



# Experience Hillsboro

SMALL TOWN. **BIG** OPPORTUNITY.

**City of Hillsboro North Dakota**

**Employee Handbook**

**Effective 11/1/2019**

**Amended 6/3/2019**

# CITY OF HILLSBORO EMPLOYEE HANDBOOK

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## **INTRODUCTION**

Citizens of the City of Hillsboro elect the Board of City Commissioners. Remaining department heads are appointed by the Board of City Commissioners. Employees are hired by department heads with the approval of the Commissioners or within guidelines authorized by the Commissioners.

Employees are accountable to their department head or to a designated supervisor. Department heads are responsible for day-to-day activities within their departments and are accountable to the Board of City Commissioners. The Commissioners are directly accountable to the citizens of the City of Hillsboro.

This handbook is designed to acquaint you with the City of Hillsboro and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the employer to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about a policy. As the City continues to grow, the need may arise to change policies described in this handbook. The Commissioners therefore reserve the right to revise, vary, change, supplement, or rescind any policies or portion of the handbook from time to time as they deem appropriate, in their sole and absolute discretion.

\*\*\*\*\*PLEASE NOTE\*\*\*\*\*

THIS PERSONNEL POLICY MANUAL HAS BEEN DRAFTED AS A GUIDELINE FOR OUR EMPLOYEES. IT SHALL NOT BE CONSTRUED TO FORM A CONTRACT BETWEEN THE CITY OF HILLSBORO AND ITS EMPLOYEES. RATHER, IT DESCRIBES THE COMMISSIONERS' GENERAL PHILOSOPHY CONCERNING POLICIES AND PROCEDURES.

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## **NATURE OF EMPLOYMENT**

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with this organization.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor the City of Hillsboro is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

To retain necessary flexibility in the administration of policies and procedures, the Commissioners reserve the right to change, revise or eliminate any of the policies and benefits described in this handbook.

## **EMPLOYEE RELATIONS**

The City of Hillsboro believes that the work conditions, wages and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have any concerns about work conditions or compensation, they are encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal directly with supervisors, the work environment is excellent, communications are clear and attitudes are positive. We believe that the City of Hillsboro has amply demonstrated its commitment to responding effectively to all employee concerns.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The City of Hillsboro is an equal opportunity employer. It is the policy of the City of Hillsboro to recruit, hire, train, and promote employees without discrimination because of race, color, religion, sex, age, creed, status of marriage or public assistance, national origin, or physical or mental handicap except where specific age, sex, or physical requirements are a bona fide occupational qualification.

## **EMPLOYMENT APPLICATIONS**

The City of Hillsboro relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data present throughout the hiring process and employment. Any misrepresentation, falsifications, or material omissions in any of this information or data may result in the City's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

## **EMPLOYMENT REFERENCE CHECKS**

To ensure that individuals who join the City are well-qualified and have a strong potential to be productive and successful, it is the policy of the City of Hillsboro to check the employment references of all applicants.

In addition, criminal background checks will be administered by the Traill County Sheriffs Dept.

## **VETERAN'S PREFERENCE**

Qualified veterans shall have preference for employment with the City of Hillsboro as set forth in Chapter 37-19.1 of the North Dakota Century Code.

## **JOB DESCRIPTIONS**

At the start of employment, each employee is provided a written job description of his/her position. Annually or as otherwise needed, the job description will be reviewed by the employee's immediate supervisor with the employee for any changes in duties.

## **PROBATIONARY PERIOD**

An employee, excluding elected officials, should use the initial period after being hired or rehired, promoted, demoted, or transferred within the City to determine whether the new position meets the employee's expectations. The City of Hillsboro uses this period to evaluate employee capabilities, attitude, and work habits. Either the employee or the City may end the employment relationship at will at any time during or after the probationary period, with or without cause or advance notice.

All new employees work on a probationary basis for a minimum of the first 180 calendar days after their date of hire. Any significant absence of the employee will automatically extend the probationary period by the length of the absence. If the Commissioners or a department head determines that the designated probationary period does not allow enough time to thoroughly evaluate the employee, the Commissioners may extend, reduce or waive the probationary period for a specified period.

Regular full-time employees are eligible for benefits during the probationary period.

Employees needing accommodations to perform the essential functions of their job should request such accommodations from their direct supervisor in writing at any time either during or after the probationary period.

