

The background features a black and white photograph of a building with a water tower. The water tower has a logo that reads "THE SUITES MARKET SQUARE". The building has large windows and the words "UPON IT" and "MARK SQUA" are visible on its facade. A large blue diagonal band runs from the bottom left towards the top right. A grey triangle is in the bottom left corner, and a light blue triangle is on the right side.

City of
HIGH POINT
NORTH CAROLINA

Personnel Resolution

Adopted: February 7, 2022

Table of Contents

1.0	ORGANIZATION OF THE HUMAN RESOURCES SYSTEM	4
1.1	Resolution Purpose Statement	4
1.2	Role and Authority of the City Council	4
1.3	Role and Authority of City Manager	5
1.4	Role and Authority of Director of Human Resources.....	5
1.5	Employees Subject to Resolution	5
2.0	CLASSIFICATION PLAN	5
2.1	Creation, Elimination and Allocation of Positions	5
2.2	Administration.....	5
2.3	Probationary Period.....	6
2.4	Appointment of Trainee	6
3.0	SALARY PLAN	6
3.1	Schedule of Salary Ranges	6
3.2	Transition to a New Salary Plan.....	7
3.3	Trainee Rates of Pay.....	7
3.4	Hiring Rate / Starting Salary	7
3.5	Probationary Salary Increases.....	8
3.6	Evaluation Period	8
3.7	Pay Adjustments & Bonuses	8
3.8	Salary Increases.....	8
3.9	Position Classification Salary Increases	8
3.10	Equity Salary Increases	9
3.11	Retention Salary Increases.....	9
3.12	Non-Competitive Career Ladder Promotions	9
3.13	Salary of Transferred Employee	9
3.14	Salary of Demoted Employee	10
3.15	Salary of Reassigned Employee.....	10
3.16	Interim Pay Adjustments.....	10
3.17	Temporary / Seasonal Part-Time Employees Hiring Rate.....	10
3.18	Effective Date of Salary Increases	10
3.19	Payroll Periods	10
3.20	Longevity Pay.....	11
4.0	RECRUITMENT AND SELECTION.....	11
4.1	Position Vacancies and Selection Procedures for City Positions	11
4.2	Maintaining Applicant Data	12
4.3	Responsibility of Police and Fire Departments.....	12
4.4	Equal Employment Opportunities (EEO).....	13

4.5	Recruitment for Diverse Workforce	13
4.6	Background and Reference Checks	13
4.7	Pre-Employment Medical Exam.....	14
4.8	Relocation and Moving Expenses.....	14
4.9	New Employee Orientation	14
4.10	Reinstatement / Reemployment.....	15
5.0	CONDITIONS OF EMPLOYMENT	15
5.1	Employment/Supervision of Relatives.....	15
5.2	Fraternization	15
5.3	Residence Requirements	16
5.4	Employee-Employer Relations.....	16
5.5	Mandatory Direct Deposit	17
5.6	Identification Badge	17
5.7	Tardiness	17
5.8	Unexplained Absences	17
5.9	Outside Employment	17
5.10	Outside Employment while on Leave.....	17
5.11	Political Activity Restricted.....	17
5.12	Workplace Discrimination and Harassment	18
5.13	Occupational Safety	18
5.14	Tobacco Use Policy.....	18
5.15	Substance Abuse	19
5.16	Communicable Disease.....	19
5.17	Weapons Policy.....	19
5.18	Workplace Violence.....	19
5.19	Personal Appearance and Uniforms	19
5.20	Electronic Equipment Use	20
5.21	City Equipment, Tools, Materials and Supplies.....	20
5.22	City Vehicles.....	21
5.23	Solicitations	21
6.0	HOLIDAYS AND LEAVE.....	21
6.1	Paid Holidays	21
6.2	Holiday Pay	22
6.3	Inclement Weather Conditions.....	22
6.4	Vacation Leave.....	22
6.5	Paid Sick Leave.....	23
6.6	Shared Paid Sick Leave Program.....	25
6.7	Military Leave	25
6.8	Civil Leave.....	28
6.9	Educational and Community Service Leave.....	28
6.10	Medical Leave	29
6.11	Family and Medical Leave	29
6.12	Leave Without Pay (Benefits Status)	29
6.13	Parental Involvement Leave	30
6.14	Administrative Leave	30

7.0	EMPLOYEE BENEFITS	30
7.1	Insurance Benefits	30
7.2	Local Governmental Employee's Retirement Benefits	31
7.3	Law Enforcement Officers' Separation Allowance.....	31
7.4	Supplemental Retirement Income for Law Enforcement Officers	31
7.5	Employee Assistance Program (EAP)	31
7.6	Tuition Reimbursement Program	31
7.7	Optional Voluntary Benefits	31
7.8	Parking	32
7.9	Car Allowance	32
7.10	Personal Vehicle Mileage Reimbursement	32
8.0	SEPARATION, DISCIPLINARY ACTION, AND RIGHT OF APPEAL ...	33
8.1	Reduction in Force	33
8.2	Disciplinary Action: Suspensions, Demotions, Dismissals	33
8.3	Suspensions Without Pay for Exempt Employees	37
8.4	Right of Appeal.....	37
8.5	Part-Time No Benefits Employees	38
8.6	Exit Procedure.....	38
9.0	GRIEVANCE PROCEDURE.....	38
9.1	Grievance	38
9.2	Procedure	38
9.3	Discrimination Grievance	39
9.4	Discrimination Grievance – City Manager	40
10.0	PERSONNEL RECORDS.....	41
10.1	Recordkeeping	41

1.0 ORGANIZATION OF THE HUMAN RESOURCES SYSTEM

1.1 Resolution Purpose Statement

The City of High Point Personnel Resolution (“Resolution”) establishes a centralized human resources system under the direction of the City Manager. To the extent any human resources policy or procedure conflicts with this Resolution, the terms of the Resolution control.

Neither this Resolution nor any associated human resources policies or procedures constitute an express or implied contract of employment between the City and any employee. City of High Point employees are employed at-will, meaning that either the City or the employee may terminate the employment relationship at any time, with or without cause. No employee has a vested or contractual right in continued employment or in any term or condition of employment, such as pay rate, benefits, and particular duties or assignments arising from the terms of this Resolution or any policy or procedure. Consistent with North Carolina law, the High Point City Council has the authority to enter into an employment contract with the City Manager and City Attorney.

This Resolution shall govern all human resources functions consistent with the following standards:

- The City of High Point is an equal opportunity employer. Employment is based on merit without regard to race, sex, color, national origin, religion, age, political affiliation, disability or any other classification or characteristic protected by law.
- Appointments and promotions shall be made on the basis of job qualification.
- Continued employment will depend upon, among other factors, satisfactory work performance, personal conduct compatible with the trust inherent in public service, the City’s operational needs, and availability of funds.

1.2 Role and Authority of the City Council

The City Council is responsible for hiring and supervising the City Manager and the City Attorney and such other positions that by law report to the City Council. The City Council has sole authority to authorize new City positions and to eliminate existing City positions. The City Council has sole authority to adopt, amend, supplement or eliminate all or any provisions of this Resolution.

1.3 Role and Authority of City Manager

Authority to adopt, revise or rescind human resources policies and procedures consistent with this Resolution is vested in the City Manager. The City Manager shall consult with the Human Resources Director in the exercise of this authority.

The City Manager, or the City Manager's designee, has final authority for enforcement and application of this Resolution, as well as the City's human resources policies and procedures.

1.4 Role and Authority of Director of Human Resources

Under the supervision and direction of the City Manager, the Director of Human Resources is responsible for the day-to-day application and enforcement of this Resolution and the City's human resources policies and procedures. The Director of Human Resources shall monitor the effectiveness of the current Resolution and human resources policies and procedures and recommend revisions to the City Manager as needed.

1.5 Employees Subject to Resolution

This Resolution applies to all City employees except that:

- (a) Elected officials are exempt from this resolution except applicable political activity and code of ethics provisions.
- (b) Employees appointed by City Council are exempt from the provisions of this Resolution governing appointments and dismissals.

2.0 CLASSIFICATION PLAN

2.1 Creation, Elimination and Allocation of Positions

The City Council has exclusive authority to create, eliminate and fund City positions. The City Manager may present proposals for new positions, or for the elimination of positions, to the City Council as the City Manager deems appropriate. Each position authorized by the City Council shall be entered into the City's Classification Plan. The Classification Plan consists of each approved City position with its corresponding job title, class title, salary range, pay codes, wage and hour classification, and such other coding as is necessary for the proper functioning of the human resources system. The Director of Human Resources or designee shall ensure that each approved City position is included in the Classification Plan and is appropriately coded, subject to final approval by the City Manager.

2.2 Administration

The Human Resources Department maintains the Classification Plan.

- (a) Department directors are responsible for evaluating the personnel needs of their departments and notifying the Director of Human Resources when they identify a need to increase or decrease positions within their departments or when they identify significant changes in the duties, responsibilities, or working conditions of

any existing position. The Director of Human Resources shall make recommendations to the City Manager for appropriate changes to the Classification Plan based on department director input.

