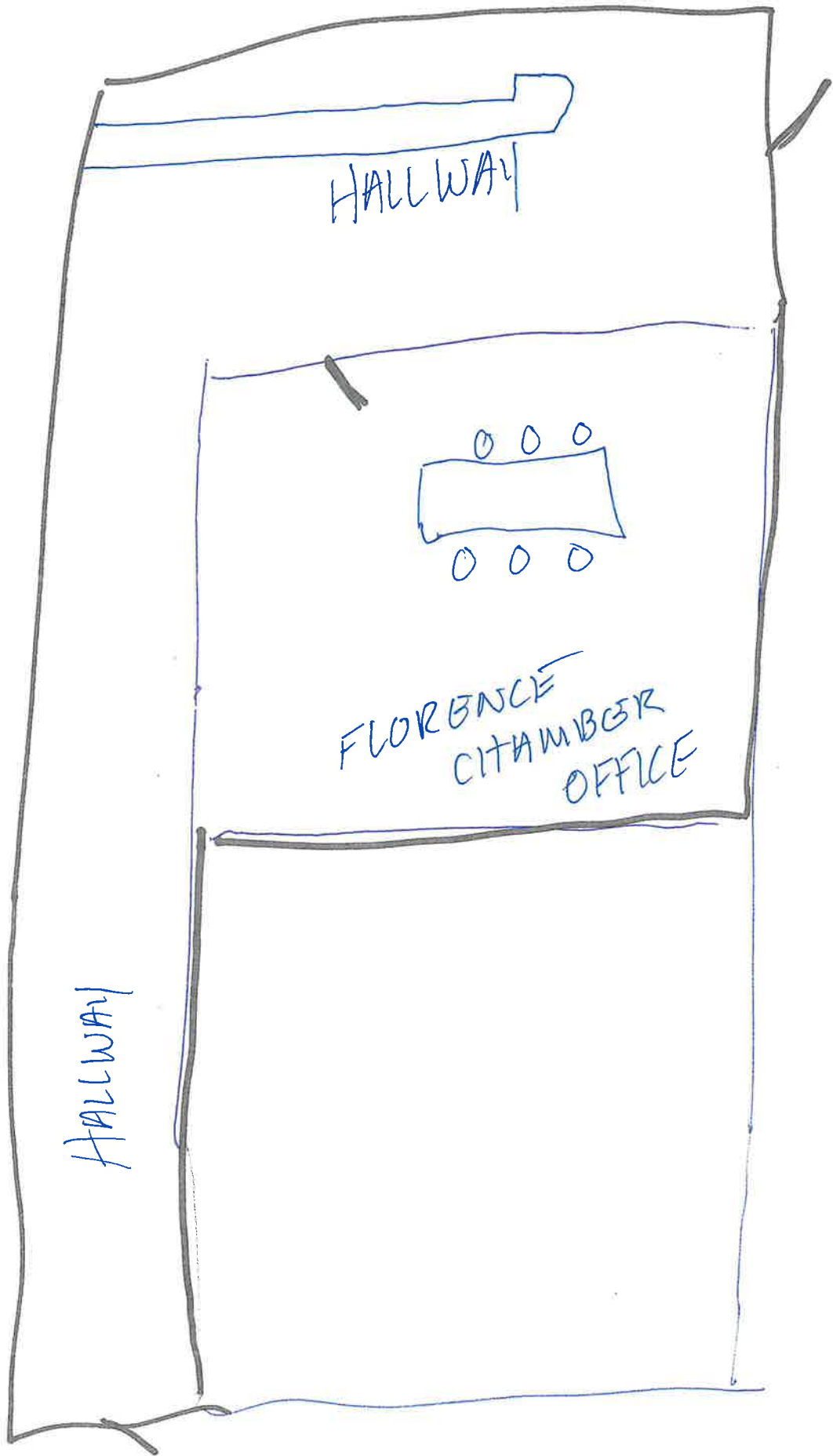
Joen Elliott <joenelliott@gmail.com>
To: Joen Elliott <joenelliott@gmail.com>

Fri, Jan 26, 2024 at 11:55 AM

Floco gallery



FLORENCE CHAMBER
SUITE G



COUNCIL ACTION FORM

MEETING DATE: FEBRUARY 5, 2024

STAFF CONTACT: AMY NASTA, CITY MANAGER

Agenda Item: Consider adopting a Resolution adopting a Personnel Policy Document for the City of Florence, Colorado

Department: Administration

Staff Recommendation:

Adopt a Resolution adopting a Purchasing Policy for the City of Florence, Colorado.

Background/Description of Item:

The *Personnel Policy* (Policy) document provides the necessary guidelines for the establishment of a uniform and efficient personnel management system in order to ensure fair treatment of applicants and employees in all aspects of personnel administration. It provides rules and procedures for items typically associated with personnel management and includes best practices used by a wide variety of municipal governments.

The Policy consists of nine (9) sections, each covering a variety of topics related to the efficient and orderly conduct of City purchasing:

- **Definitions**
 - Provides definitions for the general terms that appear throughout the Policy.
- **General Provisions**
 - Provides information regarding the purpose of the Policy, how the Policy is to be administrated, the intended application of the Policy, and general employee related policies including but not limited to items such as Equal Employment Opportunity, harassment, complaints, retaliation, conflicts of interest, and violence in the workplace.
- **Vacancies, Recruitment, and Appointment**
 - Covers policies and procedures relating to hiring including but not limited to recruitment, candidate selection, appointment, documentation, and disqualification of applicants.
- **Terms of Employment**
 - Provides information on general terms of employment including but not limited to work schedules, attendance and time reporting, work-related travel and expenses, use of vehicles, and use of City equipment.
- **Compensation and Benefits**
 - Covers general information and policies regarding topics including but not limited to employee pay and benefits including but not limited to procedures for determining pay for a position, overtime, salary and economic adjustments, and available benefits.
- **Leave Time**
 - Provides information regarding topics including but not limited to the types of leave available to employees, holidays recognized by the City, benefit time accrual rates, policies and procedures for requesting leave, and the City's shared leave pool.

- **Discipline**
 - Covers policies and procedures regarding the use of disciplinary actions including but not limited to reasons for discipline, types of discipline, how discipline is administrated, and the appeal process.
- **Ethics**
 - Covers the policies and procedures related to general ethics topics not covered elsewhere in the Policy, including but not limited to the code of conduct, customer service, handling confidential information, email use, and social media use.
- **Separation**
 - Covers the process for separation from an employee including voluntary resignations, separation due to discipline, and retirement.

The Policy has been attached in its entirety for the Council's review. This document has been fully reviewed by both Staff and Legal Counsel.

Attachments:

- Resolution 3-2024
- *Personnel Policy*

Suggested Motion:

Adopt Resolution 3-2024, a Resolution providing for the adoption of a Personnel Policy Document for the City of Florence, Colorado.

RESOLUTION NO. 3-2024

A RESOLUTION PROVIDING FOR THE ADOPTION OF A PERSONNEL POLICY DOCUMENT FOR THE CITY OF FLORENCE, COLORADO.

WHEREAS, the City of Florence now deems it advisable to adopt a uniform Personnel Policy Document for the City of Florence; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO, AS FOLLOWS:

SECTION ONE: The Personnel Policy Document is adopted as written in the attached Personnel Policy Document.

SECTION TWO: This Personnel Policy Document supersedes any rules, regulations or policies in conflict herewith; and

SECTION THREE: The Resolution shall take effect and be in full force from and after its adoption by the City Council of the City of Florence on February 5, 2024.

ADOPTED By the City Council of the City of Florence, Colorado, this 5th day of February, 2024

SIGNED by the Mayor on this 5th day of February, 2024.

CITY OF FLORENCE, COLORADO

(SEAL)

Steve Wolfe, Mayor

Attest:

Cortlyne Huppe, City Clerk

Approved as to form: _____

Dan Findlay, City Attorney



Personnel Policies



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SECTION 1.

Definitions

SECTION 1. DEFINITIONS

This Section contains terms of a general nature that apply to the entire document, unless a subsequent Section provides specific definitions unique to that Section.

- **ACCRUAL:** The collection and accumulation of vacation and sick leave.
- **BONA FIDE:** Genuine; sincere.
- **CHAIN OF COMMAND:** An employee's chain of command shall be the direct supervisor, the supervisor's supervisor, etc., to the Department Head, then to the City Manager.
- **CHANGE OF STATUS:** A change of status occurs when an individual experiences any change in position or salary due to being hired, promoted, demoted, transferred, awarded a performance increase, or having their position being reclassified or moved to a different salary range.
- **CHILD:** A biological, adopted, or foster child; a stepchild, or legal ward, or a child who is or was cared for on a day-to-day basis and whose financial support is or was provided by the employee. This includes a child 18 years of age or older who is incapable of self-care because of mental or physical disabilities.
- **CITY:** When capitalized, refers to the municipal corporation of the City of Florence, Colorado.
- **CITY COUNCIL:** The City Council and the Mayor, as elected by the residents of the City of Florence, Colorado.
- **CITY MANAGER:** The chief administrative officer who, under the direction of the City Council, is responsible for all administrative functions of the City and who is the direct supervisor of all Department Heads.
- **CITY STRUCTURE:** The City of Florence, Colorado, is organized under a City Council – City Manager form of government.
- **COMPENSATION:** Salary or wages, per diems, retirement benefits, or other benefits provided to an employee in exchange for work conducted on behalf of, and/or at the direction of, the City.
- **DEMOTION:** Occurs when an employee voluntarily or involuntarily moves to a different position that is in a lower salary range.
- **DEPARTMENT:** A major functional unit of the City government.
- **DEPARTMENT HEAD:** The individual who is directly responsible for the operation and administration of a department.
- **DISCIPLINARY ACTION:** A procedure designated to penalize, modify or correct the actions of an employee for a violation of the City's Personnel Policies, department policies and procedures, poor performance, or any other conduct that reflects negatively upon the City or which may, at the City's sole determination, be construed as inappropriate or unprofessional.
- **DIVISION:** A major sub-unit within a department.
- **EMERGENCY:** A sudden and unforeseen happening that requires the unscheduled services of an employee to

protect the health, safety, property, and/or welfare of the community.

- **EMPLOYEE:** Any person employed by and working for the City other than independent contractors, members of the Governing Body, board, committee, or commission members appointed by the Governing Body, or volunteers.
- **EMPLOYEE, EXEMPT:** An executive, administrative, or professional employee who has been identified by the City to be exempt under the provisions of the Fair Labor Standards Act.
- **EMPLOYEE, NON-EXEMPT:** An employee who is covered by the provisions of the Fair Labor Standards Act for overtime compensation and minimum wages.
- **EMPLOYEE, SEASONAL:** A position which is intended to recur annually, and is seasonal in nature and duration.
- **EMPLOYEE, TEMPORARY:** A position in which an employee works the standard daily hours established for the position, but which is limited due to one or more of the following: the duration of the work, on-the-job training; the job is classified as an internship; or the job is classified as a student worker position.
- **GENDER:** When the masculine pronoun is used in these policies, it also means the feminine; when the plural is used it likewise means the singular.
- **IMMEDIATE FAMILY:** An employee's child, spouse, parents, or siblings as defined herein.
- **INCUMBENT:** A person who currently fills a specific position.
- **INTRODUCTORY PERIOD:** The first six months of employment for all employees other than Police Officers. Police Officers remain in an Introductory Period until successful completion of the Academy.
- **ISSUES OF CONCERN:** Incidents in which an employee disagrees with the interpretation of the provisions of City Personnel Policies, working conditions, relationships with co-workers or supervisors, or the application of other laws and ordinances. This does not include performance evaluations or issues related to disciplinary action.
- **LAYOFF:** The separation of an employee from City employment due to such things as lack of funds, lack of work, termination of a program, or other reasons not related to the fault, delinquency, or misconduct on the part of the employee.
- **LEAVE:** A period of absence from work.
- **MANAGEMENT:** Those employees charged with the direct supervision and responsibility for daily administration of employees within their division and/or department.
- **MAY:** Is generally permissive; however, the words "no person may" means that no person is required, authorized, or permitted to do the act referenced.
- **PARENT:** The biological parent or the stepparent of an employee, or an individual who cared for the employee on a day-to-day basis and provided financial support when the employee was a minor.
- **POSITION:** A group of duties and responsibilities assigned or delegated to one employee.
- **POSITION DESCRIPTION:** A written document that identifies the purpose, duties, responsibilities, and accountabilities of a job; the knowledge, skills, and abilities needed to perform the job satisfactorily; and other

special considerations, if any.

- **RESIGNATION:** A voluntary separation from City employment by an employee.
- **SALARY RANGE:** Salary ranges are established for classes of positions. These ranges are based on position characteristics (background requirements, level of responsibility, and essential duties and responsibilities), market value, organizational parity, and budget.
- **SEPARATION:** When an employee leaves the service of the City for any reason, voluntarily or involuntarily.
- **SHALL:** Means imperative; must.
- **SIBLINGS:** Brother, sister, stepbrother, and stepsister.
- **SOLICITATION:** To request money for any purpose including, but not limited to, miscellaneous charities, outside insurance, raffles, betting pools, magazine clubs, cosmetic sales, jewelry or craft sales, Girl Scout cookies, labor organizations, societies, lodges, etc.
- **SPOUSE:** Husband or wife, as defined by Colorado state law or applicable Federal law.
- **START DATE:** The date a person begins employment in a position with the City.
- **SUPERVISOR:** A person working in a position that is responsible for the work activities of an employee or a group of employees.
- **TERMINATION, INVOLUNTARY:** The end of an employee's employment with the City, initiated by the City.
- **TERMINATION, VOLUNTARY:** The end of an employee's employment with the City, initiated by the employee.
- **TITLE:** When a specific title is referenced any place in these Personnel Policies, it shall also mean the person acting with authority in that position.
- **VACANCY:** An unoccupied, budgeted position.
- **WEAPON:** Any firearm, stun gun, shotgun, rifle, any type of explosive, any bow and arrow device, any dagger, dangerous knife, sword, straight-edged razor, stiletto, nun-chuck stick, chemical or pepper spray, or any other tool, instrument, or implement capable of inflicting serious bodily injury.
- **WILL:** Means imperative; must.
- **WORKDAY:** The normally scheduled work period within one 24-hour period for a specific position.



SECTION 2.

General Provisions

SECTION 2. GENERAL PROVISIONS

ARTICLE 2-101	PURPOSE
ARTICLE 2-102	ADMINISTRATION
ARTICLE 2-103	APPLICATION
ARTICLE 2-104	EMPLOYEE RELATED POLICIES

2-101 PURPOSE

These personnel policies express the intent of the City of Florence, Colorado, to establish a uniform and efficient personnel management system for the fair treatment of applicants and employees in all aspects of personnel administration. **THIS DOCUMENT IS NOT A CONTRACT AND NEITHER THESE POLICIES NOR ANY OTHER COMMUNICATION BY A CITY REPRESENTATIVE, WHETHER ORAL OR WRITTEN, CREATE CONTRACTUAL EMPLOYMENT RIGHTS NOR DO THEY ALTER THE EMPLOYMENT-AT-WILL RELATIONSHIP IN ANY WAY.** The City or an employee may separate or terminate the employment relationship at any time, with or without cause, for any lawful reason.

The City may add to the policies or revoke or modify them at any time without prior notice. The City will attempt to keep the policies current; however, there may be times when policy changes are enacted before the written materials can be revised. This document supersedes all other, previous versions of personnel policies.

2-102 ADMINISTRATION

The City of Florence, Colorado, is organized under a City Council – City Manager form of government. Under this form of government, the City Manager is responsible for the administration of the City, including the administration of personnel policies and employee benefits. The City Manager delegates responsibility through Department Heads and/or other members of Management, who in turn delegate to Supervisors within their respective departments. Each Department Head, Manager, and Supervisor is responsible for thorough and consistent implementation of the City personnel policies within their area.

These City personnel policies are intended to establish consistent personnel practices for all City employees. In conjunction with the City Manager, all departments and divisions are encouraged to develop more detailed policies and procedures that address those areas specific to their responsibilities. Departmental policies and procedures must be approved by the City Manager and shall not conflict in any way with the City personnel policies. Any departmental policy or procedure shall, within a reasonable time frame, be made available in writing to all department employees and shall have the force and effect of these Personnel Policies. Disciplinary action may be based upon breach of any such policy.

2-103 APPLICATION

2-103.1 EMPLOYEES COVERED

These City personnel policies shall apply to all persons holding a paid position within City service, except as those who may be excluded by the City Council. For this purpose, City employees shall be defined as those employees in departments and offices for which the City Council serves as the final budget authority.

2-103.2 ELECTED AND APPOINTED OFFICIALS

Elected and appointed positions are not subject to the City Personnel Policies. Their appointment, conduct on the job, compensation, separation, and removal are determined by administrative policies and procedures, the *City Council Rules of Procedure*, city municipal code, resolution, ordinance, and/or other applicable state and federal laws.

This includes all persons holding elective office, the city attorney, municipal court judge and prosecutors, members of appointed City boards, commissions, and committees, and persons employed to conduct a special inquiry, investigation, or examination of a technical nature where such work should not be performed by regular employees.

2-103.3 SAVINGS

If any City Personnel Policy shall be held invalid by judicial or legislative action, the remainder of these policies shall not be affected.

2-104 EMPLOYEE RELATED POLICIES

2-104.1 GENERAL POLICY

These policies have been written with the realization that the strength of the City government depends directly on the individual contribution made by each employee. In return, the City expects that each employee shall attempt to achieve high levels of productivity and efficiency in carrying out the employee's job in the spirit of job satisfaction, service to the City, and assuring accountability in the services provided to the public.

2-104.2 EMPLOYEE DUTY TO ASSIST BY REPORTING

Each employee has a duty to report any information that assists the City in administering these policies. Examples include, but are not limited to, reporting possible violations and imminent safety threats. The employee shall report this information to their immediate supervisor, Department Head, City Manager, or the Human Resources Division.

2-104.3 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of Florence shall provide for equal opportunity in employment and personnel management for all persons; to provide access to, and full utilization and benefit of, training and advancement opportunities without discrimination because of race, color, religion, sex (including gender identity and sexual orientation), pregnancy status, marital status, parental status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or other non-merit based factors or any other considerations made unlawful by applicable federal, state or local laws; and to encourage that persons applying for or currently employed by, or applying for future vacancies in the employ of the City shall be considered on the basis of individual ability and merit without discrimination or favor.

2-104.4 ANTI-HARASSMENT POLICY

The City of Florence is committed to providing a work environment free of unlawful harassment. The City of Florence prohibits sexual harassment, same sex harassment, and harassment based on of race, color, religion, sex (including gender identity and sexual orientation), pregnancy status, marital status, parental status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or any other basis protected by federal, state or local law or ordinance or regulation. The City of Florence's anti-harassment policy applies to all persons involved in the operations of the City including employees, applicants, other non-employees (including elected and appointed officials), customers, vendors and suppliers. The City of Florence prohibits unlawful harassment by any employee of the City. Any such harassment will subject the offending employee to disciplinary action, up to and including immediate termination. The City of Florence also prohibits harassment of any employee in connection with their work by an applicant, other non-employee customer, vendor or supplier. Appropriate action will be taken against the offending party for violations of this policy.