Completion of the probationary period does not alter the employment at-will status of the employment relationship.

## **HARASSMENT**

It is the City's goal that all employees will enjoy a safe work place free from unreasonable interference, intimidation, hostility, or offensive behavior on the part of managers, co-workers, or visitors. Therefore, it is the City's policy to maintain a productive work environment free from harassment of any kind and from any source, and to treat all complaints fairly and equitably.

Harassment based on an individual's race, color, religion, sex, national origin, age, disability, marital status, pregnancy, status with regard to public assistance, or participation in lawful activity off the employer's premises during non-working hours which is not in direct conflict with the essential business-related functions of the employer is unlawful under state and federal laws and is strictly prohibited.

Harassment based on any other factor is also strictly prohibited by the City.

If an employee has a complaint about harassment, the City's main concern is to have the harassing behavior stopped and to have the matter resolved as quickly and efficiently as possible. The procedures to follow are:

1. Be sure that the conduct is discriminatory or harassing. If possible, find witnesses or other substantiation of the conduct.

2. Discuss the improper behavior with the person(s) involved to let them know their conduct is offensive.
3. If the harassment does not stop or if it recurs, the employee should report the conduct perceived as harassment as soon as possible to his/her supervisor, or to the Personnel Commissioner if the complaint involves the supervisor.
4. The Personnel Commissioner will conduct a complete investigation concerning the complaint in an impartial and confidential manner, with the results being conveyed to all involved individuals. Every reasonable effort will be made to determine the facts and resolve the situation.

The City has the right to apply any sanction or combination of sanctions to deal with unreasonable conduct or harassment, including:

1. Counseling with the offender(s);
2. Probation with a warning of suspension or termination for continuing or recurring offenses;
3. Suspension, with or without pay, depending on the seriousness of the charge.
4. Termination of employment.

These actions may be taken in any order, depending upon the seriousness of the situation. The City's responsibility is to treat all employees with dignity, sensitivity, and respect. Each employee is expected to use common sense in determining whether his/her conduct may be offensive or unwelcome to another.

## **SEXUAL HARRASSMENT POLICY**

While all forms of harassment are prohibited, it is important to emphasize that sexual harassment is specifically prohibited.

Sexual harassment is a form of discrimination which is prohibited by law. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition of employment, either explicitly or implicitly; or
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
3. That conduct, or communication has the purpose or effect of substantially interfering with an individual's employment or work performance, or creates an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include inappropriate touching or feeling that is unwelcome; sexual innuendoes and comments and sexual remarks about a person's clothing, body, or sexual activities; jokes about sex which the employee finds offensive; sexual propositions or demands for sexual favors; posting obscene pictures, drawings, or cartoons in the work place; or making obscene gestures. These are some of the common complaints, but many other types of conduct can also constitute sexual harassment.

As with other types of harassment, if an employee has a complaint about sexual harassment, the main concern is to have the harassing behavior stopped and to have the matter resolved as quickly and efficiently as possible. The procedures to follow are:

1. Be sure that the conduct in question is discriminating or harassing. If possible, find witnesses or other substantiation of the conduct.
2. The employee should discuss the improper behavior with the person involved to let him/her know the conduct is offensive.
3. If the harassment does not stop or if it recurs, the employee should report the conduct perceived as harassment as soon as possible to his/her supervisor or to the Personnel Commissioner if the complaint involves the supervisor.
4. The Personnel Commissioner will conduct a complete investigation concerning the complaint in an impartial and confidential manner, with the results being conveyed to all involved individuals. Every reasonable effort will be made to determine the facts and resolve the situation.

The City has the right to apply any sanction or combination of sanctions to deal with unreasonable conduct or discrimination, including:

1. Counseling with the offender(s);
2. Probation with a warning of suspension or termination for continuing or recurring offenses;
3. Suspension, with or without pay, depending on the seriousness of the charge; and or
4. Termination of employment.

These actions may be taken in any order depending upon the seriousness of the situation. It is the City's responsibility to see that all co-workers are treated with dignity, sensitivity, and respect. Each employee is asked to use common sense in determining whether his/her conduct may be offensive or unwelcome to another.