- (b) The City Manager may amend the Classification Plan, including, without limitation, adjusting salary ranges of the existing class titles, reassigning positions to the appropriate class title within the existing Classification Plan, establishing new class titles and reallocating positions within the Classification Plan, provided that such amendments do not encroach on the City Council's authority to create, eliminate or fund City positions.
- (c) The Human Resources Department initiate an audit of one third of the class titles in the Classification Plan each year, using, as needed, market studies and third-party consultants, which audit will include, at a minimum, a comparison of City salaries against salaries for similar positions with comparable public and private sector employers.
- (d) If the Human Resources Department determines that a substantial change has occurred in the duties, responsibilities, or working conditions of an existing position, either through audit or as notified by a director, the position's existing job description shall be revised, subject to approval by the City Manager.

2.3 Probationary Period

All full-time employees, except for those hired by City Council (e.g., City Manager, City Attorney, and City Clerk), shall serve a probationary period of one (1) year. A department director may, in consultation with the Director of Human Resources, dismiss a full-time probationary employee for any lawful reason during the probationary period. Probationary employees are not entitled to the pre-determination hearing and appeal process contained in Section 8 of this Resolution. A department director may, with the approval of the Director of Human Resources, extend an employee's original probationary period for a period not to exceed 90 days.

2.4 Appointment of Trainee

The City may fill a position with a Trainee if no qualified applicants are identified for a position. Filling a position with a trainee requires approval of the Director of Human Resources. An employee shall not remain in a trainee status for more than one year.

3.0 SALARY PLAN

3.1 Schedule of Salary Ranges

Subject to budgetary approval by the City Council, the City Manager is authorized to adopt and revise the City's schedule of salary ranges. The schedule of salary ranges is the Salary Plan for the City. The Salary Plan will identify the minimum, midpoint, and maximum pay rates for each City position.

The Human Resources Department administers the Salary Plan. Each year the Human Resources Department shall review the salary plans of comparable employers in the local and regional labor market. The City Manager may propose Salary Plan amendments in the annual budget submitted to City Council.

3.2 Transition to a New Salary Plan

Unless otherwise expressly provided in a Salary Plan amendment, the following guidelines apply when a Salary Plan is amended:

Employees with a pay rate lower than a new minimum salary for their job classification shall receive a salary increase to the new minimum salary.

Employees whose pay rates were below the midpoint for their job classifications prior to amendment will receive no pay adjustment following amendment of a Salary Plan unless the amendment results in their pay rate falling below the new minimum.

Employees whose pay rates were at or above the midpoint for their job classifications prior to amendment of a Salary Plan will receive a pay increase to the new midpoint if such adjustment is necessary following amendment of the Salary Plan.

Employees whose pay rates are above the midpoint for their job classifications following amendment of a Salary Plan will receive no pay adjustment as a result of a Salary Plan amendment.

Although the City does not plan for broadly applicable salary reductions, nothing in this Resolution restricts the City Manager from reducing salaries, or positions when, in the City Manager's discretion, such reductions are necessary for the efficient operation of City business.

3.3 Trainee Rates of Pay

Trainee pay rates shall be no more than ten percent below the minimum salary of the position for which they are training. Department directors are responsible for monitoring trainee progress. When a trainee becomes qualified and is approved to fill the position for which he or she has been training, the trainee's pay rate will be adjusted to at least the minimum rate in the applicable salary range.

3.4 Hiring Rate / Starting Salary

Hiring Managers may set newly hired full-time and part-time employees' compensation between the position minimum and mid-point for a position's assigned salary range. Starting compensation may exceed the mid-point of a position's salary range only with the City Manager's approval.

3.5 Probationary Salary Increases

Full time probationary employees may receive salary increases based on job performance. Probationary job performance salary increases, if any, occur after three months, six months and twelve months of probationary employment and require a satisfactory performance evaluation at the conclusion of each of the three, six and twelve month periods.

3.6 Evaluation Period

The performance evaluation period is November 1 through October 31.

3.7 Pay Adjustments & Bonuses

The City Manager may increase or decrease salaries on an individual or group basis based on, among other factors, individual job performance, and the need for cost savings. An employee who assumes additional duties on a temporary basis in a position in the same or lower pay grade level may receive a one-time bonus. All bonuses will be subject to applicable State and Federal taxes. The flat rate amount will be submitted to the HR Director and approved by the City Manager.

3.8 Salary Increases

The City Manager may recommend pay increases, including merit increases, in the proposed annual budget presented to City Council.

Employees may receive a merit-based salary increase if funds are available and approved in the City's annual budget. If funds are available and approved in the annual budget, an employee's overall annual performance evaluation rating determines the amount of the merit-based increase in salary. Employees at or above the maximum salary for their assigned job classification are not eligible for merit-based increases to salary but may be eligible for a performance-based bonus with approval of the City Manager.

3.9 Position Classification Salary Increases

Employees will receive an increase to at least the minimum of a new salary range when the employee's current position classification is assigned a higher salary range or the employee's current position is assigned to a new classification with a higher salary range.

An employee's salary will not be reduced solely as a result of the employee's position being assigned a lower salary range or assigned to a position classification with a lower salary range. If, as a result of such assignment to a lower salary range or reclassification, the employee's pay rate is above the new salary range maximum, the employee's salary will remain at that pay rate until the position's salary range maximum is greater than the

employee's current pay rate, after which the employee may receive pay increases as provided in this Resolution.

3.10 Equity Salary Increases

Equity adjustments are salary increases provided under special circumstances to correct a pay inequity and to ensure fair pay practices. Equity adjustments are made in the discretion of the City Manager in consultation with the Director of Human Resources. Salary differences based on performance, promotions, seniority and other legitimate business factors are not considered pay inequities.

Department directors requesting equity adjustments should submit supporting documentation to the Director of Human Resources for review. Normally, equity adjustments are not retroactive and will be effective the pay period following approval.

3.11 Retention Salary Increases

In special circumstances or for positions considered critical to accomplishing the key business objectives of the City, department directors may recommend adjusting an employee's salary. Retention adjustments are evaluated by the Department of Human Resources and must be approved by the City Manager.

3.12 Non-Competitive Career Ladder Promotions

Career Ladder Non-Competitive Promotions for certain positions (within a title series):
Level 1 is designed for entry-level positions where the incumbent may have the educational background, but no or limited work experience. The incumbent is expected to move to the Level 2 level after demonstrating increased proficiency, and movement to Level 3 is full proficiency in all elements of the position.

- Employee must have received a Meets Expectations or higher evaluation for the last twelve (12) months prior.
- Employee must have successfully completed all time in grade requirements as defined by the department/division.
- When the employee meets all the above conditions, he/she shall receive a salary increase of 5% or to the minimum of the new salary range, whichever is higher, at each level of increased proficiency.

3.13 Salary of Transferred Employee

The salary of a full-time or part-time employee transferred to a position class title with the same salary range assignment shall not be lowered solely as a result of the transfer. A transferred employee may receive a pay increase or decrease based on surrounding circumstances subject to the approval of the City Manager.

3.14 Salary of Demoted Employee

The salary of an employee who is demoted for disciplinary reasons to a position with lower salary range shall be reduced ten percent (10%) or reduced to the maximum salary of the new position, whichever is lower.

3.15 Salary of Reassigned Employee

If an employee's pay rate after the reassignment to a lower salary range is above the new salary range maximum, the employee's salary will remain at his or her pay rate prior to the reassignment until the new salary range maximum is greater than the current pay rate.

3.16 Interim Pay Adjustments

Interim pay adjustments occur when an employee is temporarily assigned to a position in a higher salary range. Interim pay is available only as long as the employee holds and performs the interim assignment. Prior approval from the Director of Human Resources is required before implementing an interim pay arrangement. An employee moved into an interim position will receive a 10% increase in the employee's current salary, or an increase to the minimum salary for the position that is being filled on an interim basis. This salary increase will be effective only for the time the employee occupies the interim position. The salary of an employee following the conclusion of an interim position returns to the salary the employee had prior to the interim appointment accounting for any adjustments the employee would have been entitled to receive had the employee not occupied the interim position. Any such adjustments will be determined by the Director of Human Resources and subject to approval of the City Manager.

Performance appraisals for employees holding positions on an interim basis will be conducted on the schedule for the employee's regular position.

3.17 Temporary / Seasonal Part-Time Employees Hiring Rate

The Director of Human Resources and the department director shall establish the hiring rate for temporary/seasonal employees in accordance with the adopted Salary Plan.

3.18 Effective Date of Salary Increases

All performance salary increases associated with a performance evaluation anniversary date will be effective on the first Sunday following the employee's anniversary date. All other salary changes shall be effective on the first Sunday following the date the salary change is approved by all appropriate authorities.

3.19 Payroll Periods

The City operates payroll on a two week pay period basis, with pay periods commencing on Sundays 12:00 a.m. and extending for two weeks to Saturday midnight. Employees are paid bi-weekly. The pay date for wages earned in a pay period is the Friday following the close of the pay period. If a payday falls on a holiday, pay will be received on the

workday preceding the holiday. Even though the City operates on a two-week pay period, overtime pay for eligible employees is calculated on a seven-day work week basis in accordance with applicable wage and hour laws. Overtime wages will be paid in employee's regular bi-weekly paycheck.

The City abides by all applicable sections of the Fair Labor Standards Act and North Carolina Wage and Hour Act.