2-104.4.1 PROHIBITED CONDUCT

Prohibited harassment includes, but is not limited to, the following behaviors:

- a) Verbal conduct such as words, epithets, offensive or derogatory jokes or comments, slurs, suggestive or insulting sounds, or other vocal activity, including derogatory statements not directed to the targeted individual but taking place within their hearing;
- b) Visual conduct or written materials such as denigrating, derogatory and/or sexually-oriented posters or signs, pictures, cartoons, drawings, or offensive gestures including e-mail jokes or statements, downloading inappropriate pictures or materials from computer or other technological systems, or articles of a harassing or offensive nature.
- c) Physical conduct such as pranks, threats, intimidation, physical assault, violence, unwanted touching, blocking normal movement or interfering with work, or any behavior that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, sex (including gender identity and sexual orientation), pregnancy status, marital status, parental status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or any other basis protected by federal, state or local law or ordinance or regulation.
- d) Sexual harassment such as unwelcome or unwanted sexual advances; requests for sexual favors; offering employment benefits in exchange for sexual favors; visual conduct; leering; making sexual gestures; displaying of sexually suggestive objects or pictures, cartoons, or posters; verbal sexual advances, propositions, or requests; verbal abuse of a sexual nature; graphic verbal commentary about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, notes or invitations; physical conduct; touching, assaulting, impeding or blocking movement; or other verbal or physical contact of a sexual nature when such conduct creates an offensive, hostile and intimidating working environment and prevents an individual from effectively performing the duties of their position. Sexual harassment also encompasses such conduct when it is made a term or condition of employment or compensation, whether implicitly or explicitly, and when an employment decision is based on an individual's acceptance or rejections of such conduct. Sexual harassment crosses age and gender boundaries and may include conduct between individuals of the same sex or gender identification.
- e) Harassment of employees in connection with their work by a non-employee, resident, customer, vendor, or supplier.
- f) Harassment of non-employees, residents, customers, vendors, or suppliers by employees.
- g) Retaliation for having reported or indicating plans to report harassment.

2-104.5 COMPLAINT PROCEDURE

Every employee is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers. If an employee experiences any job-related harassment based on race, color, religion, sex (including gender identity and sexual orientation), pregnancy status, marital status, parental status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or any other factor, or if an employee believes they have been treated in an unlawful, discriminatory, or retaliatory manner, the employee shall promptly report the incident to the City Manager, or to any managerial/departmental head employee, who will then be responsible for promptly reporting the incident to the City Manager. The City Manager will promptly and impartially investigate complaints and ensure that appropriate action is taken.

Employee complaints will be kept confidential to the maximum extent possible. Employees have a duty to report improper conduct promptly in order to allow the City to conduct a timely investigation.

If the City determines that an employee has engaged in improper conduct, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment. It will generally be considered inappropriate to discuss any resultant discipline with the complaining party.

2-104.6 ANTI-RETALIATION POLICY

Retaliation against employees who identify workplace issues, such as, but not limited to, harassment, fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of employees, is prohibited.

Actions taken for nondiscriminatory or non-retaliatory reasons, such as, but not limited to, discipline for cause, are not prohibited.

These guidelines are intended to supplement and not limit employees' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of an employee pursuant to any applicable law, provision of the U.S. Constitution, ordinance, resolution, regulation, or employment agreement.

2-104.6.1. ZERO TOLERANCE POLICY

The City of Florence has zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation employees who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly, impartially, and appropriately investigated.

2-104.6.2 RETALIATION PROHIBITED

No employee may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice reasonably believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion or salary/benefits adjustment.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably treating/avoiding a person because they have engaged in protected activity.

2-104.6.3 COMPLAINTS OF RETALIATION

Any employee who feels they have been retaliated against in violation of this policy should promptly report the matter to any supervisor, manager, department head, the City Manager, or the Human Resources Division.

Employees shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or

transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Employees shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting employee is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the employee is part of the investigative process.

2-104.6.4 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with and rely on and reference this policy and ensure that employees under their supervision are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- Ensuring complaints of retaliation are investigated as provided by the Complaints Procedure.
- Receiving all complaints in a fair and impartial manner.
- Documenting the complaint and any steps taken to resolve the problem.
- Acknowledging receipt of the complaint, promptly notifying the City Manager, and explaining to the employee how the complaint will be handled.
- Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- Monitoring the work environment to ensure that any employee making a complaint is not subjected to further retaliation.
- Periodically following up with the complainant to ensure that retaliation is not continuing.
- Not interfering with or denying the right of an employee to make any complaint.
- Taking reasonable steps to accommodate requests for assignment or schedule changes made by an employee who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

2-104.6.5 CITY MANAGER RESPONSIBILITIES

The City Manager shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- Communicating to all employees the prohibition against retaliation.
- The timely and impartial review of complaint investigations.
- Make recommendations for remediation of any inappropriate conduct or condition and recommend measures to be instituted to eliminate or minimize the likelihood of recurrence.
- The timely and sensitive communication of the outcome to the complainant.

2-104.6.6 WHISTLE-BLOWING

State law protects employees from retaliation for reporting unlawful employment practices and other protected activities. Employees who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the City Manager for investigation pursuant to the Complaint

Procedure.

C.R.S §§ 24-34-402, § 24-31-1204(8)(b), § 25.5-4-306(7), § 24-50-1111(7)(d), § 8-13.3-407(2)(a), § 8-13.3-509, § 8-3-108(h), § 24-92-210(8), § 24-114-102, § 24-50.5-103, § 8-4-120, § 8-14.4-102

2-104.7 AMERICANS WITH DISABILITIES ACT (ADA) PROCEDURE

The Americans with Disabilities Act prohibits discrimination in any terms or conditions of employment for qualified individuals with a disability. The Americans with Disabilities Act requires that employment decisions be based on the ability of a person to perform the essential functions of a job and not the person's disability or limitations. Further, it requires management to reasonably accommodate individuals with disabilities if possible.

To comply with the employment provisions of the Americans with Disabilities Act, the City will:

- Evaluate whether a person with a disability is qualified to perform the essential functions of their position with or without accommodation; and
- Determine whether a reasonable accommodation can be made for a qualified individual.

If an employee or applicant believes they are protected by the provisions of the Americans with Disabilities Act and needs some type of accommodation, the employee shall notify the hiring authority or City Manager. The City will then work with the employee to determine if a reasonable accommodation is necessary or possible.

2-104.8 CONFLICT OF INTEREST

A conflict of interest or apparent conflict of interest may occur whenever an employee's interest in a particular subject may lead them to or could be perceived to lead them to actions, activities, or relationships that may undermine the City and may place it to disadvantage.

Conflicts of interest and apparent conflicts of interest may take many different forms that include, but are not limited to:

- Employees' ability to use their position with the City to their personal advantage
- Employees using connections obtained through the City for their own private purposes
- Employees using City equipment or means to support an external business or effort
- Employees acting in ways that may legally compromise the City (e.g. taking bribes or bribing representatives of legal authorities)

The possibility that a conflict of interest may occur can be disclosed, addressed and resolved before any actual damage is done. Therefore, when an employee understands or suspects that a conflict of interest exists or may exist, they should bring this matter to the attention of their supervisor so appropriate actions may be taken. Supervisors must also keep an eye on potential conflict of interests of their subordinates.

The responsibility of resolving a conflict of interest starts with the employee's Department Head. If the Department Head cannot find a solution, the City Manager should be notified. The City Manager will then work with the employee to find a solution. All conflicts of interest will be resolved as fairly as possible.

In general, employees are advised to refrain from letting personal and/or financial interests and external activities come into opposition or perceived opposition with the City's fundamental interests.

In cases when a conflict of interest is deliberately concealed or when a solution cannot be found, disciplinary action may be invoked up to and including termination

2-104.9 OUTSIDE EMPLOYMENT

Employees of the City may hold an outside job so long as certain conditions are met. Employees are required to discuss all outside jobs with their Department Head in order to assure that no conflict exists. Employees may not engage in private business while on duty.

Work-related activities and conduct away from the City must not compete with, conflict with or compromise the City's interests or adversely affect job performance and the ability to properly and timely fulfill all responsibilities to the City. Employees are prohibited from performing any services for customers of the City that are normally performed by the City. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any company confidential information. In addition, employees may not solicit or conduct any outside business during work time for the City.

City employees must carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems at the City, the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s), up to and including termination.

Employees may not use City paid sick leave to perform work for another employer.

If an employee's outside employment presents a conflict of interest with the City, as defined in the Conflict of Interest Policy, or if such outside employment has any real or perceived potential for negative impact on the City, the employee will be asked to terminate the outside employment.

Fraudulent use of leave time or an employee's refusal to comply with the City's reasonable request to terminate outside employment may result in immediate termination of City employment.

2-104.10 POLITICAL ACTIVITY

It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations or groups and to become involved in political activities subject to the restrictions in this section.

- a) The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees shall neither be appointed to, nor retained in, the City's service with any consideration of the basis of their political affiliations or activities.
- b) As private citizens, employees may participate in all political activities, including holding public office, except for activities involving the election of candidates for any City office and where holding an appointive or elective public office is incompatible with the employee's City employment.
- c) City employees are not prohibited from supporting candidates for office, nor from contributing labor to candidates and organizations that endorse candidates. Employees are not permitted to be candidates for City elective office or to make public endorsements in anything other than an expressly private capacity of a candidate for City elective office.
- d) Any employee desiring to become a candidate for City elective office shall first take a leave of absence, if approved by the City Manager, without pay or resign. Should an employee on an approved leave of absence without pay be unsuccessful in seeking such elective office, they shall, if determined appropriate

by the City Manager, be returned to employment on the same terms and conditions as any other employee who has taken a leave of absence without pay. An employee is considered to be a candidate for elective office once all statutory requirements have been met to qualify as a candidate.

- e) Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections. They are not permitted to wear or display political badges, buttons or signs on their person or on City property during on-duty hours.
- f) No supervisor or other person in authority shall solicit any City employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.
- g) Nothing in this policy is meant to prohibit an employee from wearing or displaying political badges, buttons, apparel, or signs on their person or personal property while off-duty, nor is it meant to prohibit an employee from displaying signs on their personal real property.

2-104.11 SMOKING, VAPING, AND TOBACCO USE POLICY

Smoking, vaping, or tobacco or marijuana or other drug use shall not be permitted in any City building or enclosed facility, including but not limited to community buildings, treatment plants, concession areas, and restrooms. Smoking and/or vaping shall be permitted only at a reasonable distance of twenty-five (25) feet outside of entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited, so as to ensure that tobacco and/or vape smoke does not enter those areas.

Smoking and/or vaping is prohibited in any meeting area when employees are required to be present, whether indoors or outdoors.

Tobacco use and/or vaping are prohibited in City vehicles.

It is the policy of the City to comply with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.

2-104.12 GROOMING AND DRESS POLICY

Employees' grooming and dress should be appropriate to the work situation. It is important to maintain a neat, professional, and clean personal appearance at all times. This includes attention to personal hygiene and clothing. Department Heads will address the dress code and any uniform requirements for specific positions. The City of Florence reserves the right to determine if an employee's attire is not in keeping with this policy and may ask the employee to return home to change to proper attire. This time may be charged to vacation leave, or if the employee has none, leave without pay.

2-104.13 VIOLENCE IN THE WORKPLACE

Threats of violence and acts of violence compromise the safety of employees and can affect morale, productivity, absenteeism, turnover, litigation costs, and worker's compensation costs. Ignoring threats of violence can result in physical and mental harm to employees, customers, and the general public. The City of Florence seeks to provide a work environment that is free from violence or threats of violence. Threats of violence and acts of violence by or against any employee of the City of Florence will not be tolerated. Violence or the threat of violence is a violation of City policy and employees who violate this policy will be subject to disciplinary action up to and including termination of employment and possible criminal charges.

A threat is the expression of an intent or perceived intent to cause physical or mental harm and can include any expression which constitutes a threat regardless of whether the party communicating the threat has the present

ability to carry it out or whether the expression is contingent on something else happening, or whether it may occur in the future. The following may be considered to be violence or threats of violence but it should be understood that this is not a complete list and other conduct may also constitute violence or the threat of violence:

- a) Physical harm or beatings including but not limited to striking, pushing, and other aggressive physical acts.
- b) Verbalized threats, abusive or offensive language, intimidation, etc.
- c) Property damage due to violence.
- d) Property theft due to employer-directed violence.
- e) Rape, sexual assault or sexual abuse.
- f) Verbal abuse.
- g) Harassment, intimidation, and other disruptive behavior.

Individuals who commit such acts shall be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

Employees are required to report all violent incidents or perceived threats of violent incidents to their supervisor regardless of whether physical or mental harm occurs. If an employee feels it is necessary, the employee may bypass their supervisor and take the complaint up through the department chain of command or directly to the City Manager and/or City Attorney. Threats must be reported and documented when the behavior has been observed on the job or the threat has the potential to be carried out on City property or in the course of conducting City business. In case of true emergency employees are encouraged to call 911 for emergency assistance.

Employees should verbally report any behavior they have witnessed which they regard as threatening or violent to their supervisor. These threats may be made outside of work but have potential to be carried out in the workplace and include but are not limited to threats made by family members, partners, ex-partners, boyfriends, girlfriends, employees, and members of the public.

All reports of threats will be taken seriously. The City of Florence will not retaliate against employees who report real, perceived, or implied violent behavior or threats in good faith. Employees who intentionally make false reports or accusations will be subject to disciplinary action up to and including termination.

EXCEPTION: Due to the nature of their jobs, this policy is not meant to address violence for Sworn Officers working within the scope of their duties and employ in the Police Department.

2-104.14 SOLICITATION POLICY

No employees or other persons shall solicit sales or political contributions or petition for signature of City employees during working hours. Occasional and reasonable collections for employees of sympathy, get well, going away, or other gifts, signatures on greeting cards, and charitable fund raising, are excluded from the limitations of this policy.

2-104.15 PERSONNEL RECORDS

2-104.15.1 Personnel Records Custodian

The City Clerk's office shall be the central repository for all such personnel files and records as the City Manager deems necessary, and as required by the City of Florence's Records Management schedule.

2-104.15.2 Personnel Files

All employees shall have a personnel file located with the City Clerk.

The Personnel File shall contain only documents relevant to the individual's employment with the City. All original documents shall be kept in an employee's personnel file.

An employee's personnel file and the information therein, subject to other applicable law, shall be accessible only to the employee, the employee's supervisor or Department Head, the City Manager, the City Attorney or other counsel representing the City or any other parties with legal justification to access at the determination of the City, or to others with the written release of the employee.

Authorized persons requesting access to an employee's personnel file shall provide the City Clerk with reasonable notice. All inspections and copying of information contained shall be performed by or under the supervision of the City Clerk during regular business hours.

2-104.15.3 Release of Information

The City of Florence will provide or verify employment dates, job title, and rate of pay upon verbal or written request for current employees, and only upon expressly directed, signed, written notice for former employees.

2-104.15.4 Change of Personal Information

All employees shall notify the City Clerk of any change in address, beneficiaries, partnership status, additional dependents, or other applicable information necessary to ensure that payroll and benefits are properly administered.

2-104.16 REPORTING ON INJURY

The City of Florence is committed to a safe work environment for employees. Employees should immediately report any unsafe practices or conditions to their supervisor.

If an employee is injured on the job, regardless of the severity of the injury, the employee must immediately report the injury, in writing, to their Department Head or the City Clerk.

If medical treatment for an on-the-job injury is necessary, such treatment must be obtained from one of the City's designated physicians, as reasonable under the circumstances. Failure to obtain treatment from a designated physician may result in the employee being responsible for payment for said treatment.



SECTION 3.

Vacancies, Recruitment, and Appointment

SECTION 3. VACANCIES, RECRUITMENT, AND APPOINTMENT

ARTICLE 3-101	POLICY
ARTICLE 3-102	AUTHORIZATION BY THE CITY COUNCIL
ARTICLE 3-103	RECRUITMENT
ARTICLE 3-104	SELECTION
ARTICLE 3-105	SELECTION OF FINAL CANDIDATES
ARTICLE 3-106	APPOINTMENT
ARTICLE 3-107	DOCUMENTATION
ARTICLE 3-108	DISQUALIFICATION OF APPLICANTS
ARTICLE 3-109	BACKGROUND REPORT
ARTICLE 3-110	PROBATIONARY PERIOD

3-101 POLICY

It shall be the policy of the City to recruit and select qualified persons for positions in the City service. Recruitment and selection shall be conducted in a manner which fosters open competition, provides equal employment opportunity, and prohibits discrimination because of race, color, religion, sex (including gender identity and sexual orientation), pregnancy status, marital status, parental status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or other non-merit based factors or any other considerations made unlawful by applicable federal, state or local laws.

3-102 AUTHORIZATION BY THE CITY COUNCIL

The City Council shall give budgetary approval to all positions, except those of elected officials, through passage of the annual salary ordinance and amendments thereto.

3-103 RECRUITMENT

3-103.1 VACANCIES

Upon determination by the Department Head that a budgeted vacancy exists and a need to fill such vacancy is warranted, the hiring process outlined within this section shall be followed.

There may be occasions when it is in the best interest of the City to fill a position prior to the time that the incumbent leaves (so that the incumbent may assist in training the new employee). All such circumstances shall be approved, in advance, by the appropriate Department Head and the City Manager.

3-103.2 INITIATING RECRUITMENT

In order to initiate the recruitment process when a vacancy occurs, the appropriate Department Head shall complete and submit a Hiring Request Form to the City Clerk.

3-103.3 METHODS OF RECRUITMENT

A variety of recruitment sources may be used to obtain qualified applicants to fill vacant positions. All job openings will be posted internally on physical bulletin boards in common areas. A variety of other recruitment sources and methods may include, but not be limited to:

- Posted announcements on the City’s website and/or social media accounts; and
- Other sources and methods deemed pertinent for a particular position.

3-103.4 POSTPONEMENT OR CANCELLATION OF RECRUITMENT PROCESS

In the event a sufficient number of qualified applicants have not made application for the vacant position, the Department Head, after consultation with the City Manager, may extend, in advance, the closing date and/or re-advertise the position, postponing the screening process. The City reserves the right to cancel any screening process at any time.

3-103.5 APPLICATION PROCESS

Individuals applying for temporary/seasonal positions must complete an employment application for the position. For both full-time and part-time positions, resumes with a cover letter specifying the position being applied for will be accepted in lieu of applications, regardless of exemption status; however, if desired or determined necessary, applications or additional information may be requested for any position at any time during the selection process.

Applications, including resumes with cover letters, will be accepted only when a vacancy exists. The application and/or cover letter must state the specific position being applied for. Applications for “any” or “any open” position will not be accepted. Applications will be kept in an active file for a period of not less than sixty (60) days.

3-103.6 ELIGIBILITY LISTS

For Police Officers only, an Eligibility List may be created and kept active and may be given further consideration for up to a year after the applicable published closing date if the position re-opens or another similar vacancy occurs. Other recruitment methods may be waived if consideration is given to an applicant currently on the Eligibility List. The City is under no obligation to select from an Eligibility List and may choose to begin a new recruitment process.

3-103.7 RE-EMPLOYMENT

Former employees with a satisfactory service record may be considered for re-employment for any position. Former employees will be considered and treated, for the purpose of the policies set forth in this Section 3, as applicants from outside the organization.

Any accrued rights, privileges, or benefits are canceled when an employee separates from the City and are not reinstated upon re-employment.

