

CITY OF LAKESIDE PARK, KENTUCKY
ORDINANCE NO. 05-2023

AN ORDINANCE ADOPTING THE CITY OF LAKESIDE PARK, KENTUCKY PERSONNEL
POLICIES

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKESIDE PARK,
KENTUCKY AS FOLLOWS:*

SECTION I

The Personnel Policies of the City of Lakeside Park, Kentucky are hereby adopted, effective immediately, and shall be codified as Chapter 26A of the Lakeside Park, Kentucky Code of Ordinances. These policies are attached hereto collectively as Exhibit "A" and incorporated herein by reference.

SECTION II

That all Ordinances or parts of Ordinances, including but not limited to Chapter 26 in conflict with this Ordinance shall be, and are hereby **REPEALED** to the extent of said conflict.

SECTION III

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

FIRST READING: *November 13, 2023*

SECOND READING: *December 11, 2023.*

APPROVED:


HON. PAUL MARKGRAF, MAYOR

ATTEST:


TERESA BRUCK
CITY CLERK/TREASURER

AYES: 5

NAYES: 0

ABSTAIN:

PUBLISHED:

CITY OF LAKESIDE PARK KENTUCKY



PERSONNEL POLICIES AND PROCEDURES

EFFECTIVE January 1, 2024

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PERSONNEL POLICIES DEFINITIONS

Appeal - The right to be heard on matters of discrimination, unfair practices, or other rights of applicants or employees under these policies.

Appointing Authority - The person responsible for the appointment of employees. The mayor is the appointing authority.

Classification and Pay Plan - The system of assigning jobs to classes and to an appropriate pay grade based on the similarities of positions.

Demotion - Demotion means a change in the rank of an employee to a position of lesser responsibility and possibly lesser compensation.

Department - A work division of the city organized by functional area.

Dismissal - The termination of employment.

Employee - A person appointed to a position with the city for which he/she is compensated on a full-time or part-time basis.

Exempt Employee - An employee exempt from the overtime provisions of Kentucky Wage and Hour Law.

Full-time Employee - An employee who works on a continuing basis, at least thirty-five (35) hours per week.

Grievance - A grievance is any dispute concerning the interpretation or application of a personnel policy governing personnel practices or working conditions, or decisions relative to any disciplinary action, dismissal, demotion, or charge of discrimination.

Immediate Family Member - Immediate family member shall include wife, husband, child, foster-child, parent, grandchild, grandparent, brother, sister, or equivalent relationships by marriage.

Lay-offs - Separation from employment due to lack of work, lack of funds, abolishment of the position, or for other material changes in duties or organization, in accordance with established policy.

Merit Increase - An increase in pay of one or more steps in the pay range or grade, based on an employee's job performance.

Non-Exempt Employee - An employee not- exempt from the overtime provisions of Kentucky Wage and Hour Law.

Officer - An officer is a person who holds an office created by the constitution, state statute, or city ordinance; who possesses a delegation of a portion of the sovereign power of government; who has power or duties which are granted directly or by implication by the city; and who performs his/her duties independently without the control of a superior power.

Overtime - Time worked in excess of 40 hours in a standard workweek.

Part-time Employee - An employee who works on a continuing basis fewer than thirty- five (35) hours each week.

Performance Evaluation - A method of evaluating each employee on a periodic basis as to his/her performance on the job.

Personnel Administrator - The mayor administers the personnel system for the city.

Promotion -The change in rank of an employee.

Provisional Employee - Provisional appointments may be made to fill positions when the work of the city requires the services of one or more employees on a seasonal or intermittent basis, or in cases of emergency. Provisional appointments will not exceed seven weeks; however, the personnel administrator may grant extensions.

Resignation - The termination of employment at the employee's request.

Suspension - An enforced leave of absence for either disciplinary purposes, pending investigation, or charges against an employee with or without pay.

Vacancy - A position duly created but currently not occupied by an employee.

CHAPTER 1

SCOPE AND METHODS

Section 1 - Authority

The City of Lakeside Park, hereafter referred to as the City, is granted authority for the provisions found in this document by KRS 83A. The City desires to adopt personnel policies, does adopt the following.

Section 2 - Positions Covered

These policies, unless otherwise noted, apply to all authorized positions, (hereafter called employees) of the City of Lakeside Park, KY, except members of Council and committees, legal counsel, consultants, advisors, independent contractors and volunteers. These policies do not apply to provisional employees, unless specifically stated.

Section 3 – Interpretation

These policies are intended to cover most personnel problems and actions which arise. The mayor shall interpret those not specifically covered.

Section 4 - Responsibility and Authority/Delegation

The responsibility and authority for the implementation and enforcement of these policies is vested in the Personnel Administrator. The mayor is hereby designated as Personnel Administrator. The mayor may delegate such duties and functions, as he/she deems appropriate.

Section 5 -- Equal Opportunity Employer

The City of Lakeside Park is an equal opportunity employer and prohibits all forms of illegal discrimination. The City will implement these policies in accordance with laws and regulations that prohibit discrimination on the basis of political affiliation, disability (including discrimination because of HIV and AIDS), race, age (40 or over), national origin, sex, religion, sexual preference, gender identity, or genetic information. The city also prohibits retaliation against an employee for: opposing or complaining about discrimination; participating in discrimination legal proceedings; and/or for participating in discrimination investigations. Any concerns about discrimination or retaliation should be reported immediately to the mayor so that the city may review the matter and take appropriate remedial actions.

It is the policy of the City to adhere to the requirements of the Kentucky Civil Rights Act (KRS Chapter 344), Title VII of the Civil Rights Act of 1964 (Title VII), the Equal Pay Act of 1963 (EPA), the Age Discrimination in Employment Act of 1967 (ADEA), Title I of the Americans with Disabilities Act of 1990 (ADA), Section 501 of the Rehabilitation Act of 1973, the Drug Free Workplace Act of 1988, the Family and Medical Leave Act of 1993 (FMLA), and the Genetic Information Non-Discrimination Act of 2008 (GINA).

Section 6 - Disclaimer

These Personnel Policies are at the absolute discretion of the City of Lakeside Park; and they may be amended, modified, or otherwise changed or even terminated or revoked, in whole or in part, by the City, at any time and for any reason or no reason. The application of these Personnel Policies is also discretionary rather than mandatory in the personnel decisions of the mayor. They are merely guides for their personnel decisions. Accordingly, the Mayor is not bound by them in their personnel decisions. These Personnel Policies are not intended and shall not be interpreted or construed to

establish either a contract with or any other right of continued employment by any non-elected officer or employee of the City. All employment by the city is “at will” employment, which means that it may be terminated at the will of either the employee or the city, unless otherwise provided by law.

Section 7 -- Severability Clause

If any section of these personnel policies is ever held invalid, the remaining sections shall not be affected and shall remain in effect.

Section 8 -- Repealer

All prior personnel policies, procedures, resolutions, memorandums, or other written documents are hereby repealed. All oral statements past, present, and future in conflict with these policies are invalid.

Section 9 - Immigration Law Compliance

The City of Lakeside Park is committed to employing only United States citizens and Foreign Nationals who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986 each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed a 1-9 with the city within the past three years, or if their previous I-9 is no longer retained or valid.

CHAPTER 2

JOB DESCRIPTIONS /ORGANIZATIONAL CHART

Section 1 - Job Descriptions

The city has developed job descriptions. Each job description defines the general nature of work to be performed; provides examples of duties; outlines the required or desired knowledge, skills, and abilities; describes the necessary education, training, and experience; and outlines any special requirements necessary for the job.

Section 2 -Responsibility for Administration

The Personnel Administrator/Mayor maintains and updates job descriptions. The mayor approves the job descriptions.

Section 3-Interpretation of Job Descriptions

Job descriptions are not restrictive. The duties, qualifications, and other factors detailed on the job descriptions are not to be considered all-inclusive.

JOB DESCRIPTION

POSITION TITLE: City Clerk/Treasurer

CHARACTERISTICS OF THE CLASS - This is administrative work involved with the planning and coordination of the activities of the administrative department and reports to the mayor. A worker in this position would act as tax and fee collector for the city, maintain official records, and serve as clerk to the city council.