- (a) The City will pay an overtime rate to all non-exempt employees for all time worked over 40 hours in a work week. The overtime rate is one-and-one-half (1.5) times an employee's regular hourly rate of pay. Overtime is calculated on the basis of hours worked over 40 in the regular work week. The regular work week is from Sunday at 12:00 a.m. to the following Saturday at midnight. Non-exempt employees are not granted compensatory leave in lieu of overtime pay. Employees will be notified of their exempt or non-exempt status by the Department of Human Resources.
- (b) Non-Exempt employees are not to perform work outside of their regularly scheduled hours or other hours that their supervisors expressly authorize them to work. Non-exempt employees are at all times required to keep an accurate record of and to timely report all working hours so that the City can pay them appropriately. If a non-exempt employee works outside of approved working hours, the employee should immediately report such working time to the employee's supervisor and ensure that it is recorded in the City's timekeeping system. Non-exempt employees who perform work outside approved working hours may be subjected to disciplinary action.
- (c) Exempt employees may be granted compensatory time for hours worked in excess of their normal work period.

3.20 Longevity Pay

Full-time employees hired prior to July 1, 1982, shall receive a prorated longevity payment each pay period equivalent to their June 30, 1992, annual longevity dollar amount.

4.0 RECRUITMENT AND SELECTION

4.1 Position Vacancies and Selection Procedures for City Positions

Position vacancy announcements shall be posted for a minimum of two weeks in a conspicuous place and shall include the class title, City department, deadline to apply, summary of the position's job duties, list of the minimum qualifications for the position, application procedures, and equal employment opportunity statement. All position vacancies must be posted both internally and externally to the public. Certain limited exceptions to the posting requirements may be approved by the Director of Human Resources in instances involving such situations as reorganizations, reductions-in-force,

or reassignments necessitated by employees who return to work after a period of leave without pay.

All applicants must submit an official City application online through NeoGov to apply for a job with the City. City employees applying for a position within or outside of their current department will be given the same consideration as external candidates.

All applicants considered for employment or promotion must meet the minimum standards established for the vacant position. Applicants who knowingly make a materially false statement on their application for employment or promotion shall forfeit their right to be considered for the position.

The Department of Human Resources will review applications and submit a list of de-identified candidates who possess the minimum qualifications for the position to the hiring department. The hiring department's selection process may include testing, qualifications analysis, oral interviews, analyzing previous employment history, and checking references, motor vehicle traffic records, and criminal history conviction data where applicable. The hiring department will follow the procedures set out in the **Recruitment and Selection Policy** to fill the vacant position.

Neither this Section 4.1 of the Personnel Resolution (Position Vacancies and Selection Procedures for City Departments), nor the Recruitment and Selection Policy, shall apply to City Council's selection and appointment of the City Manager, City Attorney, and City Clerk.

4.2 Maintaining Applicant Data

The Human Resources Department shall be responsible for maintenance of records of all position vacancy announcements, including the posting and closing date(s), all recruitment referral sources, and the list or current eligible pool of applicants for the position vacancy. Solely for record keeping purposes, the Human Resources Department shall keep eligible lists of applicants for a period of four (4) years.

The Human Resources Department will ensure compliance with all state and federal reporting requirements.

4.3 Responsibility of Police and Fire Departments

With the exception of the Police Chief and the Fire Chief, the Police Department and Fire Department are responsible for their own hiring and promotions, including position vacancy announcements, distribution and acceptance of official City job applications, and applicant tracking of candidates. The Police and Fire Departments shall make data available to the Human Resources Department that is necessary to meet any state or federal reporting requirements.

4.4 Equal Employment Opportunities (EEO)

It is the policy of the City to foster, maintain, and promote equal employment opportunities. The City shall select employees on the basis of the applicants' qualifications, without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, veteran status, disability, or any other characteristic protected by applicable law.

All personnel responsible for recruitment and employment shall regularly review this Resolution and relevant policies to ensure that equal employment opportunities are being provided and that no employee or applicant suffers discrimination because of a protected characteristic. Notices with regard to equal employment matters shall be posted in conspicuous places on City government premises in places where notices are customarily posted.

4.5 Recruitment for Diverse Workforce

The City will strive to recruit members of diverse population groups to apply for job vacancies and promotional opportunities. The City will externally post all vacant positions and give equal consideration to all candidates without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, veteran status, disability, or any other characteristic protected by applicable law.

The City's recruitment efforts to reach diverse population groups include the following:

- (a) All vacancies for positions in the City will be openly posted to the public and in places that are prominently visible to all employees in all departments, divisions, and satellite offices, etc. of the City. The posting period will be no less than fourteen days to allow sufficient time for interested personnel to apply.
- (b) Where feasible, recruitment efforts will include sending copies of vacancy announcements to agencies specializing in recruitment of women and minorities, and publicizing job vacancies in such media as help wanted columns of area newspapers, professional journals, and publications that specifically serve women and minorities. The City may also use public service time on television and radio to inform a greater number of potential women and minorities of employment opportunities with the City, and to encourage dissemination to sensory-impaired individuals.
- (c) A statement that the City is an "Equal Opportunity Employer" will be included in all advertising.

4.6 Background and Reference Checks

The Human Resources Department may conduct a motor vehicle traffic offense, criminal history conviction and/or credit history background check on all candidates who receive conditional offers of employment for job positions that require an acceptable credit history, motor vehicle record, or criminal conviction record.

The Human Resources Department will verify the education credentials of all final applicants being considered for positions that require an undergraduate or graduate degree. Employees applying for promotions that require an undergraduate or graduate degree will have previously unverified credentials verified. The Human Resources Department may continue to request transcripts, as appropriate, to verify course work. Educational verification will occur prior to any conditional offer of employment.

The hiring department will conduct a reference check on the top candidate for the position in order to verify the information the candidate provided on the job application. Reference checks must follow procedures established by the Human Resources Department. The hiring department is also responsible for verifying special credentials required for certain positions, such as licenses, certificates, or registrations.

When material falsification of credentials is discovered, the applicant will not be hired for that position and may be disqualified from further consideration for City employment. Any current employee who falsifies credentials will be subject to disciplinary action up to and including termination.

Any reference check, education, or credential verifications, whether conducted by telephone or letter, shall be maintained by the Human Resources Department for four (4) years and marked confidential.

4.7 Pre-Employment Medical Exam

After a conditional job offer, all applicants shall receive a pre-employment medical exam. Individuals with disabilities may at any time request reasonable accommodations to permit them to perform the essential functions of the relevant position or to participate in the City's selection process.

4.8 Relocation and Moving Expenses

To enhance recruitment, the City may pay all or a portion of an applicant's or new hire's travel, temporary lodging during the recruitment process, and moving expenses for new hires. The decision to pay such expenses is in the City Manager's discretion. Payment will be made directly to the vendor providing services and must be supported by an itemized invoice. Except in unusual circumstances, travel reimbursement for applicants will not be paid unless roundtrip travel exceeds 100 miles.

4.9 New Employee Orientation

New Employee Orientation is facilitated by the Department of Human Resources. The purpose of New Employee Orientation is to ensure that all employees have the opportunity to gain a better understanding of City benefits, policies, and procedures.

Attendance is mandatory for all new full-time and part-time employees eligible for insurance and/or retirement benefits. Refusal or failure to attend New Employee Orientation shall be cause for termination.

4.10 Reinstatement / Reemployment

Employees who previously worked for the City no more than 36 months prior to a current application for employment, and who have a re-hire recommendation, shall be given priority consideration for employment. If reinstatement or reemployment occurs within 30 calendar days from the date of separation and the employee returns to their former job or a comparable position, the employee may be returned to their former status without any changes to salary or benefit accrual. If reinstatement occurs within 36 months from the employees' date of separation to the former or new position, the employee may return to most recent benefit accrual rate. If reinstatement or reemployment occurs after 36 months from the employee's date of separation, the employee will be treated as a new hire and will be placed at the minimum starting salary of the range and the minimum benefit accrual rate. The performance evaluation anniversary date will be adjusted based on the length of time the employee is off the payroll.

5.0 CONDITIONS OF EMPLOYMENT

5.1 Employment/Supervision of Relatives

(Nepotism)

Immediate family is defined as spouse, child, mother, father, sister, brother, legally appointed guardian, grandparent, grandchild, plus the various combinations of half, step, in-law and adopted relationships (referred to collectively for the purpose of this section as "relative(s)").

The employment of relatives in the same department requires the authorization of the department director, unless the employee is a relative of the department director, in which case it shall require the authorization of the City Manager.

The City prohibits hiring any person into a full-time or part-time with benefits position who is a relative of individuals holding the following positions: Mayor, City Council member, City Manager or City Attorney. City employees who are immediate family members of individuals who are elected or appointed to the following positions: Mayor, City Council member, City Manager or City Attorney after the city employee was hired may remain employed by the City of High Point.

5.2 Fraternization

The City of High Point encourages its employees to form friendships and strong working relationships with coworkers, but to avoid conflicts, misunderstandings, the appearance

of favoritism or impropriety, and to protect employees from unlawful sexual harassment, the City has adopted the following requirements:

Prohibited Fraternization

The City **prohibits** supervisors and subordinates from engaging in dating relationships, physical intimacy, or any romantic involvement. Furthermore, the City prohibits dating relationships, physical intimacy, or any romantic involvement between any City employees when one employee has the ability to influence the terms or conditions of the other's employment. A manager who learns of such a relationship should take immediate steps to break the chain of command between the supervisor and subordinate. Any managerial or supervisory employee found violating this policy will be subject to disciplinary action up to and including termination.

