CITY OF PIKEVILLE

Personnel Guidelines

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Scope of Coverage

The following employees of the City of Pikeville are expressly exempt from coverage:

a. All elected officials;
b. All members of Boards and Commissions;
c. City Manager;
d. City Attorney;
e. Consultants, advisors, and counsel rendering temporary services;

These policies and procedures apply to all City employees, except in instances when approved departmental regulations or the Kentucky Revised Statues, supersedes. Police and fire for example, are governed in certain instances by KRS 95 and 15.520. The superseding referred to in this paragraph shall be complete as to all incidents and aspects of the specific policy or procedure set forth in this document.

A superseding approved departmental regulation or statute shall be the exclusive and controlling authority on the subject matter covered therein without regard to anything otherwise provided in this document.

1.1 Equal Employment Opportunity & Affirmative Action Policy 08/22/05

The City of Pikeville does not tolerate a discriminatory work environment. The City recognizes employees on basis of merit alone.

POLICY:

As an Equal Opportunity Employer, The City of Pikeville does not discriminate and expressly prohibits discrimination against employees or job applicants on the basis of race, religion, color, sex, age, national origin, disability, veteran status or any other status or condition protected by applicable state laws.

COMPLAINT PROCEDURE:

Step	Action
1	All complaints should be reported to the City Manager for the development of a plan to investigate and resolve the complaint.
2	City Manager may ask others to assist in the investigation of the complaint.
3	No party should discuss the matter with the employee or applicant who complained unless the employee comes to their supervisor asking specifically to discuss the complaint. At that time the City Manager or employee relations representative must be notified.
4	No one should talk to other employees about the complaint unless you are asked to question an employee as part of the investigation. Remember, employee complaints of this nature are very personal, can affect many lives and should be kept confidential to the greatest extent possible.
5	Once the investigation is complete, if appropriate, the City Manager or employee relations representative will work with the person or employee to resolve the problem and or render a decision.

The City of Pikeville prohibits any form of retaliation against an employee or job applicant for filing a compliant under this policy or for assisting in the complaint investigations.

If the City of Pikeville determines that an employee has discriminated against another employee or job applicant or has provided false information regarding a charge of this nature, action will be taken against the offending employee up to and including suspension and recommendation to the City Commission for the employee's termination from the City.

The City of Pikeville seeks to provide opportunity to all of its employees and applicants for employment and to prohibit discrimination based on race, color, religion, sex, national origin, political affiliation, disability or age. The City promotes equal opportunity in matters of hiring, promotion, transfer, compensation, benefits and all other terms, privileges and conditions of employment, actively pursuing an affirmative action program. Any complaints should be directed to the Personnel Officer.

1.2 EMPLOYMENT PROCESS 04/28/08

The procedures for filling vacancies in positions or additional newly established positions shall be set as follows;

1. **Placement Policy:**
    a. Appointment to a position with the City shall be made only after the Personnel Officer has determined that the person considered meets all qualifications prescribed in the position description for the class in which the appointment will be made.
    b. This policy shall apply to current employees who request a transfer or promotion to a vacant position as well as new applicants for employment or reemployment.

2. **Announcement of Vacant Positions:**
    a. When a vacancy occurs, notices are posted in-house for a period of 3 days in strategic locations. Notices posted shall include position title, pay, summary of duties, position qualifications, and the time limit for applying. Employees who wish to apply for the position must present an updated City employment application form to the Personnel Officer, thereby indicating his/her interest in the vacant position before the ending date of the posting. The Commission may, with the recommendation of the City Manager, fill the vacancy by either promoting current employees or employing a person from outside the organization.
    b. The City Manager may fill the vacant position with a temporary employee until the process is complete and the commission has chosen the person to fill the position.
    c. If the City Manager elects to advertise the vacant position(s), out-of-house he or she may do so either simultaneously with the in-house posting or may wait until the three (3) day in-house posting has ended. When announcing the position out-of-house it will be posted for 5 days from publication. All announcements shall be made in a newspaper of general circulation in the City. All announcements shall include such information as where to apply, deadline for application, pay range for the position, summary of duties and responsibilities of the position qualifications. All written announcements of vacant position(s) shall contain the following statement: "An Equal Opportunity Employer M/F/H."
    d. The City may list vacant position(s) with the local office of the Kentucky Department of Employment Services.

3. **Application for Position:**
    a. Employment application forms supplied by the City and completed by applicants shall include information about the applicant's training and experience and such additional information as required to effectively

evaluating the applicant's ability to perform the duties required by the position.

b. No person may be appointed to a position unless verified information on an official employment application form indicates that he/she meets the qualifications for the position as set forth in the position description.

c. All employment application forms must be signed and dated by the applicant.

4. **Certification of Eligibility for Position:**
   a. The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following:
      (1.) Information the applicant supplies on the official employment application form;
      (2.) Written, performance or physical tests or examinations, or any combination which may be required by the City;
      (3.) Personal interview;
      (4.) Information and evaluations supplied by references given by the applicant; and
      (5.) Other appropriate information as determined.

5. **Americans with Disabilities Act of 1991 Compliance.**
   The City reserves the right to deviate from the employment process described above in appropriate cases in order to meet its obligations under the Americans with Disabilities Act of 1991.

1.3 **Pre-Employment & Employment Physical Examinations, Background Check and Pre-employment Drug Testing** 08/22/05

All offers of employment with the City shall be conditioned upon the completion of drug screening, background check and the completion of a pre-employment physical examination.

Physical examinations must be given by a medical doctor certifying the prospective employee's fitness to perform the essential job functions of the position sought.

A background check will be conducted on all candidates before hiring. The background check must be completed prior to extending an employment offer or if the commission approves an offer, may be made contingent upon a favorable background check. The purpose of the background check is to confirm the accuracy of the information gathered from the candidate and to check the individual's references and criminal history.

A pre-employment drug-test will also be given before a job offer can be official. Please see section 5 of this manual for information regarding this policy.

There are also other testing guidelines for police and fire department personnel. Refer to the police and fire department manuals for the guidelines of the additional testing.

Other required physicals:

The Commission may require any employee to submit to a physical or mental examination by a medical doctor or psychiatrist selected by the City to insure competency to complete assigned duties. Any examination required by the Commission will be for reasons which are job-related and consistent with business necessity.

1. The City shall pay the costs for all required examinations.

Creating a Workplace Free from Harassment and Discrimination Policy

08/22/05

Any form of harassment, including sexual harassment, related to a person's working relationship with the City of Pikeville will not be tolerated.

Policy:

All employees have a right to a work environment free from harassment of any type, including sexual harassment. In compliance with state and federal laws, The City prohibits:

1. Unwelcome sexual advances, request for sexual favors, and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where

   * Submission to conduct is made either explicitly or implicitly a term or condition of employment; or
   * Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
   * Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

2. Offensive comments, jokes, innuendoes, and other sexually oriented statements and behavior.

Complaint Procedure:

Below outlines the compliant procedure to investigate employee or applicant complaints concerning any type of harassment, including sexual harassment. The City of Pikeville prohibits any form of retaliation against an employee for filing a compliant under this policy or for assisting in the compliant investigations.

Step	Action
1	All complaints should be reported to the City Manager, supervisor or employment relations department immediately so that they may develop a plan to investigate and resolve the complaint. Employees are to report sexual harassment allegations, in writing (stating who, what, where and when) promptly (within seven (7) calendar days of the alleged sexual harassment incident) to the City Manager or department head. Should the employee fail to report the allegation in writing, then employee is subject to termination of employment for failure to follow the City's policy. Should sexual harassment take place, we want to know it as soon as possible and to take care of the matter as soon as possible.
2	City Manager may ask others to assist in the investigation of the complaint.

3	No party should discuss the matter with the employee or applicant who complained unless the employee comes to their supervisor asking specifically to discuss the complaint. At that time the City Manager or employee relations representative must be notified.
4	No one should talk to other employees about the complaint unless you are asked to question an employee as part of the investigation. Remember, employee complaints of this nature are very personal, can affect many lives and should be kept confidential to the greatest extent possible.
5	Once the investigation is complete, if appropriate, The City Manager or employee relations representative will work with the person or employee to notify of the outcome of the investigation and work toward resolving the problem and or render a decision.
NOTE:	Allegations must involve action "on site" and "on duty" incidents and while on city business. Allegations while not "on site", "on duty", or not on City business will not be accepted.

1. Sexual harassment is defined as a type of employment discrimination or conduct which includes sexual advances, request for sexual favor or other verbal or physical conduct of a sexual nature prohibited by Title VII of the 194 Civil Rights Act.

2. Discrimination against an employee or applicant because of race, color, creed, national origin, sex, age, marital status, handicap or disability will not be tolerated

Consequences of harassment:

If the City of Pikeville determines that an employee has harassed another Employee or provided false information regarding harassment, appropriate disciplinary action will be taken against the offending employee up to and including their immediate suspension and recommendation to the Pikeville City Commission the termination of the offending employee.

Guidelines:

The following suggestions will help create a workplace that is free from discrimination and harassment.

Follow these guidelines to convey your interest in creating a workplace where each person is treated with dignity and respect and succeeds on the merits of his or her job performance.

Rely on courtesy rather than physical contact. Offer a handshake instead of a hug, an encouraging word instead of a pat on the back.

Be Consistent:

Follow these guidelines to be consistent in your dealings with other employees. Most discrimination complaints stem from the perception of unfair treatment.

- All Supervisors should maintain an open-door policy for all employees who desire counseling or other assistance concerning issues related to work.
- Ensure that all applicants and employees are given full opportunity relative to recruiting, hiring, promotions, demotion or transfer, and other personnel actions.

Inform Employees

All employees should understand and be told they should refrain from the following behaviors:

- Telling jokes that could offend any particular class or group of people.
- Asking anyone about his or her sex life or what happened on a date.
- Making fun of an employee.
- Using terms that could be construed as ethnic slurs or put downs, even if the person to whom you are talking uses the same terms.
- Yelling or engaging in other kinds of public displays of anger, particularly anger directed to a specific employee.

Be Alert:

Everyone should be alert to inappropriate behavior that could offend others. Employees witnessing such acts should follow the reporting guidelines mention in this policy. Supervisors should ensure the behavior is stopped before it becomes a problem.

Following are examples of inappropriate behavior.

- Displaying posters, calendars, etc. that are in poor taste.
- Calling employees inappropriate names or allowing employees to call others inappropriate names.
- Grabbing, touching, or hugging another employee or making sexual comments.

Non-retaliation rule:

Retaliation is not permitted even if the compliant is determined to be unfounded or falsely reported.

- Employees must be free to use this complaint procedure without fear of retaliation from their managers.
- Should there be a complaint, one of the first things the employee relations representative or City Manager will stress to each employee involved in the complaint process, is the non-retaliation rule.

1.5 Personnel Records 08/22/05

1. A personnel file shall be maintained for each City employee by the Personnel Officer. All changes in the status of employees shall be recorded in these files, which shall be retained and maintained in accordance with applicable state and federal laws.

2. The file shall show:
   a. Employee's name, permanent address; and phone number;
   b. Position title;
   c. Completed application form;
   d. Hiring date;
   e. Departmental assignment;
   f. Salary;
   g. All changes in status as a City employee;
   h. Labor standards, EEO-4, immigration requirements;
   i. Whatever additional information these ordinances, other governing laws, or the Personnel Officer requires.

3. Information regarding the medical condition or history of an employee or application for employment shall be collected and maintained on separate forms and in separate confidential medical files subject to disclosure only as permitted by law.

1.6 Orientation of Newly Employed Personnel 08/22/05

1. An orientation shall be made available to all new employees as soon as possible after their first day of employment.

2. The orientation shall consist of the following elements;
   a. Explanation of the purpose and goals of the City;
   b. Overview of the City's history, structure and operations;
   c. Overview of management policies and procedures; and
   d. Other elements deemed appropriate.

3. A copy of the Personnel Policies and Procedures shall be made available to all employees at each work station. A Certificate of Receipt of original Polices and Procedures and any revisions thereof shall be required of all employees subject to these policies.

4. New-hires will be introduced to all City department heads during their first day of orientation.

5. All new-hires will be given a benefit package if they qualify. The Personnel Officer will cover with the employee the benefits package and give the employee a due date as to when the package must be turned in by to qualify for the package. Failure to submit the package on the specified date may render the employee ineligible for some benefits.

6. The new employee's schedule and job description will be discussed. A job description will be signed and a copy given to the employee and a signed copy place in their personnel file.

7. The Personnel Officer will insure that all required state and federal forms are filled out prior to the employee starting any physical work and placed in their personnel file. All required information will then be filed as required with the federal, state and local governments.

1.7 Employment of Relatives 08/22/05

Hiring relatives of employees could lead to perceptions of favoritism, opportunities for possible mishandling of funds, breach of confidentiality, difficulties in managing objectively and/or taking appropriate disciplinary actions.

POLICY:

The City of Pikeville has adopted the policy of not hiring relatives of employees at the same department.

Exceptions: Current employees who are relatives and employed at the same department are grandfathered under this policy. No relatives who are current employees may be transferred to the same department going forward. Any other exceptions would require the approval of the City Commission.

Definition: Relatives

* Parents
* Spouse
* Children
* Brothers and Sisters
* Grandparents
* Members of the employee's household

This provision shall not apply to the employment of family members of officers or employees of different City departments so long as the official or employee family members have no authority to make decisions regarding the employment, appointment, promotion, transfer, discipline or dismissal of any officer or employee of the department in which a family member is assigned. However, no family member of an elected officer of the City of Pikeville shall be hired by the City.

1.8 Probationary Period 04/28/08

1. New employees shall be on a trial basis for six (6) months, with the exception of firemen and policemen which trial basis shall be one (1) year.

2. Any employee who has served on an initial trial period and is promoted from within the city service to a new position shall be on trial in the new position for six (6) months, with the exception of firemen and policemen which trail basis shall be one (1) year.

3. While on initial trial period, an employee may be dismissed at any time without right of appeal. An employee serving a trial period as a result of promotion may be reinstated without right of appeal to the position from which he/she was promoted if it is still vacant or to a position comparable to the one from which he/she was promoted.

4. The trial period may be extended for a class of positions if it is deemed that a longer period is needed to learn the work and evaluate the effectiveness of the work performed.

5. Employee's performance will be evaluated during the first ninety (90) days of employment by the supervisor or department manager.

6. During the first twelve (12) months of employment, a new employee is not allowed to take vacation. Accumulated sick leave may be taken, if necessary, during the trial period. Medical documentation of sick leave taken may be required.

7. Full-time employees are also eligible to apply for hospitalization, dental, surgical benefits and life insurance plans after ninety (90) days of employment.

2. <u>Transfer</u>

Any full-time employee may request, in writing, to the Personnel Officer a transfer from one position to another comparable position provided the position to which the employee is transferred is one for which he/she possesses the appropriate minimum qualifications, and provided that the position applied for is vacant.

A full-time employee will be given all due consideration for transfer; however, if the Commission deems that the best interest of the City lie outside the City service, the position may be filled by appointment of an person from outside the government.

3. <u>Promotion</u>

1. When a vacancy occurs in a position above the entrance level, consideration shall be given to promotion of present employees.

2. Any full-time employee may be promoted from one position to a higher position only if he/she possesses the minimum qualifications for the higher position and the position is vacant. Employee must have held current position for 1 year to submit application for a vacant position.

3. When a vacancy occurs, the names of all persons who qualify for the promotion and have applied with the 3 day in house procedure through the submission of a formal City application shall be received in the Human Resource Department for review. The interview board will conduct interviews and recommend to City Manager, for consideration person to fill position. City Manager will present to City Commission for final approval.

4. Chain of Command: Qualification for Application Process:
Fire Department:

Position	Experience	Previous Position Held
Fire Chief	10 Years	Asst. Fire Chief/Senior Battalion
Assistant Fire Chief	1Year	SR/BC or Battalion Chief
Senior Battalion Chief	1 Year	Battalion Chief
Battalion Chief	2 Years	Lieutenant
Lieutenant	5 Years	Fire Fighter/ EMT
Captain/Fire Inspector	6 Years	Lieutenant

5. Chain of Command: Qualification for Application Process:
Police Department

Position	Experience	Previous Position Held
Police Chief	8 Years	Captain
Captain	2 Years	Sergeant
Sergeant	5 Years	Patrolman

*Experience based on employment in position.

1.9 Reinstatement/Rehire

08/22/05

1. The Commission may reemploy any former employee who has resigned from the City with a satisfactory employment record or who has been laid off because of lack of work or funds.

2. The Commission shall reinstate any employee who has been demoted, suspended or dismissed for a reason prohibited by local, state or federal employment regulations.

1.10 Education Assistance/Career Development 08/22/05

Employees of the City of Pikeville are encouraged to participate in in-service and/or educational programs that will enhance career development. For further information about these programs, full-time employees need to check in advance with the Personnel Officer/City Manager.

1.11 Suggestion System 08/22/05

Employees are urged to submit suggestions for more effective and efficient operations.

There are several methods of submitting suggestions to the City.

Suggestion boxes will be installed and maintained at each City department location. Keys to the box will be kept only by the City Manager. The box will be checked bi-weekly by the City Manager.

A suggestion and concern e-mail link has been set up on the City of Pikeville's web site. The site will allow you to sent your suggestion or concern either with your name attached or anonymously.

Suggestions may also be submitted to the supervisor who shall forward them to the City Manager for consideration.

Employees submitting suggestions with their name attached will receive a response and those ideas implemented will receive recognition at the time of the suggestion's implementation.

1.12 RETIREMENT 08/22/05

The City does not have a mandatory retirement age for its employees. However, statutory requirements may mandate retirement at a specific age as with police or firefighters.

1.13 LAYOFFS (REDUCTION IN FORCE) 08/22/05

1. The Commission may lay off an employee or employees because of lack of work or funds. The order of layoff shall be determined by the needs of the City.

2. Consideration shall be given to both the seniority and merit of persons being considered for layoff.

3. Temporary, seasonal and employees on a trial period shall be laid off before full-time employees within class (es) affected by layoff.

4. The Commission shall notify the employee (s) of the layoff in writing as soon as possible prior to the layoff. The notice shall explain the reason(s) for and duration of the layoff (if known), and a copy of the notice shall be placed in the employee's personnel folder.

5. An employee who has given satisfactory service and is laid off shall be eligible for reemployment in other positions; provided that he/she meets the qualifications for the position and that the position is vacant.

1.14 City Employment At-Will Policy 10/13/08

All City of Pikeville employees are “at-will” employees. This means that there is no contract of employment, express or implied, and that either the City of Pikeville or the employee is free to terminate the employment relationship at any time, with or without cause. City of Pikeville’s “at-will” employment policy may only be varied by a specific written agreement that is entered into the signed by the City Manager and an individual employee. Therefore, nothing contained in this handbook or any other document provided to employees shall be relied upon or interpreted to form a contract binding upon the City of Pikeville regarding any benefit, policy, procedure, or other term or condition of employment.

1.15 EMPLOYEES ON STRIKE 01/26/09

Any employee participating in a concerted work stoppage, strike or picketing action against the city which interferes with the operations of city government or the employee's functions as a municipal employee shall be considered to have voluntarily terminated his employment with the city immediately upon such action. No notice shall be required by the city to that employee. The City Manger shall determine whether the actions of the employee shall be construed as participating in a concerted work stoppage, strike, or picketing action, subject only to review by the Board of Commissioners.

1.16 City of Pikeville Public Information Officer 01/09/12

The Public Safety Director will serve as the Public Information Officer for the City of Pikeville Police and Fire Departments. All media releases will be done by or coordinated by the Public Safety Director, unless he is not immediately available. In this case, the on duty supervisor for either department will take care of or appoint a spokesperson.
The following is a list of responsibilities of the Public Safety Director:

1. Respond to any scene that could require PIO functions and perform them on scene.
2. Prepare any written Press Release and get appropriate screening by the on duty supervisor.
3. Distribute written Press Release to media outlets.
4. Coordinate any on air interviews to be done by responders.
5. Update any social media outlets for both departments.

The Public Safety Director will also update City leadership on any pending media activity by either Phone or Email.

2.1 Compensation Policy 06/22/09

Purpose:

The City of Pikeville strives to recommend fair and competitive ranges of compensation for all employees. The total compensation package at the City consists of pay programs and benefit package.

Full Time Employees Benefits Package:

The benefits package is a significant part of total compensation package for full-time employees and includes:

- Group health insurance
- Retirement plan
- Vacation
- Personal days
- Holiday pay
- Family medial leave
- Sick & funeral leave
- Worker's Compensation
- Unemployment insurance
- Etc.

MINIMUM SALARY

Newly employed personnel shall receive the minimum salary for the class to which the position is allocated as outlined in the city "Position Pay Chart". The City Manager may recommend appointment to be made at a salary above the minimum based on number of years of experience for a class for the following reasons:

- In cases of unusual difficulty in filling the position;
- In hiring exceptionally qualified personnel; and/or
- Applicant has several years of experience in the same field.

Note: When a new employee enters a class at a salary above the minimum, documented justification for the higher salary shall be required prior to the actual appointment.

ANNUAL COST OF LIVING INCREASE

1. An annual increment of two percent (2%) of the base salary or wages of each city employee shall be granted to each employee July 1 2009 being the first day of the city fiscal year. The employee's base salary or wages shall be increased by the amount of the annual increment. When an increment due to a promotion, reallocation, reclassification

or salary adjustment is granted an employee, the employee's base salary or wages shall be increased by the amount as outlined in the city pay charts based on years of service with the city.