### **ALCOHOL & DRUG FREE WORKPLACE**

The City recognizes the use of alcohol and illegal drugs as a serious health problem, as well as a potential safety and security problem. Through this policy, the City intends to provide for a drug-free workplace by:

1. Assuring that employees are not impaired in their ability to perform assigned duties in a safe, productive manner;
2. Creating a workplace environment free from the adverse effects of drug and alcohol misuse and abuse;
3. Prohibiting the unlawful manufacture, distribution, dispensing, possession, and/or use of controlled substances;
4. Encouraging employees to seek professional assistance any time problems, including drug or alcohol abuse, adversely affect their ability to perform their assigned duties;
5. Meeting or exceeding all Federal Transit Administration regulations, which require affirmative actions to eliminate the impact of the misuse of alcohol and drugs in the workplace.

In accordance with the Federal Drug Free Workplace Act, the City is notifying all employees of its intent to maintain a workplace free from illegal drugs. The unlawful manufacturing, distribution, dispensing,



possession, or use of a controlled substance by employees is prohibited on any work site (at any time) and elsewhere during all working hours.

Employees are hereby notified that compliance with this policy is a condition of employment. If an employee fails to comply with this policy, he/she will be subject to disciplinary action. The City reserves the right to initiate a drug or alcohol test for a pre-employment test, random testing, post-accident/incident, and reasonable cause according to the federal and ADA guidelines.

If an employee is convicted of a criminal drug violation for manufacturing, distributing, dispensing, possessing, or using controlled substances, he/she must notify his/her supervisor within five (5) days of the conviction. Pursuant to federal law, if the convicted employee is working on a project funded through a federal contract or grant, the City is required to notify the relevant federal contracting or granting agency within ten (10) days of receiving such notice of conviction.

An employee who suspects that a co-worker is under the influence of alcohol or other drugs should contact his/her supervisor immediately. An employee who suspects that a supervisor is under the influence of alcohol or other drugs should contact the Personnel Commissioner.

If an employee requests, information on any available alcoholism, drug-counseling, rehabilitation and employee assistance program will be given to him/her and he/she will be afforded the opportunity to participate in an appropriate program. Some of the cost of such treatment may be covered by the employee's health insurance. An employee will be allowed a leave of absence to enter a treatment and rehabilitation program. An employee will be allowed to use up to 30 days of earned annual leave or sick leave. If no such balance of earned annual leave or sick leave exists, a leave of absence up to 30 days without pay may be granted.

## **SMOKING**

All city buildings will be smoke free. This policy applies equally to all employees, customers, and visitors.

## **EMPLOYEE CONDUCT AND WORK RULES**

**ROLE OF EMPLOYEES:** You are expected each day to remember that, as an employee of the City of Hillsboro, you serve the public and, specifically, the citizens of the City of Hillsboro (your real "employers"). Your actions in this capacity reflect favorably or unfavorably upon you, your supervisor(s) and City Government as a whole. We expect that you will maintain favorable visibility with the public, that you will act responsibly within the means of your position in meeting the needs of the public and that you will be accountable for your actions in this capacity.

**GETTING STARTED:** You have been carefully selected to perform an essential service for the City of Hillsboro. To help you get started, your supervisor will provide you with a description of your job and will discuss your duties with you. If you have any questions about your job, don't hesitate to ask your supervisor. Your supervisor is just as concerned about your success on the job as you are and will do everything possible to see that you receive the help you need.

**ORIENTATION AND INTRODUCTION:** As soon as possible after employment, the employee should go to the City Auditor's office to complete the various fringe benefit program forms, tax table status and any other forms necessary for their employment.

**DRESS CODE/APPEARANCE:** Appearance and dress should be in keeping with the job being performed, both for safety reasons and to reflect a positive image for the City. Should an employee arrive for work wearing clothing or accessories which, in the opinion of their supervisor, is inappropriate, they may be required to go home and change prior to commencing work.

**INCLEMENT WEATHER:** A decision to close the City offices due to inclement weather shall be in consultation with the City Auditor, Sheriff, and a City Commissioner who will make the necessary arrangements to notify employees and determine compensation. Should an employee choose not to attend work due to inclement weather when the City offices are still open, that employee will have that time off charged to either vacation or leave without pay.