Interoffice Fraternization

The city strongly discourages dating and romantic relationships between coworkers who work in the same department. Even relationships between non-reporting employees can cause friction in the workplace and may lead to actual or perceived favoritism and unlawful sexual harassment, which is prohibited by City policy.

5.3 Residence Requirements

The City Manager, City Clerk, City Attorney, Deputy City Manager and Assistant City Managers must reside within the City's corporate limits. Under special circumstances, the City Manager may authorize an exemption for a Deputy or Assistant City Manager, and the City Council may similarly authorize an exemption for the City Manager, City Clerk or City Attorney.

5.4 Employee-Employer Relations

Productive and harmonious relationships between City employees and management can best be achieved with respect to working conditions if relationships and policies are clearly set forth. The following shall be considered the official policy of the City relating to employee-employer relations:

- (a) The City, in accordance with North Carolina State, Law does not accept any employee organization as the sole spokesman for any category of employees.
- (b) Employees or employee representatives of employee groups will be afforded the right to present suggestions and make statements on any issue relating to conditions of work to the City Manager.
- (c) Strikes and work stoppages by City employees will not be permitted. Instigation of, participation in or giving leadership to a strike, slowdown or work stoppage shall constitute grounds for disciplinary action up to and including dismissal.
- (d) Infractions of work rules including unauthorized absences from work shall be grounds for disciplinary action up to and including dismissal.

The City Manager is the spokesman for the City in matters concerning employee-employer relations. The City Manager, or a designee, is hereby empowered to meet and confer with employees.

5.5 Mandatory Direct Deposit

All full-time and part-time employees, except temporary and seasonal employees, are required to enroll in direct deposit of payroll as a condition of employment or continued employment.

5.6 Identification Badge

City employees will be issued an identification badge and shall display the identification badge while on duty when in city owned or leased facilities/offices.

5.7 Tardiness

Non-exempt employees reporting late are subject to departmental policies on absenteeism and tardiness.

5.8 Unexplained Absences

Employees are required to contact their department directors to report any late arrival or absence before the employee's scheduled start time. Absences of two (2) consecutive workdays without approved leave and when an employee has failed to contact his or her department director to call off work shall be deemed job abandonment and will result in dismissal from employment. Exceptions require the approval of the department director and the Director of Human Resources.

5.9 Outside Employment

City employment takes priority over other occupational interests of employees. In order to protect the interest of the employee and the City, all outside employment, including self-employment, must be reported in writing by the employee and approved in writing by the employee's department director. The department director will determine whether the outside work would create a conflict of interest or otherwise be incompatible or interfere with City service. The assumption of outside employment without prior approval by the City may be deemed improper conduct and subject the employee to disciplinary action, up to and including dismissal.

5.10 Outside Employment while on Leave

Outside employment is prohibited while an employee is on leave from the City, or while working a light duty assignment, unless approved by the Department of Human Resources or otherwise permitted in this Resolution.

5.11 Political Activity Restricted

Every employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic

organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States of America. However, no employee shall:

- (a) Engage in any political activity while on duty;
- (b) Be required as a duty of office or employment, or as a condition for employment, promotion or tenure of office, to contribute funds for political purposes;
- (c) Coerce or compel contributions for political or partisan purposes by any other employee of the governmental unit; or
- (d) Use any supplies or equipment of the governmental unit for political purposes.
- (e) Any City employee who shall become a candidate for nomination or election to any City elective office shall immediately resign from City employment.
- (f) Conduct campaign speeches or other political activities on the premises of any City property. No employee who is a candidate for a City elected office may contact and talk to employees for the purpose of promoting their candidacy while the employees are on duty for the City. The use of facilities designed for public meetings shall be exempted from this subsection.
- (g) Any violation of this section constitutes misconduct and shall subject an employee to dismissal or other disciplinary action.

5.12 Workplace Discrimination and Harassment

The City prohibits unlawful discrimination and harassment in the workplace, as described more completely the Workplace Discrimination and Harassment Policy. An employee may file a workplace discrimination or harassment complaint with his or her supervisor, department director or directly with the Director of Human Resources. No employee is required to make a complaint to a supervisor who is involved in the alleged discrimination or harassment. Any supervisor who receives a complaint of discrimination or harassment is required to immediately notify the Human Resources Department. Complaints concerning the City Manager should be filed with the Human Resources Department. If a complaint concerns the Director of Human Resources, the employee's complaint should be filed with the City Manager's office.

5.13 Occupational Safety

The City is committed to providing a safe work environment for its employees. The City's occupational safety program shall be governed by the most current safety policies adopted by the City Manager.

5.14 Tobacco Use Policy

The City of High Point has a legitimate interest in maintaining a smoke free environment in City facilities. Smoking is prohibited in all City buildings except in designated outside smoking areas.

5.15 Substance Abuse

The City promotes and enforces a work environment free from unlawful and unauthorized drug and alcohol use. The City desires to protect the public by ensuring that its employees are fit to perform their occupations. The City's substance abuse program shall be governed by the most current substance abuse policy adopted by the City Manager.

5.16 Communicable Disease

In accordance with its interest in maintaining a safe working environment, the City will adopt and implement a communicable disease policy, which will be administered consistent with the North Carolina Communicable Disease Act (G.S. 130A-143 through 148), and other applicable state and federal law.

5.17 Weapons Policy

No city employee or volunteer may possess a firearm or other dangerous weapon while on duty. This includes possession of any firearm or other dangerous weapon while on any City property, in any City-owned vehicle, or in any personal vehicle while performing City duties. No city employee or volunteer may have a firearm or other dangerous weapon in his or her personal vehicle while parked or otherwise located on City property. Sworn law enforcement personnel and non-sworn Police Department personnel as stipulated in police department general orders are exempt from this policy.

Violation of this policy will result in mandatory disciplinary action, up to and including dismissal.

5.18 Workplace Violence

The City is committed to the prevention of workplace violence. Acts of violence and threats of bodily harm or property damage directed toward another employee will result in immediate dismissal. Observed or suspected workplace violence must be reported to an employee's department director or the Director of Human Resources.

5.19 Personal Appearance and Uniforms

All employees must maintain a neat, clean and professional personal appearance. All employees who are required to wear a uniform must be in complete uniform at all times while on duty and must take reasonable steps to maintain a neat and clean uniform.

The City realizes that the style of dress, grooming and hygiene are regarded as personal matters and under ordinary circumstances, matters of choice; however, inappropriate forms of dress, grooming or poor hygiene should be avoided. Therefore, if in the opinion of the supervisor, the employee's appearance is considered to be inappropriate for the business environment, the supervisor has the right to send the employee home to make appropriate changes to their dress, appearance or hygiene.

5.20 Electronic Equipment Use

Computer systems (including, without limitation, email systems, network equipment, all software programs and applications, electronic files, and data storage), telephones, voicemail, other communication systems, and facsimile, photocopier and scanner machines, and all other forms of electronic equipment are City property (collectively referred for the purposes of this Section 5.23 as “Electronic Equipment”). Electronic Equipment exists to promote the City’s business.

Employees have no right to privacy in connection with their use of Electronic Equipment. The City may and does monitor any communication or activity involving the use of City’s Electronic Equipment. Communications on the City’s Electronic Equipment is not confidential. The City maintains backup systems that store some communications and data after deleted from the Electronic Equipment operated by an employee. This store data also is subject to review and inspection by the City.

The Internet/e–mail and telephone systems should be used primarily for business purposes. Personal use should be kept to a minimum. The radio communications system and facsimile, photocopier and scanners should be used solely for business purposes.

The City prohibits employees from using Electronic Equipment for an unlawful purpose or to access unlawful material. Employee may not use Electronic Equipment to access or view sexually explicit websites, to send sexually explicit materials or messages. Use of the City’s Electronic Equipment is subject to all applicable policies governing employee conduct, including, without limitation, the City’s discrimination and harassment policies,

Employees shall not use the City's communications system to send or receive copyrighted material, trade secrets, proprietary information, including financial information, or other similar materials without previous authorization.

The Information Technology Services Department monitors the City’s communication systems use. Any misuse of Electronic Equipment may result in, but is not limited to, one or more of the following actions: loss of system privileges, employee reimbursement of personal use expense to the City, disciplinary actions and/or termination of employment.

5.21 City Equipment, Tools, Materials and Supplies

Equipment, tools, materials and supplies issued by the City remain City property may not be used except to conduct official city business. The maintenance and upkeep of an employee’s personal property used in the line of work is employee’s responsibility. The City shall have no liability for personal property damage or loss unless the City requires the employee to purchase and possess the equipment.

5.22 City Vehicles

City vehicles are to be used exclusively for City business. No individual shall operate or ride as a passenger in a City vehicle unless it is required for the conduct of official city business. Violation of this policy will result in immediate disciplinary action, up to and including dismissal for the first offense.

5.23 Solicitations

Unless express permission from the City Manager or designee is granted, no employee shall solicit pledges or contributions or promote sales of products during working hours. Items for sale or trade may be placed on the City intranet site and designated bulletin boards with instructions to contact after working hours.