2. Employees on their 10th year anniversary and again on their 20th year anniversary will be given a 5% increase of their hourly rate on their anniversary date. However as stated in paragraph 4 below, the employee will NOT then qualify for a Cost of Living increase, if one is given, in the same year they are granted the 5% increase on their 10th or 20th year anniversary.
3. The City Commission will review the annual budget and in the case of budget shortfalls or a financial hardship the commission by motion may elect not to grant the cost of living increase in any given year.
4. All employees will follow the city "Position Pay Chart" step guidelines. If in any fiscal year an employee is granted an increase based on the city's "Position Pay Chart" guidelines that employee will only be granted the step rate increase and will not qualify for a cost of living increase in that same fiscal year.
5. The City "Position Pay Chart" pay steps intent is to stay at the same rate without the city commission formal approval to adjust.

2.2 Employment and Job Classifications Policy 08/22/05

The City of Pikeville determines employment classifications based on the staffing needs of each department. Employment classifications determine the number of normal work hours and the employee's eligibility for benefits.

Full-time Employees:

- Normally work more then 35 hours a week and more then 1,800 hours each fiscal year.
- Are generally paid every two weeks
- Are eligible for full range of benefits.

Part-time Employees:

- Normally work fewer then 30 hours per week and or fewer then 1,500 hours each fiscal year.
- Are generally paid on an hourly rate.
- Are not eligible for benefits

Independent Contractors:

An independent contractor is a self-employed business person who performs some specialty work, such as building repairs. Independent contractors may be used for some projects.

Generally, the City cannot pay employees as independent contractors even if they come to the office during off-hours to perform duties dissimilar to their regular work.

Note: An independent contractor is not an employee and not paid through payroll.

Jobs are also classified according to the type of work performed.

Classification	Work performed
Non-exempt	Employees are paid overtime for all hours worked more than 40 in a normal work week.
Exempt	Directors, Managers, City Administrators are exempt from overtime pay.

2.3 Paydays, Paycheck & Direct Deposit Policy 08/22/05

Employees are entitled to be paid on a timely basis and accurate manner. It is our obligation to ensure this takes place in compliance with federal and state laws.

Full and part-time employees with the City are paid every two weeks. If a payday falls on a City observed holiday, employees will usually be paid on the business day before the holiday.

All required deductions such as federal, state, local taxes, retirement and hospitalization are automatically withheld from employees' paychecks.

Direct Deposit:

All employees hired after July 1st 2004 must use the City's Direct Deposit option for their paycheck.

During the first day of employment the new employee will be asked to present a blank VOIDED check from the account or accounts the employee wishes their check to be deposited.

Employee will receive a check-stub each payday showing the amount earned and all their deductions.

All employees hired prior to July 1st 2004 are strongly urged to use the Direct Deposit option.

2.4 Recording Work Hours Policy 01/09/12

The City of Pikeville is required by federal and state laws to keep accurate records of work hours for all non-exempt employees. These records include hours actually worked and leave time taken. Actual hours worked must be accurately recorded on the time report.

WORKWEEK non-exempt:

1. For payroll purposes, the workweek shall begin and end on Saturday at midnight.

2. The City may change the official workweek at any time, but not to avoid overtime provisions.

Non-exempt employees are responsible for keeping an official daily record of time worked by utilizing the time system as provided and/or by submitting any leaves or absences on a Daily Time Slip or Time Report to their supervisor.

It will be each department supervisor's responsibility to review all time reports of the employees within their department and to submit them to the Human Resource Director by Monday, 10:00 am from the previous work week.

What to include of each non-exempt employee:

1. The actual time when an employee:

- Began work.
- Went on lunch break and began work again after lunch break.
  Note: Time taken for lunch is unpaid unless employees are required to be at their workstation or are not completely relieved on their duties. All employees must follow State Labor Law for lunch periods.
- Left work for the day.
- Attended any meeting or class outside work hours if the attendance was required by the City.
- Left and returned during the workday for an appointment or function not related to work; such as a doctor's appointment.

2. The actual time when an on-call employee:

- Was called out to work and when the employee completed call-out assignment

Note: Employees on call are paid only for actual hours worked unless the on-call duty was so restrictive as to limit normal after-hours activities.

3. The reason for any absence for a full or partial day, such as a holiday, sick day, vacation day, military leave or jury leave and their doctor's excuse if required.

WORKWEEK Exempt:

1. For payroll purposes, the workweek shall begin and end on Saturday at midnight.

2. The City may change the official workweek at any time.

Exempt employees are responsible to work a minimum of a 40 hour work week unless otherwise approved by the City Manager. A 40 hour total may be accumulated by utilizing hours worked along with other approved time off such as vacation, sick, comp, personal or leave days. All time worked from the previous week MUST be reported to the HR Director weekly no later than Monday, 10:00 am. Failure to have all hours reported, or inaccurate time through utilization of the time keeping system, shall be a violation in policy. The result in non-reporting accurate time may result in an employee not receiving accurate pay that is due during that pay period.

Exempt employees are responsible for keeping an official daily record of accurate time worked by utilizing the time system as provided and/or by submitting any leaves or absences on an approved Time-Off Request sheet to the City Manager and HR Director. Unless approved by the City Manager, all Exempt Employees shall accurately punch the time clock as provided for each shift worked. The only exemption is if the employee is out of town on city business, at which a Time-Off Request sheet shall be submitted to accurately record this time.

It will be each department supervisor's responsibility to review all time reports from the previous work week and to submit them to the Human Resource Director by Monday, 10:00 am.

An employee, per policy, who works and accumulates time such as Comp Time or Full Day worked time must report this time worked by Monday at 10 a.m. the following week. Failure to comply with policy will result in the employee forfeiting this time. The only exception, with City Manager approval, is if the employee is sick or traveling on city business and is unable to report said time by Monday at 10:00 am. However, the employee must report with City Managers approval the next day the employee works.

What to include of each Exempt employee:

4. The actual time when an employee:

- Began work.
- Went on lunch break and began work again after lunch break.
  Note: Time taken for lunch is unpaid unless employees are required to be at their workstation or are not completely relieved on their duties.
- Left work for the day.
- Attended any meeting or class outside work hours if the attendance was required by the City and attach agenda (this shall also include travel time).
- Left and returned during the workday for an appointment or function not related to work, such as a doctor's appointment.

The reason for any absence for a full or partial day, such as a holiday, sick day, vacation day, military leave or jury leave and their doctor's excuse if required

2.5 Overtime Pay Policy 01/08/07

1. In order to determine whether an employee will receive overtime pay for hours worked in excess of forty (40) hours per week, each class shall be declared "exempt" or "non-exempt" in accordance with provisions of existing labor laws. Exempt employees shall not receive overtime pay; non-exempt employees shall receive overtime pay at the rate of one and one-half (1-1/2) times the hourly rate for actual hours worked in excess of 40 hours in any work week.

2. Time off with pay (such as vacation or sick leave) may not be considered as hours worked for overtime pay purposes.

3. Overtime work shall be approved in advance by the employee's immediate supervisor whenever possible, and shall be kept at the minimum consistent with maintenance of essential services and the City's financial resources.

The City may be assessed a penalty for non-compliance with this policy by the state that would include:

- A penalty of up to $1,000 per violation may be assessed against a business that repeatedly or willfully violates the overtime wage and hour laws.
- The Department of Labor can require back wages be paid to all affected employees and can institute an audit of all City employees.

Supervisor's role:

As a City supervisor you are expected to:

- Manage your staff's workload to avoid the need for overtime.
- Ask City Manager for authorized overtime only when unavoidable.
- Make sure all overtime hours are properly recorded.
- Make sure all non-exempt employees are properly paid for overtime hours worked.

Examples:

Overtime does not occur until an employee works more than 40 hours in a week. Key holiday pay is considered hours worked for the purposes of computing overtime. Use the final Time Report as the basis for determining how much overtime pay is due an employee.

Counted as hours worked	Not count as hours worked
• Lunch period if the employee works at the time while at lunch or must be available during lunch. • Waiting time • Driving time when the employee is called out for after-hours emergency work and after the employee reports to work	• Paid vacation days • Paid personal holidays • Paid or unpaid sick days • Unpaid family and medical leave • Funeral leave • Worker's Compensation leave • Disability leave • Paid or unpaid jury duty • Normal lunch period • Hours when an employee is designated as the on call representative but has not been called out to work • Driving time to and from work

Hours worked on key holidays are paid at the overtime rate. Key holidays include Thanksgiving Day, Christmas Eve after 6 pm, Christmas Day and New Year's Day.

If an employee works unauthorized overtime, insist the overtime be immediately reported on the Time Report. Then find out why the employee worked overtime without advance approval. All hours actually worked must be paid. The following chart will help you handle situations involving unreported or unauthorized overtime.

If overtime was	And…	Then…
Necessary	The employee had an adequate way to obtain advance approval,	Thank the employee for doing the work. Remind him or her that advance approval is necessary in the future.
Necessary	The employee had no adequate way to obtain advance approval,	Thank the employee for using good judgment on behalf of the City.
Not Necessary	The employee had an adequate way to obtain advance approval,	Explain that not obtaining advance approval is a violation of overtime policy. Determine whether the violation requires corrective action

2.6 Workforce Changes Guidelines 08/22/05

1. Reclassification of an employee's position from one class to another of a comparable pay grade shall effect no change in salary for the employee.

2. An employee whose position is reclassified from one class to a higher class shall enter the higher class at its minimum salary. If the minimum is lower than, or the same as, his/her salary at the time of the reclassification, he/she shall retain at least the present salary.

3. If the employee's salary is the same as the minimum, the City Manager shall determine what salary to recommend for the employee in the reclassified position.

4. An employee whose position is reclassified from one class to a lower class shall:
    a. Retain that salary if his/her salary at the effective date of the reclassification does not exceed the maximum salary for the lower class; or
    b. Receive only the maximum if that salary exceeds the maximum.

5. Whenever a recommendation that a position be reclassified to a class that requires a higher salary is presented to the City Commission, an estimate of the financial implications shall accompany the recommendation.

6. In the event that an employee enters a higher class by promotion, the salary in the higher class shall be the minimum salary for that class unless the minimum is lower than, or the same as, the salary at the time of promotion. In this situation, the City Manager shall determine what salary the employee shall receive with the pay range of the higher class.

7. If an employee is demoted, he/she shall be paid no more than the maximum amount in the grade to which the new class is assigned

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8. When an employee transfers from a position in one class to a position in an equivalent class, the transfer shall effect no change in rate of pay.

When an Employee Leave Employment with the City 08/22/05

Employees who leave the City should understand their benefits and obligations to the City regardless of the reason for leaving.

Final Paycheck:

Notify the Payroll Department immediately to ensure final payment.

When an employee leaves the City for any reason he or she:

- Receives a final paycheck on the next regular payday or in accordance with state law.
- Is paid for earned but unused vacation if the employee has at least one year of service. All insurance premiums due in the month termination are withheld from the final paycheck.

Insurance Benefits:

Some insurance coverage and benefit payments may continue after an employee's last day of employment.

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), terminated employees and their dependents that are previously enrolled in our health plan may purchase continuation of health insurance coverage at full cost for up to 18 months.

2.8 How to assist Employees Who Leave the City as Employment: 08/22/05

When an employee leaves the City for any reason, it is important that all aspects of his or her employment are finalized as soon possible. This will enable the City to concentrate on filling the vacant position.

Process Overview Chart:

The following table outlines the process for assisting an employee who leaves the City's employment.

Stage	Description
1	Notify the Payroll Department immediately of the termination or retirement.
2	Determine the employee's last day of work.
3	HR will complete and submit an Employee Status Form immediately and have City Manager sign
4	Arrange for final paycheck issued by the Payroll Department.
5	Refer the employee to the HR department for answers to any benefits questions.
6	Review all employment agreements with the employee and provide copies to the employee
7	Retrieve all City property, uniforms and equipment

Voluntary resignation

If an employee voluntarily resigns:

- He or she should complete a resignation notice.
- Decide whether you need to have the employee leave immediately for reasons of security, morale or confidentiality. You might want to consider paying the employee two weeks pay in lieu of notice. If so, contact Human Resources Director for preparation of an agreement and release to tie to the notice payment.

Involuntary termination

In the event an employee has violated a policy and needs to be considered for termination, the City Manager must be notified immediately. If the City Manager is not available then contact the City Attorney. If neither is available, then send the employee home until the City Manger can be reached. The City Manager will then decide whether or not to follow the recommendation for dismissal guidelines mentioned in another chapter of the policy manual. The City Commission has the final decision on whether or not an employee will be terminated from the City.

2.9 RESIGNATIONS 08/22/05

1. Any employee wishing to resign should inform his/her Department Director of the intended resignation as soon as possible after the decision is made. The notice shall be in writing, and shall include the effective date of the resignation.

2. An employee's resignation and its attending reason, if noted, shall be recorded in the employee's personnel folder.

3. The employment date of an employee who resigns and is rehired will be the last date of employment.

4. Any employee who is absent from work for three (3) consecutive days without notifying his/her Department Director of the reason (s) for the absence shall be considered to have abandoned the job and will be terminated from employment with the City.

2.10 OVERTIME COMPENSATION 01/09/12

Exempt Employees may earn compensatory time and is accrued at their regular hourly rate of pay for exempt eligible employees for time physically worked in excess of the regular forty (40) hour work week.

Comp Time Accrual: Exempt personnel may accrue a maximum of 40-comp time in a one year period.

Workweek/Workday Defined: Employees in exempt salaried positions are expected to work a minimum of forty (40) hours weekly, consisting of five (5) consecutive workdays of eight (8) consecutive hours each day with a scheduled unpaid one-half (1/2) hour lunch period. (This is a minimum, employees based on a exempt position is permitted to work more than 40 hours as the job responsibility may require). Depending on the department mission, a different office start time may be designated.

Compensatory Time Off:
Employees may not exceed a total (80) hours of compensatory time in any given year. Its use shall be governed as follows:

A. Exempt employees may choose to take equal time off for compensatory time earned as long as the time was approved and comp time off is scheduled and approved by their direct supervisor and HR Director or City Manager. Attending regular City Commission meetings will not count towards compensatory time since this is a function of all exempt salary positions. Special Called Commission Meeting may count towards comp time.

B. Compensatory time may be banked to a total of two (2), forty (40) hour weeks for a total of up to 80 hours maximum within any calendar year. If an employee chooses not to use a complete 40 hours of their banked hours as time off then they would have the option to request, after achieving a total of forty (40) hours in a calendar year, to sell back 30 of the hours at the rate of time and a half of their current hourly pay rate. If an employee has earned (80) hours in a calendar year, with approval they may sell back 60 of the hours at the rate of time and a half of their current hourly pay rate. The remaining 10 hours of each week sold back will be forfeited back to the city. In order to exercise the sell back option of the 40 or 80 hours the employee MUST have earned the total of 40 or 80 hours and have not used any of their compensatory time in the calendar year in order to qualify for the sell back option. An employee would have the option to take all time off up to 80 hours earned if they choose not to use the sell back option. They may also split the week and sell back 40 hours and take the remaining hours past 40 hours as time off up to an additional 40 hours for a total of 80 hours in a calendar year. Employees may not bank any additional hours or take time for the remaining of that calendar year. The City Manager or HR Director must approve any employee wishing to exercise the sell back option to ensure they have met the mentioned criteria.

C. Compensatory time off may be taken in increments of not less than two (2) hours at a Time approved by the employee's immediate supervisor and will not be unreasonably denied.

D. Compensatory time off will not interfere with the performance of department services.

E. Accumulated compensatory hours shall be transferable from one department to another due to the transfer of an employee.

F. Annually, as of the last pay period of the calendar year, accumulated unused compensatory time that has not been used will be forfeited and not carried over. Exceptions based on circumstances may be considered by the Human Resource Director and approved by City Manager.

Compensatory Time Approval:

To qualify as compensatory time the following guidelines must be adhered.

A All Exempt Employees must submit in writing to the City Manager and copy the HR Director any request of compensatory time for it to be official approved.

B. All Exempt Employees must receive approval in writing back from the City Manager before compensatory time is authorized. Failure to have such approval will result in the forfeiture of receiving the benefits of compensatory time as outlined above.

C. If an Exempt Employee is asked or required to work a complete 8-hour or greater full shift on an unscheduled workday during any normal workweek then that employee will be allowed to take another full day off within the next 180 days of the full day worked to be compensated for the full-unscheduled day worked. However if the employee wishes to use this day as part of their compensatory time then with city manager's approval they may be allowed to do so. If they choose not to request it as compensatory time then this will not be counted as compensatory hours but instead will be part of the normal workweek in order to meet their required 40 hours. The stipulations are it must be a full 8 hour or longer work day to qualify. However if an exempt Employee wishes to do neither with the City Manager's or HR Director's approval the Exempt Employee may submit a request to be paid for the full day or days worked at their normal hourly rate of pay above their regular paid time. This payment will not qualify for overtime since this option is for exempt employee only. Regardless if an employee works greater than 8 hours on an unscheduled day, they will only be paid for 8 hours and will forfeit any time greater than the 8 hours worked on that unscheduled day. If the exempt employee wishes to be paid for this time the request must be made during the week worked as part of the normal reporting process. Failure to do so will result in the employee forfeiting this option. To qualify for this option the employee must have worked a normal 40-hour workweek plus their unscheduled Day or Day's. Personal, vacation, sick or any other time off during that week would disqualify an employee from this option.

Note: If the employee has earned any current accrued time prior to the adoption of this policy the exempt employee may exercise a onetime option to request payment for any of this time earned. The request must be made prior to September 15th 2011. Going forward any time for this option must be made in the week it is earned as described above.

3.1 Holiday & City Hall Closing 02/16/11

All full-time employees who have completed thirty (30) days of employment shall receive eight (8) hours pay at the regular rate of pay for each holiday.

Holidays include:

a. The first day of January plus one (1) extra day December 31st
b. The third Monday in January (Martin Luther King Day)
c. Good Friday
d. The last Monday in May (Memorial Day)
e. The Fourth of July (Independence Day);
f. The First Monday in September (Labor Day);
g. The eleventh day of November (Veteran's Day)
h. Four (4) hours on Election Day (KRS 118.035) and or all day on Presidential election (KRS 2.190)
i. The fourth Thursday in November (Thanksgiving Day); plus one (1) extra day (Friday after Thanksgiving)
j. The twenty-fifth (25th) day of December (Christmas Day) plus (1) extra day twenty-fourth (24th) day of December (Christmas Eve)

2. In addition to the above, any day or a portion thereof may be designated as a holiday by order of the Commission. Police and fire personnel whose work schedules require work on any of the above listed holidays will receive holiday pay of eight (8) hours at the regular rate of pay in addition to the regular rate of pay for the holiday worked.

3. When any holiday listed above falls on a Saturday it will be observed on the preceding Friday. When any holiday listed above falls on a Sunday, it will be observed on the following Monday.

4. Any employee~~s~~ who works on an approved holiday shall be compensated for actual hours worked at the regular rate. The employee must inform his/her supervisor of his/her choice prior to working the holiday. The supervisor shall seek the approval of the Personnel Officer or City Manager for the arrangement of the schedule.

5. Holiday pay is at the regular rate.

6. In order to be eligible for a holiday with pay, an employee must work the day before and the day after, with the following exceptions:

a. If an employee is on vacation or approved personal day, he/she will be paid for the holiday and have vacation or personal leave extended one day.

b. If an employee is absent because of illness on the day before or after a holiday, the absence on the holiday will be charged against his/her sick leave, the employee will not be paid for the holiday. A medical certificate may be required for sick leave absence.

7. City Hall will be closed on the Thursday & Friday of Hillbilly Days each year. This is NOT a holiday of Employees. ALL Employees will be required to work the Thursday and Friday and Saturday of the event downtown to assist with the festival in whatever capacity the City Manager assigns. There will be no vacations, holidays or a personal day scheduled during the event, unless there is an emergency and the City Manager approves. Any employee calling in sick during this event will be required to have a doctor's excuse to be excused and paid sick time.

If the employee is hourly and works the Saturday the City Manager has the option of either giving that employee another day off during that scheduled week or allow the employee to work and pay overtime as required under federal wage and hour's law. If the employee is Salary the City Manager may allow that employee to take equivalent time off equal to the total hours worked above their normally scheduled time during the full event over the 4 day period. This must be taken within the next 120 days to follow. Salary employees instead of taking the time off may have the option to bank these extra hours as part of the comp time total.

3.2 Personal Holidays 7/13/09

The City of Pikeville provides full-time employees with paid days off for personal reasons.

Days are accrued as followed:

On July 1st of each year City of Pikeville employees will be granted 3 personal days to be used during that fiscal year.

- No employee can take their personal days until they have been employee with the City of Pikeville for a minimum of 90 days.

- Employees who are hired after July 1st of each year will earn a pro-rated amount of personal day as shown in the chart below.

Hire date between	Personal Days per year
July thru September	3 – 8 hour days
October thru December	2 – 8 hour days
January thru March	1 – 8 hour days
April thru June	0

- Employees may earn two additional personal days each year, as well, for a total of 5 – 8 hour days. One additional day may be earned at the end of December and the other at the end of June in each fiscal year. To qualify for the two addition days an employee must not have used a sick day for that pay period ending per fiscal year calendar. Example: For the first additional day: if an employee has not called in any between the first pay period recorded in July and the last pay period recorded in December, they will earn their 4th – 8 hour personal day for that year. Then, if an employee does not call in between the first pay period recorded in January and last pay period recorded in June, they will have earned a 5th – 8 hour personal day. The 5th day may be sold back to the city (as outlined below) or rolled over to the next year. The 5th earned day is the only day that may be rolled over to the following year.

- Employees hired after July 1st each year must work at least 90 days in the specified period as outlined in the paragraph above. To earn the extra day for that period if they meet the qualifications as explained.