To assure orderly operations and provide the best possible work environment, the City expects employees to follow rules of conduct that will protect the interests and safety of all employees and the employer. It is not possible to list all the forms of behavior that are considered unacceptable in the work place, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

- Theft or inappropriate removal or possession of property.
- Falsification of timekeeping records.
- Working under influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer, or use of alcoholic or illegal drugs in the work place, while on duty, or while operating employer-owned vehicles or equipment.
- Fighting or threatening violence in the work place.
- Boisterous or disruptive activity in the work place.
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property.
- Insubordination or other disrespectful conduct.
- Violation of safety or health rules.
- Sexual or other unlawful harassment.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the work place.
- Excessive absenteeism or any absence without notice.
- Unauthorized absence from work station during the work day.
- Unauthorized use of telephones, mail system, or other employer-owned equipment.
- Unauthorized disclosure of confidential information.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.

Misconduct can occur either on or off the job. Examples of misconduct on the job are cited above. Examples of misconduct off the job include, but are not limited to, involvement in criminal activity or activity involving moral turpitude which, in the judgment of the City Commissioners, reflects adversely on the image or standing of the City.

Employment with the City of Hillsboro is at the mutual consent of the City and the employee, and either party may terminate that relationship at any time, with or without cause and with or without advance notice.

## **CONFLICTS OF INTEREST**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City Commissioners wish the City business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the City Commissioners. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit either the City, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of this organization's business dealings. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "conflict of interest" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she disclose to the City Commissioners as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City of Hillsboro does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the City.

The materials, products, designs, plans, ideas, and data of this organization are the property of the City of Hillsboro and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible discharge.

## **IMMIGRATION LAW COMPLIANCE**

The City of Hillsboro is committed to employing only United States citizens and aliens who are authorized to work in the United States and in compliance with the Immigration Reform and Control Act of 1986.

As a condition of employment, each employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9. Before commencing work, newly rehired employees must also complete the form.

## **OUTSIDE EMPLOYMENT**

It is the policy of the City of Hillsboro that employees disclose outside employment opportunities, circumstances or situations to their supervisor. An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the City of Hillsboro. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If the department head and City Commission determine that an employee's outside work interferes with performance or the ability to meet the requirements of this organization as they are modified from time to time, the employee may be asked to terminate the outside employment if the employee wishes to remain employed with the City of Hillsboro.

Outside employment will present a conflict of interest if it has an actual or potential adverse impact on the City of Hillsboro.

## **HIRING OF RELATIVES**

The City does not restrict employment of more than one member of a family or persons related by law or marriage. For purposes of this policy, immediate family includes the following relationships (natural, adoptive, step, and foster relationships are included): parent, child, spouse, sibling, grandparent and in-law.

A City employee may take part in decisions to hire, retain, promote, or determine the salary of his or her immediate family, with Commission approval, to avoid potential conflicts. In addition, a City employee may be assigned responsibility for supervising and/or directing the work of an immediate family member, with Commission approval.

## **EMPLOYMENT CATEGORIES**

### **AT-WILL EMPLOYMENT**

Unless otherwise provided, all employment with the city is on an "at-will" basis and may be terminated at the will of either party upon notice to the other (NDCC 34-03-01).

It is the intent of the City of Hillsboro to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either **EXEMPT** or **NON-EXEMPT** from the federal and state wage and hour laws.

**EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws (i.e. Fair Labor Standards Act).

**NON-EXEMPT** employees are entitled to overtime pay under the specific provisions of federal and state laws.

In addition to the above categories, such employee will belong to one other employment category.

**REGULAR FULL-TIME:** Employees who occupy positions that are approved and budgeted, have no specific duration of employment and who have an assigned work week of not less than 40 hours are classified as regular full-time employees. A regular full-time employee is eligible for all benefits. (For purposes of classification and eligibility for benefits, all elected officials are considered to have the same benefits entitlement as full-time employees.)

**REGULAR PART-TIME:** Employees who occupy positions that are approved and budgeted, have no specific duration of employment and who have an assigned work week of less than 40 hours are classified as regular part-time employees. Regular part-time employees are eligible for certain benefits as outlined in the benefits and leave sections of this policy manual.

**TEMPORARY OR SEASONAL:** Temporary positions may be created to meet special needs. Temporary positions can either be full time or part time positions. A temporary or seasonal employee is one who is employed for a maximum duration. A temporary or seasonal employee is paid on an hourly basis and is not eligible for benefits.