ESSENTIAL FUNCTIONS: Prepares tax bills for printing, mailing, and distribution; Process and record tax payments; Issues letters of delinquency; Responds to, and directs, citizen complaints and inquiries to appropriate departments; Prepares and maintains, minutes and agendas of all city meetings; Attends all city council meetings to record minutes; Supervises deputy clerk including the delegation of tasks; Types general correspondence for mayor; Types executive orders, municipal orders, and proclamations for passage and publication; Works with mayor in preparing city financial statements, budget, audit, tax information and bid notices for publication; Maintains personnel records such as employee insurance forms, attendance records, vacation and sick leave, time card records, payroll reports; Prepares bank deposits; Maintains deposit and financial records; Maintains petty cash fund; Orders office supplies; assists in preparing quarterly city newsletter for publication and mailing; Performs the duties of ABC administrator for the city. Performs other duties as required.

DESIRABLE TRAINING AND EXPERIENCE: Graduation from a standard high school, or equivalency, supplemented by considerable experience working in an administrative, financial, accounting, or government office; or any combination of education, training, and experience which provides the necessary knowledge, skills, and abilities.

KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED: Ability to establish and maintain effective working relationships with other governments and agencies, city officers and employees, and general public; Ability to use modern office machines such as: personal computer, photocopier, dictation equipment and/or transcription equipment, etc.; Ability to communicate effectively, orally and in writing; Considerable knowledge of municipal accounting and financial procedures; Knowledge of the legal requirements relating to the maintenance and preservation of council minutes, records, and other city documents.

NECESSARY SPECIAL REQUIREMENTS: Possession of, or ability to obtain, a valid vehicle operator's license. Must be bondable. Must have completed or be eligible to complete the Municipal Clerk Certification program.

AMERICANS WITH DISABILITIES ACT COMPLIANCE:

The City of Lakeside Park is an Equal Opportunity Employer. ADA requires the city to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

Date Effective: _____

The above is intended to describe the general content of and the requirements for the performance of this job. It is not to be construed as an exhaustive statement of duties, requirements, or responsibilities.

JOB DESCRIPTION

POSITION TITLE: Deputy City Clerk

CHARACTERISTICS OF THE CLASS: This is clerical work involved with assisting the city clerk in the planning and coordination of the activities of the administrative department. A worker in this position would assist with tax, fee, and fine collection for the city, help maintain official records, and perform other general administrative duties as assigned. Receives supervision and directions from the City Clerk/Treasurer and Mayor.

ESSENTIAL FUNCTIONS: Assists in preparing tax bills for printing, mailing, and distribution; Processes and records tax payments; Prepares letters of delinquency; collects and maintains insurance premium tax payments and records; Responds to, and directs, citizens' complaints and inquiries to appropriate departments; Types general correspondence; Assists in maintaining all city records and insuring their safekeeping, including personnel records, bank deposit records, purchase office supplies, etc.; Opens, sorts, and distributes mail. Performs other duties as required.

DESIRABLE TRAINING AND EXPERIENCE: Graduation from a standard high school, or equivalency, supplemented by previous clerical experience in an office; Or any combination of education, training, and experience which provides the necessary knowledge, skills, and abilities.

KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED: Ability to establish and maintain effective working relationships with other governments and agencies, city officers and employees, and general public; Ability to use modern office equipment such as: personal computer, photocopiers, dictation and/or transcription, etc.; Ability to communicate effectively, orally and in writing; Knowledge of basic accounting and financial procedures.

NECESSARY SPECIAL REQUIREMENTS: Possession, or ability to obtain, a valid vehicle operator's license. Must be bondable. Must have completed or be eligible to complete the Municipal Clerk Certification program.

AMERICANS WITH DISABILITIES ACT COMPLIANCE:

The City of Lakeside Park is an Equal Opportunity Employer. ADA requires the city to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

Date Effective: _____

The above is intended to describe the general content of and the requirements for the performance of this job. It is not to be construed as an exhaustive statement of duties, requirements, or responsibilities.

JOB DESCRIPTION

POSITION TITLE: Public Works Director

CHARACTERISTICS OF THE CLASS: The Public Works Director reports to the mayor and is responsible for directing the operations of the city public works department. This position is responsible for planning, coordinating, and maintenance of city roads, sewers, buildings, parks, and public property.

ESSENTIAL FUNCTIONS: Recommends and administers departmental budget; Accurately maintains necessary records pertaining to the operation of the department; Plans for and directs the timely maintenance and repair of city streets, buildings, equipment, and vehicles; recommends the purchase of necessary supplies and tools to the mayor; Oversees the proper storage, inventory, and security of supplies, tools, and equipment utilized by the department; Investigates citizen complaints. Performs other duties as required.

DESIRABLE TRAINING AND EXPERIENCE: Bachelor's Degree from an accredited College or University with specialization in Construction Management, Engineering, Risk Management, or related fields; or 10 years related experience and/or training; or equivalent combination of education and experience in public services or construction management.

KNOWLEDGE, SKILLS, ABILITIES: Project management and oversight, Ability to plan and supervise public works activities on a departmental level; Ability to prepare and administer a budget; Ability to write and speak effectively, including the accurate preparation of reports; Ability to establish and maintain effective working relationships with other governments and agencies, city officers and employees, and general public; Extensive knowledge of the principles concerning construction, maintenance, and repair of buildings, roads, landscapes, and infrastructures; Extensive knowledge of occupational hazards and proper safety precautions; A demonstrated knowledge of operation maintenance of heavy machine implements and power tools. Ability to train and supervise workers in the principles concerning construction, maintenance, and repair of buildings, roads, landscapes, and infrastructures; Ability to supervise and perform manual labor duties, for extended periods of time, often under adverse weather conditions.

NECESSARY SPECIAL REQUIREMENTS: Possession of, or the ability to obtain a valid vehicle operator license and a commercial driver license (CDL); Possession of, or the ability to obtain any license(s) deemed appropriate or necessary for the successful completion of job tasks. Available (on-call) 24 hours a day. Ability to respond to a call back within 30-60 minutes.

AMERICANS WITH DISABILITIES ACT COMPLIANCE:

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Date Effective: _____

The above is intended to describe the general content of and the requirements for the performance of this job. It is not to be construed as an exhaustive statement of duties, requirements, or responsibilities.

JOB DESCRIPTION

POSITION TITLE: Recreation Director

CHARACTERISTICS OF THE CLASS: This is skilled and responsible work in the recreation, department, supervision and oversight of the city’s recreation and community programs. An employee in this class is responsible for planning, coordinating, and supervising the year-round recreation and community programs, receives supervision and directions from the mayor. This is a part-time exempt position with no retirement, vacation, or sick benefits.

ESSENTIAL FUNCTIONS: Prepares and administers a program budget; Prepares financial reports as required; Prepares a monthly activities report; Formulates policy and procedure recommendations; Accurately maintains necessary documents regarding the operation of the recreation department; Plans, coordinates, and schedules city recreational activities, classes, and programs; Promotes recreational and community programs through advertisements, flyers, social media, etc.; Coordinates recreational and community activities with other community groups and organizations; Responds to citizen complaints and inquiries; Plans for and recommends the purchase of necessary supplies and equipment for the recreational and community programs; Oversees the proper maintenance and inventory of all recreational and community program equipment; Assists in, and supervises, the conduct of city recreational programs including instructional and officiating duties; Supervises the safe care, operation, and maintenance of all equipment and facilities used by recreation department; Performs other duties as required.

DESIRABLE TRAINING AND EXPERIENCE: Graduation from a four-year college with a degree in recreation/public administration or related field, supplemented by experience in recreation/program management with some supervisory experience; or any combination of training and experience which provides the desired knowledge, skills, and abilities.

KNOWLEDGE, SKILLS, ABILITIES: Knowledge of recreation techniques and methods, and how to apply them to all phases of community and recreation program administration; Knowledge of budget principles; Ability to develop and implement well-rounded recreational and community programs; Ability to supervise several volunteers and workers engaged in varied tasks simultaneously; Ability to safely operate and maintain all departmental equipment, and to train others in the same; Ability to prepare written reports accurately; Ability to effectively promote recreational and community programs; Ability to understand and follow oral and written instructions; Ability to deal courteously with the general public; Ability to establish and maintain effective working relationships with other city agencies and departments, city officers and employees, and the general public.