- Fire Department Personnel Prevision:

Due to payroll structure, each fire department employee working the 24 on - 48 off shift, under the two additional days off prevision, can earn 2 – 12 hour days instead of 2 -8 hour days. This is to compensate due to overtime. If a fire department employee earns all personal day credit they can earn a total of 48

hours for the year. This is broken down as follows 3 – 8 hour days given and 2 - 12 hour days earned.

Sell Back Option:

- At the end of the fiscal year an employee has the option of selling back all their unused personal time.
- Employees would receive payment on their first check in the new fiscal year that did not overlap with the previous year.
- An employee would not qualify for the sell back option if they have used more than 24 hour of sick pay in that fiscal year.
- Employees must have taken all their personal days by the last pay period of the fiscal year. Any days not taken will be forfeited if not qualified to use sell back option per this policy.

Restrictions:

- Paid personal days can be used only after the employee has completed 90 days of employment.
- Employees may not take personal days until they are earned.
- Unused personal days are not paid if the employee is separated from employment.
- Unused personal days would be lost if an employee has not used them by the end of the fiscal year and did not qualify for the sell back option
- Employee must work their scheduled day before and after in order to qualify for their personal day.
- Paid time off for a personal day does not count as time worked for the purpose for calculating overtime.
- Employees must give a minimum of 14 days notice to schedule a personal day off unless an emergency and with their supervisor's approval.
- Each personal day MUST be approved by the appropriate supervisor to be an approved day off.

Supervisor Responsibility:

- Ensure proper notification is given before a personal day is scheduled
- Ensure all restrictions are followed
- Ensure program is not abused
- Communicate program so that every employee understands guidelines

3.3 Vacation (Annual Leave) 11/28/11

Annual / vacation leave is important to employees' health and well-being to provide rest and change of pace.

1. Vacation time schedule as listed below

   a. All police officer pursuant to KRS 95.970 shall be entitled to vacation leave at the rate of:

City Service	Earned Vacation	
1-10 Year	3 Week	120 Hours
10-15 Year	3 Weeks 3 days	144 Hours
15 Years+	4 Weeks 1 day	168 Hours

   b. All full time employees, except sworn police officers (pursuant to KRS 95.970) shall be entitled to vacation leave at the rate of:

City Service	Earned Vacation	
1 Year	2 Week 2 days	96 Hours
5-9 Years	3 Weeks	120 Hours
10-15 Years	3 Weeks 3 days	144 Hours
15 Years +	4 Weeks 1 day	168 Hours

   c. City Manager shall be entitled to vacation leave at the rate of:

City Service	Earned Vacation	
1 Year	2 Week 2 days	96 Hours
2 Years	3 Weeks	120 Hours
5 Years	4 Weeks	160 Hours
7 Years+	5 Weeks 2 days	216 Hours

2. For accrual purposes, a new employee who reports for work on or before the fifteenth (15th) of the month shall accrue the full amount for that month; if employed on or after the sixteenth (16th), a new employee shall begin accruing vacation leave the beginning of the following month. Vacation entitlement is earned at the rate of one-twelfth (1/12) of the applicable amount of which of service. A full year continuous City service is measured in terms of an employee's anniversary dates of employment.

3. Employees on a trial period as a result of promotion may take accrued vacation leave and will continue to earn vacation based on the scheduled mentioned under paragraph 4 based on their anniversary date.

4. Insofar as possible, vacation leave should be requested one month in advance; vacation leave may be disapproved if the employee's services are required at the requested time.

5. When a former employee is rehired, the person shall be considered a new employee for vacation leave purposes unless special consideration is granted by the commission.

6. Employees absent because of sickness, injury or disability may use accrued vacation leave only after accrued sick leave has been exhausted.

7. Employees who have earned more than two weeks may sell back additional vacation time in full 1 week increments only. Example: If an employee has earned 3 weeks they may sell back a full 40-hour 3rd week at their current hourly rate at that time. If an employee has earned 4 weeks they must keep and take time off for the two weeks, but may sell back the 3rd and/or 4th weeks earned at their discretion. Again, all time must be sold in full 40-hour 1 week increments. (Employees MAY NOT sell back a day or hours or anything smaller than 40 full hours) All requests for vacation sell back must be approved by their department's manager, City Manager or HR Director.

8. Accrued vacation leave shall be limited to the number of weeks/hours in place at the beginning of anniversary date. Vacation accrued during the twelve month period between an employee's anniversary date may only be taken during the succeeding twelve-month period.

9. The HR Director shall insure that accurate records are kept for vacation leave allowance, vacation leave taken, and the current accrued leave for each employees; vacation leave taken shall be limited to the current balance.

10. Employees must be on the active payroll and work at least sixteen (16) hours in any month to earn vacation credit.

11. Employees may not carry over vacation from one year to the next year. Vacations in one year may not be scheduled to adjoin vacation in the following year unless approved by the city manager. Vacation not taken within the allotted time shall be forfeited unless prior approval is given by the City Manager to carry over.

12. Should the City or the employee terminate the employee's employment, the employee shall receive pay for all accrued but unused vacation applicable to the employee for the year within which termination occurs. There shall be no payment in lieu of accrued vacation applicable to the year following the year within which termination occurs.

3.4 Sick Leave 06/08/09

Sick leave is provided so that an employee will not be seriously handicapped financially if he/she is unable to work because of illness. Sick leave is not to be regarded in the same manner as annual vacation leave. Sick leave **is not** an entitlement even though the provisions may sound similar. Sick leave abuse can be cause for dismissal.

1. All employees occupying full-time positions shall receive eight hours sick leave credit for each month of service.

2. Sick leave credit may be utilized by employees when they are unable to perform their duties because of sickness or injury, medical, dental, optical, examinations and/or treatment; when they are quarantined, or when their absence from work is required due to sickness from a member of the employee's immediate family. Absents due to a immediate family member must be approved by a supervisor and only for a reasonable period of time. Immediate family is defined for this section as spouse, child living in employee's household, or other immediate family members. All foreseeable leave for such purposes shall require specific prior written approval of the immediate supervisors. The supervisor or Personnel Officer/City Manager may require a certificate from a medical doctor giving an explanation of the circumstances requiring use of sick leave.

3. Sick leave credit may be accumulated and carried over up to a maximum of 200 work hours at the beginning of any fiscal year.

4. For accrual purposes, a new full-time employee who reports for work on or before the fifteenth (15th) of the month shall accrue the full amount for that month; if employed on or after the sixteenth (16th), a new full-time employee shall begin accruing sick leave the beginning of the following month. Employees must be on the active payroll and work (or approved leave) at least 100 hours in any month to earn sick leave credit.

5. When an employee takes sick leave, his/her immediate supervisor or Personnel Officer shall be informed of the fact and the reason(s) thereof as soon as possible. Failure to notify the supervisor or Personnel Officer by noon of the first day absent may be cause to disallow the use of sick leave during the period of absence.

6. An employee using 24 hours or more of sick leave, in concession or during the course of one month, may be required to submit a doctor's excuse to receive payment for sick leave.

7. Sick leave pay may not be received if a sick day is taken in conjunction with a vacation or holiday. This also includes if an employee's day off falls between the vacation or holiday mentioned. In this event a supervisor may request a doctor's excuse and ask for special consideration for payment by the City Manager.

8. In the event of employment separation an employee may only receive sick pay if he/she actually worked a full days schedule prior to separation. The City of Pikeville does not compensate an employee for unused sick leave upon separation from employment.

9. Absence for a part of a day that is chargeable to sick leave shall be charged proportionately in an amount not less than two hours.

10. Absences due to sickness, injury, or disability in excess of that authorized for such purposes may, at the request of the employee, and with the approval of the department manager be charged to personal leave or vacation leave credit.

11. Sick leave credit is for the purpose and subject to the conditions described above. Under no circumstance will an employee receive pay for accrued sick leave credit which is unused.

3.5 Family and Medical Leave 08/22/05

In addition to sick leave, the City provides up to twelve weeks of family and medical leave of absence without pay to employees that have been employed twelve (12) months, have worked 1250 hours or more in the previous twelve months, and who are temporarily unable to work due to medical disability. Employees may also be eligible for family leave to care for a sick child, spouse, or parent. Family leave may also be used in cases of placement of a child in employee's home for foster care or in the case of adoption.

As soon as eligible employees become aware of a need for a family or medical leave of absence, preferably 30 days prior to the actual beginning of the leave they should request a leave from their supervisor. A physician's statement must be provided verifying the need for the leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the City. Employees returning from personal medical leave must provide a physician's verification of their fitness to return to their normal duties.

The City reserves the right to have any employee evaluated by a physician of its choosing to verify the employee fitness to return to duty. Eligible employees are normally granted leave for the period of the disability, up to a maximum of twelve (12) weeks every twelve (12) months. A year is defined as twelve (12) months measured forward from the first date leave is used. If the initial period of approved absence proves insufficient, consideration will be given to a request for a single extension of no more than forty-five (45) calendar days.

Subject to the terms, conditions, and limitations of the applicable plans, the City will continue to pay its portion of the health insurance benefits for the first twelve weeks of medical leave. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from leave, benefits will again be provided by the City according to the applicable plans.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during the leave and will resume upon return to active employment. Employees must use any available sick leave and/or vacation prior to requesting family and medical leave.

When a family and medical leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar position for which the employee is qualified. However, the City cannot guarantee reinstatement to the same or similar position in all cases.

If an employee fails to report to work promptly at the end of the approved family and medical leave, the City will assume that the employee has resigned.

3.6 Worker's Compensation Guidelines 08/22/05

The City of Pikeville policies and procedures are designed so employees do not get injured on the job. If an employee is injured n the job or thinks the injury occurred on the job, he/she should receive the appropriate medical attention, and should be treated fairly and openly during the recovery and return-to-work process.

Policy:

All Worker's Compensation incidents or claims MUST be reported immediately to a supervisor and then to the City Clerk so a claim may be filed.

To report a Worker's Compensation incident or claim, call the City Clerk office immediately. In case of an after hours injury, notify your supervisor so that a claim may be recorded the next open business day.

Anyone may report such incidents or claims. During the initial report, the Clerk may ask the reporting party for the following information:

* date of accident
* name of injured worker
* social security number
* type of treatment sought
* affected body part
* work status
* the next treatment date
* time of accident
* where it occurred
* name of the medical provider
* equipment being used

Guidelines when a workplace injury occurs.

No.	Guideline
1	Employee will notify a supervisor if possible at the time of accident or at the earliest time after emergency treatment is sought.
2	Employee or supervisor will notify City Clerk so a claim may be opened
3	Treat all reported injuries with concern and urgency and obtain pertinent facts from the injured worker for reporting accuracy.
4	Necessary claim reports will be filed with the Worker's Compensation division.

Transitional Duty Guidelines:

It is the City of Pikeville's policy to safely return employees to full duty or appropriate transitional duty when medically practical after an injury.

The purpose of transitional duty is to:

- Provide employees who have been injured on the job an opportunity to earn full wages.
- Reduce overall Worker's Compensation costs while enabling employees and departments to remain productive.

Transitional duty:

When an employee is injured in the scope of employment, a medical provider may limit the activity of the employee during recovery. Transitional duty is work that can be done by that employee, according to the medical provider's restrictions, that benefits the department. It may be a modification of the employee's current job or a totally different type of work that will still allow the employee to contribute to the productivity of the city.

Restrictions:

Many times, the medical provider will make recommendations to the employee to limit certain activities in order to speed up the healing process. Restrictions may include such things as: not lifting objects over twenty (20) lbs., no riding in a vehicle for extended periods of time, no bending or stooping, no exposure to sunlight, etc. These restrictions will always be documented and must be followed.

When should it be offered?

Temporary transitional duty will be offered to an injured worker within the medical restrictions prescribed by the injured worker's medical provider. Special circumstances where no duty is deemed available must be approved by the City Manager.

How long should it last?

Transitional duty is temporary in nature and is not designed to accommodate a known permanent disability.

Injured workers may remain in a transitional duty position for a period not to exceed recovery to maximum medical improvement or 90 days, whichever occurs first. Transitional duty assignments for periods greater than 90 days must be approved by the City Manager and City Commission.

Maximum Medical Improvement:

Once a medical provider determines that no further treatment will increase the capabilities of the employee or decrease the amount of pain suffered by the employee, he or she is said to be at Maximum Medical Improvement.

Weekly Limit:

Transitional duty assignment will not exceed 40 hours per week.

Pay:

Transitional duty pay is the same basic wage as the job held immediately prior to injury.

3.7 Funeral Leave 08/22/05

1. Paid time off is granted to full-time employees to take care of family matters and attend funeral services for immediate family members.

2. Paid time off is granted to full-time employees. Part time employees are allowed unpaid time off.

3. For this purpose, immediate family shall include:

Spouse	Father
Children	Mother
Brother	Father-in-law
Sister	Mother-in-law
Brother-in-law	Nieces
Sister-in-law	Nephews
Grandparents	Some step-relations

Leave without pay for a death of aunts or uncles shall be limited to one (1) work day or a reasonable extension of time at the discretion of the City Manager.

4. Funeral leave provides up to three (3) consecutive working days for the employee to make funeral arrangements and to attend the funeral.

5. Additional time off may be granted if the employee has available vacation hours and/or personal holidays per the City Managers approval.

Special Leave 08/22/05

The Commission may authorize special leaves of absence with or without pay for all full-time employees for any period or periods not to exceed four (4) weeks in any calendar year for purposes deemed beneficial to the City.

3.9 Military Leave (KRS 69.394, 61.396) 08/22/05

1. Any full-time City employee who is a member of the National Guard or any reserve component of the United States Armed Forces or of the Reserve Corps of the United States Public Health Service, shall be entitled to military leave for intervals not exceeding fifteen (15) calendar days in any one calendar
year for the purpose of attending annual mandatory training provided a request in writing for military leave is presented to the Personnel Officer not less than two (2) weeks prior to the beginning of the leave period. Failure to give such notice shall be cause for refusal to pay for such leave.

1. Any eligible employee whose military leave is approved shall be entitled to a leave of absence with full pay (not to exceed fifteen (15) days per calendar year).

2. During unpaid military leaves of absence, employees may use earned
vacation and personal holidays. Vacation time will continue to accrue during military leave absence.

4. Employees on leave must supply the Human Resource Director a copy of their orders prior to leave being granted.

3.10 Voting Leave (KRS 118.035) 08/22/05

Any person entitled to vote at any election in this state shall, if he/she has made application for leave prior to the day of election, be entitled to absent him/herself from any services or employment in which he/she is then engaged or employed for a period of four (4) hours on the day of the election, between the time of opening and closing the polls. Such person shall not, because of so absenting him/herself, be liable to any penalty. The employer may specify the hours during which the employee may absent him/herself. No person shall refuse an employee the privilege hereby conferred, or discharge or threaten to discharge an employee or subject an employee to a penalty because of the exercise of the privilege.

3.11 Jury Duty/Court Leave 08/22/05

1. In the event an employee is requested to serve on a jury, he/she shall be compensated at the difference between their regular rate and the amount received for the jury duty (excludes expense money). All employees serving on jury duty shall be absent for work only during the times required by the courts.

2. An employee involved in a personal case, either as a plaintiff or defendant, in a suit not resulting from duties performed on behalf of the City, may be granted leave, provided such leave is deducted from the employee's accrued vacation time or classified as leave without pay.

If an Employee is summoned to…	**Then the Employee…**
Jury Duty	Receives his or her usual salary.
Appear in court as a witness other than for City duties	May use unpaid time off or earned vacation or personal holidays.
Appear in court as a witness on the City's behalf	Receives his or her usual salary.

3. City employees called to jury duty should return to work if they are released from jury duty for even part of the day.

08/22/05

3.12 Breaks and Meal Periods 01/28/08

(The policy below reflects the minimum of what is required according to the federal law) Our internal policy gives an additional 5 minutes for breaks and allows our supervisor lead-way to allow up to 1 hour for lunch.

Employees are entitled under Federal Law a ten minute paid break (however the city allows a 15 minute break) if the employee works more then four **(4) consecutive hours**. The break should not be taken before the second consecutive hour worked but not later then the fourth hour worked. Breaks will be scheduled by a supervisor.

All employees working more than five consecutive hour shift are required to take one thirty (30) minute unpaid meal period. The meal period should not be taken before the third (3rd) hour worked and not after the fifth (5th) hour worked. Federal Law requires a (30) minute unpaid meal period however, a supervisor may allow an additional thirty (30) minutes for a total of a 1 (one) hour unpaid meal time if the department has coverage and 30 minutes does allow enough time to eat.

Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods. Employees will not be compensated for meal periods. Supervisor of department may require employees to clock in and out for break periods.

911 Dispatch Center Employees ONLY

Dispatch employees are required to follow the state wage and hour policy as written above unless as allowed by state law any employee who wishes to sign the agreement below. This agreement would allow the employee to stay on the clock and be paid for all breaks and lunches and would be allowed to eat at their work station and leave their workstation to take a quick bathroom and break when the workload would permit and as long as there are at least two 911-center employees on duty.

Per the agreement the city would have the right to withdraw this agreement at any time and require 911-center employees to go back and follow state guidelines. 911-center employees would also have the right to withdraw this agreement and go back to state guidelines as long as written notice is provided to the employee's supervisor. The change would take place at the next schedule change.

This policy ONLY applies to 911-Center employees only. All other city employees are required to follow state break and lunch guidelines.

CITY OF PIKEVILLE
911 CENTER EMPLOYEE LUNCH
AND BREAK AGREEMENT

The undersigned, a 911 Center (Tele-Communicator) employee, recognizing that pursuant to Kentucky law I am entitled to a 10 minute break every 4 hours of work, and for a full day, an unpaid, off-the-clock, “duty-free” lunch period, does hereby agree to forego regularly scheduled breaks and off-the-clock, “duty-free” lunch period in exchange for permission stay on the clock and eat at my work station and to be able to take quick bathroom and breaks when the workload permits. I understand that breaks can only be taken when there are at least two 911-center employees on duty and the breaks shall be taken in a way as not to interfere with the continuity of operations.

City of Pikeville holds the right to withdraw this agreement at any time and return to the requirement of the Kentucky law with notice to the employee.

911 Center (Tele-communicator) employee holds the right to withdraw this agreement at any time and return to the requirements of Kentucky law with written notice to his supervisor and per shift schedule will be made on the next schedule change.

I acknowledge that I have read this entire document and understand its contents and accept the terms of employment with the City of Pikeville 911 Emergency Center.

_____ _____

Name Date:

_____ _____

Supervisor Date:

3.13 DELETED

12/13/10

3.14 Retirement Recognition 08/22/05

An employee who has dedicated his/her career to the city deserves special recognition.

The City will recognize all employees who retire with more then 15 years of service with a retirement plaque or other fitting gift.

Supervisor of the retiring employee will be responsible with working with the Human Resource Director to order the plaque or gift.

Supervisors are encouraged to celebrate retirements in a manner appropriate for the retiree's years of service to the City. Dinners, gifts, etc., are suggested by the retiree's immediate supervisor to the City Manager for approval.

City Manager will set the amount to be spent for the retiree.

3.15 Insurance 12/08/08

A. Hospitalization

1. A hospitalization, surgical and dental plan is available to all full-time City employees. The City pays the full premium for employees enrolling in the single plan.

2. For employees enrolling in the family plan the employee pays the additional premium minus 30% of the total cost of the plan for the family through payroll deductions. The effective date of coverage is ninety (90) days after initial employment.

3. All participating employees are subject to the terms and conditions of the group insurance plans provided by the City.

4. The City will continue to pay the single plan hospitalization premium for full-time employee's absent due to illness or injury (including Worker's Compensation) for the current month and the next two months.

5. Employees may elect to waive hospitalization coverage from the City if the employee can provide written proof that they are insured under another person or another policy plan.

B. Worker's Compensation Insurance

Workers' Compensation Insurance provides medical and hospitalization expense benefits as well as partial payments in lieu of salary for workers injured on the job. The City pays one hundred percent (100%) of the cost of this form of insurance.

C. Unemployment Insurance

All employees are covered under this program. The City of Pikeville pays one hundred percent (100%) of the cost of this coverage. An individual who terminates his/her employment with the City of Pikeville may or may not be eligible to receive payments under this program, depending upon the circumstances involved in the termination.

Questions concerning benefits should be directed to the State Cabinet for Human Resources.

3.16 Expense Reimbursement 01/26/09

Economy is required. Cost should be the most economical consistent with the City's best interests.

The City Manager MUST approve any travel prior to plans being made.

1. Any full-time employee of the City incurring expense for prior approved City connected business or travel outside the City shall be reimbursed at the actual cost upon proper documentation.

2. When using a personal vehicle, an employee shall be reimbursed at the current rate which is on file in the Finance Director's office that has been set by the state of Kentucky travel allowance amount. Use of a personal vehicle must be approved in advance of travel, unless there are extenuating circumstances which must be substantiated by the department head or Personnel Officer in writing.

3. Receipts for all expenditures that do not pertain to the daily meal per diem must be obtained and attached to the request for reimbursement form, which must be completed as soon as possible upon completion of travel and submitted for payment not later than three (3) working days after they were incurred.

4. All Requests for Reimbursement forms shall be signed by the employee, approved by the City Manager

5. Employee may request a daily meal travel allowance as shown below.

Meal	Amount
Breakfast (departs before 8 am)	$8.00
Lunch (departs before 11 am)	$12.00
Dinner (departs before 2 pm)	$20.00
Gone all day	$40.00

6. An employee who travels on behalf of the City of Pikeville that does not require overnight stay will be paid as required by law through city payroll by placing the approved amount on the employees payroll check with the appropriate taxes being deducted.

