



PERSONNEL POLICY HANDBOOK

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Article I. INTRODUCTION

Section 1.01 Purpose

The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the city of Arlington. They should not be construed as contract terms for any city employees. No supervisor or city representative has any authority to enter into any agreement for employment for any specific period of time, or to make any agreement contrary to this provision. Nothing in this Personnel Handbook, or in other city policies which may be communicated to the employee, constitutes a contract of employment for any city employee. The policies are not intended to cover every situation that might arise and can be amended at any time at the sole discretion of the City Council. These policies supersede all previous personnel policies. As an employee, you are responsible for complying with current city policy at all times. Except where noted otherwise, the city administrator or his/her designee is charged with ensuring compliance with these personnel policies.

Except as otherwise prohibited by law, the city of Arlington has the right to terminate any employee at any time for any or no reason. Employees may similarly terminate employment at any time for any reason.

Section 1.02 Scope

These policies apply to all employees of the city. Except where specifically noted, these policies do not apply to:

1. Elected officials
2. City attorney
3. Members of city boards, commissions, and committees
4. Consultants and contractors and contractual service providers
5. Volunteers, except as specifically noted for paid-on-call firefighters and EMT's.

If any specific provisions of the personnel policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

These policies serve as an information guide to help employees become better informed and to make their experience with the city more rewarding. Departments may have special work rules deemed necessary by the department head and approved by the city administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring and those rules will be further explained, and enforcement discussed with the employee by the immediate supervisor.

Section 1.03 EEO Policy Statement

The city of Arlington is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, selection, lay-off, disciplinary action, termination, compensation and selection for training. The city of Arlington will not discriminate against any employee or job applicant on the basis of race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists) color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status,

or membership on a local human rights commission or lawful participation in the Minnesota Medical Cannabis Patient Registry.

Section 1.04 Data Practices Advisory

Employee records are maintained in a location designated by the city administrator. Personnel data is retained in personnel files, finance files, and benefit/medical files.

(a) Minnesota Data Practice Act

The City of Arlington complies with the MN Data Practices Act which governs what information is public and what is confidential. Public information shall be made available to the public upon request within a reasonable time and during regular business hours. Documents and records not specified by law as public will not be shared with any outside person or agency without the employee's informed consent or a valid court order. The Federal Equal Opportunity Commission and the MN Department of Human Rights may be authorized by federal or state law to receive private information in order to investigate specific complaints of employment discrimination. Personnel data may be given to labor organizations to the extent necessary to conduct elections, and to implement the Public Employees Labor Relations Act and well as to the Bureau of Mediation Services, when it so orders. Unless the law provides to the contrary, an employee may review their personnel file.

(b) Right of Access

Employee personnel files are open for inspection and review during office hours. Public data on individuals is data, which, by statute, shall be accessible to the public. Public data is that which is listed in the MN Data Practices Act. All other data is private and is not accessible to the public but is accessible to the subject employee and the City Administrator.

(c) Employee Records

Records containing information pertinent to this employment will be maintained for all employees and will be available at any time for their own review in accordance with the Minnesota Government Data Practices Act.

Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, record performance, etc.

No piece of information is retained unless required for a specific purpose. Employees have the right to know exactly what data is retained, where it is kept, and how it is used. All employee data will be received, retained and disseminated according to the Minnesota Government Data Practices Act.

(d) Records Retention

The City of Arlington will dispose of records under Minnesota Statutes section 138.17, or any law amending or replacing that law; and has adopted the "Minnesota General Records Retention Schedule for Cities" and its subsequent revisions.

Section 1.05 Media Requests

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. All staff is responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department head or to the City Administrator.

Any employee who identifies a mistake in reporting should bring the error to the city administrator or department head. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use, etc.

Except for routine events and basic information readily available to the public, all requests for interviews or information from the media are to be routed through the city administrator. No city employee is authorized to speak on behalf of the city without prior authorization from the city administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the city administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a "routine" question, forward the request to the city administrator. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person, who will get back to you as soon as he/she can."
3. Ask the media representative's name, questions, deadline, and contact information.

All news releases concerning city personnel will be the responsibility of the city administrator.

When/if the city administrator authorizes a staff person to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the city. Account names on social media sites must be clearly connected to the city and approved by the city administrator.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided: "The city finished street cleaning on 16 streets in the northwest corner of the city this past week" instead of "The city is doing a great job with street cleaning this year!" Corrections must be issued when needed.
- Generally, not include personal opinions in official city statements. One exception is communications related to promoting a city service. For example, an employee could post the following on the city's Facebook page: "My family visited Hill Park this weekend and really enjoyed the new band shelter." Employees who have been approved to use social media sites on behalf of the city should seek assistance from the city administrator on this topic.
- Notify the city administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

Section 1.06 Personal Communications and Use of Social Media

It is important for city employees to remember the personal communications of employees may reflect on the city, especially if employees are commenting on city business or commenting on issues that implicate their city employment. As city representatives, employees share in the responsibility of earning and preserving the public's trust in the city. An

employee's own personal communications, such as on social media, can have a significant impact on the public's belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race, sex/gender, religion, national origin, disability, sexual orientation, or other protected categories. Nonpersonal communications (performed within one's job duties) to members of the public must be professional at all times. The following guidelines apply to personal communications, including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements:

- Do not share any private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.
- Remember what you write or post cannot easily be undone. It may also be spread to a larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.
- The city expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying.
- Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race (including traits associated with race, including, but not limited to, hair texture and hairstyles such as braids, locs and twists) national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance or membership or activity in a local human rights commission.
- If you publish something related to city business and there is liable to be confusion whether you are speaking on behalf of the city, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the city of Arlington."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Public Safety Officials (Police, Fire, Ambulance, etc.) are encouraged not to post pictures of or comment on accidents and/or accident scenes on social media websites, because the posting of such pictures and/or commenting may violate the City's Data Practices Policy.
- Personal social media account name or email names should not be tied to the city (e.g., CityofArlingtonCop).

Article II. CITYWIDE WORK RULES & CODE OF CONDUCT

Section 2.01 Conduct as a City Employee

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

Honesty is an important organizational attribute to our city. Therefore, any intentional misrepresentation of facts or falsification of records, including personnel records, medical records, leaves of absence documentation or the like, will not be tolerated. Further, dishonesty in city positions may preclude workers from effectively performing their essential job duties. As just one example, a police officer with a credibility issue under a Brady/Giglio designation very likely will be excluded from providing testimony for court cases thereby creating an employment strain where an employee cannot effectively perform the essential functions of the job. Any violations will result in corrective action, up to and including termination.

The following are job requirements for every position at the city of Arlington. All employees are expected to:

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the public at all times.
- Read, understand, and comply with the rules and regulations as set forth in these personnel policies as well as those of their departments.
- Conduct themselves professionally toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance while meeting the goals set by an employee's supervisor.
- Approach our organization and operational duties with a positive attitude and constructively support open communication, creativity, dedication and compassion.

Section 2.02 Attendance & Absence

The operations and standards of service in the city of Arlington requires employees be at work unless valid reasons warrant absence. In order for a team to function efficiently and effectively, employees must fully understand the goals set for them and the time required to be on the job. Understanding attendance requirements is an essential function of every city position.

Employees who are going to be absent from work are required to notify their department head as soon as possible in advance of the absence. In the event of an unexpected absence, employees should call their department head before the scheduled starting time and keep in mind the following procedures:

- If the department head is unavailable at the time, the employee should leave a message with a telephone number where they can be reached and/or contact any other individual who was designated by the department head.
- Failure to use the established reporting process will be grounds for disciplinary action.
- The employee must call the department head on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the department head.

- Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing.
- The city may waive this rule if extenuating circumstances warranted such behavior.

Department heads may establish more specific reporting procedures. This policy does not preclude the city from administering discipline for unexcused absences of less than three days.

For budgetary and confidentiality reasons, non-exempt employees (eligible for overtime pay) are not authorized to take work home or work through lunch without prior approval from their supervisor.

Section 2.03 Attendance Requirements for Fire and Ambulance Members

Proper training for Ambulance and Fire Department members is an essential function of the job therefore, members are expected to attend regular meetings of their respective departments. Ambulance and Fire Department members who are absent from regular meetings more than five (5) times in a calendar year will be subject to disciplinary action, including termination. Any discipline in relation to this policy will be conducted under the provisions outlined in Section 18.

Section 2.04 Tardiness

Employees are expected to be ready for work at their designated starting time. If unavoidable circumstances will delay the employee, the employee must contact their department head as far in advance as possible and advise when they will be able to arrive to work. Excessive tardiness cannot be tolerated and may result in termination of employment.

Section 2.05 Access to and Use of City Property

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other city-owned equipment must register their name and the serial number or identifying information about the equipment with the department head. All such equipment must be returned and accounted for by any employee leaving employment with the city in order to resign in good standing.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the city is prohibited unless authorized by the city administrator. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

Section 2.06 Appearance

Department heads may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. All employees are expected to be well groomed. Employees are allowed to wear jeans clean and free of rips, tears, fraying and not excessively tight or revealing. In all instances, clothing and appearance must be neat, clean, not ripped, heavily frayed or worn, and not expose an excessive amount of skin. Dress needs vary by function.

Employees who spend a portion of the day in the field need to dress in a professional manner appropriate to their jobs, as determined by department head. For safety reasons, Fire Department Members must be clean-shaven (no beards) with short sideburns. Mustaches of reasonable proportions will be allowed.

Safety glasses shall be provided at City expense, as required by law. Safety shoes shall be provided to appropriate employees at City expense at the rate of one pair per year at a maximum cost per employee, as set by the City from time to time.

Police officers will be reimbursed for clothing that is purchased for required uniforms, up to an amount to be set by Council Resolution from time to time. A new full-time officer will receive the first two years of his/her uniform allowance upon being successfully hired. The employee is to use the first two years of the allowance to outfit their person with the appropriate department uniform. The uniform allowance will then not be available to the new employee until their third year of employment. If the officer is unable to successfully complete the initial probationary period, the employee will be expected to reimburse the City for fitted items (boots, pants, etc.).

Section 2.07 Conflict of Interest

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be a perceived or actual conflict of interest or could result in a personal benefit for themselves or a family member. This policy shall be liberally construed in favor of protecting the public interest by a full disclosure of conflicts of interest. The following shall be prohibited activities:

- No employee, or member of his/her immediate family, shall have a financial interest in, or derive profit from, any matter upon which the employee is required to act in discharge of his/her official duties and fails to disqualify him/herself from acting or participating.
- No employee shall use, or permit the use of, any person, funds, or property under his/her official control, direction, or custody, or any of the City's funds or property for a purpose which is, or to a reasonable person would appear to be, for the private benefit of the employee.
- No employee shall have a material interest, personally or through a member of his/her immediate family, in business entities doing or seeking to do business with the City, except with full disclosure and consent of the City Administrator or City Council. No employee shall influence, or attempt to influence, the selection of, or the conduct of business with the City.
- No employee shall solicit or receive anything of monetary value from any persons or entity where it has been solicited, received, or given with the intent to give or obtain special consideration or influence as to any action by such employee in his/her official capacity; provided that nothing shall prohibit contributions, including political contributions, which are reported in accordance with applicable law, or which are accepted on behalf of the City, or an honorarium, travel or other expenses reimbursed to any employee as a result of a speaking engagement or personal appearance made as a result of that person's official position.
- No employee shall disclose or use any information gained by reasons of his/her official position for the immediate or anticipated personal gain or benefit of the employee, or any other person or entity; provided that nothing shall prohibit the disclosure or use of the information which is a matter of public knowledge, or which is available to the public on request.
- No employee shall deprive the City or its agencies of their original files. All original work products generated or obtained by a City Official on City time shall be the property of the City of Arlington and shall remain so after an employee leaves City employment. Examples of work product include but are not limited to, research, investigative reports, computer files, legal briefs, official letters, and memoranda.
- No person seeking employment or promotion in the municipal service shall either directly or indirectly give, render, or pay any money, service, or other valuable consideration to any person or account of, or in connection with, the test, appointment, promotion, or proposed appointment or promotion.
- The appointment of any person, when such person is related to any elected or appointed officer or employee of the City, or an appointment of a candidate who is related to current City personnel who have the ability to influence the employment, promotion and salary or performance evaluation of another relative is to be avoided whenever possible.

If an employee has any question about whether such a conflict exists, they should consult with the city administrator.

Section 2.08 Falsification of Records

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies, will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

Section 2.09 Personal Telephone Calls

Personal telephone calls are to be made or received only when truly necessary. They are not to interfere with city work and are to be completed as quickly as possible. Any personal long-distance call costs will be paid for by the employee. Please refer to the cell phone policy for information on use of cellular phones.

Section 2.10 Political Activity

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no city employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the city to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

Section 2.11 Personal Mail

Employees may purchase postage from the City for use on their personal mail items. Personal mail items may be included with the City's daily delivery of mail to the US Post Office, but employees may not use the City as a mailing address for personal mail.

Section 2.12 Fax

In the event that an employee makes personal faxes or copies, the employee must reimburse the City for the number of faxes or copies in accordance with the amount established by the City Council. Personal use must take place during non-working time such as before or after work, and during break periods.

Section 2.13 Solicitation

No solicitation shall be allowed on City time for any individual, group, company, cause, or organization. The City encourages its employees to support community and charitable causes on their own time.

Section 2.14 Smoking

The city of Arlington observes and supports the Minnesota Clean Indoor Air Act. All city buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes) or "vaping" with e-cigarettes is prohibited while in a city facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes, and the use of chewing tobacco, is prohibited for employees while on duty. Employees 21 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

Article III. DEFINITIONS

For purposes of these policies, the following definitions will apply:

Section 3.01 Authorized Hours

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee's department head.

Section 3.02 Benefits

Privileges granted to qualified employees in the form of paid leave and/or insurance coverage.

Section 3.03 Benefit Earning Employees

Employees who are eligible for at least a pro-rated portion of city-provided benefits. Such employees must be year-round employees who work at least 20 hours per week on a regular basis.

Section 3.04 City

Refers to the City of Arlington.

Section 3.05 City Council

The elected Mayor and five City Council members.

Section 3.06 Core Hours

The core hours all employees (exempt and non-exempt) are expected to work are 8:30 a.m. to 5:00 p.m., Monday through Friday. Police, fire, and public works employees do not have core hours and work the schedules established by their supervisors.

Section 3.07 Demotion

The movement of an employee from one job class to another within the city, where the maximum salary for the new position is lower than that of the employee's former position.

Section 3.08 Department Head

An employee who is responsible for managing a department or division of the City. The City Administrator shall be considered the department head for any City employees who are themselves a department head.

Section 3.09 Direct Deposit

As permitted by state law, all city employees are required to participate in direct deposit.

Section 3.10 Emergency Personnel

A Fire, Ambulance, or Police Department Member or Officer.

Section 3.11 Employee

An individual who has successfully completed all stages of the selection process, including the probationary period.

Section 3.12 Employee Relations Committee

A committee established by the City Council to aid in dealing with employee issues.

Section 3.13 Exempt Employee

Employees who are not covered by the overtime provisions of the federal or state Fair Labor Standards Act.

Section 3.14 FICA (Federal Insurance Contributions Act)

FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Specifically, FICA requires an employee contribution of 6.2% percent for Social Security and 1.45% percent for Medicare. The city contributes a matching 7.65% percent on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers). These amounts may change if required by law.

Section 3.15 Fiscal Year

The period from Jan. 1 to Dec. 31.

Section 3.16 Full-Time Employee

Employees who are required to work forty (40) or more hours per week year-round in an ongoing position.

Section 3.17 Hours of Operation

The city's regular hours of operation are Monday through Friday, from 8:30 a.m. to 5:00 p.m.

Section 3.18 Non-Exempt Employee

Employees who are covered by the federal or state Fair Labor Standards Act. Such employees are normally eligible for overtime at 1.5 times their regular hourly wage for all hours worked over forty (40) in any given workweek.

Section 3.19 Official City Business

The performance of duties that is necessary to the operation of the City.

Section 3.20 Part-Time Employee

Employees who are required to work less than forty (40) hours per week year-round in an ongoing position.

Section 3.21 Pay Period

A fourteen (14) day period beginning at 12:00 a.m. (midnight) on Saturday through 11:59 p.m. on Friday, fourteen (14) days later.

Section 3.22 PERA (Public Employees Retirement Association)

Statewide pension program in which all city employees meeting program requirements must participate in accordance with Minnesota law. The city and the employee each contribute to the employee's retirement account.

