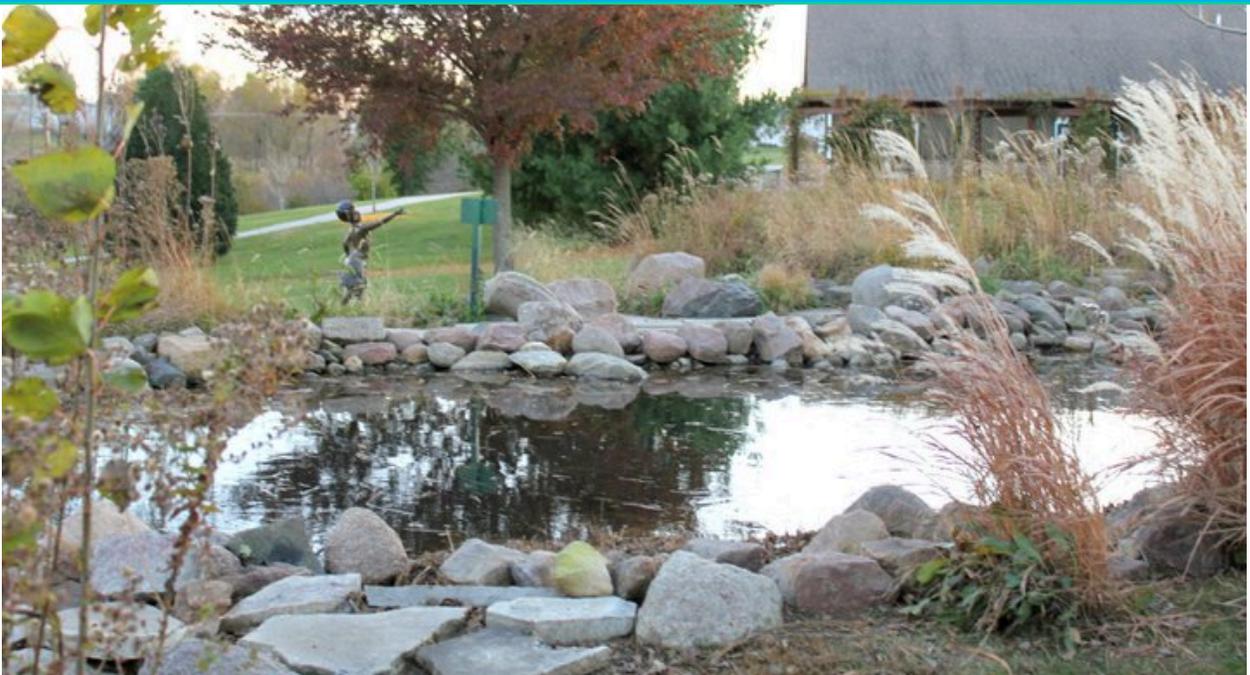


GET TO  
KNOW **Newton**

City of Newton, Iowa Employee  
Handbook



Revised October 1, 2020

Previously Revised: July 1, 2019

Originally Adopted: April 3, 1989

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# ACKNOWLEDGMENT

This is to acknowledge that I have received a copy of the *EMPLOYEE HANDBOOK* for the City of Newton, Iowa dated **October 1, 2020**.

I have been encouraged to read, understand, and to comply with the provisions of the *Handbook*.

Employee \_\_\_\_\_

Print Name Here

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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## I. INTRODUCTION

The purpose of this Employee Handbook is to provide general information about the City of Newton's policies, procedures, employment benefits and other matters concerning your employment with the City. This handbook is to be used as a reference guide when questions arise. Some of the policies and benefits described in this handbook, such as the group health insurance plans, are covered in greater detail in official policy documents from the insurance carrier. You should refer to those documents for more information.



The personnel policies within cover all full-time and part-time non-bargaining unit employees and all bargaining unit employees unless otherwise provided for by their respective collective bargaining contracts. Temporary employees and persons retained or contracted to provide special work, research or technical services for the City are not covered by this handbook unless noted. Any questions you may have should be directed to your immediate supervisor or department director.

### DISCLAIMER

This handbook is provided for informational purposes only. The policies, procedures, benefits and plans described in the handbook may be revised by the City at any time without prior notice. The City retains the exclusive right to change, add to, eliminate, or modify any of the policies in the handbook at any time at its discretion, with or without notice.

Any promises, representations, or actions by a City official or employee, which are contrary to this handbook, are not the official policy of the City and are of no force or effect. This handbook supersedes and cancels the effect of any previous versions of a City employee handbook.

This employee handbook is not intended to create any contractual rights in favor of you or the City. This handbook is not to be construed as an employment contract, express or implied, or as a promise that you will be employed for any specified period of time. Employees may resign their employment at any time and for any reason, and the City reserves the same right to discontinue any individual's employment at any time and for any reason. Nothing in this handbook changes the at-will nature of your employment with the City.

## II. DEFINITIONS

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this handbook, have the meanings stated in this section:

Administrative Manual – A reference document containing citywide administrative procedures produced by the City Administrator. This manual is available on the City Intranet or copies by contacting your supervisor or department director.

Appeal - An application for review of an alleged grievance submitted or instituted by an employee to a higher authority.

City - The City of Newton.

Compensation Time Off - Time off from work in lieu of monetary payment for overtime worked.

Discrimination - A showing of bias or favoritism in treatment because of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability.

Employee - A person legally holding a position in the City of Newton service.

Exempt employee - An employee who is not required to receive overtime compensation for work performed beyond 40 hours in a workweek in accordance with the Fair Labor Standards Act (FLSA).

Fiscal Year - Otherwise known as July 1 through June 30.

Full-Time Employee - An employee who has completed their designated introductory period who occupies a full-time position.

Full-Time Position - A group of duties and responsibilities requiring the full-time employment of one person 40 hours per week or 56 hours per week for Fire Department shift personnel, on a regularly scheduled basis for each week throughout the year.

Introductory Period - The first six (6) months of employment or reassignment during which an employee is required to demonstrate their fitness for the position to which appointed through actual performance of the duties and responsibilities of the position. Employee's at-will status continues after completion of the introductory period.

Leave - An approved absence from work as provided for by personnel policies.

Non-Bargaining Unit Employees - Those full-time and part-time employees whose positions are not included in an established collective bargaining unit of the City.



Non-Exempt employee - An employee who is required to be paid at the rate of time and one-half (1 1/2) their regular rate for all hours worked beyond 40 hours in a workweek in accordance with the Fair Labor Standards Act (FLSA).

Non-Union Compensation Plan - The official pay schedule approved by the City Council.

Outside Employment - Employment of any kind engaged in by a City employee for which compensation is received from a source other than the City of Newton.

Overtime - Authorized time worked by an employee in excess of 40 hours for shift personnel or 53 hours per week for Fire Department.

Part-Time Employee - An employee who has completed their designated introductory period, who has received an appointment and who occupies a part-time position.

Part-Time Position - A group of duties and responsibilities requiring part-time employment of one person for at least 20 hours, but less than 40 hours per week on a regular schedule throughout the year. \* Regular Part-time employees working 30 plus hours per week over a 12 month look back period are eligible for health insurance based on a prorated contribution amount in accordance with Healthcare Reform.

Public Safety Employee - All civilian and sworn police and fire employees.

Sexual Harassment - Unsolicited, non-reciprocal behavior by an employee who is in a position to control or affect another employee's job or cause them to fear that they would be punished for the refusal to submit. This may consist of, but is not limited to, subtle pressures for sexual activity, inappropriate touching, inappropriate language, demands for sexual favors, unwelcome physical advances and displaying of sexually explicit materials in the work place. Sexual harassment also includes any employee conduct unreasonably interfering with another employee's work performance by creating an intimidating hostile or offensive working environment.

Shift Employee - An employee who occupies a full-time position which requires work on a regular schedule at any period during the 24 hours of a day and on any day during the week.