3-104 SELECTION

3-104.1 APPLICANT SELECTION PROCESS

Applications for vacant positions must be submitted to the City Clerk by the end of the business day on the published closing date, subject to potential exceptions being granted for minor errors, mistakes, or informalities as determined by the City Manager.

An initial screening will be done to determine whether the applicant’s qualifications meet the basic and minimum requirements for the position.

The selection process may consist of one or more of any combination of the following methods, any of which may occur either virtually or in-person: ability tests, achievement tests, performance tests, ratings of training and experience, interviews, evaluation of daily work performance, physical ability tests, worksamples, and/or other selection techniques approved by the City Manager. Any method chosen shall evaluate only those criteria necessary to perform adequately in the position.

Veterans will be given preference in accordance with the Colorado Constitution.

3-104.2 EMPLOYMENT OF RELATIVES

It is the policy of the City not to hire persons for any type of employment within departments who are members of the immediate family of other City full-time employees within the same department, except temporary/seasonal positions that are not within the same division as the family member.

If two employees (at least one of whom is a full-time employee) become married to each other or become otherwise related as immediate family members, they may continue to be employed by the City, provided that the parties do not work in the same department. Transferring one of the employees so affected to another department will be given priority if such employee is qualified and a vacancy exists to accommodate such transfer. The transfer shall be made as soon as a change can be effected but in no event shall such situation exceed ninety (90) days. If such a transfer of one of the employees cannot be accomplished for whatever reason within the ninety (90) days, the affected employees must mutually choose and evidence which one will resign their position with the City. If no decision is voluntarily made, the employee with the least seniority will be terminated within seven (7) calendar days following the ninety (90) day grace period.

Relatives of full-time employees are not precluded from working on a volunteer basis, though disclosure and/or additional policies or procedures may be established.

3-105 SELECTION OF FINAL CANDIDATES

3-105.1 GENERAL PROCEDURES

Individuals who most closely meet all the position requirements and the needs of the City, at the fair and reasonable determination of the City, may be selected for employment. All offers of employment are conditional upon the successful completion of a physical examination, drug screen, and a background report including criminal history, verifications of employment and education, driving record, and if applicable, a credit report.

3-105.2 HEALTH EXAM

As part of the City's employment procedures, positions that are required by State or Federal law to take and pass a post-offer health examination will first be offered employment contingent upon satisfactory and timely completion of the examination and a determination by the examining physician selected by the City that the candidate can perform the essential functions of the position offered, with or without reasonable accommodations. In the case of Police Officers, the post-offer health examination may include a psychological examination.

For part-time and temporary/seasonal positions, the selected individual may be required to take a post-offer job-related health exam, based on requirements of the job, to determine whether the individual is physically able to perform the essential functions of the position with or without reasonable accommodation.

A full-time or part-time employee who is being transferred, promoted, or demoted (as applicable) into a full-time position with significantly different job requirements (if job related and consistent with business necessity) may be required to take a health and, in the case of Police Officers, a psychological exam.

All costs associated with health and psychological exams are the responsibility of the City. All results of these exams are the exclusive property of the City and are considered confidential to the extent protected by law.

3-105.3 DRUG TESTING

For all positions of employment with the City that require drug testing, final candidates will be required to undergo a post-offer drug test and may be required to undergo an alcohol test as part of the hiring process.

Before a drug or, if applicable, an alcohol test is administered, final candidates must sign a consent form authorizing the test and permitting release of test results to those City officials with a need to know. All minors must have a release signed by a parent or guardian.

Any job applicant who refuses to submit to, or tampers with a post-offer drug or, if applicable, a post-offer alcohol test will be denied employment with the City.

Employees who are being transferred, promoted, or demoted into a safety sensitive position from a non-safety sensitive position will be required to submit to a drug test and may be required to undergo an alcohol test.

All information from an applicant's drug or alcohol test is confidential and subject only to the disclosure provisions described in these Personnel Policies or otherwise required by law.

Final candidates subject to drug or alcohol testing will be denied employment with the City if a positive test result is reported.

The City will pay the expense of the City-required drug and alcohol tests.

Final candidates for those safety sensitive positions who operate or may operate a commercial motor vehicle and hold a commercial driver's license shall be required to execute an authorization for the City to obtain information from their previous employers. The information which may be requested are the employee's alcohol tests with a concentration result of 0.04 or greater, positive controlled substances test results, and refusals to be tested, within the preceding two (2) years. The information must be obtained and reviewed by the City Clerk. If it is not feasible to obtain the information prior to the driver performing safety sensitive functions, the City may permit the driver to perform safety sensitive functions for up to and only including (14) days, before obtaining the information shall be required or driving permissions revoked or other actions up to including termination being implemented. The City's policy conforms to the federal requirements established for alcohol and drug testing of all safety sensitive employees as set out in the Omnibus Transportation Employee Testing Act of 1991, Public Law 102-143, Title V.

3-105.4 DRIVING RECORD

For positions that include driving in the job requirements, an individual's driving record may be a factor in consideration for employment.

3-106 APPOINTMENT

Applicants for all positions shall be appointed by the City Manager upon recommendation by the Department Head.

3-106.1 RESIDENCY REQUIREMENTS

Employees in non-exempt positions whose positions require them to be available for callback in a reasonable length of time, have six (6) months from the date of hire to reside and remain so residing within callback distance.

Callback distance is to be defined in policies created by individual departments in conjunction with the City Manager. If the employee is making a reasonable effort to comply, but due to extenuating circumstances has not been able to relocate, the City Manager may grant an extension for a length of time to be determined in conjunction with the Department Head.

3-106.2 TYPES OF APPOINTMENT

The City has established the following types of positions:

FULL-TIME: A position regularly scheduled for year-round employment that includes a minimum of thirty (30) hours in a standard workweek of seven (7) days

PART-TIME: A position that the duties and responsibilities require a person to work an average of less than thirty (30) hours per week in a standard workweek of seven (7) days. The job may be for a specified period of time or indefinitely.

TEMPORARY/SEASONAL: A position which is scheduled to fill job requirements which occur intermittently for a program, project, or during certain times of the year. The anticipated date of separation is known prior to commencement of employment. During the period of employment, hours of work may vary according to job requirements, but generally are based on a forty (40) hour workweek schedule.

3-107 DOCUMENTATION

Individuals must not begin any typical job duties associated with their position, excepting any applicable pre-employment orientation or training (for which they will not be compensated), before completing and signing all personnel forms and being placed on the payroll or having their pay officially adjusted pursuant to a transfer or demotion.

Supervisors who allow individuals to work for the City in an employee role prior to ensuring compliance with the above will be subject to disciplinary action up to and including termination.

- Individuals must complete Form DR-0004 and Form W-4, Employee's Withholding Allowance Certificate.
- Individuals must meet the requirements, furnish appropriate documentation, and complete Form I-9, Employment Eligibility Verification, as required by the U.S. Department of Justice, Immigration and Naturalization Service.
- Individuals must complete other forms and documents necessary to employment.
- A Payroll Change Notice stating the position, effective date, salary amount, and other relevant information must be completed and signed by the Department Head, City Clerk, and City Manager.

3-108 DISQUALIFICATION OF APPLICANTS

Applicants may be disqualified from consideration for appointment to a position for several reasons including, but not limited to:

- The individual does not meet the requirements established for the position.
- The individual cannot, with or without reasonable accommodation, perform the essential functions of the job.
- The individual has a job-related criminal conviction record.
- The individual has a poor work record or has had previous, unsatisfactory employment with the City and/or elsewhere.
- The individual has an unfavorable interview or receives an unfavorable reference check.

- The individual has falsified information on the application form, has failed to submit an application correctly, or has failed to submit an application prior to the published closing date.
- The individual has used or attempted to use bribery or other unethical means to obtain an advantage in the selection process.
- The individual has inadequate training, education, work experience, or skill levels as compared to other applicants for the position.
- The individual fails to pass required tests or examinations.
- Conflict of interest/nepotism/relationship with employee in same department
- The individual has a poor driving record and driving a vehicle is a requirement of the position. For the purposes of this section a poor driving record shall be defined as:
 - a) A conviction for driving under the influence or while impaired by alcohol or drugs, vehicular homicide, manslaughter or assault, reckless or careless driving, hit and run, driving under suspension or revocation, fleeing or eluding a police officer, chemical test refusal, leaving the scene of an accident, passing a stopped school bus, or any other major or capital offense;
 - b) More than two (2) at-fault or chargeable accidents showing up on a record or otherwise not properly disclosed during the most recent five (5) year period;
 - c) Conviction of more than three (3) ordinary traffic violations showing up on a record during the most recent five (5) year period (speeding, failure to yield right of way, etc.); or
 - d) Conviction of more than two (2) violations within the past twelve (12) months.
- There are other more qualified applicants.

3-109 BACKGROUND REPORT

Job applicants must sign an authorization form before the City can obtain a background report and/or an investigative report. The background report will include, but not be limited to, criminal history, verifications of employment and education, and driving records. A credit report detailing personal financial history will only be obtained for permissible purposes in consideration of jobs meeting specific criteria. In the event that information from the credit report is utilized in whole or in part in making an adverse decision with regard to potential employment, before making the adverse decision, the City of Florence will provide the applicant with a copy of the consumer report and a description in writing of his or her rights under the federal Fair Credit Reporting Act.

If an individual's background check discloses a criminal history indicating they have been convicted, have pled guilty or nolo contendere to a felony, they will not be allowed to begin employment without further investigation regarding the seriousness of the felony. The final decision will be made by the City Manager with consultation from the Florence Police Chief.

3-110 PROBATIONARY PERIOD

All employees must satisfactorily, at the City's lone determination, complete a probationary period. Such probationary period applies not only to the initial appointment of a new employee, but also to any subsequent appointments in connection with a promotion or other change in position. The probationary period shall be regarded as an integral part of the selection process and shall be used for closely observing the employee's work, for securing the more effective adjustment of a new or promoted employee, and for screening out any employee whose performance or conduct is not satisfactory.

The normal period of probation is one year for police officers and six months for all other employees, though adjustments may be made if circumstances warrant by the City Manager and as noticed to the employee? Or take out normal above?

3-110.1 EXTENDING THE PROBATIONARY PERIOD

An employee's probationary period may be extended up to an additional ninety (90) calendar days if, in the opinion of the employee's supervisor and department head, the initial probationary period was not sufficient to evaluate the capability of the employee to serve in the assigned position. All requests to extend an employee's probationary period must be approved by the City Manager. Any employee whose probationary period is extended must be placed on a performance plan approved by the City Manager.



SECTION 4.

Terms of Employment

SECTION 4. TERMS OF EMPLOYMENT

ARTICLE 4-101	POSITION CLASSIFICATION
ARTICLE 4-102	WORK SCHEDULES
ARTICLE 4-103	ATTENDANCE AND RECORD KEEPING
ARTICLE 4-104	WORK RELATED EXPENSES AND TRAVEL POLICIES
ARTICLE 4-105	SEAT BELT POLICY
ARTICLE 4-106	IMMUNIZATIONS
ARTICLE 4-107	CELL PHONE POLICY
ARTICLE 4-108	USE OF PERSONAL VEHICLE
ARTICLE 4-109	USE OF VEHICLES ON CITY BUSINESS
ARTICLE 4-110	USE OF CITY EQUIPMENT FOR BUSINESS REASONS
ARTICLE 4-111	CUSTOMER SERVICE
ARTICLE 4-112	WORKPLACE SEARCHES

4-101 POSITION CLASSIFICATION

The City has established and maintains a position classification pay plan for the purposes of achieving internal equity between positions in the City. The classifications are made by evaluating the duties and responsibilities of the City positions as well as the requisite skills and qualifications needed to satisfactorily perform the job.

4-102 WORK SCHEDULES

4-102.1 Work Weeks and Normal Work Schedule

- All position work weeks begin Saturday at 12:00 AM
- Department Heads are responsible for establishing normal work schedules (days and times for scheduled work) for all positions.

4-102.2 HOURS OF WORK

The City has three (3) established types of positions:

- **FULL-TIME:** A position regularly scheduled for year-round employment that includes a minimum of thirty (30) hours in a standard workweek of seven (7) days
- **PART-TIME:** A position that the duties and responsibilities require a person to work an average of less than thirty (30) hours per week in a standard one (1) week work period of seven (7) days. The job may be for a specified period of time or indefinitely. Part time employees are not eligible for organizational benefits.
- **TEMPORARY/SEASONAL:** A position which is scheduled to fill job requirements which occur intermittently for a program, project, or during certain times of the year. The anticipated date of separation is known prior to commencement of employment. During the period of employment, hours of work may vary according to job requirements. Temporary/Seasonal employees are not eligible for organizational benefits.

4-103 ATTENDANCE AND RECORD KEEPING

All Department Heads shall be required to maintain current work schedules for all employees under their supervision. Regular and punctual attendance at work shall be required of all employees. Employees are to be present at work during all regularly scheduled hours, unless arrangements in accordance with leave policies (see Section 6, Leave Time) have been made. Leaving messages with other employees or on a voice mail is not considered providing proper notification of absence or tardiness. Unexcused absence and/or tardiness shall be reasons for disciplinary action.

Assignment of scheduled working hours shall be made by the employee's Department Director or designee. The employee shall use established administrative procedures for recording and reporting all attendance.

4-103.1 BREAK POLICY

All non-exempt employees, except Police Officers, may have a one (1)-hour unpaid lunch period and thirty (30) minutes of paid break time to be divided equally between morning and afternoon. Department Heads will establish the break policies for their departments in accordance with these guidelines. Lunch periods and break times for Police Officers shall be as defined by departmental policies and procedures.

4-103.2 TIME REPORTING

Timekeeping records constitute the basis for payment of wages and City-authorized paid leave practices (vacation, sick, or compensatory leaves). This policy is intended to promote the efficient processing of payroll. Accurate and timely recording and reporting of time worked is essential. This policy applies to all employees (e.g. full-time, part-time, and temporary/seasonal, exempt and non-exempt) for the recording and reporting of City-authorized leave and to non-exempt employees for the recording and reporting of actual hours worked. The City of Florence retains the right to apply the appropriate level of discipline as circumstances require for noncompliance of the timekeeping policy.

Employees and their supervisors share responsibility to accurately and timely account for time worked and paid leaves. Both employees and their time approvers may be held accountable using disciplinary action, up to and including termination, for misrepresentations of time worked.

All non-exempt employees must record time and attendance via timesheets. Exempt employees only need to record attendance (i.e. if leave of any kind was taken) via timesheet.

It is the responsibility of each non-exempt employee to fill out their timesheet at the beginning and end of each scheduled workday in order to be accurately and completely compensated for the time worked, meal periods, and/or leaves for each pay period.

Employees and supervisors should review their timesheets on, at minimum, a weekly basis to ensure accurate recording and to expedite processing and approval of timesheets at the end of each pay period.

Non-exempt employees must take a thirty (30) minute lunch each day and notate it on their timesheets. Employees should notify their supervisor immediately if their lunch is less than thirty (30) minutes or is interrupted by work.

Non-exempt employees leaving for personal reasons during the day notate when they leave and when they return on their timesheet.

Employees should notify the Finance Director or City Manager immediately if they believe anyone is interfering with their ability to record their time accurately and completely.

Any falsification or misrepresentation of time and attendance information may result in disciplinary action, up to and including termination. Employees and supervisors are responsible for ensuring that the work and leave time is reported accurately for each pay period and to validate this by approving the employees' timesheet. Intentional errors in reporting hours worked and/or knowingly approving such intentional errors can result in progressive discipline up to and including termination for all individuals involved.

4-103.3 OVERTIME AUTHORIZATION AND ELIGIBILITY

4-103.3.1 Non-Exempt Positions

Certain positions are classified as non-exempt positions and are subject to the Fair Labor Standards Act. All regular, part-time, and temporary/seasonal positions except for those classified as exempt positions are considered non-exempt. Employees working in those positions shall track their timeworked in quarter-hour (15 minute) increments.

Employees shall not be permitted to work in excess of their normal work scheduled except when an emergency exists or overtime work is necessary to carry out normal and essential services of the City and is so assigned by their supervisor. All overtime shall be pre-approved by the employee's supervisor. Employees who work in excess of their normal work schedule without the approval of their supervisor may be subject to appropriate disciplinary action, up to and including termination.

Non-exempt employees shall be paid overtime pay for hours worked over forty (40) in a workweek. EXCEPTION: Police Officers shall be paid overtime pay for hours worked over eighty (80) in a two-week work period.

Overtime pay is one and one half (1.5) times (150% of) the employee's hourly rate. Alternatively, overtime may be compensated with compensatory time off at one and one half (1.5) times the hours worked at the request of the employee and with the approval of the employee's immediate supervisor or the Department Head. Employees may accrue a maximum of twenty-four (24) hours compensatory time (non-cumulative). The use of compensatory time must be approved in advance by the employee's immediate supervisor. Compensatory time must also be tracked through payroll on a timesheet so that the City may be able to determine when compensatory time has been used and/or accrued.

Hours worked are hours that employees are actually at work in a given week. Therefore, sick time, vacation time, holiday pay, and/or other paid or unpaid leave time is not included when calculating overtime.

Overtime pay and/or compensatory time off is paid/accrued in fifteen (15) minute increments.

4-103.3.2 Exempt Positions:

Certain positions are classified as exempt positions and are not subject to the overtime provisions of the Fair Labor Standards Act. Other positions may come to be considered as exempt status as their duties and responsibilities change. The City Manager will be responsible for making those determinations based on standards set out in the FLSA.

Employees in exempt positions are expected to accomplish the duties and responsibilities of their position during a normal work schedule that has been set out by their supervisor. However, it is anticipated that exempt employees will experience periods during which it will be necessary to work in excess of forty (40) hours per week.

At no time are exempt employees compensated for time worked in excess of forty (40) hours per week.

Exempt employees may take reasonable amounts of time off, not to exceed four (4) hours at a time, without using vacation or personal leave as long as it does not interfere with performance of their duties and responsibilities.

4-104 WORK RELATED EXPENSES AND TRAVEL POLICIES

4-104.1 POLICY

The purpose of this policy is to provide budgetary guidelines and procedures for reimbursement of expenditures for employees conducting business on behalf of the City of Florence. All reasonable costs associated with travel and training will be paid in advance, through city credit card, advance check, advance cash, or reimbursement with receipt.

4-104.2 TRAVEL AUTHORIZATION

For travel more than 50 miles from Florence City Hall, a "Travel Request/Expense Form" must be approved by the employee's supervisor prior to the travel occurring.

4-104.3 TRAVEL REQUEST/EXPENSE FORM

The Travel Request/Expense form should present all known costs associated with the trip, even if some items are prepaid or will be paid using a City credit card and are not being requested as part of the cash advance. Upon return from a business trip, appropriate receipts shall be attached to the expense form. Claimed expenses without receipts may not be reimbursed. If a travel cash advance is requested, a Travel Request/Expense form must be submitted to the Finance Department as soon as possible, preferably at least fourteen (14) days prior to the departure date.

4-104.4 REIMBURSABLE EXPENSES

The most reasonable method of travel, as can be reasonably predicted given the circumstances, will be used based on time, money, and location.