Section 3.23 Promotion

Movement of an employee from one job class to another within the city, where the maximum salary for the new position is higher than that of the employee's former position.

Section 3.24 Reclassify

Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

Section 3.25 Seasonal Employee

Employees who work only part of the year (100 days or less) to conduct seasonal work. Seasonal employees may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn benefits or credit for seniority.

Section 3.26 Service Credit

Time worked for the city. An employee begins earning service credit on the first day worked for the city. Some forms of leave will create a break in service.

Section 3.27 Temporary Employee

Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn benefits or credit for seniority.

Section 3.28 Probationary Period

A (6) six-month period at the start of employment with the city (or at the beginning of a promotion, reassignment, or transfer) designated as a period within which to learn the job. The probationary period is an integral extension of the city's selection process and is used by supervisors for closely observing an employee's work.

Training begins on your first day of employment with an orientation process in which you will learn about City policies and procedures, take a tour of the city, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress, and at six months you will have a formal review.

An employee serving the initial probationary period may be disciplined at the sole discretion of the city, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Nothing in this policy handbook shall be construed to imply after completion of the probationary period, an employee has any vested interest or property right to continued city employment.

Time served in temporary, seasonal, volunteer or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken.

Section 3.29 Transfer

Movement of an employee from one city position to another of equivalent pay.

Section 3.30 Weapon

Weapons are defined to include all legal or illegal firearms, switchblade knives, or any other object modified to serve as a weapon or has the primary purpose of serving as a weapon.

Section 3.31 Workweek

For most employees, a workweek is seven consecutive 24-hour periods. For Police Department employees, a workweek is fourteen consecutive 24-hour periods. For most employees the workweek will run from Saturday through the second Friday. For Police Department employees the workweek will run from Saturday through the second Friday. With the approval of the city administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g. fire department, parks and recreation department).

Article IV. EMPLOYEE RECRUITMENT & SELECTION

Section 4.01 Scope

The city administrator, with the help of the Employee Relations Committee or other Council Committees, will manage the hiring process for positions within the City. While the hiring process may be coordinated by the City Administrator, the City Council is responsible for the final hiring decision and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled. No hiring process will begin without first being approved by the City Council.

Section 4.02 Features of the Recruitment System

The city administrator, with the help of the Employee Relations Committee, or other Council Committees, will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis. Most position vacancies will be filled through an open recruitment process.

Application for employment will generally be made online or by application forms provided by the city. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the city administrator or Council Committee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position. The deadline for application may be extended by the city administrator.

All applications and related material shall be submitted to, and shall remain with, the City Administrator. Applications will first be reviewed by the City Administrator and the Department Head of the department an applicant is applying for. All applications will be kept in the "Active" file for a period of six (6) months. If an applicant desires to keep their application active beyond that time, he/she will be required to bring the existing application up-to-date or fill out a new application. Whether an applicant is or is not interviewed, his/her application will continue to be kept active for a six (6) month period and will be again considered if another position becomes available.

Position vacancies may be filled on an "acting" basis as needed. The City Council will approve all acting appointments. Pay rate adjustments, if any, will be determined by the City Council.

Section 4.03 Testing and Examinations

Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test; or another appropriate job-related exam.

Internal recruitments will be open to any City employee who: (1) has successfully completed the initial probationary period; (2) meets the minimum qualifications for the vacant position; and (3) currently is and for the past year has been in good standing with the City.

The City Council or designee will establish minimum qualifications for each position with input from the appropriate department head. To be eligible to participate in the selection process, a candidate must meet the minimum qualifications.

Section 4.04 Pre-Employment Medical Exams

The City Council may determine a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any city position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the city with the cost of the exam paid by the city. Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist. The physician will notify the City Council that a candidate either is or isn't medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug and/or alcohol test, if applicable.

If the candidate requires accommodation to perform one or more of the essential functions of the job, the City Council will confer with the physician and candidate regarding reasonable and acceptable accommodations. If a candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

Section 4.05 Selection Process

The selection process will be a cooperative effort between the City Administrator or Employees Relations/ Council Committee and the hiring department head, or all three, subject to final hiring approval of the City Council. Any, all, or none of the candidates may be interviewed.

The process for hiring seasonal and temporary employees may be delegated to the appropriate department head with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the department head at any time, subject to City Council approval.

The city has the right to make the final hiring decision based on qualifications, abilities, experience and city of Arlington needs.

Section 4.06 Background Checks

All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the city administrator will determine the level of background check to be conducted based on the position being filled.

Section 4.07 Felonies

The City will not hire a person who was previously convicted of a felony.

All police officer applicants must meet the minimum selection standards of the Minnesota Peace Officers Standards and Training Board. Minnesota Statute §626.87.

Section 4.08 Rejection of Applications

Applications for positions may be rejected by the City Administrator for any one of the following reasons:

- Lack of specified minimum qualifications required.
- Applicant's lack of physical, mental, or personal prerequisites deemed necessary for the effective performance of the duties and responsibilities of a position.
- Reference and/or investigation of the applicant prove unsatisfactory.
- Past employment history with the City.
- Applicant has directly or indirectly rendered or promised to give money, payment, service, or valuable item to any person in connection with appointment.
- Incomplete application form, falsification of information, or failure to provide required application information.
- Has a record of unsatisfactory employment.
- Has a recent history of untreated excessive use of alcohol, narcotics, or other drugs which may affect work performance.
- Such other causes and reasons deemed sufficient.

Article V. PROBATIONARY PERIOD

Section 5.01 Purpose

The probationary period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work and for training the employee in work expectations. Probationary periods apply to new hires, transfers, promotions, and rehires. It shall be used for making any necessary adjustments to the position and for rejecting any employee whose performance does not meet the required work standards. An employee may be dismissed at any time and without cause during the probationary period.

Section 5.02 Duration

All original and promotional appointments shall be subject to a probationary period of six (6) months for all employees.

Peace officers are subject to a 12-month probationary period (Minnesota Statute 44.10 sub. 1 (b).)

Non-certified ambulance staff are subject to a probationary period of twelve (12) months.

Firefighters are subject to a probationary period of thirty-six (36) months.

At any time during the probationary period, the employee may be subject, but not limited, to disciplinary action, suspension, lay-off, demotion, transfer, or dismissal. An employee so dismissed will not have the right to appeal unless the employee is covered by the Veteran's Preference Law, in which case the employee may request a hearing pursuant to Minnesota Statute 197.46, or any law amending or replacing that law.

Section 5.03 Completion of Probationary Period

A performance evaluation will be completed and reviewed with the employee before the end of the probationary period. The department head or City Administrator shall then make a recommendation to the Employee Relations Committee for the termination of the probationary period. Final decision and notice shall be provided by the City Council upon recommendation of the Employee Relations Committee.

During the City Council's annual consideration of salary increases, an employee is not eligible for step increases while in probationary period.

Section 5.04 Extension of Probationary Period

The Employee Relations Committee may, upon recommendation of the City Administrator, extend the probationary period up to an additional six (6) months. The employee shall be notified of the reason for the extension, a reason which shall be directly related to performance within the position. The probationary period may also be extended due to leave of absence or suspension without pay.

Section 5.05 Benefits during the Probationary Period

An employee during the probationary period will not be paid for any absence from work except for legal paid holidays, jury duty, and funeral leave. Vacation leave will be granted (per Leaves policy) and can be used after the initial six months of the probationary period and pursuant to City Council approval. Insurance benefits shall commence from the start date of the employee; however, any waiting periods shall be according to the terms of the insurance benefits.

Article VI. ORGANIZATION

Section 6.01 Job Descriptions

The city will maintain job descriptions for each regular position. New positions will be developed as needed but must be approved by the City Council prior to the position being filled.

A job description is prepared for each position within the city. Each job description will include: position title, department, department head's title, FLSA status (exempt or non-exempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. Good attendance and compliance with work rules and policies are essential functions of all City positions.

Prior to posting a vacant position the existing job description is reviewed by the City Administrator or designee and the hiring department head to ensure the job description is an accurate reflection of the position and the stated job qualifications do not present artificial barriers to employment.

A current job description is provided to each new employee. Department heads are responsible for revising job descriptions as necessary to ensure the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Administrator.

Section 6.02 Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the department head subject to the approval of the City Administrator.

Section 6.03 Job Descriptions and Classifications

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the City Administrator.

Section 6.04 Layoff

The City Administrator will maintain a seniority list. In the event it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the city before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the Employee Relations Committee, subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoffs.

Article VII. HOURS OF WORK

Section 7.01 Work Hours

Employee work schedules will be established by department heads with the approval of the City Administrator. The regular workweek is five eight-hour days, 8:30 a.m. to 5:00 p.m., in addition to a half-hour unpaid lunch period, Monday through Friday, except as otherwise approved by the City Administrator in accordance with the customs and needs of the individual departments. The police department will operate on separate irregular shift pattern.

Section 7.02 Core Hours

To ensure employee availability and accountability to the public the city serves, all full-time employees (exempt and non-exempt) are to be at work or available to the public and co-workers during the hours of 8:30 a.m. to 5:00 p.m., Monday through Friday, unless away from the work site for a work-related activity or on approved leave.

Section 7.03 On Call Hours

Due to the need to maintain essential City services, many employees will be required to be available "on call" to work in emergency situations. The employee who is serving on call time shall have the duty to remain close enough to the workplace to be able to report to work as soon as possible, or within 30 minutes after being called to do so. The employee shall be able and fit to respond to an emergency call during the employee's on call shift. The employee shall also remain in a location to be contacted by phone or beeper. It shall be the duty of the employee to inform the dispatcher of the phone number or radio at which the employee can be reached during the on-call shift.

An employee shall receive a base payment for the week on call during a pay period for the inconvenience of remaining available to the City for emergencies. In addition to the hourly on call pay, the employee shall be paid at the overtime pay rate for actual time worked in response to an emergency call during the employee's on call shift. To compensate the employee for travel and preparation time for being called in for emergencies, the employee shall be paid a minimum of one hour of overtime pay per call. If the work time spent on a call exceeds one hour, the employee will be paid at the overtime pay rate for the actual time worked.

In all cases where an emergency arises, the employees who are on call in the affected department shall be called first, unless special skills are needed that can only be supplied by other employees who are not on call or who are in another department. The opportunity to earn overtime pay is another compensation for serving on call and must not be denied to the on-call employees unless absolutely for the benefit of the City.

Each employee that is on call shall be for one calendar week at a time. Employees shall not swap on call time without obtaining approval of the City Administrator.

Section 7.04 Meal Breaks and Rest Periods

A paid fifteen (15) minute break is allowed within each four (4) consecutive hours of work. An unpaid thirty (30) or (60) minute lunch period is provided when an employee works eight or more consecutive hours. The employee, at their

discretion and in coordination with their department, can select an un paid thirty (30) or sixty (60) minute lunch break as long as the department has adequate employee coverage. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time, or lunch time by saving these breaks.

Employees working in city buildings will normally take their break at the place provided for that purpose in each building. Employees working out-of-doors will normally take their break at the location of their work.

Employees whose duties involve traveling throughout the city may stop along the assigned route at a restaurant or other public accommodation for their fifteen-minute break. Exceptions must be approved by the department head or City Administrator.

Departments with unique job or coverage requirements may have additional rules, issued by the department head and subject to approval of the City Administrator, on the use of meal breaks and rest periods.

Section 7.05 Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will not normally have their pay reduced as a result of this absence. Employees will be allowed to use accrued vacation time or compensatory time, or with department head approval, may modify the work schedule or make other reasonable schedule adjustments.

In the event the city closes due to weather or other public emergency, see Article XII: Leaves of Absence section 12.01 for Earned Sick and Safe Leave.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the City Administrator.

Section 7.06 Emergency Personnel Response Time

Fire and Ambulance Emergency Personnel who are required to respond to emergency calls must be able to respond within eight (8) minutes of the call.

Police who are required to respond to emergency calls must be able to respond within twenty (20) minutes of the call.

Article VIII. COMPENSATION

Section 8.01 General

Full-time employees of the city will be compensated according to schedules adopted by the City Council. Unless approved by the Council, employees will not receive any amount from the city in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay.

Compensation for part-time, seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wages. While the Minnesota Government Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of their wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.172, subd. 3.

The city cannot retaliate, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for disclosing their own wages. An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5075 or (800) 342-5354.

Section 8.02 Paychecks

Paystubs will be distributed to the email addresses as designated by each employee and will not be sent to anyone other than the person for whom they were prepared, unless the person has a note signed by the employee authorizing the city to give the other person the stub. Checks will be given to the spouse, or another appropriate immediate family member, in the case of a deceased employee.

Paychecks are issued every two weeks; except for Library, Council, Ambulance and Fire personnel who are paid on a monthly, quarterly, semi-annual or annual basis. Distribution of paychecks to city employees is to be accomplished in a timely manner using accurate, consistent procedures.

When paydays fall on a holiday, checks will be issued the day before the holiday. If the payday is the Friday after Thanksgiving, paychecks will be issued the Wednesday before Thanksgiving.

Section 8.03 Direct Deposit

As provided for in Minnesota law, all employees are required to participate in direct deposit. Employees are responsible for notifying the Deputy Clerk of any change in status, including changes in address, phone number, names of beneficiaries, marital status, etc.

Section 8.04 Improper Deduction and Overpayment Policy

If an employee believes that an improper deduction or overpayment, or another type of error, has been made, they should immediately contact their supervisor. If the city determines it has made an improper deduction from a paycheck, it will reimburse the employee for the improper amount deducted and take good faith measures to prevent improper deductions from being made in the future.

In cases of improper overpayments, employees are required to promptly repay the city in the amount of the overpayment. The employee can write a personal check or authorize a reduction in pay to cover the repayment. The city will not reduce an employee's pay without written authorization by the employee. Once the overpayment has been recovered in full, the employee's year to date earnings and taxes will be adjusted (so that the year's Form W-2 is correct) and the paying department will receive the corresponding credit. When an overpayment occurs, the repayment must be made within the same tax year.

In the exceptional situation where the overpayment occurs in one tax year and is not discovered until the next year, the overpayment must be repaid in the year it is discovered, but there will be additional steps and paperwork required.

Any overpayments not repaid in full within the calendar year of the overpayment are considered "prior year overpayments" and the employee must repay not only for the net amount of the overpayment, but also the federal and state taxes the city has paid on their behalf. The city is able to recover the overpaid Social Security and Medicare taxes. Accordingly, the city will not require the employee to repay those taxes provided the employee provides a written statement that he/she will not request a refund of the taxes. The overpayment amount will remain taxable in the year of the overpayment since the employee had access to the funds. The employee is not entitled to file an amended tax return for the year but may be entitled to a deduction or credit with respect to the repayment in the year of repayment. Employees should contact their tax advisors for additional information.

Section 8.05 Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 40 hours per workweek. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked, and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a bi-weekly basis.

Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a time sheet may be cause for immediate termination.

All employees that report to the shop must properly enter their timecard into the time clock at the beginning and end of each shift. Employees are expected to clock in no earlier than five minutes before the start of their scheduled work shift and are expected to clock out no later than five minutes after the end of their scheduled work shift, except in emergency situations. Paid time off should be indicated by reason (vacation, holiday). Overtime and any duty other than normal work shift hours must also be entered on the timecard by use of the time clock. If the employee clocks out more than 7.5 minutes after the normal work shift should have ended because of City needs, the time in excess of 7.5 minutes after the normal end of shift shall be paid at the overtime rate. All other employees must fill out a timecard approved by the City Administrator.

Section 8.06 Overtime / Compensatory Time

The City of Arlington has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as “exempt” or “non-exempt” from earning overtime.

In general, employees in executive, administrative, and professional job classes are exempt; all others are non-exempt.

Section 8.07 Non-Exempt (Overtime-Eligible) Employees

Most overtime-eligible employees will be compensated at the rate of time-and-one-half for all hours worked over 40 in one workweek. Police Department employees will be compensated at the rate of time and one-half for all hours worked over 86 in one work period. Ambulance Department employees will be compensated at a rate of time and one-half for all hours worked over 48 hours in one work week. Employees of Ambulance Department will have a work period which begins at 12:00 a.m. (Midnight) on Saturday and runs until the second Friday night at 11:59 p.m. with a 96-hour work period expected.

Vacation, PTO, and paid holidays do not count toward “hours worked.” Compensation will take the form of either time-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one-and-one-half hours off for each hour of overtime worked.