Temporary or Seasonal Employee - An employee engaged to work full-time or part-time for the City with the understanding that his or her employment will be terminated no later than upon completion of a specific assignment. Temporary employees, or seasonal employees, or part-time employees who work less than an average of twenty (20) hours per week in a 12 month look back period, are not eligible for any benefits described in this handbook, unless otherwise indicated.

Temporary or Seasonal Position - A group of duties and responsibilities requiring the temporary or seasonal employment of one person on either a full or part-time basis.

Termination - The complete separation from City employment resulting from discharge, resignation, retirement, or death.

### III. GENERAL POLICIES

#### 3.1 Electronic Communication & Internet Use

Refer to the City Administrative Manual, Procedure 1-7

#### 3.2 Clothing Allowance

Sec. 1 Police - All sworn Police non-union supervisors shall receive a yearly clothing allowance of \$615. One-half of the annual allowance shall be paid semi-annually on the second payroll in August and February less applicable taxes.



Sec. 2 Fire - All Fire supervisors shall receive a uniform credit in the amount of \$615 a year. Any portion, which is not utilized by an employee, may be carried over into the next year. It may not be carried over into a third year. Upon termination of employment, the employee will be entitled to a clothing allowance payout. Annual allowance will be pro-rated monthly to include the month of departure. Fire supervisors are entitled to the unused previous year carry-over balance. The uniform credit may be used to purchase any article of clothing allowed by the department's Uniform Code. Fire supervisors may continue to purchase uniform articles anytime during the year.

Sec. 3 Public Works - Public Works non-bargaining employees who as part of their job wear a uniform, may receive up to eleven (11) uniform pants and shirts, and to replace such uniforms as they become worn, so long as the old uniforms are turned in. Uniforms shall be maintained at the City's expense to include one set up charge per year for employees who have gained or lost weight. All uniforms shall be returned to the City when the employee's employment is terminated. Such uniforms are not to be utilized on non-city employment. The City will pay 100% of the cost of safety shoes and/or overshoes and other work related outer ware for employees not to exceed \$265 in any fiscal year. The employee is required to submit a receipt for proof of purchase to be reimbursed for such purchases.

All full-time, part-time, and temporary non-bargaining unit employees may also receive replacement of clothing, watches, and/or glasses damaged while on duty.

#### 3.3 Discriminatory and/or Sexual Harassment

It is the responsibility of the City to ensure an employee's right to a work environment free of all forms of discriminatory and sexual harassment. Harassment on the basis of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability, or having filed a discrimination complaint is a violation of both state and federal civil rights laws. It subverts the interest of the City and threatens the working relationship within City employment as a whole. It is the policy of the City that discriminatory and sexual harassment is unacceptable and will not be tolerated.

The City, by this policy, affords all employees the right to work in an environment free from discriminatory intimidation, ridicule, and insult. The City hereby declares that all complaints of discriminatory and sexual harassment shall be promptly and fully investigated. The City shall take immediate and appropriate corrective action to end

the harassment, to make the victim whole, and to prevent any recurrence of or retaliation for complaining about the harassment.

Any employee that has encountered discriminatory or sexual harassment should make a complaint following the Department's chain of command. If that person(s) is the cause of the complaint, the next step would be to contact Human Resources or the City Administrator. Upon investigation of the allegations and, if the facts support such a complaint, immediate and appropriate corrective action will be taken. Any coercion of, or retaliation against, any employee who reports or complains of an incident is prohibited. Any employee violating this policy will be subject to disciplinary action up to and including discharge.

### 3.4 Drug and Alcohol Policy

Employees, including temporary employees, are expected to report to work on time and in an appropriate mental and physical condition to work. As such, when reporting to work or while at work, employees shall not (1) use or be under the influence of alcohol, (2) engage in the illegal use of prescription or non-prescription drugs or (3) use or be under the influence of illegal drugs. Employees under the influence of alcohol, drugs or narcotics at work are subject to the same performance and behavior standards as other employees. Employees in violation of this policy shall be subject to disciplinary action up to and including discharge in accordance with applicable federal and state laws and regulations. Refer to City Administrative Manual for Drug and Alcohol Policies.

### 3.5 Educational Opportunities

The City encourages the educational development of employees to their fullest potential. The City will reimburse an employee for tuition cost of courses taken which relate to the employee's present position or to the next position in the normal career progression from the employee's present position provided that:

1. The course is approved in advance and in writing by the City Administrator.
2. Presentation of proof of satisfactory completion of course work. The employee must receive a grade of "C" or better or a "Pass" grade if graded on a "Pass-Fail" basis.
3. Approval of tuition assistance must be sought for each course to be taken.
4. Adequate funds are available.

All requests listed below must follow the Department's chain of command process.

Police supervisors may receive additional monthly compensation of up to \$60.00 per month for college credit.

Fire supervisors may receive additional monthly compensation of up to \$22.00 per month for college credit.

Fire command staff that is certified as Hazardous Materials Technicians will receive \$80 per month of additional compensation.

### 3.6 Electronic Communication

Refer to the City Administrative Manual, Procedure 1-7.

### 3.7 Employee Physical

The City may require an employee to submit to a job-related medical examination by a physician designated by the employer and at the employer's expense after the employee has been offered a position and before the employee starts work if the examination is required of all entering employees in the classification.

Employee may also be required to submit to a job-related medical examination when necessary to determine if employee is still able to perform the essential functions of the position, or for fitness for duty or other medical examinations required by federal, state, or local law.

All medical information collected by the City will be maintained in separate confidential files.

Each employee, who is covered by the City's health insurance plan, shall also be covered through the City's Wellness program with a maximum benefit of \$300.00 per employee each year towards a physical. Appropriate procedures as set by the City and the insurance carrier shall be followed.

Department Directors are provided a complete physical once each fiscal year. Sworn public safety supervisors are provided a complete physical exam once every three (3) fiscal years in accordance with departmental policy, however those supervisors may participate in the wellness physicals in the off years from the complete physicals.

Medical examinations that are required by federal, state, or local law will take precedence over this employee handbook.

### 3.8 Employment of Family Members

The City believes that the employment of family members in the same department creates potential problems including favoritism in initial employment, job assignment, promotion, and pay increases; morale problems; reduced work productivity; conflicts of interest and difficulties in administration of discipline. This policy seeks to assure that City employees are hired on the basis of their qualifications for their position.

1. "Family member(s)" are defined as: mother, father, brother, sister, spouse, children, aunts, uncles, nieces, nephews, first cousins, mother-in-law, father-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepbrother, stepsister, stepchild, half-brother, half-sister, grandparent, and grandchild. Relationships created by adoption are included.
2. "Family relationship" means the employment of two or more family members within the same department.
3. "Department" means Administration, Finance & Economic Development, Fire, Legal, Library, Police, and Public Works.
4. "Employee" means all full-time and part-time employees and does not include temporary employees.

5. No individual shall be an applicant for a position in a department or be employed by a department of the City if a family relationship will be created by such employment.
6. No employee shall be promoted or transferred into a department if a family relationship will be created by such a promotion or transfer.
7. If a family relationship is created by the marriage of two employees, the two employees will be given the option of deciding who will transfer, if possible, or who will terminate employment. If the decision cannot be made by the two employees, department seniority shall be the deciding factor and the least senior employee shall be transferred, if possible; otherwise, the least senior employee shall be terminated. If a family relationship is created by marriage between an employee and a non-employee, the employee who became married must transfer, if possible, or terminate employment.
8. Each applicant for employment and each employee seeking a promotion or transfer shall certify in writing prior to their employment, promotion, or transfer a list of all family members employed by the City on the date of completion of the Employment of Family Members certification form.
9. If an applicant or employee is hired, transferred or promoted, and it is determined later that the applicant or employee falsified, knowingly or unknowingly, his/her Employment of Family Members certification form, such applicant or employee shall be subject to discharge.
10. The continued employment of a person with a family relationship existing on the effective date of this policy shall not be affected by this policy.
11. An employee with a family relationship on the effective date of this policy shall not be denied eligibility for promotion within that department on the basis of this policy.
12. This policy shall not apply to a person who is on a certified eligibility or who has applied for a City position prior to or on the effective date of this policy.
13. This policy shall not apply to an employee who is involuntarily forced into a family relationship within a department.