4-104.4.1 Ground Transportation

- City vehicle - should be used whenever possible. The cost of gasoline, maintenance, or repair, if needed, will be reimbursed for City vehicles used to travel outside of the immediate area. Receipts are required.
- Private vehicle - usage will be reimbursed based on actual mileage from Florence City Hall, at the rate determined by the Internal Revenue Service. Employees who receive a car allowance are not eligible for reimbursement for travel within the immediate area.
- Rental Car – is allowed only if adequate shuttle or local transportation is not reasonable. Prior approval must be obtained through the "Travel Request/Expense Form" for reimbursement and should be prepaid through a City credit card. Receipts are required.
- Other Ground Transportation Cost – incidental travel costs such as parking and toll fees are reimbursable with receipt.
- The most reasonable method of ground transportation including shuttle, mass transportation, taxi, ride shares, or rental car shall be utilized after flying into a location.

4-104.4.2 Airfare

Airline tickets should be prepaid utilizing a City credit card. Authorization will be given for the most economically available flight to and from the travel destination. Travel may be extended if the savings on airfare is greater than the total cost of the additional day's lodging, meal allowances, and salary, as applicable. If there is a net savings, the City will pay, as applicable, for the additional day's lodging, meal allowances, and salary.

4-104.4.3 Lodging

Lodging will be paid for the nights the person is on City business, including "travel days." Lodging generally includes the cost of a single room and any applicable taxes and governmental charges, but does not include personal items such as movies, etc.

Additional charges due to a guest such as a spouse staying in the room shall be fully paid by the individual. Employees shall be required to obtain approval from their supervisor if they will be accompanied by a guest(s) while traveling, regardless of if any additional expenses are incurred by the presence of said guest(s).

The most reasonable method of lodging will be used based on location and price. Conferences hotels are preferred, if available.

4-104.4.4 Meals

Meals will be reimbursed based on the Per Diem Rates established by the Internal Revenue Service (see IRS publication #1542). For partial days of travel or those receiving meals as part of the registration, the meal allowance is broken down by meal, including tips, as follows:

Example:	Area Per Diem Rate	\$42.00
Breakfast	20%	\$ 8.40
Lunch	30%	\$12.60
Dinner	50%	\$21.00

Purchase cards may be used to pay for traveling and meal expenses while away conducting City business. If an employee's purchasing card is utilized to pay for meal expenses, the employee will not be reimbursed with the IRS per diem rates for these meals and must repay to the City any cash advanced received for these meals. Prior to travel, employees are required to know the meal allowance for the city nearest the travel destination on the IRS publication #1542. Should an employee purchase a meal(s) exceeding the allowance set forth by the IRS, the employee shall be required to pay the difference to the restaurant at the time of purchase. Any employee failing to pay this difference may be subject to disciplinary action.

Alcoholic beverages are not an allowable expense and shall never be paid for with a City purchasing card, nor should they be shown on any city receipt.

4-104.4.5 Registration

The cost of registration is generally a prepaid expense. Payment for entertainment-type activities that incur additional registration fees is the responsibility of the employee.

4-104.5 ALLOWABLE EXPENDITURES WITHIN A FIFTY (50) MILE RADIUS OF FLORENCE CITY HALL

4-104.5.1 Mileage

Mileage expense to local seminars and training sessions will be reimbursed at the current mileage rate set by the Internal Revenue Service only when a City owned vehicle is not available. Employees receiving a car allowance are not eligible for reimbursement for mileage within the immediate area.

4-104.5.2 Parking and Toll Fees

Parking and toll fees for business activities are reimbursable. Receipts are required for reimbursement.

4-104.6 COMPENSATION OF TIME

While traveling, employees will be compensated for time which solely benefits the City. In most cases, this will be actual time spent traveling to and from the destination and time devoted to training and/or work at the destination.

4-104.7 VOLUNTARY EXTENSION OF TRAVEL

Employees electing to extend a trip of their own volition will be required to schedule, and be granted in advance, appropriate leave, and shall be responsible for all of their own expenses owing to any such extension. In the case of travel utilizing airline tickets, should an employee elect to extend a trip of their own volition, the City will pay only a maximum of the cost of the airline ticket for which the City would have been responsible had the trip not been extended. The employee will be solely responsible for any additional airline ticket costs. Travel may only be extended in this manner with approval of the employee's Department Head and the City Manager.

4-104.8 RESPONSIBILITY FOR ENFORCEMENT

Department Heads are responsible for enforcement of this policy within their departments and for ensuring compliance of the specified procedures prior to reimbursement.

4-105 SEAT BELT POLICY

All City employees are required to use the appropriate passive restraint and/or seat belt when operating a motor vehicle in connection with City business regardless of whether or not they are operating a City-owned vehicle or using their own personal vehicle to perform City functions.

4-106 IMMUNIZATIONS

Immunizations that are deemed necessary by the City Manager for specific positions will be paid for by the City.

4-107 CELL PHONE POLICY

The purpose of this policy is to provide guidelines and procedures to ensure that cellular phones and similar devices and related equipment and services are acquired and used in the best interests of the City while concurrently complying with Internal Revenue Service requirements regarding the taxability of fringe benefits.

For purposes of this policy, cellular phones are portable communication devices such as, but not limited to, cellular phones and hybrid cellular phones such as tablet devices, or radio-phone devices such as satellite phones, walkie-talkies, etc.

4-107.1 SCOPE

This policy applies to all employees who have been provided with a cellular phone by the City of Florence. Such phones are owned and paid for by the City which are issued to employees for business use.

4-107.2 OPTIONS

The City reserves the right, at its sole discretion, to determine which cell phone option, device, and carrier will be provided to the employee in order to maintain established business practices, required job functions, and compatibility with the City's information technology structure and support.

4-107.3 Approval

Issuance of all City-owned phones and/or related equipment and services must be approved by the Department Head, Finance Director, and City Manager.

4-107.4 City Responsibilities

City issued cellular phone and/or related equipment and services will be obtained by, paid for, and owned by the City.

4-107.5 Employee Responsibilities

Employees are responsible for the care of their City issued cell phone and related equipment and services.

Employees are required to immediately (by the next business day if not possible before) report the damage, loss, or theft of City issued cell phones and related equipment to their department and must immediately contact the service provider to prevent unauthorized use. In the event of theft, a copy of a police report must accompany a request for a replacement phone.

4-107.6 Reimbursement for Employees with City Issued Phones

Employees with a City-issued phone may not receive reimbursement for business use of their personal cellular phone.

4-107.7 REIMBURSEMENT FOR BUSINESS MINUTES USED

Reimbursement may occur when an employee uses their personal cellular phone for infrequent City business use and is reimbursed for the business minutes used. Employees with a City-issued phone are not eligible for reimbursement for business minutes used.

Employees wishing to receive reimbursement of business minutes used should obtain departmental approval prior to using personal cell phones for City business purposes. Personal cell phone use for City business should be limited to only necessary and immediate needs and should only be done when land-line phones are not available. Departments have the right to review, question, and limit reimbursement requests of employees' cell phone charges.

4-107.8 "POOL" PHONES

A "pool" phone is a phone assigned to a vehicle or a function within a department, rather than to an individual employee. For example, a phone that is assigned to the Public Works "after hours" function.

Personal use of pool phones is strictly forbidden, and any incidental use must be reimbursed by the employee, and may be subject to disciplinary action. Departments are responsible for monitoring all calls on pool phones to determine if personal use has occurred.

4-107.9 USE WHILE DRIVING

Any employee driving on City business, whether using a City owned vehicle or personal vehicle, is prohibited from using any cell phone or other electronic device for purposes of conversations, texting, or reviewing information. This prohibition applies even if the individual has a hands-free device with which to make phone

calls or the vehicle has automated features that may allow employee to drive “hands-free.

4-108 USE OF PERSONAL VEHICLES

4-108.1 MILEAGE REIMBURSEMENT FOR USE OF PERSONAL AUTOMOBILE

Individuals shall be compensated for using their personal vehicle for authorized City business. Persons claiming a reimbursement should document the necessary information on the appropriate form to their Department Head. Individuals will be reimbursed at the prevailing per-mile rate of the federal government.

4-108.2 AUTOMOBILE ALLOWANCES

Automobile and vehicle allowances may be authorized for designated employees on a need basis by the City Manager.

4-109 USE OF VEHICLES ON CITY BUSINESS

The following regulations must be adhered to by all employees who operate vehicles (personal or City-owned) on City business:

- a) All employees who operate vehicles on City business must have a valid driver’s license that entitles them to drive the class of vehicle they are assigned to operate. Employees are responsible for knowing and abiding by all state and local motor vehicle laws, including the latest amendments. This includes wearing seat belts at all times.
- b) Employees are responsible for paying fines for traffic violations, whether such fines arise from the operation of a vehicle on City business or otherwise. The City will not reimburse employees for such fines. Employees are also responsible for any damage to their personal vehicle even if that damage occurs while operating the vehicle on City business.
- c) Employees who drive vehicles on City business must immediately report to their supervisors any on-duty traffic citation, moving violation, driver’s license suspension, driving under the influence citation, or motor vehicle accident. Employees who drive vehicles on City business must report any off- duty driving under the influence citation or conviction, driver’s license suspension, or moving violation by the next regular work day of when such charge, conviction, suspension, or moving violation occurred.
 - i) Employees whose driving privileges are suspended will be required to report to work on their regular schedule and will be assigned work on an as-available basis, subject to any disciplinary action. This work may be in other divisions of the department. If work is not available, employees will be sent home without pay. Employees will be compensated at their regular hourly rate for actual hours worked.
 - ii) Employees who drive as an essential function of their position and whose driving privileges are suspended shall be subject to disciplinary action up to and including termination.
- d) Annual checks of Motor Vehicle Records will be performed for all current employees.
- e) Employees who are required to use a City-owned vehicle for transportation from home to work (take-home vehicle) must have prior authorization from the City Manager. The use of City-owned vehicles by City

employees must conform to the regulations as outlined by the Internal Revenue Service (IRS 1.274-57), that qualify them as “non-personal use vehicles”. The City Manager and the appropriate Department Head will employ criteria, such as the following, when determining if a City- owned vehicle shall be used:

- Vehicle assignment during duty hours;
 - Frequency of “call-back” duty;
 - Placement on emergency call lists;
 - Requirement of inspection of facilities/activities during off-duty hours;
 - Special equipment on the City vehicle;
 - Use of unmarked law enforcement vehicles;
 - Radio monitoring activities;
 - Location of employee’s residence; and
 - Any other criteria determined to be applicable by the City Manager and the appropriate Department Head.
- f) Employees shall report any damage to City-owned vehicles or equipment to their supervisor immediately. Employees shall inspect and report any vehicle deficiencies or unsafe equipment to their supervisor and subsequently secure approval to operate it before driving the vehicle.
- g) Employees are expected to use City vehicles and equipment in a safe and responsible manner. If an employee intentionally or through gross negligence causes unjustifiable damage to a City vehicle or equipment, they may be subject to disciplinary action up to and including termination. Employees are expected to keep their work vehicle and equipment in a neat and tidy manner. All vehicles belonging to the City are subject to inspection at any time without notice and no employee using or acting as a passenger in a City vehicle has any expectation of privacy while in that vehicle.
- h) Employees shall not use City-owned vehicles for personal use.

4-110 USE OF CITY EQUIPMENT FOR BUSINESS REASONS

Employees are expected at all times to use City equipment in a safe and responsible manner. If an employee intentionally or through gross negligence causes damage to City equipment, they will be expected to reimburse the City for the cost to repair or replace the equipment and may be subject to further disciplinary action.

Employees are expected to keep their work areas and equipment in a neat and tidy manner.

4-111 CUSTOMER SERVICE

Employees should always have as their goal to make every customer contact (whether inside or outside the organization) as positive as it can be.

Employees shall make every effort to ensure that customers obtain the requested information with a minimum of hassles, phone transfers, and red tape. Employees shall follow up with the fellow employee or with the customer to ensure that they received what was needed.

4-112 WORKPLACE SEARCHES

The City of Florence reserves the right to search any employee's office, desk, files, locker, or any other area or property on City premises. All offices, desks, files, lockers, and equipment are the property of the City and are issued for the use of employees during and for their employment with the City. Inspections may be conducted at any time and employees shall have no expectation of privacy in the possession or use of such property. The City further reserves the right to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from City of Florence property as permitted by law, in an attempt to safeguard the property of the City of Florence and its employees and to help prevent the possession, sale, and use of illegal drugs or any other illegal or improper activity on City premises.



SECTION 5.

Compensation and Benefits

SECTION 5. COMPENSATION AND BENEFITS

ARTICLE 5-101	COMPENSATION SYSTEM
ARTICLE 5-102	DEFINITIONS
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5-101 COMPENSATION SYSTEM

The City of Florence's ability to attract and retain qualified employees is predicated on the ability to implement clear, consistent compensation practices that are compliant with appropriate rules, regulations, and statutes, and in-line with similar communities. The City strives to set competitive salaries that are commensurate with the City's financial capabilities, to reward and incentivize exceptional employee performance, and to maintain internal equity and fairness.

In accordance with federal guidelines, enforced by the Equal Employment Opportunity Commission (EEOC), it is unlawful to knowingly or unknowingly discriminate in pay or application of employment practices, and therefore all salary decisions must be made without regard to race, color, religion, sex (including gender identity and sexual orientation), pregnancy status, marital status, parental status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or other non-merit based factors.

The City's compensation plan applies to all full-time and part-time positions of the City.

5-102 DEFINITIONS

- **CHANGE OF STATUS:** Occurs when an individual experiences any change to position or salary due to being hired, transferred, receiving a performance increase, or their position being reclassified or re-graded. A written notice of the change of status must be completed and approved by the Department Head, City Manager, and City Clerk for every change of status.
- **LATERAL TRANSFER:** Occurs when an employee changes from one position to another within the same salary range.
- **MARKET ADJUSTMENT:** The percentage of adjustment made to the overall pay plan structure based on factors including but not limited to changes in the cost-of-living; changes in salaries and benefits in the City's peer groups; changes in the cost of employee benefits; and the City's financial condition. Market

Adjustments made to the overall pay plan structure are subject to approval by the City Council.

- **MERIT INCREASE:** The percentage of salary increase that an employee receives as a result of their performance evaluation. The overall merit pool is subject to appropriation in the annual budget as approved by the City Council.
- **PEER GROUP:** For the purposes of this Section, peer group means the groups of cities and utilities in close proximity to the City of Florence utilized for salary and benefit comparison purposes.
- **PERFORMANCE EVALUATION DATE:** The date of an individual's scheduled performance evaluation.
- **POSITION CLASSIFICATION:** The salary range within the pay plan into which a position is placed according to organizational fit, internal equity, labor market conditions, and the position evaluation process.
- **PROMOTION:** The upward movement of an employee into a new or existing position in a higher pay range.
- **RE-CLASSIFICATION:** The upward or downward movement of a position into a new or existing pay range in recognition that the duties, responsibilities, and qualifications of an existing position have substantially changed over time to the extent that the position no longer resembles others of its class.
- **RE-GRADE:** The upward or downward movement of a position into a new or existing pay range in recognition that the value of an existing position has substantially changed due to labor market conditions or internal equity considerations (not due to changes in job duties, responsibilities, or qualifications).
- **SALARY ADJUSTMENT:** Any alteration of an individual's salary.
- **SALARY RANGES:** Pay classifications based on position characteristics (background requirements, level of responsibility, mental and physical demands, and working conditions), market value, organizational fit, and the City's ability to pay. Salary Ranges require City Council approval.
- **TRANSFER:** Movement of an employee into a new or different position.

5-103 DETERMINING PAY FOR POSITIONS

Salary ranges for all full-time and part-time positions are established through a job evaluation process and studies of internal and external equity. When a new position is developed or an existing position has significantly changed in duties or responsibilities, the position will be evaluated based on technical and professional skills; management ability; ability to work with, influence, and motivate people; scope of problems faced; complexity of solutions; freedom to take actions; scope of responsibility; and impact on the City. Salary is determined based on the position evaluation and internal and external equity. Salaries ranges are reviewed and established by the City Council on an annual basis.

Hourly rates for part-time and temporary/seasonal positions are based on the market and on comparable wages for similar full- and part-time positions.

5-103.1 POSITION EVALUATION PROCEDURES

5-103.1.1 PURPOSE

The purpose of the Position Evaluation Procedure (PEP) is to provide a consistent tool to fairly and objectively determine the appropriate salary range for positions within the City organization. Under the PEP, the position will be evaluated based on technical and professional skills; management ability; ability to work with, influence, and motivate people; scope of problems faced; complexity of solutions; freedom to take actions; scope of responsibility; and impact on the City. This procedure should be used for:

- a) Determining a salary range for a new position; or
- b) Re-evaluating a current position for which responsibilities have changed (re-classification)

While the PEP itself is consistent for all positions, it is important to recognize that the PEP process cannot eliminate all subjectivity. The PEP is intended to provide a “value” for the position within the parameters of the process. For existing positions, the information gathered during the PEP may show that the position is in a high, low, or appropriate salary range

It is important to remember that the purpose of the PEP is to evaluate the position, not the individual currently occupying the position. Evaluation of individuals should be performed during the performance evaluation process. Further, the PEP is not intended as a method to provide an increase to an employee who has reached the top of their salary range and should never be utilized solely for this purpose.

5-103.1.2 PROCEDURE

The PEP consists of several phases:

- a) Initiation of the evaluation;
- b) Studying and re-writing, if necessary, the job description;
- c) Gathering market data;
- d) Performing a job factor evaluation;
- e) Evaluating organizational fit of the position; and
- f) Making a salary range determination that equitably incorporates the information into the position classification system.

5-103.1.3 INITIATING A POSITION EVALUATION

The PEP can be initiated for two (2) different reasons:

- a) Salary determination for a new position; or
- b) Re-evaluation of a current position for re-classification determination

A PEP request may be made by the position’s supervisor or Department Head at any time. PEP requests for existing positions should clearly detail why the requestor believes a PEP to be necessary. All PEP requests must be approved by the appropriate Department Head and submitted to the City Manager for determination if a PEP is warranted.

5-103.1.4 JOB DESCRIPTION

Following approval to perform the PEP, the first phase of the PEP is to write a job description (if it is a new position), or to review the current job description. This is the responsibility of the position’s supervisor. For existing job descriptions, any new duties or responsibilities must be specifically cited and/or highlighted. Whenever possible, input from the employee currently occupying the position, as well as from employees who have recently occupied the position, if applicable, should be obtained as well.

The new or revised job description shall be submitted to the Department Head and the City Manager for

review of both format and content. The City Manager is responsible for final approval of the job description.

5-103.1.5 GATHERING MARKET DATA

With consult from the appropriate supervisor and/or Department Head, the City Manager or their designee shall gather the salary information necessary for comparison. Every effort shall be made to gather comparison information for a minimum of three (3) similar positions with similar responsibilities in similar organizations.

5-103.1.6 JOB EVALUATION

The job evaluation portion of this process allows for assessment of all responsibilities of the position and provides a means to compare the position to other positions in the organization. Job elements that are shared across department lines, (i.e. know how, problem solving, and accountability) should be taken into consideration during the determination process (*described in Section 5-103.1.7*).

The job evaluation shall be completed by the appropriate supervisor and/or the Department Head with consult from the City Manager.

5-103.1.7 MAKING THE DETERMINATION

The City Manager or their designee shall be responsible for summarizing the information from the updated job description, the salary survey (i.e. market data), and the job evaluation. This summary shall be utilized as a basis for a recommended salary range determination. This summary shall include justification for the determination and must incorporate information on both internal and external equity. Once the summary has been created, it shall be provided to the appropriate Department Head for their review, and the City Manager for review.