Employment status changes determine anniversary dates for purposes of benefits.

## **EMPLOYMENT TERMINATION**

Since employment with the City of Hillsboro is based on mutual consent, both the employee and the City have the right to terminate employment at will at any time. Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

**RESIGNATION** – employment termination initiated by an employee who chooses to leave the City voluntarily.

**DISCHARGE** – employment termination initiated by the City.

**LAYOFF** – involuntary employment termination initiated by the City for non-disciplinary reasons.

**MEDICAL TERMINATION** – employment termination initiated by the employee or by the City when an employee is unable, for health reasons, to continue to work.

**RETIREMENT** – voluntary retirement from active employment status initiated by the employee.

Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

## **RESIGNATION**

Resignation is a voluntary act initiated by the employee to terminate employment with the City of Hillsboro. Although advance notice is not required, the City requests at least two (2) weeks written resignation notice from all employees.

## **PAY DAYS**

All employees are paid monthly on the last working day of the month for the city. Each paycheck will include earnings for all work performed through the end of the previous payroll period. All time cards must be turned in weekly to the auditor's office.

## **PAY DEDUCTIONS**

The law requires that the City of Hillsboro make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The City also must deduct Medicare and Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The City matches the amount of Social Security taxes paid by each employee.

The City offers programs and benefits beyond those required by the law. Employees who wish to participate in these programs may voluntarily authorize deductions from their checks. If you do not understand why deductions were made or how they were calculated, your supervisor can assist in having your questions answered.

Pay setoffs involve pay deductions taken by the City, usually to help pay off a debt or obligation to the employer or others.

## **OVERTIME**

All non-exempt employees shall be eligible for overtime compensation. Department heads will have the authority to handle overtime within the allotted budget and within the policies adopted by the Commission.

Overtime shall be defined as all hours (worked, vacation or sick) more than forty (40) per week or 8hrs per day.

Time spent in training, up to a maximum of eight (8) hours per day and required by management is considered as time worked. Travel to and from such required training or any other time outside of the core training activity (s) will not be considered as compensable by the City unless time spent in traveling occurs during normal working hours on non-working days (Saturday, Sunday, and Holidays) as well as on regular working days.

All overtime must be approved by the department head and plan for compensation made prior to accrual whenever possible. Overtime shall be paid by paying the employee time and one-half the employee's regular rate of pay for all overtime hours.

Employees classified as exempt may be eligible to receive overtime monetary or time compensation with the Commission's approval. The employees are not considered to be on a standard forty (40) hour work week as are other City employees and are expected to work as long as it is reasonably necessary to fulfill their job responsibilities.

### **CALL-OUT PAY**

If an employee is called back to work, the employee shall receive a minimum of two hours pay at 1.5 time.

### **ONCALL PAY**

Employees who are on call will be paid at a rate of \$2.50 per hour they are required when called in to report in within 30 minutes. On call schedule will be set up by the supervisor.

### **PAY ADVANCES**

Neither pay advances nor extensions of credit on unearned wages can be provided to employees.

If a regular payday falls during an employee's vacation, the employee may receive his or her earned wages after returning from vacation.

### **ADMINISTRATIVE PAY CORRECTIONS**

The City of Hillsboro takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of the pay, the employee should promptly bring the discrepancy to the attention of the City Auditor so that corrections can be made as quickly as possible.

Once underpayments are identified, they will be corrected on the next regular paycheck.

Overpayment will also be corrected on the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the City will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

### **TIMEKEEPING**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require the City of Hillsboro to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure time from work for personal reasons. Overtime work must always be approved before it is performed. Time cards will be turned in their supervisor the first workday of the week and be signed off by the supervisor.

Tampering, altering, or falsifying time records or recording time on another employee's time record may result in disciplinary action, including discharge.

### **PERSONNEL DATA CHANGES**

It is the responsibility of each employee to promptly notify the City Auditor's Office of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times.

### **PERFORMANCE EVALUATION**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance reviews are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. You cannot assume that you will necessarily receive a wage or salary increase each time your performance is reviewed. Formal performance reviews will be done annually by the first commission meeting in December by the immediate supervisor or by the Personal Commissioner. Supervisors will be evaluated by the Personal Commissioner and one other Commissioner appointed by the President of the Commission. Below is the evaluation form that will be used and placed in to the employees personal file.



