

**BILL NO. 2375-10**

**ORDINANCE NO. 2341-10**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON BY DELETING PRESENT TITLE I, GOVERNMENT CODE, CHAPTER 115: PERSONNEL CODE AND IN LIEU THEREOF ADDING A NEW TITLE I GOVERNEMENT CODE, CHAPTER 115: PERSONNEL CODE.**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON AS FOLLOWS:**

Section 1. That Title I, Government Code, Chapter 115: Personnel Code of the City of Camdenton, Missouri, is hereby deleted and in lieu thereof adopting a new Title I, Government Code, Chapter 115: Personnel Code, which is attached to and made apart of this Ordinance, identified as Exhibit A.

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Read the first time the 5<sup>th</sup> day of January, 2010.

Read the second time and passed and approved this 19<sup>th</sup> day of January, 2010.

\_\_\_\_\_  
Gentry D. North, Mayor

ATTEST:

\_\_\_\_\_  
Renee Kingston, City Clerk

## **CHAPTER 115: PERSONNEL CODE**

### **ARTICLE I. GENERAL PROVISIONS**

#### **SECTION 115.010: GENERAL POLICY PROVISIONS**

The personnel policies adopted in this Chapter are designed to list the principles and procedures which will be followed by the City of Camdenton, State of Missouri, in the administration of the personnel program. These policies are intended and hereby adopted by the City to provide and establish efficient, equitable and functional rules for the conduct of personnel affairs. It is the further goal of these policies to be positive in nature and non-punitive in principle based on the assumption that fair and impartial treatment on the part of employee and employer will constitute a high standard of conduct. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

#### **SECTION 115.020: PERSONNEL POLICY ADMINISTRATION**

The City Administrator shall be responsible for the administration and initial interpretation of these policies and may promulgate such memoranda as deemed necessary to clarify, supplement or implement the adopted policies. Any official or employee may, submit a written request to the Board of Aldermen, through the City Clerk, requesting reconsideration or clarification of decisions made by the City Administrator. Should personnel matters occur which are not covered by these policies, the Mayor and/or City Administrator is authorized to take appropriate action or render a decision pending a revision, amendment or addition to these policies. All references to "he" and "him" in these policies shall be construed to include the pronoun "she" and "her" or equivalents. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

#### **SECTION 115.025: AT-WILL EMPLOYMENT**

The City of Camdenton Personnel Code is not intended to be a contract between the City and its employees and cannot be altered to become a contract. Employment is strictly at-will pursuant to Missouri Law, and it is not governed by an oral or written contract, and can be terminated at any time, with or without cause or advance notice by either party. The continued employment of any employee is not guaranteed.

#### **SECTION 115.026 EMPLOYEE STATUS**

- A. Regular full-time employee – employees who have completed their probationary period and who are regularly scheduled to work forty (40) hours per week.
- B. Regular part-time employees – employees who have completed their probationary period and who are regularly scheduled to work less than forty (40) hours per week.
- C. Temporary employees – employees holding jobs of indefinite duration, arising out of seasonal positions, special projects, position vacancy pending appointment of a regular full-time or part-time employee, abnormal work loads, emergencies or other reasons established by the City. Temporary employees may be assigned either full or part-time work schedules.

- D. Non-exempt employees – employees covered by overtime pay and/or compensatory time provisions of the Fair Labor Standards Act or applicable state laws. Such employees are entitled to overtime pay or compensatory time for hours worked over forty (40) hours in a work week.
- E. Exempt employees – employees classified as exempt are ineligible for overtime pay and/or compensatory time as provided for in the Fair Labor Standards Act and applicable state laws.

**ARTICLE II. ETHICS AND STANDARDS**

*Cross Reference--As to police officers and firefighters, refer to Police Procedural Manual, also see ch. 200 and Fire Procedural Manual, also see ch. 205.*

**SECTION 115.030:      EMPLOYEE CODE OF ETHICS**

An employee of the City of Camden should:

- A. Practice high moral principles in all aspects relating to activities of the City, and in personal relationships that could potentially adversely reflect upon the integrity of the government.
- B. Be committed to the principle of practicing loyalty to country above loyalty to persons or political persuasion.
- C. Commit oneself to industrious work; giving a full day's labor for a full day's pay and bringing to the performance of their assigned duties an earnest effort and an attitude of cooperation.
- D. Never practice discrimination through the dispensation of special favors or privileges to anyone, whether for remuneration or not; never accept, for themselves or their family, favors or benefits induced by reason of City employment.
- E. Make no private promises of any kind binding upon the duties of employment, since a public employee possesses no private bond which can be binding upon public duty.
- F. Seek to find and employ more efficient and economical methods of accomplishing tasks which will conserve public funds.
- G. Engage in no business with public or private interests, either directly or indirectly, which is inconsistent with, gives the appearance of, or may be construed as a conflict of interest, with the performance of their governmental duties.
- H. Never use any information coming to them in confidence in the performance of any public duty as a means for making private gain.
- I. Seek to promote harmony among other employees and to encourage an atmosphere of cooperation and teamwork. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.040: POLITICAL ACTIVITY**

Public Law 89-554 (80 Stat. 403 USC) defines political activity and places certain restrictions upon State and local government and employees in relation to such activity. The following are prohibited and permissible activities for City employees:

- A. City employees may not use their official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office. This includes working to register voters or making speeches to elect a candidate. They may, however, register and vote as they choose, assist in voter registration drives and express their opinion about candidates and issues.
- B. City employees may not directly or indirectly coerce, attempt to coerce, command or advise an employee, a subordinate or co-worker to pay, lend or contribute anything of value to a candidate, agency, or person for political purposes. They may, however, contribute money to a political organization or candidate of their own volition, or attend a political fund raising function.
- C. City employees may not be a candidate for any City of Camden elected office.
- D. City employees may be a candidate for public office in a nonpartisan election, but may not be a candidate for office in a partisan (where candidates for that office represent a political party) election under any circumstances.
- E. City employees may not engage in an overt political activity which prominently identifies them with the success or failure of a partisan or non-partisan political party, group or candidate while on duty or in any City owned vehicle or vehicles used for City business for which mileage expenses are remunerated.
- F. City employees may wear or display political badges, buttons or stickers while not on duty for the City of Camden with the exception of municipal elections as set forth in Section J and K herein; however, the decision to so express their opinions should be tempered with good judgment, ethical conduct, and the interests of the City of Camden. The display of political paraphernalia on City owned vehicles, or vehicles used for City business for which mileage expenses are remunerated, or displayed while in city uniform on or off duty is prohibited.
- G. City employees shall not directly or indirectly coerce, attempt to coerce, command or advise City of Camden employee to wear or display political badges, buttons or stickers.
- H. City employees shall not be appointed or retained on the basis of their political activity.
- I. City employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, contribute or solicit funds or support, for the purpose of supporting or opposing the appointment or election of candidates for any City of Camden municipal office.
- J. No City employee shall actively advocate or oppose the candidacy of any individual for nomination or election to any City of Camden municipal office, but an employee may participate in political affairs at other levels of government, provided such participation does not adversely affect their performance as a City employee.

- K. Employees are encouraged to exercise their right to vote in municipal elections, but shall not engage in, or participate in any other way or in any municipal elections. Failure to comply with the provisions of Section 115.040 is grounds for immediate termination. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

### **ARTICLE III. AFFIRMATIVE ACTION PLAN**

#### **SECTION 115.050: GENERAL POLICY STATEMENT**

- A. The City of Camdenton is an equal opportunity-affirmative action employer. Therefore it complies with all provisions of Title VII of the Civil Rights Act of 1964 as amended, and with the Missouri Fair Employment Practice Act of 1961 as amended. These laws prohibit discrimination because of race, color, sex, religion, national origin, handicap, creed, ancestry, age, marital status, and prior military status. Any administrative or supervisory personnel found guilty of any overt or covert act of discrimination, including, but not limited to harassment, coercion, intimidation or retaliation shall be disciplined or terminated. Discrimination in any form is a violation of the law and shall not be condoned or tolerated by the City.
- B. "Affirmative Action" means that all employees shall be treated equally in regard to terms, conditions, and privileges of employment including promotions, salary, advancements, assignments, training, demotion, or any other personnel action. If for any reason an employee feels that ~~he/she is~~ they are being discriminated against because of race, creed, color, religion, age, national origin, handicap, sex, ancestry, marital status or prior military status, they should contact the City Administrator, or the Equal Opportunity Officer of the City. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

#### **SECTION 115.060: AFFIRMATIVE ACTION STATEMENT**

The City hereby adopts the following Affirmative Action Program for Equal Employment Opportunity.

- A. This policy shall be made known to all employees and potential sources of employees.
- B. The City Administrator shall be responsible for insuring compliance with the Equal Opportunity policies. The Mayor shall designate, with the concurrence of the Board of Aldermen, an Equal Opportunity Officer with the responsibility of coordinating the efforts of the City to eliminate discriminatory practices.
- C. The City will take appropriate non-discriminatory recruiting measures such as, but not limited to:
  - 1. Placing employment advertisements in newsletters which serve the largest number of minority group people in the recruiting area.
  - 2. Recruiting through schools and universities having substantial proportions of minority students.
  - 3. Maintain systematic contacts with minority and human relations organizations, leaders and spokesmen to encourage referral of qualified minority applicants.

4. Encouraging officials and employees to refer to minority applicants.
  5. Making it known to recruitment sources that qualified minority members are being sought for consideration for work whenever the City hires personnel.
- D. The City assures that it will take appropriate non-discriminatory hiring measures, such as, but not limited to, instructing personally the person who makes hiring decisions that minority applicants for all jobs are to be considered without discrimination.
- E. The City assures that it will make maximum use of training programs to help equalize opportunity for minority persons such as, but not limited to:
1. Assisting minority persons, as well as others, to enter training and making such training available to the maximum extent within the City.
  2. Actively encouraging minority employees, as well as others, to increase their skills and job potential through participation in available training and education programs.
- F. The City assures non-discriminatory placement and promotion by taking measures such as, but not limited to:
1. Instructing personally the persons who make placement and promotion decisions that minority employees are to be considered without discrimination.
  2. Encouraging the promotion of minority employees who have increased their skills and job potential in accordance with the City's Affirmative Action Policies.
- G. The City assures non-discriminatory pay, other compensation and working conditions by taking appropriate steps such as, but not limited to:
1. Examining the rates of pay and fringe benefits for present employees with equivalent duties and adjusting any inequities found.
  2. Not reducing the compensation of existing employees who have been converted to on-the-job training status.
- H. The City encourages non-discriminatory contracting by taking appropriate steps such as encouraging minority group contractors and contractors with minority representatives among their employees to submit proposals for contract work.
- I. The City assures that it will follow through with questioning, verifying, and making whatever changes or additions to the City's Equal Employment Opportunity Program that may be necessary to assure effectiveness. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.070: EXTERNAL COMMUNICATIONS**

- A. All employment advertisements shall contain the words "An Equal Employment Opportunity-Affirmative Action Employer".