### **3.9 Employment Policy**

The City is an equal Opportunity employer and will not discriminate in its employment or other personnel practices because of race, sex, age, national origin, physical or mental disability, or religious or political affiliation.

The administration of personnel policies established in this handbook is the responsibility of the City Administrator. A current position classification system is maintained and current pay plan providing for fair compensation of City employees is in effect.

### 3.10 Fitness Day

Sworn Fire and Police supervisors must meet minimum physical fitness standards or be subject to discipline. A day off or equivalent pay for each six-month period is granted if standards are met by sworn Fire and Police supervisors.

### 3.11 Gifts

City employees, including temporary employees, are prohibited from soliciting or accepting any gifts, gratuity, favor, entertainment, loan or other item of monetary value for personal benefit under circumstances which directly or indirectly involve or influence the manner in which the employee performs work, makes decisions or otherwise discharges duties as a City employee. The solicitation or acceptance of gifts by City employees is also governed by Title III, Chapter 31, Section 31.013 Gifts of the Code of Ordinances.

### 3.12 Grievance Procedure

The Newton Non-bargaining Employee Grievance Commission (NNEGC) found in Municipal Code Title III, Chapter 32, Section 32.130-32.140, is applicable to: permanent full-time City of Newton non-bargaining Employees, except that if the person is covered by Civil Service Protection and the claim they wish to pursue is covered by Civil Service Protection, Civil Service Law is the exclusive remedy available to them.

#### 32.133 Appeal

Those covered may appeal any personnel action to the Newton Non-bargaining Employee Grievance Commission after appealing the action through the Department chain of command and the City Administrator. Each appeal through the Department chain of command and the City Administrator shall be within fourteen calendar days after the personnel action/supervisor's decision was rendered. Failure to appeal is deemed as acquiescence to the action taken.

#### 32.139 Appeal to City Council

The City Administrator or the aggrieved employee shall have the right to appeal to the City Council from the written decision of the NNEGC. The appeal shall be taken within fourteen days from filing of the formal decision of the Commission. The City Council shall either affirm or revoke the decision of the Commission. The City Council's decision shall be final and binding.

### 3.13 Inclement Weather

When weather conditions are such that some employees are unable to get to their work sites, those employees may take leave without pay until they can return to work, or if earned and unused, a vacation day or floating holiday may be taken, if the employee has notified their supervisor no later than the starting time of the work day on which they will be absent.

If the Mayor announces by public broadcast that City offices are closed, then only persons designated as "essential personnel" need report to work.

### 3.14 Introductory Period

Each employee shall serve an introductory period of six (6) months. During this period, the supervisor will review the employee's performance and will determine if the employee's work was satisfactory or unsatisfactory. The City Administrator will be

informed of the employee's performance. The employee may be terminated from employment by the City Administrator without the right of an appeal or hearing. Employee's at-will status continues after completion of the introductory period.

### **3.15 Membership to Community and Service Organizations**

All department directors are encouraged to participate in a community and service organization in the City. Payment of membership fees and annual dues are the responsibility of the employee.

### **3.16 Outside Employment**

No employee, including temporary employees, shall engage in outside employment, which could result in conflict of interest with official duties, tend to bias the employee's judgment or otherwise embarrass the City, or be detrimental to the employee in the performance of designated duties.

### **3.17 Performance Appraisal**

Each department may provide a performance appraisal of all employees in their department to measure each employee's work performance.

These appraisals include discussions between the immediate supervisor and other supervisory staff as appropriate and employee to determine goals and evaluate progress toward better performance and personal development.

### **3.18 Physical Fitness Membership**

All City employees, except Seasonal and Temporary employees, are eligible to receive up to \$100.00 per fiscal year (July 1 to June 30) to join the Newton YMCA or some equivalent physical fitness program; including a Westwood Golf membership and Westwood Golf passes, or a Maytag Pool membership and Maytag Pool passes.

This benefit is being provided as part of the City of Newton's overall commitment to employee health and wellness with the objectives of enhancing employee productivity and minimizing the City's health insurance expenses. Employees interested in receiving this benefit should provide their Department Director or designee with a confirmation of membership, which will be approved by the supervisor and submitted to Payroll.

### **3.19 Political Activity**

Political activity of employees, including temporary employees, of the City shall be governed by the following rules:

1. Leaves of absence:
  - a. An employee of the City who is elected to a municipal, county, state, or federal office shall, upon written application to the City, be granted a leave of absence from regular employment to serve in that office except where prohibited by the federal law. The leave of absence shall be granted without pay and shall be granted without loss of net credited service and benefits earned. This provision shall not be construed to require an employer to pay pension, health or other benefits during the leave of absence to an employee taking a leave of absence under this section. An employee shall not be prohibited from returning to regular

employment before the period expires for which the leave of absence was granted. The leave of absence granted by this section need not exceed six years. The leave of absence granted by this provision does not apply to an elective office held by the employee prior to the election.

- b. An employee of the City who becomes a candidate for any elective public office shall, upon request of the employee and commencing any time within thirty days prior to a contested primary, special, or general election and continuing until after the day following that election, automatically be given a period of leave. The City may authorize the employee to use accrued vacation leave or accrued compensatory leave instead of leave without pay to cover these periods. An employee who is a candidate for any elective public office shall not campaign while on duty as an employee.
2. No employee of the City shall:
  - a. Solicit in any manner contribution for any political party or candidate while performing official duties or while using city equipment at the employee's disposal by reason of the position, or engage in any political activity during working hours that impairs the efficiency of the position or presence during the working hours, or
  - b. Solicit in any manner contribution for any political party or candidate or engage in any political activity during off-duty hours while wearing any City uniform or while using any City equipment or City vehicle.
3. No employee of the City shall secure or attempt to secure in any manner for any other person an appointment or advantage in appointment to a position or an increase in pay or other advantage of employment for the purpose of influencing the vote or political action of that person.
4. An employee of the City who in any manner supervises any other employee of the City shall not directly or indirectly solicit the person supervised to contribute money, anything of value, or service to a candidate seeking election, or a political party or candidate's political party.
5. These provisions shall not be construed to prohibit any employee or group of employees, individually or collectively, from expressing honest opinions and convictions, or making statements and comments concerning their wages or other conditions of their employment.

### 3.20 Purchasing Limit Authority

The purpose of this purchasing limit policy is to ensure that sound business judgment is utilized in all financial transactions and that all goods and services are obtained efficiently, economically, and in compliance with applicable federal and state laws.

1. It is the responsibility of the Department Director to ensure that his/her department follows all purchasing policies and procedures and must sign off of all purchases within their department. The purchase of goods or services must be authorized and approved, at a minimum; at the following levels:

- Department Directors may purchase and approve goods and services up to \$5,000. In case of absence, the Department Director may designate a Supervisor/Manager to approve purchases of goods and services. The Supervisor/Manager shall inform the Department Director of all approvals when the Director has returned from absence.
  - Any good or service between \$5,000 and \$10,000 must receive authorization from the City Administrator prior to purchase.
  - The City Administrator has purchasing authority up to \$10,000 and will seek City Council approval on any purchase over \$10,000.
  - All expenditures made by the Newton Public Library must be approved by the Library Board of Trustees and sent on to the City Council for their approval at a City Council Meeting.
2. Noncompliance with these policies and procedures may result in the return of improperly authorized or prepared documents, nonpayment of vendor invoices, cancellation of purchase orders or purchasing privileges, or other sanctions as determined necessary after consultation with the Department Director and/or City Administrator.

### **3.21 Residency Requirement**

The residency requirements for all City employees is as articulated in Title III, Chapter 31, Section 31.014 Residency Requirements of the Code of Ordinances.