   Employees who travel on behalf of the City of Pikeville that require overnight stay will be required to submit a travel requisition. All overnight travel and requisition must be approved by the City Manager. Upon approval, these requisitions will be submitted to the accounts payable department. These expenses requiring overnight travel will be handled through accounts payable as an expense to the city. A check will be issued to the employee within a timely manner after the submittal has been approved by the City Manger.

7. Employees violating this section will be subject to appropriate disciplinary action.

3.17 Retirement Plans 01/26/09

Social Security

The City and the employee both contribute to the Social Security program at rates specified by the U.S. Federal Government guidelines.

County Employees Retirement System (CERS)

After July 1, 1989 when the City came under the County Employees Retirement System (CERS) all employees shall participate in this retirement program as the state guidelines require.

A) The city is hereby authorized to participate in the County Employees Retirement System effective July 1, 1989 and all eligible regular full-time officers and employees of the city are hereby authorized and directed to comply with the statutory requirements of this retirement system.

(B) All the employees of the city (either employed under nonhazardous job positions or hazardous positions) whose duties require an average of one hundred (100) hours during each working month shall be considered as "regular full-time" employees for county retirement purposes except those employees of agencies excluded as shown below which may participate in the system as a separate agency and those other employees who are employed as "temporary", "part-time" and "seasonal" workers, as defined in KRS 78.510 (21) of the County Employees Retirement Laws. The agencies expressly excluded as authorized by KRS 78.530 are the City of Pikeville Urban Renewal Agency and all other Boards or Commissions authorized by the city should they be determined to be an agency of the city.

(C) The city will comply with all the statutory requirements to make the County Employees Retirement System Hazardous Duty Coverage available for all eligible employees who are working under approved positions within the police and fire departments.

401k

A 401k plan is available to City employees. The City does **NOT** make contributions to this plan.

3.18 Uniforms Expense Policy 11/09/09

Whenever the wearing of uniforms and accessories, or other special clothing is required, the City will provide them. The City will replace at its expense all clothing and accessories damaged, lost, or destroyed in the course of duty. An employee issued uniforms and accessories or other special clothing must return the items upon leaving the City's employment. Failure to do so will require reimbursement to the City for the items from the employee's final pay check.

See section 4.6 for professional appearance and dress code for policy on what dress code is allowed.

911 Uniform Policy

911 Dispatchers, the Police Clerk and Traffic Control Officer will be covered under the 911 Uniform Policy. Each employee will be issued $300.00 every six months (November and May) to purchase uniforms. They will provide receipts showing the purchase of the uniforms and will be allowed to use the City's Tax Exempt status. The amount will be added to their total gross income for the year. Only the following uniform may be worn:

1. Polo Shirts either two or three button.
2. Khaki pants "Docker style". (No hip huggers or bell bottoms) Cargo pants will be allowed.
3. Black walking shoes with rubber soles.

The shirts must be embroidered with the appropriate logo and the City will pay for the embroidery. Jackets, coats and caps will be allowed also and the City will pay for the embroidery for them also. Each employee will be responsible for maintaining their uniform and will be worn everyday to work unless authorized by the 911 Public Safety Director. If for some reason the uniform is damaged at work, the City will replace the uniform for the employee.

3.19 Fringe Benefit Employer Election Notice to Employees 1/11/10

Employer's Election Not To Withhold Income Tax

The City of Pikeville, the employer may elect not to withhold **income taxes** on the taxable use of an employer's vehicle or cell phone usage that is includible in wages if: (1) the employer notifies the employee, and (2) the employer includes the benefit in the employee's wages on the W-2 and withholds social security and Medicare tax. IRC *§3402(s)(1.)IRS Publication.*

Note: This election is available for employer-provided vehicles only. An employer does not have a choice whether to withhold on other taxable fringe benefits.

4.1 GRIEVANCE PROCEDURE 08/22/05

From time to time, differences may arise between employees and employers. Every attempt should be made by both to resolve these differences on an informal basis.

Pending failure of resolution on an informal basis, any grievance or dispute which may arise from employment with the City shall be resolved in the following manner.

Step One:

a. The aggrieved employee shall present the grievance to his/her supervisor within three (3) working days of its occurrence or within three (3) working days of knowledge of its occurrence.

b. The grievance (and all subsequent appeals) shall be in writing, and shall set forth the reasons and grounds for the grievance along with a statement of the relief sought. The supervisor shall attempt to adjust the matter and shall respond to the employee in writing within three (3) working days.

c. If the grievance is with the supervisor, the aggrieving employee will begin the grievance procedure at Step Two.

Step Two:

a. If the grievance remains unresolved, it may then be presented by the aggrieved employee to the Department Head within three (3) working days after receiving the supervisor's written response.

b. If the grievance procedure has begun at Step Two, the supervisor's written response is, of course, not required.

c. The Department Head shall hear the grievance and respond to the employee, in writing, within three (3) working days, excluding the date the grievance is heard.

Step Three:

a. If the grievance remains unresolved, it shall then be presented, in writing, by the aggrieved employee to the City Manager/Personnel Officer within five (5) working days after receiving the department head's written response.

b. The City Manager/Personnel Officer shall hear the grievance within five (5) working days. He/she shall respond, in writing, to the grievance within five (5) working days, excluding the day it is heard.

c. If the decision of the City Manager/Personnel Officer does not satisfy the employee, he/she may request, in writing, a hearing before the City Commission within five (5) working days of the City Manager/Personnel Officer's decision.

Step Four:

a. The City Commission shall hear the grievance and respond, in writing, within five (5) working days of the hearing.

b. The decision of the City Commission is final.

c. These procedures shall not apply to sworn police and fire personnel (KRS 95.450 and KRS 15.520).

4.2 Ethical Code 08/22/05

City of Pikeville employees are expected to obey all laws in conducting City business and to act with honesty, integrity, loyalty, trustworthiness, fairness, and responsibility at all times.

Policy:

The City of Pikeville ethical code prohibits conflict of interest, disclosure of confidential information, improper use of City's funds and property or using insider information to position yourself, family or friend with unfair personal gain.

- Conflict of interest is any transaction that raises question of possible ethical and legal conflict between the City's interests and the employee's personal interest.
- Disclosure of confidential information includes the City's operations, activities, and business affairs as well as its employees, customer, vendors and suppliers.
- Improper use of City's funds and property includes but is not limited to forgery or alteration of City documents, misappropriation of customer or vendor payments or other City assets and irregularity in handling or reporting money transactions.

Employee's Responsibility:

Employees are encouraged to seek advice from their managers before they take any action that may violate or compromise the City's ethical code. They are also expected to notify their supervisor or the City Manager if they become aware of actions by others that violate the ethical code.

Employees who know of or suspect dishonest or fraudulent acts by other employees should talk with their immediate supervisor and should contact the City Manager.

Employees should refuse a request or requirement to participate in a dishonest or fraudulent activity, and they should immediately report the request to their second-level supervisor or the City Manager.

Employees may notify dishonest acts anonymously by using the City's e-mail hotline. It is not necessary to enter your name, but is highly suggestive so that facts can be extracted if the e-mail information does not have enough information.

Failure to report:

Failure to report known or suspected dishonest or fraudulent activity by a supervisor or another employee or providing false information could result in disciplinary action up to and including recommendation for employees termination.

Following is a partial list of Ethical Code violations.

- Using improper means to obtain information about employees, citizens or suppliers.
- Using non-public information for personal financial gain.
- Using political influence to gain property or information for financial gain.
- Maintaining false records or books, hidden funds, or payments for concealing information from the City.
- Knowingly violating any laws that apply to the City
- Unauthorized use of misuse of City's funds or property, such as making contributions to charities and political organizations, paying fees to agents or consultants, or purchasing personal items with City funds
- Attempting to gain unauthorized access to other employees personnel files or e-mail messages without going through proper procedure of open records request
- Using City computers and other communications systems for personal gain or for receiving or transmitting inappropriate and or personal information. Such information includes sexually explicit statements or images, messages or cartoons; harassing or disparaging statements, images, messages or cartoons; personal commercial ventures, or religious or political causes
- Gambling on company premises
- Mishandling of city funds or misappropriation of City assets

Funds

1. Any employee of the City of Pikeville, who is or has become aware of any funding for which the City is entitled, eligible or could become eligible, should report same to the Finance Office or City Manager in a timely manner, as to not jeopardize the City's claim for said funds.

2. The Finance Office, City Manager and other appropriate personnel shall make required applications/inquiries.

Contributions

1. Contributions or gifts of funds or materials offered to any employee of the City should be referred to the City Manager or the Finance Office for acceptance when possible.

a. If the employee believes that a contribution of funds or materials may be jeopardized because of a referral the City Manager or Finance Officer for acceptance, the employee may accept contributions of funds or materials only if the employee also obtains the name and mailing address of the contributor. The contributor's name and address along with the funds shall be immediately taken to the Finance Office as provided for hereafter.

b. Upon receipt of a contribution of funds or materials, the Finance Officer shall immediately mail or deliver to the contributor a receipt acknowledging the contribution.

c. Any employee who violates this policy will be subject to disciplinary procedures such as suspension or termination (as set forth in this manual).

Funds Received

1. All funds (checks, cash, money orders) received by an employee, on behalf of the City, should be taken, immediately upon receipt, to the Finance Office for deposit in official depositories, as required by KRS 91A.060. The employee will be provided a receipt.

2. This policy should be followed by all employees, unless other procedures have been established by the City Manager for the transfer of funds (i.e. swimming pool, driving range).

3. Failure to do so will subject the employee to disciplinary procedures such as suspension or termination (as set forth in this manual).

Expenditures

1. Any employee expending City funds, shall at all times follow the proper expenditure procedures including, but not limited to, purchase order procedures and petty cash procedures. Any employee that is unsure of the proper expenditure procedures should contact the Finance Office for instructions.

2. Any employee expending City funds without going through the proper expenditure procedures, will subject the employee to disciplinary procedures, such as suspension or termination (as set forth in this manual).

Ethics Disclosure Form:

Each city official and supervisor will be required to sign an ethical code disclosure form each year and submit to the City Clerk.

Failure to submit a signed form may result in action being taken against the employee.

Failure to disclose all information the form is asking for will be considered failing to comply and actions may be taken against the City official or supervisor by the City Commission.

4.3 CONFLICT OF INTEREST 09/28/09

1. City employees are restricted from creating, being employed by, or contracting with, any agency or business other than the City of Pikeville, if such employment or contractual obligation is or can reasonably be anticipated to be in conflict with interest of the City.
2. Department heads, assistant department heads and division heads shall be required to notify the City Manager prior to creating, contracting with or being employed by any agency or business firm other than the
City. The City Manager will provide written approval or disapproval. The Board of Commissioners will be notified of the decision.
3. Personnel other than department heads, assistant department heads and division heads shall be required to notify their respective department head upon creating, contracting with, or being employed by any agency or business firm other than the City.
4. For purposes herein, a conflict of interest will be deemed to exist, if, although not exclusively; and association or relationship as set forth hereinabove would require the City employee to contend for that to which the City is, or potentially could be, either wholly or partially entitled; the employee's duty to the City is to contend for that which duty to an association other than the City requires him/her to oppose; or the employee's duty to the City is to oppose that for which duty to an association other than the City requires him/her to contend.
5. City employees are restricted from entering in to a contest or drawings for the purpose of receiving any type gifts or prizes when the event is operated by or sponsored by the City. The only exemptions to this policy are if the event is specifically for City of Pikeville employees. Examples: Christmas Party, City Picnic, etc.

4.4 Guidelines for Appropriate Conduct 08/22/05

Because the City employees represent the City of Pikeville in the community, they are expected to avoid behaviors that might be viewed unfavorably by the public we serve at large.

Policy:

The City of Pikeville expects all of its employees to adhere to acceptable business principles in matters of personal conduct. Employees are also expected to exhibit a high degree of personal integrity at all times, which involves respecting the rights and feelings of others and refraining from behavior that might be harmful to oneself, co-workers, or the City.

Consequences:

Varying corrective actions are taken when employees act inappropriately and do not meet these expectations. These measures depend upon the severity of the problem and can include suspension and recommendation to the City Commission for immediate discharge.

Actions for dismissal:

Employees may be subject to immediate discharge including but not limited to the following cases:

- Violations of City policy, including drug-free workplace policy and non-discrimination and or unlawful harassment policies,
- Violation of safe practices
- Violations of the ethical code, including theft or dishonesty of any kind or falsification of a City document
- Acts or threats of violence (that does not fit in the description of defense of a police officer's job)
- Willful or serious disregard of duty
- Mishandling of City's funds or assets
- Any other action not deemed to be in the best interest of the City.

Supervisors Role:

As a supervisor for the City, you are expected to:

- Let all employees know what type of conduct is expected of them and the consequences of not meeting these expectations
- Set a good example of appropriate conduct
- Be alert to behavior that is not appropriate, no matter how minor.
- Identify and handle conduct problems.
- Apply the same standards to all employees including yourself

Follow these steps if an employee violates the guidelines for appropriate conduct:

Step	Action
1	Address the problem immediately with your supervisor.
2	Your supervisor should gather and review all facts with you and approve all documentation for accuracy and completeness.
3	You and your supervisor must agree on the action. You must then communicate to the City Manager your suggestive form of corrective action including one or more of the following: • Verbal counseling • Written warning • Suspension with warning • Suspension with recommendation to the Commission for termination
4	The employee may be terminated by the Commission if the conduct is inappropriate enough to warrant separation from the city.
5	You should contact the City Manager immediately if a violation is noted.

4.5 Absenteeism and Tardiness 02/21/08

An employee's absence or tardiness negatively affects all other employees' workload and the city's overall ability to service the city because everyone must make up for the work that is not being performed. It also cost the City money by having to provide coverage through overtime if someone is called to cover a shift.

Absence Policy:

1. Absences due to personal illnesses will be recognized as "excused" for periods in excess of three days upon presentation of a physical's statement containing the following:

a. Date seen by physician.
b. Diagnosis.
c. Medication and /or treatment prescribed.
d. Recommended number of days off work.

2. Any other absence will be determined to be "excused" or "unexcused" by your supervisor. Should you have two "unexcused" absences within a 6-calendar month period, then it will be up to your supervisor whether or not your employment continues after the third "unexcused" absence during any 60-calendar day period.

3. Habitual offenders: Those person whose incidents of absence would be considered too numerous by a reasonable person will be considered as habitual offenders. The immediate supervisor will send habitual offenders to the City Manager for counseling. After two counseling sessions by the City Manager, the habitual offender may be terminated.

Because every City employee is part of a work team, regular attendance on scheduled work days is critical to serve the city effectively.

City employees are responsible for their attendance at work, which means reporting to work on time and being at work when scheduled.

If an employee cannot work as scheduled, he or she is expected to personally give as much notice as possible to their supervisor. Messages left with co-workers or calls from relatives on the employee's behalf are unacceptable, unless the employee is physically unable to call their supervisor.

If the absence extends beyond one day, the employee should call their supervisor every day of his or her absence before the beginning of the regular work day unless the supervisor instructs otherwise.

Any employee who is absent from work and fails to call in may be subject to corrective action up to and including recommendation for their termination to the City Commission.

Excessive absenteeism:

Excessive absenteeism and tardiness can affect the employee's job performance or add increase burdens for other employees. Follow these general steps when faced with problems concerning attendance.

Tardiness Policy

1. Should you be more than six minutes late, but less than 15 minutes late, you will be counseled by your supervisor in each instance and this will be noted on your time card. Should you have been counseled 5 times within a 60 calendar day period for being late, it is up to your supervisor whether or not your employment will continue with the City upon the sixth or subsequent counseling session.

2. Should you be more than 15 minutes late, the supervisor may, based on the reason given for being late, issue a written "Policy Violation Warning." Should your supervisor issue a second written "Policy Violation Warning", it will be your supervisor's recommendation whether or not your employment will continue with the City.

3. City of Pikeville operates on the six minute rule for rounding to the hour.

Step	Action
1	Determine the cause of excessive absenteeism or tardiness.
2	Work with the employee to resolve the problem.
3	If appropriate, counsel employee or take corrective action for excessive attendance problems.

Follow these steps to comply with the absenteeism and tardiness policy.

Step	Action
1	Require non-exempt employees to report absences on time sheet.
2	Require exempt employees to fill out an absentee report for exempt employees whenever they are absent for a full day.
3	Note absences on the time report kept on each employee
4	If an employee does not report to work more than three (3) days the employee will be considered as job abandonment and a request will be made to the City Commission to terminate employment.
5	Notify the employee by certified letter that he or she has been absent for three days without notification and their employment statues has been terminated as voluntary resignation.
6	Notify Human Resource Director so a separation status form may be filled out and employment separation process followed.

4.6 Professional Appearance and Dress Code 2-22-10

The City of Pikeville prides itself on its reputation serving the community. Professional appearance plays a very important role in providing service to the community and maintaining the confidence and trust from our customers.

Policy:

City of Pikeville employees must have neat, clean appearances and be suitably groomed to favorable impress our citizens.

Personal hygiene:

Personal hygiene must receive careful attention and is a condition of employment. Personal hygiene is defined as:

- Clean hands and fingernails,
- Body cleanliness,
- Dental hygiene,
- Clean, well-groomed, appropriately cut hair,
- Daily shaves and or well-maintained beards and mustaches for men,
  (beards are not allowed for every department – check police & fire manual to determine if acceptable for each department)
- Men's hair above the collar.

Inappropriate clothing:

Types of clothing considered inappropriate for business attire include:

- Tank tops,
- T-shirts with non-city lettering,
- Extremely tight and excessive revealing clothing,
- Extremely short skirts or sundresses
- Clothes with holes or rude or offensive lettering or signs
- Sweat Shirts for all business offices

Fridays are considered casual day for personnel that are not required to dress in uniforms. City employees may wear appropriate style jeans (no holes, no cuts or tears, not too tight or too revealing) and a dress type shirt that is appropriate for business staying in the guidelines of the policy.

Appropriate clothing;

Only Business Professional apparel depending upon department or uniform policy.

Jewelry and accessories:

Adornments, including bracelets, necklaces, rings, earrings, pins, combs or headbands, must be unobtrusive and not detract from the clean, conservative, professional appearance the city require, and they should not compromise your safety or cleanliness while on duty. Jewelry for body piercing for the nose, lip or eyebrow is not permitted for City employees while they are on duty.

Service pins:

City service pins should be worn on the lapel of your jacket or breast pocket of a shirt. A service pin should not be worn as a tie tack, on a ball cap or pinned to a purse or wallet. They must be worn and treated with respect.

Uniforms:

City provides uniforms for various employees. These uniforms should be kept clean and pressed. Uniforms should be worn as designed without substituting different pants. Only City approved nametags, pins and awards badges should be worn on city uniforms and hats. Required safety equipment must be worn depending on the type of job being preformed based on policy and or DOT or OSHA rules.

Police, dispatch & fire department personnel may only wear uniform dress apparel either approved by the City Manager or their department policy manual.

All administrative employees will be given the option of wearing approved City uniforms approved by the City Manager or appropriate profession business dress apparel.

All uniform expense will be paid by the City. Those wearing City approved uniform apparel will be paid by the City. Those administrative employees deciding to wear professional business dress of their own choosing will not be reimbursed for the cost.

The City Manager will set a department budget for uniform use and may assign each employee an allotment. The City Commission will approve budget through normal budget practice. Budget amendments may be necessary depending on additional hires.

Guidelines:

The following guidelines will help you establish a strong professional appearance standard for City employees.

- Before making a job offer to a preferred candidate, explain the City's professional appearance requirements and make sure he or she understands these requirements.
- If a current employee comes to work dressed unprofessionally, tell the employee at the end of the day or the next day that the attire does not meet City expectations. There is no need to embarrass the employee at work if he or she cannot go home to change.

- If the employee is wearing something that offends you or the City's customers, send the employee home to change to appropriate attire and return to work. You may pay the employee for the hours not worked, unless this is a recurring problem and you believe a suspension for that time is appropriate.
- If an employee's beard or hair is unkempt and in disarray, suggest that the Employee trim his or her hair.
- Counsel an employee who has a problem meeting professional appearance expectations.

4.7 Guidelines for a Smoke-Free Workplace 10/08/07

Smoking on City property is generally discouraged. All employees must be aware of the City's smoking policy for the protection of all employees, customers and the general public.

Policy:

City of Pikeville has a strict no-smoking policy in all city buildings to provide a safe and healthy environment for all employees and customers.

Smoking or chewing tobacco is not allowed:

- In any City building
- In any City vehicle
- In any other place where prohibited by law or City Ordinance Chapter 120

Designated smoking areas outside and away from entrances to City building will be specified for employees.

Employees who do smoke and wishes to seek assistance to stop may qualify with City Manager approval for the city to pay for a local "Stop Smoking" treatment program as designed and approved by the city. The Employee may be given the option of paid time off to attend a free Stop Smoking help program offered by the Pike County Health Department.

4.8 Workplace Violence Prevention Policy 08/22/05

City of Pikeville is committed to working with our employees to maintain a work environment free from violence, threats of violence, harassment, intimidation and other disruptive behavior.

Policy:

Violence, threats, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated. All reports of incidents will be taken seriously and dealt with appropriately. Such behavior includes oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm.

"Violence" and "violent acts" include physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing unauthorized weapons, and threatening or talking of engaging in those activities. It is the intent of this policy to ensure that everyone associated with this business, including employees and customers, never feel threatened by an employee's actions or conduct.

Any employee who makes threats, exhibits threatening behavior, or engages in violent acts on City property (unless in the service of serving in the position of police, fire or EMT as allowed by those policies) may be removed from the premises pending the outcome of an investigation. Any threat, threatening behavior or other acts of violence executed by City employees off city property but directed at City employees, residents or customers or other persons during working time, while occupying or servicing a City vehicle or while wearing City apparel is a violation of this policy. Of-site threats include but are not limited to threats made via the telephone, fax electronic, or conventional mail, or any other communication medium.