PERFORMANCE EVALUATION FORM

Name: \_\_\_\_\_

Position: \_\_\_\_\_

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

Department: \_\_\_\_\_

**I. General Performance Standards:** Consider each standard separately. Mark the appropriate box which most accurately reflects the level of performance.

**Job Knowledge, Skills, and Abilities:** The employee demonstrates the knowledge, skills, and abilities necessary to perform work satisfactorily.

Does not have the basic knowledge, skills, and abilities to perform work satisfactorily. <input type="checkbox"/>	Has the basic knowledge, skills, and abilities to perform work satisfactorily. <input type="checkbox"/>	Has exceptional knowledge, skills, and abilities to perform work. <input type="checkbox"/>
Comments		

**Quality of Work:** The employee demonstrates accuracy, attention to detail, and effectiveness in completion of work.

Work is sometimes inaccurate or incomplete; fails to meet departmental standards. <input type="checkbox"/>	Work is usually accurate and thorough; work meets departmental standards. <input type="checkbox"/>	Work is consistently of excellent quality, accuracy, and detail. <input type="checkbox"/>
Comments		

**Productivity:** Employee performs work with efficiency, consistency, and timeliness.

Works slower than expected; work is of substandard consistency and timeliness. <input type="checkbox"/>	Completes work on time, with consistency, and efficiency; meets departmental standards. <input type="checkbox"/>	Quickly completes work, often ahead of schedule; effectively prioritizes work; exceeds departmental standards. <input type="checkbox"/>
Comments		

**Reliability:** The employee exhibits dependability and conscientiousness in performing work and in willingness to accept responsibilities.

Sometimes is not dependable and conscientious in performing work; unwilling to accept responsibilities. <input type="checkbox"/>	Consistently dependable and conscientious; usually accepts responsibilities; meets departmental standards. <input type="checkbox"/>	Extremely dependable; follows through promptly on all tasks; accepts responsibilities; exceeds job goals; show high level of initiative. <input type="checkbox"/>
Comments		

**Communication:** The employee demonstrates an appropriate level of written/verbal communication skills to satisfactorily perform the job.

Communication skills impair work performance. <input type="checkbox"/>	Possesses the required communication skills and is effective in the position; meets departmental standards. <input type="checkbox"/>	Has excellent communication skills; very effective in verbal/written interactions. <input type="checkbox"/>
Comments		

**Work Relationships:** The employee possesses the ability to maintain effective and productive working relationships with fellow employees, supervisors, and the public.

Has trouble getting along with other employees, supervisors, and the public. <input type="checkbox"/>	Has a generally positive approach in assisting others; maintains effective working relationships; meets departmental standards. <input type="checkbox"/>	Exceeds departmental standards; highly cooperative; works hard to promote positive work relationships. <input type="checkbox"/>
Comments		

**Safety:** The employee adheres to the rules and regulations to ensure safety standards are met.

Fails to follow safety rules and regulations; fails below departmental standards. <input type="checkbox"/>	Follows safety rules and meets departmental standards. <input type="checkbox"/>	Exceeds departmental standards for safety. <input type="checkbox"/>
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Comments
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**II Specific Job Performance Standards:** This section is designed to be job specific as it relates to the essential functions on the attached job description. Check the standard which represents the employee's work performance. In the comment section, provide information to explain and support ratings.

Job Performance Standard #1	Below Standard	Meets Standard	Exceeds Standard
Comments:			
Job Performance Standard #2	Below Standard	Meets Standard	Exceeds Standard
Comments:			
Job Performance Standard #3	Below Standard	Meets Standard	Exceeds Standard
Comments:			
Job Performance Standard #4	Below Standard	Meets Standard	Exceeds Standard
Comments:			
Job Performance Standard #5	Below Standard	Meets Standard	Exceeds Standard
Comments:			

Goal 1:	Target Date for Completion:
Goal 2:	Target Date for Completion:
Goal 3:	Target Date for Completion:

**II Overall Work Performance Rating:** Check the standard which matches the employee's *overall* work performance. An overall work performance rating that does not meet a job requirement must include a specific explanation in the comment section. Explanations must include the specific job performance expectation and areas for improvement. Attach additional sheets as necessary.