NECESSARY SPECIAL REQUIREMENTS: Possession of, or the ability to obtain, a valid vehicle operator’s license. Any licenses or certifications necessary to perform the essential functions of this position (officiating, lifesaving, etc.).

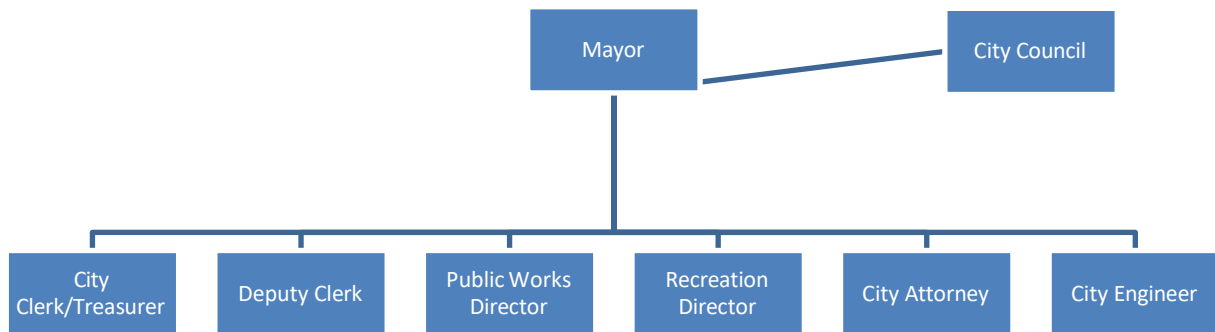
AMERICANS WITH DISABILITIES ACT COMPLIANCE:

The City of Lakeside Park is an Equal Opportunity Employer. ADA requires the city to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

Date Effective: _____

The above is intended to describe the general content of and the requirements for the performance of this job. It is not to be construed as an exhaustive statement of duties, requirements, or responsibilities.

CITY OF LAKESIDE PARK ORGANIZATIONAL CHART



CHAPTER 3

APPLICATIONS, EXAMINATIONS, PROMOTIONS AND PERSONNEL RECORDS

Section 1-Announcement and Advertisement of Vacant Positions

All vacancies of the city workforce may be publicized by posting announcements in the city buildings, on the City's website, advertising the position through appropriate external methods, or in other places as the mayor deems advisable, or by using any combination outlined above. All announcements and advertisements of vacant positions should specify the title and salary range of the position, qualification requirements, manner of making application and other pertinent information. All announcements and advertisements must state that the city is an equal opportunity employer.

Section 2 -Application Forms

Applications will be made on standard forms provided by the city. Such forms will require information covering training, experience, and other pertinent information. The applicant will sign and date all applications. The mayor may require resumes to be submitted with applications.

Section 3 – Employment Requirements

All positions will be open to persons who meet the necessary requirements. Such requirements may include but will not be limited to the following factors: knowledge, skills, abilities, education, training, and ability to perform the essential functions of the position. No person shall be accepted as an eligible applicant for full-time employment if such person is an immediate family member of another full-time employee. Immediate family shall include wife, husband, child, foster-child, parent, grandchild, grandparent, brother, sister, or equivalent relationship by marriage.

The City of Lakeside Park reserves the right to conduct background investigations, including information on criminal arrest, medical, financial, and driving records, on all applicants for employment within the guidelines of the law.

Section 4 - Receipt and Duration of Applications

Applications will be accepted and placed on file from all persons desiring employment with the city and who apply during regular business hours. All application documents will be kept in confidence. Unsolicited resumes will be kept active for six (6) months. Unsolicited resumes will become inactive after six (6) months. Applications of individuals not hired by the city will be kept in accordance with the State of Kentucky Records Retention Schedule.

Section 5 -Rejection of Applications

Any or all applications for employment may be rejected. An applicant may also be rejected for the practice or attempted practice of fraud or deception in the completion of his/her application, or if his/her past record of employment is determined to be unsatisfactory.

Section 6 - Open Competitive Appointments

Open positions will be filled through a competitive process which may include, but not be limited to, ratings of training and experience, written, oral, physical, or performance examinations, or any combination of these as determined by the mayor. The process may take into consideration such factors as education, experience, knowledge, skill, ability to perform the essential functions of the position, background investigation, or any other factors that are job performance related and which in the judgment of the mayor enter into the determination of the qualification of applicants. The mayor may require the applicant to submit proof of his/her education, military service, or any other such

documentation, as he/she deems necessary and appropriate. Examinations will be administered in compliance with applicable laws and regulations such as various civil rights laws and the Americans with Disabilities Act.

Section 7- Promotional Appointments

Promotional appointments will be open to all employees who meet the qualification requirements for the vacant position at the beginning of the promotional process. Any disciplinary action an employee has received will be considered during the promotional process. An employee who is promoted to a new position with the City will serve a six (6) month probationary period in the new position.

Section 8 - Personnel Records

A separate personnel record will be prepared and maintained for each employee and will contain the original or a copy of all pertinent documents required by law.

Section 9 - Public Inspection

All personnel records of employees covered under these policies and all other records and materials relating to the administration of these personnel policies remain the exclusive property of the City of Lakeside Park, Kentucky. No employee has a property interest or ownership interest in his/her personnel file. Records maintained in personnel files are subject to the laws of the Kentucky Open Records Act.

Section 10 - Retention of Records

Original personnel files will be kept in accordance with the applicable Commonwealth of Kentucky Local Government Records Retention Schedule.

CHAPTER 4 APPOINTMENTS

Section 1 - Types of Appointments

When the City employs a person, one of the following types of initial appointments will be made:

1. Full-Time Employee - An employee who works on a continuing basis at least thirty-five (35) hours per week.
2. Part-Time Employee - An employee who works on a continuing basis fewer than thirty-five (35) hours per week.
3. Part-Time Exempt Employee – An employee who works on a continuing basis fewer than an average of twenty (20) hours per week who is not entitled to retirement, vacation or sick leave.
4. Provisional Employee - Provisional appointments may be made to fill positions when the work of the city requires the services of one or more employees on a seasonal or intermittent basis, or in cases of emergency. Provisional appointments may be up to five months in duration. These personnel policies and procedures do not apply to provisional employees, unless specifically stated.

Section 2 - Appointing Authority

The mayor shall be the appointing authority for all positions. Appointment of Non-elected Officials may require approval as per KRS 83A.

Section 3 -Personnel Policies Received

Upon appointment, all new full-time and part-time employees will be given a copy of these policies. At the time of employment, each new full-time and part-time employee will be required to sign and date a Certificate of Receipt Form verifying receipt of these policies. The signed and dated Certificate of Receipt Form shall be returned to the City Clerk and will be maintained in the employee's personnel file.

Section 4 - Nepotism

A person shall not be eligible for employment if such person is an immediate family member of another full-time employee. Immediate family shall include wife, husband, paramour, child, foster-child, parent, grandchild, grandparent, brother, sister, or equivalent relationship by marriage.

Section 5- Fraternization

While the City does not seek to interfere with the personal, off-duty conduct of its employees in a small workforce, romantic relationships between employees is by its nature disruptive to the operations of the city and therefore such relationships are highly discouraged by the City.

Those employees serving in a supervisory capacity may not date or become romantically involved with employees who are or may be under their direct supervision. Employees who may be romantically involved or dating who are not in a supervisory relationship are responsible for ensuring that their personal relationship does not become a distraction or disruption in the workplace. The Mayor reserves the right to respond to employee fraternization through either disciplinary action up to and including termination, demotion, or change of assignment of any employees engaged in such conduct.

CHAPTER 5 INITIAL EMPLOYMENT PERIOD

Section 1 - Review Period

The initial employment period will be regarded as a period of time for adjustment and learning. This initial employment period is called the review period and will be six months in duration for all newly hired employees. During the review period, employees are ineligible to take vacation time for the first sixty (60) days of employment unless special circumstances warrant advanced approval by the mayor.

Section 2 - Interruption of Initial Employment Period

If an employee is laid off during the review period and the employee's performance was determined to be satisfactory, and if the employee is subsequently reappointed to the same position, within six (6) months of the date of the layoff, the employee will be given credit for the portion of the initial employment period completed before the employee was laid off .