6.0 HOLIDAYS AND LEAVE

6.1 Paid Holidays

The City observes the following holidays:

New Year's Day;
Martin Luther King, Jr. Day;
Good Friday;
Memorial Day
Juneteenth;
Independence Day;
Labor Day;
Veterans' Day
Thanksgiving Day;
Day after Thanksgiving; and
Christmas (2 days)

- (a) Any holiday, other than Christmas, that falls on Saturday or Sunday, shall be observed on the preceding Friday or the following Monday, as determined by the City Manager.
- (b) Employees required to work on an observed holiday shall receive compensation for all hours worked on the holiday in addition to holiday pay. Holiday pay may be paid on a later date for their scheduled shift in the same calendar year subject to the approval of the employee's supervisor.
- (c) Police, Fire, and 911 Communications shall issue general orders that establish a departmental paid holiday policy consistent with holidays approved by City Council.

6.2 Holiday Pay

A full-time employee who takes approved leave with pay on the scheduled work-day before and/or after a city paid holiday shall receive holiday pay. A full-time employee on approved military, medical, workers' compensation and family medical (FMLA) leave shall receive holiday pay.

- (a) A full-time employee absent without approved leave either the scheduled work - day before and/or after a city paid holiday, does not earn and will not be paid holiday pay.
- (b) A full-time employee on approved leave without pay, other than military and medical, FMLA and workers compensation leave, shall not receive holiday pay.

6.3 Inclement Weather Conditions

In the event of inclement weather, the City Manager will make and publish decisions about whether City offices will close or be subject to changes in operating hours. Closures and changes in operating hours will be communicated. If the City Manager does not announce a closure or change in operating hours, the City will operate on a normal schedule.

Employees should exercise good personal judgment to decide if they can safely report to work during inclement weather. Employees who miss work or work less than the operating hours established by the City Manager during an inclement weather event will not be paid regular wages for missed hours. Such employees may use accrued vacation or take unpaid leave for the missed hours. In the event the City Manager announces a full or partial closure of the City offices, employees will receive their regular pay for time missed due to the closure.

6.4 Vacation Leave

Full-time employees are eligible to accrue and use vacation leave on the following terms:

- (a) For eligible full-time employees vacation leave accrues on a pay period by pay period basis, dependent on the number of years of full-time employment with the City, on the following schedule: The City Manager may credit additional hours to an employee's vacation leave balance and/or authorize a higher accrual rate from the established accrual rate schedule.

Vacation Accrual Rate Schedule

Less than two years	= 3.080 hours per pay period	10 days per year
Two to five years	= 3.700 hours per pay period	12 days per year
Five to ten years	= 4.617 hours per pay period	15 days per year
Ten to fifteen years	= 5.550 hours per pay period	18 days per year
Fifteen to twenty years	= 6.154 hours per pay period	20 days per year
Twenty years or more	= 7.400 hours per pay period	24 days per year

- (b) An employee may accumulate vacation leave without any maximum limit until the payroll period each January that results in the second paycheck received during the calendar year. At the end of that payroll period, any employee with more than 300 hours of accumulated vacation leave shall have the excess forfeited as vacation and converted into sick leave and added to the employee's sick leave balance so that only 300 hours of vacation leave are carried forward to the next payroll period.
- (c) All vacation leave requires prior approval of an employee's supervisor.
- (d) An employee separating from City employment, voluntary or involuntary separation, shall be paid for accrued unused vacation leave not to exceed 300 hours. All accrued unused vacation in excess of 300 hours is forfeited, except for qualified retiring employees, as provided in sub section (e). Notwithstanding the foregoing, when, in the City Manager's discretion, it is necessary for the continued efficient operation of the City, the City Manager may waive the foregoing forfeiture provision on a case-by-case basis and authorize payment of a separating employee's full vacation balance. Any advanced vacation leave owed the City shall be deducted from the employee's final paycheck.
- (e) An employee separates from City employment by retirement through and pursuant to procedures established by the Local Government Employee Retirement System (LGERS), shall be paid out their full unused vacation balance as of their last day of employment. Any advanced vacation leave owed the City shall be deducted from the employee's final paycheck.
- (f) An employee changing from full-time to part-time status shall be paid for accrued unused vacation leave not to exceed 300 hours on the pay date corresponding to the pay period when the status change takes effect. All accrued unused vacation leave over 300 hours is forfeited.
- (g) The estate of a full-time employee shall receive payment for accrued unused vacation leave not to exceed a maximum of 300 hours. All other accrued unused vacation is forfeited.
- (h) More than two (2) consecutive weeks of requested vacation leave requires approval by the Director of Human Resources.
- (i) Department directors may advance up to five (5) days of vacation leave for newly hired full-time employees.

6.5 Paid Sick Leave

The twelve (12) calendar month period between January 1 and December 31 is the City's leave year.

- (a) **Eligible Employees.** Full-time City employees and Part-time City employees enrolled in the North Carolina Local Governmental Employees' Retirement System are eligible to earn and use paid sick leave.
- (b) **Accrual.** Full-time eligible employees accrue paid sick leave at the rate of one (1) day for each full calendar month worked during the leave year. Part-time eligible

employees earn paid sick leave at a rate of one half ($\frac{1}{2}$) day for each full calendar month worked during the leave year. Paid sick leave may not be advanced.

- (c) Use. Paid sick leave may be used for the following purposes:
 - (1) Absences due to sickness, bodily injury or other health issues that prevent the employee from performing regular duties.
 - (2) Up to three days of absence related to death in an eligible employee's immediate family, which is defined as spouse, child, mother, father, sister, brother, legally appointed guardian, grandparent, grandchild, plus the various combinations of half, step, in-law and adopted relationships that can be derived from those named. The employee's department director may grant leave time in excess of three days.
 - (3) Absences necessary to care for a spouse, dependent child, or parent, not to exceed eighty (80) hours in a leave year.
- (b) Paid sick leave may be granted to eligible employees for two (2) consecutive days without a healthcare provider's certification verifying the need for leave. The employee's department director may request a health care provider's certification verifying the need for leave after one (1) day of sick leave. Paid sick leave for an employee's own condition or for the care of a spouse, dependent child or parent in excess of two (2) consecutive days may be granted to full-time and eligible part-time employees when a healthcare provider's certification verifying the need for leave is provided documenting the employee's illness or need to care for a spouse, child or parent. Healthcare provider certifications verifying treatment dates may be required.
- (c) The provisions of this section 6.5 regarding healthcare provider certifications are to be applied consistent with the requirements of the Family and Medical Leave Act. (FMLA). The City will require a healthcare provider certification (Form WH-380) to determine any employee's eligibility for leave under the FMLA. The healthcare provider certification provisions of the FMLA will apply when there is a conflict with any provisions of this section 6.5
- (d) Unused sick leave is forfeited upon separation from employment.
- (e) A full-time employee absent both the day before and the day after a paid holiday and who fails to provide a physician's certificate shall not be granted sick leave and shall not receive holiday pay. The employee may use accrued vacation or leave without pay for the absences on the day before and the day after the holiday with the approval of the employee's department director. Leave taken on the scheduled workday before and/or after a holiday must be approved leave to receive holiday pay.
- (f) The employee may use accrued vacation or leave without pay for the absences with the approval of the employee's department director.
- (g) Employees must notify their department before the beginning of a scheduled work day of a sick leave absence but no later than one (1) hour before the beginning of a scheduled work day. Departments may require notification earlier than one (1) hour before the beginning of a scheduled work.

- (h) Employees receiving Workers' Compensation disability payments from a secondary employer shall not be granted paid sick leave.
- (i) estimate of an employee's return to work date. Advanced paid sick leave is repaid on the applicable accrual schedule after an employee returns to work.
- (j) Employees who are eligible for paid sick leave under this section may transfer accrued unused paid sick leave earned from another North Carolina governmental employer, subject to the following: The effective date of such transfer will be the date an eligible employee completes his or her probationary period with the City. Verification of the amount of accrued unused paid sick leave must be received in writing from the previous employer. The employee's request for a transfer of accrued unused paid sick leave with another governmental employer must be made within three (3) years from the employee's last workday with the previous governmental employer. Requests for transfer of paid sick leave should be submitted to the Director of Human Resources
- (k) Employees who forfeited paid sick leave upon separation from employment with the City may have the forfeited paid sick leave restored if they are reemployed by the City within three years of their separation dates.

6.6 Shared Paid Sick Leave Program

The City has established a Shared Paid Sick Leave Program ("SPSLP"), pursuant to which paid sick leave may be granted to eligible employees who have exhausted all forms of paid leave and who have been placed on unpaid leave by the City due to long term health conditions. Shared paid sick leave is not available for employees who receive wages or wage replacement from any source while on leave. Full-time employees may donate their accrued unused paid sick leave to the SPLSP program. Employee-donated accrued paid sick leave is the sole source of paid sick leave in the SPSLP. Shared paid sick leave shall be administered in accordance with the City's SPSLP policy.

6.7 Military Leave

The City of High Point is committed to protecting the job rights of employees absent on military leave. In accordance with applicable law, it is the City's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact his or her Department Director or the Human Resources Department.

a) Eligibility

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists, National Guard members for training,

periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

b) Procedures for Military Leave

Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the City with notice of the need for leave as far in advance as is reasonable under the circumstances.