### **3.22 Safety**

Employees, including temporary employees, are responsible to protect themselves, co-workers, and the public from injury and to adhere to all safety instructions, rules and regulations in accordance with Administrative Procedure Chapter 4. Special attention is required to ensure safe operation of vehicles and equipment, the proper use of protective equipment and devices and compliance with safe work procedures. In the instance of any on-the-job injury, all accidents are to be reported to your supervisor immediately. Failure to report an accident within 24 hours will endanger eligibility for Worker's Compensation Insurance for such accidents. Neglect and carelessness with regard to safety may be subject to disciplinary actions.

### **3.23 Safety Glasses**

Safety eyewear shall be provided for all City employees as determined by the City Administrator in accordance with Administrative Procedure Chapter 4.

### **3.24 Safety Shoes**

A safety shoe allowance will be provided to all non-bargaining unit employees if the employee's supervisor deems that wearing safety shoes is necessary for the employee's job. The safety shoe allowance will be the same amount as provided for in the Teamsters bargaining unit agreement.

### 3.25 Travel Policy

Whenever an employee travels on behalf of the City, whether it is for business or training, the policies and procedures stated herein shall apply. It is the expressed purpose of these policies and procedures to provide the employee with reasonable travel accommodations and related expenses, while maintaining a prudent spending policy. It is each employee's responsibility to learn and abide by these rules. The policies and procedures found in this manual supersede all previous policies, directives and rules governing City travel and training. See Appendix A for the complete Travel Policy.

### 3.26 Union Association

Some City employees are covered by a union authorized to represent them in collective bargaining and grievances. These unions are certified by the Iowa Public Employment Relations Board as the sole bargaining agent for all City positions included in the unit. Under Iowa law employees may choose to join or not to join the union. Dues are paid through payroll deduction for those who join.

Any benefits or policies not implicitly or explicitly covered by a collective bargaining agreement shall be governed by the benefits or policies within this Handbook. Likewise, if there is a conflict between any benefits or policies in this Handbook and a union contract, or an applicable State or federal statute, or both, the terms of the actual contract or statute will govern.

### 3.27 Use of Public Property

No City employee, including temporary employees, shall request, use, or permit the use of any publicly owned property, vehicle, equipment, labor, service or supplies (new, surplus, scrapped or obsolete) for the personal convenience or advantages of the employee or any other person except for that use which is generally available to the public.

### 3.28 Vehicle Allowance and Mileage Reimbursement

For elected officials, full-time, part-time and seasonal employees using their own vehicles and not receiving a car allowance, the City of Newton shall match the mileage rate authorized by the IRS. Based on guidelines established by the City Administrator, department directors may be eligible for a vehicle allowance. City Officials and Department directors who receive a vehicle allowance shall be eligible for mileage reimbursement for all mileage in a personal vehicle for trips on City business pre-approved by the city administrator, except that no mileage reimbursement will be made for miles driven within Jasper, Polk, Story, Marshall, Tama, Poweshiek, Mahaska, Marion or Warren Counties.. Mileage is calculated from starting point in Newton to destination and back. City officials and employees who receive a vehicle allowance and/or mileage reimbursement shall be responsible for all insurance, maintenance, and fuel costs for their vehicles. See Appendix B for the Vehicle Allowance and Mileage Reimbursement Policy.

### 3.29 Violation of Policies and Procedures

Violation of the provisions of the City's policies and procedures shall be grounds for disciplinary action, which may include warnings, suspension, demotion, or discharge.

A department director who intends to suspend, demote, or discharge an employee for cause shall provide the employee with a written notice of intent to discipline. Such

notice shall set forth the act or omission upon which the disciplinary action is based. The notice shall inform the employee of the date and time of the employee's pre-disciplinary hearing. At the pre-disciplinary hearing the employee shall have the opportunity to present reasons why the proposed discipline should not occur. As soon as practical following the conclusion of the hearing, the employee will be informed if the proposed discipline will occur.

Employees who are exempt from the overtime requirements of the Fair Labor Standards Act can have their predetermined salary reduced for penalties imposed in good faith for infractions of safety rules of major significance or for disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

### **3.30 Violence in the Workplace**

The City recognizes that violence in the workplace is a very real and serious issue. As an employer, the City has both a legal duty and a moral obligation to provide a safe workplace.

It is the expectation that all City employees will conduct their job duties in a civil and professional manner, treat coworkers with courtesy and respect, and resolve differences through open communication and proper channels.

The City will not tolerate any type of behavior on behalf of its employees which constitutes violence or that may lead to violence in the workplace. Violence in the workplace is unacceptable, and any threats or acts of violence committed by employees will result in rapid and effective intervention, including cooperation with law enforcement, and disciplinary action.

All incidents of workplace violence or threats of violence are to be reported promptly. This applies to all types of violent incidents whether or not physical injury has occurred. Verbal abuse, threats of violence, menacing behavior, etc., all constitute reason for concern. Incidents are to be reported by completing an "Incident Report Form", which can be obtained from the Administration Office or from the City Intranet site.

Any coercion of, or retaliation against, any employee who reports or complains of an incident is prohibited. Any employee violating this policy will be subject to disciplinary action, up to and including discharge.

## IV. COMPENSATION

### 4.1 General

The City's Non-Union Compensation Plan was developed in conjunction with an independent contractor and recommended by the City's Employee Relations Committee. The City Council adopted the Non-Union Compensation on May 17, 2004. The plan is adjusted on a fiscal year basis allowing for a cost of living adjustment.



- **Applicability**  
This Compensation Plan shall apply to all non-union eligible employees.
- **Class/Job Descriptions**  
Each position in the city will have a written job description. The job description will be reviewed periodically as needed by the Department Director, Director of Administrative Services, and the City Administrator.
- **Pay Ranges**  
Each position in the city will have a pay range assignment.
- **Salary Schedule**  
Each pay range has a 15-step salary schedule, ranging from entry to step 14. The salary schedule will be adjusted each fiscal year (July 1 through June 30) allowing for a cost of living adjustment. On July 1<sup>st</sup> eligible employees will be moved up to the next step.

### 4.2 Purpose

The purpose of the City's compensation system is to attract, retain, and motivate employees through the payment of financial compensation that is commensurate with the employee's ability, responsibility, and contribution toward the City's goals. The program is concerned with providing a compensation framework to inspire the development and progress of each employee. It is further designed to recognize and reward outstanding performance and to achieve internally equitable and externally competitive compensation.

### 4.3 New Hires and Promotions

#### A. Starting Salary

The lower portion of the salary range is to be used for starting salaries as follows:

<u>Qualification of Candidate</u>	<u>Starting Salary</u>
Meets minimum qualifications	Entry Step
Meets minimum qualifications, plus some job-related experience or education beyond the minimum qualifications	1 – 2 Steps above Entry
Meets minimum qualifications, plus substantial job-related experience or education over and above the minimum qualifications for the new job	Step 3 to Step 7 or 8

In all cases:

1. The starting salary shall be at least at the minimum of the new range.
2. All starting salaries must be approved by the City Administrator upon recommendation by the Department Director.
3. A starting salary up to midpoint may be granted based on special circumstances or exceptions such as market conditions.
4. A starting salary above the minimum must be justified in writing by the department director and placed with the employee's personnel file. The minimum requirements are those as defined in the job description.

**B. Initial Appointment of Department Directors**

The City of Newton recognizes the importance of inclusiveness of opinions in the hiring process of key personnel. The following policy is therefore established to ensure the continued inclusiveness of the Newton City Council in the hiring process of certain department directors.

1. The City Administrator will employ a process by which s/he narrows the field of interested candidates for a department director vacancy. The narrowed field will include four qualified candidates if available. The City Council and City Administrator recognize that in some cases the narrowed field may include more than four qualified candidates or less due to the particular circumstances of each search.
2. The City Administrator and City Council will conduct joint interviews with each of the qualified candidates from the narrowed field.
3. Upon completion of the joint interviews, City Council will make their input known to the City Administrator regarding their opinions on the candidates.
4. The City Administrator continues on with the hiring process, hiring from jointly interviewed candidates with a salary compliant with the City Policy 4.3A Starting Salary, Chapter 4 compensation of the City of Newton's Employee Handbook.
5. The City Administrator has sole authority and discretion to hire the candidate of his or her choice, as set forth in the City of Newton's Code of Ordinance 31.034, bearing in mind that the selection is from the jointly interviewed candidates.
6. The City Council may view any and all resumes submitted for the vacancy at any time.
7. This process does not apply to the hiring of the City Administrator, City Attorney, Library Director, and Water Works Director.