CHAPTER 6 DEMOTIONS AND TRANSFERS

Section 1 - Demotions

The mayor may demote an employee provided the employee possesses the qualifications of the positions to which he/she is demoted. Some of the reasons for demotion include, but are not limited to:

1. For an inability to carry out duties in accordance with the standards prescribed for the position by the position description.
2. For disciplinary reasons;
3. To fill a vacant position in lieu of layoff;
4. Administrative restructuring or reorganization of positions;
5. For violation of the non-fraternization policy.

An employee will be informed in writing as soon as practical prior to a demotion becoming effective. The written report of said demotion and the reasons therefore will be entered into the employee's personnel file. Statements of the employee will be entered into the personnel file. An employee who seeks to contest the demotion shall follow the grievance procedure set out in Chapter 11 of these Policies.

Section 2 - Transfers

Employees may request a transfer from one position to another provided the position to which the employee is requesting transfer is one for which the employee possesses the minimum qualifications and the position applied for is vacant. All transfers must be approved by the mayor.

CHAPTER 7 PERFORMANCE EVALUATION

Section 1 - Objective

The mayor will prepare a system for evaluating the work performance of all employees in the city. The purpose of the employee performance evaluation is to inform employees how well they are performing their work and how they can improve their work performance. The performance evaluation may also be used in determining salary changes, as a factor in determining order of lay-off, as a basis for training, promotion, demotion, transfer, or dismissal, and for such other purposes as set forth in these regulations.

Section 2 - Period of Evaluation

On original appointment, transfer, demotion, or promotion, all full-time and part-time employees will be evaluated at or near the end of six months of employment and annually thereafter. The mayor may conduct performance evaluation(s) more frequently as circumstances warrant based on factors including, but not limited to an employee's need for coaching or mentoring; corrective action; to garner more data to evaluate an employee's job performance; or any other legitimate, business reason.

Section 3 - Evaluation

Evaluations of employees are prepared and conducted by the mayor.

Evaluations will be completed on a standardized form and submitted to each employee for his/her review and comment. Employees shall sign the form upon completion of their review. By signing the evaluation, the employee is not indicating agreement with the contents but, merely that they have received the evaluation.

Section 4 - Review with Employees

The mayor will discuss each performance evaluation with the employee being evaluated. If an employee disagrees with any statement in an evaluation, the employee may submit, within five (5) workdays following the conference, a written statement, which may be attached to the evaluation form.

Section 5 - Failure to Timely Review Shall Not Preclude Disciplinary Action

An evaluator's failure to prepare a timely review of an employee, or failure to note any particular deficiency on the part of an employee, shall not preclude the City from disciplining, terminating, or taking any other legitimate employment-related action towards the employee. The purpose of evaluations is to provide the employee with a general overview of his/her performance and to provide guidance in areas of improvement.

CHAPTER 8

DISCIPLINARY ACTION AND SEPARATION FROM EMPLOYMENT

Section 1 - Intent

The purpose of this chapter is to outline the City's policy concerning the use of discipline with City employees. Employment at the City of Lakeside Park is provided utilizing the "at will" doctrine which means an employee may be dismissed at any time and for any reason, with or without cause. While progressive disciplinary action is a guiding principle, the severity of the disciplinary action should relate to a number of factors, including, but not limited to, the gravity of the offense, the employee's record of performance and disciplinary infractions, and the City's practice in similar cases. Further, the progressive disciplinary action model in no way prohibits the City or its supervisory personnel from dispensing any level of discipline, or a combination thereof, as set forth herein consistent with the seriousness or frequency of the offense committed.

Section 2 - Types of Disciplinary Action

The following provision governs disciplinary action affecting employees of the City. Such alternatives are designed to be administered in the presented order; however, circumstances may arise where it is necessary to skip one or more steps in the process.

Oral Warning - The Mayor may issue an oral warning to an employee. The mayor should make a record of the oral warning, provide the employee with a copy, obtain an acknowledgement signature from the employee, and place the information in the employee's personnel file. The mayor may provide suggestions to the employees on how to improve or correct their behavior.

Written Reprimand - The Mayor may issue a written reprimand to an employee. The employee will have an opportunity to discuss the proposed reprimand when it is issued. The employee will acknowledge receipt of the written reprimand by signing and dating the document. If the employee refuses to sign the written reprimand, the mayor will make a note of such for inclusion in the personnel file. A copy of the reprimand will be forwarded to the employee and the personnel file. The mayor may provide suggestions to the employees on how to improve or correct their behavior.

Suspension - The Mayor may suspend an employee with or without pay for an appropriate duration of time based on the severity of the offense. Written notice shall be provided to the employee setting forth the reasons for the suspension in advance of the suspension taking effect. The employee will have an opportunity to discuss the proposed suspension before its issuance. A written statement specifically setting forth reasons for suspension will be furnished to the employee. Copies will be placed in the personnel file. The mayor may provide suggestions to the employees on how to improve or correct their behavior.

Demotion or Reduction in Salary - The Mayor may demote or reassign an employee provided the employee possesses the minimum qualifications for the position to which the employee is being reassigned. A demotion may also include a reduction in the employee's pay. A written statement of the reasons for such action will be furnished to the employee. The employee will have an opportunity to discuss the proposed demotion or reduction in salary before its issuance. Copies will also be filed in the personnel file.

Dismissal - The Mayor has the authority to terminate any employee at any time for any reason, to include but not be limited to an employee whose job performance or actions that are determined to be detrimental to the City. In all cases, the mayor shall notify the employee of the action taken and a copy of such notice shall be retained in the employee's file.

Section 3 - Reasons for Disciplinary Action

Listed below is a non-exclusive list of types of employee misconduct which may result in discipline, up to and including dismissal:

1. Being convicted of a felony;
2. Absenteeism or tardiness;
3. Unauthorized absence without approved leave;
4. Inefficiency or ineffectiveness;
5. Abusing City property or a fellow worker's property;
6. Giving false statements to the Mayor, City Council, the city, its agents and employees, supervisors, officials or the public;
7. Refusal to accept a job assignment;
8. Discovery of a false or incomplete statement in an employment application;
9. Unauthorized use of City equipment for personal use;
10. Conduct on or off the job unbecoming to a city employee or which brings damage to the City;
11. Insubordination, unreasonable or inappropriate conduct;
12. Unlawful Harassment;
13. Refusal to work with someone because of the existence of a disability;
14. Unsatisfactory work performance;
15. Being under the influence of alcohol or drugs while on duty;
16. Fighting or the use of obscene, abusive, or threatening language or behavior;
17. Falsifying timecards or work records;
18. Loss of necessary licenses or other requirements or documentation necessary to perform essential job functions;
19. Embezzlement, fraud, or dishonesty of any kind, including but not limited to failing to respond completely to City inquiries and/or dishonesty concealing job-related information.
20. Any violation of these policies and procedures.

Section 4 -Appeal Rights

Any employee who has received disciplinary action may appeal said action in accordance with the provisions of Chapter 11 of these policies. An employee's failure to timely and fully appeal or grieve disciplinary action shall render the action final and non-appealable. An employee's failure to exhaust appeals shall constitute a waiver to pursue further legal action. All employees have an affirmative duty to fully exhaust all appeals and grievances prior to initiating any legal action arising from or challenging the City's disciplinary decisions or actions.

Section 5 -Notice of Disciplinary Action

In all cases, the mayor shall notify the employee of the action taken and a copy of such notice is to be retained in the employee's personnel file.

Section 6 - Resignation

To resign in good standing, an employee must give the mayor a minimum of fourteen (14) calendar days' notice. Failure to comply with this rule will be entered into the personnel record of the employee and may result in denial of reemployment with the City.

An employee may be regarded as having involuntarily resigned as a result of an unexcused absence, if the employee could have notified the mayor of the absence but fails to do so for three (3) or more consecutive scheduled workdays.

Section 7 - Lay-offs/Reduction of Work Hours

The mayor will determine when it may be necessary to have a reduction in the city workforce or a reduction in the work hours for full-time or part-time employees. The order of the layoff or reduction in work hours, except as determined by statute, shall be determined based on the needs of the City. If practicable, the mayor will attempt to notify the employee(s) of the layoff in writing at least two (2) weeks prior to the effective date of the layoff.

Section 8 - Loss of Job Requirements

Any employee who is unable to perform their job adequately because of loss of a necessary license or other requirements may be separated from employment.