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

When the employee intends to return to work, he or she must make application for reemployment to Human Resources within the application period set forth below.

c) Medical Benefits

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

An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions from the date the military leave of absence begins. The employee must pay the premium normally paid by the employee and the full cost of dependent coverage while on leave with no pay status.

The Human Resources Department will address coverage under other employee benefit plans with the employee.

d) Reemployment

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

1. *Less than 91 days of military service* - (i) in a position that the employee would have attained if employment had not been interrupted by military service; or (ii) if found not qualified for such position after reasonable efforts by the City, in the position in which the employee had been employed prior to military service.
2. *More than 90 days and less than 5 years of military service* - (i) in a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or (ii) if proved not qualified after reasonable efforts by the City, in the position the employee left, or a position of

like seniority, status and pay, the duties of which the employee is qualified to perform.

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

e) Application for Reemployment

Note: Application for Reemployment means no particular form is required. Do not treat the applicant for reemployment as if he or she were applying for a new job.

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

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

2. *If service is for 31 days or more but less than 181 days* - the employee must submit an application for reemployment with Human Resources no later than 14 days following the completion of service.

3. *If service is over 180 days* - the employee must submit an application for reemployment with Human Resources no later than 90 days following the completion of service.

4. *If the employee is hospitalized or convalescing from a service-connected injury* - the employee must submit an application for reemployment with Human Resources no later than two years following completion of service.

f) Exceptions to Reemployment

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

1. The City's circumstances have so changed as to make reemployment impossible or unreasonable

2. Reemployment would pose an undue hardship upon the City.
3. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
4. The employee did not receive an honorable discharge from military service.

g) General Benefits Upon Reemployment

Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job.

h) Documentation

The Human Resources Department will, upon the employee's reapplication for employment, request that the employee provide the City of High Point with military discharge documentation to establish the timeliness of the application for reemployment, the duration of the military service, and the honorable discharge from the military service

6.8 Civil Leave

Employees summoned to jury duty or subpoenaed by a state or federal court to appear as a witness who submit documentation of jury duty, or a court appearance shall be entitled to leave with pay in addition to jury pay.

Employees who initiate court action, volunteer to appear as a witness, or are a defendant in a non-City-related case will be excused from work for required court appearances. The employee shall not be entitled to civil leave. Leave without pay or vacation leave may be granted.

6.9 Educational and Community Service Leave

A leave of absence at full pay, partial pay, or without pay for a period not to exceed nine (9) months may be granted upon the recommendation of an employee's department director with the approval of the City Manager, to take courses of study that will better equip the employee to perform duties for the City, or for special work which will permit the City to profit by the experience gained or the work performed. An employee on educational or community service leave with full pay shall continue to earn leave credits and any other benefits to which City employees are entitled. An employee on educational or community service leave with partial pay shall earn proportional leave credits.

6.10 Medical Leave

After exhausting all available vacation and paid sick leave, full-time and part-time employees with benefits may be granted a leave of absence without pay for a period not to exceed six (6) months for reasons of serious medical conditions. At the conclusion of unpaid medical leave, the City will make every effort to reinstate an employee to the same position or a position of the same or similar classification, seniority, and pay, but, as except as required by state or federal law, there is no guarantee of reinstatement to any position. Failure to report for duty at the expiration of the medical leave, unless an extension has been granted, shall be considered a resignation. Any leave used under the FMLA following exhaustion of vacation and sick leave will run concurrently with any medical leave granted under this section for the same reason. Leave under the FMLA is governed by the City's FMLA policy and applicable law.

6.11 Family and Medical Leave

The City complies with all applicable sections of the Family and Medical Leave Act. The leave and other rights under the FMLA are administered in accordance with the City's FMLA policy.

6.12 Leave Without Pay (Benefits Status)

An employee on educational leave, community service leave, military leave shall have the option to retain all unused vacation and sick leave while on leave without pay status. An employee out on family and medical leave (FMLA) shall have the option to retain all unused vacation leave while on leave.

- (a) Vacation and paid sick leave does not accrue while an employee is on leave without pay with the exception of FMLA and military leave or as otherwise required by state or federal law. Payment for the employee's portion of individual medical and dental/vision coverage and the full cost of dependent coverage shall be the responsibility of the employee while on leave without pay. Access to childcare and medical care flexible spending accounts will continue while on leave without pay. Payroll deductions shall cease during leave without pay status unless an employee is receiving wage replacement under the vacation or paid sick leave policy.
- (b) Employees on leave without pay are responsible for the full cost of dependent coverage. If the employee fails to return to work after approved family and medical leave expires, the City shall recover the premiums paid by the City for the employee's portion of individual medical and dental/vision coverage during the leave period. Exceptions exist when the employee does not return to work due to the continuation, recurrence, or onset of a serious health condition of a dependent child, spouse, parent, or the employee that would otherwise entitle the employee to take family and medical leave or due to other circumstances beyond the control of the employee.

6.13 Parental Involvement Leave

The City provides four (4) hours paid leave each leave year to any full-time employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that the employee may attend or otherwise be involved at that child's school.

Parental involvement leave may be granted in the discretion of an employee's department director. Employees must request parental involvement leave from their department directors at least forty-eight (48) hours prior to the planned parental involvement. Employees requesting parental involvement leave must also furnish their department directors written verification from the child's school that the employee attended or was otherwise involved at that school during the time of the leave. An employee who fails to provide verification will not be paid for any parental involvement leave.

For the purpose of this section, 'school' means any public school; private church school, church of religious charter, or nonpublic school described in Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course of grade school instruction; preschool; and child day care facility as defined in G.S. 110-86(3).

6.14 Administrative Leave

The City Manager may place any employee on involuntary temporary paid or unpaid leave to meet the safety or operational needs of the City.

7.0 EMPLOYEE BENEFITS

7.1 Insurance Benefits

The City provides optional group health insurance, dental insurance, and group life insurance to full-time and eligible part-time employees and eligible dependents. Changes to City benefits, benefit plans and/or third-party administrators may be made at the City's discretion. Employees may change any benefit elections during the annual enrollment period. During a benefit program year, employees may change a benefit election paid with pre-tax deductions only after an IRS Section 125 qualifying event. Employees may drop a benefit paid with after-tax deductions during a program year at any time, for any reason. The City may at any time in its discretion adopt, amend or terminate any employee benefit plan.

Retired City employees may be eligible to continue group health and dental insurance benefits under the following conditions:

- (a) Disability retirees must not be eligible for Medicare.
- (b) Service retirees must have thirty (30) years of creditable service regardless of age, or any combination of age and creditable service which totals seventy-five or greater and must not be eligible for Medicare.
- (c) Retirees electing to continue health and dental insurance shall pay in accordance with policy adopted by the City as directed by the City Manager.

- (d) Retirees are not eligible to add dependents to their coverage after their retirement date. However, they can cancel coverage at the end of any month.
- (e) Coverage for members on the retiree health and dental insurance plan will terminate at the end of the month proceeding the month they turn age 65 or eligible for Medicare, whichever comes first.
- (f) Coverage will terminate if the plan is amended to exclude the individual or the plan is terminated.

7.2 Local Governmental Employee's Retirement Benefits

Employees in a budgeted position, working a minimum of one thousand (1,000) hours per year, will be enrolled as a member of the North Carolina Local Governmental Employees' Retirement System. Employees will contribute six percent (6%) of their gross salary each pay period through payroll deduction. The City contributes an actuarially determined percentage of the gross payroll each month.

7.3 Law Enforcement Officers' Separation Allowance

The City provides a special separation allowance to law enforcement officer in accordance with state law.

7.4 Supplemental Retirement Income for Law Enforcement Officers

The City contributes an amount equal to 5% of eligible law enforcement officers' salaries into the Supplemental Retirement Income Plan (NC 401/k Plan) on the first pay period following sworn law enforcement status, subject to the terms of the NC401/k Plan.

7.5 Employee Assistance Program (EAP)

The City recognizes that a wide range of problems such as marital or family distress, alcoholism, and drug abuse may be detrimental to an employee's health, wellbeing and job performance. The City provides an employee assistance program to employees and their families to assist in addressing problems such as these as the need arises. Employee assistance program participation does not excuse employees from complying with City policies, meeting job requirements or prevent the City from taking disciplinary action against an employee for performance problems during or after receiving assistance.

7.6 Tuition Reimbursement Program

The City offers a tuition reimbursement program intended to support full-time and part-time employees with benefits with educational activities deemed beneficial to both the City and the employee.

7.7 Optional Voluntary Benefits

Employees may choose to participate through payroll deduction in the following optional / voluntary benefits subject to the eligibility and other terms of the applicable benefit plans:

- (a) Life, Long Term Care, Cancer, Critical Care, Critical Illness, Accident, Vision, Hospital Advantage, Short- and Long-Term Disability, Homeowners and Automobile Insurance
- (b) Local Government Federal Credit union
- (c) Section 457 and 401(k) Deferred compensation plans
- (d) Section 125 Flexible Spending Accounts

Optional / voluntary benefits paid with post-tax payroll deductions may be changed at any time. Employees may amend benefit elections paid with pre-tax deductions during the annual enrollment period or after an IRS Section 125 qualifying event

Changes to optional/voluntary third-party administrators, benefits and/or benefit plans may be proposed by the Director of Human Resources and subject to approval by the City Manager. The City may amend or terminate optional benefits in its discretion.