#### **4.4 Compensatory Time Off**

In lieu of paid overtime, a non-exempt employee may choose to accumulate overtime-compensatory time off. In such instances, compensatory time will be accumulated on the basis of 1 and 1/2 compensatory hours off for each hour of overtime worked.

The maximum compensatory time, which may be accrued by a non-exempt employee, is 240 hours.

## 4.5 Garnishments

When so ordered by an authorized court, a portion of an employee's wages must be garnished to meet personal obligations neglected by the employee. Such deductions cause considerable inconvenience to the City as well as to the employee and should be avoided by responsible management of personal finances.

## 4.6 Holiday Pay

All full-time and regular part-time employees will receive their regular pay for scheduled holidays. Holiday pay for regular part-time employees is for regularly scheduled hours for that day. Fire supervisors who work 24-hour shifts and all police supervisors shall receive holiday pay on the same basis as bargaining unit personnel in their department. Supervisors in other departments other than department directors shall receive pay at overtime rates for any actual hours they are required to work on an established City holiday.

## 4.7 Longevity

The following longevity schedule shall apply to all full time non-bargaining unit employees:

<u>Years of Service</u>	<u>Monthly Rate</u>
6	\$15.00
8	\$25.00
10	\$35.00
12	\$45.00
14	\$55.00
16	\$65.00
18	\$75.00
20	\$85.00
22	\$95.00
24	\$105.00
26	\$115.00
28	\$125.00
30	\$135.00

Longevity shall be paid in addition to, and in the same manner as salaries. For purposes of this paragraph, years of service are continuous uninterrupted full time employment with the City.

## 4.8 Overtime

All City employees classified as non-exempt are paid at a rate of 1 1/2 times their regular hourly rate for all hours worked in excess of 40 hours per week.

## 4.9 Pay Day

Payroll checks will be distributed on a semi-monthly basis on the 15<sup>th</sup> and the last weekday of the month. If payday falls on a holiday or weekend, payment is made on the preceding weekday. Weekday is otherwise known as Monday, Tuesday, Wednesday, Thursday, and Friday.

## 4.10 Payroll Deductions

Deductions for mandatory taxes and pension contributions are made from every employee's payroll check. With the employee's authorization, payroll deductions may

be made for City approved deductions. Some of these deductions would include union dues, United Way, deferred compensation, flexible spending, safety shoes, and safety glasses.

#### 4.11 Payroll Direct Deposit

All full-time and part-time employees will be required to participate in direct deposit of their paycheck.

#### 4.12 Reclassification

Reclassification may be made to a class with a higher, lower, or the same maximum rate of pay as the original class. An employee, whose position has been reclassified to a classification with a higher maximum salary, is eligible to receive at least the minimum salary in the higher salary range. Placement above the minimum must be justified. An employee whose position has been reclassified to a classification with a lower maximum salary is eligible to receive no more than the maximum salary in the lower salary range unless otherwise approved by the City Administrator.

#### 4.13 Retirement Benefits

All employees of the City covered by the Iowa Public Employees Retirement System (IPERS) will be entitled upon retirement to benefits as provided by the Laws of the State of Iowa. Accumulation of IPERS benefits occurs over the period of employment. Employee and City contribution rates into the IPERS system are established by State law. Employees leaving City service before retirement may receive a refund of employee IPERS contribution and accumulated interest if requested.

Public Safety supervisor's retirement benefits are provided for and enumerated in Chapter 411 of the Code of Iowa. The salary schedule scale adjustment shall be used for purposes of the police and fire pension adjustment.

#### 4.14 Transfer

A person who is voluntarily or involuntarily transferred to a vacant position must possess the minimum qualifications of the new position. Transfer shall not be used to circumvent the rules and regulations that apply to promotion, demotion, or reduction in salary.

An employee who is transferred to a position in the same pay grade shall receive the current rate of pay, except that an employee who receives an involuntary transfer may also be subject to a salary reduction. A transferred employee's salary shall be the employee's current rate of pay, except that an employee who receives an involuntary transfer may also be subject to a salary reduction.

#### 4.15 Work Week

The normal working schedule for all City departments and employees is a 40-hour workweek, except Fire Department shift personnel whose regular workweek is 56 hours.

#### 4.16 Working Out of Class

1. **Vacancy Because of Resignation, Termination, Death, Leave of Absence**

In the event of a vacancy caused by resignation, termination, death, leave of absence, etc., an employee may be temporarily assigned the duties of a higher position.

The replacement employee shall receive at least the minimum salary of the higher pay range or placed on a step that is approximately 5 percent over the employee's current salary; whichever is more, beginning with the first day that the new duties are assumed.

2. **Short-term Absences**

Employees who replace others because of a short-term absence such as normal sick leave and vacation time, shall be compensated at the out-of-class rate for any time worked beyond two normal workweeks. However, under normal circumstances, employees who function as "assistants" will not receive any additional compensation except as provided for in paragraph 1, above.

3. **Assignment and Acceptance**

An employee may receive out-of-class pay only when the department director designates in writing that the employee is working out of class. An employee may refuse to work out of class.

4. Compensation for working-out-of-class assignments that are outside the normal chain of command shall be determined by the City Administrator.

## V. LEAVES

### 5.1 Family and Medical Leave Act of 1993

In order to ensure that leave policies are applied on a consistent basis, and to ensure compliance with the Family and Medical Leave Act of 1993, the City of Newton has developed the following guidelines and associated forms for administration of Leaves of Absence. These guidelines are to be used in conjunction with the appropriate policy or collective bargaining articles.



As stated within the regulations, the purpose of the Family and Medical Leave Act (FMLA) is to allow employees to balance their work and family life by taking reasonable unpaid leave for an eligible employee's serious health condition, the serious health condition of the employee's child, spouse, or parent, or to bond with the employee's newborn, adopted or foster care child, or active duty in accordance with the Federal law in effect at the time the leave is granted. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

1. Eligible employees shall be provided up to 12 weeks of unpaid, job-protected leave per year. The employee must submit a Request for Family/Medical Leave and be taking the leave for one or more of the following reasons:
  - a. To care for the employee's child after birth or placement for adoption or foster care.
  - b. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
  - c. For a serious health condition that makes the employee unable to perform the employee's job.
  - d. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or has been notified of an impending call or order to active duty in the U.S. National Guard or Reserves in support of a contingency operation.
2. For purposes of the Family and Medical Leave Act, eligible employees shall be those who have worked for the City for at least 12 months; worked at least 1,250 hours during the 12 months immediately preceding the start of the leave.
3. In all cases, applicable paid leave shall be substituted for unpaid leave except that employees may retain 40 hours of vacation and/or 40 hours of sick leave, whichever is applicable. Fire personnel assigned to shift may retain 48 hours of vacation and/or 48 hours of sick leave, whichever is applicable. The leave may be paid, unpaid, or a combination of paid and unpaid depending on the circumstances as specified:
  - a. Birth of a child - An employee taking leave for the birth of a child must use paid sick leave if available for physical recovery following childbirth (typically six - eight weeks). A doctor's note will be required for the period of physical recovery. The employee must then use all other paid leave,

and then will be eligible for unpaid leave for the remainder of the 12 weeks.