- B. The City employment application forms shall contain the following clause: "Camdenton is an equal employment opportunity employer and shall not discriminate against an employee or applicant for employment due to race, color, creed, religion, sex, age, marital status, national origin, prior military status, or handicapped status unless based upon a bona fide occupational qualification. If you believe that you have been discriminated against, you should notify the City Equal Employment Opportunity Officer or the Missouri Commission on Human Rights."

#### **ARTICLE IV. HIRING, PROMOTION, AND CONDITIONS OF EMPLOYMENT**

##### **SECTION 115.080:       HIRING AND PROMOTION**

Hiring and promotions to all positions shall be determined by evaluation of the applicant's:

- A. Training, education, experience, qualifications, and if required to perform the duties of the position, the applicant's physical fitness. As a condition of employment the City may require a pre-employment physical examination and drug screen, which shall be conducted by a qualified physician designated by the City and at the City's expense.
- B. Oral interview, and
- C. Whenever practical, an examination or demonstration test. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1501-93 §1, 8-3-93; Ord. No. 1675-97 §1, 10-9-97)

##### **SECTION 115.090:       PROMOTION POLICIES**

All vacancies, whenever possible, may be filled by promotion of a qualified employee within the City service. However, applicants may be recruited from outside the City service whenever it is believed that better qualified applicants are available from the outside rather than from within the City service. The criteria used in the selection of the most qualified applicant shall be based upon experience, performance, evaluation and, where feasible, examination. Transfers between departments within the same position classification will be considered when a vacancy occurs, but first (1st) preference will be given to promotion within the department. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

##### **SECTION 115.100:       PROBATIONARY PERIOD**

All employees in new full-time and part-time positions must serve a probationary period of six (6) months before the employee shall be considered permanent. This includes both newly hired employees and individuals already employed by the City who have been transferred or promoted to a new position. The probationary period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential performance. If the probationary employee fails to meet required standards of performance, such employee is to be terminated, or if the employee is a promoted regular employee, the employee may be restored to the position from which they were promoted or to a comparable position.

- A. If at any time during the probationary period, the Mayor and/or City Administrator determines that the services of the employee have been unsatisfactory, the employee may be terminated from their position.

- B. At the end of the probationary period, if there is reason to believe that the employee may develop the ability to perform satisfactorily by an extension of the probation period, the department head may grant an extension, not to exceed sixty (60) days.
- C. At the end of each employee's six (6) month probationary period, the department head or supervisor shall complete a performance evaluation report and notify the City Administrator in writing that either:
  - 1. The employee has successfully completed their probationary period and is capable of performing the duties of the position satisfactorily, and is henceforth to be considered a regular employee with all rights and privileges due such employee; or
  - 2. The employee has not demonstrated ability to perform satisfactorily the duties of the position and is recommended to be terminated from City employment, or if promoted from another position returned to the previous or a similar classification. The Mayor and/or City Administrator shall determine whether to terminate the employee from City employment. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)  
*Cross Reference--Also refer to adopted City of Camden pay and compensation plan.*

**SECTION 115.110: NEPOTISM**

Two (2) members of an immediate family shall not be employed under the same supervisor; neither shall two (2) members of an immediate family be employed at the same time, regardless of the administrative department, if such employment will result in an employee supervising a member of their immediate family. This policy applies to promotions, demotions, transfers, reinstatements, and new appointments. The Board of Aldermen, however, may authorize seasonal employees working under the supervision of an immediate family member. Immediate family is defined as wife, husband, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, grandchildren, step-mother, step-father, brother-in-law, sister-in-law, uncle and aunt. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.120: OUTSIDE EMPLOYMENT**

- A. No full-time employee shall accept outside employment, whether part-time, temporary or permanent, without prior written approval from the City Administrator. Each change in outside employment shall require separate approval. Approval shall not be granted when such outside employment conflicts or interferes, or is likely to conflict or interfere, with the employee's municipal service. Employees may not engage in any private business or activity, while on duty. No employee shall engage in or accept private employment or render any service for private interest when such employment or service is incompatible or creates a conflict of interest with his/her their official duties.
- B. Employees requesting approval for outside employment shall complete the "Request for Outside Employment" form which is on file in the office of the City Clerk. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

