

Sec. 54-192. - Employee/employer—Responsibilities.

- (a) As an employee you may expect from the city fair treatment at all times, adequate pay and benefits equal to comparable positions in business, industry and nearby governments of similar size, clean, healthy and safe working conditions, modern equipment and materials, security in employment, informed supervisors, and opportunities for advancement.
- (b) Employees have the responsibility to be fair and courteous in meeting the public and in working with fellow employees, industrious, neat in work and personal appearance, economical in the use of supplies and equipment, cooperative with the public and fellow employees, and to adhere to all city policies and procedures; and
 - (1) Report to work on time and remain on the job until the end of the work period established for his/her department;
 - (2) Perform duties to the best of his/her ability and contribute a full day's work for a full day's pay;
 - (3) Work well with other employees and accept additional assignments during peak workloads and emergency situations;
 - (4) Request prior approval before taking leave of absence and before leaving the work site;
 - (5) Refrain from engaging in activities which bring discredit to the city or have a disruptive influence on morale or work progress.

The above list is not intended to be all inclusive of expected behaviors and responsibilities.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-192 in its entirety. Former § 54-192 pertained to responsibilities of employer and employees and was derived from Ord. No. 1994-43, art. VI, § 2, adopted July 26, 1994.

Sec. 54-193. - Supervisory responsibilities.

Whereas the need to maintain team spirit, efficiency, discipline and safe working conditions are of prime importance to the harmonious operation of the city, persons employed in supervisory positions are in crucial management roles. Supervisors are responsible for, among other things:

- (1) Supporting and maintaining the harmonious relationship between supervisory and non-supervisory employees;
- (2) Lending their full support to the city's position regarding employee-employer relations. To this extent, supervisory personnel shall not be permitted to join, support or participate in activities of any employee organization whose purpose is the collective representation of employees in matters relating to employment; and
- (3) A department head shall carry out responsibilities assigned by the city manager, being guided by the city charter, city ordinance, and the city manager's directives. Department heads and their subordinate supervisors shall:
 - a. Deal with all employees in a fair and equitable manner and uphold the principles of equal employment opportunities;
 - b. Develop and motivate employees to reach their fullest potential through continued education and training;
 - c. Make ongoing objective evaluations of individual work performance and discuss these evaluations with each employee so as to bring about needed improvements;

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- d. Keep employees informed of their role in accomplishing the work of their unit and of conditions or changes affecting their work;
- e. Make every effort to resolve employee problems and grievances and advise employees of their rights and privileges;
- f. Make every effort to promote and maintain good public relations in conducting the public's business and as representatives of the city off the job.

The above list is not intended to be all inclusive of expected behaviors and responsibilities.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-193 in its entirety. Former § 54-193 pertained to responsibilities of supervisors and was derived from Ord. No. 1994-43, art. VI, § 3, adopted July 26, 1994.

Sec. 54-195. - Acceptance of gifts and favors, contracts, city employment of board members.

- (a) No official or employee of the city shall accept any gift of value, whether in the form of service, loan, thing, or promise from any person who, to the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the city.
- (b) No official or employee shall accept any gift, favor or thing of value that may tend to influence that employee in the discharge of duties nor may any official or employee grant in the discharge of duties any improper favor, service or thing of value.
- (c) No official or employee may use his/her position with the city to secure a contract for the purchase of goods or services from any firm or organization in which he/she has a direct financial interest.
- (d) No official may be employed by the city in any capacity. If an employee of the city files for elected office, he/she must take administrative leave. If an employee is elected or appointed to an official position with the city, he/she must resign from his/her position with the city prior to taking the oath of office.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-195 in its entirety. Former § 54-195 pertained to acceptance of gifts and favors; conflict of interest; employees elected to government office and was derived from Ord. No. 1994-43, art. VI, § 4, adopted July 26, 1994.

Sec. 54-196. - Outside employment.

The city has no intention of regulating what employees do during their own time away from the job as long as such activities do not represent a conflict of interest or reflect discredit on the city. Employees should be aware that city employment shall have precedence over the other occupational interests of employees and that any outside employment which is in conflict with the city's public purpose or which interferes with job performance with the city may be grounds for disciplinary action. All outside employment must be reported promptly and must receive prior approval by the respective department head. Outside employment must be reported no less than annually. (Refer to outside employment policy.)

(Ord. No. 1994-43, art. VI, § 5, 7-26-94; Ord. No. 2012-178, § 1, 11-27-12)

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Sec. 54-197. - Political activity restricted.

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the constitution and laws of the state and in accordance with the Constitution and laws of the United States of America. However, no employee may:

- (1) Engage in any political or partisan activity while on duty;
- (2) Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- (3) Be required as a duty of employment or as a condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- (4) Coerce or compel contributions for political or partisan purposes by another employee of the city; or
- (5) Use any supplies or equipment of the city for political or partisan purposes.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-197 in its entirety. Former § 54-197 pertained to political activity and was derived from Ord. No. 1994-43, art. VI, § 6, adopted July 26, 1994.

Sec. 54-198. - Solicitation.

Except for programs approved by the city, no employee shall solicit pledges or contributions or promote sales for any cause either during working hours or on city property. Likewise, the solicitation by outside interests on city property is prohibited. Such examples may include the selling or ordering of cosmetic supplies, food, etc.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-198 in its entirety. Former § 54-198 pertained to solicitation on city property and was derived from Ord. No. 1994-43, art. VI, § 7, adopted July 26, 1994.

Sec. 54-199. - Use of city vehicles and property.