- b. Care for newborn child after birth, adoption, or foster care - An employee taking leave to care for a child after birth, adoption, or foster care may use up to 10 days of sick leave if available (in accordance with the Employee Handbook 5.8, and specific collective bargaining articles) and then all other paid leave prior to being eligible for unpaid leave.
  - c. Serious health condition - An employee who is taking leave because of the employee's own serious health condition or the serious health condition of a spouse, child, or parent must first use sick leave (in accordance with the Employee Handbook 5.8 and collective bargaining articles) then all other paid leave prior to being eligible for unpaid leave. A doctor's note will be required for the period of physical recovery. The employee must prove that the use of the leave is medically necessary. The City will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.
  - d. Other authorized leave - If the employee has accrued paid leave the employee must use paid leave first and take the remainder of the twelve weeks as unpaid leave.
4. For purposes of the Family and Medical Leave Act, a year shall be defined as a rolling 12-month period of time measured preceding the first date of the leave.
  5. The employee must provide 30 days advance notice when the leave is foreseeable. When unforeseeable, notice shall be reasonable and practicable.
  6. The City may require medical certification to support a request for leave because of a serious health condition. A fitness for duty certification shall be required prior to return to work. Second or third opinions shall be at the City's expense.
  7. The employee's health coverage shall be maintained by the City during the leave.
  8. Upon return from the leave, the employee shall be restored to his/her original or an equivalent position with equivalent pay, benefits, and other employment terms. There shall be no loss of any employment benefit that accrued prior to the start of the leave.
  9. Administration of the Family and Medical Leave Act shall be in accordance with applicable Federal regulations.

## 5.2 Funeral Leave

A department director may grant funeral leave with no loss of compensation for up to three (3) consecutive calendar days immediately preceding and including the day of the funeral of a family member.

In the event of the death of an immediate family member, an additional seven (7) consecutive calendar days off with pay may be granted. Immediate family is defined as spouse, children, stepchildren, siblings, parents, stepparents, grandparents, grandchildren, in-laws (mother, father, sister or brother), aunts, uncles, nieces, and nephews.

The above leave with pay is intended to cover travel, but in special cases involving unusual travel or other special circumstances, the department director may grant additional leave with pay, not to exceed three (3) consecutive calendar days. This additional leave shall be charged as sick leave.

### 5.3 Holidays

All full-time and regular part-time City employees will receive the following holidays:

New Year's Day	Good Friday
Memorial Day	July 4th
Labor Day	Veteran's Day
Thanksgiving Day	Friday after Thanksgiving
Christmas Day	** One (1) floating holiday
<u>Two (2) Extra floating holidays for Non-Bargaining Employees to be taken and scheduled in the same manner as a day of vacation.</u>	

\*\* The Mayor will determine the date on which the floating holiday will be observed.

Police Patrol supervisors will receive Easter Sunday in lieu of Good Friday and Christmas Eve in lieu of a floating holiday. All other police supervisors will receive the floating holiday, as well as Good Friday.

When one of the above-mentioned holidays falls on a Saturday, the preceding Friday shall be observed as the holiday; when one of the above-mentioned holidays falls on Sunday, the following Monday shall be observed.

When a holiday falls within an employee's vacation, that employee is entitled to an additional regular day off without loss of pay.

### 5.4 Leave of Absence Without Pay

An employee may be granted leave of absence without pay for a period not to exceed 30 days, if said leave is not Family Medical Leave. The employee's request for leave without pay will be considered on the basis of workload and must be approved by the employee's department director and the City Administrator.

### 5.5 Maternity Leave

Accumulated sick leave or unpaid leave of absence will be granted for pregnancy only for the actual period of temporary leave as determined by a physician. Unpaid leave of absence may be granted in accordance with the Family and Medical Leave Act of 1993.

### 5.6 Military Leave

#### 1. Applicability

This policy applies to all City employees qualifying under the provisions of Chapter 29A.28 of the Code of Iowa other than those employed temporarily for six months or less. Included is any full-time employee who is a member of the National Guard, organized reserves, or any component of the military, naval, air forces, or nurse corps of the State of Iowa or the nation, or who may otherwise be inducted into the military service of the State of Iowa or of the United States.

## 2. Procedures

- (a) Employees shall present copies of military orders to his/her immediate supervisor or department director at least ten (10) days before the reporting date, or as soon as such orders are received. Department Director shall report military leave to the City Administrator or his/her designee.
- (b) Where state active duty, state military service, or federal service is for a period of thirty days or less, a leave of absence under this section shall be required for those days that the employee would normally perform services for the city (work days). Military leave may not be carried over from one calendar year to the next; however, the annual 30 calendar days of leave shall be available at the first of the year.
- (c) Military leave shall be paid at the employee's regular rate of pay in effect at the time of the employee's military leave of absence.
- (d) Military leave that exceeds the 30 days per calendar year allotment may be taken with pay if the employee utilizes accrued pre-approved personal vacation and/or compensatory time.
- (e) Military leave that exceeds the 30 days per calendar year allotment may be taken without pay at the request of the employee. This option is guaranteed by the USERRA of 1994 (Chapter 28, US Code).
- (f) Records of military leave usage shall be maintained by the employee's department.
- (g) Copies of all pertinent information concerning military leave should be given to the Payroll/Personnel Assistant to file in employee's personnel file.
- (h) Military Leave usage should be labeled clearly on his/her time sheet.

## 3. Continuation of Benefits

- (a) Pension – Employee's pension is treated as not having incurred a break in service with the employer maintaining a pension plan. Employer is liable for funding its share of the pension plan. Calculation is based on the rate of pay the employee would have received from the employer during the unpaid leave.
- (b) Health Insurance – If employee's health insurance is terminated because of unpaid leave, the employee may elect to continue coverage. If employee elects not to purchase health insurance through the employer, his health insurance will automatically be activated upon return to work.
- (c) Life Insurance/Dependent Life Insurance/Long-Term Disability and Short-Term Disability – Unless otherwise specified, applicable coverage will terminate if the employee is in on unpaid military leave.
- (d) Vacation/Sick Leave Accruals – If an employee is on unpaid leave, there will be no accrual of vacation and sick leave hours.

## 5.7 Paternity Leave

Paternity leave may be used by male employee for absence necessitated by the desire to be with his spouse during childbirth and in caring for his spouse and child. Paternity leave for male employees for absence during labor shall be granted in accordance with the family illness section of the Sick Leave policy. Male employees may be granted up to ten (10) consecutive calendar days off with no loss of pay immediately

following the birth of a child. Said leave shall be charged against the employee's accumulated sick leave. Additional leave may be granted in accordance with the Employee Handbook 5.1, collective bargaining articles, and with the Family Medical Leave Act of 1993.

## 5.8 Sick Leave

All regular full-time employees shall accrue sick leave at the rates and with the maximum accumulations as follows. Sick leave for regular part time employees shall be prorated.

<u>Hours Per Day Worked</u>	<u>Sick Leave Per Month Earned</u>	<u>Maximum Accrual</u>
8 Hours	8 Hours	960 Hours
10 Hours	10 Hours	1200 Hours
24 Hours	12 Hours	1,680 Hours

Sick leave shall be used only for personal illness, personal injury, medical appointments with members of the medical profession, and an injury or illness of a member of the immediate family, which includes spouse, children, brothers, sisters, parents, grandparents, stepchildren and stepparents.

All absences from work chargeable against sick leave should be reported to the employee's supervisor on the day of the absence. Failure to do so may result in a loss of sick leave pay.

Employees not using their sick leave each calendar quarter shall receive a sick leave bonus of \$100.00.

## 5.9 Vacation Leave

Regular full time employees earn vacation at the following rate. Vacation leave for regular part time employees shall be prorated.

<u>Continuous Employment</u>	<u>Days Per Year</u>
Less than 6 Years	11 Days
6 Years	16 Days
13 Years	21 Days
20 Years	26 Days

Fire Department supervisory personnel assigned to work a 40-hour week earn vacation at the above rate. Fire Department supervisory personnel assigned to a shift earn vacation at the following rate:

<u>Continuous Employment</u>	<u>Days Per Year (Hours)</u>
Less than 5 Years	6 Days (144 Hours)
5 Years less than 9 years	8 Days (192 Hours)
9 Years less than 15 years	11 Days (264 Hours)
Over 15 Years	13 Days (312 Hours)

Police Department supervisory personnel assigned to a shift shall earn vacation at the following rate:

After one (1) year	1 week and 1 day
After two (2) years	2 weeks and 1 day
After five (5) years	3 weeks and 1 day
After eleven (11) years	4 weeks and 1 day
After nineteen (19) years	5 weeks and 1 day

For purposes of this Article, a week as set forth shall be defined as five (5) working days based on the current schedule.