**ARTICLE V. HOURS OF WORK, OVERTIME, AND MISCELLANEOUS PROVISIONS**

**SECTION 115.130:       STANDARD HOURS**

- A. Regular working hours for all full-time employees other than appointed City Officers shall be forty (40) hours per week, which shall be the standard work week. The standard starting hour for the Street, Water, Sewer and Park Departments shall be 7:00 A.M. and the standard ending hour shall be 3:30 P.M. commencing each Monday and concluding each Friday. The standard starting hour for administration employees shall be 8:00 A.M. and the standard ending hour shall be 4:30 P.M. commencing each Monday and concluding each Friday. All employees will be offered one-half (½) hour for lunch.
- B. Employees who must vary from the prescribed hours of work on a regular basis in order to meet the needs of the City must secure the approval of their respective supervisor and the City Administrator.
- C. Public safety employees may vary from the prescribed hours of work on a regular basis in order to meet the needs of the City. The standard work week for public safety employees shall consist of not more than forty (40) hours during a regular week, during hours assigned by supervisory personnel. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.140:       OVERTIME COMPENSATION**

- A. All employees and appointed officials who are not exempt under the Federal Fair Labor Standards Act are entitled to be compensated for overtime expended in excess of forty (40) hours worked per week. Holidays, as designated by Section 115.310, falling within a pay period shall be included as hours worked (effective July 1, 1998). Salaried employees and elected City Officials shall be exempt from the provisions of overtime remuneration in compliance with the provisions of the Fair Labor Standards Act.
- B. Hourly paid employees who work more than forty (40) hours in a week shall be compensated at the rate of one and one-half (1½) times their regular rate of pay or at the option of the City, as determined by the head of each respective department, employees may be afforded compensatory time at the rate of one and one-half (1½) times their regular rate of pay in lieu of overtime pay. If employees are required to work overtime, they shall be notified in advance, if possible. The decision of whether to pay overtime wages or to grant compensatory time off shall be made on a case by case basis.
- C. If it is necessary to call an employee back to duty during vacation leave, the employee shall receive compensation for the vacation day(s) worked at one and one-half (1½) times their regular rate of pay. The time shall not further count as hours worked toward the regular pay week(s) in which the vacation was taken.
- D. Overtime may be granted under the following conditions:
  - 1. Job duties or functions which are essential to the conduct of City business and which cannot be anticipated in advance or scheduled into regular work hours.

2. Unusual events, the occurrence of which is beyond the control of the City department and for which overtime is deemed necessary.
3. Special assignments or activities required by City policy or approved in advance by the City Administrator or Department Head. (Ord. No. 1620-97 §1, 7-16-96; Ord. No. 1675-97 §1, 10-9-97; Ord. No. 1688-98 §1, 4-7-98; Ord. No. 1708-98 §1, 9-22-98; Ord. No. 1835-01 §1, 7-17-01)

**SECTION 115.141: ON CALL COMPENSATION**

- A. All employees required to be "on call" as defined herein, shall be entitled to compensation at the rate of fifteen dollars (\$15.00) for each day or partial day they are "on call", regardless of whether or not they are called in to work. If an employee is "on call" and ~~he/she is~~ called or contacted and responds to such call or contact, they shall, in addition to the fifteen dollars (\$15.00) for each day as provided herein, receive additional compensation at the rate of one and one-half (1½) times regular rate of pay or at the option of the head of each respective department, may be afforded compensatory time off duty at the rate of one and one-half (1½) hours for each hour worked. The decision of whether to pay "on call" compensation or to provide compensatory time off will be determined by the head of each respective department.
- B. "On call" compensation shall be paid when applicable, regardless of whether the employee has worked more than forty (40) hours in any work week as provided in Section 115.140 of the City Code. The "on call" provisions contained herein do not apply to City employees required to be on call for the Police Department or the Fire Department.
- C. An employee is "on call" when they are required to make themselves available to be called or otherwise contacted and if called or contacted is required to respond to such call within thirty (30) minutes of the call or contact. Nothing contained herein shall require employees to remain on or near the City's property while "on call" and nothing contained herein shall prevent "on call" employees from personal pursuits while "on call" so long as the employee is available to be called or contacted and can respond within the thirty (30) minute period of time following the call or contact. (Ord. No. 1620-97 §2, 7-16-96; Ord. No. 1629-96 §1, 9-3-96; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.142: CALL BACK COMPENSATION**

An eligible employee called back to duty (by a supervisor) while on a regularly scheduled day off, or after more than one (1) hour has elapsed following completion of the regular tour of duty, will be authorized a minimum of two (2) hours of overtime, or the amount of time actually involved from the time the employee reported for duty until relieved of duty, whichever is greater. (Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.150: ABSENCES AND TARDINESS**

- A. An employee is expected to be present during normal working hours. If for any reason an employee will be absent from the work place, they are expected to telephone their immediate supervisor and explain the circumstances causing their absence.
- B. Repeated unexcused absences and/or tardiness will be considered grounds for termination. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.160: AGE**

The minimum age for employment as a probationary employee shall be:

- A. Employees other than Public Safety: Eighteen (18) years of age;
- B. Public Safety Employees: Twenty-one (21) years of age, unless otherwise specified by public safety job description;
- C. Seasonal Employees: Fifteen (15) years of age. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97; Ord. No. 1931-03 §1, 2-4-03)