- (a) Use of city vehicles shall be governed by procedures established in the vehicle use policy: (Refer to vehicle use policy for additional guidelines.)
- (b) Employees who use their personal vehicles for city business may be reimbursed at the applicable rate per mile.
- (c) Employees shall not use any city equipment, materials, supplies or vehicles for personal use nor shall such equipment, materials, supplies or vehicles be removed from city property except in the conduct of official business.
- (d) City telephones are for official business. Long distance calls shall be accounted for as official business only, and employees may not make unreasonable use of city telephones for local calls.
- (e) Employees who violate this section shall be subject to disciplinary action.

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(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-199 in its entirety. Former § 54-199 pertained to use of city vehicles and property; use of personal vehicle for city business and was derived from Ord. No. 1994-43, art. VI, § 8, adopted July 26, 1994.

Sec. 54-200. - Employees conduct.

- (a) Each employee of the city shall conduct himself or herself in such a manner that the city would not suffer embarrassment.
- (b) An employee of the city shall conduct himself/herself both on and off the job, so as to reflect credit on the city and on fellow employees.
- (c) The following shall be considered some examples but are not all inclusive of unacceptable conduct by an employee:
 - (1) Reporting for work while under the influence of alcohol or a controlled substance;
 - (2) Use or consumption of alcohol, illegal drugs or abuse of medication while on the job;
 - (3) Conduct on and off the job which may bring discredit to the city;
 - (4) Gross inefficiency, insubordination or refusal to perform assigned duties;
 - (5) Dishonesty, theft, misrepresentation, falsification of records and reports;
 - (6) Engaging in a scheme with the expectation or hope of personal profit in connection with performance of an official duty or by use of city property;
 - (7) Disloyalty to the city;
 - (8) Conviction of a felony;
 - (9) Disregard of established work rules, safety rules, policies and regulations;
 - (10) Misuse of time sheets, city property or city funds;
 - (11) Repeated failure to satisfy legitimate claims by and debts owed to creditors;
 - (12) Willful insubordination;
 - (13) Gambling.

A city employee who violates one or more of the above specific examples of misconduct shall receive disciplinary action up to and including dismissal.

- (d) Department heads and supervisors shall counsel employees about their misconduct. A letter shall be sent to an offending employee describing the misconduct and implementing the disciplinary action to be taken. A regular employee may file an appeal in accordance with the city's grievance procedure upon the imposition of disciplinary action.
- (e) Department heads may issue supplementary written policies, rules and regulations relating to the performance of employees within their respective departments, upon the approval of the human resources director, as long as they do not conflict with the personnel ordinance.

(Ord. No. 1994-43, art. VI, § 9, 7-26-94; Ord. No. 2012-178, § 1, 11-27-12)

Sec. 54-201. - Violence in the workplace prohibited.

- (a) The safety and security of all employees is of primary importance to the city. Threats, threatening and abusive behavior, or acts of violence against employees, visitors, customers, or other individuals

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by anyone on city property will not be tolerated. It is the obligation of each employee to contribute to the safety of the work environment by refraining from activities and/or behaviors that may provoke violence.

- (b) The following shall be considered some examples but are not all inclusive of behaviors which will not be tolerated by the city while an employee is in the performance of his/her duties:
 - (1) The act or threat of bodily harm to another employee or member of the public;
 - (2) Fighting, hitting, shoving, pushing or grabbing;
 - (3) Subtle or implied threats to fellow employees, visitors or customers;
 - (4) Possession of a weapon(s) while on duty (police officers should refer to SOP);
 - (5) Using language which would be regarded as likely to provoke violence by another;
 - (6) Violent outbursts of rage;
 - (7) Deliberate damage to city or private property or to the property of another employee while on duty;
- (c) Employees, without fear of reprisal, are responsible for promptly notifying their immediate supervisor, division head, department head or the human resources director of any threats or incidents they have received or witnessed. If the immediate supervisor or division head is notified of the threat or incident, he/she is responsible for promptly notifying the department head or human resources director. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or which could endanger the health or safety of an employee when the behavior has been carried out on city property or is connected to city employment or city business. If an employee feels that his or anyone else's life is in imminent danger, he/she should immediately call 9-1-1 and request police assistance.
- (d) An act of violence against any employee, visitor, customer, or other individual on city property will be investigated thoroughly by the department head and human resources director. Following the investigation, an immediate and appropriate response will be initiated. Appropriate disciplinary action, up to and including termination of employment, will be taken against any employee engaging in violence in the workplace. In addition to disciplinary action which the city will impose, violations of this section may result in criminal prosecution.
- (e) The city understands the sensitivity of the information requested and will treat any report of violence with discretion. Confidentiality cannot be absolutely guaranteed if protection of employees requires that the information be reported. However, the anonymity of the reporting employee will be maintained, when at all possible.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, created a new § 54-201 and renumbered §§ 54-201—54-204 as §§ 54-202—54-205.

Sec. 54-202. - Alcohol and controlled substances—Abuse.

- (a) The consumption and use of alcohol or illegal substances or the abuse of controlled substances by employees and prospective employees of the city poses significant risks and jeopardizes the safety of employees and the general public. Employees at any level in the city organization who consume or have drugs or alcohol in their systems during working hours impair their ability to perform their duties at full, efficient capacity. Impaired judgments as a result of such consumption seriously increase the risk of accident or injury, faulty decision-making and efficient job performance.

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- (b) Candidates for employment with the city in any position who are found to have positive drug or alcohol screening test results, absent a valid legal or medical explanation, shall be disqualified for employment.
- (c) The presence of drugs or alcohol in the workplace, consuming, being under the influence of prohibited substances by employees during working hours is prohibited and shall constitute grounds for administrative or disciplinary action up to and including dismissal.

(Refer to the substance abuse policy for complete regulations.)

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Former § 54-202 pertained to possession or consumption of alcohol or drugs and was derived from Ord. No. 1994-43, art. VI, § 10, adopted July 26, 1994. See note at § 54-201.