Section 9 - Separation From Service

An employee who separates from service with the City shall, before the end of the employee's last workday, return all City property in his/her possession to the mayor. Such property may include but not be limited to keys, key fobs, credit cards, equipment, cellular phone, or other such items.

Section 10 – At-Will Employment

The Commonwealth of Kentucky is an at-will employment state. Employment with the City of Lakeside Park is at-will. Any oral, written statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by any prospective employee.

CHAPTER 9 TRAINING, TRAVEL & TUITION REIMBURSEMENT

Section 1 - Policy

Career development shall be considered an integral part of an employee's work experience and employees are expected to pursue ongoing work-related training. Each employee of the City shall be eligible to participate in career training and continuing education opportunities relating to the assigned duties of that employee. Such training and educational opportunities may include, but are not limited to, seminars, conferences, workshops, or other training sessions, correspondence courses and formal education.

Section 2 - Training Approval

The mayor shall periodically advise employees of and consider employee requests for appropriate training opportunities.

Employees may request attendance at training or educational activities by submitting such a request in writing to the mayor. Requests to attend training shall be submitted to the mayor for approval in advance of planning, and expenditures shall be reviewed and approved by the mayor. Requests to attend training should include an estimation of all expenses related to attending the training which may include, but are not limited to training/conference registration, airfare, ground transportation (including estimated mileage reimbursement expenses for use of personal vehicle), parking, tolls, fuel, meals, or lodging.

Section 3 - Lodging

Lodging expenses for single-day or multi-day events outside a fifty (50) mile radius of the City may be eligible for reimbursement upon prior approval by the mayor. However, lodging for the night before the first day of the event and the night after the last day of the event may not be eligible. In these instances, eligibility is dependent upon the length of travel, the required reporting time, and the ending time of the event.

Employees on approved overnight travel will be reimbursed for lodging expenses at a reasonable rate. Receipts are required for reimbursement of lodging expenses.

Section 4 - Meals and Incidental Expenses

Meals: Meals shall be reimbursed on a per diem basis and receipts for meal expenses shall not be required; the city credit card can be used in lieu of reimbursement. The daily limit for meals shall be \$55.00 per day which includes tips. The daily meal per diem per meal shall be \$12.00 for breakfast, \$18.00 for lunch, and \$25.00 for dinner. The exception to this limitation is when a meal is a part of a seminar, convention etc. and in that case, the cost of the meal will be acceptable. In instances where the cost of a particular meal (or meals) is included in the cost of the event, program, seminar, convention etc., the city will not pay a per diem for meals that would duplicate those meals that are included in the cost.

Expenses for meals consumed during events less than a fifty (50) mile radius of Lakeside Park are not eligible for reimbursement unless the cost of the meal has been included in the registration fee for the event or has been approved by the mayor.

Incidental Expenses: Reasonable incidental expenses such as cleaning, phone charges, faxes, and tips for services like baggage handling and taxis/ride share services are eligible expenses and must be

accompanied by a receipt for reimbursement.

Section 5 - Air/Train Travel

Air transportation and train travel is eligible for reimbursement at the coach, business class or equivalent rate.

Section 6 - Car Rental/Ground Transportation

When ground transportation is necessary for out-of-town travel, vehicle rental is an eligible expense when the total cost of the rental including gas and parking is equal to or less than taxi transportation. Reimbursement for rented vehicles is limited to the rate charged by the rental agency for mid-sized vehicles.

If ride sharing services are available, reimbursement for such usage for business-related expenses shall also be considered as an eligible expense.

Section 7 - Mileage Reimbursement

If an employee uses his/her own private vehicle for City business, the employee will be reimbursed at the standard mileage rate as determined by the Internal Revenue Service. If an employee uses his/her own private vehicle for City business, the employee must have the state required minimum automobile liability insurance and must be able to provide a copy of the proof of insurance to the Personnel Administrator.

When an employee uses his/her own private vehicle for local City business, the employee must submit an itemized reimbursement request to the City within sixty (60) days.

Section 8 - Ineligible expenses

The following is a non-exclusive list of ineligible expenses and reimbursement will not be approved for these items:

1. Bar Bills;
2. First Class Airfare;
3. Unnecessarily expensive lodging costs (i.e., a suite)
4. Sporting Events unless included in the regular event registration;
5. Movies, Shows, or Pay-Per-View Television; or
6. Expenses for a Spouse, Family Member, or Traveling Companion (see exception in Section 9 below).

Section 9 - Expense Reporting

Eligible expenses for a city employee's spouse, family member, or traveling companion are limited to meal-type of events only such as NKADD annual dinner, Chamber annual dinner, KLC Convention banquet, or any other similar professionally affiliated breakfast, dinner, luncheon, or banquet. These expenses shall require prior approval by the mayor.

Upon return from travel, employees shall complete and submit the appropriate documentation for expenses incurred while away from the office on training. The expense report form shall be completed, and all required receipts shall be attached. Expense documentation shall be submitted to the mayor for review and approval within five (5) working days after returning from training/travel. Excess travel

advance funds, if any, shall be returned along with the Expense Report form.

When an employee incurs expenses for City business conducted locally, the employee must submit an itemized reimbursement request to the City within sixty (60) days.

Section 10 - Tuition Reimbursement

The City of Lakeside Park endorses the philosophy that an employee with a formal education is an asset to the organization. Toward that end, the city may reimburse an employee for his/her attendance at an accredited university or college up to a maximum of \$5,000 per employee per fiscal year. The city will reimburse the employee for tuition expenses for job-related courses of study only. All requests for tuition reimbursement must be approved by the mayor in advance of the employee signing up for the class. Tuition reimbursement will be provided to the employee after the employee successfully completes the class at the following rates: for courses completed with a grade of A or B, one hundred percent (100%) reimbursement; or for courses completed with a C, eighty-five (85%) reimbursement. If an employee leaves the employment of the City, all tuition reimbursement made during the preceding six (6) months must be returned to the City.

CHAPTER 10 ATTENDANCE AND LEAVE

Section 1 - Hours of Work

The established work week for all full-time employees is 40 hours per week, Monday through Friday. Employees are expected to arrive at work on time, be at their workstation and prepared to start work at the beginning of their daily work shift. All personnel have an obligation to inform their respective supervisor of their whereabouts and anticipated time of return when out of the office. The mayor reserves the right to alter an employee's regularly scheduled work hours in order to meet the staffing needs of City operations.

Section 2 - Work Breaks

Employees working shifts over 4 hours will be granted a sixty (60) minute unpaid break away from their work area and as close to the middle of their shift as possible. For every 4 hours worked the employee will be granted one (1) paid fifteen (15) minute break. The City will act in accordance with state and federal law.

Section 3 - Overtime Pay

The City of Lakeside Park follows all applicable State and Federal Laws covering the applicability of overtime pay for FLSA non-exempt employees. FLSA non-exempt employees shall become eligible to be compensated at one and one-half (1½) times the normal rate of pay per hour for all time worked in excess of forty (40) hours during a regularly scheduled seven-day work week. Periods when no work is performed, when paid or unpaid leave is taken cannot be counted as time worked. Except for after-hours call-outs, all overtime must be approved in advance by the employee's supervisor.

Section 4 – Call Outs

Employees may periodically be required to report after normally scheduled work hours. City employees that are classified as non-exempt employees and are subject to call out after their normally scheduled work hours will be compensated for a minimum of two (2) hours of pay at their regular rate of pay, plus overtime if applicable.

Section 5 - Holidays

The following holidays are designated as official paid holidays for all employees when City offices are closed.

1. New Year's Day
2. Martin Luther King, Jr. Day
3. Presidents' Day
4. Spring Holiday, which is the Friday before Easter Sunday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Thanksgiving Day
9. Day after Thanksgiving
10. Christmas Eve Day
11. Christmas Day

Holidays are days off with pay for full-time employees and part-time employees working at least ten (10) hours per week. Provisional and exempt employees are not compensated for Holidays. A holiday for a part-time employee working 20 to 35 hours per week is 4 hours of paid holiday time. A

holiday for an employee working below 20 hours per week is 2 hours of paid holiday time.

An employee who may be required to work on a designated holiday shall receive a commensurate day off at a later date, at a time designated by the mayor.