City property covered by this policy includes, without limitation, all City-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveway, parks and parking lots under the City's ownership or control. City vehicles are covered by this policy at all times regardless of whether they are on City property at the time.

Weapons Ban:

City employees other then law enforcement are prohibited form carrying weapons onto City property.

Any exceptions to this policy must be approved by the City Manager

In case of a robbery:

Businesses that operate with exchange of money are potential victims of robbery. In an effort to prevent the risk of physical harm to our employees. Employees should be prepared how to handle a robbery situation. All employees should be trained and instructed on how to handle such a situation:

- Stay calm. Don't make any sudden movements to upset the offender.
- Do not resist. Agree to do whatever the offender commands as long as it does not put you or other is further jeopardy.
- Tell the offender anything that might surprise him or her, such as my manager is expected to arrive soon.
- If you have to move or reach for anything, tell the offender what you are doing in advance and why.
- Don't make any comments that threaten the offender.
- Try to get a good look at the offender for identification purposes later.
- Give the offender plenty of time to leave. Try to determine his or her direction of travel when leaving and obtain a description of the vehicle only if you can do so without exposing yourself to harm.
- If possible only hit the silent alarm if you are not putting yourself or others in jeopardy. If not possible, then wait until the person or persons leave and then hit the alarm immediately.
- Don't be a hero. It's better to lose money than your life. You are not expected to act in a way that might endanger your safety or the safety of others, including going to the aid of another employee.

4.9 POLITICAL ACTIVITY 08/22/05

1. No employee, as a condition of employment or continued employment, shall be required to contribute to or campaign for any candidate for political office.

2. No employee of the City shall engage in political activity during his/her assigned duty hours or while in uniform.

4.10 SAFETY 08/22/05

To provide a safe and healthful work environment for employees, customers and visitors, we have established a workplace safety program. Safety is a basic responsibility of the City. It is the first consideration in the operation of City business. Its success depends on the alertness and personal commitment of all employees.

The City provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memoirs, or other written communications.

Accident cause untold suffering and financial loss to our employees and their families. Medical expenses and time loss compensation payments drain tax dollars from much needed services and City programs.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, who fail to report, or where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees must immediately notify the City Manager or the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and worker's compensation benefits procedures.

4.11 Corrective Action Guidelines 08/22/05

The policy of the City is to be patient, fair and consistent in the administration of the organization and its employees. When problems arise, emphasis is on improvement and /or correction rather than punishment. However, willful, continued, or inexcusable breaches of City employment rules must be dealt with firmly under a uniform policy which applies to all employees.

Working Rules –Part 1

Any employee guilty of doing the following is subject to immediate discharge:

1. Stealing City property or unauthorized personal use.
2. Drinking alcoholic beverages or taking illegal drugs while on the job or reporting to work under the influence of alcoholic beverages, or illegal drugs.
3. Fighting while on City property.
4. Malicious destruction or mishandling of City property or equipment.
5. Walking off of the job.
6. Refusing to do your job assignment.
7. Working in an extreme unsafe manner endangering your life and that of other persons.
8. Violation of City safety rules that endangers your life and the lives of others.
9. Failure to report an on the job injury or accident to incident.
10. Sleeping on the job.
11. Falsification of a record or application for employment or benefits.
12. Failure to use appropriate safety devices.
13. Failure to follow proper procedures in use of appropriate safety devices and procedures in order to prevent injury or transmittal of disease.
14. Bringing firearms or weapons, or keeping firearms or weapons on City property without authorization.
15. Soliciting for any cause in designated working areas during designated working time.
16. Uninvited sexual harassment or intimidation.
17. Serious violation of procedures, policies and instructions.
18. Entering time on another employee's time record.
19. Discrimination against an employee or applicant because of race, color, creed, national origin, sex, age, handicap or disability.
20. Falsely claiming worker's compensation injury.
21. Loss and/or suspension of ability, qualifications, license or certifications required to perform your job duties.
22. Falsification of time card information.
23. City vehicles are for official city use only. They, along with City-owned equipment, tools, facilities or materials shall not be used for personal use.

24. Driving a City vehicle in an unsafe manner or in violation of Kentucky Motor Vehicle Regulations.
25. Driving a City vehicle without a valid operator's license
26. Failure or refusing to perform the essential functions of the job.
27. Smoking in prohibited area(s).
28. Reproducing computer software information or other records or information for uses other than in-house business purposes without written permission.
29. Conduct of a serious nature on or off the job that reflects unfavorably on the City and its reputation of the employee's ability to effectively perform his/her job duties.
30. Violation of any other law or regulation adopted by City, state or federal government in the performance of your duties.

DISCHARGE UNDER WORKING RULES PART 1, REQUIRES RECOMMENDATION OF IMMEDIATE SUPERVISOR, CONCURRENCE OF NEXT HIGHER LEVEL SUPERVISOR AND APPROVAL OF THE CITY MANAGER. (POLICY VILATION WARNING FORM MUST BE COMPLETED AS PART OF RECOMMEDNATION. THIS IS THE RESPONSIBILITY OF THE IMMEDIATE SUPERVISOR.)

WORKING RULES –PART II

ANY EMPLOYEE WHO RECEIVES TWO WRITTEN POLICY VIOLATION WARNING WITHIN 180 DAYS OF THE FOLLOWING OFFENSES IS SUBJECT TO DISCHARGE:

1. Loafing on the job.
2. Inefficient performance of duties.
3. Gambling on City premises.
4. Uncalled for complaining and bickering with fellow employees to the extent that it affects their production.
5. Horseplay on the job.
6. Reporting to work without proper uniform.
7. Failure to follow established procedures.
8. Unsatisfactory work.

You may clear your record of these warnings provided you do not receive another warning with 180 calendar days from the date of the first warning. One hundred eighty (180) calendar days without a warning clears your record on the Part II Working Rules.

4.12 Suspension 08/22/05

In cases of serious nature such as possible theft; embezzlement, drug abuse, mishandling of controlled substances, attempted fraud, deceit, unprofessional conduct,
violation of a drug law or any other situation determined to be serious by the City Manager, all of which require an in-depth investigation, an employee is subject to suspension without pay pending the outcome of the investigation.

Should such investigation prove no violation of working rules as set forth herein, the employee will be paid and the suspension canceled. Should the investigation prove a violation of working rules, but the City Manager determined that suspension is no longer needed; the employee will not be paid for time suspended. Should such investigation prove a cause for action, the employee may be discharged, reprimanded, or discharged and the investigation turned over to the proper authority for further disposition or prosecution.

4.13 Pre-Termination Hearing 08/22/05

1. An employee who has been notified of intent to dismiss him/her has the right to appear personally or with counsel at a pre-termination hearing held before the City Manager/Personnel Officer.

2. The request for a pre-termination hearing must be made within five (5) working days of the employee's receipt of the letter of intent-to-dismiss, excluding the day it was received.

3. The pre-termination hearing shall be held within five (5) working days after receipt of the employee's request, excluding the day it was received.

4. The pre-termination hearing is informal. It gives the employee the opportunity to respond to charges contained in the letter of notice of intent-to-dismiss.

5. Within five (5) working days, excluding the day of the pre-termination hearing, the City Manager/Personnel Officer shall uphold, alter, modify or rescind the intended dismissal. The employee will be notified, in writing, of the City Manager/Personnel Officer's decision and the reason/s for same.

6. The City Manager/Personnel Officer's decision shall be subject to appeal to the City Commission within five (5) working days.

4.14 Personal Telephone Calls & Cell Phone Taxing Policy 08/10/09

City telephones are provided for the conduct of City business. However, the City recognizes the need for occasional personal phone calls. Such calls should be limited in number and duration and you should not abuse this privilege.

When non-business or personal long distance telephone calls are placed from any City facility, charges should be 'reversed', charged to a personal credit card, phone card or any other method so that the call is not billed to the City.

Violation of this policy shall be considered a violation of **Working Rules-Part II** except that the placing of long distance telephone calls that are billed to the City of Pikeville shall be considered a violation of **Working Rules-Part I.**

Personal Cell Phone Policy
Fringe Benefit Taxing Policy

In the month of December each year, the City Clerk calculates the annual amount of fringe benefit for each employee who is issued a city owned cell phone. The following process is used:

1. A month is randomly chosen and copies of all that months cell phone bills are copied.

2. The copies are distributed to the employees for them to mark all personal calls on their phone bill and return them to the City Clerk.

3. The City Clerk calculates a percentage of personal minutes per total minutes used for that month for each employee.

4. The percentage is multiplied by the total cost of the phone bill for that month for each employee to equal a dollar amount for personal usage.

5. That monthly dollar amount for personal usage is then multiplied by total months used that calendar year to equal annual cost of personal usage of each employee cell phone.

6. This annual cost is then entered under fringe benefit on the next to last payroll in December and the employee is taxed on this amount.

7. If an employee should terminate employment in the middle of the year, he or she will be taxed on their last paycheck for the current personal cell phone usage to date of that calendar year.

4.15 Non Employee and Employee Visits at the Workplace 09/28/09

Employees are expected to remain in their work areas during working hours and the visits by other employees except on City business is discouraged. Visits to employees by other persons or family members for non-business purposes during working hours is also discouraged but may be permitted by the department head or supervisor, limited in number and for a brief period so to limit interference with work duties. The department head may adopt a visitation policy to fit the department's needs when necessary, with the approval of the City Manager.

Employees are also not permitted to have visitors or family members participate or assist with any of the employees work duties or functions. Any exceptions would require the City Manager's approval. Exemptions for consideration would be for a family member to attend a conference or event representing the city as the spouse of the employee.

Violation of this policy shall be considered a violation of **Working Rules-Part II.**

4.16 E-mail Policy 08/22/05

The City of Pikeville has structured a policy with respect to e-mail. All personnel (including but not limited to employees, consultants, and others working with the City of Pikeville) who use the City's e-mail system are required to comply with this policy statement.

1. Business Use. The e-mail system is meant to be used for business purposes of the City. Limited personal use of email is allowed if (a) in compliance with this policy and (b) is reasonable in amount and does not interfere with work performance or business needs.

2. Ownership. All email accounts and all information and messages that are created, sent, received or stored on the City's e-mail system is the sole property of the City and are not the property of the employee or other personnel.

3. E-mail Review. All e-mail is subject to the right of the City to monitor, access, read, delete, copy, disclose and use such e-mail without prior notice to the originators and recipients of such e-mail. E-mail may be monitored and read by authorized personnel for the City for any violations of law, breaches of City policies, communications harmful to the City, or for any other reason.

4. Email Content. Emails should be professional, courteous and in compliance with all applicable laws. Users should employ spell check on all emails sent.

5. Prohibited Acts. Provided below is a non-exclusive list of prohibited acts associated with your use of the City's email system. When considering the appropriateness of engaging in a particular act, personnel should be guided by both the specific prohibitions and the other mandates set forth in this policy. Prohibited activities include:

(a) Using any words, images or references that could be viewed as libelous, offensive, harassing, illegal, derogatory, discriminatory, or otherwise offensive.

(b) Creating or transmitting email or images that might be considered inappropriate in the workplace, including, but not limited to, messages or images that are lewd, obscene, sexually explicit, or pornographic.

(c) Creating or transmitting messages or images that might be considered inappropriate, harassing or offensive due to their reference to race, sex, age, sexual orientation, marital preference, religion, national origin, physical or mental disability, or other protected status.

(d) Downloading, copying or transmitting documents or software protected by third party copyrights in violation of those copyrights. Any personnel with a question concerning a copyright issue should contact Human Resource or City Manager.

(e) Using encryption devices and software that have not been expressly approved by the City.

6. Security. The e-mail system is only to be used by authorized persons, and personnel must have been issued an e-mail password in order to use the system. Personnel shall not disclose their codes or passwords to others and may not use someone else's code or password without express written authorization from an authorized officer of the City. The City of Pikeville has a vital tool for providing employees and the citizens of Pikeville for informational purposes. The email policy will be updated on a need basis.

4.17 Global Positioning System (GPS) Tracking Policy 07/09/07

The City of Pikeville has structured a policy with respect to Global Positioning System (GPS) tracking system. All personnel (including but not limited to employees, consultants, and others working with the City of Pikeville) who has the City's GPS Units installed in vehicles or other units of operation are required to comply with this policy statement.

1. COVERAGE

This Policy Statement establishes procedures for the City of Pikeville employees, consultants, and others working for the city with specific responsibilities under these procedures include GPS tracking. City of Pikeville will utilizes GPS tracking for city owned and operated vehicles to route the closest available vehicle to each service call, saving fuel and travel time while improving service and response time.

2. BACKGROUND

Electronic monitoring has been established by the City of Pikeville for vehicle tracking to provide a safe and efficient work place.

3. OWNERSHIP

GPS units installed in City of Pikeville vehicles and all information and messages that are created, sent, received or stored on the City's report system is the sole property of the City and is not the property of the employee or other personnel.

4. MONITORING

All GPS information is subject to the right of the City to monitor, access, read, delete, copy, disclose and use such information without prior notice to the personnel or employee or all other agencies that originated in such tracking information provided by GPS unit. GPS reports may be monitored and read by authorized personnel for the City for any violations of law, breaches of City policies, communications harmful to the City, or for any other reason.

5. PROHIBITED ACTS

Provided is a prohibited act associated with your use of the City's Global Positioning System (GPS). When considering the appropriateness of engaging in a particular act, personnel should be guided by both the specific prohibitions and the other mandates set forth in this policy. Prohibited activities include:

(a) Tampering with GPS signal or device, wires, signal, images or references that could be viewed as libelous, offensive, illegal, and otherwise destructive will result in dismissal of employment.

6. SECURITY

The Global Positioning System (GPS) Tracking System Security is only to be used by authorized persons, and personnel must have been issued a GPS unit in order to use the system. Authorized tracing information shall be viewed by personnel that have been issued a password and shall not disclose their passwords to others and may not use someone else's password without express written authorization from an authorized officer of the City. The City of Pikeville has a vital tool for providing employees and the citizens of Pikeville with better response time and a safer work environment. The GPS policy will be updated on a need basis.

4.18 VEHICLE USE POLICY 07/25/10

CITY OF PIKEVILLE

VEHICLE USE POLICY

INTRODUCTION

- The operation of City vehicles is necessary in conducting the day-to-day business of the City. This use of City vehicles represents one of the greatest risks facing the City. Recognizing this, it is imperative that the City take reasonable steps to control the use of City and privately owned vehicles used while performing City business. This policy sets forth the guidelines and policies governing the operation of vehicles used in the performance of official City business. Department heads are responsible for implementation and enforcement of this policy for all vehicles and drivers assigned to their department.

SCOPE

- This policy applies to all City owned, leased or rented vehicles operated on public roads and includes special-use vehicles such as construction and excavation equipment designed to operate primarily off-road but driven on public roads to a job site. (Police vehicles in most cases are covered by the Police Operating Policies.) This policy also applies to those employees that use personal vehicles while in the scope of employment and while performing official City duties.

GENERAL GUIDELINES

- Operators of all non CDL vehicles will have held a valid drivers license for at least two years before being allowed to operate a City owned vehicle.

- Only City employees are authorized to operate City vehicles. Persons volunteering services or attending out of city meetings or conferences on behalf of the City are considered employees of the City for purposes of this policy and may operate City vehicles when their duties require travel as long as such travel is under the approval or direction of the department head and or City Manager.

- Employees or representatives of other public entities may operate City vehicles under the specific approval of the department head as long as such operation is essential in conducting or supporting City business. Department heads granting permission for non-City employees to operate City vehicles are responsible for insuring that the driver is properly licensed, trained and qualified to operate the vehicle.

- Intentional abuse, moving violations, reckless operation, or negligent actions while operating any City vehicle may result in the suspension of the employee's driving privileges and is grounds for further disciplinary action.

- Employees shall obey all City, County, State and Federal laws while operating City vehicles and any time personal vehicles are used on official City business.

- City-owned vehicles are to be used only for official City business and shall not be used by employees for personal reasons unless it complies with the rest of this written policy.

- If employee is assigned a specific vehicle, incidental personal stops are permitted as long as that employee is doing city business before and or after for the city.

- When cargo, materials or tools are being transported, the driver is responsible for assuring that all items are properly secured to prevent them from shifting or falling from the vehicle or trailer.

- No person shall be allowed to ride on running boards, fenders, hoods, tailgates, beds, or other locations on a vehicle not designed or approved by the vehicle manufacturer for passenger seating. An exception to this prohibition shall be vehicles assigned to the Solid Waste Division which are suitably designed and equipped for passengers outside the cab area.

- The driver shall not operate any vehicle when normal vision is obstructed.

- Alcoholic beverages shall not be transported or placed in any City vehicle.

- No Tobacco products shall not be used in a City vehicle.

- A qualified operator must be positioned at the vehicle's controls any time it is running unless otherwise approved by the manufacturer. No vehicle shall be left unattended without first stopping the motor, locking the ignition, removing the key, setting the parking brake and locking the doors or otherwise securing the vehicle to prevent theft, vandalism, and unintentional movement.

- Employees shall refrain from operating cellular telephones, laptop computers, fax machines, navigational devices and any other device that may cause driver distraction while operating a City vehicle or while operating a privately owned vehicle in the course of conducting City business. Use of such devices shall be limited to instances where it is absolutely necessary in the performance of City business. Drivers shall make every attempt to properly park their vehicle prior to using such devices.

SCHEDULED MAINTENANCE & CLEANING STANDARDS

- Maintenance should be scheduled at least every 3500 miles or as specified by the manufactures owners manual. Scheduled maintenance should include at a minimum: oil change, check fluid levels, check tire condition and check all lights and warning devices. All maintenance should be documented and each vehicle in the fleet should have a separate file to store all maintenance records.
- All person or departments assigned a vehicle shall ensure the vehicle is kept clean inside and out. Daily or weekly washings of each vehicle is a must as needed. Keeping the city image is very important.

PRE-OPERATION INSPECTION

- An employee who operates a City vehicle, regardless of frequency, is responsible for the proper care and operation of that vehicle.

- Pre-operation Inspection for Passenger Sedans, Light Duty Pick-Up Trucks and All Other Vehicles that do not require a Commercial Driver License.

    - At least once per day, the operator of these vehicles is responsible for insuring that all vehicle safety equipment including headlights, turn signals, brake lights and horn are functioning properly. The operator is also responsible for insuring that fluid levels including brake, tire tread and wear, transmission, engine oil and coolant are properly maintained.

- Pre-operation Inspection for All Vehicles That Require a Commercial Driver License.

    - At least once per day, the operator of these vehicles is responsible for insuring that all vehicle safety equipment including headlights, turn signals, brake lights and horn are functioning properly. The operator is also responsible for insuring that fluid levels including brake, tire tread and wear, transmission, engine oil and coolant are properly maintained.

    - In addition to the requirements above, the operator of these vehicles is responsible for insuring that all pre-operation checks as required by Department of Transportation CDL rules are complied with. In addition, the operator shall complete a Vehicle Condition Report at the beginning of the first shift of each day. At the end of the week the form shall be forwarded to the Central Garage for archiving. A new form shall be initiated at the beginning of each week.

- Any defects which will affect safe operation of the vehicle will be promptly reported to the driver's supervisor or Central Garage. No employee shall operate a City-owned vehicle in an unsafe condition. Any vehicle damage, which is beyond normal wear and tear must be documented and reported to the employee's supervisor and Central Garage.

OPERATOR'S LICENSE

- A valid Kentucky vehicle operator's license must be in the employee's possession at all times while operating a City-owned vehicle. In the case of commercially rated vehicles, the proper commercial driver's license for the vehicle's weight and class must be valid, and in the driver's possession.

- Any employee who operates a vehicle in the performance of official City duties and whose operator's license is suspended or revoked shall immediately report this fact to the appropriate department head.

TAKE HOME VEHICLES

- The decision regarding assignment of City vehicles to employees as vehicles allowed to be driven to and from work shall be left to the discretion of the department head and is subject to City Manager review and approval. Examples of situations warranting a City vehicle to be taken home include the following:

    - Managerial employees whose personal use of a City owned vehicle is consistent with the requirements of the position.

- Employees who are subject to 24 hour call out or have job responsibilities requiring highly irregular work hours.

- Duty vehicles designed or equipped for high priority response where response time will be enhanced by allowing the vehicle to remain in custody of individual employee. Employees assigned to duty vehicles which are taken home must be available to respond upon request on a 24-hour basis any time the employee has custody of the vehicle.

- To prepare for a post-disaster response in order to plan an effective and efficient recovery.

- City vehicles taken home overnight shall be locked and secured in the responsible employee's driveway or other designated parking space which is in close proximity to the employee's residence.

- Employees taking a vehicle home or while on break or lunch are permitted to stop briefly at a grocery store, pharmacy, etc., for reasons of personal convenience.

TAXABLE FRINGE BENEFIT REGUARDING CITY VEHICLES

- Employees who are approved to participate in the "Take Home Vehicles" or operate a vehicle for personal use (as defined by this policy) are required under IRS regulations to pay fringe benefit taxes on the use of the vehicle as instructed under IRS publication 15-B

- Employees who are not exempt as "Emergency Responders" but do participate with a city owned "Take Home Vehicle" will be subject to taxable income as directed by IRS publication 15-B under the "Commuting Rule". The Employee will be charged applicable federal, state and local income taxes monthly based on the number of days the employee worked in that payroll period. The applicable taxes will be determined and withheld from the employee's paycheck each month under this IRS rule.