For most employees the workweek begins at 12:00 a.m. (midnight) on Saturday and runs until the following Friday night at 11:59 p.m. with a 40-hour workweek expected. Employees of the Police Department will have a work period which begins at 12:00 a.m. (midnight) on Saturday and runs until the second Friday night at 11:59 p.m. with an 86-hour work period expected. Department heads may establish a different workweek based on the needs of the department, subject to the approval of the City Administrator.

The employee’s supervisor must approve overtime hours in advance. An employee who works overtime or takes compensatory time in advance without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time-and-one-half on the next regularly scheduled payroll date, unless the employee indicates on their timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum compensatory time accumulation for any employee is 40 hours per year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Deputy Clerk will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves city employment at the hourly pay rate the employee is earning at that time.

Section 8.08 Exempt (Non-Overtime-Eligible) Employees

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors.

Generally, to meet these expectations, and for reasons of public accountability, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The city of Arlington will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.
- To offset compensation received for military pay. If an employee works part of the week in military service, the city still must pay the entire week salary to the employee, but the city could offset the amount of the military pay for the week against the employee's salary.
- The employee is in a position that earns sick leave, receives a short term disability benefit or workers' compensation wage loss benefits, and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full work week and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the city in which the employee does not work a full week. In this case, the city will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness, or injury, but:
 - Paid leave has not been requested or has been denied.
 - Paid leave is exhausted.
 - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The city of Arlington may, for budgetary reasons, implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The city of Arlington will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the city any amounts received by the employee as jury fees or witness fees.

All employees, in all departments, are required to work overtime as requested by their department heads as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

Section 8.09 Leave Policy for Exempt Employees

Exempt employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. The normal hours of business for exempt staff are Monday through Friday, 8:30 a.m. to 5 p.m., plus evening meetings as necessary.

Exempt employees are required to use paid leave when on personal business or away from the office for four (4) hours or more, on a given day. Absences of less than four (4) hours do not require use of paid leave as it is presumed that the staff member regularly puts in work hours above and beyond the normal 8:30 a.m. to 5 p.m. Monday through Friday requirement. Exempt employees must communicate their absence to the City Administrator or his/her designee.

If one of the above employees is regularly absent from work under this policy and it is found there is excessive time away from work that is not justified, the situation will be handled as a performance issue.

If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the City. Additional notification and approval requirements may be adopted by the City Administrator for specific situations as determined necessary.

From time to time, exempt positions may require work beyond forty (40) hours per week. In recognition for working extra hours, these employees may take some time off during their normal working hours with department head approval. The time off for extra hours will not be on a one-for one basis.

Section 8.10 Attendance at Council Meetings

Non-exempt employees who attend City Council meetings at the request of the City Council or City Administrator to report on City operations shall receive two (2) hours of compensation time.

Employees who attend Council meetings without the request of the City Council will be considered to volunteer their time to attend such meetings.

Article IX. EMPLOYEE PERFORMANCE REVIEWS

Section 9.01 Routine Employee Performance Reviews

(a) General

The City Administrator shall be primarily responsible for evaluating routine employee performance, with input as appropriate from the department head. The Employee Relations Committee shall be responsible for evaluating the routine employee performance of the City Administrator. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

In the case of routine job performance corrections, the City Administrator shall be the final authority in correcting the employee and putting a written notice of said correction or, if appropriate, written reprimand, in the employee's file. The City Administrator shall report such actions to the Employee Relations Committee at least quarterly.

(b) Appeals

If an employee job performance criticism is first brought to the attention of the Employee Relations Committee, the Committee will immediately report such criticism to the City Administrator for investigation and action on the part of the City Administrator, who shall then report said action back to the Committee as quickly as possible.

The Committee shall have no power to override the decisions of the City Administrator regarding routine job performance corrections. However, if the Committee deems it appropriate, the Committee may ask the City Administrator for further comment and background facts regarding the employee job performance issues and may recommend further or altered action on said issue to the general City Council. It should be the philosophy to allow the City Administrator to perform his normal function as supervisor of the City employees on a day to day basis.

In the case of serious employee misconduct, which may or may not include possible criminal charges, the City Administrator shall act as a factfinder and report the matter to the Committee for further review and investigation. The City Attorney should also be immediately contacted to participate in the process, to make sure that the appropriate legal warnings are given to the employee before the employee is questioned on the incident. The Committee shall conclude its investigation with a recommendation to the City Council for action according to the discipline procedures established in the City's personnel policies.

(c) Privacy

It is understood that all discussion and written records of employee job performance, allegations of misconduct, or criminal acts shall be strictly confidential, and conducted only in meetings closed to the general public. As required by state law, the only information to be discussed at open meetings of the Committee or the City Council will be any final actions taken to discipline the employee with the basic grounds for the said action.

Section 9.02 Annual Employee Performance Reviews

General

An objective performance review system will be established by the City Administrator or designee for the purpose of periodically evaluating the performance of City employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

During the probationary period, informal performance meetings should occur frequently between the supervisor and the employee.

Signing of the performance review document by the employee acknowledges that the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

Process

The City Administrator or designee shall conduct all performance reviews and all performance reviews will be discussed with the employee. The City Administrator may conduct the review with the employee's department head.

The Employee Relations Committee will review the City Administrator's evaluations and pass them onto the City Council for final review and any positive or negative actions based on said evaluations.

The Employee Relations Committee will be the primary evaluator of the City Administrator, and they shall pass along their evaluation of the City Administrator to the City Council for action.

Grievances

An employee may grieve a performance review to the Employee Relations Committee.

The Employee Relations Committee shall have no power to override the decisions of the City Administrator regarding performance reviews. However, if the Committee deems it appropriate, the Committee may ask the City Administrator for further comment and background facts regarding the performance review and may recommend further or altered action on said issue to the general City Council. The decision of the City Council is final.

While the employees do not have the right to change their performance review, they may submit a written response to the review, which will be attached to the performance review.

Article X. BENEFITS

Section 10.01 Health, Short-Term Disability, and Life Insurance

The city will contribute a monthly amount toward group health, short-term disability and life insurance benefits for each eligible employee and their dependents. The amount to be contributed and the type of coverage will be determined annually by the City Council.

For information about coverage and eligibility requirements, employees should refer to the summary plan description or contact finance officer and/or city clerk.

Section 10.02 Retirement/PERA

The city participates in the Public Employees Retirement Association (PERA) to provide pension benefits for its eligible employees to help plan for a successful and secure retirement. The City and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the City matches the employee's Social Security and Medicare withholding). Participation in PERA is mandatory for most employees, and contributions into PERA begin immediately.

For information about PERA eligibility and contribution requirements, contact finance officer and/or city clerk.

Employees are also eligible to take part in the Minnesota Deferred Compensation Plan. The City does not provide a match.

Section 10.03 Workers Compensation Insurance

The City provides workers compensation insurance at City cost as required by law to cover disabilities due to work related injury or illness. The terms of the policy and state law govern the specific types of coverage provided.

Section 10.04 Part-Time, Temporary and Seasonal Employees

Part-time, temporary and seasonal employees shall receive no benefits of any kind other than basic payroll and workers compensation insurance coverage and those negotiated with the City Council.

Section 10.05 Tuition Reimbursement

To be considered for tuition reimbursement the employee must be in good standing and have been employed by the City for at least one year. All requests for tuition reimbursement will be considered on a case-by-case basis by the City Administrator, with final approval/disapproval provided by the City Council.

Courses taken for credit at an approved educational institution must meet the following criteria to be approved for reimbursement:

- Courses must be directly related to the employee's present position (whether required for a degree program or not); OR
- Courses must be directly related to a reasonable promotional opportunity in the same field of work as present position (whether part of a degree program or not). AND

The City will pay the cost of tuition upon successful completion (C grade or better; “pass” in a pass/fail course) of the approved course for full-time employees. The maximum reimbursement per course will be based on an average course cost at the University of Minnesota. Employees may elect to attend a more costly school provided they pay the difference in cost. Employees must reimburse the City if they voluntarily leave employment within twelve (12) months of receiving tuition reimbursement from the City.

Tuition reimbursement for an individual employee will not exceed \$1,000 per year.

Article XI. HOLIDAYS

The city observes the following official state holidays for all regular full-time and part-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veterans Day
Presidents Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Juneteenth	Christmas Day
Independence Day	

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four hours thereafter.

In addition to the official holidays, the City Administrator may determine from time to time, in keeping with the City needs, to allow half of the City workforce to take a half day paid holiday the afternoon of December 24th and the other half of the workforce to take a half day paid holiday the afternoon of December 31st. If the City offers this additional holiday, the employees shall be given the right to choose the half day they prefer, but any conflict shall be resolved in favor of the employees with seniority. In addition, the City may require that all the employees in a department take the same half day off. If the City offers these extra half days paid holidays, but some employees cannot take either half day off due to City needs, those employees who cannot take advantage of either half day off shall receive compensation time for four (4) hours instead.

When a holiday falls on a Sunday, the following Monday will be the "observed" holiday and when a holiday falls on a Saturday, the preceding Friday will be the "observed" holiday for city operations/facilities closed on holidays.

Full-time employees will receive pay for official holidays at their normal straight time pay rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Part-time employees will receive no holiday pay. Any employee on a leave of absence without pay from the City is not eligible for holiday pay.

Premium pay of 1.5 times the regular hourly wage for non-exempt employees required to work on a holiday will be for hours worked on the "actual" or "observed" holiday.

Employees wanting to observe holidays other than those officially observed by the City may request either vacation leave or unpaid leave for such time off.

Article XII. LEAVES OF ABSENCE

Depending upon an employee's situation, more than one form of leave may apply during the same period of time. An employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

Except as otherwise stated, all paid time off, taken under any of the city's leave program, must be taken consecutively, with no intervening unpaid leave. The city will provide employees with time away from work as required by state or federal statutes, if there are requirements for such time off that are not described in the personnel policies.

Section 12.01 Earned Sick and Safe Leave

"Earned Sick and Safe Time" is job protected paid time off. It is earned at one hour of Earned Sick and Safe for every 30 hours worked by an employee, up to a maximum of 80 hours of Earned Sick and Safe Time per year. This specific leave applies to all part-time, seasonal and temporary employees performing work for at least 80 hours in a calendar year for the City. Earned Sick and Safe Time policy is in accordance with Minn. Stat. § 181.9445 – 181.9448.

a) Eligibility/Accrual

Full-time benefit eligible employees are to use this paid leave only when they are unable to work for medical, safety, bereavement or closure reasons and under the conditions explained below. Sick leave benefits meet and exceed the requirements of Earned Sick and Safe Time in accordance with Minn. Stat. § 181.9445 – 181.9448.

- Regular full-time employees will accumulate sick leave at a rate of eight hours for each month of continuous service. (3.692 hours per pay period)
- Sick leave may be used only for days when the employee would otherwise have been at work. It cannot be used for scheduled days off.
- Sick leave will accrue on a prorated basis when the employee takes an unpaid leave of absence of 16 hours or greater in a pay period unless leave is covered under a state or federal leave law. The prorated formula is .0462 hours for each paid hour within the pay period.
- The year starts on January 1 and ends on December 31.
- All employees begin accruing hours on the first day of work.
- An employee who is exempt from the overtime provisions of the Fair Labor Standards Act is assumed to work 40 hours per week for accrual purposes.
- All employees are permitted to use the leave in increments of not less than fifteen (15) minutes. Sick leave can be used as it is accrued.
- Paid Sick leave hours will be compensated at the employee's regular rate of pay.
- Employees will **not** be provided with additional sick hours once their available hours have been exhausted. No negative balances.
- After accrued sick leave has been exhausted, vacation leave may be used upon approval of the department director, human resources or the City Administrator, to the extent the employee is entitled to such leave.

b) Availability

Employees may use Sick Leave for one of the authorized reasons listed below.

Illness

- The employee or family members:
 - Mental or physical illness, injury or other health condition
 - Need for medical diagnosis, care or treatment, of a mental or physical illness
 - injury or health condition
 - Need for preventative care
 - When it has been determined by health authority or a health care professional that the employee or family member is at risk of infecting others with a communicable disease. Whether or not the employee or family member has actually contracted the communicable disease.
 - The employee's inability to work or telework because the employee is:
 - Prohibited from working by the City due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
 - Seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the City has requested a test or diagnosis.

Safety

- The employee or family members:
 - Absence due to domestic abuse, sexual assault, or stalking of the employee or family member provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking.
 - Obtain services from a victim service organization.
 - Obtain psychological or other counseling.
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking.
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.

Bereavement Leave

- To make funeral arrangements, attend a funeral service or memorial or address financial or legal matters that arise after the death of a family member, as listed below.

Closure

- Closure of the employee's workplace due to weather or other public emergency
- A family member's school or place of care has been closed due to weather or other public emergency.

c) Family member includes an employee's:

- Spouse or registered domestic partner
- Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis.
- Sibling, step sibling or foster sibling
- Biological, adoptive, or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child.

- Grandchild, foster grandchild, or step grandchild
- Grandparent or step grandparent
- A child of a sibling of the employee
- A sibling of the parent of the employee or
- A child-in-law or sibling-in-law
- Any of the above family members of a spouse or registered domestic partner
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.
- Up to one individual annually designated by the employee. (This is to be reported to the City Clerk upon initial usage. Once the designation is made the same individual will be the designated person for the next 12 months.)

d) Approval/Use

To be eligible for sick leave pay, the employee will:

- If the need for sick leave is foreseeable, provide seven days' advance notice.
- If the need is unforeseeable, employees must provide notice of the need for sick leave as soon as practicable.
- Communicate with their immediate supervisor:
 - Prior to leaving the job for each sick leave absence,
 - As soon as an employee knows they must be absent from work
 - No later than thirty (30) minutes following the scheduled start of the workday, for each day absent.
- Keep their immediate supervisor informed of the status of the illness/injury or the condition of the ill family member.
- Submit a physician's statement if absent for five (5) or more workdays or upon request.

When an employee takes sick leave for more than three consecutive days, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, sick leave for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition.

In accordance with state law, the city will not require an employee who uses sick leave to find a replacement worker to cover the hours the employee will be absent.

The City must maintain the confidentiality of sick leave records, medical certifications, histories and documents information pertaining to domestic abuse, sexual assault or stalking, and any statement from the employee about the need for leave. Medical records will be maintained confidentially and apart from personnel files. Per the statute, employees may request the city to destroy or return records under Earned Sick and Safe Time that are older than three years prior to the current calendar year.

Non-Exempt Employees

Sick leave will be granted in not less than quarter hour (1/4) hour units. No sick leave will be paid to employees while actually working either for the City or other employers.

Exempt Employees

All leave requires prior notification and approval by the supervisor. Exempt employees are only required to use sick leave if they are utilizing more than four (4) hours of sick leave unless it is for appointments which occur on a regular or continuing basis.

After an absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision.

The City has the right to obtain a second medical opinion to determine the validity of an employee's workers' compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The City will arrange and pay for an appropriate medical evaluation when it is required by the City.

Any employee who makes a false claim for sick leave will be subject to discipline up to and including termination.

Employees must normally use sick leave prior to using paid vacation, or compensatory time and prior to an unpaid leave of absence during medical or safety leave.

Extended sick leave will normally not be approved after an employee gives notice they will be terminating employment. Exceptions must be approved by the City Administrator.

Sick leave cannot be transferred from one employee to another. There is no maximum accumulation for sick leave.

e) Retaliation Prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting MN Earned Sick and Safe Time rights, requesting a sick leave absence, or pursuing remedies. Further, the use of sick leave will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under MN Earned Sick and Safe Time.

f) Benefits and Return to Work Protections

During an employee's use of sick leave, an employee will continue to receive the city's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued Earned Sick and Safe Time is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during Earned Sick and Safe Time absences will continue to accrue as if the employee has been continually employed.

Section 12.02 Catastrophic Sick Bank

Employees hired prior to January 1, 2018, who have accrued sick leave will retain sixty-five (65) percent of their sick leave balance to be used as "catastrophic sick bank" until the balance is exhausted. Catastrophic sick bank can be used for any

doctor certified extended leave that would have been covered under the previous sick leave policy. An extended leave for purposes of this policy is defined as one requiring an employee to be out of work for more than three (3) consecutive days.