Following this review, the City Manager will determine whether to:

- Endorse the recommendation;
- Endorse the recommendation with changes; or
- Delay endorsement and request further study; or
- Deny the recommendation if unfounded

If endorsed, the City Manager shall determine the date the salary range determination shall become effective (based on budget constraints) and make a recommendation to the City Council for authorization. Following authorization by the City Council, the City Manager shall determine what, if any, changes should be made to the current salary of an individual occupying the position. In most cases, if an adjustment is approved, it will be made the first day of the pay period most immediately following completion of the process. The amount of the adjustment shall be based on internal and external equity.

5-104 NON-EXEMPT POSITIONS

Certain positions are classified as non-exempt positions and are subject to the Fair Labor Standards Act. All full-time, part-time, and temporary/seasonal positions shall be considered non-exempt, with the exception of those positions which are classified as exempt. Employees working in non-exempt positions shall track their time worked in quarter hour increments.

5-104.1 HOURS WORKED BY NON-EXEMPT EMPLOYEES

Hours worked shall be defined as actual hours worked in a given week. Therefore, sick time, vacation time, holiday pay, and/or other paid or unpaid leave time is not included when calculating overtime.

5-104.2 OVERTIME FOR NON-EXEMPT EMPLOYEES

Non-exempt employees shall be paid overtime pay for hours worked over forty (40) in a workweek.

- **EXCEPTION: Police officers shall be paid overtime pay for hours worked over eighty (80) in their scheduled two-week work period.**

Overtime pay is paid at one and one half (1.5) times (150% of) the employee's hourly rate, and is paid in fifteen (15) minute increments.

5-104.2.1 AUTHORIZATION FOR OVERTIME

All overtime shall be pre-approved by the employee's supervisor. Supervisors shall only assign work that will result in overtime when an emergency exists or overtime work is necessary to carry out normal and essential services of the City. Employees who work in excess of their normal work schedule without the approval of their supervisor may be subject to appropriate disciplinary action, up to and including termination.

5-104.3 COMPENSATORY TIME FOR NON-EXEMPT EMPLOYEES

Employees eligible to receive overtime pay may instead be compensated with compensatory time off. Compensatory time off is earned at one and a half times (1.5) (150% of) the employee's hours worked. Employees wishing to receive comp time must have approval from their supervisor or Department Head, and must communicate the details of the approved request via email directly to the Finance Director, with the approving party CCed. Employees may accrue a maximum of twenty-four (24) hours compensatory time at any given time.

The use of compensatory time must be approved in advance by the employee's immediate supervisor. Compensatory time must also be tracked through payroll so that the City may be able to determine when compensatory time has been used and/or accrued. Compensatory time must be used in one hour increments. Under no circumstances may compensatory time be utilized in a workweek where compensatory time is also earned.

5-104.4 COMPENSATION FOR CALL-INS / CALL BACKS FOR NON-EXEMPT EMPLOYEES

Non-exempt employees who are called in to work at a non-scheduled time will be paid for a minimum of two (2) hours.

5-104.5 COMPENSATION FOR ON CALL RESPONSIBILITIES FOR NON-EXEMPT EMPLOYEES

Non-exempt employees who are assigned to be on call will receive one hour of regular pay for each day they are on call plus any time actually worked. No employee may be assigned to be on call while on approved leave for that day.

5-105 EXEMPT POSITIONS

Certain positions are classified as exempt positions and are not subject to the overtime provisions of the Fair Labor Standards Act (FLSA). If the duties and responsibilities of a position change, the exemption status of the position may change accordingly. The City Manager, with consultation from the appropriate Department Head, will make those determinations based on standards set out in the FLSA.

5-105.1 HOURS WORKED BY EXEMPT EMPLOYEES

Employees in exempt positions are expected to accomplish the duties and responsibilities of their position during a normal work schedule that has been set out by their supervisor. However, it is anticipated that exempt employees will experience periods during which it will be necessary to work in excess of forty (40) hours per

week.

At no time are exempt employees compensated for time worked in excess of forty (40) hours per week. Exempt employees may take reasonable amounts of time off, not to exceed four (4) hours at a time, without using vacation or personal leave as long as it does not interfere with performance of their duties and responsibilities. Exempt employees who wish to take more than four (4) hours of leave without using vacation or personal leave must obtain written approval in advance from their immediate supervisor.

5-106 SALARY ADJUSTMENTS

5-106.1 HIRING

Starting salaries will be determined at the time of hire based on the salary range for the position, the individual's knowledge, skills, ability, and experience in the job duties and responsibilities, and the prevailing market conditions. The starting salary must be approved by the appropriate Department Head, the Finance Director, and the City Manager prior to making a job offer.

5-106.2 PROMOTION

Employees promoted to a position in a higher pay range shall receive a salary increase. The increase shall be consistent with internal and external equity, shall be based on the salary range for the position, the individual's knowledge, skills, ability, and experience in the job duties and responsibilities, and the prevailing market conditions, and shall be sufficient to bring the employee's salary at least to the minimum of the new range and not to exceed the maximum of the new range. The promotional salary must be approved by the appropriate Department Head, the Finance Director, and the City Manager prior to making an offer of promotion.

5-106.3 DEMOTION

In the event an employee is demoted to a lower classification, the resulting salary decrease, if any, shall be consistent with internal and external equity, shall be based on the salary range for the position, the individual's knowledge, skills, ability, and experience in the job duties and responsibilities, and the prevailing market conditions, and shall not exceed the maximum of the new range nor be less than the minimum of the new range. The resulting salary must be approved by the appropriate Department Head, the Finance Director, and the City Manager prior to finalizing a demotion.

5-106.4 LATERAL TRANSFERS

Employees transferred to a position in the same pay range shall have their salary evaluated for increase. Any increase shall be consistent with internal and external equity, shall be based on the salary range for the position, the individual's knowledge, skills, ability, and experience in the job duties and responsibilities, and the prevailing market conditions, and shall not to exceed the maximum of the new range. The resulting salary must be approved by the appropriate Department Head, the Finance Director, and the City Manager prior to making an offer of lateral transfer.

5-106.5 RECLASSIFICATION

Employees holding positions designated for reclassification through the PEP (see section 5-103.1) will be reclassified with the new position.

Under no circumstances shall the reclassification process be used to reward an employee who is performing well in a properly classified position but who possesses potential to perform in a higher level position which the City does not need. Additionally, reclassification shall not be utilized as a means to provide additional salary growth to an employee who has reached the top of his or her salary range. All re-classifications will be implemented in accordance with the PEP:

- Employees holding positions reclassified through the PEP shall receive an increase if the reclassification results in the position being placed in a higher pay range. The increase shall be consistent with internal and external equity and shall be sufficient to bring the employee's salary at least to the minimum of the new range and not to exceed the maximum of the new range.
- If a reclassification results in an employee's position being placed in a lower pay range, the employee's salary shall not be reduced. However, if the employee's salary is higher than the maximum salary provided for in the new pay range, the employee's salary shall remain the same at least until a change in the City's pay and classification system provides for a greater salary for the position.
- If a reclassification results in a change that leaves the position in the same pay range, the employee will receive a lateral transfer to the new position.

5-106.6 RE-GRADES

When it is determined that a position should be re-graded, the employee occupying a position that is re-graded may or may not receive a salary increase depending on the difference in current pay and the pay recommended. The increase shall be consistent with internal and external equity and shall be sufficient to bring the employee's salary at least to the minimum of the new range and not to exceed the maximum of the new range.

Employee salaries that are less than the newly established range minimum for the position shall be brought to at least the range minimum in the first pay period in which the salary range is effective.

If a re-grade results in an employee's position being placed in a lower pay range, the employee's salary shall not be reduced. However, if the employee's salary is higher than the maximum salary provided for in the new pay range, the employee's salary shall remain the same at least until a change in the City's pay and classification system provides for a greater salary for the position.

5-106.7 SALARY EQUITY ADJUSTMENTS

Departments may not create situations where intentional pay inequities occur. If circumstances inadvertently create a potential salary inequity or a salary compression issue between employees in comparable positions, the City Manager may recommend pay adjustment (s) to maintain internal pay equity.

Salary equity adjustments shall not exceed the maximum of the salary range. All salary equity adjustments are approved by the City Manager, after consultation with the Finance Department.

5-106.8 WORKING OUT OF CLASS

Any employee who is temporarily designated to work longer than ten (10) consecutive working days in a position in a salary range with a higher maximum salary than their own will be compensated based on internal and external equity for the position assignment. The employee will be at least at the minimum of the new range and in no case shall they be above the maximum of the new range while performing in the higher salary range. The salary change must be approved by the appropriate Department Head, the Finance Director, and the City Manager, and will be back dated to the first day of the assignment. No employee shall be assigned to a higher-level position entitling them to "working out of class" pay without approval of the City Manager.

5-106.9 EFFECTIVE DATE

All salary adjustments become effective on the date the change of status occurs. Every reasonable effort shall be made to align effective dates with the start of a pay period.

5-107 ECONOMIC ADJUSTMENTS

Employees may receive a salary increase when a market adjustment is made to either their job classification or to the overall pay plan structure. Economic market adjustments will be based on several factors including, but not limited to,

changes in the cost-of-living; changes and/or increases in salaries and benefits in similar cities for similar municipal job classifications; changes and/or increases in the cost of employee benefits; and the city's financial condition.

Based on an analysis of the market factors by the Finance Department and upon the recommendation of the City Manager, the City Council may determine if there should be a general economic adjustment to the salary range structure and set the percentage of increase. Generally, adjustments to the salary ranges will take place at the beginning of the new fiscal year; however, the City may determine that a general adjustment to the ranges may begin at some other date as the City Council may determine.

5-108 MERIT INCREASES

Any merit pay increases based on performance shall be effective January 1 of the following fiscal year. Merit increases are granted based on the employee's performance evaluation, however, the performance evaluation may or may not result in a merit increase depending upon performance and available budgetary resources.

Details of the performance evaluation format and process shall be set by Administrative Policy.

5-109 ADMINISTRATIVE PAY CORRECTIONS

The City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event of a pay-related error (including, but not limited to an improper amount of pay received or an improper payroll deduction), the employee should promptly bring the discrepancy to the attention of their Department Director so that corrections can be made as quickly as possible.

5-110 INSURANCE BENEFIT PLANS

The City of Florence offers a comprehensive benefits package with a variety of plan choices for full time employees.

In the event that information regarding benefit plans provided in this Handbook should conflict with actual terms and conditions of coverage, the actual terms and conditions shall govern.

5-110.1 Medical, Dental, and Vision Insurance Plans

5-110.1.1 Eligibility

All full-time employees and their qualified dependents are eligible to participate in the health, dental, and vision plans offered by the City. Elected officials may participate at full cost.

5-110.1.2 Effective Date upon Hiring

Eligible employees must enroll or waive enrollment within ninety (90) days of the date of hire. Any employee who does not enroll within ninety (90) days of their date of hire will not be eligible to enroll until the next open enrollment, unless they experience a qualifying life event.

5-110.1.3 Cost

Monthly employee costs depend on both the coverage (health, dental or vision) and the specific plan selected. The Florence City Council shall annually determine the amount to be paid by the City for full-time employees for each of these coverages (health, dental, and vision) and for specific plans, if applicable. All premiums are deducted pre-tax, as allowed by the Internal Revenue Service.

5-110.2 Disability and Personal Accident, and Life Insurance Plans

5-110.2.1 Eligibility

All full-time employees are eligible to participate in the disability and personal accident plans offered by the City. Disability and Personal Accident Plans are optional coverages.

5-110.2.2 Available Plans

- Short Term Disability Plan – This plan helps to replace an employee’s salary for a limited period of time for a covered disability.
- Long Term Disability Plan – This plan helps to replace an employee’s salary for an indefinite period of time for a covered disability.
- Personal Accident Insurance Plan – This plan provides payments in the case of accidental death or dismemberment. This plan is available to eligible dependents as well, at group rates.
- Life Insurance – This plan provides an employee with term life insurance coverage.

5-111 RETIREMENT BENEFITS

The City of Florence offers a pension plan for full time, sworn Police Officers, and a retirement plan for all other full time employees.

5-112 OTHER BENEFITS

5-112.1 UNIFORMS AND SAFETY EQUIPMENT

Whenever the City requires the use of uniforms or safety equipment, the City will pay for the purchase, maintenance, and warranted replacement of said uniforms and/or equipment (except laundry and dry cleaning). Specific uniform allowances and amounts will be recommended by Department Heads and approved by the City Manager.

5-112.2 DIRECT DEPOSIT

Employees are eligible to participate in the City’s direct deposit program. The direct deposit program enables the deposit of all or a portion of an employee’s net pay to be made in the employee’s choice of financial institutions. The deposit is accomplished through an electronic funds transfer and is typically available in the employee’s designated account on the morning of the normal payday. The City has no responsibility or liability for the deposits once they are made to the designated account. Direct deposit forms are available from the Finance Department.



SECTION 6.

Leave Time

SECTION 6. LEAVE TIME

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6-101 TYPES OF LEAVE

The following types of leave are allowed for full-time and part-time employees:

- Holidays
- Vacation
- Sick
- Medical
- Jury Duty
- Voting
- Bereavement
- Military (Reserves and Active Duty)
- Domestic Abuse
- Leave of Absence (Personal)
- Administrative

Temporary/seasonal employees are not eligible for paid leave.

6-102 GENERAL PROVISIONS

Employees should complete a leave request utilizing the City's approved form as far in advance as possible. All leave requests must be approved in the payroll system prior to the bi-weekly processing of payroll for the pay period in which the leave was taken.

All leave time shall be recorded to the nearest quarter hour (fifteen minutes).

Benefit continuation varies depending on the type of leave.

No employee shall be permitted to use any leave time for participating in any unlawful workstoppage.

At no time shall any employee in an exempt position be docked pay for any part of one workingday.

6-103 HOLIDAYS

All full-time and part-time employees of the City shall either be scheduled off or receive compensation for the following holidays:

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

From time to time on special occasions, the City Council may designate other days as special holidays.

Holidays that fall on a Saturday will normally be observed on the preceding Friday and those which fall on a Sunday will normally be observed on the following Monday. In the case of Christmas Eve and Christmas Day falling on Friday and Saturday, the holidays will be observed on the preceding Thursday and Friday. In the case of Christmas Eve and Christmas Day falling on Sunday and Monday, the holidays will be observed on Monday and the following Tuesday. All holidays begin at 12:00 a.m. and end at 11:59 p.m.

All FLSA non-exempt benefit-eligible employees who are required to work on a city-observed holiday shall be paid holiday pay plus time and one-half (1.5) their regular rate of pay for all hours worked on the observed holiday. All FLSA exempt benefit-eligible employees who are required to work on a city-observed holiday shall receive an additional Vacation Day to be used within the same calendar year. The City Manager must approve any work by FLSA exempt benefit-eligible employees on city-observed holidays in order for the Vacation Day to be awarded. This additional Vacation Day shall not be counted towards an employee's maximum Vacation accrual.

If the designated and observed holiday differs from the actual holiday, FLSA non-exempt benefit-eligible employees who work on the actual holiday will receive time and one-half (1.5) their regular rate of pay for the time worked on the actual holiday in addition to the holiday pay (for the observed holiday).

Holiday pay for part-time employees shall be prorated based on their regularly scheduled work hours.

Holiday time is not counted as hours worked in the computation of overtime.

6-104 VACATION LEAVE

Vacation leave shall be earned and accrued from the most recent date of employment under the conditions hereinafter stated. Vacation will be considered to be earned and accrued at the end of the last day of the payroll period. Approved vacation may be used as soon as it is accrued. Vacation may not be taken during the same period during which it is being earned.

Vacation leave accrual will begin the first day of the first complete pay period the employee works. Changes in vacation accrual will be effective the first pay period following the individual's employment anniversary date (27th pay period).

Employees may not accumulate more than two hundred forty (240) hours of vacation at any time. Vacation accrual will cease until the accumulation is within the established limits. Employees may not waive vacation leave for the purpose of receiving pay in lieu of time off. Employees who are making a reasonable effort to use accrued vacation leave, but due to extenuating circumstances are unable to use the leave within the allotted time-frame may be granted additional time in which to use the accumulated leave by the City Manager.

Employees must use vacation in one quarter hour (15 minute) increments.

Vacation requests may be denied based on workload needs of the department. Employees may be recalled from vacation leave or may have their scheduled vacation leave postponed in the event their Department Head declares that an emergency situation exists. When an employee is recalled from vacation leave, the employee's vacation leave will be re-scheduled at the earliest convenient time.

The Finance Department is responsible for maintaining adequate records for each employee that reflects accrual, usage, and accumulation of vacation time for all employees. Supervisors are responsible for monitoring balances and considering those when reviewing vacation leave requests.

Department Heads shall establish guidelines for scheduling vacations, including prior notification requirements. Employees are urged to take vacations during "off-peak" periods of their department's workload.

Paid holidays that occur during a vacation leave are not counted as a day of vacation.

Sick leave may be substituted for scheduled vacation leave if the employee is unexpectedly faced with a situation that is considered sick leave. A written substantiation of the situation may be required upon the employee's return to work.

Upon resignation or termination an employee will be compensated for any accumulated, unused vacation leave.

Vacation time is not counted as hours worked in the computation of overtime.

6-104.1 FULL-TIME EMPLOYEES

Each full-time employee shall accrue vacation leave at the following rate:

Employment through 2 Years	4.0 hrs/pay period
After 2 Years through 5 Years	4.62 hrs/pay period

After 5 Years through 7 Years	5.231 hrs/pay period
After 7 Years through 9 Years	6.75 hrs/pay period
After 10 Years	7.70 hrs/pay period

EXCEPTION: All exempt positions may be granted accumulated vacation leave and may be allowed to accrue vacation leave at an alternative rate as may be approved by the City Manager.

6-104.2 PART-TIME AND TEMPORARY EMPLOYEES

All part-time employees accrue vacation leave at a proportional rate. Temporary/seasonal employees do not accrue vacation leave.

6-105 SICK LEAVE

Employees must use sick leave in one quarter hour (15 minute) increments.

To be eligible for paid sick leave employees shall notify their immediate supervisor of their intention and reason for taking sick leave as far in advance as possible of the time needed. Employees must notify their supervisor of an intended absence no later than the start of their regular shift start. Employees who do not notify their supervisor of sick leave within the required time limits will be considered to be on unauthorized leave. Employees must keep the supervisor informed of their condition each day of their absence.

An employee who takes sick leave may be required to submit a statement from a health care provider within 24 hours after returning to work.

Employees have the option of using accrued vacation leave when sick leave has been exhausted. Employees may request a leave of absence without pay if all paid leave has been exhausted.

Employees shall not accumulate more than 480 hours of sick leave accrual at any time. Sick leave accrual will cease until the accumulation is within the established limits.

Upon separation of employment, employees will not receive compensation for earned, unused sick leave pay.

Sick time is not counted as hours worked in the computation of overtime.

6-105.1 FULL-TIME EMPLOYEES

All full-time employees accrue sick leave at a rate of 3.08 hours per pay period. Sick leave accrual will begin the first day of the first complete pay period the employee works.

Sick leave will be considered to be earned and accrued at the end of the last day of the payroll period. Approved sick leave may be used as soon as it is accrued. Sick leave may not be taken during the same period during which it is being earned.