- Employees who have a city vehicle assigned to them but are not permitted or who elects not to take their vehicle home may still be subject to taxable income as directed by IRS publication 15-B under the "Cents-Per-Mile Rule". If an employee under the regulations set forth by this policy uses their city owned vehicle for personal use then the miles driven for personal use must be logged and turned into the HR Director on the last day that employee works in any given month. Under the "Cents-Per-Mile Rule" any personal miles driven will be multiplied by the rate as determined by the IRS and that total will be counted under fringe benefit taxable income and all federal, state and local taxes will be withheld from the employee's paycheck the following month.

- If an employee wishes not to have their taxable income withheld on a monthly basis then they may option to exercise the option as described under section 3.19 of the city personnel policy manual. This option at the employee's written request will not allow the city to deduct monthly withholdings but instead will apply the entire taxable amount to

the employees W-2 and will be the employee's responsibility to report during their filings with Federal, State and local agencies.

OUT OF TOWN TRAVEL AND MEETING ATTENDANCE

- With department head approval an employee may take a City vehicle home prior to leaving for an out-of-town trip or attending a late evening or early morning meeting which would require a return to the work place after normal duty hours. The employee may use the City vehicle only for travel necessary to accomplish official City business.

TRAILERS AND TOWING

- A driver whose vehicle is towing a trailer, dolly, or other equipment shall assure that the trailer hitch is securely latched, adequate for the load being towed, properly installed on the towing vehicle, and that safety chains are properly attached.
-
- The driver shall insure that the trailer or other towed equipment is supplied with proper lighting including brake lights, turn signals, and running lights.

- Any vehicle having a load which extends more than four (4) feet beyond the rear shall have the end of the load marked with a red flag which shall be at least twelve (12) inches square.

LEASED/RENTED VEHICLES

- When it is necessary for a City employee to use a rental vehicle for City business, the employee shall utilize a City approved leasing agency. The City shall purchase optional comprehensive/collision damage coverage through the leasing agency at the time the vehicle is rented.

PARKED VEHICLES

- Any vehicle left unattended shall be legally parked in a designated parking space. Keys to operate the vehicle shall be removed from the vehicle when left unattended. Vehicles responding to emergency situations or those parked on job sites shall be parked with due regard to safety and security considerations.

- City vehicles not taken home shall be secured in City parking lots during non-duty hours. The keys shall be removed and the vehicle locked. When it is necessary to leave a vehicle at a job site over night, the operator shall insure the vehicle is parked and secured in an area which provides reasonable security.

ACCIDENT REPORTING REQUIREMENTS

- Any accident involving a City owned, rented or leased vehicle or privately owned vehicle used in the performance of City duties or Take Home Vehicles shall be reported as follows:

    - Summon medical care for any injured parties.

- Notify appropriate law enforcement authorities.
- Notify employee's immediate supervisor.
- **Do not admit responsibility or fault or offer settlements**.
- Cooperate with police and emergency medical personnel.
- Obtain names and addresses of witness/involved parties.

Take pictures

Drug and DUI Testing

- The supervisor shall immediately notify the Finance Department so they can notify Insurance Carrier.
- The supervisor shall be responsible for initiating the departmental investigation of the accident, completing all required City reports and recommending any follow-up preventative actions.
- The supervisor shall get a chain of custody report signed by the employee immediately and that employee must be tested immediately. Medical Treatment will be first priority.
- When the City driver is determined to be at fault in a vehicle accident, the supervisor shall recommend disciplinary action subject to review and approval by the department head.

BACKING GUIDELINES FOR LARGE VEHICLE AND CONSTRUCTION EQUIPMENT

- Whenever possible, the driver will position the vehicle so as to avoid the necessity of backing. Before entering the vehicle, the driver shall check the rear clearance of the vehicle. The driver shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with other traffic. A spotter should be used whenever possible. Before and during backing movements, the driver and spotter will check blind zones for objects not visible in rear-view mirrors, watch both sides for adequate clearance, and limit speed to allow a full stop.

PERSONALLY OWNED VEHICLES USED FOR CITY BUSINESS

- The City will not provide coverage for liability or physical damage to an employee's privately owned vehicle. Employees who use personally owned vehicles for City business should confirm that their personal auto insurance policy provides coverage for this use.
- Employees who use their personal vehicle or receive a monthly vehicle allowance while conducting city business shall maintain liability coverage in an amount not less than $100,000 per occurrence/$300,000 annual aggregate, and property damage coverage in

an amount not less than $100,000 per occurrence. Annual verification of minimum coverage will be requested.

USE OF SAFETY RESTRAINTS

- All City vehicles must be equipped with seat belts/safety restraints and all occupants of City vehicles must properly wear seat belts/safety restraints any time the vehicle is in motion.

- The operator of construction, excavation and other off road equipment shall use the occupant restraint system any time the vehicle is in operation.

- Employees are prohibited from removing, deactivating, modifying or otherwise defeating any occupant restraint system installed by the manufacturer unless approved or instructed by the manufacturer.

MOTOR VEHICLE DRIVING RECORD REVIEW & POINTS RESTRICTION POLICY

- Employees whose job requires the use of a City or privately owned vehicles are expected to maintain driving records that reflect the practice of safe driving habits both on and off the job. The City shall use the State of Kentucky individual driving record and corresponding point system to monitor the risks associated with operating vehicles while in the City's employ.

- The City will request a copy of the transcript of driving record from the Division of Driver Licenses for each employee whose position requires operation of a City vehicle. This process will be performed at least once a year.

- An accumulation of eight or more points in the previous 12 month period or an accumulation of 10 or more points in the previous 18 month period shall be cause for disciplinary action up to and including suspension of City driving privileges. The City Manager shall advise the employee's department head and Human Resources Director when a driving record meets this threshold.

- Problem drivers should be identified and if possible should be enrolled in a defensive driving training course.

Any DUI conviction or refusal to submit to a lawful roadside sobriety test shall result in disciplinary action up to and including suspension of City driving privileges. Any conviction of a DUI will require the employee to take the state DUI certification course in order to have their driving privileges restored upon the City Managers approval. If a employee receives a DUI conviction within 12 months of a previous DUI conviction the employees driving privileges will automatically be suspended for a period at least 12 months or longer to be decided by the City Manager. If an employee has had City driving privileges suspended due to this action, the City will attempt to arrange for the employee to perform the essential functions of the job. If such accommodation is not possible or creates an unreasonable hardship for the City or coworkers, loss of City driving privileges shall be considered just cause for reassignment to a position that does not require operation of a vehicle at a pay rate commensurate with that position. If no such position is open, the employee shall be placed on lay off status.

- An employee whose driver license has been suspended for any reason shall not be allowed to operate any over-the-road City vehicles.

- Employees who have obtained temporary driving permits or hardship licenses shall not be permitted to operate over-the-road City or privately owned vehicles in the performance of official City duties.

- An employee who has been determined to be “at fault” in two or more accidents within a 24 month period while driving a City or privately owned vehicle in the performance of official City business shall be subject to disciplinary action up to and including suspension of City driving privileges.

- Temporary or permanent suspension of City driving privileges shall be considered loss of a job required prerequisite for employees whose position requires operation of an over-the-road vehicle.

If an employee has had City driving privileges suspended, the City will attempt to arrange for the employee to perform the essential functions of the job. If such accommodation is not possible or creates an unreasonable hardship for the City or coworkers, loss of City driving privileges shall be considered just cause for reassignment to a position that does not require operation of a vehicle at a pay rate commensurate with that position. If no such position is open, the employee shall be placed on lay off status.

4.19 CASH AND REVENUE MANAGEMENT PROCEDURES 01/09/12

Cash and Revenue Control Procedures:

Strong internal controls have been established to ensure cash, donations and solicited sale proceeds are adequately safeguarded, deposited, and accurately reflected in the City's General Ledger. It is imperative that departments who conduct cash, donations or solicited funding source transactions fully understand and accept the related handling responsibilities.

All funds received should be made payable to the City of Pikeville and deposited into a City bank account. They can be mailed directly to 118 College St., Pikeville, Kentucky 41501. The department personnel in charge of the event is responsible for turning in all required reporting documents to the appropriate department via…finance, utility or tax department for correct account posting no later than the next business day. All funds received shall have an Event Contract Form (12011) for the purpose of any money collected. The Event Contract Form (12011) shall include the name, amount, and detailed description of the receipt (i.e. sponsorship, booth fee, merchandise, donation, etc.). Funds will be verified, a receipt will be processed and the funds will be deposited into the appropriate City bank account.

Cash Deposit Procedures:

All monies received on behalf of the City of Pikeville for goods and services rendered are considered to be City funds. Each department is expected to handle cash transactions appropriately from start to finish.

It is the responsibility of each department to handle to ensure and maintain the integrity of the City's accounting record and provide an accurate audit trail. This is to be accomplished through compliance with established deposit procedures.

The director or any employee assisting should at all times adhere to the City funds policy. In addition, a cash box with $100 will be made available to the director to assist in making change to vendors/customers. The finance department will verify money received according to the City funds policy with the list of receipts and the balance of the $100 in the cash box. The cash box will remain with the director, but is required to be verified with each deposit.

Cash Refund Procedure:

All monies received on behalf of the City of Pikeville for goods and services rendered are considered to be City funds. Each department is required to handle this cash appropriately, this includes refund transactions.

Refunds will be processed by the appropriate department that handles the related refund request via.. Finance, Utility or Tax Department.

It is the responsibility of each department to handle refunds with consideration. For audit purposes, certain information and authorization is required for each refund transaction. Specific regulations are set out in order to meet audit regulations and to act as a guide for departments.

Check Handling Procedure:

It is the responsibility of each department to ensure that the checks they accept are cashable** and are from trustworthy sources.

It is also the responsibility of each department to ensure that they are depositing these checks within 24 hours or the next business day to the City of Pikeville Finance Department.

Checks that are cashable **must be made payable to the City of Pikeville. Checks payable to entities other than the City of Pikeville are not considered cashable and must be returned or replaced.

Credit Card or Online Procedure:

All credit card and online payments will be processed the same as the cash policy. The Event Contract Form will be required for all credit card or online registrations for any and all payments payable to the City of Pikeville.

Merchandise:

All merchandise shall be purchased using the City's current PO system. Any sales/donations of merchandise shall be logged. The Event Contract (form 12011) will be required for each vendor or sponsor and shall include quantity, description of item, date, sales price or donation. This form will be included with the receipts of funds deposited for the event. Any merchandise inventory is required to be maintained in a secure location and is subject to audits.

Non Cash Items:

All non cash items are to be reported on the Event Contract Form (12011) and turned it with the event deposits for proper accounting records.

Deposit Sheet Treatment and Assembly Procedure:

In recognizing that deposits are reviewed and audited by several units and departments within the City of Pikeville, as well as by external auditors, a standard deposit format has been established.

The City will as a matter of respect for the various departments that review departmental deposits it is requested that all departments adhere to a standard format of assembling and submitting their deposits.

Event
Contract

Name of Event _____

Date of Event _____

Event Time _____ to _____

Set Up Time _____ Break Down Time _____

****The City of Pikeville/Pikeville Tourism reserves the right to approve or deny and censor any booth participating in a city related event. **All fees are non-refundable as they are used for promotion of event.**

Check One That Applies: (X)

Vendor _____
Sponsor _____

Vendors must provide their own equipment necessary to set up their booth, i.e.-table, chairs, canopies, etc. Sponsors have the same guidelines unless said booth was listed as part of their package purchase.
All areas must be left in the condition they were prior to the event. If not, additional charges may apply.

Cost: Please check appropriate box of payment and list the amount given.

$ _____	Booth Fee	_____	Paid On Line	_____	In Person
$ _____	Website	_____	Paid On Line	_____	In Person
$ _____	Sponsor	_____	Paid On Line	_____	In Person
$ _____	Donation	_____	Paid On Line	_____	In Person

If any fee and/or donation was made for a city employee to receive or pick up, please list below the name of the person who received it and check what type of payment they received.

_____
City Of Pikeville Employee

_____	_____	_____	_____	_____
Check	Gift Card	Cash	Coupon	Item

Event Contract (2)

Company/Organization Name _____
Contact Person _____
Address _____
Phone _____
Email _____

If you are paying by check or money order, please make payment to the following :
City of Pikeville, 118 College Street, Pikeville, KY 41501

The City of Pikeville / Pikeville Tourism or affiliated organizations will not be held responsible for any liability, lost, stolen, damaged merchandise, and any injury incurred during the event or festival within the property of the event location or therein.

The City of Pikeville greatly appreciates the $ _____ donation/sponsorship for this event. It is with kindness and respect that we asked for this contract be filled out to ensure safety and accountability of everyone involved. We thank you!

_____ _____
Company Representative Date

4.20 PURCHASING POLICY 01/09/12

1.00 SCOPE OF AUTHORITY

1.01 THE CITY COMMISSION IS RESPONSIBLE FOR THE EXPENDITURE OF ALL CITY FUNDS. THE CITY COMMISSION IS RESPONSIBLE FOR ADOPTING CITY ORDINANCES GOVERNING THE PURCHASES OF EQUIPMENT, MATERIALS, SUPPLIES AND SERVICES FOR THE CITY. THE CITY MANAGER AND FINANCE DIRECTOR ARE REQUIRED TO FORMULATE PURCHASING POLICIES AND PROCEDURES TO IMPLEMENT THE PURCHASING ORDINANCE.

1.02 WHILE THE CITY COMMISSION HAS LEGAL AUTHORITY TO PURCHASE ALL MATERIALS, SUPPLIES, SERVICES AND EQUIPMENT THEY MAY AND HAVE DELEGATED THE PURCHASING FUNCTION TO THE CITY MANAGER WHO IN TURN HAS DELEGATED THE RESPONSIBILITY TO EACH OF THE DEPARTMENT HEADS.

1.03 EACH DEPARTMENT HEAD SHALL BE RESPONSIBLE, WITH THE CITY MANAGERS APPROVAL, FOR THE PROCUREMENT OF SUITABLE MATERIALS, SUPPLIES, SERVICES AND EQUIPMENT FOR THEIR DEPARTMENTS OF CITY GOVERNMENT, EXCEPT AS OTHERWISE NOTED.

1.04 IN ALL SUCH CASES, THE PAPERWORK, ISSUING OF PURCHASE ORDERS, ETC., SHALL CHANNEL THROUGH THE APPROVED ACCOUNTING SOFTWARE.

2.00 RESPONSIBILITY OF DEPARTMENT HEADS

2.01 DEVELOPMENT OF SPECIFICATIONS WHERE REQUIRED OR BENEFICIAL WILL BE THE RESPONSBILITY OF THE DEPARTMENT HEAD WHERE REQUIRED OR APPROPRIATE.

2.02 PROCURING THE HIGHEST QUALITY ITEM(S) FOR A SPECIFIED USE AT THE LOWEST POSSIBLE EXPENSE IS REQUIRED BY ALL DEPARTMENT HEADS.

2.03 ALL PURCHASES MUST INCLUDE BEING IMPARTIAL IN DEALINGS WITH BIDDERS, VENDORS AND SUPPLIERS. LOCAL PURCHASING IS ENCOURAGED WHERE COMPETITIVE MARKET PRICES EXIST.

2.04 PREPARING REQUISITIONS FOR MATERIALS, SUPPLIES, SERVICES AND EQUIPMENT NEEDED.

2.05 MAINTAIN DEPARTMENTAL INVENTORY AND ADEQUATE SUPPLY AND PROVIDE FOR ADEQUATE LEAD TIME FOR REPLENISHMENT.

2.06 INSPECT INCOMING MATERIALS OR SERVICES PERFORMED FOR COMPLIANCE WITH SPECIFICATIONS; REPORT DISCREPANCIES TO THE ACCOUNTING DEPARTMENT.

2.07 ALL PURCHASES OVER $20,000 MUST FOLLOW THE STATE PROCUREMENT POLICY AND SHALL REQUIRE CITY MANAGER AND CITY COMMISSION APPROVAL PRIOR TO ANY TRANSACATIONS.

3.00 AIMS AND OBJECTIVES

3.01 TO CONSERVE PUBLIC FUNDS THROUGH REDUCTIONS IN COST AND IN THE QUALITY OF MATERIALS PURCHASED.

3.02 TO PROMOTE A SYSTEM OF MATERIALS AND STANDARDIZATION THROUGHOUT THE CITY IN ORDER THAT BETTER MATERIALS AT MINIMUM COST MAY BE SECURED BY ALL AGENCIES.

3.03 TO PROVIDE FOR INCREASED PUBLIC CONFIDENCE IN THE PROCEDURE FOLLOWED IN PROCUREMENT.

3.04 TO PROVIDE SAFEGUARDS FOR THE MAINTENANCE OF A PROCUREMENT SYSTEM OF QUALITY AND INTEGRITY.

4.00 GENERAL PROCEDURAL POLICIES

4.01 CONTRACTS SHALL BE AWARDED TO THE LOWEST AND BEST BIDDER. WHEN THE AWARD IS NOT GIVEN TO THE LOWEST BIDDER, A STATEMENT OF REASONS SHALL BE PREPARED BY THE DEPARTMENT HEAD AND FILED WITH THE OTHER DOCUMENTS. ALL RECOMMENDED AWARDS SUBMITTED TO THE CITY COMMISSION MUST INCLUDE THE MOST CURRENT ACCOUNT STATUS REGARDING THE UNENCUMBERED BALANCE. THIS SHOULD BE REQUESTED THE WEEK BEFORE THE SCHEDULED COMMISSION MEETING.

4.02 THE CITY OF PIKEVILLE IS EXEMPT FROM ALL SALES TAXES AND EXEMPTION CERTIFICATES WILL BE ISSUED BY THE FINANCE DIRECTOR UPON REQUEST.

4.03 DISBURSEMENTS RECOMMENDED BY THE CITY MANAGER AND FINANCE DIRECTOR WILL BE MADE AT THE REGULAR SEMI-WEEKLY COMMISSION MEETINGS. DEPARTMENT HEADS MAY NOT OBLIGATE THE CITY BY SUGGESTING THAT DISBURSEMENTS WILL BE MADE IMMEDIATELY.

4.04 A PETTY CASH PURCHASE IS ONE THAT CAN BE MADE FOR UP TO TWENTY-FIVE ($25.00). FOR REIMBURSEMENTS, A VENDOR'S CASH RECEIPT SHOULD BE SUBMITTED. ALL PETTY CASH SLIPS MUST BE APPROVED BY THE DEPARTMENT HEAD. ANY MONEY ADVANCED FROM THE PETTY CASH REQUIRES A SIGNED VOUCHER TO GET THE MONEY AND RETURN RECEIPT AND CHANGE.

5.00 REQUISITIONS

5.01 PURCHASING STARTS WITH THE NEED THAT DEVELOPS IN A DEPARTMENT. THIS NEED FOR MATERIALS, SUPPLIES, AND EQUIPMENT IS SATISFIED AND EXPRESSED IN THE FORM OF A REQUISITION. THIS NEED MUST NOT WAIT UNTIL AN EMERGENCY EXISTS. THE DEPARTMENT MUST ANTICIPATE FAR ENOUGH IN ADVANCE TO ALLOW AMPLE TIME FOR ITS PROPER PROCUREMENT. ALL PURCHASES REGARDLESS OF THE AMOUNT, SHALL REQUIRE AN APPROVED PURCHASE ORDER PRIOR TO THE ITEM ACTUALLY BEING PURCHASED. THE CITY MANAGER MAY APPROVE AN EMERGENCY PURCHASE VIA CITY CREDIT CARD OR IN

STORE CREDIT; HOWEVER, A REQUISITION MUST BE GENERATED BY THE NEXT BUSINESS WORKING DAY.

5.02 THE CITY MANAGER SHALL EXAMINE ALL REQUISITIONS. THE CITY MANAGER AND FINANCE DEPARTMENT SHALL HAVE THE AUTHORITY TO REVISE THE ACCOUNT CODES CHARGED AND TO RETURN REQUISITIONS NOT PROPERLY COMPLETED. REQUISITIONS SHOULD BE PREPARED FAR ENOUGH IN ADVANCE OF THE DATE THE MATERIAL WILL BE USED TO ENABLE THE FINANCE DEPARTMENT TO ENCUMBER THE AMOUNTS.

5.03 IF THERE ARE INSUFFICIENT FUNDS WITHIN THE ACCOUNT TO SUPPORT THE AMOUNT REQUESTED, THE REQUISITION MAY BE RETURNED TO THE DEPARTMENT FOR REVIEW.

5.04 THE REQUISITION IS ENTERED/SUBMITTED INTO THE APPROVED ACCOUNTING SOFTWARE AND INCLUDES THE FOLLOWING:

A. DATE
B. DATE NEEDED
C. DEPARTMENT AND ACCOUNT CHARGED
D. SHIPPING DESTINATION
E. REQUESTED BY
F. DETAILED DESCRIPTION
G. QUANTITY
H. ESTIMATED UNIT PRICE
I. VENDOR NAME AND ADDRESS
J. SUMBITTED TO THE CITY MANAGER FOR APPROVAL

6.00 PURCHASE ORDERS/INVOICES

6.01 THE PURCHASE ORDER IS THE INSTRUMENT DESIGNED TO CONTROL THE BUYING FOR THE CITY OF PIKEVILLE. IT AUTHORIZES THE VENDOR TO SHIP MATERIAL, SERVICES, ETC. AS SPECIFIED AND TO INVOICE THE CITY.