If an employee knows he/she will be out for more than three (3) consecutive days before the absence, he/she will be eligible to use the deferred sick leave from the first day. For example, if an employee has a scheduled surgery where he/she knows – in advance – he/she will be out for two (2) weeks, the employee will be able to use hours from the deferred sick leave bank starting on the first day of the absence. If an employee is out and expects to return within three (3) days, he/she will use Annual Leave. If the medical condition extends beyond the three (3) days, the deferred sick leave bank will be applied retroactively, and any annual leave used will be restored to the employee's annual leave balance.

Once the catastrophic sick bank is exhausted, employees will use annual leave for all absences covered by the annual leave program. Any deferred sick leave balance remaining when an employee leaves city service will expire. The City will not pay out any hours that may remain in the deferred sick leave bank at termination.

Section 12.03 Annual Leave

Annual leave replaces, and is in lieu of, individual sick leave, vacation leave, and combines them into on single benefit program.

Annual leave can be used for any reason, subject to existing request and approval procedures. As with all paid time off programs, supervisors must ensure that service to the public and work requirements are not adversely impacted.

Section 12.04 Accrual Rates for Annual Leave

The city believes that vacation is important to the health and well-being of our employees and as such, provides paid vacation for eligible employees for rest and recuperation.

Years of Service	Vacation Accrual Per Pay Period	January frontload	Days of Vacation Per Year	Accumulate Up to
0-2 years	4 hours	32 hours	17 days	37 days or 296 hours
3-5 years	4 hours	56 hours	20 days	37 days or 296 hours
6-10 years	4 hours	96 hours	25 days	37 days or 296 hours
11-15 years	4 hours	112 hours	27 days	37 days or 296 hours
16-20 years	4 hours	128 hours	29 days	37 days or 296 hours
21+ years	4 hours	152 hours	32 days	37 days or 296 hours

(a) Eligibility

Full-time employees will earn vacation leave in accordance with the above schedule.

Part-time employees who work less than 20 hours per week on a regular basis, temporary and seasonal employees will not earn or accrue vacation leave.

(b) Accrual Rate

For the purpose of determining an employee's paid time off (PTO) accrual rate, years of service will include all continuous time that the employee has worked at the city (including authorized unpaid leave). Employees who are rehired after terminating city employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

The City of Arlington will cap the amount of PTO leave at 296 hours per year.

PTO will be accrued through an annual allocation in January and four hours per pay period for the remainder of the year. The January allocation will vary depending on your years of service.

Part-time employees who work at least 20 hours per week on a regular basis will accrue vacation leave on a prorated basis of the full-time employee schedule.

(c) Earnings and Use

After six months of service, employees will receive 68 hours of PTO and begin accruing 4 hours per pay period for the remainder of the year vacation leave may be used as it is earned. Employees will have access to use their PTO time 30 days following the end of their probation period. Unless approved by the City Administrator, PTO will not be earned during an unpaid leave of absence.

An employee will not earn any paid time off hours for any pay period unless they are employed by the city on the last scheduled workday of the pay period. Further, vacation leave will stop accruing as of the effective date of termination. Requests for PTO must be received at least forty-eight (48) hours in advance of the requested time off. This notice may be waived at the discretion of the department head and city administrator.

Paid time off can be requested in increments as small as fifteen (15) minute increments to the total amount of the accrued leave balance. PTO is to be used only by the employee who accumulated it. It cannot be transferred to another employee. Employees may accrue vacation leave up to a maximum of one-and-a-half (1-1/2) times the employee's annual accrual rate. No PTO time will be allowed to accrue in excess of 296 hours without the approval of the City Council. Paid Time Off cannot be converted into cash payments except at termination.

(d) Vacation Separation Payout

Employees leaving the City in good standing for a resignation or retirement are eligible for a payout of their accrued leave up to 100 percent of their annual leave balance as compensation with applicable taxes being withheld. Employees will have the option to direct this money into a 457 Deferred Compensation Plan (subject to IRS maximum deferral regulations and Minnesota Law). In the event of the employee's death, earned, unused vacation time will be paid to the employee's surviving spouse directly, (if there is not personal representative of the estate appointed) up to statutory limits.

(e) Unpaid Leave

Unpaid leaves may be approved in accordance with the city personnel policies. Employees must normally use all accrued annual leave prior to taking an unpaid leave.

If the leave qualifies under Parenting Leave or Family and Medical Leave, the employee may retain a balance of forty (40) hours when going on an unpaid leave. Any exceptions to this policy must be approved by the City Administrator.

Benefit accruals, such as vacation and holiday pay benefits, will be suspended at the beginning of the first full month of unpaid leave and will resume upon your return to active employment.

(f) Annual Leave Conversion

Annual leave will be eligible for conversion to a special-pay 457 deferred compensation plan on an hour-for-hour basis (subject to the applicable maximum under the Internal Revenue Code) annually in accordance with the following conditions. A maximum of 48 hours may be converted each year provided the employee has used at least 30% of their annual accrual during the current calendar year and has a balance of at least 176 hours.

The minimum balance requirement will be determined as of the first payroll in December and the employee's election must be received by December 31st. Payment will be based on the employee's regular hourly rate on December 1.

Conversion to deferred compensation will occur in the second payroll of the following year with specific dates to be determined by the Administrator's Office each year. The City Administrator, or Deputy City Clerk, will notify all employees in November of each year as to the dates and conversion options. Regular rate for the purpose of this policy is the employee's straight time rate not including overtime, pay differentials, out-of-class adjustments or any other additions to regular pay.

Section 12.03 Funeral Leave

Employees shall be granted leave for the death of a family member as described in article 12.01. Funeral leave will be deducted from full-time employee's sick leave balance or Earned Sick and Safe Leave account for part-time. If the employee does not have enough accrued sick or ESST leave to cover the requested funeral leave, the employee may utilize vacation time, floating holiday, compensation time, or unpaid leave.

Section 12.04 Military Leave

State and federal laws provide protection and benefits to city employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of 15 workdays in any calendar year.

The leave of absence is only in the event the employee returns to employment with the city as required upon being relieved from service or is prevented from returning by physical or mental disability or other cause not the fault of the employee or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the city at least ten (10) working days in advance of the requested leave. A training notice, signed orders, or battle assembly schedule are examples of typical written notification to share with the

city. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active-duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen days will follow the same procedures as for any employee on an unpaid leave of absence.

Section 12.05 Military Leave for Family Members

Employees will be granted up to ten (10) working days of unpaid leave whose immediate family member (defined as a person's parent, child, grandparents, siblings or spouse) is a member of the United States armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the city, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

Section 12.06 Jury Duty

Regular full-time and part-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the city in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the Clerk of Court so the City will be able to determine the amount of compensation due for the period involved.

Part time, temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty but can take a leave without pay subject to department head approval. However, if the part time, temporary or seasonal employee is classified as exempt, they will receive compensation for the jury duty time.

Section 12.07 Court Appearances

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g., subpoena fees) arising out of or in connection with City employment, minus mileage reimbursement, must be turned over to the city.

Section 12.08 Victim or Witness Leave

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony to attend criminal proceedings related to the victim's case. Additionally, a victim of a violent crime, as well as the victim's spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) may have reasonable time off from work to attend criminal proceedings related to the victim's case. An employee must give 48 hours advance notice to the city of their need to be absent unless it is impracticable, or an emergency prevents them from doing so. The city may request verification that supports the employee's reason for being absent from the workplace.

Section 12.09 Job Related Injury or Illness

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify their supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and arrange for a medical appointment. Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

Section 12.10 Pregnancy and Parenting Leave

All employees are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to 12 weeks of unpaid leave and must begin within twelve months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employee should provide reasonable notice, which is at least 30 days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued leave (i.e., sick leave, vacation leave, etc.) during Parenting Leave. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave.

Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting parental leave rights or remedies.

Section 12.11 Administrative Leave

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the city administrator with the approval of the City Council.

Section 12.12 Adoptive Parents

Adoptive parents will be given the same opportunities for leave as biological parents. The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

Section 12.13 School Conference Leave

Any employee may take unpaid leave for up to a total of sixteen hours during any 12-month period to attend school conferences or classroom activities related to the employee's child, provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable notice prior of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the city. Employees may choose to use vacation leave hours for this absence but are not required to do so.

Section 12.14 Bone Marrow/Organ Donation Leave

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours, unless agreed to by the city, to undergo medical procedures to donate bone marrow or an organ. The 40 hours is over and above the amount of accrued time the employee has earned.

The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow or an organ. If there is a medical determination that the employee does not qualify as a bone marrow or organ donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

Section 12.15 Elections / Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided the employee gives the city at least ten days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve.

The city may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment. Thus, employees will be paid the difference between their pay as an election judge and their regular rate of pay for their normal workday.

The city reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total work force at any single worksite.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues. Employees may be absent from work for the time necessary to vote to include voting during the period allowed for voting in person before election day.

Section 12.16 Regular Leave without Pay

The city administrator may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

Typically, employee benefits will not be earned by an employee while on leave without pay. However, the city's contribution toward health, short-term and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays or annual leave. Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue annual leave based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued annual leave and compensatory time must normally be used before an unpaid leave of absence will be approved. To qualify for leave without pay, an employee need not have used all PTO earned unless the leave is for medical reasons. Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the city.

Employees returning from a leave without pay for a reason other than a qualified Parenting Leave, or FMLA, will be guaranteed return to the original position. Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Administrator subject to approval of the City Council.

Section 12.17 Family and Medical Leave

The Family and Medical Leave Act (29 CFR Part 825) provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave as if the employee continue to work instead of taking leave. The FMLA applies to all public agencies, including state, local, and federal employers, and local education agencies (schools). To be eligible for FMLA leave, an employee must work for a covered employer and:

- Have worked for that employer for at least 12 months; and
- Have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and
- Work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

Employees who do not meet the criteria may be eligible for other forms of leave including sick, vacation, job related injury or illness, or leave without pay.

Section 12.18 Reasonable Work Time for Nursing Mothers

Nursing mothers and lactating employees will be provided reasonable paid break times (which may run concurrently with already provided break times) to express milk.

The city will provide a clean, private and secure room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

Section 12.19 Light Duty/Modified Duty Assignment

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the city administrator on a case-by-case basis. This policy does not guarantee assignment to light duty. Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the city administrator. The city administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of their job due to a temporary disability, they will notify the supervisor in writing as to the nature and extent of the disability and the reason why they are unable to perform the essential functions, duties, and requirements of the position. This notice must be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the city's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the city administrator. The city may require a medical exam conducted by a physician selected by the city to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the city administrator whether or not to assign light duty work to the employee. Although this policy is handled on a case-by-case basis. If the city offers a light duty assignment to an employee who is out on workers' compensation leave, the employee may be subject to penalties if they refuse such work. The city will not, however, require an employee who is otherwise qualified for protection under the Family and Medical Leave Act to accept a light duty assignment. The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

Section 12.20 Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth without advice of a licensed health care provider or certified doula:

- More frequent or longer restroom, food, and water breaks.
- Seating; and/or
- Limits on lifting over 20 pounds.

Additionally, an employer must provide reasonable accommodations, including, but not limited to, temporary leaves of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods and limits to heavy lifting to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates the accommodation would impose an undue hardship on the operation of the employer's business. In accordance with state law, no employee is required to take a leave of absence for a pregnancy nor accept a pregnancy accommodation.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting reasonable accommodations pregnancy rights or remedies.

Article XIII. HARASSMENT PREVENTION

Section 13.01 General

The city of Arlington is committed to creating and maintaining a public service workplace free of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964, the Minnesota Human Rights Act, and other related employment laws.

In keeping with this commitment, the city maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

Discriminatory behavior includes inappropriate remarks about, or conduct related to a person's legally protected characteristic such as race, (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, disability, sex, gender, pregnancy, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

This policy statement is intended to make all employees, volunteers, members of boards and commissions, applicants, contractors/vendors, and elected officials and members of the public aware of the matter of harassment, but specifically sexual harassment, to express the city's strong disapproval of harassment, to advise employees against this behavior and to inform them of their rights and obligations. The most effective way to address any sexual harassment issue is to bring it to the attention of management.

Section 13.02 Applicability

Maintaining a work environment free from harassment is a shared responsibility.

This policy is applicable to all city employees, volunteers, applicants, contractors/vendors, members of boards and commissions, City Council members, and members of the public both in the workplace and other city-sponsored social events.

Section 13.03 Definitions

To provide employees with a better understanding of what constitutes sexual harassment, the definition, based on [Minnesota Statute § 363.01, subdivision 41](#), is provided: sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature, when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, making jokes, or comments that are sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or

actions that offend others. The harassment policy applies to social media posts, tweets, etc., that are about or may be seen by employees, customers, etc.

- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

Section 13.04 Expectations

The city of Arlington recognizes the need to educate its employees, volunteers, members of boards and commissions, contractors/ vendors, applicants, elected officials and members of the public on the subject of sexual harassment and stands committed to providing information and training. All employees are expected to treat each other and the general public with respect and assist in fostering an environment free from offensive behavior or harassment.

Violations of this policy may result in discipline, including possible termination. Each situation will be evaluated on a case-by-case basis.

Employees who feel that they have been victims of sexual harassment, or employees who are aware of such harassment, should immediately report their concerns to any of the following:

1. A supervisor
2. Your supervisor's supervisor
3. Human Resources
4. City administrator
5. Mayor or city councilmember
6. City Attorney

In addition to notifying one of the above persons and stating the nature of the harassment, the employee is also encouraged to take the following steps, if the person feels safe and comfortable doing so. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and/or take other reasonable action, and as soon as feasible, a supervisor.

1. Communicate to the harasser the conduct is unwelcome. Professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions, and request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.
2. In some situations, such as with an offender from the public, it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with an offender.
3. To reiterate, it's important you notify a supervisor, the city administrator, the mayor or councilmember of your concerns promptly. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it promptly to a supervisor or the city administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter. If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the city administrator, the mayor or the city attorney.

The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. Management takes these complaints seriously and has the obligation to provide an environment free of sexual harassment. The city is obligated to prevent and correct unlawful harassment in a manner which does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees is required.

In the case of a sexual harassment complaint, a supervisor must report the allegations promptly to the city administrator. If the city administrator is the subject of the complaint, then the supervisor is to report the complaint to the City Attorney. A supervisor must act upon such a report even if requested otherwise by the victim. The city will take proportionate corrective action to correct any and all reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation.

As noted later in this policy, retaliation is strictly prohibited. All allegations will be investigated. Formal investigations will be prompt, impartial, and thorough. Strict confidentiality is not possible in all cases of sexual harassment as the accused has the right to answer charges made against them; particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.

Any investigation process will be handled as confidentially as practical and related information will only be shared on a need-to-know basis and in accordance with the Minnesota Government Data Practices Act and/or any other applicable laws.

To facilitate fostering a respectful work environment, all employees are encouraged to respond to questions or to otherwise participate in investigations regarding alleged harassment.

The city is not voluntarily engaging in a dispute resolution process within the meaning of [Minn. Stat. § 363A.28, subd. 3\(b\)](#) by adopting and enforcing this workplace policy.

The filing of a complaint under this policy and any subsequent investigation does not suspend the one-year statute of limitations period under the Minnesota Human Rights Act for bringing a civil action or for filing a charge with the Commissioner of the Department of Human Rights.

Section 13.05 Special Reporting Requirements

When the supervisor or department head is the alleged harasser, a report will be made to the city administrator who will assume the responsibility for investigation and discipline. For more information about what to do when allegations involve the city administrator, the mayor, or a councilmember, see below.

If the city administrator is the alleged harasser, a report will be made to the city attorney who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a councilmember is the alleged harasser, the report will be made to the city administrator and referred to the city attorney who will undertake the necessary investigation. The city attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the city administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens. The city will take reasonable and timely action, depending on the circumstances of the situation.

If an elected or appointed city official (e.g., council member or commission member) is the victim of disrespectful workplace behavior, the city attorney will be consulted as to the appropriate course of action. In cases such as these, it is common for the city council to authorize an investigation by an independent investigator (consultant). The city will take reasonable and timely action, depending on the circumstances of the situation.

Section 13.06 Retaliation

The city of Arlington will not tolerate retaliation or intimidation directed towards anyone who reports employment discrimination, serves as a witness, participates in an investigation, and/or takes any other actions protected under federal or state discrimination laws, including when requesting religious or disability accommodation.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal or harassment.

While each situation is very fact dependent, generally speaking retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to others or the media and making false report to government authorities because an employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, please report your concern immediately to any of the following:

1. Immediate supervisor
2. Your supervisor's supervisor
3. City administrator
4. Mayor or City Councilmember
5. In the event an employee feels retaliation has occurred by the city administrator or the City Council, then reporting may be made to the city attorney.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations promptly to the city administrator, or if the complaint is against the city administrator to the city attorney, who will decide how to proceed in addressing the complaint.