6-105.2 PART-TIME AND TEMPORARY EMPLOYEES

All part-time employees accrue sick leave at a proportional rate. Temporary/seasonal employees do not accrue sick leave.

6-105.3 REASONS FOR TAKING SICK LEAVE

Sick leave may be used for the following purposes:

- Personal illness or injury, including maternity.
- An appointment with a health care provider. Employees are expected to attempt to schedule medical appointments at the beginning or end of their normal work schedule.
- To attend to a member of the employee's immediate family whose illness requires the employee's presence.
- To attend to wife or family in the case of a new child.
- Any other leave provided for under Colorado law or by the Family Medical Leave Act.

6-106 MEDICAL LEAVE

While public sector employers are subject to the provisions of the Family Medical Leave Act (FMLA), to be eligible to take FMLA leave, employees must work at a worksite with a minimum of fifty (50) employees within a seventy-five (75) mile radius. As the City of Florence does not currently have fifty (50) employees within a seventy-five (75) mile radius, City employees are not eligible to take FMLA leave. However, the City does provide medical leave as detailed in this Section.

A medical leave of absence of not more than three (3) months may be granted to full-time employees. This unpaid leave is for absences arising from illness, injury, or pregnancy.

For a medical leave to be granted, all of the following conditions must be met:

- The employee has satisfactorily completed ninety (90) days of employment with the City;
 - If an employee is granted a medical leave of absence during his or her probationary period, the probationary period will be considered as being temporarily suspended for the duration of the medical leave, and will resume following the medical leave.
- The Department Head is notified by the employee as soon as possible of the needs for medical leave;
- The employee shall submit to the supervisor a written statement from their attending physician outlining both the reason for the leave and the estimated duration of the leave;
 - The City may require the employee to obtain an opinion from a medical provider of the City's choosing
- The medical leave is approved by both the Department Head and the City Manager; and
- All available sick leave and accrued vacation are to be utilized at the beginning of the medical leave.

When the estimated duration of the medical leave is less than three (3) months and the employee needs to extend the leave, another statement from the medical provider is required. This statement must include the new estimated length of leave.

An employee must present a doctor's statement indicating their ability to return to work and notating any restrictions prior to the employee being cleared by the City to return to work.

The City may reinstate an employee ready to return from medical leave when, in the opinion of the City, it is practical to do so. The City does not guarantee reinstatement of an employee into their former job. When an employee is available to return to work, the employee is free to apply for any vacancy available and will be considered along with other applicants.

The City may continue medical insurance benefits for an employee on medical leave for a maximum of three (3) months, provided the employee continues to pay the employee portion of the premium.

The employee will not accrue vacation or sick leave during a medical leave of absence. Holiday, bereavement, and jury duty pay will not be granted during a medical leave.

Employees who fail to return to work at the expiration of their authorized leave may be terminated. If the employee's failure to return is due to a disability under the Americans with Disabilities Act (ADA) or other applicable law additional accommodations may be provided. Employees must provide sufficient information from their medical provider indicating that they have a covered disability and when they can return to work with or without reasonable accommodation. Accommodations must not cause undue hardship to the City. Potential accommodations will be determined in an interactive process between the employee and the City.

Part-time employees are not eligible for medical leave except as required for a disability.

6-107 CIVIL

Full-time employees who are summoned to serve jury duty or subpoenaed to appear as a witnesses in cases where they are neither the plaintiff nor defendant, shall make arrangements with their supervisor to comply with the order. Employees selected for jury duty or subpoenaed to appear as a witness in a case where they are neither the plaintiff nor defendant, or who are required to make a court appearance in an official capacity in connection with City business will be considered to be will receive their regular pay for such time. Employees shall give notice as far in advance of the court date(s) as possible. If an employee is excused from jury duty during their regular work hours, they are expected to report to work promptly.

Employees will receive regular pay for the first three (3) days of jury duty if they were scheduled to work and provide confirmation of juror service.

Beginning the fourth (4th) day and thereafter, employees, as jurors, are paid fifty dollars (\$50) per day by the State of Colorado for state, district, or county court jury duty. For jury duty in excess of three (3) days, employees receive the difference between jury duty pay and their regular pay, up to a maximum of ten (10) days (80 hours). Jury duty beyond this time is without pay from the organization.

6-108 VOTING

Employees are encouraged to exercise their voting rights in all municipal, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after their scheduled work time or during permitted breaks. If it is necessary for employees to arrive to work late or leave work early to vote in any election, employees should arrange this with their supervisor no later than the day prior to Election Day.

6-109 BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of a family member, the employee should notify their supervisor immediately.

Up to three (3) days of bereavement leave will be provided to attend the in-state funeral or other grief-related services and/or events of an immediate family member. Up to five (5) days of bereavement leave will be provided to attend the out-of-state funeral or other grief-related services and/or events of an immediate family member. "Immediate family" is defined as the employee's spouse, parent, child, sibling, grandparent, grandchild, or parent-in-law.

One (1) day of bereavement leave will be provided to attend the in-state funeral or other grief-related services and/or events of a near relative. Up to two (2) days of bereavement leave will be provided to attend the out-of-state funeral or

other grief-related services and/or events of a near relative. “Near relative” is defined as the employee’s aunt, uncle, niece, nephew, spouse’s grandparents, spouse’s siblings, and other close relatives.

Any employee may use any available paid leave for additional time off as necessary, with the approval of their Department Head and the City Manager.

6-110 MILITARY LEAVE

Employees serving in the uniformed services of any branch of the United States Armed Forces and the National Guard on active duty, active duty for training, inactive duty for training, National Guard duty, and time taken off for an examination to determine fitness to do any of the above shall be granted unpaid military leave in accordance with applicable state and federal law. Employees are not required to use any/all accrued time off in order to receive unpaid military leave but may as set forth below.

6-110.1 Reserve Duty

Employees who are members of the reserve components of any branch of the United States military service or National Guard will be granted unpaid military leave for the purpose of participating in required weekend and annual training.

Employees may opt to use vacation leave to fulfill military duty.

Employees involved in the reserves shall give notice of weekend and annual training as far in advance as possible.

6-110.2 Active Duty

Employees who are called to active duty (full-time, long-term active military service that doesn’t allow work at other occupations) will be granted military leave in accordance with applicable state and federal law.

Employees may elect to take military leave for active duty without pay. If an employee elects to take military leave for active duty without pay, the City will pay the employee’s and the City’s portion of health insurance for a period of six (6) months. After six (6) months, employees may elect to continue health insurance coverage at their own expense. Employees will not receive holiday pay while on military leave for active duty without pay.

Employees may elect to use their accrued vacation leave while on active duty. If accrued vacation leave is utilized, all benefits continue in the same manner as if the employee is actively at work.

6-110.3 Reinstatement Following Leave

Employees returning from active duty will be reinstated in accordance with the provisions of the federal Uniform Services Employment and Reemployment Rights Act of 1994 or the Colorado military leave laws, depending on whether the employee is serving in the federal or Colorado military service. To be eligible for reinstatement, the employee must provide notice of intent to return within certain time limits as specified by law.

6-110.4 Retaliation Prohibited

The City prohibits retaliation against any employee for taking time off under this policy.

6-111 DOMESTIC ABUSE LEAVE

The City provides leave to employees who are the victims of domestic violence or abuse, stalking, sexual assault, or a crime found by the court to include an act of domestic violence. Upon reasonable advance notice (except in cases of imminent danger to the health or safety of an employee), an employee may take up to three working days of leave in

any 12- month period. The 12-month period will be measured forward from the date the first domestic violence leave begins.

Leave is unpaid although employees may use sick leave or vacation time. Employees may only use this leave for one or more of the following purposes:

- Seek a civil protection order to prevent domestic abuse;
- Obtain medical care or mental health counseling for himself or herself or for his or her children to address physical or psychological injuries resulting from the domestic abuse, stalking, sexual assault, or other crime involving domestic violence;
- Make his or her home secure or seek new housing to escape the perpetrator;
- Seek legal assistance and prepare for and attend court-related proceedings arising from acts of domestic violence

Employees must contact the City Manager to request leave. The City requires appropriate documentation to approve this leave. Appropriate documentation may include police reports, court orders, confirmation of court appearances, or documentation from medical and other professionals.

6-112 PERSONAL LEAVE

Personal Leaves of absence are not typically granted. Employees, upon written request describing the circumstances warranting such a leave, and with the approval of the City Manager, may be granted a leave of absence without pay for a period of up to 30 (thirty) days. No leave of absence without pay will be authorized until all paid leave has been exhausted.

At the expiration of the leave of absence without pay, employees have the right to be reinstated to the position vacated. During the employee's absence, the position may be filled by temporary appointment.

Benefits Available: No sick or vacation leave will be accrued by an employee during a leave of absence without pay. Employees will not be paid for holidays that occur during a leave without pay. Employees shall pay for the full cost of medical and other benefits during an unpaid Personal Leave.

6-113 ADMINISTRATIVE LEAVE

The City Manager and a Department Head may institute an administrative leave when:

- a) An employee has been arrested for a serious crime and is imprisoned pending trial or released on bail pending trial.
- b) An employee has been charged with misconduct while on the job and the misconduct is being investigated or a disciplinary action is pending.
- c) An employee has filed a complaint of misconduct and the misconduct is being investigated.
- d) There is reasonable suspicion that an employee is under the influence of drugs or alcohol.
- e) An employee is endangering themselves, other employees, or members of the public.
- f) An employee is being grossly insubordinate and causing disruption of normal operations.

Employees may be placed on administrative leave with or without pay. The City Manager, with consult from the

employee's Department Head, shall approve placing any employee on unpaid administrative leave.

Employees placed on administrative leave without pay may not utilize any form of benefit time in order to receive payment. The employee on unpaid administrative leave is responsible for payment of his/her portion of health insurance premiums during such leave just as if he/she were still on the City's payroll. Employees will receive advance notice of the costs, and a schedule for remitting these payments will be provided.

Employees may be placed on administrative leave for a maximum of 30 (thirty) days. All normal benefits will continue during paid administrative leave.

6-114 SHARED LEAVE POOL

Employees are eligible to request the Shared Leave Benefit if they meet all of the following criteria:

- The employee is a full-time or part-time regular employee working a minimum of 1,040 hours per year; and
- The employee participates in the shared leave program via donation of a minimum of sixteen (16) hours of leave (sick or vacation) annually to the shared leave pool; and
- The employee has not been placed on administrative leave (either paid or unpaid); and
- The employee has exhausted all of their personal leave time including the following:
 - Accrued vacation leave;
 - Personal Day(s);
 - Accrued sick leave;
 - Comp time; and
- The employee has a documented expectation there is a need for additional time off from work

A committee consisting of the City Manager, Finance Director, and the employee's Department Head will approve or disapprove the granting of Shared Leave.

Shared leave requests shall be submitted to the City Manager for consideration, and may be approved for one of the following reasons:

1. Full-time employee's own catastrophic illness or injury; or
2. To care for employee's spouse, child, parent, or grandparent who has suffered a catastrophic illness or injury. A child is defined as a person under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability.

For purposes of this policy, catastrophic illness or injury is defined as an extreme or life-threatening illness, injury, impairment, or physical or mental condition that requires continuing treatment/supervision by a health care provider.

Shared leave will not be granted to an employee to care for a child following birth, or in connection with the child's placement with the employee for adoption or foster care.

Shared leave requests should be submitted as soon as possible in advance of exhausting accrued leave time.

Shared leave requests will be administered in order to maintain sufficient confidentiality and respect for the privacy of the proposed recipient. Communication of the need for donations for recipient will be undertaken only at the request of the proposed recipient. A donor may remain anonymous if he/she so chooses. Donations may only be made to the

shared leave pool in general, and not to an individual employee.

No employee may be coerced, threatened, intimidated, or promised and/or provided financial inducement to donate leave time.

Employees seeking shared leave must apply for leave using the City of Florence's Shared Leave Program Request Form and attach a physician's statement that meets the leave qualifications of catastrophic illness or injury.

Employees may donate unused accrued vacation or sick leave hours. Personal salary and compensatory time off cannot be donated. Donations may be made in no less increment than that which is earned by the donor for one pay period. Employees who are receiving paid time off through the Workers' Compensation Program are not eligible to request or use shared leave. Employees who have applied for or are receiving a short-term disability benefit are eligible to request shared leave.

The Finance Director will track the number of hours that are donated to the Shared Leave Bank and will communicate with payroll regarding who donated leave time so that it may be deducted from the donor's balance.

6-114.1 Shared Leave Request Procedures

- A. An employee will submit a request/application for shared leave through to the City Manager with as much advance notice as possible in anticipation of exhausting all of their accrued leave time.
- B. An employee requesting shared leave will provide medical and other documentation, as requested, indicating the necessity for time off from work and the probable duration of the requested time off. Additional documentation may be requested at any time during the approved leave. If the request for additional information is not met, shared leave benefits may be terminated immediately.
- C. The recipient may not use donations longer than is medically necessary.
- D. The City Manager will provide information to the employee's Department Director regarding coordination of any and all other relevant paid time off policies and other legal requirements.
- E. Shared leave requests are restricted to a maximum period of six (6) months in a twelve (12) month rolling period, except in extenuating circumstances. Any request for an extension of the shared leave benefit will be submitted in writing to the City Manager for review and approval prior to the expiration of the original leave. The use of the shared leave will also be subject to the leave policies outlined in the City of Florence Personnel Policies Section 6, Leave Time.
- F. An employee wishing to donate leave time may do so by completing a "Shared Leave Donation Request" form.
- G. An employee may donate the following amounts of leave by type:
 - a. Any and all accrued vacation hours;
 - b. Any and all accrued sick leave in excess of one year's accrual. (Employees must maintain a minimum balance of 80 hours in order to be eligible to donate).

6-115 ABSENT WITHOUT LEAVE AUTHORIZATION

Absence without leave shall be construed to be any absence in which the employee has failed to secure prior approval or, in the case of illness or emergency, has failed to notify their immediate supervisor of such absence no later than their regular shift start, except in extenuating circumstances. Any unauthorized absence of an employee from duty shall be determined as absence without pay and may be grounds for disciplinary action, up to and including termination. In the absence of such disciplinary action, employees who absent themselves for three (3) or more days without authorized

leave, shall be deemed to have resigned, except in extenuating circumstances. To be reinstated, with or without pay, employees must provide evidence of extenuating circumstances acceptable to their Department Head and the City Manager.

A written statement from the Department Head regarding the unauthorized absence by the employee will be provided to the City Clerk for inclusion in the employee's personnel file.

Employees who have resigned due to an absence without leave and/or any of their eligible dependents are eligible to continue their health coverage through COBRA for a designated period of time and must complete the necessary paperwork to indicate if they decline or accept coverage.



SECTION 7.

Discipline

SECTION 7. DISCIPLINE

ARTICLE 7-101	SCOPE AND PURPOSE
ARTICLE 7-102	REASONS FOR DISCIPLINARY ACTION
ARTICLE 7-103	TYPES OF DISCIPLINARY ACTION
ARTICLE 7-104	IMPLEMENTATION OF DISCIPLINARY ACTION
ARTICLE 7-105	APPEAL PROCESS

7-101 SCOPE AND PURPOSE

The purpose of this policy is to provide the process for how the City Manager, Department Heads, and supervisors shall implement disciplinary action as well as the process for reviewing disciplinary action.

All city employees are expected and required to meet acceptable performance standards and otherwise conduct themselves in an appropriate manner during the course of their employment.

7-102 REASONS FOR DISCIPLINARY ACTION

Each situation involving a violation of rules will be carefully and impartially examined with regard to relevant circumstances before appropriate disciplinary action is taken. Nothing contained herein should be construed as limiting the City of Florence's right to discipline up to and including termination without prior notice for any reason it deems appropriate in its sole discretion. Reasons for discipline include but are not limited to the following:

- a) Any violation of the Personnel Policies of the City of Florence, or any administrative, department, or division policies, procedures, rules or regulations.
- b) Commission of a criminal act and the subsequent finding of guilt by a court of law when the criminal act directly affects the employee's ability to perform the duties of his or her position or directly relates to the duties and responsibilities of the position.
- c) Violation of the Ethics and Conduct Policy set forth herein which includes, but is not limited to, solicitation or receipt from any person of, or participation in, any fee, gift or other valuable thing that is given in the hope or expectation of receiving a favor or better treatment than that given to other persons.
- d) Violation of the City of Florence's Possession of Firearms Policy.
- e) Violating any lawful or reasonable order, rule or regulation.
- f) Stealing City funds or property or removing City funds or property without authority.
- g) Theft or any criminal act.
- h) A traffic violation while in a City-owned vehicle.
- i) Being in the possession of or drinking alcoholic or cereal malt beverages or being intoxicated while on duty or while on public property during the work day, including meal and other breaks.
- j) Being in the possession of or using or being under the influence of illegal drugs while on duty or while

- on public property during the work day, including meal breaks.
- k) Having sex or performing sexual acts while on duty or on City property.
 - l) Any act of inappropriate discrimination by an employee of the City of Florence.
 - m) Inducing, or attempting to induce, any City official or employee to commit or participate in an illegal act or to act in violation of any lawful and reasonable departmental or official regulation.
 - n) Witnessing another employee violating the law and not reporting the violation to a supervisor, Department Head or the City Manager.
 - o) Any type of fraud, including that which benefits the City.
 - p) Falsifying any City record or other City documents.
 - q) Writing a personal check for payment to the City for which there are insufficient funds in the employee's bank account.
 - r) Knowingly falsifying information on a job application or other required personnel forms, or other City document.
 - s) Willfully or corruptly deceiving or unreasonably obstructing any person in respect to that person's right to take part in any examination for admission or promotion in the City service.
 - t) Furnishing special or confidential information for the purpose of either improving or injuring the prospects or chances of a person tested or to be appointed.
 - u) Revocation or suspension of a certification or license, including but not limited to a driver's license, when such is required as a condition of City employment, or failure to obtain or renew any necessary or required license or certification in a timely manner.
 - v) Insubordination.
 - w) Refusing to work when called back for an emergency by the Department Head or supervisor or failing to appear when scheduled for emergency work.
 - x) Taking leave without authority, failure to notify supervisor of intended absence, walking off the job without permission, tardiness, absenteeism, or any absence in excess of two (2) consecutive days not specifically covered by authorization or excused by the employee's supervisor.
 - y) Abuse of leave time or claiming leave time under false pretenses.
 - z) Fighting, causing a fight, or unlawfully striking anyone on City property or while on duty.
 - aa) Damaging City property either intentionally or as a result of negligence.
 - bb) Failure to follow prescribed safety procedures including but not limited to failure to notify the supervisor or Department Head of unsafe working conditions, or engaging in unsafe acts.
 - cc) Sleeping or other inappropriate behavior while on duty.
 - dd) Harassing, molesting, or bothering any other employees or any action or omission of action to the extent the employee or employees are unable to complete their assigned tasks, or the effective operation of City services is impaired.
 - ee) Engaging in activities which disrupt or interfere with the regular work activities of a section, division, or department, including but not limited to failing to report for duty or not working at usual capabilities in performance of normal duties.
 - ff) Allowing a personal relationship with a co-worker, contractor, visitor, or customer to interfere with the satisfactory performance of job duties.
 - gg) Exhibiting offensive conduct or using offensive or inappropriate language toward the public, contractors,

- City officials, or other employees.
- hh) Failure to cooperate with other employees, citizens or other members of the public in a professional, courteous, and polite manner.
 - ii) Using official position with the City government or using City equipment without authorization for personal purposes or activities.
 - jj) Using information obtained as an employee of the City to advance personal, financial, or other private interests.
 - kk) Unsatisfactory performance of job duties and responsibilities.
 - ll) Any act which reflects negatively upon the City.
 - mm) Commission or omission of acts by an employee which makes the taking of a disciplinary action necessary or desirable for the efficient conduct of the business of the City or for the best interest of the City government.