**SECTION 115.170: RESIDENCE**

- A. Employees of the City of Camden shall not be required to live within the City limits, but they are encouraged to do so. This suggestion is intended to foster a greater interest in and concern for the welfare of the community on the part of the City employees. At the time of hire, promotion, demotion, etc., if all other factors are equal, City residents shall be given favorable preference.
- B. Public safety employees, while not required to live within the City limits, shall be required to maintain their principal domicile within an area adjacent to the City which will permit a response time not to exceed a twenty-five (25) minute period. (Ord. No. 1077-86 §1, 2-4-86; Ord. No. 1675-97 §1, 10-9-97)

**ARTICLE VI. EMPLOYEE COMPENSATION AND BENEFITS**

**SECTION 115.180: SALARIES**

- A. Salary adjustments will be based on an overall performance, longevity, job description and responsibilities. All salary adjustments shall be approved by the Board of Aldermen and recorded in writing on an appropriate form.
- B. Salary increases shall be determined in compliance with the Pay and Compensation Plan Policy as adopted by the Board of Aldermen from time to time by resolution. (Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1675-97 §1, 10-9-97; Ord. No. 1776-00 §1, 1-18-00)

**SECTION 115.190: RETIREMENT PLANS**

- A. LAGERS. As adopted by Ordinance 2232-08, effective July 1, 2008, the City will provide retirement benefits for its eligible employees under the Missouri Local Government Employees Retirement System (LAGERS), pursuant to the provision of Sections 700.600 through 700.755, RSMo. (2000) as may be amended from time to time. Employees should contact the City Clerk for detailed information.
- B. Individual Retirement Account (IRA). Effective July 1, 2008, all employees may elect to contribute to an Individual Retirement Account (IRA) offered by the City. The City will not participate monetarily in this program. Employees should contact the City Clerk for detailed information. (Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1371-91 §1, 7-2-91; Ord. No. 1428-92 §1, 6-16-92; Ord. No. 1667-97 §1, 7-1-

97; Ord. No. 1675-97 §1, 10-9-97; Ord. No. 2166-07 §1, 2-26-07; Ord. No. 2174-07 §1, 5-15-07; Ord. No. 2246-08 §1, 5-6-08)

**SECTION 115.200: INSURANCE**

The City shall participate in a -comprehensive health-life insurance program for City full-time appointed City Officers, and all full-time regular and probationary employees at the conclusion of thirty (30) days of satisfactory service, at the rate of one hundred percent (100%) of the cost for employee coverage. Full-time status shall be determined as defined in the insurance provider's policy plan. Any excess coverage elected to be taken by the employee shall be the total responsibility of each employee so electing. The City will make available a comprehensive health-life insurance program for the families of all City appointed officers, and all regular and probationary employees who have completed thirty (30) days of satisfactory service, however, the entire costs of said family benefits shall be borne by the employee on a payroll deduction basis. Neither temporary nor part-time employees as defined in the insurance provider's policy plan, shall be afforded any medical insurance benefits. (Ord. No. 1118-86 §1, 10-7-86; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.210: ON DUTY INJURY PROCEDURE**

A. Purpose. All employee's of the City of Camdenton are covered under the Missouri Workers' Compensation Act.

1. The purpose of the act is to ensure that employees receive prompt and adequate medical treatment and benefit coverage for an on duty injury or illness.
2. This policy establishes guidelines which assure compliance with the rules, regulations and requirements of the Missouri Workers' Compensation Act.

B. Policy.

1. Care and treatment.
  - a. Any injury, regardless of the severity sustained, by a City employee while in the performance of duty, shall be reported as soon as possible.
  - b. Treatment for injuries not requiring emergency room care will be received at the office of authorized medical facilities, as approved by the Board of Aldermen.
  - c. If an injury requires immediate treatment and the doctor's office is closed, or if the injury requires emergency room facilities, treatment shall be received at an authorized medical facility, as approved by the Board of Aldermen.
  - d. If a member elects to obtain treatment from a physician or hospital not authorized by the City of Camdenton or to receive medical treatment that is above or beyond that recommended by the physician authorized by the City of Camdenton, they may do so, however, such treatment shall be at the employee's expense.

- e. When a disability covered by this policy evidences symptoms or behavior suggesting possible psychological origins, the employee may be required to submit to an examination by a psychiatrist or psychologist authorized by the City of Camden upon direction of the City Administrator.
- f. Reserve Officer who sustains a compensable injury while on duty, which prevents the member from participating in any form of gainful employment will be eligible to receive only the appropriate statutory compensation amount in effect at the time of the injury.
- g. Failure to comply with the provisions outlined in this policy, or any substantiated abuse of injury leave, may result in disciplinary action.

2. Return to work.

- a. An employee on workers' compensation leave must have a certificate for return to work or comparable medical statement from the physician authorized by the City of Camden in order to return to work.
- b. If an employee's disability is medically evaluated to be a permanent one which will prevent the return to full duty (perform all the duties and functions of the job classification and responsibilities), the employee may be considered for release of employment, at any time.

3. Reports on injuries. All reports will be forwarded to the City Administrator for his/her [his] review and submission to the Workers' Compensation Insurance Carrier. (Ord. No. 1379-91 §1, 8-6-91; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.220: UNEMPLOYMENT INSURANCE**

The City will provide unemployment insurance protection for its employees. (CC 1984 §23.670; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.230: SOCIAL SECURITY**

The City is a participant in the Old Age and Survivors Disability and Hospital Insurance Program and contributes to the fund on behalf of all employees. (CC 1984 §23.680; Ord. No. 1675-97 §1, 10-9-97)

**ARTICLE VII. DISCIPLINARY ACTION**

Cross Reference--As to police officers, refer to Police Procedural Manual, also see ch. 200.