Consistent with the terms of applicable statutes and city personnel policies, the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations.

Article XIV. RESPECTFUL WORKPLACE POLICY

Section 14.01 General

The intent of this policy is to provide general guidelines about conduct that is, and is not, appropriate in the workplace and other city-sponsored social events. The city acknowledges this policy cannot possibly predict all situations that might arise, and also recognizes that some employees can be exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Section 14.02 Applicability

Maintaining a respectful public service work environment is a shared responsibility. This policy is intended to express to all employees, volunteers, members of boards and commissions, applicants, contractors/vendors, elected officials and members of the public the expectations by the City of Arlington for respectful workplace conduct both in the workplace and other city-sponsored social events.

Section 14.03 Abusive Customer Behavior

While the city has a strong commitment to customer service, the City does not expect employees to accept verbal and other abuse from any customer. An employee may request that a department head intervene when a customer is abusive, or the employee may defuse the situation themselves, including professionally ending the contact.

If there is a concern about the possibility of violence, the individual should use their discretion to call 911, and as soon as feasible, their department head. Employees should leave the area immediately when violence is imminent unless their duties require them to remain (such as police officers). Employees must notify their department head about the incident as soon as possible.

Section 14.04 Types of Disrespectful Behavior

The following behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves:

(a) Violent behavior:

includes the use of physical force, harassment, bullying or intimidation.

(b) Discriminatory behavior:

includes inappropriate remarks about or conduct related to a person's legally protected characteristic such as race, color, creed, religion, national origin, disability, sex, gender, pregnancy, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

(c) Offensive behavior:

may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based upon violent or discriminatory behavior as listed above. It is not possible to anticipate in this policy every example of offensive behavior.

Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, considering the sensibilities of employees and the possibility of public reaction. Although the standard for how

employees treat each other and the general public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group.

If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the city administrator.

(d) Sexual harassment:

can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

(e) Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others. The harassment policy applies to social media posts, tweets, etc., that are about or may be seen by employees, customers, etc.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

Section 14.05 Employee Response to Disrespectful Workplace Behavior

All employees should feel comfortable contacting their department head or another manager to request assistance should they not feel comfortable with a situation. If situations involve violent behavior call the police, ask the individual to leave the area, and/or take other reasonable action.

If employees see or overhear what they believe is a violation of this policy, employees should advise a supervisor, the city administrator, or city attorney promptly. Employees who believe disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, a supervisor. In the event the disrespectful behavior occurring involves the employee's supervisor, the employee should contact human resources, the supervisor's manager or the city administrator.

Step 1(a). If you feel comfortable doing so, professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor, human resources, your supervisor's supervisor, or the city administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter. In

some situations, such as with an offender from the public it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with the offender.

Step 1(c). The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. It is vitally important you notify a supervisor, the city administrator, the mayor or councilmember of promptly of your concerns promptly. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it promptly to a supervisor or the city administrator.

Step 2. If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the city administrator, the mayor or the city attorney.

Section 14.06 Department Head's Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

In the case of sexual harassment or discriminatory behavior, a department head must report the allegations promptly to the City Administrator, who will determine whether an investigation is warranted. A department head must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, department heads will use the following guidelines when an allegation is reported:

Step 1(a). If the nature of the allegations and the wishes of the victim warrant a simple intervention, the department head may choose to handle the matter informally. The department head may conduct a coaching session with the offender, explaining the impact of their actions and requiring the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 1(b). Department heads, when talking with the reporting employee will be encouraged to ask them what they would want to see happen next. When an employee comes forward with a disrespectful workplace complaint, it is important to note the city cannot promise complete confidentiality, due to the need to investigate the issue properly. However, any investigation process will be handled as confidentially as practical and related information will only be shared on a need to know basis and in accordance with the Minnesota Government Data Practices Act and/or any other applicable laws.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. Formal investigations will be prompt, impartial, and thorough. The person being interviewed may have someone of their own choosing present during the interview. Typically, the investigator will obtain the following description of the incident, including date, time and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

To facilitate fostering a respectful work environment, all employees are encouraged to respond to questions or to otherwise participate in investigations regarding alleged harassment.

Step 3. The department head must notify the city administrator about the allegations (assuming the allegations do not involve the city administrator). For more information about what to do when allegations involve the city administrator, the mayor, or a councilmember, see "Special Reporting Requirements" below.

Step 4. In most cases, as soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations, and the alleged violator will have the opportunity to answer questions and respond to the allegations. The city will follow any other applicable policies or laws in the investigatory process.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable and to the extent permitted by the Minnesota Government Data Practices Act.

Step 7. The city will take reasonable and timely action, depending on the circumstances of the situation.

Section 14.07 Special Reporting Requirements

When the department head is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will determine how to proceed in addressing the complaint as well as appropriate discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the city attorney who will confer with the mayor and City Council regarding appropriate investigation and action.

If a Council Member is perceived to be the cause of a disrespectful workplace behavior incident involving city personnel, the report will be made to the city administrator and referred to the City Attorney.

In cases such as these, it is common for the city council to authorize an investigation by an independent investigator (consultant). The independent investigator will report his/her findings to the City Council. The city will take reasonable and timely action, depending on the circumstances of the situation.

Pending completion of the investigation, the city administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

Section 14.08 Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Section 14.09 Retaliation

Retaliation is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Individuals who report harassing conduct, participate in investigations, or take any other actions protected under federal or state employment discrimination laws will not be subject to retaliation.

Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal or harassment. While each situation is very fact dependent, generally speaking retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to others or the media and making false report to government authorities because an employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, please report your concern immediately to any of the following: Immediate supervisor, City administrator, Mayor or city councilmember. In the event an employee feels retaliation has occurred by the City Administrator or the city council, then reporting may be made to the City Attorney.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations promptly to the city administrator, or if the complaint is against the city administrator to the city attorney, who will decide how to proceed in addressing the complaint.

Consistent with the terms of applicable statutes and city personnel policies, the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations.

Article XV. SEPARATION FROM SERVICE

Section 15.01 Resignations

Employees wishing to leave the city service in good standing must provide a written resignation notice to their supervisor, at least ten (10) working days before leaving. Exempt employees must give thirty (30) calendar days' notice. The written resignation must state the effective date of the employee's resignation.

Failure to comply with this procedure may be cause for denying the employee's severance pay and any future employment with the city.

Section 15.02 Severance Pay

Employees who leave the employ of the city in good standing by retirement or resignation will receive pay for 100% of earned unused accrued PTO (annual leave). Earned unused accrued annual leave will be defined as annual earned and paid out at retirement/resignation on a pro-rated basis.

Section 15.03 Exit Interviews

Learning why employees leave is a valuable tool in showing management where changes could be made in the policy of the City to improve working conditions for all. Prior to their final date of employment, the employee will be requested to meet with the City Council's designee for a confidential exit interview. Participation in the exit interview is voluntary and not mandatory. General information received in these interviews will be compiled. Information sources will remain confidential. Exit interviews will not be requested when there is an involuntary separation.

Article XVI. DISCIPLINE

Section 16.01 General Policy

Department heads are responsible for maintaining compliance with city standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the city of Arlington. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the city's personnel policies. The department head and/or the City Administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

Section 16.02 No Contract Language Established

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Section 16.03 Process

The city may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any city employee has a contractual right or guarantee (also known as a property right) to the job they perform.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee. The following are descriptions of the types of disciplinary actions:

(a) Oral Reprimand

This measure will be used where informal discussions with the employee's department head have not resolved the matter. All department heads have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

(b) Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected, or the behavior has not consistently improved in a reasonable period of time.

Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the city administrator.

A written reprimand will: (1) state happened; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. An employees' signature does not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

(c) Suspension with or Without Pay

The City Council, upon recommendation from the City Administrator, may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans, who have completed their initial probationary period, will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

(d) Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the City Council determine a demotion or transfer to be the best solution to the problem. The employee must be qualified for the position to which they are being demoted or transferred.

(e) Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies.

(f) Dismissal

The City Council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with city standards.

If the disciplinary action involves the removal of a qualified veteran, who has completed their initial probationary period, the appropriate hearing notice will be provided, and all rights will be afforded the veteran in accordance with Minnesota law.

Article XII. GRIEVANCE PROCEDURE

Section 17.01 General

Any dispute between an employee and the city relative to the application, meaning or interpretation of these personnel policies will be settled in the following manner:

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the date at which the incident allegedly occurred, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested, to the proper department head within twenty-one (21) days after the alleged violation or dispute has occurred. The department head will respond to the employee in writing within seven (7) calendar days. If the employee grieving is a department head, then the grievance should be sent directly to the City Administrator (Step 2).

Step 2: If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the date at which the incident allegedly occurred, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the City Administrator within seven (7) days after the department head's response is due. The City Administrator or their designee will respond to the employee in writing within seven (7) calendar days.

Step 3: If the grievance has not been settled in accordance with Step 1 or 2, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the Employee Relations Committee within seven (7) days after the City Administrator's response is due. The Employee Relations Committee will review the grievance and will make a recommendation to the City Council, which shall have final authority to resolve the grievance.

Section 17.02 Waiver

If a grievance is not presented within the time limits set forth above, it will be considered "waived." If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled on the basis of the city's last answer. If the city does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the city and the employee without prejudice to either party.

The following actions are not grievable:

- While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
- Pay increases or lack thereof; and
- Merit pay awards.

The above list is not meant to be all inclusive or exhaustive.

Article XIII. EMPLOYEE EDUCATION & TRAINING

The city promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Any terms within this section calling for approval of the City Administrator, in cases where the City Administrator is the employee requesting the education benefit shall require the approval of the City Council.

Section 18.01 Policy

The city will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved in advance under the following criteria and procedures:

Section 18.02 Job-Related Training & Conferences

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives developed for the employee will be considered in determining if the request is job-related.

Continuing Legal Education (CLE) or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the city.

The department head and the city administrator are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Section 18.03 Job-Related Meetings

Attendance at professional meetings costing \$100 or less and directly related to the performance of the employee's work responsibilities do not require the approval of the City Administrator. Advance supervisor approval is required to ensure adequate department coverage.

Section 18.04 Request for Participation in Training & Conferences

The request for participation in a training session or conference must be submitted in writing to the employee's supervisor on the appropriate form. All requests must include an estimate of the total cost (training session, travel, meals, etc.) and a statement of how the education or training is related to the performance of the employee's work responsibilities with the city.

Requests totaling more than \$100 must be approved by the employee's department head and the city administrator. Documentation approving conference or training attendance will be provided to the employee with a copy placed in the employee's personnel file.

Payment information such as invoices, billing statements, etc., regarding the conference or training should be forwarded to accounting for prompt payment.

Section 18.05 Out of State Travel

Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out of state travel are reviewed for approval/disapproval by the city council.

Section 18.06 Not to Exceed Figure

Payment of training and/or conference expenses must not exceed budgeted amount per department per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Council.

Section 18.07 Compensation for Travel & Training Time

Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act.

Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

Section 18.08 Memberships and Dues

The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the city. Normally, one city membership per agency, as determined by the City Administrator is allowed, providing funds are available.

Upon separation of employment, individual memberships remain with the city and are transferred to another employee by the City Administrator.

Section 18.09 Travel & Meal Allowance

If employees are required to travel outside of the area in performance of their duties as a city employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. In no case will city funds be used to pay for, or reimburse, for events sponsored by or affiliated with political parties. The city will not reimburse employees for meals connected with training or meetings within city limits, unless the training or meeting is held as a breakfast, lunch or dinner meeting.

Employees who find it necessary to use their private automobiles for city travel and who do not receive a car allowance will be reimbursed at the prevailing mileage rate as established by the City Council, not to exceed the allowable IRS rate for the current year.

Expenses for meals, including sales tax and gratuity, will be reimbursed according to per diem rates in accordance with the approved Standard Federal per Diem Rate Schedules. This can be accessed at gsa.gov/portal/category/21287. A full reimbursement, over the maximum defined, may be authorized if a lower cost meal is not available when attending banquets, training sessions, or meetings of professional organizations.

Per Minnesota Statue, no reimbursement will be made for alcoholic beverages.

The City will pay for the cost of a single room or the next larger size if a single room is not available. Lodging should be chosen based on convenience and proximity to the reason for travel. Lodging should be comparable to other facilities in the area. All receipts need to be itemized.

Article XIX. OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed by the city of Arlington regard the city as their primary employment responsibility. All outside employment is to be reported to the employee's immediate department head. If a potential conflict exists based on this policy or any other consideration, the department head will consult with the city administrator.

Any city employee accepting employment in an outside position determined by the City Administrator to be in conflict with the employee's city job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-city employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission compatible with city employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the city's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of their position.
- The employee must not use city equipment, resources or staff in the course of the outside employment.
- The employee must not violate any city personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the city. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for their own business, while using paid PTO from the city for those same hours.
- Departments may establish more specific policies as appropriate, subject to the approval of the city administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspect of the city.

Article XX. ALCOHOL/DRUG FREE WORKPLACE

Section 20.01 Testing and Drug-Free Workplace Act (Non-DOT)

The City of Arlington ("City") has a vital interest in maintaining safe, healthful, and efficient working conditions for employees, and recognizes that individuals who are impaired because of drugs, alcohol, or cannabinoid products with any level of THC jeopardize the safety and health of other workers as well as themselves. Employees are expected and required to report to work on time and in appropriate mental and physical condition. The City of Arlington does not intend to intrude into the private lives of its employees, but strongly believes that a drug-free, Cannabis-free, and alcohol-free workplace is in the best interest of employees and the public alike. Alcohol, drug, and cannabis abuse can cause unsatisfactory job performance, increased tardiness and absenteeism, increased accidents and workers' compensation claims, higher insurance rates, and an increase in theft of city property. The City of Arlington's Drug and Alcohol Testing Non-DOT policy has been established for the purpose of providing a safe workplace for all.

To ensure the policy is clearly communicated to all employees and applicants to whom offers of employment have been made, and to comply with state law, employees and applicants are required to review this policy and sign the "policy acknowledgement." A job applicant will also acknowledge in this form that they understand that passing the drug test is a requirement of the job.

Section 20.02 Definitions

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, such as ethyl, methyl, or isopropyl alcohol, contained in any beverage, mixture, mouthwash, candy, food, or medication. The term includes but is not limited to beer, wine, spirits, and medications such as cough syrup that contain alcohol.

Alcohol use or usage: Means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

Applicant: Means a person applying for a job with the City.

Cannabis Flower: Means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts or hemp-derived consumer products.

Cannabis Product: Means any of the following:

1. cannabis concentrate.
2. A product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
3. Any other product that contains cannabis concentrate.
4. Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products.

Cannabis Testing: Means the analysis of a body component sample according to the standards established under one of the programs listed in section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or cannabis metabolites in the sample tested.

Cannabinoid: Means any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

Cannabinoid product: Means a cannabis product, a hemp-derived consumer product, or a lower-potency hemp edible.

City: Means the City of Arlington.

City premises: Means, but is not limited to, all City job sites and work areas. For the purposes of this policy, City premises also includes any other locations or modes of transportation to and from those locations while in the course and scope of employment of the City.

City vehicle: Means any vehicle which employees are authorized to use solely for City business when used at any time; or any vehicle owned or leased by the City when used for City business.

Collection site: Means a place designated by the City where job applicants and employees present themselves for the purpose of providing a specimen of their breath, urine, and/or blood to be analyzed for the presence of drugs and alcohol.

Confirmatory test: Means a drug, alcohol or cannabis test on a sample to substantiate the results of a prior drug, alcohol test or cannabis on the same sample, and that uses a method of analysis allowed under one of the programs listed in Minn. Stat. § 181.953, subd. 1.

Drug: Includes any “controlled substance” as defined in Minn. Stat. § 152.01, subd. 4, and also includes all cannabinoids, including those that are lawfully available for public consumption that do not otherwise qualify as being a “controlled substance” as defined in Minn. Stat. § 152.01, subd. 4. Cannabis and its metabolites are considered a “drug” for positions in the following categories, regardless of the kind of testing involved: safety sensitive positions; peace officer positions; firefighter positions; positions requiring face-to-face care, training, education, supervision, counseling or medical assistance to children, vulnerable adults or patients receiving treatment, examination or emergency care for a medical, psychiatric or mental condition; positions requiring a commercial driver's license or requiring the employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing; positions funded by a federal grant; or other positions for which state or federal law requires testing of a job applicant or employee.