When any holiday listed above falls on a Saturday, the preceding business day shall be considered the holiday. When any holiday listed above falls on Sunday, the following business day shall be considered a holiday. This schedule may be adjusted by the mayor, if necessary. If a holiday occurs during an individual's sick leave, the individual shall be given an equivalent time off with pay, the time arranged at the discretion of the mayor. In addition to the above, any other day may be designated as a holiday by proclamation of the mayor, either as a one-time holiday or as a continuing holiday.

Section 6 - Vacation Leave

General - The City believes in the philosophy that employees need time off from the routine of work in order to receive physical and mental rest. As such, employees are provided with paid vacation time off away from work and employees are expected to avail themselves of this benefit. No employee will receive pay in lieu of vacation except upon separation in good standing.

Eligibility - All full-time and part-time regular employees are entitled to accumulate vacation leave in proportion to the years of service worked for the City as outlined below, unless addressed by ordinance creating the employee's position.

Vacation Leave Rate - Full-time employees begin to accrue annual vacation leave immediately upon employment. Provisional employees are not eligible to receive vacation leave under these policies. Vacation accruals shall occur each pay period according to the following schedule:

<u>Continuous Service Period</u>	<u>Earned Vacation</u>
6 months	1 week
1 through 5 years	2 weeks
6 through 10 years	3 weeks
More than 10 years	4 weeks

Part-time regular employees – vacation time based on years of service. Hours per vacation week prorated on hours worked previous six months. No accruals.

Vacation shall accumulate based upon the employee's anniversary of initial hiring.

Requests for Leave - Employees shall submit requests for vacation leave to the mayor for approval. Requests for leave must be submitted for approval far enough in advance so that arrangements can be made for temporary help, if necessary. Vacation leave may be taken in minimum increments of one hour. Employees may take a maximum of ten (10) days of leave concurrently unless the mayor has granted prior approval.

Carry-over – Employees may carry over no more than one (1) week of accumulated vacation leave to the next year with prior written approval of the mayor.

Record - The annual leave record and sick leave record for each employee shall be kept by the

City Clerk or his/her designee and is considered the official document. Periodic inspection by the mayor at his/her request may be conducted.

Forfeiture of Vacation – An employee who separates from the city during the calendar year is entitled to a prorated earned vacation based on the following formula: number of days of earned vacation, per schedule above, divided by 12, times the number of full months of employment for that year; rounded to the next full day.

Section 7 - Sick Leave

General - Sick leave will be available to eligible employees for the following purposes:

1) in the case of actual sickness or disability of the employee or for medical, dental or eye examination or treatment for which arrangements cannot be made outside of working hours, or for maternity leave; 2) when the employee is required to care for a sick or injured immediate family member (immediate family member defined as wife, husband, child, foster-child, parent, grandchild, grandparent, brother, sister, or equivalent relationship by marriage); and 3) in other cases not covered by this provision but deemed appropriate by the Personnel Administrator. An employee must report all instances of illness requiring absence from work, prior to his/her scheduled work time, or as promptly as practical thereafter.

Eligibility – Those employees entitled to earn vacation leave will also be eligible to earn sick leave.

Sick Leave Rate – Twelve days per year. Employees can accrue up to 60 days. If an employee leaves city employment in good standing, he or she shall receive compensation equal to twenty five percent (25%) of accrued unused sick leave.

Certification by Physician -A medical certificate signed by a licensed physician may be required by the mayor to substantiate a request for sick leave at any time and for any duration of time deemed appropriate by the mayor.

Requests for Sick Leave - A request for sick leave shall be submitted to the Personnel Administrator for approval. Requests for planned leave, as in the case of elective surgery or maternity leave, should be requested, insofar as practical, thirty (30) calendar days prior to the leave or, as far in advance as possible. In most circumstances, sick leave cannot be planned and, on the day(s) of the sick leave, the employee or a member of the employee's family is expected to report the illness or continued illness to the employee's supervisor.

Sick Leave Donation - In order to alleviate financial impact that may be due to a catastrophic illness a voluntary sick-time donation policy has been established according to the following guidelines:

1. The person receiving the sick time donation (the donee) must have a legitimate illness/disability that precludes him/her from working.
2. The donee must have exhausted all sick leave and vacation leave.
3. The donee may only receive a maximum of four weeks of sick leave hours per year.
4. Any donations of sick leave time shall be voluntary on the part of the donor.
5. The donor may donate a maximum of two weeks of sick leave hours per year.
6. Donated sick leave hours shall be considered an even trade regardless of position or salary.

level.

7. Donated sick leave hours shall be donated in increments of whole hours.
8. A leave/sick leave form must be completed by the donor. The donee will receive a copy of the donation form once approved.
9. Sick time donations must be approved by the mayor.

Section 8 - Compensatory Time

Compensatory time is paid time off from work granted to exempt employees who have worked excess hours over the standard forty-hour work week. Compensatory time use shall not exceed more than one (1) day at a time. The mayor shall approve requests for compensatory time. Non-exempt employees are covered by the overtime provisions of these policies and are not eligible for compensatory time. Unused compensatory time is not paid to employees upon separation. In order to relieve fatigue, compensatory time does not accrue, and it must be used within two pay periods.

Section 9 - Family Medical Leave Act (FMLA)

Employer Coverage

FMLA applies to all public agencies, including state, local and federal employers. The City of Lakeside Park is a public agency and hence, a covered employer under the FMLA.

Employee Eligibility

To be eligible for FMLA benefits an employee must meet each of the following criteria:

1. Work for a covered employer;
2. Have worked for the employer for a total of twelve (12) months;
3. Have worked at least 1,250 hours over the previous twelve (12) months; and
4. Work at a location in the United States or in any territory or possession of the United States where at least fifty (50) employees are employed. by the City of Lakeside Park within seventy-five (75) miles of any city worksite.

While the twelve (12) months of employment need not be consecutive, employment periods prior to a break in service of seven (7) year or more will not be counted, unless the break is occasioned by the employee's fulfillment of his/her National Guard or Reserve military obligation, as protected by the Uniformed Services Employment and Reemployment Rights Act (USERRA), or a written agreement exists concerning the City's intention to re-hire the employee after a break in service.

Leave Entitlement

Employees who meet the eligibility criteria stated above shall be entitled to a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:

1. For the birth and care of a newborn child of the employee;
2. For placement with the employee of a son or daughter for adoption or foster care;
3. To care for a spouse, son, daughter, or parent with a serious health condition;
4. To take medical leave when the employee is unable to work because of a serious health condition; or
5. For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, parent, is on active duty or called to active-duty status as a member of the National Guard or Reserves in support of a contingency operation.

Intermittent Leave

Under some circumstances, employees who meet the eligibility criteria ("eligible employees") may take FMLA intermittently. This means they may take leave in separate blocks of time for a single qualifying reason, or on a reduced leave schedule, resulting in a reduction of the employee's usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the City's operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave by an eligible employee is subject to the City's approval.

Concurrent Leave

All accrued paid leave that an employee is eligible for, including but not limited to personal days, holidays, and sick leave shall run concurrently with FMLA leave. FMLA leave shall not be available to any eligible employee until he/she has exhausted all other unpaid leave available to him/her under these Personnel Policies.

Serious Health Condition

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either:

1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity or subsequent treatment in connection with such inpatient care; or
2. Continuing treatment by a health care provider which includes:
 - a. Period of incapacity lasting more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
 - i. treatment two (2) or more times by or under the supervision of a health care provider; or
 - ii. one (1) treatment by a health care provider with a continuing regimen of treatment.
 - b. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
 - c. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider (i.e., at least twice a year) and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary to each absence; or
 - d. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment or
 - e. Any absences from receiving multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three (3) days if not treated.

Maintenance of Health Benefits

Eligible employees who are on FMLA shall continue to receive health insurance coverage during the period of said leave in the same amount and at the same level as if the employee had continued to work. Employees on leave are expected to pay their share of health insurance premiums while on leave.

Job Restoration

Upon return from FMLA leave, the eligible employee shall be restored to his/her original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.

An employee returning from FMLA leave has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

Notice and Certification

Eligible employees seeking to use FMLA leave must provide thirty (30) day advance written notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than thirty (30) days in advance, then the employee must provide written notice as soon as practicable. When the need for leave is not foreseeable, the employee must provide written notice as soon as practicable under the facts and circumstances of the particular case.