Performance needs improvement to meet job requirements. <input type="checkbox"/>	Performance meets job requirements. <input type="checkbox"/>	Performance exceeds job requirements. <input type="checkbox"/>
<b>Comments</b>		

**III Future Goals:** This will be completed jointly by the supervisor and the employee. A goal must include how much, of what, by when. A goal worksheet may be attached.

**IV Employee Comments:** *(you may attached additional sheets)*

By signing this form, the employee acknowledges only that this evaluation was discussed, and a copy has been received by the employee. The employee's signature does not signify agreement with the evaluation.

Evaluator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **EMPLOYEE BENEFITS**

Eligible employees in the City of Hillsboro are provided a wide range of benefits. A number of programs (such as Social Security, Worker's Compensation, and unemployment insurance) cover all employees in the manner described by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in this book.

The following benefit programs are available to eligible employees:

- Auto (employer-owned and insured vehicles)
- Auto mileage (in accordance with the ND Century Code)
- Benefit Conversion at Termination (COBRA of insurance)
- Bereavement leave
- Holidays
- Jury duty leave
- Medical Insurance (full-time employees and elected officials only at the single coverage rate)
- Military leave
- Maternity Related Leave (as per FMLA)
- Retirement Plan
- Sec. 125 (flexible benefits plan)
- Uniform Allowance (in accordance with the ND Century Code)
- Vacation Benefits
- Witness duty leave

Some benefit programs require contributions from the employee, but most are fully paid by the City of Hillsboro.

## **VACATION BENEFITS**

The following employee classifications are eligible for vacation benefits according to the guidelines set forth in this policy:

Regular full-time employees

Following the completion of their probationary period, employees will be entitled to take vacation time off as it accrues. A benefit year is based on a calendar year. This benefit year will be adjusted to reflect the length of any unpaid leave of absence.

Vacation pay will be calculated based on the employee's straight-time pay rate (in effect when vacation benefits are used) times the number of hours the employee would otherwise have worked on the days of absence. Vacation pay does not include shift

differentials, incentive pay, bonuses, or other special forms of compensation. Vacation benefits for salaried employees will be based on their normal wages.

Employees who have satisfied all eligibility requirements may submit vacation requests to their supervisor. Requests will be evaluated based upon various factors, including anticipated operating requirements and staffing considerations during the proposed period of absence.

Employees are strongly encouraged to take earned vacation during the benefit year of its accrual. Employees are allowed to carry over accrued vacation to a limit of 15 days and accrue/accumulate the appropriate number of hours they are entitled to in the new year. Unused vacation days that cannot be carried over will be paid out if a written request is submitted by the first Monday in April to the Personnel Commissioner which is then approved by the City Commissioner provided there is no formal reprimands in the employees personal file. Overtime may be traded for vacation days up to 5 days per calendar year and may not be carried over.

Upon termination of employment, employees will be paid for vacation benefits that have accrued through the last day of work.

The eligibility table below defines when vacation benefits become available to full-time regular employees.

Vacation Benefits Eligibility Table

LENGTH OF SERVICE	ACCRUAL RATES		
	HOURS PER MONTH	DAYS PER MONTH	DAYS PER YEAR
0 thru 3 years	8	1	12
4 thru 7 years	10	1 ¼	15
8 thru 12 years	12	1 ½	18
13 thru 20 years	14	1 ¾	21
over 20 years	16	2	24

**SICK LEAVE BENEFITS**

The City of Hillsboro provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

Regular full-time employees

Eligible employees will accrue sick leave benefits at the rate of 12 days per year (1 day per month, a day to be defined as an 8 hour day).

An eligible employee may use sick leave benefits for an absence due to illness or injury sustained by either that employee or a family member who resides in the employee's household. Sick leave may be used for illness or injury sustained by other family members who do not reside in the employee's household upon the approval of the City Commission.

Employees who are unable to report to work due to an illness or injury should notify their supervisor before the scheduled start of their shift if possible. The supervisor should also be contacted each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement may be requested verifying the nature of the disability and its beginning and expected ending dates. The verification may be requested for other sick leave absences as well and may be the basis for payment authorization of sick leave benefits. Before returning to work from a sick leave absence of five (5) calendar days or more, an employee may be requested to provide a physician's verification that he or she may safely return to work.