Department Directors shall earn vacation at the following rate:

<u>Continuous Employment</u>	<u>Days Per Year</u>
Less than 6 Years	16 Days
6 Years	21 Days
13 Years	26 Days

Employees may accumulate no more than three times their annual vacation accrual amount. Employees are responsible for monitoring the amount of vacation time, which they have accumulated, based on the vacation accumulation information provided on employee paychecks.

Vacations will, so far as possible, be granted at times most desired by employees so long as they do not conflict with the City's operations. The final right to determine vacation periods, and the right to reschedule vacation periods, is reserved exclusively to the employee's immediate supervisor or department director and City Administrator.

When an employee ends employment with the City, the employee will be paid for their vacation leave balance at that time at their last rate of pay.

## 5.10 Voting Leave

City employees who are eligible to vote on an election day, and their work does not allow three (3) consecutive hours of non-working time between the time of the opening and closing of the polls, are entitled to time off from work to vote. Notice must be given to the employee's supervisor prior to taking leave.

## 5.11 Witness or Jury Duty

When an employee is called away for jury duty, which includes time of examination, selection or actual service on a jury or as a subpoenaed witness, the employee is granted leave of absence with pay. However, the pay will equal the difference in wages between the court pay and the employee's regular earnings due for regular working hours absent because of court.

In the event an employee is released from jury duty on any given day, the employee shall report immediately to the department director or immediate supervisor. The department director or supervisor shall determine whether the employee will be required to perform their normal duties on that day.

## VI. INSURANCE

### 6.1 Dental Insurance

The City offers the employee and the employee's family a dental plan. There is no premium cost for this plan to you. The City has the option of choice of insurance carriers and determining levels of coverage.

Regular part-time employees are able to participate in the City's dental insurance program on a pro-rated basis.



### 6.2 Life Insurance

The City will purchase term-life insurance up to the amount of a full time employee's salary (rounded to the nearest \$1,000) with a minimum of \$20,000 provided. Full time employees also have the option of purchasing additional insurance for the employee, spouse, and dependent provided the premium is paid by the employee.

### 6.3 Long Term Disability

Long-term disability coverage shall be provided to all full time employees not covered by the Police and Fire pension system in a benefit amount of 60% of the employee's annual salary (rounded to the nearest \$1,000) with a 90 consecutive calendar day elimination period. Duration of benefits is based on age at disablement.

### 6.4 Medical Insurance

The City provides the employee and the employee's family a Cafeteria Plan, which provides medical choices including a Health Savings Account and an Opt Out option. Depending on the plan chosen, the employee may contribute an amount towards the monthly premium. The City has the option of choice of insurance carriers and determining levels of coverage under these programs.

Regular part-time employees are able to participate in the City's health insurance program on a pro-rated basis.

### 6.5 On-the-Job Injury

In the event of an on-the-job injury for which an employee qualifies for worker's compensation, the City will make up 100% the difference between that employee's normal pay and whatever compensation is provided by worker's compensation for 30 calendar days after the injury and absence from work. In addition to the coordination of compensation sick leave accrual, vacation accrual, uniform allowance, and sick leave bonus benefits will terminate 30 days after the date of injury and/or absence from work.

### 6.6 Pre-tax Option Accounts

The City shall provide pre-tax option accounts as follows:

1. Medical Reimbursement Account
2. Dependent Care Reimbursement Account
3. Pre-Tax Insurance Premium Account

The City shall pay the monthly administration fee for those who sign up for each pre-tax option account. Both Full-time and regular part-time employees are eligible to participate.

### 6.7 Retiree Insurance

Refer to the City's Health Care Plan.

### 6.8 Voluntary Vision Plan

Full time employees have the option of purchasing vision insurance for the employee, spouse, and dependents provided the premium is paid by the employee. The plan provides vision discounts for the participants.

Regular part-time employees are able to participate in the City's vision insurance program.



## Appendix A: Travel Policy

### **SECTION 1 – GENERAL PURPOSE**

Whenever an employee travels on behalf of the City, whether it is for business or training, the policies and procedures stated herein shall apply. It is the expressed purpose of these policies and procedures to provide the employee with reasonable travel accommodations and related expenses, while maintaining a prudent spending policy. It is each employee's responsibility to learn and abide by these rules. The policies and procedures found in this manual supersede all previous policies, directives and rules governing City travel and training.

### **SECTION 2 - GENERAL POLICIES**

All requests for travel and training must be approved by the Department Director. Out of state travel and training requests must be pre-approved by the City Administrator. Employees are expected to seek the most reasonable prices available for lodging, meals and fares, considering location and services. Before training and/or conference travel occurs, the appropriate approvals must be obtained.

Expenses submitted for reimbursement must be accompanied by an itemized receipt for the expense (i.e. meal receipts should be the detailed receipt, not the credit card copy showing only the total spent). Without a proper receipt, the reimbursement may not be approved unless extraordinary circumstances prevail.

Expenses for entertainment, alcohol, hotel room service, non-City employees, including spouses, and for any expense deemed wasteful or extravagant will not be reimbursed. Costs incurred above the applicable expense ceilings will not be paid and are the responsibility of the employee. When traveling in a group, payment and accounting of registration fees, transportation and lodging can be consolidated and reimbursed to one person in the group. Meal expenses should be kept track of individually.

Requests for reimbursements shall be made on the proper forms and include all documentation as required. The forms must be fully completed including a brief narrative on the purpose for the training or travel.

### **SECTION 3 - APPROVALS**

To attend any training seminar or conference requiring travel expense, an employee must first obtain approvals from his/her Department Director.

### **SECTION 4 – REIMBURSEMENTS**

A reimbursement of actual travel expenses must be submitted on the Employee Reimbursement Form within 10 working days of the end of the trip. To receive reimbursement for an eligible expense, the corresponding detailed receipts must be attached. Travel and training expenses eligible for reimbursement include registration, lodging, mileage, public transportation, meal expense and

incidental expenses such as tips (up to 15% gratuity), and parking fees. Reimbursement for meals should include a schedule of dollars spent per day on meals. Ineligible expenses include, but are not limited to, the following: entertainment, alcoholic beverages, hotel room service, delivery fees, gifts, personal calls, hotel room service, laundry, any expense for spouse, dependents or guests, transportation costs or mileage for travel unrelated to City business.

### **SECTION 5 – LODGING**

Employees may request approval from their Department Director to make lodging accommodations for multiday conferences or training that are 50 miles one-way from the workplace. Employees are expected to secure reasonable lodging rates. The employee should compare the hotel government rate vs the standard room rate and select whichever is most cost efficient. (See sections 6 & 7 for per diem lodging rates.) Employees must submit an itemized hotel/motel bill upon completion of the trip. A credit card receipt alone is not sufficient documentation.

### **SECTION 6 – IN-STATE TRAVEL**

Unless another mode of transportation is specifically approved by the City Administrator, all in-state travel will be by either City vehicle or private car. In the case of using a private car, mileage at the current allowable IRS rate will be paid.

The following expense ceilings apply to in-state travel unless pre-approval for a higher amount is given by the City Administrator:

- A. Lodging - \$130 per day
  - B. Meals - \$40 per full day and \$25 per half day (ceiling includes tax and tip)
- Under no circumstances will any one meal over \$25 be reimbursed (including tax and tip).

### **SECTION 7 - OUT-STATE TRAVEL**

All out of state travel must be pre-approved by the City Administrator. Unless time is a critical factor, all out of state travel within five hours driving time will be by car. Air travel will only be approved, in lieu of the car, in those instances where it is deemed absolutely necessary. For car travel, mileage at the current allowable IRS rate will be paid.