7.8 Parking

The City provides free parking to employees who report to work and/or attend meetings at the City Municipal Building. Many City departments provide free parking and may establish departmental/work site parking guidelines. Employees are required to abide by the City Municipal Building and departmental/work site parking guidelines.

7.9 Car Allowance

The City Manager may authorize an employee car allowance to promote the City's legitimate business interests, such as efficiency and quality service to customers and clients. Employees receiving a car allowance are required to obtain automobile insurance coverage at their expense, due to their use of personal cars while on City business.

Travel outside of Guilford, Davidson, Forsyth and Randolph Counties and within the North Carolina may be submitted as personal vehicle mileage for reimbursement. Personal vehicle mileage reimbursement for business travel outside of North Carolina may not exceed the cost of the lowest available commercial coach rate airfare to the travel destination.

7.10 Personal Vehicle Mileage Reimbursement

The City will provide a mileage-based reimbursement to employees using their personal vehicles for approved business travel. Employees shall submit expense reports for mileage incurred. The reimbursement rate is subject to IRS regulations. Personal vehicle mileage reimbursement for business travel outside of North Carolina may not exceed the cost of the lowest available commercial coach rate airfare to the travel destination.

8.0 SEPARATION, DISCIPLINARY ACTION, AND RIGHT OF APPEAL

8.1 Reduction in Force

In the event a reduction in force is necessary, employee separations will be based on the City's specific selection criteria adopted at the time of the reduction in force. No full-time employee will be separated while there are part-time or temporary employees serving in the same class title in the same department, unless the full-time employee is not willing to transfer to the position held by the part-time or temporary employee.

Any full-time employee separated from City employment due to a reduction in force will be paid a severance pay benefit equating to six (6) weeks of compensation at the employee's pay rate at the time of separation. The severance pay benefit will be paid in equal installments in accordance with the City's normal payroll practices beginning with the pay period immediately following the employee's separation. An employee reinstated to full-time City employment within three (3) years of their separation date due to a reduction in force shall receive credit for previous years of City service.

8.2 Disciplinary Action: Suspensions, Demotions, Dismissals

The primary purposes of disciplinary action are to address employee misconduct and improve unsatisfactory performance. Disciplinary action will be imposed fairly and with consideration of the individual circumstances giving rise to need for disciplinary action. Disciplinary action includes verbal warnings, written warnings, suspension without pay, demotion, and dismissal based on failures in performance of duties or failures in personal conduct. Disciplinary actions shall be taken by the employee's department director or designee in consultation with the Director of Human Resources. In order to avoid undue disruption of operations, to conduct a thorough investigation, or to protect the safety of persons or property, the City may immediately suspend an employee with or without pay pending the outcome of an investigation or imposition of disciplinary action. To the extent deemed necessary by the City Manager, an employee may be placed on paid or unpaid suspension pending appeal of any disciplinary action. In instances when an employee is placed on unpaid suspension pending investigation or imposition of discipline, or pending exhaustion of an appeal, and either no disciplinary action is taken, or disciplinary action is reversed in full on appeal, the City will provide back pay for the time on suspension.

1) Failure in Performance of Duties

An employee who has completed his or her probationary period will ordinarily be provided notice of unsatisfactory job performance through informal counseling or coaching and performance evaluations before the imposition discipline under this section, but such progressive action is not guaranteed and may be dispensed with depending on the circumstances of each employee's unsatisfactory job performance. Disciplinary action for failure in performance of duties may include verbal warnings, written warnings, suspension without pay, demotion, and dismissal from employment. The City will ordinarily issue verbal or written warnings prior to imposing suspension, demotion or dismissal, but there is no

guarantee of progressive discipline. The type of discipline imposed will depend on an employee's individual circumstances and/or the severity of a failure in performance of duties. Department directors or supervisors who engage in informal coaching and counseling and formal disciplinary action should record the dates of any such actions and describe the performance deficiencies addressed with the employee.

The following non-exhaustive list of failures in the performance of duties are representative of those considered adequate grounds for disciplinary action, including suspension, demotion or dismissal:

- (a) Inefficiency, negligence, or incompetence in the performance of duties;
- (b) Careless, negligent or improper use of City property or equipment;
- (c) Absence without approved leave;
- (d) Improper use of leave privileges;
- (e) Habitual pattern of failure to report for duty at the assigned time and place.

2) Failure in Personal Conduct

Disciplinary action for failure in personal conduct may include verbal warnings, written warnings, suspension without pay, demotion, and dismissal from employment. The City will ordinarily issue verbal or written warnings prior to imposing suspension, demotion or dismissal, but there is no guarantee of progressive discipline. The type of discipline imposed will depend on an employee's individual circumstances and/or the severity of a failure in personal conduct.

Failures in personal conduct can broadly be described as employee misconduct. It is not possible to describe all forms of misconduct that will result in disciplinary action. By way of example, failures in personal conduct include, but are not limited to the following:

- (a) Dishonesty, including fraud in applying for and securing employment;
- (b) Insubordination;
- (c) Discourteous treatment of the public or other employees;
- (d) Act of disloyalty that affects the department or the City; and
- (e) Conviction of a felony or of a misdemeanor involving moral turpitude;
- (f) Misuse of City funds or city p-cards;
- (g) Falsification of City records, including, without limitation, workers compensation records;
- (h) Acts during or outside of duty hours that are incompatible with the public service;
- (i) The use of alcohol or unlawful drugs while at work or as otherwise prohibited by City policy, being under the influence of alcohol or unlawful

or unauthorized drugs while at work. See the City's substance abuse policy for more detail on drug and alcohol use;

- (j) Disruption of City operations;
 - (k) Workplace harassment, discrimination or retaliation;
 - (l) Workplace violence;
 - (m) Weapons possession while on City of High Point property in violation of this Resolution;
 - (n) Improper political activity and;
 - (o) Failure to abide by City policy, work rules, directions of superiors or this Resolution.
- 3) Departmental Pre-Determination Hearing: In the event the City is considering disciplinary action against a non-probationary full-time or benefits-eligible part time employee consisting of a suspension of more than ten days, a demotion or dismissal from employment, the City will afford such employee a pre-determination hearing. The employee shall be given full opportunity to respond to the grounds for the potential disciplinary action. The employee's department director, or designee, shall consider the employee's response before deciding on appropriate disciplinary action.
- 4) Notification: The employee's department director or designee shall provide the employee a minimum of 24 hours' notice of the pre-determination hearing. The Notice shall contain the disciplinary action under consideration, the reasons for the disciplinary action under consideration, and the recourse available to the employee.
- 5) Procedure for Pre-Determination Hearing: The pre-determination hearing shall be attended by and limited to (1) the employee, (2) the employee's supervisor(s), (3) the department director and (4) the Human Resources Director or designee. No legal counsel or other personal representative will be permitted to attend for the City or the employee.

The hearing is administrative in nature and full opportunity will be afforded the employee to respond to the grounds for the disciplinary action under consideration. The department director will consider all information gathered in the course of the City's investigation of the employee's performance and/or conduct and all information provided by the employee in the pre-determination hearing. The employee shall not be represented in the hearing by legal counsel or other personal representatives. Persons with disabilities may request reasonable accommodation to allow the employee to participate in the pre-determination hearing or any appeal allowed herein. If an accommodation is needed, the employee should notify the Human Resources Department. The pre-determination

hearing will be recorded. At the conclusion of the hearing, the employee will be advised when a decision will be made regarding the action, if any, to be taken. In the event the employee is duly notified and fails to appear for the pre-determination hearing, all rights to such a hearing are forfeited.

The department director shall submit a written report of findings, conclusions, and recommendations to the Director of Human Resources. Within ten (10) working days from the date of the pre-determination hearing, the department director, after review by the Director of Human Resources or a designee, shall notify the employee in writing of the action to be taken and the reasons for such action.

When a proposed suspension, demotion or termination involves a department director, the City Manager or designee will assume the responsibilities of a department director under this Section 8.2.

An employee who believes that a suspension, demotion or dismissal is based on discrimination on the basis of age, race, color, sex, national origin, religion, disability or any other classification protected by applicable law or retaliation for making a discrimination complaint for otherwise opposing unlawful discrimination or harassment may, and is expected to, raise a complaint in the proceedings set out in this Section. (See the City of High Point Workplace Discrimination and Harassment Policy for the definition of unlawful harassment and retaliation). An employee may also initiate a complaint under the City of High Point Workplace Discrimination and Harassment Policy. Any supervisor or department director who receives a discrimination complaint is required to immediately notify the Human Resources Department.

- 6) When a complaint is made in the context of the proceedings set out in this Section 8.2 or Section 8.4, the following procedures will apply:
 - (a) The employee will be requested to complete a written complaint form with the Human Resources Department. The written complaint should identify the person accused of discrimination, state the reasons the employee believes an actual or potential suspension, demotion or dismissal is based on discrimination, and identify the basis of the discrimination, i.e., age, race, color, sex, national origin, religion, or disability. The complaint form should also provide a list of witnesses or relevant documents supporting the allegation, and the proposed resolution the employee is seeking.
 - (b) The Director of Human Resources or designee will investigate the discrimination allegations. Steps in the investigation will generally include: one or more interviews of the grieving employee, an interview of the accused employee; interviews of all individuals with knowledge of facts relevant to the grievance, and collection and review of relevant documents and other evidence. Where appropriate, the Human Resources Department will take

measures to mitigate any harm to the complaining employee, including, without limitation, separation of the complaining employee and the accused employee. The Human Resources Department will make a written report to the department director or City Manager in the case of an appeal, as well as to the complaining employee, with recommendations to resolve the complaint.