7-103 TYPES OF DISCIPLINARY ACTION

7-103.1 VERBAL WARNING

An oral reprimand given by the employee's supervisor. All verbal warnings shall be documented in writing.

7-103.2 WRITTEN REPRIMAND

A written notification of the employee's unsatisfactory performance or other violation of the Personnel Policies, and/or other City or departmental policies.

7-103.3 SPECIAL PROBATION

A period of a specified length of time during which the employee is required to fulfill a set of conditions to improve work performance or on-the-job behavior. Failure to meet the special probationary requirement will result in additional disciplinary action up to and including termination. An employee may be placed on special probation in conjunction with another form of disciplinary action as defined in this section. An employee is not eligible for any performance-related salary increases during a special probation. The notice of special probation will state the length of time for the probation.

7-103.4 SUSPENSION

The removal of an employee from the workplace for a specified period of time with or without pay. The length of suspension will reflect the severity of the employee's misconduct.

7-103.5 DEMOTION

The placement of an employee into a lower job classification as a result of disciplinary action.

7-103.6 TERMINATION

The permanent removal of an employee from the City's employment.

7-104 IMPLEMENTATION OF DISCIPLINARY ACTION

Disciplinary action should occur in a timely fashion both with regard to the action(s) prompting the discipline and/or the knowledge, discovery, or reporting of such action(s).

The disciplinary action taken should correspond to the degree of the violation, the situation and context in which the violation occurred, the impact on the organization, the employee's past workperformance and disciplinary history, the expected effect of such actions on the future job performance of the employee, and prior precedent, if applicable or appropriate.

The City Manager and the Department Heads shall have responsibility for all disciplinary action, but may delegate this authority to supervisors. Department Heads and supervisors are required to consult with the City Manager prior to the implementation of disciplinary action. In all cases of disciplinary action, the supervisor and/or Department Head shall meet with the employee to discuss the reasons for the action and explain, in full, the disciplinary action taken.

In all cases of disciplinary action, a written notice of the action, signed by the Department Head or supervisor, stating the reasons for such action will be given to the employee. The employee shall sign an acknowledgment of receipt. The employee's signature does not necessarily indicate agreement with the disciplinary action. A copy of the written notice and original acknowledgment shall be provided to the City Clerk for inclusion in the employee's personnel file.

In cases of written reprimand, special probation, suspension, demotion, or termination, the notice of disciplinary action shall contain information explaining the employee's right to appeal the action and a form that allows the employee to waive their right to that appeal.

7-105 APPEAL PROCESS

The appeal process is available to all full and part-time employees, except sworn officers of the Police Department. Sworn officers of the Police Department shall abide by specific policies and procedures related to discipline and review as set out departmentally.

In cases of written reprimand, special probation, suspension, demotion, and termination, an eligible employee may request a review of the disciplinary action before the City Manager.

The employee must submit a written request for a review to the City Manager within seven (7) calendar days of the date they are notified of the disciplinary action. The request shall include the issue(s) in question and what relief is sought. The City Manager shall arrange a hearing within two (2) weeks of receipt of the written request. This time can be extended for reasonable cause.

A hearing will be held offering the opportunity for the employee and the supervisor to present the facts and considerations surrounding the disciplinary action.

- a) Unless they are a directly involved party, including potentially as a witness, or disqualified by reason of personal relationship, the City Clerk will serve as an impartial facilitator of the review process. Responsibilities shall include establishing a fair and reasonable schedule, approving in advance and coordinating any witnesses, and providing documentation for the hearing. The judgement of the City Clerk is final with regard to review protocol.
- b) No legal counsel will be allowed to represent either party at the hearing.
- c) The City Manager may interview the employee, supervisor, Department Head, or any other parties involved prior to making a decision

At the conclusion of the review process, the City Manager shall render a decision to uphold, overturn, or modify the disciplinary action imposed. The decision shall be put in writing and a copy provided to the employee, the Department

Head, and filed in the employee's personnel file. The decision of the City Manager is final.



SECTION 8.

Ethics

SECTION 8 ETHICS

ARTICLE 8-101	CODE OF CONDUCT
ARTICLE 8-102	CUSTOMER SERVICE
ARTICLE 8-103	CONFIDENTIAL INFORMATION
ARTICLE 8-104	E-MAIL, INTERNET, INTRANET AND VOICEMAIL USE
ARTICLE 8-105	USE OF SOCIAL MEDIA
ARTICLE 8-106	PERSONAL USE OF SOCIAL MEDIA
ARTICLE 8-107	DRUG AND ALCOHOL REQUIREMENTS

8-101 CODE OF CONDUCT

In the discharge of their duties, employees of the City of Florence will adhere to the following code of conduct:

- a) Employees of the City shall give fair and equal treatment to every citizen and shall not grant special consideration or advantage to any citizen beyond that which is available to every other citizen.
- b) Employees shall not engage in any business or transaction, or have financial or other personal interest, direct or indirect, that is incompatible with the proper discharge of official duties in the public interest or would tend to impair independent judgment or action in the performance of official duties.
- c) Employees who have a financial or other private interest in any proposed City legislation or business shall promptly disclose, as much in advance as is possible, the nature and the extent of such interest.
- d) It is recognized that the exchange of minor tokens of appreciation is a courtesy common in the business world. City employees are therefore, on an annual basis, authorized to accept unsolicited minor tokens of appreciation with an approximate monetary value of seventy-five dollars (\$75) or less, so long as the acceptance thereof does not tend to influence or appear to influence their judgment. Employees should report any gifts they receive and should consult with the Finance Department if they are uncertain about the acceptance of a gift.
- e) Employees shall not disclose confidential or legally restricted information, nor shall they use such information to advance the financial or other private interest(s) of themselves or others.
- f) Employees shall not derive a personal financial gain from any purchase or contract issued by the City. Employee shall not purchase goods or services for personal benefit through City contracts or purchase orders.
- g) Employees shall not request or permit the use of City owned real property for any purpose except the conduct of City business. Employees shall not, directly or indirectly, attempt to obtain any service or benefit from City personnel for the personal affairs of such employees.

8-102 CUSTOMER SERVICE

Making every customer contact (whether inside or outside the organization) as positive as it can be should be the goal of every employee-customer interaction.

Employees shall make every effort to ensure that customers obtain the requested information with a minimum of hassles, phone or email transfers, and red tape. Employees shall follow up with other employees and/or with the customer to ensure that they received what was needed.

8-103 CONFIDENTIAL INFORMATION

City of Florence employees will have access to confidential information of both the City and its citizens. Confidential information includes, but is not limited to, information concerning the following:

- Employee personnel files;
- Water billing information;
- Credit card numbers and other sensitive financial information;
- PII (personally identifying information);
- Legal advice or strategy;
- HIPAA;
- Sales tax information;
- Colorado Crime Information Center (CCIC);
- Subjects similar to the above.

Employees should ask their supervisor if an item's status with regard to confidentiality is unclear. Disclosure of confidential information may seriously damage the City and therefore such action will not be tolerated. This non-disclosure prohibition applies both during and after employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by management. Confidential information remains the property of the City and must be returned to the City upon separation or at any time upon demand.

8-104 E-MAIL, INTERNET, INTRANET AND VOICEMAIL USE

8-104.1 COMPUTER SYSTEM USE

The City utilizes computer systems in the work place to facilitate communications, improve employee productivity, and fulfill its government functions. It is the intent of this policy to provide an overall framework for computer usage within the City. The use of the computer systems in violation of this policy could result in discipline up to and including termination of employment. This policy applies to all employees, part-time employees, contractors, volunteers or other individuals who are provided access to the City's computer system. Third parties should only be permitted access to the City's computer system as necessary for their business purpose within the City and are required to abide by applicable rules. Any third-party access must be authorized by the City Manager and coordinated on a case-by-case basis.

8-104.2 MANAGEMENT RIGHTS

The City is the owner of the computer systems it provides to its employees to conduct City business. As the owner of this equipment and the employer of the City employees, the City is responsible for the lawful and appropriate use of the City's computer systems. Accordingly, the City must maintain at any and all times its right to oversee use of the City computer system by City employees to protect ownership rights to the computer system and to prevent illegal or inappropriate use of the computer system.

Management may access computer systems of all individuals as covered by this policy for any purpose not specifically prohibited by law. All passwords/codes used on City equipment shall be immediately provided to the

Department Head and/or City Manager at their request.

8-104.3 PUBLIC RIGHTS

Information contained on the City's computer system may be accessible to individuals who are the subject of the information, authorized third parties, and/or the general public. Access to this information is governed by state laws, federal laws, and court rulings. The City, its officers, and employees shall implement their best judgment and discretion in protecting the rights of the public and privacy of individuals when administering information contained on the City's computer system. All e-mail should be presumed to be subject to the Colorado Open Records Act (CORA).

8-104.4 RESPONSIBILITIES

Department Heads, shall be responsible for setting specific departmental policies on computer usage and access. Under no circumstance is anyone to access any City owned or operated electronic file/system without the knowledge and direction of their respective Department Head.

City employees shall be responsible for utilizing City computers and systems to further the goals of the City in providing services to its citizens.

8-104.5 HARDWARE AND SOFTWARE

The City is the owner of all equipment provided to employees and constituting the City's computer system. The City's contracted IT specialist shall be responsible to maintain and operate the City's hardware and software systems. This includes the appropriate backup of systems and information for purposes of disaster recovery.

The City provides software for use on individual computers and within the system. Employees are responsible for understanding and respecting the terms of such software licenses and not agreeing to any terms and conditions, including click-through terms and conditions, without first receiving approval from the City Attorney. Use of hardware and software beyond that provided to employees by the City shall require approval from both the City's contracted IT specialist and the employee's Department Director; this includes but is not limited to the access to e-mail servers. City IT staff or contracted IT specialists will not service privately owned hardware and software not licensed to the City. Limited personal use of the City's hardware and software is permitted; however, such use shall be infrequent in both time and occasion and shall be conducted in a manner that does not result in the interruption of City business.

8-104.6 E-MAIL

The e-mail system is City property and is to be used for City business only. The system is not to be used for employee personal gain or to support or advocate for non-City related business or purposes. All use of the e-mail system is subject to management access pursuant to this policy.

Should incidental use of e-mail for personal purposes occur, employees understand that personal messages will be treated no differently from other messages and may be subject to public release. The employee assumes personal responsibility for the cost of any such personal use of e-mail and will pay any cost incurred for such use upon demand by the City.

The City will assign e-mail addresses to all individuals requested by the Department Director. Only e-mail addresses assigned by the City will be authorized on City owned computers. All e-mail is subject to the Colorado Open Records Act (CORA).

8-104.7 APPROPRIATE USE

City employees shall use good judgment in internet access and e-mail use. Employees are expected to ensure that e-mail messages are appropriate in both the types of email messages created and the tone and content of those messages. Employees' use of e-mail and the internet must be able to withstand public scrutiny without

embarrassment to the City.

Examples of inappropriate use include, but are not limited to:

- Illegal activities;
- Wagering, betting, or selling;
- Harassment and illegal discrimination;
- Fund-raising for any purpose unless agency sanctioned;
- Commercial activities, e.g., personal for-profit business activities;
- Promotion of, denigration of, or any commentary – other than that required for City business, regarding any political or religious positions or activities;
- Receipt, storage or transmission of offensive, racist, sexist, obscene, or pornographic information;
- Downloading software or files (including games, music, videos, wallpaper, and screensavers) from the internet unless agency-sanctioned; and
- Non-City employee use.

Should an employee receive inappropriate and/or unsolicited email messages, the employee should be report these messages to the City Clerk immediately.

8-104.8 MONITORING

The City of Florence retains its right to review any electronic communications or voice communications sent or received over any system owned or managed by the City. Employees should not expect any right to privacy in any voicemail or electronic communications sent to or received from City systems.

Electronic communication devices such as, but not limited to, telephone, voicemail, wireless or cellular telephones, laptops and tablets, facsimile machines, pagers, City e-mail systems and City-provided internet access are City property and are intended to be used exclusively, except as permitted by this policy, for City business. The City reserves the right to monitor all use of e-mail and internet resources at the time of use, during routine post-use audits, and during investigations or at any other time it chooses. Employees should also understand that e-mail messages, computer operations, and internet transactions, including those deleted or erased from their own files, may be either forensically retrievable or backed up/recorded and stored centrally for system security and investigative purposes and may be retrieved and viewed by someone else with proper authority at a later date. It is the user's responsibility to use care in communicating information not meant for public viewing.

Employees should use discretion in sending any data classified as not public (private or confidential data on individuals or non-public or protected non-public data not on individuals) over the e-mail or internet systems unless the data has been encrypted or encoded, including potentially including clear indications of such nature of the material, if warranted.

8-104.9 VOICEMAIL AND MESSAGES

All electronic, digital, and telephone communication, including but not limited to text messages, audio clips, photos, videos, social media messaging, and fax systems and all communications and information sent through, received or stored in these systems are the property of the City of Florence and are to be used for job-related purposes. The use of any such system to communicate obscene, harassing, inappropriate, or otherwise offensive language, images, or communications is prohibited. The City retains the right to monitor all of its communications systems at its discretion, including listening to voicemail messages stored in the systems. All e-

mail is subject to the Colorado Open Records Act (CORA).

8-105 Use of Social Media

8-105.1 PURPOSE

The Social Media Policy comprises the philosophy, recommendations and strategies necessary for providing professional city communications on or through social media. This policy outlines the protocol and procedures for use of social media to publicize official City services and events. In addition, this policy addresses the responsibilities of individual employees with regard to social media and the use of City resources (time/equipment), as well as responsibilities related to public records and open meeting laws.

8-105.2 DEFINITIONS

Social Media – Various forms of discussion and information-sharing, including but not limited to blogs, vlogs, apps and other online platforms, wikis, social networks, virtual worlds, video posts, podcasts, message boards and online forums. Technologies include: comments, “liking/disliking/indicating,” picture and video sharing, wall postings, fan pages, email, instant messaging and music sharing.

Social Networking – The practice of expanding business and/or social contacts by making connections through web-based applications.

8-105.3 POLICIES AND PROCEDURES

All official City of Florence presences on social media sites or services are considered an extension of the City’s information networks and are governed by the City of Florence’s Social Media Policy and Personnel Policies. Official City-sponsored site(s) are administered by the City Manager, City Clerk or an official department designee and used for the limited purpose of informing the public about City business, services and events.

All City of Florence social media site(s) must comply with applicable federal, state and City laws/ordinances, regulations and policies. This includes adherence with established laws and policies regarding copyrights, records retention, Freedom of Information Act (FOIA), First Amendment and other constitutional rights, privacy laws, Colorado Open Records Act (CORA), Colorado Open Meetings Law (OML), and information technology, web standards, brand standards and media policies established by the City of Florence.

Prior to creation, department social media sites must be approved by the City Manager, City Clerk, and Department Head. The City Manager and City Clerk will work with departments to reach their goals by assisting with the development of social media sites and helping the department define a strategy for engagement using social media.

The City Manager and City Clerk will also discuss and direct how departments will keep information current on social media sites in order to keep information timely and relevant. The City of Florence understands that Social Media is an outlet and does not particularly adhere to normal business hours. However, it is essential that an expectation of service be designated that provides a framework for response times. If a response is warranted during normal business hours (Monday- Friday), a response should be provided as quickly as the information can be captured. If a posting that warrants a response occurs outside of normal business hours, a response should be generated by the next business day. Information should not be released via social media unless it has been verified as factual. It is recommended that language be placed on the social media sites denoting the City’s goals regarding response times.

The City Manager and City Clerk will have administrative access to the sites, including username and password

information, and will monitor content to ensure adherence with the Social Media Policy for appropriate use and to ensure that the message and branding are consistent with the goals of the City of Florence. The City retains the authority to remove information and repeated violation of these standards may result in the removal of department sites from social media outlets.

Each social media site used by the City of Florence will include an introductory statement that clearly specifies the purpose of the site and directs users to the City's website. In addition, wherever possible, links to information should direct users back to the City's official Web site for more information, forms, documents or online services necessary to conduct business with the City of Florence.

Employees representing the City via social media outlets must conduct themselves at all times as representatives of the City of Florence and in accordance with all City of Florence Personnel Policies and this Social Media Policy. Employees shall not disclose information about confidential City business on either the City's social media sites or their personal social media sites. If applicable, disciplinary actions consistent with the City of Florence Personnel Policies may be taken for misuse of postings.

Employees utilizing outside agency social media sites shall follow the guidelines of this policy when posting as an identified employee of the City of Florence, or when posting information related to City services, events and programs.

Employees may not post as "City of Florence," on "City of Florence" sites (or other sites that appear to be or allude to being official city pages) without written permission from the City Manager and City Clerk.

The City of Florence will not sanction or support the creation of a social media site for City boards, commissions or councils due to possible violations of the Colorado Open Meetings Law (OML).

City of Florence social networking content and comments containing any of the following forms of content shall not be allowed for posting:

- a. Comments not topically related to the particular site or blog article being commented upon;
- b. Profane language or inappropriate, obscene, or offensive content;
- c. Content or links to content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- d. Sexual content or links to sexual content;
- e. Solicitations of commerce;
- f. Conduct or encouragement of illegal activity;
- g. Information that may tend to compromise the safety or security of the public or public systems;
- h. Content that violates a legal ownership interest of any party
- i. Employees shall not initiate or participate in discussions related to policy creation or formation on social media sites; or
- j. Content that reflects negatively on the City of Florence.

The City reserves the right to remove employee-posted content that is deemed in violation of this policy,

applicable law, or the City of Florence Personnel Policies. Any participants on the City's official social media site(s) who are in continual violation of the posting/commenting guidelines may be permanently removed from the City's site(s).

The City of Florence reserves the right to temporarily or permanently suspend employee access to official City social media site(s) at any time.

If the City of Florence begins operating under the special circumstances of a crisis, staff will immediately stop posting on their respective department sites. All sites will be redirected to the City's main social media site(s) to ensure followers receive consistent, clear information from the City of Florence. All communication in a crisis situation will be posted by the City Manager, City Clerk Officer, or an official designated by the City Manager. When the City decides to return to normal communications operations and employees are so notified, individual departments may again post information related to City services, programs and events.

8-105.4 Guidelines for Employee Participation in Social Networking

The City of Florence understands that social networking and internet services have become a common form of communication in the workplace and among stakeholders and citizens. The City does not seek to control, through this policy or otherwise, the purely personal online content posted by City employees when that content is posted during non-working time, is posted using personal equipment, is not posted in an official capacity as an employee, or is not otherwise disruptive to the City's vision, mission and values. The following guidelines apply to any online post that occurs:

- during an employee's working hours;
- is posted using City equipment; or
- identifies the City of Florence, links to information about the City or its employees in their professional capacity, or identifies or reasonably identifies the individual's employment with the City.

In addition to being subject to the guidelines listed below, all such online activity is subject to the City's Computer, Email and Internet Use Policy and other policies found in the City of Florence's Personnel Policies.