Sick leave may be used for doctor appointments that are located in another town, but no more than one-half (1/2) day may be taken, unless approved by the employee's immediate supervisor.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee must apply for other available compensation and benefits, such as state disability insurance. Sick leave benefits will be used to supplement any state disability insurance or workers' compensation benefits that an employee is eligible to receive. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal earnings.

Unused sick leave benefits will be allowed to accumulate to a limit of 180 days. Unused sick leave may or accrued sick leave may be donated to another employee with undue hardship and have exhausted their own sick leave and vacation benefits a max of 40 days may be donated to another employee. Because sick leave benefits are intended to provide income protection in the event of an actual illness or injury, unused sick leave benefits cannot be used for any other paid or unpaid absence and will be paid off at the time of termination of employment at the rate of 10% of the accrued but unused sick leave time to a limit of 180 days.

## **FAMILY MEDICAL LEAVE**

This section provides basic information on the Family Medical Leave Act (FMLA). If an employee believes he/she may be eligible for family medical leave (FML), the employee should notify his/her supervisor who will provide more detailed and specific information about applying for FML.

All City employees should be aware of the following with regard to FML:

FML is an unpaid leave of absence available for the birth of the employee's newborn and to care for the employee's newborn; for the placement of a newly adopted or foster child and to care for a newly placed adopted or foster child; to care for the employee's spouse, son, daughter, or parent who has a serious health condition; or for a serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's job.

City employees are eligible for FML if they:

Work for a covered employer;  
Have worked for the employer for a total of 12 months;  
Have worked at least 1,250 hours over the previous 12 months; and  
~~Work at a location where the public employer employs at least 50 employees within 75 miles of the worksite.~~

Up to 12 weeks of leave will be allowed in a twelve month period.

Employees eligible to take FML are required to use accrued paid leave during the authorized leave of absence. Employees will first use any available sick leave and then use any accrued annual leave in conjunction with authorized FML taken for any reason other than an employee's own serious health condition. Employees will first use any accrued sick leave and then use any accrued annual leave in conjunction with any authorized FML taken because of an employee's own serious health condition. Employees who have exhausted the applicable types of paid leave will be provided unpaid leave to fulfill the remaining authorized period of FML. **Use of paid leave, including sick leave, will run concurrently with FMLA leave.**

It is the employer's duty to notify the employee if/when requested leave qualifies for FML. When requesting leave for a serious health condition that the City determines may qualify for FML, an employee may be required to supply a physician's verification of the condition stating that the condition is serious and that the employee will be unable to perform one or more essential functions of his or her job as a result of the condition. An employee may be required to submit to an examination by a physician selected and paid for by the City.

An employee may be required to furnish periodic verbal or written reports to the supervisor or department head indicating his/her status and intent to return to work.

The City will continue to pay the employer's share of the health plan coverage during the period of FML. If an employee fails to return from FML, the City may recoup the cost of health plan premiums for any period of the leave which was taken as unpaid leave.

Employees who are using the required paid leave will continue to receive or accrue benefits as normally provided employees on paid leave. Employees who are provided



with unpaid leave status will not accrue annual or sick leave during the period of unpaid leave.

The FMLA program is complex. Any employee needing more information is encouraged to discuss the subject with his/her supervisor or the personnel commissioner.

## **HOLIDAYS**

The City of Hillsboro will grant holiday time off to all employees on the holidays listed below.

New Year's Day (January 1)  
Martin Luther King Day (third Monday in January)  
Presidents' Day  
Good Friday  
Memorial Day (last Monday in May)  
Independence Day (July 4)  
Labor Day (first Monday in September)  
Veterans Day  
Thanksgiving Day (fourth Thursday in November)  
Day after Thanksgiving  
After dinner on Christmas Eve  
Christmas (December 25)  
Any other day appointed by the President of the United States or the Governor of the State of North Dakota.

The City of Hillsboro will grant holiday time off to an employee on the employee's birthday.

According to applicable restrictions, the City will grant paid holiday time off to all eligible employees immediately. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

Regular full-time employees  
Probationary employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday (In accordance with provisions of the North Dakota Century Code).

If an eligible employee works on a recognized holiday, the employee will receive wages at time and one-half the employee's straight time base pay rate for the hours worked on the holiday. The employee will also receive the holiday as a paid holiday.

