Drug and/or alcohol testing, and drug and/or alcohol test: Mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, subd.1, for the purpose of measuring their presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.

Drug paraphernalia: Has the meaning set forth in Minn. Stat. § 152.01, subd. 18.

Employee: Means a person who performs services for compensation for the City and includes independent contractors except where specifically noted in this policy.

Hemp-derived consumer product: Means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

1. contains or consists of hemp plant parts; or
2. contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

(b) Hemp-derived consumer product does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

Initial screening test: Means a drug, alcohol or cannabis test that uses a method of analysis under one of the programs listed in Minn. Stat. § 181.953, subd. 1.

Job applicant: Means a person who applies to become an employee of the City and includes a person who has received a job offer made contingent on the person passing drug testing.

Lower-potency hemp edible: Means any product that:

1. is intended to be eaten or consumed as a beverage by humans;

2. contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
3. is not a drug;
4. consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
5. does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
6. does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
7. does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
8. is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

Positive test result: Means a finding of the presence of alcohol, drugs, cannabis or their metabolites that exceeds the cutoff levels established by the city. Minimum threshold detection levels are subject to change as determined in the city's sole discretion.

Random selection basis: Means a mechanism for selection of employees that (1) results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected, and (2) does not give an employer discretion to waive the selection of any employee selected under the mechanism.

Reasonable suspicion: Means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

Safety-sensitive position: Means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, and/or cannabis usage would threaten the health or safety of any person.

Tetrahydrocannabinols (THC): the psychoactive ingredient occurring in the Cannabis sativa plant, whether derived naturally or synthetically,

Under the influence: Means (1) the employee tests positive for alcohol or drugs, or (2) the employee's actions, appearance, speech, and/or bodily odors reasonably cause the City to conclude that the employee is impaired because of illegal drug use or alcohol use.

Section 20.03 Prohibition against Drugs and Alcohol

Use and Possession of Alcohol or Drug(s):

Employees are prohibited from the use, possession, transfer, transportation, manufacture, distribution, sale, purchase, solicitation to sell or purchase, or dispensation of alcohol, cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products, drugs, or drug paraphernalia while on duty; while on City premises; while operating any City vehicle, machinery, or equipment; or when performing any City business, except (1) pursuant to a valid medical prescription used as properly instructed; (2) the use of over-the-counter drugs used as intended by the manufacturer; or (3) when necessary for approved law enforcement activity.

The City of Arlington has a zero-tolerance policy for the use, impairment or possession of alcohol, illegal drugs, misused prescription drugs, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products or medical cannabis products (e.g., hash oils, edibles or beverages containing cannabinoids, or pills) on the worksite by a person working as an employee at the City or while "on call" and subject to return to work.

Having a medical marijuana card, patient registry number, and/or cannabis prescription from a physician does not allow anyone to use, possess, or be impaired by that drug here. Likewise, the fact that cannabis may be lawfully purchased and consumed does not permit anyone to use, possess, or be impaired by them here. The federal government still classifies cannabis as an illegal drug, even though some states, including Minnesota, have decriminalized its possession and use. There is no acceptable concentration of marijuana metabolites in the blood or urine of an employee who operates our

equipment or vehicles or who is on one of our worksites. Applicants and employees are still subject to being tested under our drug, alcohol and cannabis testing policy.

While Impaired of Alcohol, Drugs or Cannabis:

Employees are prohibited from being under the influence of alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products or drugs or having a detectable amount of an illegal drug in the blood or urine when reporting for work; while on duty; is on the City's premises; while operating any City vehicle, machinery, or equipment; or when performing any City business, except (1) pursuant to a valid medical prescription used as properly instructed; or (2) the use of over-the-counter drug used as intended by the manufacturer.

Employees are subject to being disciplined, suspended, or terminated after testing positive for alcohol, drugs, or cannabis, including medical cannabis, if the employee used, possessed, or was impaired, while on premises or during the hours of employment.

Driving While Impaired:

A conviction of driving while impaired in a City-owned vehicle at any time during business or non-business hours, or in an employee-owned vehicle while conducting City business, may result in discipline, up to and including discharge.

Criminal Drug Convictions:

Any employee convicted of any criminal drug statute must notify his or her supervisor and the Human Resources department in writing of such conviction no later than five days after such conviction. Within 30 days after receiving notice from an employee of a drug-related conviction, the City will take appropriate personnel action against the employee up to and including discharge or require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program as an alternative to termination. In the event notice is not provided to the supervisor and the employee is deemed to be incapable of working safely, the employee will not be permitted to work and will be subject to disciplinary action, including dismissal from employment. In accordance with the Federal Drug-Free Workplace Act of 1988, if the City is receiving federal grants or contracts of over \$25,000, the City will notify the appropriate federal agency of such conviction within 10 days of receiving notice from the employee.

Failure to Disclose Lawful Drugs:

Employees taking a lawful drug, including prescription and over-the-counter drugs, or consuming a lawful cannabis product, cannabis flower, lower-potency hemp edible or hemp-derived consumer product which may impair their ability to perform their job responsibilities or pose a safety risk to themselves or others, must advise their supervisor of this before beginning work. It is the employee's responsibility to seek out written information from their physician or pharmacist regarding medication and any job performance impairment and relay that information to their supervisor. In the event of such a disclosure, the employee will not be authorized to perform safety-sensitive functions.

Persons Subject to Testing and When Testing May Be Required

Under this policy, the City may test any applicant to whom an offer of employment has been made and may test any employee for alcohol, cannabis product, cannabis flower, lower-potency hemp edible or hemp-derived consumer product,

and/or drugs under any of the following circumstances with a properly accredited or licensed testing laboratory, in accordance with Minn. Stat. § 181.953, subd. 1.

1. Pre-Employment Testing:

Every job applicant offered employment with the city receives the offer conditioned upon successful completion of drug test, and/or an alcohol or cannabis test, if applicable, among other conditions. The city will not request or require a job applicant to undergo cannabis testing related to “lawful consumable products” pursuant to Minn. Stat. § 181.938, including alcohol, cannabis, lower-potency hemp edibles, and hemp-derived consumer products, except with respect to the categories of positions listed below in the definition of “Drug” or if otherwise required by state or federal law. If the job offer is withdrawn based drug test results, the city will inform the applicant of the reasons for the withdrawal. A failure of the drug or other applicable test, a refusal to take the test, or failure to meet other conditions of the offer will result in a withdrawal of the offer of employment even if the applicant’s provisional employment has begun. A negative or positive dilute test result (following a second collection), which has been confirmed, will also result in immediate withdrawal of an offer of employment to an applicant.

Temporary and seasonal employees are not subject to this policy except for those designated by the hiring department as safety-sensitive positions.

2. Reasonable Suspicion Testing:

Consistent with Minn. Stat. § 181.951, subd. 5, employees may be subject to cannabis testing, alcohol and/or drug testing when reasonable suspicion exists to believe that the employee:

- Is under the influence of alcohol, cannabis product, cannabis flower, lower-potency hemp edible or hemp-derived consumer product or a drug; or
- Has violated written work rules prohibiting the use, possession, sale or transfer of drugs, cannabis products, cannabis flowers, lower-potency hemp edibles or hemp-derived consumer products or alcohol while working, while on City property, or while operating City vehicles, machinery, or any other type of equipment; or
- Has sustained a personal injury as defined in Minn. Stat. § 176.011, subd. 16 or has caused another employee to sustain an injury or;
- Has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

Reasonable suspicion may be based upon, but is not limited to, facts regarding appearance, behavior, speech, breath, odor, possession, proximity to or use of alcohol, cannabis product, cannabis flower, lower-potency hemp edible or hemp-derived consumer product or drugs or containers or paraphernalia, poor safety record, excessive absenteeism, impairment of job performance, or any other circumstances that would cause a reasonable employer to believe that a violation of the City’s policies concerning alcohol, cannabis product, cannabis flower, lower-potency hemp edible or hemp-derived consumer product or drugs may have occurred. These observations will be reflected in writing on a Reasonable Suspicion Record Form.

For off-site collection, employees will be driven to the employer-approved medical facility by their supervisor or a designee. For an on-site collection service, the employee will remain on site and be observed by the supervisor or designee. The medical facility or on-site collection service will take the urine or blood sample and will forward the sample to an approved laboratory for testing.

Pursuant to the requirements of the Drug-Free Workplace Act of 1988, all City employees, as a condition of continued employment, will agree to abide by the terms of this policy and must notify Human Resources of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction. If required by law or government contract, the City will notify the appropriate federal agency of such conviction within 10 days of receiving notice from the employee.

3. Treatment Program Testing:

In accordance with Minn. Stat. § 181.951, subd. 6., the City may request or require an employee to undergo drug and alcohol testing or cannabis testing if the employee has been referred by the City for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan. In such a case, the employee may be requested or required to undergo drug or alcohol testing or cannabis testing without prior notice during the evaluation or treatment period and for a period of up to two years following completion of any prescribed chemical dependency treatment program.

4. Routine Physical Examination Testing:

The City may request or require an employee to undergo drug and/or cannabis and/or alcohol testing as part of a routine physical examination. The City, in accordance with Minn. Stat. § 181.951, subd. 3, will request or require this type of testing no more than once annually, and the employee will be provided with at least two weeks' written notice that the test will be required as part of the physical examination.

5. Random Testing:

In accordance with Minn. Stat. § 181.951, subd. 4, the City may require an employee to submit to random drug, alcohol, and cannabis testing if the employee is in a safety-sensitive position.

A. Right of Refusal:

Employees and job applicants have the right to refuse to submit to a cannabis test an alcohol and/or drug test under this policy. However, such a refusal may subject an employee to immediate termination. If an applicant refuses to submit to applicant testing, any conditional offer of employment will be withdrawn.

Any intentional act or omission by the employee or applicant that prevents the completion of the testing process constitutes a refusal to test.

An applicant or employee who substitutes, or attempts to substitute, or alters, or attempts to alter a testing sample is considered to have refused to take a drug, cannabis and/or alcohol test. In such a case, the employee is subject to immediate termination of employment, and in the case of an applicant, the job offer will be immediately withdrawn.

B. Refusal on Religious Grounds:

An employee or job applicant who, on religious grounds, refuses to undergo a drug, cannabis and/or alcohol testing of a blood sample will not be considered to have refused testing, unless the employee or job applicant also refuses to undergo drug, cannabis and/or alcohol testing of a urine sample.

C. Cost of Required Testing:

The City will pay for the cost of all drugs, cannabis and/or alcohol testing requested or required of all job applicants and employees, except for confirmatory retests. Job applicants and employees are responsible for paying for all costs associated with any requested confirmatory retests.

Review and Notification of Test Results

Notification of Negative Test Results:

In the case of job applicants and in accordance with Minn. Stat. § 181.953, Human Resources will notify a job applicant of a negative drug result within three days of receipt of result by the City, and the hiring process will resume. In accordance with Minn. Stat. § 181.953, subd. 3, a laboratory must report results to the city within three working days of the confirmatory test result. A "Negative Test Results Notification" form will be sent to the job applicant, and the job applicant may request a copy of the test result report from Human Resources. In the case of current employees and in accordance with Minn. Stat. § 181.953, Human Resources will notify the employee of a negative drug, cannabis and/or alcohol result

within three days of receipt of result by the City. Employees may request a copy of the test result report from Human Resources.

Notification of Positive Test Results:

In the event of a confirmed positive blood or urine alcohol and/or drug/cannabis test result, the City will notify the employee of a positive drug/cannabis and/or alcohol result within three days of receipt of the result. The employee or job applicant may contact Human Resources to request a copy of the test result report if desired. In accordance with Minn. Stat. § 181.953, subd. 3, a laboratory must report results to the city within three working days of the confirmatory test result.

Right to Provide Information after Receiving Test Results:

Within three working days after notice of a positive drug, cannabis or alcohol test result on a confirmatory test, the employee or job applicant may submit information to the City to explain the positive result. In accordance with Minn. Stat. § 181.953, subd. 10, if an employee submits information either before a test or within three working days after a positive test result that explains the positive test result, (such as medications the employee is taking), the City will not take an adverse employment action based on that information unless the employee has already been under an affirmative duty to provide the information before, upon, or after hire.

Right to Confirmatory Retest:

A job applicant or employee may request a confirmatory retest of the original sample at the job applicant's or employee's own expense after notice of a positive test result on a confirmatory test. Within five working days after notice of the confirmatory test result, the job applicant or employee must notify the City in writing of the job applicant's or employee's intention to obtain a confirmatory retest. Within three working days after receipt of the notice, the City will notify the original testing laboratory that the job applicant or employee has requested the laboratory to conduct the confirmatory retest or transfer the sample to another qualified laboratory licensed to conduct the confirmatory retest. The original testing laboratory will ensure the control and custody procedures are followed during transfer of the sample to the other laboratory. In accordance with Minn. Stat. § 181.953, subd. 3, the laboratory is required to maintain all samples testing positive for a period of six months. The confirmatory retest will use the same drug, cannabis and/or alcohol threshold detection levels as used in the original confirmatory test.

In the case of job applicants, if the confirmatory retest does not confirm the original positive test result, the City's job offer will be reinstated, and the City will reimburse the job applicant for the actual cost of the confirmatory retest. In the case of employees, if the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test will be taken against the employee, the employee will be reinstated with any lost wages or salary for time lost pending the outcome of the confirmatory retest result, and the City will reimburse the employee for the actual cost of the confirmatory retest.

Access to Reports:

In accordance with Minn. Stat. § 181.953, subd. 10, an employee will have access to information contained in his or her personnel file relating to positive test results and to the testing process, including all information gathered as part of that process.

Dilute Specimens:

A negative or positive dilute test result (following a second collection) which has been confirmed will subject an employee to immediate termination.

Consequences for Employees Engaging in Prohibited Conduct

Job Applicants:

The City's conditional offer of employment will be withdrawn from any job applicant who refuses to be tested or tests positive for illegal drugs as verified by a confirmatory test.

Employees:

Each situation will be reviewed on a case-by-case basis evaluating the severity and circumstances involved. An employee violating this policy may be referred to treatment in accordance with Minnesota Statutes 181.950-957 and/or subject to disciplinary action up to and including discharge.

- **No Adverse Action without Confirmatory Test.** The city will not discharge, discipline, discriminate against, or request or require rehabilitation of an employee based on a positive test result from an initial screening test that has not been verified by a confirmatory test.
- **Suspension Pending Test Result.** The city may temporarily suspend a tested employee with or without pay or transfer that employee to another position at the same rate of pay pending the outcome of the requested confirmatory retest, provided the city believes that it is reasonably necessary to protect the health or safety of the employee, co-employees, or the public.

The employee will be asked to return home and will be provided with appropriate arrangements for return transportation to his or her residence. In accordance with Minn. Stat. § 181.953, subd. 10, an employee who has been suspended without pay will be reinstated with back pay if the outcome of the requested confirmatory retest is negative.

Discipline and Discharge:

Confirmatory Positive Test Result:

The city will not discharge an employee for a first confirmatory positive test unless the following conditions have been met:

- The city has first given the employee an opportunity to participate in either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the city after consultation with a certified chemical use counselor or physician trained in the diagnosis and treatment of chemical dependency. Participation by the employee in any recommended substance abuse treatment program will be at the employee's own expense or pursuant to the coverage under an employee benefit plan. The certified chemical use counselor or physician trained in the diagnoses and treatment of chemical dependency will determine if the employee has followed the rehabilitation program as prescribed; and
- The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a refusal to test or positive test result on a confirmatory test after completion of the program.

Other Misconduct:

Nothing in this policy limits the right of the City to discipline or dismiss an employee on grounds other than a positive confirmatory test result, including conviction of any criminal drug statute for a violation occurring in the workplace or violation of other City personnel policies.

Article XXI. CITY DRIVING POLICY

Section 21.01 Purpose

The purpose of this policy is to define and describe the usage parameters related to the operation of City of Arlington vehicles by City employees.

1. Ensure the safety and well-being of City employees
2. Facilitate the efficient and effective use of City resources
3. Minimize the City's exposure to liability
4. Monitor the use of City-owned vehicles
5. Establish standard requirements and procedures for all City of Arlington employees who drive a motor vehicle including over the road equipment in the course of City business.