Eligible employees must provide sufficient information for the City to reasonably determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized, is unable to perform the functions of the job, and/or that the employee or a qualifying family member is under continuing health care.

All requests for leave due to a serious health condition must be supported by a written certification from a health care provider. The City may at its discretion require second or third medical opinions at the City's expense, and periodic re-certification of a serious health condition.

Upon return from leave, an employee shall produce certification from a licensed health professional as to the employee's fitness to return to duty.

Section 10 - Other Types of Leave

Military Leave - If an employee is drafted or called from the reserves to active duty into the armed services, the employee will be placed on military leave for the enlistment time. When military duty is completed and the employee returns to work for the city, the employee will be reinstated to active work as required by law. In reinstating the employee, the city will take into consideration the position the employee had before the leave started as well as any job-related training or education obtained while on active duty. If an employee is in the Military Reserves, the City will approve a leave of absence each year for duty in accordance with KRS 61.394 and 61.396 and in accordance with federal law.

Jury Duty - An employee will be given time off without loss of pay when performing jury duty or when required by proper authority to be a witness in legal proceedings, provided such a call of duty is reported in advance to the mayor. The city will provide the employee with his/her rate of pay for time served on jury duty. If the jury duty assignment does not last for the entire workday, the employee is expected to return to work as soon as possible if it is practical to do so.

Maternity/Paternity Leave - Maternity/Paternity leave may be granted to employees who are not eligible for FMLA. Such leave is granted to the mother/father of a newborn child, or for the placement of a son or daughter for adoption or foster care, for a period up to twelve (12) weeks. For paternity leave purposes, two of those weeks (10 days) shall be paid at the employee's regular rate of pay (for part-time employees, at his or her regular rate of pay and for the two-week total of the hours that they are normally scheduled to work). For maternity leave purposes, six of those weeks (30 days) shall be

paid at the employee's regular rate of pay (for part-time employees, at his or her regular rate of pay and for the six- week total of the hours that they are normally scheduled to work). However, an employee who exercises maternity/paternity leave shall exhaust accumulated sick leave to cover as much as possible of the remaining 10 weeks of leave and may also use vacation leave at their discretion. Any time remaining of the 12-week period not covered by sickness or vacation leave shall be unpaid. Leave for maternity purposes may begin based on the judgment of the employee's physician or at such time as the employee's work effectiveness is impaired.

Other Leaves of Absence - The Mayor may grant an employee a leave of absence with or without pay for a period not to exceed twelve (12) weeks in a twelve (12) month period preceding the leave. An employee who is granted approval to take a leave of absence must use accumulated vacation leave and/or sick leave for all of the leave time. The following provisions will apply to Other Leaves of Absence:

Leave with or without pay will be granted only when it will not adversely affect the City's work effectiveness.

Failure of an employee to return to work at the expiration of approved leave will be considered as absence without leave and grounds for disciplinary action including dismissal.

An employee granted leave of absence that wishes to return before the leave period has expired may be required to give the City at least two (2) weeks' notice. Upon receipt of such written notice, the employee may be permitted to return to work at the discretion of the mayor.

An employee will not receive a holiday off with pay unless they have worked either the scheduled day before or the scheduled day after the holiday.

An employee will return from leave to the same step of their salary grade as at the time of commencement of leave.

An employee who obtains either part-time or full-time employment elsewhere while on an authorized leave of absence, is required to notify the Personnel Administrator in writing within three (3) days of accepting such employment.

An employee desiring a leave of absence must submit a written request to the mayor detailing the reasons and expected duration not less than two (2) weeks prior to the expected commencement of the leave of absence.

Absence Without Leave - An absence of an employee from duty, including any absence for a single day or part of a day that is not authorized by a specific grant of leave of absence under the provisions of these regulations, is deemed to be an absence without leave. Any such absence is cause for disciplinary action up to and including dismissal.

Emergency Leave - When an employee is absent from work due to circumstances beyond his or her control the mayor may grant emergency leave. Emergency leave will be charged to vacation or sick leave or may be granted on the basis of leave without pay if all accumulated leave has been exhausted.

Bereavement time - The Mayor may grant up to three (3) consecutive calendar days to an employee for the death of an immediate family member. Immediate family member is defined as wife, husband,

child, foster-child, parent, grandchild, grandparent, brother, sister, or equivalent relationship by marriage. All full-time employees may be absent one day without loss of pay in the case of death of other relatives. Other exceptions may be made at the discretion of the Mayor.

Voting Leave - An employee will be given ample time off without loss of pay in order to vote in primary or general elections. However, such leave will be granted only if application for such leave has been made prior to Election Day. The mayor reserves the right to specify the hours during which employees may be absent to vote.

Genetic Information Nondiscrimination Act (GINA) – This law prohibits employers covered by GINA Title II (those also covered by FMLA) from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed. To comply with this law, the city asks that employees not provide any genetic information when responding to this request for medical information. “Genetic Information” as defined by GINA includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or family member sought or received genetic services, and genetic information of a fetus carried by an individual or family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

CHAPTER 11 APPEALS AND GRIEVANCE PROCEDURES

Section 1 - Policy

To ensure the most effective accomplishment of the work for the City requires prompt consideration and adjustment of employees' grievances. Employees are expected to make every effort to resolve problems as they occur. However, it is recognized there may be grievances, which will be resolved only after appeal and review. The purpose of this policy is to provide a formal opportunity for employees to bring to the attention of management a dissatisfaction with an action by management that the employee feels has adversely affected him or her. A grievance must be submitted by the employee who has been aggrieved by a decision of management.

Section 2 - Steps in the Grievance Procedure

An aggrieved employee shall submit his or her grievance in writing to his or her immediate supervisor within three (3) business days (exclusive of holidays) from the date of the aggrieved incident. The written grievance shall detail the circumstances and facts surrounding the grievance, the alleged wrongful act and the resulting harm. Additionally, the statement shall include a description of the remedy, adjustment, or corrective action sought. The supervisor shall make every effort to respond to the grievance within seven (7) business days from the date the grievance was received.

If the employee disagrees with the response received from the supervisor, the employee shall cite the specific reasons for disagreement in writing to the supervisor and then submit a copy of same to the Personnel Committee of City Council within three (3) business days (exclusive of holidays) after the decision by the supervisor. The mayor will not participate in the review by the Personnel Committee. The written grievance shall detail the circumstances and facts surrounding the grievance, the alleged wrongful act, the resulting harm and why the employee disagrees with the decision rendered by the supervisor. Additionally, the statement shall include a description of the remedy, adjustment, or corrective action sought. The Personnel Committee shall make every effort to respond to the grievance within seven (7) business days from the date received.

If the employee disagrees with the response received from the Personnel Committee, the employee shall cite the specific reasons for disagreement in writing to the Personnel Committee and then submit a copy of same to the mayor within three (3) business days (exclusive of holidays) after the decision by the Personnel Committee. The written grievance shall detail the circumstances and facts surrounding the grievance, the alleged wrongful act, the resulting harm and why the employee disagrees with the decision rendered by the Personnel Administrator and Personnel Committee. Additionally, the statement shall include a description of the remedy, adjustment, or corrective action sought. The mayor will make every effort to respond in writing to the appeal. The final decision responsibility rests with the mayor.

CHAPTER 12 INSURANCE AND RETIREMENT

Section 1 - Insurance Benefits

The city makes available health insurance for full-time and part-time regular employees who qualify for coverage. The city will pay 100% of the premium cost of the basic single plan for full-time workers and 65% of the premium cost of the basic single plan for part time regular workers. The mayor is to select the insurance that is to be available to employees, the available insurance may not include dental health coverage. Those workers of the city who do not qualify for coverage may elect to acquire coverage by having the entire cost of the coverage to the city deducted from their salary. If salary does not equal the cost of the coverage selected, the difference must be paid to the city by the employee by the 14th day of the following month.

Section 2 - Retirement Benefits

All full-time and qualified part-time employees of the City shall participate in the County Employees Retirement System (CERS) with contributions from employees and the City according to amounts mandated by the Retirement System.

CHAPTER 13 UNLAWFUL HARASSMENT

Section 1 - Policy

The City of Lakeside Park is committed to maintaining a work environment that is free of discrimination and harassment. In keeping with this commitment, employees should be aware that harassment on the basis of one's race, age, religion, disability, national origin, or sex is against the law and disciplinary action up to and including termination will be taken against offenders.