The following expense ceilings apply to out-state travel unless pre-approval for a higher amount is given by the City Administrator:

- A. Lodging - \$160 per day
  - B. Meals - \$40 per full day and \$30 per half day (ceiling includes tax and tip)
- Under no circumstances will any one meal over \$30 be reimbursed (including tax and tip).

Travel to a major metropolitan area (population of one-half million or more) unless pre-approval for a higher amount is given by the City Administrator:

- A. Lodging - \$220 per day
  - B. Meals - \$60 per full day and \$40 per half day (ceiling includes tax and tip)
- Under no circumstances will any one meal over \$40 be reimbursed (including tax and tip).

## **SECTION 8 – AIR TRANSPORTATION**

Employees are expected to secure the lowest possible airfares. All air travel will be by coach class. No first class fares will be paid by the City. Any airline tickets purchase should be made well in advance of the travel date, but under no circumstances less than three working days from the date of travel.

## **SECTION 9 – WAGES WHILE ATTENDING LECTURES, MEETINGS, AND TRAINING**

Time spent at conferences and training is considered to be hours worked for non-exempt employees if the training is directly related to the employee’s job and the employee is performing productive work while attending the lecture or participating in the training program. For non-exempt (hourly) employees: Continuing education courses required by the state to obtain or keep professional certifications (e.g. Paramedic, Police Officer Firearms Training, etc.) will not be considered hours worked and will only be paid if authorized by the Department Director prior to attendance of the training.

## **SECTION 10 – WAGES WHILE TRAVELING**

Employees in positions considered non-exempt may be eligible for compensation for the time they spend traveling. The compensation an employee receives depends upon the kind of travel and whether the travel time takes place within normal work hours or outside of normal work hours. Employees not working “normal work hours” (ex: third shift) will convert to this schedule while traveling on City business to insure appropriate and consistent payment.

### **One-Day Trips**

When employees are required to travel to another city, all the travel time involved counts as time worked. The only times excluded are meal periods and the time spent traveling between the worker’s home and point of departure (such as the City office). This is to exclude the normal travel time from home to work before the regular work day begins and from work to home after the workday is over.

### **Travel Time, More than One Day, Within Normal Work Hours**

Any portion of authorized travel time that takes place within normal work hours on any day of the week, including Saturday and Sunday, is treated as “work hours”. When an employee travels between two or more time zones, the time zone associated with the point of departure should be used to determine whether the travel falls within normal work hours.

### **Travel Time, More than One Day, Outside of Normal Work Hours**

Any portion of authorized travel time (with the exception of driving time) that takes place outside of normal work hours is considered to be “outside travel hours”. When a non-exempt employee is required to travel as a passenger in an automobile, plane, or any other mode of transportation outside of normal work hours, he/she will not be compensated for that portion of travel time that takes place outside of normal work hours. When an employee travels between two or more time zones, the time

zone associated with the point of departure should be used to determine whether the travel falls outside of normal work hours.

### **Travel Time as the Driver of an Automobile**

All authorized travel time spent driving an automobile (as the driver, not as a passenger) is treated as "hours worked", regardless of whether the travel takes place within normal work hours or outside of normal work hours. Travel as a passenger in an automobile is not automatically treated as "work hours". Travel as a passenger in an automobile is treated the same as all other forms of travel and compensation depends upon whether the travel time takes place within normal work hours or outside of normal work hours. If an employee drives a car as a matter of personal preference when an authorized flight or other travel mode is available, and the travel time by car would exceed that of the authorized mode, only the estimated travel time associated with the authorized mode will be eligible for compensation.

### **Calculating and Reporting Travel Time**

Employees are responsible for accurately tracking, calculating and reporting travel time on their time sheets in accordance with this policy.

Meal periods should be deducted from all travel time.

If an employee requests a specific travel itinerary or mode that is different than the one authorized, only the estimated travel time associated with the schedule, route and mode of transportation authorized should be reported on the time sheet.

Travel time should be calculated by rounding up to the nearest quarter hour.

Whenever possible, the employee's normal work schedule should be flexed to allow for the compensable travel and training time. For example, if a non-exempt employee who normally works 7:30am – 4:30pm, M-F, is in training for 24 hours during the week and the travel time of 4 hours is deemed compensable by the policy, then the employee has worked 28 hours and their work schedule should be adjusted to allow for the extra travel time.

	Monday	Tuesday	Wednesday	Thursday	Friday
Work Hours	8 hours (7:30am-4:30pm)				4 hours (8am-12pm)
Training Time		8 hours (7:30am-4:30pm)	8 hours (7:30am-4:30pm)	8 hours (7:30am-4:30pm)	
Travel Time *	2 hours (4:30pm-6:30pm)			2 hours (4:30pm-6:30pm)	
Total Paid	10 hours	8 hours	8 hours	10 hours	4 hours = 40 Total

\*Assumes the employee is the driver.

## Appendix B: Vehicle Allowance and Mileage Reimbursement Policy

This policy is applicable to elected officials, full-time, part-time, seasonal employees and volunteers who use their personal vehicles to conduct City business or who drive City vehicles to conduct City business including those who are required to take home City vehicles.

The City recognizes that certain employees need the regular use of a vehicle to fulfill their job duties and responsibilities. The City Administrator assigns the use and responsibility of a City vehicle to employees where their job duties and responsibilities make a vehicle necessary.

Except as otherwise provided for, employees are eligible for mileage reimbursement for the use of personal vehicles for City business. Reimbursement shall be at the mileage rate authorized by the Internal Revenue Service. Mileage is calculated from starting point in Newton to destination and back.

When used to conduct City business, personal vehicles are required to have a minimum automobile insurance coverage for liability of \$20,000 for each person, \$40,000 each accident and property damage of \$15,000. In case of a claim, the private automobile insurance coverage shall be considered primary. The City shall not be responsible for any damage to a personal vehicle. The vehicle allowance and mileage reimbursement include a factor for both liability and collision insurance coverage.

Elected officials, employees and volunteers who use a personal vehicle to conduct City business shall complete the attached insurance statement, which will be retained throughout their service to the City.

Elected officials, full-time, part-time, seasonal employees and volunteers shall operate both City and personal vehicles in a safe, courteous and prudent manner while performing City business including specifically the use of seat belts by both the driver and passengers as well as refraining from the use of cell phones while driving. Employees who operate or who take home City vehicles shall not use the City vehicle to conduct personal business.

### Department Directors and/or Elected Officials

The City shall provide department directors identified in this policy a vehicle suitable to perform job duties and responsibilities or they may choose to receive a monthly vehicle allowance. The vehicle allowance shall be included in the semi-monthly or quarterly payroll check less applicable taxes. Any elected officials or department directors receiving a monthly vehicle allowance for a personal vehicle shall not have use of a City owned vehicle.

The following elected officials and department directors shall receive the use of a City vehicle or a monthly vehicle allowance as outlined below:

Mayor	\$200
City Administrator	\$250
Public Works Director	\$250

Community Development Director	\$250
Community Services Director	\$250
Police Chief	\$250

Elected officials and department directors receiving a vehicle allowance shall be responsible for all insurance, maintenance, oil, lubrication, tires, battery, washing and fuel costs for their vehicles.

Elected officials and department directors who receive a vehicle allowance shall be eligible for mileage reimbursement for all mileage in a personal vehicle for trips on City business, except that no mileage reimbursement will be made for miles driven within Jasper, Polk, Story, Marshall, Tama, Poweshiek, Mahaska, Marion or Warren Counties.

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# Insurance Statement

## Elected Officials, Employees and Volunteers who Drive a Personal Vehicle for City Business

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I, \_\_\_\_\_ (please print name), serving as an elected official/employee/volunteer of the City of Newton, plan to use my personal vehicle to conduct City business as necessary. I certify that I have read the policy and will abide by its provisions. I further certify that I have now and will keep in effect automobile liability insurance equal to or greater than the minimum limits required by the City of Newton policy.

Signature

Date

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