These policies and procedures are intended to improve customer service, maintain and reduce the size of the City's fleet, decrease its environmental impact, contain or reduce the fleet related expenditures, and promote uniform, efficient, and ethical use of the City's fleet.

This policy applies to all employees who drive a vehicle on City business, whether driving a City-owned vehicle or their own personal vehicle. The City expects all employees who are required to drive as part of their job to drive safely and legally while on City business and to maintain a good driving record.

The City will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first workday after any temporary, pending, or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

Section 21.02 Use of City Vehicle

City vehicles may be used by employees only in conjunction with their performance of City operations and duties. City vehicles shall not be used for private employee travel except when the employee has received prior approval by the City Administrator. Personal use of City vehicles will be governed by terms and conditions set by the City Council. In addition, employees:

- Must have a valid driver's license and appropriate class if needed.
- City vehicles shall be used for official City business only. Employees and/or agents who are authorized to use a City vehicle are prohibited from using vehicles for personal purposes.
- All appropriate reports/forms must be completed and given to the City Administrator whenever a vehicle is involved in an accident, as well as being reported to the Police Department.
- Only authorized city employees and/or agents are allowed in City vehicles unless the use is for authorized official city business.
- May not take City vehicles home when the employee lives outside the City limits of Arlington unless exception is granted by the City Council.
- It is the responsibility of all employees and or/agents to report policy/procedure abuse to the appropriate authority.
- All vehicle use after regular work hours needs to be granted by the City Administrator.

This criterion does not apply to employees and/or agents whose job requires response to a fire scene, crime scene or other situation which threatens human life (primary emergency response.)

Normal personal commuting mileage from home to work or work to home is not reimbursable.

Section 21.03 Driver Responsibilities

Eligible drivers are responsible for driving their vehicle in a safe and professional manner. Employees must know and abide by all driving/traffic laws and City policies in all areas where they operate a City vehicle. Additionally, employees must maintain a current, valid driver's license for the state of Minnesota. If for any reason, an employee's driver's license is revoked, suspended, or restricted, it is mandatory the supervisor, or City Council be notified immediately.

Employees are prohibited from providing rides to non-City employees except as required for City business.

Section 21.04 Safety Guidelines

It is mandatory that seat belts be always used by all occupants of a City vehicle without exception. It is the driver's responsibility to ensure that all occupants fasten their seat belts prior to operating the vehicle. Any malfunctioning seat belt should be reported for repair by the employee immediately. The City reserves the right to revoke the driving privilege of any driver not complying with this policy. In addition, the City expects all employees to drive defensively during business and personal travel, to obey all traffic laws, and prohibits employees from driving under the influence of drugs and alcohol, including prescription drugs. The driver will not eat or drink while the vehicle is in motion. City vehicles should not be used to transport unauthorized flammable items, firearms, or other hazardous materials. Cell phones should not be used while driving.

Section 21.05 Cell Phone and Technology Use While Operating a Vehicle

No handheld cell phone use while operating a moving City vehicle or while using a personal vehicle during working hours (pull off the roadway to use a handheld device). This includes text messaging and emailing and applies to laptops and other mobile devices in City vehicles. No handheld cell phone usage applies to both work issued and personal phones while driving on work time. Hands Free (Bluetooth or Speaker Phone) equipped phones may be used in a vehicle during working hours if it is work related. Usage of hands-free devices is to be incidental and limited to situations and topics of a time sensitive nature. It is recommended that drivers pull off the roadway whenever possible to use hands free devices.

Section 21.06 Vehicle Care

All City-provided vehicles are designated as "non-smoking" areas. Employees are expected to keep vehicles in a clean, well-maintained condition. Employees who drive or take home a vehicle are responsible for all fines and parking expenses. The driver must make sure that the vehicle and any accessories (i.e., toolboxes) remain locked and equipment in the vehicle is reasonably stored as to prevent theft.

Section 21.07 Unattended Motor Vehicle

No driver in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake, and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the roadway.

Section 21.08 Emergency Response

The use of private vehicles to respond to the scene of an emergency, including fire and ambulance calls, should always be avoided. All employees and/or agents whose job requires response to a fire scene, ambulance call, crime scene or other situation which threatens human life (primary emergency response), shall do so while in a City of Arlington emergency vehicle. All State of Minnesota traffic laws shall be followed for any emergency responder traveling to the station in their private vehicle to mount up on an emergency vehicle.

Article XXII. CELLULAR PHONE USE

This policy is intended to define acceptable and unacceptable uses of city issued cellular telephones. Its application is to ensure cellular phone usage is consistent with the best interests of the city without unnecessary restriction of employees in the conduct of their duties.

This policy will be implemented to prevent the improper use or abuse of cellular phones and to ensure city employees exercise the highest standards of propriety in their use.

Section 22.01 General Policy

Cellular telephones are intended for the use of city employees in the conduct of their work for the city.

Department heads are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit department head's discretion to allow reasonable and prudent personal use of such telephones or equipment provided:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained, or outside employment is served.
- All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times. Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances and in accordance with Minnesota law, employees are required to use hands-free operations or pull off into a parking lot and safely stop the vehicle before placing or accepting a call. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times.
Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area. Hands-free equipment will be provided with city-issued phones to facilitate the provisions of this policy.
- Reading/sending text messages, making or receiving phone calls, emailing, video calling, scrolling/typing, accessing a webpage, or using non-navigation applications while driving is strictly prohibited.
 - In accordance with State law, there is an exception to hands free cell phone operations to obtain emergency assistance to report a traffic accident, medical emergency or serious traffic hazard or prevent a crime from being committed. There is also a state law exception for authorized emergency vehicles while in the performance of official duties.
- Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. See above "City Driving Policy" for more information on reporting driver's license restrictions".

What this means is that if a request were received, the city would be under the obligation to determine what information is public data and what information is private data and would need access to the employee's phone records and possibly the phone itself in order to provide the data being requested.

Therefore, the best practice is to limit usage of personal cell phones for city business to that which is truly necessary or be prepared to produce your cell phone and the associated records if needed.

An employee will not be reimbursed for business-related calls without prior authorization from his/her supervisor. Supervisors may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

Use of public resources by city employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances. Incidental and occasional personal use may be permitted with the consent of the supervisor.

Personal calls will be made or received only when absolutely necessary. Such calls must not interfere with working operations and are to be completed as quickly as possible.

In cases where the city does not regard accounting for personal calls to be unreasonable or administratively impractical due to the minimal cost involved, personal calls made by employees on a city-provided cellular phone must be paid for by the employee through reimbursement to the city based on actual cost listed on the city's phone bill.

Section 22.02 Procedures

It is the objective of the city of Arlington to prevent and correct any abuse or misuse of cellular telephones through the application of this policy. Employees who abuse or misuse such telephones may be subject to disciplinary action.

Section 22.03 Responsibility

Department heads are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit department head discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained, or outside employment is served.

A department head may authorize an employee to use his/her own personal phone for City business and be reimbursed by the City for those calls. An employee will not be reimbursed for business-related calls without prior authorization from his/her department head. Department heads may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

When an employee terminates employment, the employee is responsible for returning the cell phone or mobile device to the City.

The City Administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All department heads will be responsible for enforcement within their departments.

Article XXIII. SAFETY

The health and safety of each employee of the city and the prevention of occupational injuries and illnesses are of primary importance to the city. To the greatest degree possible, the city will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each department head.

Section 23.01 Reporting Accidents and Illnesses

Both Minnesota workers' compensation laws and the state and federal Occupational Safety and Health Acts require all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to their supervisor. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms necessary related to an injury or illness on the job.

Section 23.02 Exposure to Hazardous Substances

Any employee routinely exposed to hazardous substances or infectious agents as defined in the "Minnesota Employee Right to Know Act of 1983" (Laws 1983, Chapter 316, Minnesota Statutes 182.65 - 182.675), and any laws amending or replacing such laws, will be trained before being assigned or reassigned to work which exposes the employee to such substances or agents, and shall be given training as needed thereafter. Training shall include an explanation of how and where information about hazards is stored in the workplace, how the hazards are labeled, and where to obtain specific information.

The department head shall provide for such training and for compliance with the "Minnesota Employee Right to Know Act of 1983", including the establishment of specific policies to ensure compliance with the state law and regulations. An employee acting in good faith has the right to refuse to work under conditions which the employee reasonable believes present an imminent danger of death or serious physical harm to the employee.

Section 23.03 Safety Equipment/Gear

The conditions of employment for some City employees require the use of certain safety equipment. Where such equipment is required, it shall be the policy of the City to furnish items as follows:

- If safety glasses are required, the City will provide them. The City will only contribute toward the purchase of one set of glasses per employee, unless the glasses are destroyed by a workplace accident.
- The City will provide hard hats, safety vest, or other equipment deemed necessary by the Administrator.
- If special protection apparatus or special hearing or facial protectors are required in order to operate City equipment, they will be provided by the City.

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

Section 23.04 Unsafe Behavior

Department heads are authorized to send an employee home immediately when the employee's behavior violates the city's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

Section 23.05 Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon, defined as an object which, as used, may be anticipated to produce death or great bodily harm, is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

Article XXIV. IT USE

Section 24.01 Purpose

The purpose of this section is to set standards to protect the city's IT Systems and equipment from business interruption and unauthorized or inappropriate access, and to maintain security.

This applies to all Users. Directors and supervisors are responsible for ensuring the appropriate use of all electronic tools through training, supervising, coaching and taking disciplinary action when necessary. Additionally, supervisors must notify IT/Administration promptly about any User with network accounts and access to the city's electronic data who is no longer employed or retained by the city for immediate account disabling.

All Users of IT Systems are responsible for appropriate use and are expected to adhere to the highest ethical standards as set forth in the city's Personnel Policy Manual - Article 1 - "Code of Ethics" when conducting city business. All Users with access to the city network have a responsibility to protect the electronic data that they have access to and follow proper data practices protocols as directed by the Minnesota State Statutes. All Users with access to IT Systems are expected to protect these systems from harm, damage, unauthorized access or theft by adhering to this policy.

Section 24.02 Monitoring of Computer, Internet and Telephone Usage

The city, through direction by the City Administrator and IT/Administration, has the right to monitor and log any and all aspects of its computer system including, but not limited to: monitoring Internet sites visited by Users, monitoring chat and newsgroups, monitoring file downloads, reviewing all communications created, sent and received by Users, recording and reviewing all data on the city's telephone system, and reviewing all data stored on the city's IT Systems.

Section 24.03 Blocking Sites

The City has the right to utilize software to identify and block access to any Internet sites it chooses without notice, including but not limited to those containing sexually explicit material or any other material deemed by the City in its sole discretion to be inappropriate or prohibited in the workplace. In the event a User unintentionally accesses inappropriate material the User expects to be deemed inappropriate or prohibited, e.g. pornographic images, the User must immediately report that unintentional access to his or her supervisor.

Section 24.04 Reporting

Users will notify their immediate supervisor, IT/Administration, and the City Administrator upon learning of violations of this policy.

Section 24.05 No Expectation of Privacy

Users are given computers, internet access, and telephones to assist them in the performance of their jobs. All IT Systems are the property of the city and are to be used for city purposes. Users have no expectation of privacy in anything they create, store, send or receive using IT Systems and anything created, stored, sent or received by Users is subject to review by the city.

As a government agency, the city is subject to the Minnesota Government Data Practices Act ("MGDPA"). All files and documents, including personal messages and Internet logs, are owned by the city and may be subject to open records

requests under the MGDPA. Further, Users conducting city business or tasks related to their employment or retention by the city on personal computers or PDAs, including those located and used exclusively in their homes, are also subject to disclosure and retention requirements under the MGDPA. Users are required to conduct city business and tasks related to employment or retention by the city exclusively on city issued resources. Any exceptions shall be documented and reported to the employee's direct supervisor.

Section 24.06 Hardware and Software Acquisition Processes

IT and the City Administrator must approve, *in advance of purchase*, all hardware devices and software to ensure consistency with the design and architecture of the city's network and IT ongoing ability to support and maintain IT Systems efficiently. Departments must consult with IT/City Administrator in advance of and during budgeting and any grant-writing processes to ensure that hardware devices or software to be acquired are necessary and compatible with existing IT Systems and can be adequately supported and maintained by IT, both during the grant period and after it. **Consultation with IT/City Administrator prior to applying for or acceptance of grant funds is required.** Consultation will permit Departments and IT/ City Administrator to consider: (1) where and how particular acquisitions fit within IT Systems, including PCI compliancy where required; (2) timelines for implementation; (3) the scope of the project and any future financing or service requirements; and (4) the total cost of ownership.

Without this advance consultation, it is difficult for IT/City Administrator to maintain and support IT Systems, particularly those Hardware Devices or software applications acquired without its knowledge or input, in an efficient and effective manner. IT/ City Administrator will not be responsible for delays, system problems, or compatibility issues that may occur as a result and implementation under such circumstances will occur according to a timeline set by the IT/Administration.

Section 24.07 Installation, Downloads, and Configuration

Users must contact IT/ City Administrator for Hardware Devices and software support and must not modify standard configurations without prior approval of IT/City Administrator.

Users should not change setup or configuration files and must limit any customization to items such as wallpaper, screen savers, icons, toolbars and colors.

Users are prohibited from installing, downloading, or acquiring Hardware Devices or software, including product demonstrations, without prior approval from IT/City Administrator and their department supervisors. Software not required for official city business is strictly prohibited.

Any data stored on a C drive is strictly the responsibility of the User. C drives are not backed up. IT/ City Administrator will not recover or copy this data in the event of a hard drive failure, change in personnel, or when hardware is replaced.

It is the User's responsibility to safeguard the laptop and any data saved to a laptop. All information and devices containing information is to be considered to belong to the city and must be relinquished to a department head immediately upon request.

Section 24.08 Licensing

To ensure compliance with law, all software must be purchased by and licensed to the city.

- Any software programs, e.g. custom designed Microsoft Access/SQL databases, developed for use by the city becomes the property of the city. Software programs may not be sold or distributed without prior approval from the City Administrator and IT.

- City-owned software may not be loaded on non-city-owned equipment unless there is prior approval of the department head and IT/City Administrator.

Section 24.09 Data Management and Protection

All data stored on IT Systems owned, leased or rented by the city, including information stored on local hard drives, and all data created by Users for city business or relating to employment or retention by the city, regardless of that data's storage location, is the property of the city. Such data are subject to dissemination to the public according to the requirements of the Minnesota Government Data Practices Act. Such data are subject to review and investigation at the discretion of the City Administrator, IT, and law enforcement. Users should contact the City Administrator with questions regarding the classification of Data under the Minnesota Government Data Practices Act.

All city data must be saved to a network drive on a city server. Users are responsible for deleting files, including data and e-mail messages that are not subject to retention under the city Records Retention Schedule. Users should contact the City Administrator with questions regarding the City Records Retention Schedule.

To facilitate off-site work, Users may copy appropriate files, including word processing, spreadsheets, and graphic files, to and from portable storage devices. No other files or information may be copied to or from the city computers without supervisor approval. A current copy of the portable file(s) must be maintained on the city server. Users are encouraged to conduct city business and tasks related to employment or retention by the city exclusively on IT Systems. Data that is classified as nonpublic under the Minnesota Government Data Practices Act (e.g. SSNs) must not be downloaded to portable storage without permission from IT/City Administrator. Any such data must be secured by encryption or other measures insuring it does not become public.

IT use of personal hardware for storage of City files or data may subject that personal hardware and all files and data contained on it, including deleted files, to public inspection and copying under the Minnesota Government Data Practices Act or to review and copying by adverse parties during litigation.

For any City-owned software that includes a password protection option exercised by the User, the User must disclose any such password to the appropriate management personnel and IT/City Administrator.

Section 24.10 Copyright Protection

Users may not copy material protected under copyright law or make that material available to others for copying. Users are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material that may be downloaded or copied. Users must obtain the express written permission of an authorized representative of IT/Administration before agreeing to a license or downloading any material for which a registration fee is charged.

Section 24.11 Portable Information Systems

Portable personal computer(s), digital cameras, projectors, and other city-owned portable equipment may be used for city business outside of city facilities with permission. When Users check out portable equipment they are expected to protect against theft, accidental breakage, environmental damage and other risks. Desktop computers and attached devices are not to be removed from city buildings. Users are responsible for the backup of or loss of any data stored on the portable unit.