6.02 ONCE THE REQUISITION IS APPROVED BY THE CITY MANAGER, THE REQUESTING DEPARTMENT, RELEASES THE REQUISITION INTO A PURCHASE ORDER. A COPY IS RETAINED ELECTRONICALLY IN THE ACCOUNTING SYSTEM. ALL RECEIPTS MUST BE TURNED INTO THE ACCOUNTS PAYABLE DEPARTMENT ON THE NEXT BUSINESS WORKING DAY AFTER THE ITEM HAS BEEN PURCHASED. IF NO RECEIPT IS AVAILABLE AT THAT TIME OF PURCHASE DUE TO BEING SHIPPED FROM ANOTHER LOCATION, THEN THE RECEIPT MUST BE TURNED INTO THE ACCOUNTS PAYABLE DEPARTMENT BY THE NEXT BUSINESS WORKING DAY AFTER THE ITEM HAS BEEN RECEIVED. ALL RECEIPTS MUST BE ATTACHED TO THE REQUISITION.

6.03 A BLANKET PURCHASE ORDER MAY BE NECESSARY IN CIRCUMSTANCES APPROVED BY THE CITY MANAGER. THE DEPARTMENT MUST FOLLOW THE STEPS IN SECTION 5. THE BLANKET PURCHASE ORDER WILL HAVE A NOT-TO-EXCEED AMOUNT AND PERIOD OF TIME OF THREE MONTHS OR LESS.

6.04 THE ORDERING DEPARTMENT SHALL BE RESPONSIBLE FOR THE RECEIPT, INSPECTION AND ACCEPTANCE OF INCOMING SUPPLIES, EQUIPMENT AND SERVICES. INVOICES SHOULD BE REVIEWED AND APPROVED FOR PAYMENT BY

THE DEPARTMENT HEAD. INVOICES RECEIVED FOR PARTIAL SHIPMENTS SHALL NOT BE HELD BY THE DEPARTMENT FOR DELIVERY OF ALL ITEMS UNLESS REASON IS PROVIDED TO THE FINANCE OFFICE.

7.00 TRAVEL EXPENSE REQUESTS

7.01 CASH ADVANCE: TRAVEL REQUEST CASH ADVANCES SHOULD BE SUBMITTED FOLLOWING THE GUIDELINES FOR REQUISITIONS IN SECTION 5 AND SHOULD BE SUMBITTED PRIOR TO THE INTENDED TRIP. THE CITY OF PIKEVILLE FOLLOWS THE PER DIEM MEAL ALLOWANCE BASED UPON DEPARTURE AND ARRIVAL TIME.

7.02 ACTUAL EXPENSE REIMBURSEMENT: WHEN ACTUAL EXPENSES ARE TO BE REIMBURSED, THE EMPLOYEE IS TO SUBMIT A REQUISITION AS OUTILINED IN SECTION 5 AND ATTACH ALL RECEIPTS.

8.00 FLEET EQUIPMENT PURCHASING POLICIES

8.01 THE DEPARTMENT HEAD OF EITHER THE POLICE OR FIRE DEPARTMENTS MAY BE AUTHORIZED BY THE CITY MANAGER TO WRITE REQUISITIONS FOR CERTAIN PRESCRIBED BUDGETED ACCOUNTS WHICH PERTAIN TO DIRECT REPAIR AND MAINTENANCE OF CITY VEHICLES OR EQUIPMENT.

9.00 RECURRING SERVICES

9.01 THIS PROVIDES THE NECESSARY PROCEDURES FOR CONTROL AND PAYMENT. THESE INCLUDE PAYMENTS FOR SUCH SERVICES AS GAS, WATER, SEWAGE, TELEPHONE, POSTAGE OR ANY OTHER SERVICE FOR WHICH PAYMENT IS MADE ON A RECURRING BASIS WITHOUT PURCHASE ORDERS.

9.02 WHEN AN INVOICE IS RECEIVED FROM THE VENDOR, THE ACCOUNTING CLERK COMPARES IT WITH THE PREVIOUS BILLINGS AND OTHER AVAILABLE INFORMATION TO ASSURE PROPRIETY OF THE INVOICE. ANY DISCREPANCIES ARE CALLED TO THE ATTENTION OF THE FINANCE DIRECTOR FOR APPROPRIATE ACTION.

10.00 MAINTENANCE AGREEMENTS RENEWAL

10.01 BEFORE RENEWING ANY SUCH AGREEMENTS, THE FINANCE DEPARTMENT WILL CHECK WITH THE CONCERNED DEPARTMENT HEAD TO DETERMINE IF THE AGREEMENT SHOULD BE RENEWED.

10.02 AGREEMENTS FOUND TO BE UNNECESSARY WILL BE TERMINATED.

10.03 DEPARTMENT HEADS MUST ADVISE THE FINANCE DEPARTMENT OF ANY CHANGE OF STATUS OF ITMES COVERED BY MAINTENANCE AGREEMENTS.

11.00 VIOLATIONS

ANY EMPLOYEE EXPENDING CITY FUNDS WITHOUT GOING THROUGH THE PROPER EXPENDITURE PROCEDURES, AS DESCRIBED ABOVE, WILL SUBJECT THE EMPLOYEE TO DISCIPLINARY PROCEDURES, SUCH AS SUSPENSION OR TERMINATION (AS SET FORTH IN THE EMPLOYEE POLICY HANDBOOK).

4.21 WORKAREA – Safety & Cleanliness 01/09/12

General Rules.

The cities buildings, vehicles and facilities are the property of the public. In order to present the best possible impression it is our responsibility, as public servants, to ensure that we and our work areas are in the best possible condition.

All employees work areas, offices and vehicles shall be clean, organized and free of clutter at all times. All trash and debris shall be emptied daily by the employee who is responsible for the area. Departments shall ensure their areas are swept & dusted as needed. It is NOT the responsibility of the cleaning personnel to take care of an employee's personal work space. Each employee is responsible for their own work area or vehicle.

Employees are permitted to put personal effects such as personal pictures (in frames), and/or other personal décor, as long as they are in good taste, not offensive and do not interfere with daily business operations.

Unauthorized or cluttered items, like posted notes, graphics, or other items, are not permitted to be hanging from walls, doors, computers or desks. All employees should have only items out on their work areas that they are currently working on. All other items should be filed or stored away neatly and in an orderly fashion until they are later needed.

Employees shall not have food or beverage out while in view of the public.

If a city asset becomes damaged or obsolete, you shall notify your supervisor immediately for the item to be replaced, repaired or thrown away. Items like desks, computers, office equipment, chairs, etc.

Drawers, shelves, closets & storage areas shall be neat and organized at all times. It shall be the department supervisor's responsibility to discard unproductive items either by throwing them away or declaring an item for auction by notifying the Project Manager. It shall be the Project Manager's responsibility to house all auction items for either on-line or periodic in-person auction.

All items covered by the record retention laws shall be kept in filing or storage unit until which time their shelf life has expired and must be destroyed at that time by the supervisor of responsibility.

All buildings, vehicles, facilities and work areas top priorities are to have safe environments. Employees shall, in no way, create fire or safety hazards of any kind. Employees shall be aware of the overloading of outlets, unapproved extension cords, trip hazards, blocking of exits or anything else that may cause harm to another person or the building.

Drug & Alcohol Free Workplace Policy

5.1 POLICY - PURPOSE AND GOALS

Being aware of the costs, in human terms, of the abuse of alcohol, illicit substances, and illegal drugs; and realizing the costs, both actual and potential in monetary terms, of the abuse of alcohol, illicit substances and illegal drugs in the workplace; the City of Pikeville, Kentucky (the City) is committed to protecting the safety, health and well being of all employees of the City and other individuals who make use of the City's facilities. Likewise, the City is committed to ensuring that its facilities provide a safe and healthy environment for the conduct of City business for all residents of the City of Pikeville. Additionally, the City wishes to accomplish the following with the establishment of this policy:

- **As a recipient of Federal Funds, to comply with the Drug Free Workplace Act of 1988 (PL100-690. Title V, Schedule D).**
- **To inform employees that testing for controlled substances and alcohol is required as a condition of employment with the City of Pikeville.**
- **To reduce the number of accidents and injuries to persons and property.**
- **To reduce absenteeism and tardiness, and to increase the productivity of all employees of the City.**
- **To help ensure the reputation of the City and its employees throughout the community.**
- **To provide leadership in helping to stem the tide of the abuse of alcohol, illicit substances and illegal drugs throughout our community and the Commonwealth of Kentucky as a whole.**

It is with these goals in mind that the City issues this policy, declaring itself a *Drug and Alcohol Free Workplace* and hereby issues these accompanying rules regarding drug and alcohol use in the workplace for the City of Pikeville.

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled or illicit substance is prohibited in the workplace.

5.2 DEFINITIONS

Accident – an unexpected and undesirable event resulting in damage or harm. For the purposes of this policy, the resulting damage or harm may constitute an injury which requires off-site medical attention be given to a person or damage to a vehicle or other property.

Alcohol –means any intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol. This includes over-the-counter and prescribed medications which contain more than one-half (1/2) of one percent (1%) of alcohol by volume.

Alcohol Testing - the testing for alcohol content by an Evidential Breath-Testing Device (EBT) or other Department of Transportation (DOT) approved device. DOT approved devices and procedures will also be used for non-DOT alcohol tests.

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Drug – means a controlled substance as defined in KRS 218A.010(6) and as established in 902 KAR Chapter 55, including:

1. **Amphetamines**
2. **Cannabanoids (THC)**
3. **Cocaine**
4. **Opiates**
5. **Phencyclidine (PCP)**
6. **Benzodiazepines**
7. **Proproxyphene**
8. **Methaqualone**
9. **Methadone**
10. **Barbiturates**
11. **Synthetic Narcotics**
12. **Illicit Substances as defined in KRS 351.010**
13. **Volatile Substances as defined in KRS 217.900(1)**

Drug or Alcohol Rehabilitation Program – means a service provider that provides confidential, timely, and expert identification, assessment, treatment and resolution of employee drug or alcohol abuse.

Drug Test or Test – means a chemical, biological, or physical instrumental analysis administered by a qualified laboratory, for the purpose of determining the presence or absence of a drug or its metabolites or alcohol pursuant to standards, procedures, and protocols established by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA).

Employee Assistance Program (EAP) – means an established program providing:

1. **Professional assessment of employee personal concerns.**
2. **Confidential and timely services to identify employee alcohol or drug abuse.**
3. **Referrals of employees with alcohol or drug abuse issues for appropriate diagnosis, treatment, and assistance.**
4. **Follow-up services for employees who participate in a drug or alcohol rehabilitation program and are recommended for monitoring after returning to work.**

Heightened Safety Awareness Level (HSAL) – those positions involving special, dangerous and skilled activities and those that would involve exceptional duty to community citizens in the area of public safety. These positions are often referred to as "Safety Sensitive" positions.

Illicit Substance – means those prescription drugs used illegally or in excess of therapeutic levels as well as illegal drugs.

Medical Review Officer (MRO) – means a licensed physician with knowledge of substance abuse disorders, laboratory testing, and chain of custody collection procedures, and who has the ability to verify positive, confirmed test results. The MRO shall posses the necessary medical training to interpret and evaluate a positive test result in relation to the person's medical history or any other relevant biomedical information.

Qualified Laboratory – means a laboratory certified in accordance with the National Laboratory Certification Program (NLCP) by the United States Department of Health and Human Services' Substance Abuse and Mental Health Services Administration (SAMHSA).

Reasonable Suspicion – as used in this policy, the term reasonable suspicion means, a belief that an employee is using or has used drugs or alcohol in violation of this policy, drawn from specific, objective and articulable facts and reasonable inferences drawn from those facts in light of experience, training, or education.

Refusal to Submit – means the failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing; or, the failure to provide adequate urine for controlled substances testing without a valid medical explanation after the employee receives notice of the requirement of urine testing; and/or engaging in conduct that clearly obstructs the testing process.

Substance Abuse Professional – A licensed or certified psychologist, social worker, employee assistance professional or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

Volatile Substance – means any glue, cement, paint or other substance as described in KRS 217.900(1)

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5.3 APPLICABILITY

This policy is intended to apply whenever anyone is representing or conducting business for the City of Pikeville. Accordingly, this policy applies during all working hours, while on call or paid standby and while performing work on behalf of the City while on or off City property. The policy applies to all City employees with special provisions designated to those employees identified as having responsibilities requiring a Heightened Safety Awareness Level (HSAL). Those positions identified as requiring a heightened safety awareness level include but may not be limited to:

- **Police Officers**
- **Firefighters**
- **Emergency Dispatchers**
- **Emergency Medical Technicians**

NOTE: ***The positions identified above as having a Heightened Safety Awareness Level include but are not limited to those regulated under 49 CFR (49 CFR). While this program includes those federally mandated employees, this Drug and Alcohol-Free Workplace Policy is not intended to replace and shall be separate from any Drug and Alcohol-Free Workplace Policy previously adopted and implemented by the City which may have included only federally regulated employees.***

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5.4 POLICY REQUIREMENTS

4.1 Training

The City shall conduct substance abuse awareness training for all employees. This substance abuse awareness training shall consist of the following minimum requirements:

- **Upon a conditional offer of employment with the City of Pikeville, each applicant shall be provided a copy of and will be asked to read the City's Drug & Alcohol-Free Workplace policy. All existing employees will also be asked to read and sign the *Certification of Acknowledgement – Drug & Alcohol-Free Workplace Policies and Procedures Form* (Appendix A)**
- **Initial training shall consist of at least 1-hour for all employees.**
- **Annual refresher training shall be conducted for all employees in substance abuse awareness and shall consist of no less than thirty- (30) minutes.**
- **All alcohol and substance abuse awareness training will include, at a minimum, information concerning:**

  1. **Alcohol and drug testing policy and procedures;**
  2. **The effects of alcohol and drug use on an individual's health, work and personal life;**
  3. **The disease of alcohol or drug addiction;**
  4. **Signs & symptoms of an alcohol and drug problem;**
  5. **The role of co-workers and supervisors in addressing alcohol or substance abuse; and**
  6. **Referrals to an employee assistance program.**

- **Supervisory personnel, in addition to all of the above training shall receive an additional thirty (30) minutes each year of alcohol and substance abuse education and awareness training. This additional supervisory training will be documented using, the *Supervisor Training Certification Certificate*. This additional supervisory training shall consist of at least the following:**

  1. **Recognizing the signs of alcohol and substance abuse in the workplace.**
  2. **How to document signs of employee alcohol or substance abuse.**
  3. **How to refer employees to an employee assistance program or other alcohol and substance abuse treatment program; and**
  4. **Legal and practical aspects of reasonable suspicion testing for the presence of drugs and alcohol.**

***NOTE**: The City of Pikeville's Drug and Alcohol-Free Workplace Program shall include controlled-access maintenance in the Office of the City clerk/Human Resources Manger_, of business records including the names and position titles of all employees and supervisory personnel trained under the program as described above, and the names of all persons who presented alcohol and substance abuse awareness training, for review by the Office of Worker's Claims.*

***NOTE**: Should this policy be amended, employees shall be provided with copies of any change or modification and given an opportunity to ask questions and obtain answers regarding any change in this policy. However, changes may not be made to the policy which would circumvent ay requirement(s) associated with 803 KAR 25:280.*

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4.2 DRUG AND ALCOHOL TESTING

The City of Pikeville currently uses *Premier Integrity Solutions located at Pikeville, Kentucky* as its laboratory of choice for the collection of urine samples in the case of testing for controlled substances , and for the administration of breathalyzer tests for alcohol concentration. *Premier Integrity Solutions* is also the City's third-party administrator of choice for the random selection category of testing. Employees are selected by *Premier Integrity Solutions* using a statistically valid method of selection of specific employee codes. This random testing will be reasonably spaced over a twelve (12) month period. Because of the random nature of the selection process, any employee may be tested more than once, or not at all. All urine samples are forwarded for analyzation to *MedTox Laboratories, In., St. Paul, Minnesota*, which is a laboratory approved by the National Laboratory Certification Program (NLCP) under the United States Department of Health and Mental Services Substance Abuse and Mental Health Services Administration (SAMHSA).

The City shall administer alcohol and drug tests in circumstances which include but may not be limited to the following:

4.2(a) Reasonable Suspicion Testing – A reasonable suspicion test shall be based on a belief that an employee is using or has used drugs or alcohol in violation of this policy, drawn from specific objective facts and reasonable inferences drawn from those facts in light of experience, training or education. The reasonable suspicion testing shall be based upon:

a) While at work, direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;

b) While at work, abnormal conduct, erratic behavior, or a significant deterioration in work performance;

c) A report of drug or alcohol use provided by a reliable and credible source;

d) Evidence that an individual has tampered with a drug or alcohol test during employment with the City;

e) Information that an employee has caused, contributed to, or been involved in an accident while at work;

f) Evidence that an employee has used, possessed, sold, solicited, or transferred illegal or illicit drugs or used alcohol while on the City's premises or while operating the City's vehicle, machinery or equipment.

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The City Clerk/Human Resources Manager or her/his authorized designee shall be notified immediately of any indication of reasonable suspicion. Both the observing department supervisor and the City Clerk/Human Resources Manager or her/his representative (if available) will review the policies and procedures herein and if necessary make arrangements with a testing facility of the City's choosing to conduct reasonable suspicion drug and/or alcohol testing as soon as possible. If a representative from the Office of the City Clerk/Human Resources Manager is not available, the observing supervisor shall obtain the assistance of another City of Pikeville supervisor or other credible and reliable source and together they shall complete the *Reasonable Suspicion Observation Form*, and forward it to the City Clerk/Human Resources Manager or her/his designee. If after completing the form it is determined that there is, in fact, reasonable suspicion that the employee is under the influence of drugs and/or alcohol, the observing supervisor or his/her designee will notify the employee and accompany him/her to the testing site.

When a reasonable suspicion test is ordered, the employee must submit to testing within 45 minutes of being notified that he/she will be tested. The observing supervisor and/or designee shall remain at the testing site with the employee being tested, until the collection process is completed. Any employee who is tested for reasonable suspicion shall be placed on leave with pay until the results of the test are known. After submitting to the drug/alcohol test, the employee may not return to work until the results of the test are known and only then if the results are negative. Only the City Clerk/Human Resources Manager or her/his authorized designee may order a reasonable suspicion test.

4.2(b) Pre-Employment Testing – Breath alcohol and urine drug testing shall be required of all new hire applicants after their receipt of a conditional offer of employment. After receiving the conditional offer of employment, applicants will have 48-hours in which to submit to testing at a testing facility of the City's choosing. The City of Pikeville requires that every newly hired employee test free of controlled substances and have a breath alcohol concentration of not more than 0.02. Each offer of employment by the City shall be conditional upon the passing of controlled substance and alcohol tests. Refusal by any applicant for employment with the City to take the controlled substance test will result in the conditional offer of employment being withdrawn. All testing under this policy will be in accordance with Testing Protocols described elsewhere in this policy.

a) An applicant with a confirmed positive test for controlled substances and/or alcohol in a concentration of greater than 0.02 , which is not legitimately explained to and accepted by a Medical Review Officer of the City's choosing, will not be considered for employment.

b) Any applicant who fails a controlled substance test may not be considered for future employment with the City of Pikeville.

c) Any applicant who refuses to take a controlled substance test will be disqualified from future consideration for employment.

d) Any applicant who tampers with, or attempts to tamper with, a urine specimen in any manner shall be disqualified from current and future consideration of employment with the City.

e) An applicant whose positive test is confirmed and upheld by the Medical Review Officer (MRO) may request that the same sample be retested at his/her own expense at a City approved laboratory.

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Individuals undergoing pre-employment testing shall not begin official employment with the City until after all test results are received and shown to be negative. Upon receipt of the test result, positive or negative, the

City Clerk/Human Resources Manager or her/his authorized designee shall inform the appropriate Department Head of the results.

4.2(c) Random Testing – Employees in a High Safety Awareness Level (HSAL) position will be required to participate in a statistically valid, unannounced random selection process, which will subject them to mandatory drug testing. Positions in which an employee is required to have a Commercial Driver's license (CDL), must be tested at a rate of fifty percent (50%) for drugs annually to satisfy Department of Transportation (DOT) requirements. Additionally, employees required to have a CDL license must be tested for alcohol at a rate of ten percent (10%) annually to satisfy DOT requirements. In the case of random testing for drug use, non-federally regulated HSAL positions will be tested for drugs at a rate of no more than twenty percent (20%). All employees in federally regulated HSAL positions shall be selected from a pool that is separate from the random selection pool for other non-federally regulated HSAL positions. All testing required under 49 CFR, Part 40 will be separate and apart from any other testing required under this policy. The City shall utilize a third party to conduct the random selection of HSAL employees, including employees with a CDL, to be tested. This random testing shall be unannounced and will take place throughout each calendar year. HSAL employees are selected by a third party administrator using a statistically valid, random method of selection using specific employee codes. Because of the random nature of this testing process, HSAL employees may be selected for testing more than once or not at all. Once an employee is notified that he/she has been selected for testing, the employee must proceed immediately to the testing site of the City's choosing.

NOTE: Employees in non-HSAL positions will not be included in the random selection pool. However, non-HSAL employees will be subject to testing upon reasonable suspicion of possible alcohol or drug use and may be subject to testing for other reasons listed in this policy. Procedures and protocols for reasonable suspicion, pre-hire, post-accident, return-to-work and follow-up testing as described elsewhere in this policy will apply in their case.

4.2(d) Post Accident Testing – Drug and alcohol testing will be conducted following an employee's involvement in an accident on or off the City's premises while on duty, or in the course of employment for the City, which requires off-site medical attention, be administered to a person. An accident not necessarily requiring that off site medical attention be given to a person but which results in property damage of five hundred dollars ($500.00) or more shall be deemed a "qualifying event" for requiring post-accident testing. Drug and alcohol testing will be required of the employee(s) who were actively involved in the "qualifying event".