**SECTION 115.240: CAUSE FOR DISCIPLINARY ACTION**

A. It shall be the duty of all City employees to comply with and to assist in carrying into effect the provisions of the City's personnel rules and regulations. All discipline shall be in accordance with procedures established by the personnel rules and regulations.

B. Employee's and Supervisor's Responsibilities.

1. It is the duty of every employee to attempt to correct any faults in their performance when called to their attention and to make every effort to avoid conflict with the City's rules and regulations.
  2. It is the duty of every supervisor to discuss improper or inadequate performance with the employee in order to correct the deficiencies and to avoid the need to exercise disciplinary action.
- C. Disciplinary Action. Disciplinary actions may include: (a) warning; (b) suspension; (c) demotion; and (d) termination of employment.
- D. Grounds for Action. The following are examples of actions which may be grounds for warning, demotion, suspension, or termination of any full-time or regular employees:
1. Conviction, plea of guilty or finding of guilty of a felony;
  2. Acts of incompetency;
  3. Absence without leave;
  4. Acts of insubordination;
  5. Intentional failure or refusal to carry out instructions;
  6. Misappropriation, destruction, theft, or conversion of City property;
  7. Employee subsequently becomes physically or mentally unfit for the performance of their duties;
  8. Acts of misconduct while on duty;
  9. Willful disregard of orders;
  10. Habitual tardiness and/or absenteeism;
  11. Falsification of any information required by the City;
  12. Failure to promptly report accidents, personal injuries or damage to city equipment;
  13. Neglect or carelessness resulting in damage to City property or equipment;
  14. Conviction, plea of guilty or a finding of guilty of a misdemeanor, ordinance violation or traffic charges depending on the nature, frequency or severity of the offense;
  15. Introduction, possession, or use on City property or in City equipment of illicit drugs, intoxicating liquors, or proceeding to or from work under influence of same;
  16. Inappropriate conduct or treatment of the public;

- 17. Sexual harassment;
- 18. Acts of discrimination on the basis of age, race, gender, religion, or disabilities.
- 19. Willful disregard to City approved individual department standard operating guidelines or procedures.

This is not intended to be an all inclusive list. Other actions which could constitute grounds for disciplinary action may be reviewed by the City Administrator as deemed necessary.

- E. **Employee Notice.** A written notice shall be given to each employee stating the reasons for the disciplinary action and the date it is to take effect. The notice is to be given to the employee at the time such disciplinary action is taken, and in any event not later than three (3) working days from date of the disciplinary action. A copy of notice signed by the employee and placed in the employee's file shall serve as prima facie evidence of delivery. (Ord. No. 95-1185 §1, 9-25-95)

The written notice may be initiated by the City Administrator or the employee's Department Head with the City Administrator having prior knowledge of the action.

**SECTION 115.245      SUSPENSION, DEMOTION OR TERMINATION OF EMPLOYEES**

- A. **Probationary Employees.** Any probationary employee may be suspended, reduced in pay or class, or terminated at any time by the Mayor and/or City Administrator. Probationary, temporary, seasonal, or part-time employees shall not have the right of appeal from such action.
- B. **Full-Time or Regular Employees.** All full-time or regular employees holding positions in the service of the City may be suspended for a period of not more than thirty (30) working days, reduced in pay or class, or terminated by the Mayor and/or City Administrator.
- C. **Right of Appeal.** An employee may, within ten (10) days of the notification, appeal in writing to the City Clerk for a hearing before the Board of Aldermen which shall be conducted in an informal manner with the City and employee being allowed to have witnesses present and the employee having the right to counsel, at their own expense, if desired.

**SECTION 115.250:      LAYOFF**

The City may terminate from employment any employee if the position or project to which said employee has been assigned is abolished or if in the opinion of the Board of Aldermen funds are not available, to pay the salary. (Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.260:      RESIGNATION**

An employee may resign from the service of the City by submitting a resignation in writing, to the City Administrator, Mayor and/or the employee's immediate supervisor. Notices of greater than ten (10) working days prior to the employee's final designated working day may be shortened to ten (10) working days at the discretion of the City Administrator. The employee may be paid in lieu of all or part

of such [the] ten (10) working days [notice] at the discretion of the City Administrator. (Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1675-97 §1, 10-9-97)

## **ARTICLE VIII. EMPLOYEE GRIEVANCE AND EMPLOYEE RELATIONS**

### **SECTION 115.270: GENERAL POLICY**

It shall be the policy of the City to establish such written or unwritten policies and procedures as are necessary to insure an effective means of communication between employees and supervisory personnel and to promote a high level of employee morale. (CC 1984 §23.750; Ord. No. 1675-97 §1, 10-9-97)

### **SECTION 115.280: WORKING CONDITIONS**

Every effort will be made to provide and maintain working conditions which are conducive to maximum work effort and which are in no way harmful to the employee. (CC 1984 §23.760; Ord. No. 1675-97 §1, 10-9-97)