Section 24.12 Personal Digital Assistants

The City Administrator must pre-approve the purchase of all Personal Digital Assistants/Smart Phones/Pocket PCs, etc. ("Mobile Device") a User intends to use for City-business in consultation with IT to ensure network compatibility. If a Mobile Device will be individually owned by the User but used at least in part for City business and connect to IT Systems, the User must complete the City of Arlington Access Agreement for Authorized Individually Owned Mobile Devices in conjunction with IT/City Administrator.

IT/City Administrator will support Mobile Devices if such devices use Microsoft Mobile, Android or Apple iOS, unless exempted from this requirement with prior approval of the City Administrator. IT will install city purchased and approved Mobile Devices on city-owned equipment. IT will retain a list of all Mobile Devices users who connect to IT Systems.

Section 24.13 Electronic Mail

The city e-mail system is a tool to be used for matters causally related to the business activities of the city and to provide services that are efficient, accurate, timely and complete. Inappropriate non-business use of the city e-mail system is prohibited.

City e-mail account messages involving City business should not be forwarded to personal email accounts under any circumstances. The Outlook Web Access allows access to City e-mail accounts from any location. Use of a personal e-mail address to conduct city business can subject that e-mail account to public inspection and copying under the Minnesota Government Data Practices Act or to review and copying by adverse parties during litigation, at great potential expense to the City.

Inappropriate non-business use of the city e-mail system includes but is not limited to: transmission of non-business audio, video, graphic, or movie files (to include streaming audio and video, MP3, .jpg, .tif, .gif, .mpg, AVI, etc.); games; jokes; instant messaging; content of an offensive or pornographic nature; copyrighted material and large data files not directly related to city business. These types of files can affect IT Systems' performance or carry viruses and must not be sent or accepted as e-mail attachments.

IT adheres to the following Microsoft Outlook Data Management Policy:

- E-mail messages are automatically deleted from the **"Inbox"** **60** days from the message modified date.
- E-mail messages are automatically deleted from the **"Sent Items"** folder **60** days from the message modified date.
- E-mail messages are automatically deleted from the **"Deleted Items"** folder after **7** days.
- All other e-mail messages are automatically deleted **365** days after the message modified date.
- Items are automatically cleared from **Calendars** once they are **730** days old.
- Users will be notified by IT if their Outlook account exceeds 200 MB in size and a strategy for reducing that volume will be implemented where appropriate.

The city retains the right to use management software to eliminate the delivery of junk e-mail (SPAM), including e-mails that contain profanity, sexual content or adult content. IT/Administration backs up the city e-mail and retains those backup tapes for seven days.

Section 24.14 Permitted Use of IT Systems

All data stored on IT Systems owned, leased or rented by the city, including information stored on local hard drives, and all data created by Users for city business or relating to employment or retention by the city, regardless of that data's storage location, is the property of the city. Such data are subject to dissemination to the public according to the requirements of the Minnesota Government Data Practices Act. Such data are subject to review and investigation at the

discretion of the City Administrator, IT, and law enforcement. Users should contact the City Administrator with questions regarding the classification of Data under the Minnesota Government Data Practices Act.

IT Systems are the property of the city and are to be used for legitimate city purposes. Users are provided access to the computer network to assist them in the performance of their jobs. All Users have a responsibility to use the IT Systems, the Internet, and the Intranet in accordance with this IT Policy and in a professional, lawful and ethical manner. Any use must be able to withstand public scrutiny without embarrassment to the city.

IT/City Administrator will coordinate with departments to provide tools, training and other assistance so that departments can publish and maintain their department information in an online form if requested.

The City retains the right to use management software to monitor User activity. Such software may monitor and limit Internet activity in order to ensure the most efficient use of city resources.

Section 24.15 Prohibited Use of IT Systems

IT Systems may not be used to disseminate, view, or store commercial or personal advertisements, solicitations, chain letters, promotions, destructive code such as viruses or used for outside business or commercial activities for personal gain, personal sale of goods and/or services or inquiries for such items, political activity, illegal and/or questionable queries or transmissions, transmission or viewing of sexually explicit or harassing or threatening communication or materials, or any other use deemed questionable, inappropriate or for an unauthorized purpose by the city, including but not limited to any communication or files that promote, foster or perpetuate discrimination or harassment on the basis of race, color, creed, religion, age, national origin, sex, sexual orientation, marital status, public assistance status, disability, or political affiliation through their content, name or use.

The following uses of IT Systems are strictly prohibited at all times: (a) illegal activities, including but not limited to wagering, betting, or selling chances; (b) for-profit or commercial activities; (c) activities related to public office or employment that is incompatible with city responsibilities, as determined by the City Administrator; (d) fund-raising, unless specifically city-approved; (e) religious or political activities; (f) unethical conduct.

City Departments may not utilize social networking sites (e.g. Facebook, Twitter) to conduct City business without explicit authorization from the City Administrator. The request for use of Social Networking Media form must be completed and authorized by the City Administrator before social networking sites are created. If such accounts are presently in use without prior authorization, they are subject to review by IT/City Administrator and may be shut down.

Section 24.16 Personal Use of Systems

The City of Arlington offers Users the privilege of personal use of IT Systems. Personal use of IT Systems is allowed before and after regular business hours, or during break periods provided such use does not interfere with the User's job performance. In addition to all other provisions of this IT Policy, Users must adhere to the following guidelines for Personal Use of IT Systems:

- Only authorized city Users are to use the computers and computer-related peripherals.
- Users must use their own media (disks, CDs, DVDs and paper) for storage of information. No personal files or data are to be stored on the city file servers.
- Participation in any kind of non-city-business related list serves or broadcast e-mailing list is prohibited.

- Long-distance charges incurred from city telephones are the responsibility of the User. A report listing all toll calls will be given to the User for review of personal calls. The charge for the call will be the actual charge incurred by the city. Payment is due within 30 days after receipt of the long-distance bill.
- The city recognizes that occasionally Users may need to use city-issued cellular telephone for personal use. Users of city owned cellular phones will be issued, on a monthly basis, a copy of the cellular telephone bill. Charges for all personal calls must be reimbursed within 30 days of receiving a copy of the bill.

Users will reimburse the City of Arlington for personal copies, faxes, and print requests, at the rate set by the finance department. Personal use fees should be reimbursed within 24 hours from the time the expense was incurred.

Article XXV. IT SECURITY

Section 25.01 Purpose

Ensure secure, protect, and allow appropriate access to the City of Arlington IT systems and resources. Information Technology Security is the responsibility of all Users.

Section 25.02 Logins and Passwords

All Users must use and maintain unique IT issued login IDs for computer and network-related access. Login IDs are not to be shared with others, and corresponding passwords must remain confidential. Multi-user or shared login IDs are permissible only in special circumstances approved and maintained by IT/City Administrator.

Password creation tips and suggestions follow:

- Contain both upper- and lower-case characters
- Have digits and/or punctuation characters as well as letters (e.g., 0-9, @#\$%^&*()_+|~-=\`{}[]:~';'<>?,./).
- Should not be a word in any language, slang, dialect, jargon, etc.
- Should not be based on personal information, names of family, etc.
- Should not have been previously used.
- Passwords should never be written down or stored on-line. Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: "This May Be One Way To Remember" and the password could be: "TmB1w2R"

If a User forgets his or her password, or suspects that his or her password security has been compromised, the User should contact IT/City Administrator immediately to be issued a new one.

Section 25.03 Employment Separation

To maintain the integrity and security of IT Systems, data management practices will be required when a User's employment or service to the City ends. In order to facilitate proper data management, the User's Department Director must complete a Notice of Employment Separation and Request for Access Form and submit it to IT/ City Administrator.

In the event of a User's **unscheduled** employment separation and submission of the Employment Separation and Request for Access Form, IT/City Administrator will permit access to the User's email and home drive network by the Department Director for a period of up to 60 days. The Department Director is responsible for compliance with the City's Records Retention Policy. After the prescribed period, the User's email and home drive network data will be deleted.

In the event of a User's **scheduled** employment separation (e.g. via retirement), the following tasks should be completed on or prior to the User's last day of employment or service:

User: (1) review all email messages and home drive network data for

compliance with the City's Records Retention Policy, deleting unneeded files; and (2) relocate as required any data accessible only to that User that should be retained by the City (and accessible by others) after the conclusion of the User's employment or service.

Department Director (or User's supervisor): (1) ensure that the User has completed the tasks set forth above; and (2) complete a Notice of Employment Separation and Request for Access Form.

Following scheduled employment separation and completion of the above tasks, the User's email account and home drive network data will be accessible by the Department Director and IT/City Administrator for a period of up to 60 days before it is deleted. If additional time is needed, the Department Director must provide written notice to IT/City Administrator prior to the expiration of the 60 day period. In such cases, the User's home drive data will be made accessible to necessary personnel until a replacement for the User is hired or retained and begins employment or service. After that time, the data will be made accessible only to the new User.

If a Notice of Employment Separation and Request for Access Form is not completed within one week of a User's final day of employment or service, IT/City Administrator may delete the employee's email and home drive network data without additional notice.

Section 25.04 Physical Security

Users are expected to provide reasonable security to their computer workstations and IT Systems. This includes ensuring that passwords are not written down in accessible places, removable media must be kept in a secured area, and that confidential data is not displayed in such a manner that unauthorized personnel can access it.

IT Systems are city property and must remain on premises unless approved by a supervisor for short term relocation. Users may not move IT Systems outside of their assigned area without prior approval from IT/City Administrator. Designated portable equipment, such as projectors, laptop computers, and digital cameras, may be removed from city buildings only for city business. Portable equipment must be reserved and checked out only to Users. Users are expected to provide protection against theft, breakage, environmental damage, and other risks.

IT Systems have been marked with ID tags for recovery and inventory purposes.

Users should shutdown computer workstations when absent for an extended time. Users may "lock" their workstation by activating password protected personal computer screen saver when absent for a short period of time, such as during a meeting or over lunch. At the end of each workday, the workstation must be logged off. Computers and monitors should be shutdown nightly to reduce energy consumption.

Section 25.05 Virus Protection

All computer workstations, laptops, and servers must be protected from viruses using up-to-date antivirus software. Users may not alter their system's configuration or take other steps to defeat virus protection devices or systems. All files on removable media must be scanned for viruses prior to installation onto or access from IT Systems. Any files suspected or known to contain viruses must be immediately reported to IT/Administration for proper handling.

Section 25.06 Remote Network Access

Remote Network Access is defined as the ability to connect to a computer or network from a distance, such as from home, hotel, conference, Internet kiosk, etc. Remote Network Access to IT Systems may be granted upon meeting the following conditions:

- Business-related purpose approved by requesting Department Director and IT/City Administrator.

- Use of industry standard encryption and/or city-supported VPN (Virtual Private Network) technology.
- Authentication and access control will be maintained via the city's Internet domain. Valid network logins and passwords are required.
- While remotely connected, nobody but the authorized User may have access to the computer making the connection.
- The remote computer must comply with current anti-virus and security parameters as specified by the IT department.

All remote Users are subject to the rules and regulations set forth in this policy, including MGDPA requirements. Materials involving city business, regardless where they are created or stored, are subject to the provisions of the MGDPA and may be subject to a disclosure request from the public or discovery in litigation.

Section 25.07 Wireless Access

Unauthorized wireless access (including but not limited to access via 802.11 (Wi-Fi), Bluetooth, WiMax, and cellular technologies) to IT Systems is strictly prohibited. Wireless access must be authorized and configured by IT/Administration. Any wireless access must utilize standards-based encryption and conform to adopted security practices as governed by LOGIS and/or state and federal government guidelines.

Section 25.08 PCI Compliancy

All Users responsible for or involved with credit card transactions must receive training in PCI compliancy and adhere to the Finance Department's PCI Policy.

City of Arlington

Notice of Employment Separation and Request for Access

This form must be completed by Department Director and received by IT/City Administrator within one week following the date of employment separation of any User.

TO BE COMPLETED BY DEPARTMENT DIRECTOR:

User (PLEASE PRINT): _____

Last Day of Employment or Service: _____

Select one: ☐ Administrative Access to the User's data and email account is not needed. IT/City Administrator should delete the User's accounts.

☐ Administrative Access will end on: _____ (up to 60 days following the Last Day of Employment or Service).

I understand that the IT Policy requires the User, under my supervision, prior to the date of employment separation, to relocate all data to be retained by the City. I understand that it is my responsibility as Department Director to ensure compliance with MGDPA and the City's Data Retention obligations. I understand that access will be granted only for the period as stated herein and terminated when that period ends without further notice¹ and that, at that time, the User's data and email account will be removed from the network.

Department Director Signature:

Date

TO BE COMPLETED BY IT/City Administrator:

I have received this form and will arrange for access as requested for up to 60 days following the User's employment separation. Following the access period, the User's data and email account will be removed from the network.

An Employee's home drive network data that includes sensitive or unique information requiring a longer period of retention (that cannot be relocated as stated above) can be made accessible to necessary personnel until a replacement is hired and begins employment, after which time the home drive network data will be reassigned and accessible to that individual. If the Employee maintains sensitive or unique data that cannot be relocated prior to or within the administrative access period, contact the IT/City Administrator to plan for longer-term accessibility.

IT/Administration Signature: _____ Date: _____

City of Arlington

Request for Use of Social Media for City Business

This form must be completed by all Users of social media for City business.

Employee (PLEASE PRINT): _____

Dept: _____

I would like to use _____ (social networking media tool) for the purpose of marketing/investigations of _____.

Name of Site: _____

URL/Internet Address of Site(s): _____

e.g., www.facebook.com/ID... or www.myspace.com/name...

Admin staff: _____

The reason I would like to/are currently using this tool is:

I have requested approval of my supervisor and have spoken with IT/Administration about my needs. I understand that this form will be filed with my personnel records and with the IT/Administration.

Signature of User

Date

Signature of Department Supervisor

Date

Signature of IT/

Date

Signature of City Administrator or Deputy

Date

City of Arlington Access

Agreement for Authorized Individually Owned Mobile Devices

This Agreement must be completed by all owners of personal Mobile Devices

prior to any connection to IT Systems.

This agreement defines standards, procedures, and restrictions for Users who have a legitimate City business reason for connecting a personally owned Mobile Device to IT Systems. This agreement applies to all Mobile Devices not owned or supplied by the City but that could be used to access IT Systems or City resources.

By signing this agreement, the undersigned User agrees to:

- (1) Abide by the terms of the IT Policy as it relates to City business conducted on User's Mobile Device.
- (2) Give IT/Administrator permission to make appropriate modifications and changes to configuration setting as required.
- (3) Contact IT/Administrator immediately if
 - a. User's Mobile Device is lost or stolen, or User suspects a security breach.
 - b. User terminates the use of the Mobile Device.
 - c. User is no longer employed by or in service to the City.
- (4) Allow IT/City Administrator to completely wipe User's Mobile Device with remote wipe capability in the event of a suspected security breach, the device is lost or stolen, use of the Mobile Device is terminated, or when my employment or service to the City ends. Wiping User's Mobile Device will result in the loss of all personal data including contacts, photos, music files and other data. User retains responsibility to back up all personal data.
- (5) Surrender User's Mobile Device to IT/Administrator in the event a security or privacy breach occurs or is suspected. If requested, User will grant IT/Administrator access to User's usage records.
- (6) Sync User's Mobile Device to IT Systems only via approved wireless access software.
- (7) Remain personally responsible for User's mobile number, contract and all carrier or service provider agreements.

Direct support-related inquiries, except for issues with installation and connection to IT Systems, to User's service provider.

Signature of User

Date

Signature of IT/Administration

Date

City of Arlington Access

SECURE NETWORK ACCESS REQUEST (WIRELESS)

Name_____

Position_____

Supervisor Name_____

Device Name_____

Operating System Version_____

WiFi MAC Address:

(Settings> Network & Internet> Wi-Fi > Hardware Properties> Physical Address (MAC) "XX-XX-XX-XX-XX-XX")

Is this a Personal or Work issued device?

(Was it given to you or owned by the City of Arlington)

Why does this device need access?

Signature

Date

Reviewed by

Approve/Deny

Date



I, _____, an employee of the City of Arlington, Minnesota do hereby state that I have received a copy of the Personnel Policy Handbook and I agree to read it and to comply with it and any other rules and policies of the City.

I understand that violating the policies and rules set out in the handbook may lead to disciplinary action, up to and including termination.

I clearly understand that this policy handbook does not create a contract for employment with the City of Arlington, and that the City of Arlington may change or modify the policies and procedures in this handbook at any time or without prior notice.

This handbook replaces and supersedes all earlier personnel practices, policies, and guidelines.

Date Employed

Employee Signature

Date