- (c) In the event an employee has a complaint about an employee who works in Human Resources Department, the complaining employee may raise the complaint with the City Manager, whose designee will investigate the complaint. In the event an employee's discrimination complaint concerns the City Manager, if the employee is a direct report to the City Manager, the employee should make his or her complaint to the City Attorney. For all other employees, the complaint should be made to the Human Resources Department which will forward the complaint to the Mayor for consideration by the City Council. The City Council shall oversee the investigation. A written response to the employee's complaint will be provided at the conclusion of the investigation.
- (d) Any employee who believes that he or she has been the subject of harassment based on age, race, color, sex, national origin, religion, or disability or any other classification protected by applicable law, the employee should immediately make a report as provided in the City's Discrimination and Harassment in the Workplace Policy.

- 7) Dismissal: An employee who is dismissed shall be relieved immediately of all duties and responsibilities and discharged from the employment of the City.
- 8) Demotion: In the event of a disciplinary demotion, the employee's department director may reassign the employee to another position in a lower salary range with the approval of the Director of Human Resources. An employee who is demoted shall be relieved of present duties and responsibilities immediately.
- 9) Disciplinary Suspension: An employee who is suspended without pay for disciplinary reasons shall be relieved temporarily of all duties and responsibilities for the period of suspension.

8.3 Suspensions Without Pay for Exempt Employees

Suspensions without pay of exempt salaried employees will be for one or more whole days consistent with state and federal wage and hour laws pertaining to deductions from pay.

8.4 Right of Appeal

- (a) Eligibility to Appeal: Full-time and part-time employees receiving retirement and/or health insurance benefits who have completed the probationary period and who are issued a disciplinary suspension of more than ten (10) working days, demoted or dismissed have the right to appeal to the City Manager or designee.

- (b) Procedure for Filing Appeal: Notice of appeal must be in writing and must be submitted to the Director of Human Resources within ten (10) working days after the effective date of the challenged disciplinary action. A hearing on the appeal shall be held within fifteen (15) working days after receipt of the notice of appeal. The hearing is administrative. No legal counsel or other personal representative will be permitted to attend for the City or the employee.
- (c) Notification of Findings: Within fifteen (15) working days of the hearing, the City Manager or designee shall notify the employee in writing of the decision rendered by the City Manager or designee. The decision on appeal is final.

8.5 Part-Time No Benefits Employees

The appointing department director, in consultation with the Director of Human Resources, may suspend, demote, or dismiss a part-time no benefits employee, and there are no hearing or appeal rights.

8.6 Exit Procedure

The Human Resources Department is responsible for ensuring that all compensation due a dismissed employee is paid, less any legally collectible and deductible debts owed to the City. In addition, prior to receiving their final pay all dismissed employees may request an exit interview by the Human Resources Department to determine that all matters pertaining to the employee's exit have been settled. Departments shall be responsible for ensuring that all uniforms, keys, tools, equipment, identification badges and other issued items are returned to the City.

9.0 GRIEVANCE PROCEDURE

9.1 Grievance

The City is committed to providing employees an effective and responsive grievance process. Prior to filing a formal grievance, employees are encouraged to discuss their concerns with their supervisor. Employees may file formal grievances concerning decisions or actions that negatively affect the terms and conditions of their employment, including performance evaluations, transfers, denied promotions, working conditions (such as where health and safety are at issue), and pay. Suspensions, demotions and dismissals are excluded from this Grievance Procedure. The hearing and appeal procedures established in Section 8 of the Personnel Resolution should be followed for decisions involving suspensions, demotions and dismissal, provided that employees who believe that a decision involving a suspension, demotion or dismissal were based on discrimination, harassment or retaliation may, and should, file a complaint under the City of High Point Workplace Discrimination and Harassment Policy in addition to raising such complaints under the hearing and appeal procedures of Section 8.0.

9.2 Procedure

- (a) Employees must file a written grievance with their supervisor/manager within ten (10) working days from the date of the decision or action that is the basis of the

grievance. A copy of the written grievance will be sent to the Human Resources Department. The grievance should contain the following: the decision or action the employee does not agree with, on what basis the employee claims the decision or action is wrong or unfair, and the resolution the employee is seeking.

- (b) Supervisors/managers must submit a written grievance response to the employee within ten (10) working days. If the employee is not satisfied with the response, an appeal may be made to the department director. The appeal must be filed within ten (10) working days from the date of initial grievance response.
- (c) The department director shall submit a written decision on appeal to the employee within ten (10) working days of the date the employee's appeal is received.
- (d) If the employee is not satisfied with the response, an appeal may be made to the City Manager. The appeal must be in writing, must state the grounds for the appeal and must be filed within ten (10) working days from the date of the initial appeal decision.
- (e) The City Manager or designee shall submit a written decision on appeal to the employee within ten (10) working days from receipt of the appeal. The City Manager's decision is final.
- (f) Neither legal counsel nor other employee representative may attend any level of the grievance process.

9.3 Discrimination Grievance

The grievance process is also available to employees who believe they have been discriminated against on the basis of age, race, color, sex, national origin, religion, or disability or any other classification protected by applicable law or has suffered retaliation for making a discrimination or unlawful harassment complaint or grievance or otherwise opposing unlawful discrimination or harassment. (See the City of High Point Workplace Discrimination and Harassment Policy for the definition of unlawful harassment, discrimination and retaliation. For the purpose of this section, discrimination, retaliation and harassment are referred to collectively as discrimination). If an employee believes he or she has suffered discrimination, the employee may file a grievance under this procedure or make a complaint under the City's Discrimination and Workplace Harassment Policy. No employee is required to report discrimination to a supervisor who is accused of engaging or participating in the alleged discrimination. Any supervisor or department director who receives a discrimination grievance is required to immediately notify the Human Resources Department.

The following procedures apply to discrimination grievances:

- (a) Employees must complete a written grievance form with the Human Resources Department within ten (10) working days from the date of the alleged instance of discrimination. The written grievance should contain the following: the decision, action, or policy that the employee claims constitutes discrimination; the basis of the discrimination, i.e., age, race, color, sex, national origin, religion, disability, retaliation; a list of witnesses or relevant

evidence supporting the allegation, and the resolution the employee is seeking. Employees also have the option to file a discrimination complaint under the harassment policy if the time to file a grievance has expired.

- (b) The Director of Human Resources or designee will investigate the discrimination grievance. Steps in the investigation will generally include: one or more interviews of the grieving employee, an interview of the accused employee; interviews of all individuals with knowledge of facts relevant to the grievance, and collection and review of relevant documents and other evidence. Where appropriate, the Human Resources Department will take measures to mitigate any harm to the grieving employee, including, without limitation, separation of the grieving employee and the accused employee. The Human Resources Department will make a written report to the appropriate department director and the grieving employee with recommendations to resolve the grievance.
- (c) If the employee or department director is not satisfied with the recommendations of the Human Resources Department, either party may appeal to the City Manager. The appeal must be filed within 10 working days from the date of receipt of the report from Human Resources. The City Manager or a hearing officer appointed by the City Manager will convene a hearing normally within 30 days to hear all sides. The scope of the hearing shall be limited to the issues raised in the written grievance. The City Manager or hearing officer will consider the record of evidence created in the prior grievance investigation and the Human Resources written report. The City Manager or hearing officer may also consider additional evidence that the employee or City acquired since the initial grievance was filed. No one will be represented in the hearing by legal counsel or other personal representatives. The hearing will be recorded. The hearing is conducted by a hearing officer. The hearing officer will prepare a written report of findings, conclusions, and recommendations to the City Manager. The City Manager shall make the final decision on the employee's grievance and will notify the grieving employee of the decision in writing. The City Manager's decision is the final decision on the grievance.
- (d) In the event an employee has a discrimination grievance that involves the actions or decisions of the Director of the Human Resources Department, the employee may file his or her grievance with the City Manager. The City Manager or designee will investigate and resolve the grievance and notify the employee of the resolution. In the event an employee has a discrimination grievance that involves the actions or decisions of the City Manager, the provisions of Section 9.4 of this Personnel Resolution shall apply.

9.4 Discrimination Grievance – City Manager

If a grievance concerns the City Manager, employees who are direct reports to the City Manager should file the grievance with the City Attorney. All other employees should file the grievance with the Director of Human Resources. The City Attorney or the Director of

Human Resources will advise the City Council of the grievance and will determine the course of action for investigating and resolving the grievance. A written response will be provided to the grieving employee after the investigation concludes.

10.0 PERSONNEL RECORDS

10.1 Recordkeeping

Records for the proper administration of the human resource system will be maintained by the Human Resources Department. All medical information shall be kept confidential and separate from employee human resource files. The use and disclosure of protected health information shall be in compliance with the Health Insurance Portability and Accountability Act (HIPAA) where applicable.

LEAVE PAGE BLANK