### **SECTION 115.290: COMMUNICATIONS**

Every effort will be made to insure that employees are made aware of changes in policy or procedure, additional employee duties and other information essential for effective job performance. Further, employees shall be encouraged to make suggestions which will enhance the work efforts of the City in supplying service to our constituency. (CC 1984 §23.780; Ord. No. 1675-97 §1, 10-9-97)

### **SECTION 115.300: EQUAL EMPLOYMENT OPPORTUNITY GRIEVANCES**

Grievances that are related to the Equal Employment Opportunity provisions of these policies, or in any way are felt to be the result of discrimination as to race, color, creed, handicap, age, religion, sex, prior military status or national origin will first be presented to the City Equal Employment Opportunity Officer as an intermediate step if a satisfactory solution is not reached with the employee's supervisor, and they shall study the facts as can be determined, and issue a non-binding recommendation. Should the employee not accept the recommendation of the Equal Employment Opportunity Officer, the grievance may then be carried further to a Grievance Review Panel with the Equal Employment Opportunity Officer sitting in as a non-voting member to assure compliance with these Equal Employment Opportunity provisions. (Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1675-97 §1, 10-9-97)

## **ARTICLE IX. HOLIDAYS, VACATIONS AND SICK LEAVE**

### **SECTION 115.310: HOLIDAYS**

- A. All regular full-time employees of the City shall receive regular compensation for the eleven (11) legal holidays listed below and any other day or part of a day during which the public offices of the City shall be closed by special proclamation of the Mayor with approval of the Board of Aldermen. Regular part-time employees shall receive compensation in proportion to the average number of hours normally scheduled to work. Legal holidays to be observed are:

New Year's Day	January first (1st)
Washington's Birthday	Third (3rd) Monday in February
Memorial Day	Last Monday in May
Independence Day	July fourth (4th)
Labor Day	First (1st) Monday in September
Columbus Day	Second (2nd) Monday in October
Veterans Day	November eleventh (11th)
Thanksgiving Day and Friday following	Fourth (4th) Thursday and Friday in November
Christmas Day	December twenty-fifth (25th)
Birthday of Employee	(Beginning January 1, 1993)

- B. It shall be the policy of the City to insure that all regular full-time employees enjoy the same number of holidays each year. The standard shall be the number of holidays in a particular year which will be celebrated by regular full-time employees working Monday through Friday. For this group when a holiday falls on Sunday, the following Monday shall be observed as the holiday. When a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.
1. For regular full-time employees whose work week is other than Monday through Friday, the department head shall designate the work day that shall be observed.
  2. Any employee absent without authorized leave on the day preceding and/or the day following a holiday shall not receive regular compensation for the holiday.
  3. Any regular employee in the City service who shall be required to perform work or render services on a regularly scheduled holiday shall receive a day off at their regular pay rate in lieu of the holiday missed. (CC 1984 §23.850; Ord. No. 1455-92 §1, 11-17-92; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.320: VACATION**

Every regular full-time employee and every regular part-time employee having occupied such position for a period of twelve (12) consecutive calendar months shall be allowed annual vacation leave with pay.

- A. Employees with at least one (1) but less than ten (10) years of continuous service shall be allowed vacation leave at two (2) times the number of hours in a standard work or duty week.
- B. Employees with at least ten (10) but less than twenty (20) years of continuous service shall be allowed vacation leave at the rate of three (3) times the number of hours in their standard work or duty week.
- C. Employees with at least twenty (20) or more years of continuous service shall be allowed annual vacation leave at the rate of four (4) times the number of hours in their standard work or duty week. (Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1444-92 §1, 10-6-92; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.330: VACATION -- HOW TAKEN**

- A. Vacation leave shall be taken during the year following its accumulation.
- B. Employees shall take vacation days as follows:
  - 1. Employees shall take one (1) week vacation annually to allow the employee time to rest.
  - 2. The second (2nd) and subsequent weeks vacation may be taken in pay in lieu of time off with the written consent of the City Administrator.
  - 3. Vacation leave may be taken as the employee chooses in one (1) to five (5) day increments with the approval of the employee's immediate supervisor, based on staff availability.
  - 4. No more than ten (10) days of vacation may be taken at any one time. Exceptions may be granted with the written consent of the City Administrator.
- C. Vacation leave credit may not be carried from one (1) year to the next.
- D. Absence on account of sickness, injury or disability in excess of that hereinafter authorized for such purposes may, at the request of the employee and within the discretion of the department head, be charged against vacation leave allowance.
- E. The City Clerk shall keep records of vacation leave allowance and use, and shall schedule vacation leave with particular regard to the seniority of employees, in accord with operating requirements and, insofar as possible, with the requests of the employees.
- F. When a regularly scheduled holiday occurs during the period of an employee's vacation an additional day of vacation shall be granted.
- G. Any regular employee in the City service who shall be required to perform work or render services on a regularly scheduled holiday shall receive equal time off for time worked. (Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1665-97 §1, 6-17-97; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.340: SICK LEAVE**

- A. Introduction. The sick leave policy is designed to provide an employee with continued income when an illness, off duty injury, pregnancy or disability prevents the employee from working on a scheduled work day.
- B. Policy.
  - 1. Sick leave is paid leave which is granted to employees for absences due to legitimate personal illness, pregnancy, or non-duty related injury or disability from which a medical expectation of recovery and return to full employment is anticipated.
  - 2. Accrual rate of sick leave.