Qualifying Event Exception: **Due to varying types of accident cause, all accidents categorized as a "qualifying event" may not require post-accident testing. Exceptions to the "qualifying event" for requiring post-accident drug and alcohol testing will include, but may not be limited to the following types of accidents:**

1. **Injuries whose onset is cumulative or gradual – such as carpel tunnel syndrome, progressive hearing loss, mental disorders, dermatitis, respiratory diseases, skin disorders, etc.**

2. **Injuries where the employee can be completely discounted as the contributing factor (i.e. injuries caused by a third party or some other uncontrollable force or event, i.e. weather, insects, toxic plants, etc.)**

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3. **Injuries where the employee can be completely discounted as the major contributing factor or those injuries occurring during physical fitness or a training event, in which the employee did everything within reason to avoid the injury accident, i.e. was performing training as instructed.**

In each case, the City Clerk/Human Resources Manager or her/his designee shall determine the necessity of drug and alcohol testing and shall communicate such testing with the involved employee and the employee's respective department head. The City Clerk/Human Resources Manager or her/his authorized designee shall coordinate all required tests with the appropriate medical facilities.

An employee involved in an accident while on an out-of-town assignment, shall notify their Department Director or the Director's designee as soon as possible but no later than two (2) hours after the accident occurred. The Department Director shall notify the City Clerk/Human Resources Manager or her/his authorized designee to discuss possible drug/alcohol testing requirements.

Other Qualifying Event: **The Department Director or his/her designee may request controlled substance/alcohol testing when an employee caused or cannot be completely discounted from causing a vehicular or any other type of accident in which a safety violation occurs and death, serious bodily injury or major property damage did result or could have resulted. The City Clerk/Human Resources Manager or her/his designee, along with the employee's supervisor, will be responsible for determining whether a safety violation has occurred. In each case, the City Clerk/Human Resources Manager or her/his designee shall determine the necessity of drug and alcohol testing and shall communicate such testing with the involved employee and the employee's department head. If a post accident controlled substance/alcohol test is required, a confirmed positive test result will result in the employee's immediate termination.**

4.2(e) Follow-up Testing – Any employee returning to work from successful completion of an Employee Assistance Program (EAP) for alcohol-related problems, or a alcohol rehabilitation program, shall be required to undergo one (1) year of quarterly drug and alcohol testing. The frequency of the follow-up testing shall consider recommendations of any involved Substance Abuse Professional (SAP) but shall be not less than once per quarter (every three months) for one (1) year. All follow-up testing may be requested at any time and shall be unannounced.

4.2(f) Return-To Duty Testing – ***In all cases, it shall be at the discretion of the City of Pikeville as to whether to allow an employee who has violated any provision of this policy to continue in the City's employment.*** **In view of the fact that the use of non-prescribed drugs is illegal, a positive test for controlled substances will result in the immediate termination of the employee testing positive. In the event that an employee who has tested positive for alcohol without a valid medical reason for a positive test, as confirmed by a Medical Review officer of the City's choosing, is allowed to enter a controlled substance/alcohol abuse rehabilitation program, the employee may be allowed to return to work only under the following circumstances:**

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a) The employee may resume regular duties only after the employee tests negative in an alcohol test administered by the City approved laboratory and can provide a release to return to work from an appropriate substance abuse treatment facility or confirmation of continued and on-going participation in a City recognized alcohol abuse assistance program. An employee must test negative within a reasonable period of time from receipt of the initial test results not to exceed forty-five (45) days. Any repeat occurrence of substance abuse or violation of any other aspect of the City's Drug Free Workplace Policy will result in immediate termination.

b) Prior to returning to work, the employee shall be required to meet with the Mayor or his/her designee to receive an explanation of the terms of continued employment; and to sign a written *Treatment Plan/Return-to-Work Agreement*, detailing the terms under which the employee will be allowed to return to work. Such agreement shall stipulate that the employee, at the City's request, may be required at any time, to submit to interviews and/or evaluation by the professional staff at an appropriate chemical dependency treatment facility approved by the City's Employee Assistance Program (EAP). The return-to-work agreement will also stipulate that the employee be required to submit to unannounced controlled substance and/or alcohol testing for up to twelve (12) months after resuming duties.

4.3 Testing Protocol

The collection of samples and administration of drug and alcohol tests shall follow all standards, procedures and protocols set forth by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Administration (SAMHSA). Test results will be obtained by a qualified laboratory as defined elsewhere in this policy and results shall undergo a medical review as follows:

1) **All test results shall be submitted for medical review by a Medical Review Officer (MRO) of the Authority's choosing, who shall consider the medical history of the employee or applicant, as well as relevant biomedical information.**
2) **If there is a positive test result, the employee or applicant will be given an opportunity to report to the MRO the use of any prescription or over-the-counter medication.**
3) **If the MRO determines that there is a legitimate medical explanation for a positive test result, the MRO may certify that the test results do not indicate the unauthorized use of alcohol or a controlled substance.**
4) **If the MRO determines, after appropriate review, that there is not a medical explanation for the positive test result other than the unauthorized use of alcohol or a prohibited drug, the MRO shall refer the individual tested to the Executive Director for further proceedings in accordance with the Authority's Drug Free Workplace Policy.**

Note: MRO determinations concerning the use of alcohol or a controlled or illicit substance shall comply with all procedures outlined in the U. S. Department of Health and Human Services (SAMHSA) "Medical Review Officer Manual for Federal Drug Testing Programs".

4.4 Testing Process

Any employee who has been ordered to undergo testing for drugs and/or alcohol shall receive an *Alcohol and/or Drug Test Notification Form*.

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Employees shall report to the collection site of the City's choosing immediately after being provided the notification to test. In the case of reasonable suspicion testing, a supervisor or designee shall escort the employee to the collection site. Drug testing will be conducted by urine sample while alcohol testing will be analyzed using a breath alcohol testing/screening device. Drug and alcohol analysis will be performed by a trained technician. All testing shall follow the prescribed standards, procedures and protocols set forth by the U.S. Department of Health and Human Services' Substance Abuse and Mental Health Administration (SAMHSA).

To ensure that the test specimen is actually that of the donor, <u>collection site staff will require positive identification of the test subject</u>.

<u>Alcohol</u>

The City of Pikeville shall require all tests for alcohol to be performed by a Certified Breath Alcohol Technician (BAT).

<u>Drugs</u>

An eleven (11) panel urine test will be conducted and shall include analysis for the following substances:

1) **Amphetamines;**
2) **Cannabanoids/THC;**
3) **Cocaine;**
4) **Opiates;**
5) **Phencyclidine (PCP)**
6) **Benzodiazepines;**
7) **Propoxyphene;**
8) **Methaqualone;**
9) **Methadone;**
10) **Barbiturates;**
11) **Synthetic Narcotics**

5.5 PROHIBITED ACTIVITY

Prohibited activities involving the use of alcohol or controlled substances are listed in the following paragraphs.

The City of Pikeville reserves the right to define and interpret prohibited activities that specifically include, but may not be limited to:

5.1 Alcohol

Prohibited conduct involving the use of alcohol includes the following:

- **The performance of or being immediately available to perform work duties while having an alcohol concentration greater than 0.02.**

- **The consumption of alcohol or products containing alcohol during the performance of or being immediately available to perform work responsibilities.**

- **In the case of HSAL employees, having in possession, alcohol or products containing alcohol during the performance of or being immediately able to perform HSAL work responsibilities. This includes the possession of medicines containing alcohol (prescription or over-the-counter) unless the seal is unbroken and/or the medication is prescribed by a licensed physician, and said physician has confirmed the necessity of the HSAL employees' said possession of the prescribed substance containing alcohol and has confirmed that the use of such substance will not deter from the employees ability to safely perform assigned**
- **HSAL responsibilities. In the latter case, a *Prescription Drug Notification Form* must be on file with the Mayor or his/her authorized designee.**

- **The performance of or being immediately available to perform those responsibilities designated as requiring a Heightened Level of Safety Awareness within four hours after using alcohol.**

- **The transportation of alcoholic beverages within City owned vehicles or equipment is strictly prohibited.**
  NOTE: Police officers functioning within the scope of their assigned duties shall be considered exempt from this prohibition as deemed necessary by their respective Department Heads.

- **The use of alcohol for eight hours immediately following an accident requiring a post-accident alcohol test or until a post-accident test is administered, whichever occurs first.**

- **Refusal (which is defined elsewhere in this policy), to submit or cooperate with any of the required testing types.**

- **The operation of a City owned vehicle following consumption of alcoholic beverages shall be considered a violation of this policy and shall result in disciplinary action. Alcoholic beverages in open or closed containers are strictly prohibited in City owned vehicles and equipment.**

  NOTE: Employees attending training programs and/or conferences related to their employment with the City may participate in social functions associated with the program or conference. If alcoholic beverages are present at the social function and the employee chooses to engage in consumption of said beverage(s), they shall do so at their own discretion. Employees who choose to engage in the consumption of alcoholic beverages as part of a work related social function shall do so in a responsible manner, maintaining a conduct that would not reflect adversely upon the City. Any unbecoming conduct by an employee who has chosen to consume alcohol at such conference or training program that has an adverse effect upon the City will be subject to disciplinary action up to and including termination of employment.

Note: ***Alcohol includes any intoxicating agent in beverage alcohol, methyl, and isopropyl alcohol whether used for medicinal purposes or not. Many over-the-counter and prescription medications contain high percentages of alcohol.***

Note: ***Employees are hereby notified that they shall inform the Mayor or his/her authorized designee, of any drug or alcohol related criminal charge or conviction within five (5) days of said charge or conviction. The City shall take appropriate action within thirty (30) days.***

5.2 Drugs or Controlled Substances
Prohibited conduct involving the use of drugs or controlled substances includes, but may not be limited to, the following:

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- **Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. However, any HSAL employee taking prescribed or over-the-counter medications will, in all cases, be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her HSAL job duties. Prior to initiating usage after such medications are prescribed, the HSAL employee shall submit a Prescription Drug Notification Form to their immediate supervisor who shall in turn, submit it to the City Clerk/Human Resources Manager or her/his authorized designee as soon as possible.**
  After receiving such form, the City Clerk/Human Resources Manager or her/his authorized designee may request written medical authorization showing the HSAL employee may possess/use such medication, that it was used in the prescribed manner and showing the HSAL employee is fit to safely perform HSAL assigned duties. If the use of such medication could compromise the safety of the HSAL employee, fellow employees, or the public at large, it is the HSAL employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty and notify his/her supervisor) to avoid unsafe workplace practices. No prescription drugs shall be brought onto City property, or consumed on City property by anyone other than the individual for whom the drugs have been prescribed by a licensed medical practitioner. The illegal or unauthorized use of prescription drugs is strictly prohibited. It is a violation of the City's Drug Free Workplace Policy to intentionally misuse and/or abuse prescription medications.

  Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur as the result of the intentional misuse and/or abuse of prescription medication.

  The City reserves the right to have a designated physician of the City's choosing to determine if a prescription drug or medication produces effects that would be considered unacceptable in the performance of assigned HSAL work duties. The City's physician has final determination on whether the medication will have or is having an unacceptable effect on the HSAL employee's performance of duties. In such instances of temporary impediment to safe performance of regular HSAL duties, the HSAL employee may be temporarily reassigned to duties requiring a lesser safety awareness level if such duties are available.

  All doctors' statements and related medical information shall be confidential and maintained in a separate medical file in the Office of the City Clerk/Human Resources manager.

- **Testing positive for any of the prohibited substances during the performance of or upon being immediately available to perform work responsibilities.**

- **The performance of or being immediately available to perform HSAL work responsibilities while using any controlled substance, except when the use is under the instructions of a physician who has**

advised that the use will not adversely affect the HSAL user's ability to safely perform HSAL responsibilities as assigned.

- **In the case of HSAL employees, having in possession, drugs or controlled substances except when the use is under the instructions of a physician who has advised that the use will not adversely affect the HSAL user's ability to safely perform HSAL responsibilities as assigned during the performance of or being immediately available to perform HSAL work responsibilities.**

- **Refusal (as defined elsewhere in this policy) to cooperate with any of the requested testing types.**

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- **Tampering with or attempting to alter, or actual altering of a test specimen is strictly prohibited and is grounds for immediate termination from employment with the City of Pikeville.**

5.3 Volatile Substances

The intentional misuse, manufacture, sale, distribution, dispensation, or possession of a volatile substance as defined in KRS 217.900 which includes any glue, cement, paint or other substance containing a solvent or chemical having the property of releasing toxic vapors or fumes which when intentionally inhaled may cause a condition of intoxication, inebriation, stupefaction, dulling of the brain or nervous system, or distortion or disturbance of auditory, visual, or mental processes while at work, while on City property, or while conducting City business while off City property, is strictly prohibited and is considered cause for immediate discipline, up to and including termination. Such misuse shall also be reported to law enforcement officials.

5.6 Searches

When reasonable cause exists, the City of Pikeville reserves the right to conduct unannounced searches for controlled substances or alcohol anywhere on City owned property, including but not necessarily limited to:

- **Lockers**
- **Desks**
- **File Cabinets**
- **City Vehicles and Equipment**
- **Stationary Containers**

All searches must be authorized and conducted under the direction of the City of Pikeville, Kentucky's Police Department. **Searches will be limited to a search that would be sufficient to locate the item(s) being sought. Employees who refuse to cooperate during such unannounced searches of city property shall be subject to disciplinary action, up to and including termination.**

5.7 CONSEQUENCES OF ENGAGING IN PROHIBITED CONDUCT – ALCOHOL

The first time an employee, as a result of a random, reasonable suspicion, follow-up or post-accident test is found to have an alcohol concentration above 0.02, disciplinary action up to and including termination will be administered, depending upon the circumstances, including the employee's willingness to voluntarily resolve any medical or psychological condition relating to the employee's conduct and to seek evaluation, counseling and possible treatment or rehabilitation for alcohol related abuse.

Any second offense, in which the employee's test for alcohol indicates a concentration above 0.02, is considered grounds for immediate termination.

5.8 CONSEQUENCES OF ENGAGING IN PROHIBITED CONDUCT – DRUGS

In view of the fact that the use of non-prescribed drugs is illegal, employees testing positive without a valid medical or bio-medical reason as confirmed by a Medical Review Officer of the City's choosing will be immediately terminated.

5.9 CONSEQUENCES OF ENGAGING IN PROHIBITED CONDUCT – VOLATILE SUBSTANCES

Any employee who engages in prohibited conduct for volatile substances as described elsewhere in this policy will be subject to disciplinary action up to and including immediate termination of employment depending on the circumstances, including the employees willingness to voluntarily resolve any medical or psychological condition relating to the employee's conduct and to seek evaluation, counseling and possible treatment or rehabilitation for the abuse of volatile substances.

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5.10 CONSEQUENCES OF REFUSAL TO SUBMIT TO AN ALCOHOL OR CONTROLLED SUBSTANCE TEST

An employee is considered to have refused to submit to testing when he or she:

- **Fails to appear for any test within a reasonable time.**
- **Engages in conduct that clearly obstructs the testing process.**
- **Fails to provide a urine specimen for drug testing or a breath specimen for alcohol**
- **Fails to provide enough urine for drug testing or an adequate amount of breath for alcohol testing and there is no medical explanation for the failure to produce.**
- **In the case of directly observed or monitored drug test collection, the employee submitting the specimen fails to permit the observation or monitoring of his or her provision of the specimen.**
- **Fails to or declines to take a second drug test when directed by an employer or collector.**
- **Fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process.**
- **Fails to cooperate with any part of the testing process.**

Failure to submit to an alcohol or controlled substance test as described above will result in immediate termination.

A judgment of "refusal to submit" will not apply to pre-employment testing, unless the applicant has begun the testing process and leaves or engages in conduct that clearly obstructs the testing process.

5.11 OFF DUTY ALCOHOL, DRUG USE AND/OR VOLATILE SUBSTANCE INTENTIONAL MISUSE AND CALL BACK.

In no way, is it the intention of the City of Pikeville to interfere in the private lives of its employees. **However, all employees should be aware that an employee's off-duty use of alcohol, illegal use of controlled substances, intentional misuse of prescription drugs or intentional misuse of volatile substances as described in this policy which result in excessive absenteeism, tardiness, or poor work performance will be subject to discipline, up to and including termination of employment. With the exception of employees found to be using non-prescribed prescription drugs or other illegal substances, such employees may be subject to counseling or treatment through the City's Employee Assistance Program.**

The drug, alcohol, intentional misuse of prescription drugs and the intentional misuse of volatile substance prohibitions apply to employees who are on call for any special operation exhibiting a likelihood of requiring an employee to report to work (i.e. snow removal, natural disasters, etc.). An employee who is called back to work to perform duties involving a heightened safety awareness level must report any:

- **Off duty use of alcohol in the prior four hours**
- **Medically prescribed use of a controlled substance**

An employee who is aware of a possible callback situation that may be reasonably expected, who engages in the off-duty use of alcohol, the illegal use of controlled substances or the intentional misuse of volatile substances will be subject to disciplinary action up to and including termination.

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5.12 EMPLOYEE ASSISTANCE PROGRAM

Alcoholism and controlled substance addiction are recognized as diseases responsive to proper treatment. The City of Pikeville provides a level of care through its Employee Assistance Program (EAP) provided by *LifeServices EAP*. Any employee wishing to voluntarily seek assistance with drug/alcohol problems, may contact the EAP at:

1 800 822-4847

All employees of the City of Pikeville are strongly encouraged to voluntarily contact the Employee Assistance Program if they believe they might have a problem with drug or alcohol abuse.

Other resources for information:

1 800 356-9996 …….. A1 – Aanon
1 800 527-5344 ……... American Council on Alcoholism
1 800 662-4347 ……... Center for Substance Abuse Treatment
1 800 967-5752 …….. Drug Free Workplace Helpline

If an employee covered by this policy has been identified by a Substance Abuse Professional (SAP) as needing assistance in resolving problems associated with alcohol or volatile substances, the employee will be subject to follow-up drug and alcohol testing as prescribed elsewhere in this policy. The SAP shall be either a licensed physician, certified psychologist, social worker, employee assistance professional or addiction counselor.

Employees who voluntarily report a substance abuse problem prior to being required to take an alcohol test as defined in this policy, will not be subject to disciplinary action if they voluntarily and conscientiously seek substance abuse assistance and agree to a treatment plan. However, such an employee must understand that if the problem is not corrected and satisfactory job performance is not maintained, he or she will be subject to disciplinary action up to and including termination of employment. Failure to seek such assistance, or failure to abide by the terms of the treatment plan, shall be grounds for termination. Upon voluntarily reporting a substance abuse problem, the employee will be required to sign a *Substance Abuse Treatment Plan/Return to Work Agreement Form* that will further define conditions of continued employment.

The *LifeServices Employee Assistance Program* provides services to employees of the City of Pikeville regardless of race, color, religion, national origin, disability, sex or age.

5.13 RECORDS RETENTION, RELEASE AND CONFIDENTIALITY

The City shall maintain records of activities related to these Drug Free Workplace policies and procedures. All employee records regarding drug or alcohol testing are considered confidential and will be kept under controlled access in the Office of the City Clerk/Human Resources Manager. Employee records may not be released except upon written request or release by the employee, the release is ordered by a court or tribunal of competent jurisdiction or the release is to be used in a proceeding related to a benefit sought by the employee, such as worker's compensation or unemployment insurance.

The City shall maintain records and documents of all alcohol and drug test results, schedules for follow-up tests and records relating to evaluation and referrals. These records shall be maintained for a period of at least five (5) years. The City shall provide test result information or other pertinent information relating to an applicant or existing employee's alcohol or controlled substance tests upon the applicant or existing employee's written request, and shall do so within five (5) working days of being notified of the employee's request.

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5.14 CITY FINANCIAL ASSISTANCE

The City of Pikeville will pay for all conducted tests as described in this policy except for a second controlled substance test (if requested by the employee) when that test confirms the initial test to be positive. Employees may utilize all service benefits available through the City's Employee Assistance Program (EAP) as described elsewhere in this policy. However, any other services that may be required by a Substance Abuse Professional which are not covered through the EAP will be at the expense of the employee being treated.

5.15 DRUG FREE WORKPLACE POLICY ADMINISTRATION AND ENFORCEMENT

It shall be the responsibility of the City Clerk/Human Resources Manager to administer and enforce this policy. Other then the City Manager this policy and its programs are not to be interpreted or modified by any other City supervisor.

5.16 RESPONSIBILITY

While it is ultimately the City's legal, ethical and moral responsibility to create and maintain a safe and healthful workplace for its employees, for others who make use of the City's facilities, and for the general citizenry of the City of Pikeville, Kentucky who may have business with the City; it is also true that *safety is everyone's responsibility*. Accordingly, every employee has an obligation to report violations of this policy to their immediate Supervisors, Department Directors or to the City Clerk/Human Resources manager in order to maintain a safe and healthful work environment for themselves, for their fellow employees and for the public-at-large. All Supervisors and Department Directors are responsible for the drug and alcohol-free operation of their respective departments.

NOTE: ***The City of Pikeville may change, modify, amend or rescind all or part of this policy at any time which deals with the actual administration of the policy itself. However, changes may not be made to the policy which would circumvent any requirements associated with 803 KAR 25:280.***

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APPENDIX A

CITY OF PIKEVILLE
CERTIFICATION OF ACKNOWLEDGEMENT
DRUG & ALCOHOL-FREE WORKPLACE
POLICIES AND PROCEDURES

I, the undersigned, acknowledge that I have been presented with and read a copy of the City of Pikeville's policy and procedures regarding a Drug & Alcohol-Free Workplace, and understand these policies and procedures as presented. I accept and understand that following these policies and procedures is a condition of my continued employment with the City of Pikeville. I further understand that I will be required to annually attend certain training programs on substance abuse awareness.

Signature: _____

Name: _____
(Please Print)

Date: _____

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