City policies, rules, regulations and standards of conduct apply to employees that engage in social networking activities while conducting City business. An employee's use of their City email address and/or communicating in their official capacity will constitute conducting City business.

Departments have the option of allowing employees to participate in existing social networking sites as part of their job duties that are related to their professional organizations. Department Heads may allow or disallow employee participation in any social networking activities for work-related purposes in their departments, after consultation with the City Manager.

8-106 PERSONAL USE OF SOCIAL MEDIA – OUTSIDE THE SCOPE OF EMPLOYMENT

When participating in social media activities in a personal capacity, and not in a professional capacity on behalf of the City, employees shall:

- Follow all privacy protection laws, i.e., HIPPA, and protect sensitive and confidential City information.
- Follow all copyright laws, public record laws, retention laws, fair use and financial disclosure laws and

other laws that might apply to the City or the employee's functional area.

- Not cite vendors, suppliers, clients, citizens, co-workers or other stakeholders without their approval.

Employees are personally responsible for the content they publish through social media sites. Employees shall identify themselves and make it clear that any commentary or actions are on behalf of the employee in their personal capacity and not on behalf of the City of Florence. Employees that publish content on a Web site or social media application outside of the City of Florence that has any reasonable relation to the work the employee performs or subjects associated with the City, employees shall use a disclaimer such as: "The postings on this site are my own and don't necessarily represent the City's position or opinions."

Such personal social media activity by employees must not use or reference or link to ethnic slurs, profanity, personal insults, or engage in any conduct that would not be acceptable in the City workplace, including but not limited to activity such as harassment and bullying.

If an employee identifies themselves as a City employee, their profile and related content shall be consistent with how that employee wishes to present themselves to colleagues, citizens and other stakeholders. Infractions of these policies may result in disciplinary action up to and including termination of employment. (See City of Florence Personnel Policies)

8-107 DRUG AND ALCOHOL REQUIREMENTS

8-107.1 OBJECTIVES

The City of Florence has the public trust to provide a variety of services to the community in the most efficient and effective manner possible. The City of Florence has an obligation to ensure public safety and to provide a safe working environment for all employees. In order to achieve those goals, it is imperative that the City ensure that all employees are able to perform their job duties safely.

There is sufficient evidence to conclude that the use of illegal drugs/alcohol and drug/alcohol abuse seriously impairs an employee's performance and general physical and mental health. Therefore, the City of Florence has adopted this written policy:

- To ensure an employee's fitness for duty as a condition of employment;
- To ensure drug tests are ordered as the result of reasonable suspicion by supervisory personnel and based on observed behavior or work performance;
- To inform employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance or alcohol is prohibited in the work place;
- To inform employees that testing may be a requirement of continued employment; and
- To inform applicants that testing is a requirement of employment.

The City's policy also conforms to the federal requirements established for alcohol and drug testing of all safety sensitive employees as set out in the Omnibus Transportation Employee Testing Act of 1991, Public Law 102-143, Title V.

8-107.2 DEFINITIONS

Alcohol Concentration (Or Content) - The alcohol in a volume of breath as indicated by an evidential breath test.

Breath Alcohol Technician (BAT) - A person trained to proficiency in the operation of the Evidential Breath Testing Device (EBT) they are using and in alcohol testing procedures.

Controlled Substance – A controlled substance in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined in regulation 21 CFR 1308.11-1308.15.

Employee Assistance Program (EAP) - A counseling program that offers assessment, short-term counseling, and referral services to employees for a wide range of drug, alcohol, and mental health problems and monitors the progress of employees while in treatment.

Evidential Breath Testing Device (EBT) - A device approved by the National Highway Traffic Safety Administration (NHTSA) and used to measure breath alcohol concentration.

Medical Review Officer (MRO) - The individual who is responsible for receiving laboratory results generated from the City's drug testing program under this Policy and who is a licensed physician in either medicine or osteopathy with knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with an individual's medical history and any other relevant biomedical information.

Possession – Having controlled substances that were not obtained directly from a doctor or pharmacist using a valid prescription, or having controlled substances, the possession or use of which is unlawful.

Refuse To Submit - (To an alcohol or drug test) An employee (1) failed to provide adequate breath for testing without a valid medical explanation; (2) failed to provide adequate urine for drug testing without a valid medical explanation; or (3) engages in conduct that clearly obstructs or is clearly designed to obstruct the testing process.

Safety Sensitive Employee - Any employee who operates a commercial motor vehicle and holds a commercial driver's license. Such an employee includes but is not limited to full time, regularly employed drivers; casual intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under contract to the City or who operate a commercial motor vehicle at the direction of or with the consent of the City.

Safety Sensitive Function - An employee is considered to be performing a safety-sensitive function during any period in which they are actually performing, ready to perform, or immediately available to perform any safety sensitive functions.

This includes but is not limited to any of the following on-duty functions which involve operation of a commercial motor vehicle:

- All time waiting to be dispatched, unless the employee has been relieved from duty by the City;
- All time inspecting, servicing, or conditioning any commercial motor vehicle;
- All time which is spent at the driving controls of a commercial motor vehicle in operation;
- All time, other than driving time spent, in or upon any commercial motor vehicle;
- All time towing, loading, or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
- All time spent performing the employee requirements associated with an accident which includes the following:

- Stopping immediately;
- Taking all necessary precaution to prevent further accident at the scene;
- Rendering all reasonable assistance to injured persons;
- Giving any person demanding the same, the employee's name, address, the name and address of the City, the state tag and registration number of the vehicle involved; and if requested, exhibiting their chauffer's or operator's license;
- Locating and notifying the custodian of an unattended vehicle which is stricken in the accident; and
- Reporting all details of the accident as soon as practicable after its occurrence to the employee's supervisor.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Substance Abuse Professional (SAP) - A licensed physician or certified psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug disorders.

8-107.3 GENERAL RULES

City employees will be subject to discipline up to and including termination for any of the following:

- Reporting for work under the influence of alcohol or controlled substances;
 - The use, purchase, or sale of alcohol during working hours (including lunch or break periods); or
 - The use, possession, purchase or sales of controlled substances during working hours (including lunch or break periods); or
 - The use, purchase, or sale of alcohol on City property; or
 - The use, possession, purchase or sales of controlled substances on City property; or
 - The use, purchase, or sale of alcohol while on City business; or
 - The use, possession, purchase or sales of controlled substances while on City business
- City employees who are subject to callback must adhere to department policies addressing drug and alcohol use during times when they may be called in to work.

Employees who are required by a licensed health care provider to take prescription medicine (either temporarily or on an ongoing basis) that may cause behaviors that affect their work performance or which would cause a direct threat to the health or safety of themselves, a co-worker, other persons or property shall notify their immediate supervisor of the medication prescribed. Any documentation of this information will be maintained confidentially in the employee's medical file.

Employees must notify the City immediately if charged or convicted of any misdemeanor or felony drug or alcohol statute violation.

City employees who have reason to believe another employee is illegally using alcohol, drugs, or narcotics shall report the facts and circumstances immediately to a supervisor and/or the Human Resources Division.

Employees must cooperate in any investigation relating to conduct prohibited by this policy. Failure to cooperate may result in discipline up to and including termination.

All property belonging to the City is subject to inspection at any time without notice as there is not an expectation

of privacy. Property includes, but is not limited to, vehicles, equipment, desks, containers, files, and storage lockers.

An employee who refuses to submit to a drug or alcohol test or as a result of testing is found to have engaged in the use of controlled substances or having an alcohol concentration in the blood or breath of 0.04% or greater shall be removed from service and shall be disciplined, up to and including termination. Tampered tests shall be considered a refusal to test. An employee who is found to have switched or tampered with a test shall be disciplined.

8-107.4 VOLUNTARY ADMISSION BY AN EMPLOYEE

Employees are encouraged to voluntarily identify themselves as drug users or alcohol abusers and to obtain counseling and rehabilitation through the Employee Assistance Program available through the City or other program sanctioned by the City.

Employees who voluntarily identify themselves as having a drug or alcohol problem and obtain appropriate counseling and rehabilitation may be reinstated to their current position upon full release by the selected program according to federal and state laws. Public health and safety responsibilities of the position will be taken into consideration when making this determination.

Employees shall be subject to unannounced follow-up tests for up to sixty (60) months after the employee has returned to work. A minimum of six (6) tests will be conducted in the first twelve (12) months after a return to duty. If the employee tests positive during any subsequent tests, the employee may be subject to termination.

8-107.5 SPECIAL REGULATIONS FOR SAFETY SENSITIVE EMPLOYEES

An employee who, as a result of testing just before, during, or just after performing safety sensitive functions, is found to have alcohol concentration of 0.02% and greater but less than 0.04% shall be removed from performing such duties for at least twenty-four (24) hours and placed on unpaid Administrative Leave.

An employee must not consume alcohol four (4) hours prior to performing safety sensitive functions and up to eight (8) hours following an accident or until the employee undergoes a post-accident test, whichever occurs first.

All employees are subject to testing for the use of drugs and alcohol post-accident or whenever there is reasonable suspicion of drug or alcohol use. Department of Transportation regulations require that at a minimum, safety sensitive employees must be tested for the use of drugs and alcohol in three (3) situations: post-accident, whenever there is reasonable suspicion, and random:

- Post-Accident: Testing shall occur as soon as practical after accidents where there is a traffic fatality or the employee receives a citation under state or local law for a moving violation arising from the accident.
 - If an alcohol test is not administered within two (2) hours following the accident, the City shall prepare and maintain a log stating the reasons for the delay.
 - If the test is not administered within eight (8) hours following the accident, the City shall cease attempts to administer an alcohol test and prepare and maintain the same log.
- Reasonable Suspicion: Testing that occurs when a supervisor or Department Director observes behavior or appearance that is characteristic of alcohol or drug misuse.
- Random: Testing that occurs on a random, unannounced basis just before, during or just after performance of safety sensitive functions. The safety sensitive employee shall be randomly selected from a pool of safety sensitive employees subject to testing. Testing dates and times shall be

unannounced and be with unpredictable frequency but shall be reasonably spread throughout the year.

- The number of random alcohol tests conducted annually shall equal at least twenty-five percent (25%) of all the safety sensitive employees within the City, or, if a consortium is developed, then twenty-five percent (25%) of the consortium sample.
- The number of random drug tests conducted annually shall equal at least fifty percent (50%) of all the safety sensitive employees within the City or, if a consortium is developed, then fifty percent (50%) of the consortium sample.

8-107.6 CURRENT EMPLOYEES

The City may require a current City employee to undergo a drug or alcohol test if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during working hours.

- “Reasonable suspicion” means a belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drugs or alcohol.
 - Circumstances which constitute a basis for determining “reasonable suspicion” may include, but are not limited to:
 - A pattern of abnormal or erratic behavior;
 - A work-related accident;
 - Direct observation of drug or alcohol use;
 - Presence of the physical symptoms of drug or alcohol uses (e.g. glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination, balance, and/or reflexes).

Whether a drug or alcohol test is warranted shall be determined by the employee’s immediate supervisor, with approval by the appropriate Department Director and shall be coordinated through the Human Resources Division.

An employee who refuses to consent to a drug or alcohol test and sign a consent form when reasonable suspicion of drug or alcohol use has been identified may be disciplined up to and including termination.

If a positive test result is reported in accordance with the drug and alcohol testing procedures set out in this policy, the employee shall be referred to a Substance Abuse Professional (SAP) for an assessment and is required to obtain appropriate counseling and rehabilitation through the EAP available through the City or a program sanctioned by the City. Refusal to obtain an evaluation by a SAP and to obtain counseling and rehabilitation as recommended may be grounds for discipline up to and including termination.

Employees released from an approved rehabilitation program may be reinstated to their current position. The City may hold the employee’s position open for a period of time determined by the supervisor and the Department Director based on the needs of the City and other applicable policies. Reinstatement will be based on the employee’s work history, length of employment, current job performance, past precedent, and existence of past disciplinary actions. Public health and safety responsibilities of the position will also be taken into consideration when making this determination.

If it is determined that an employee in a safety sensitive position will be returned to work, the employee must:

- (1) Be evaluated by a SAP;
- (2) Comply with any recommended treatment;
- (3) Take a return to duty drug test and/or alcohol test with a result of less than 0.02; and
- (4) Be subject to unannounced follow-up drug and/or alcohol tests.

Any time off from work that an employee must take to comply with the referral and testing requirements will be charged to vacation leave unless, based on the assessment by the SAP, the condition meets the requirements for sick leave. If the employee's appropriate leave balances are not sufficient, the time will be leave without pay.

Employees shall be subject to unannounced follow-up tests for up to sixty (60) months after the employee has returned to work. A minimum of six (6) tests will be conducted in the first twelve (12) months after a return to duty. If the employee tests positive during any subsequent tests, the employee may be subject to discipline up to and including termination.

Disciplinary action based on a violation of the City's Drug and Alcohol Policy is not precluded by the employee's participation in an EAP or other sanctioned program. The employee may be subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include the employee's work history, length of employment, past precedent, current job performance, and existence of past disciplinary actions.

8-107.7 COST COVERAGE FOR TREATMENT OF DRUG AND ALCOHOL TREATMENT

The City shall pay the laboratory cost of obtaining all drug and alcohol tests required or provided for in the policy. In addition, the City shall compensate all employees for the time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required by this policy. In all situations where treatment is required, employees are eligible to receive normal benefits provided to employees of their type of position (full-time, regular part-time, part-time, or temporary/seasonal). Employees are obligated to cover all portions of the treatment cost that are normally charged to the employee.

8-107.8 APPEAL PROCEDURE

If an employee's positive test results have been confirmed and disciplinary action is taken, the employee is entitled to follow the appeals process described in Section 7-105, Appeal Process, regarding the disciplinary action taken.

8-107.9 CONFIDENTIALITY OF TEST RESULTS

All information from an employee's drug or alcohol test is confidential. All information related to the drug or alcohol test of an employee will be maintained in the employee's confidential medical file. Anyone disclosing drug test results, as prohibited by this policy, will be subject to disciplinary action.

An employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or drugs, including any test records. Records shall also be made available when required by law, requested by the Secretary of Transportation, DOT agency, National Transportation Safety Board (NTSB), or any State or local officials with regulatory authority over safety sensitive employees.

Test results may only be released to the City, the SAP or to the decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol and/or controlled substance test administered under this policy; from the employer's determination that the employee engaged in conduct prohibited by this policy; or pursuant to a request which is otherwise required by law to be released. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee.

Records shall be made available to a subsequent employer upon receipt of a written request from a previous or existing employee, but such disclosure is expressly limited to the terms of the employee's request and the disclosure permitted by law. The City shall maintain the information regarding alcohol and drug tests on safety sensitive employees for a minimum period of two (2) years.

8-107.10 TRAINING FOR SUPERVISORS

The City will provide initial and ongoing training to all supervisors of the City regarding enforcement of this policy. Annually, at least one (1) hour of training will be provided to supervisors on drug and/or alcohol misuse symptoms and indicators used in making determinations for reasonable suspicion testing. Every safety sensitive employee shall participate in an annual drug and alcohol training and education program for a minimum of one (1) hour. The program shall include both the distribution of information material and a classroom type instruction.

Attendance logs from the training sessions shall be maintained for at least two (2) years.

All questions regarding the Drug and Alcohol Policy and testing procedures may be directed to the City Manager.



SECTION 9.

Separation

SECTION 9. SEPARATION

ARTICLE 9-101	RESIGNATION PROCESS
ARTICLE 9-102	SEPARATION DUE TO DISCIPLINE
ARTICLE 9-103	RETIREMENT PROCESS
ARTICLE 9-104	EXIT INTERVIEWS

9-101 RESIGNATION PROCESS

9-101.1 NOTICE OF RESIGNATION

It is requested by the City that employees who resign notify their Department Head two (2) weeks prior to the effective date. Individuals in Department Head and Manager positions are requested to give thirty (30) days' notice. The resignation should be made in writing, signed, and dated. The original resignation will be forwarded to the City Clerk for inclusion in the employee's employment records.

The Department Head may approve the withdrawal of a resignation prior to the effective date of such resignation provided that a conditional offer of employment has not been made to fill the pending vacancy.

9-101.2 USING LEAVE AFTER RESIGNATION

Use of vacation leave, personal holiday(s), or compensatory time during the minimum notice period generally shall not be permitted. Special circumstances may be evaluated on a case-by-case basis. An employee may use sick leave during the minimum notice period only with a statement from a healthcare provider stating that the employee's condition prevented the employee from working.

9-101.3 POST-RESIGNATION PROCEDURES

Employees who resign must return all City identification, keys, equipment, City documents, uniforms, and City-owned property.

Employees who resign will receive a final paycheck on the next regular payroll date upon which they would have been paid if still employed. The cost of any City property not returned prior to this payroll date or any other monies owed the City may be deducted from the employee's final check.

9-101.4 CONTINUING HEALTH-CARE COVERAGE AFTER DEPARTURE (COBRA)

Full or part-time employees who resign and/or their eligible dependents are eligible to continue their health care coverage through COBRA for a designated period of time and must complete the necessary paperwork to indicate if they decline or accept continued coverage. The employee bears the entire cost of COBRA coverage.

9-102 SEPARATION DUE TO DISCIPLINE

Employees who are terminated as a disciplinary measure:

- Must return all City identification, keys, equipment, documents, uniforms, and City owned property;
- Will receive their final paycheck in accordance with Colorado law The cost of any City property not returned prior to this payroll date or any other monies owed the City may be deducted from the

employee's final check; and

- May be eligible to continue their health care coverage for themselves and/or any eligible dependents through COBRA for a designated period of time (unless terminated for gross misconduct) and must complete the necessary paperwork to indicate if they decline or accept continued coverage.

9-103 RETIREMENT PROCESS

Employees who plan to retire should notify the City Manager at least ninety (90) days prior to their planned retirement date.

The retiring employee may elect to continue coverage through COBRA, and the employee must complete the necessary paperwork to indicate if they decline or accept COBRA coverage

9-104 EXIT INTERVIEWS

Exit interviews may be scheduled for all employees who separate from full-time and part-time positions with the City of Florence. The exit interview will be conducted by the City Manager or designee.

Group insurance conversion options and other pertinent benefit matters will also be discussed during the exit interview.



CITY OF FLORENCE

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City Manager Report

January 12, 2024 – February 1, 2024

Meetings with agencies, boards, and committees:

- ***Planning Commission – January 18, 2024***
 - Attended the January City of Florence Planning Commission meeting.
- ***Union Ditch Board Meeting – January 23, 2024***
 - Attended the annual Union Ditch Board meeting.
- ***Fremont County 911 Authority – January 30, 2024***
 - Met with Randy Leshner with the Fremont County 911 Authority.
- ***Regional Water Board Meeting – January 30, 2024***
 - Attended the monthly Regional Water Board meeting.

Internal Meetings/Discussion/Projects

- Continuing to work with Amnet to develop a solution to the City's consistent phone system issues.
- Have started the process of moving the City to a modern, electronic billing system. The target date for the switch to this system is March 2024.
- The change in City Hall operating hours to 7:30 AM – 5:30 PM Monday – Thursday went into effect on Monday, January 29, 2024.
- The City has migrated to an electronic time keeping system for all employees in order to make payroll processing as accurate and efficient as possible.
- Working with Finance Director Cobler to create a user friendly version of the City's budget with additional content and context to be posted on the City's website in the upcoming weeks.