- a. All regular full-time employees shall earn sick leave at a rate of four (4) hours per month for a total of forty-eight (48) hours per year. All regular part-time employees shall earn sick leave each month at a rate equal to one-fourth (¼) of the regular hours worked each day.
- b. Sick leave may be accumulated up to two hundred forty (240) hours with provisions as set in Subsection (D) to compensate employees at time of termination of employment.
- c. Sick leave not used in a work year shall be carried forward to the next year.
- d. A new employee hired on or before the fifteenth (15th) day of the month will earn a full month's sick leave for that month; a new employee hired after the fifteenth (15th) day of the month will not earn sick leave for that month.
- e. Sick leave shall accrue from date of employment, but shall not be vested or taken until the successful completion of the six (6) month probation period, except with permission of the City Administrator.
- f. Sick leave may never be taken in advance of earning the time.

3. Maternity policy.

- a. Employee's requesting sick leave for pregnancy shall be regarded the same as any other temporary illness.
- b. The employee must be able to perform her work assignment safely and effectively for the entire tour of duty.
- c. A medical statement may be requested as to the ability or inability to perform the duties of her work assignment.

C. Procedures. Responsibility for employee/department managers:

- 1. All employees shall notify a supervisor or designee prior to the time the employee is scheduled to report to work. At the discretion of their supervisor, the employee may be required to provide written medical authorization for their absence from work.
- 2. The supervisor or designee shall complete the initial notification section of the Claim for Sick Leave Benefit Report.
- 3. Upon return to duty the employee will review the benefit time claim and sign the Claim for Sick Leave Benefit Report.
- 4. Sick leave benefit accrued and sick leave benefit claims will be reflected on the payroll sheets.

D. Sick Leave Compensation.

1. When an employee resigns (giving at least ten (10) working days notice) or retires from employment, the employee shall be entitled to receive reimbursement for accrued sick leave according to the following schedule:

0-1 Years of Service	Reimbursement for 0%
1-5 Years of Service	Reimbursement for 20%
5-10 Years of Service	Reimbursement for 40%
10-15 Years of Service	Reimbursement for 60%
15-20 Years of Service	Reimbursement for 80%
Over 20 Years of Service	Reimbursement for 100%

2. Payment for sick leave beyond accumulated limit.
  - a. Any employee who has accumulated two hundred forty (240) hours of sick leave shall thereafter be paid for all unused sick leave accumulated. Payment shall be made annually on the first (1st) payroll period after December fifteenth (15th).
  - b. Payment shall be at the employee's regular rate of pay for each hour of unused sick leave accumulated beyond the limit. (Ord. No. 1372-91 §1, 7-2-91; Ord. No. 1444-92 §1, 10-6-92; Ord. No. 1675-97 §1, 10-9-97; Ord. No. 1988-03 §1, 11-18-03)

**SECTION 115.350: FUNERAL LEAVE**

An employee may be granted one (1) to three (3) working days leave as needed in the event of death of spouse, child, mother, father, sister, brother, mother-in-law, father-in-law, grandmother or grandfather or any other close relative. Such leave shall not be deducted from either sick leave or vacation leave. Such leave shall include any holiday falling within such leave period and said holiday shall constitute one (1) day of said leave so that the employee is not compensated for both a funeral leave day and a holiday falling within said leave. (CC 1984 §23.890; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.360: JURY LEAVE**

An employee may be granted leave with pay when required to be absent from work for jury duty or as trial witness. Compensation for such leave shall be limited to the difference between pay received for this service and normal City pay. (CC 1984 §23.900; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.367: FAMILY AND MEDICAL LEAVE**

Eligible employees shall be entitled to take up to twelve (12) weeks of unpaid leave each year for specified family and medical reasons pursuant to and consistent with the provisions of The Family and Medical Leave Act of 1993 (29 USC 2601 et seq.) and all federal regulations administered and enforced by the U.S. Department of Labor, Employment Standards Administration. To the extent allowed by Federal laws and Regulations, any accrued paid vacation leave, paid personal leave and paid sick leave shall apply to any family and medical leave granted pursuant to this Section and shall be included when calculating the number of days granted to an employee for family and medical leave. (Ord. No. 1580-95 §1, 6-6-95; Ord. No. 1675-97 §1, 10-9-97)

**SECTION 115.370: ORGANIZATIONAL CHART**

The following shall be the Organizational Chart for the City of Camden:

**ORGANIZATIONAL CHART**

Any grievance or complaint by any City employee should be brought forward through the proper chain of command. (CC 1984 §23.910; Ord. No. 1224-89 §1, 2-7-89; Ord. No. 1619-96 §1, 7-16-96; Ord. No. 1675-97 §1, 10-9-97; Ord. No. 1702-98 §1, 7-7-98; Ord. No. 1729-99 §1, 1-19-99; Ord. No. 1747-99 §1, 5-4-99; Ord. No. 1840-01 §1, 9-4-01; Ord. No. 2105-06 §1, 3-21-06; Ord. No. 2123-06 §1, 6-6-06)