No employee should be expected or required to submit to slurs, jokes, verbal, or physical conduct based on race, age, religion, disability, national origin, or sex. Sexual advances, requests for sexual favors or other verbal or physical conduct of a racial or sexual nature in the workplace is prohibited. Such conduct may create a hostile or offensive working environment and may constitute unlawful harassment. Sexual harassment may also occur when submission to or rejection of such conduct is used as a basis for employment decisions. The City of Lakeside Park will not tolerate or condone unlawful harassment or pressures that utilize job status as a factor in any application, interview, employment review, promotion, or dismissal relating to the performance of any job duties.

Any employee who believes they have been subjected to unlawful harassment, or who has witnessed such misconduct in the workplace, must immediately report the incident to the mayor. All reported incidents of harassment will be investigated, and all complaints will be treated confidentially to the extent possible through the course of conducting a thorough investigation. Any employee who is found to have engaged in unlawful harassment of another employee will be subject to appropriate disciplinary action up to and including termination. The city will not authorize, condone, or permit any form of retaliation against any employee who has made a good faith claim of harassment.

CHAPTER 14 EQUIPMENT USE

Section 1 - Personal Use of Equipment

Employees may request authorization to use City-owned equipment off City owned property for personal purposes in limited instances. All such requests shall be made in writing to the mayor. City-owned computers and electronic equipment should not be used by employees for personal use, and employee usage of such city-owned equipment may be monitored by the mayor. Any employee may be disciplined for inappropriate personal use of city-owned equipment, including computers, electronic equipment, internet, etc.

Section 2 - City Business Systems

The city treats all information transmitted through or stored on its computer system, including internet usage and email, and on its phone, system including voice mail messages, as City business information. Therefore, all messages, files, and other business information, even if considered "personal" by the employee, are the property of the City. This information is not considered private property of employees and the City may access, review, or limit an employee's access to any and all messages, files, or other medium stored on city-owned property.

Employees will have access to the internet to enhance their productivity for the purpose of research and communication for City business purposes. Use of the internet to access websites that are inappropriate or illegal, or the retrieval or transmission of indecent, obscene, or pornographic materials is prohibited. Employees should be advised that the city may monitor internet usage on the City's computer system. Employees are prohibited from installing or downloading any other unauthorized programs or information onto the City's computer system. Employees who violate this policy may be subject to disciplinary action up to and including termination of employment.

Employees will have access to the city phone system to assist them in effectively performing the functions of their position. The city understands employees will, from time to time, receive phone calls of a personal nature (on a cell phone or on the city phone system). However, all phone calls of a personal nature shall be kept to a minimum. Employees who utilize a cell phone or the city phone system for personal purposes excessively may be subject to disciplinary action up to and including termination of employment.

Employees will have access to email to assist them in effectively performing the functions of their position. Employees are reminded that the City, as owner of the computer system, has the right of access to email at all times and employees should have no expectation of privacy concerning email usage on the City's business system.

The City's email system is not to be used, to any significant extent, for personal purposes. The City's expectation is that employees should keep personal email use (sending and receiving email) to a minimum. Excess personal email usage may subject employees to disciplinary action up to and including termination of employment.

CHAPTER 15 CITY VEHICLE POLICY

Section 1 - Seat Belt Policy

All officers and employees of the city are to wear seat belts whenever traveling in any vehicle on official City business. In addition, any person who is not an officer or employee of the City, but who is riding in a vehicle owned, leased, or rented by the City shall also wear a seat belt. Any violation of this provision shall subject the offending employee to disciplinary action.

Section 2 - Vehicle Policy

Employees who are issued a City vehicle for use shall be responsible for that vehicle. Only authorized City employees may operate a city vehicle.

Only employees with a valid driver's license appropriate to the vehicle being operated shall operate a city vehicle. State Motor Vehicle Records (MVR's) shall be used to verify authorized employees who drive a City vehicle have a valid driver's license and have a satisfactory driving history to operate a City vehicle.

Employees are expected to operate city vehicles in a safe and courteous manner and obey traffic laws. Traffic and parking violations are the responsibility of the driver.

The consumption of alcohol or illegal drugs by anyone in a city vehicle is prohibited. An employee shall not operate a City vehicle while under the influence of alcohol or illegal drugs.

Employees who are provided with a personal City vehicle for use may be responsible for any individual tax liability as determined by applicable portions of the Internal Revenue Code.

Section 3 - Vehicle Use Restrictions

The City has established specific Vehicle Use Restrictions as it relates to individual use of each City vehicle as outlined below:

PUBLIC WORKS VEHICLES AND EQUIPMENT:

Public Works vehicles and equipment shall be utilized for official business purposes only, except as otherwise authorized herein.

Section 4 - Vehicle Safety Equipment

City vehicles shall have the following safety equipment:

1. Fire extinguisher
2. Flashing yellow beacon (Public Works vehicles only)
3. Disabled vehicle safety equipment (flares, triangles) (Public Works vehicles only)
4. First Aid kit

Section 5- Vehicle Accident or Damage

City employees are required to report any damage or vehicle accident to their supervisor as soon as practical. Employees involved in the damage or accident will be required to submit a written report detailing what occurred and shall cooperate with any investigation or resulting insurance claim.

CHAPTER 16

SMOKE AND DRUG FREE ENVIRONMENT

Section 1 -Tobacco Products

In order to protect the health and promote the well-being of the employees and guests, the city has adopted a smoke-free environment. The city prohibits the use of any tobacco products in any building or vehicle that is owned, leased, or rented by the city.

Section 2 - Drug Free Workplace

The city is committed to maintaining a safe work environment for all employees and visitors, and to delivering quality services in a safe manner to the community which it serves. Drug use and abuse negatively affects the city, the employee(s), and can negatively impact the quality and safety of services provided to the public. The city will not tolerate the use of alcohol, illegal use of controlled substances or opioids, and/or inappropriate use of prescription or over-the- counter medications in the workplace, or while working in the field.

Employees shall not manufacture, distribute, dispense, be under the influence of, possess, use, or attempt to purchase or obtain, sell, or transfer any of the following in the workplace or while performing job duties:

1. Alcoholic beverages,
2. Controlled substances listed in KRS Chapter 218A;
3. Prohibited drugs and substances¹, including but not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law,
4. Drug paraphernalia, or
5. Substances that appear to be a controlled substance or prohibited drug where the employee believes such to be a controlled substance or possesses the intent to possess or distribute the item as a controlled substance.

Section 3: Impairment Prohibited.

No employee shall report for work or work impaired by any substance, whether legal or illegal. "Impaired" means under the influence of a substance such that the employee's motor senses (i.e. sight, hearing, balance, reaction, reflex) or judgment either are or may reasonably be impaired.

Section 4: Prescription Drugs

Nothing in this policy prevents an employee's use of legally prescribed or over-the- counter medications which are used properly, and which do not impair his or her ability to work safely. If an employee is taking medication prescribed for him/her or over-the- counter medication and there is reason to believe that the medication may impair the ability to work safely, the employee is responsible for consulting with the prescribing physician or a pharmacist before reporting to work under the influence of said drug. The City reserves the right to consult with or require documentation from the employee's medical care provider or seek an opinion by another medical care provider as to whether a particular medication impairs the employee's ability to work safely.

¹ Prohibited substance include any or all of the following: all prescription drugs obtained without authorization; all prescription drugs taken in a manner other than prescribed; all prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include prohibited volatile substances as defined in KRS 217.900 that are used or intended for use for an abusive and/or intoxicating purpose.

Section 5: Drug/Alcohol Testing

For purposes of assuring compliance with this policy, the mayor may require employees to undergo an alcohol or drug test if there is reason to believe (reasonable suspicion) that the employee is or may be under the influence of drugs or alcohol. "Reasonable suspicion" occurs when the employee demonstrates a change in performance or personality or exhibits other signs indicating the influence of alcohol or drugs. Results of all tests shall be reported directly to the mayor.

Drug and/or alcohol testing and evaluation may be required when an employee is involved in a work-related incident or injury requiring medical attention and/or property damage and where there is a reasonable suspicion that the employee was under the influence of drugs or alcohol at the time of the incident.

Drug and/or alcohol testing is required when tests and evaluations are required by other Federal, State, or local laws or administrative regulations.

An employee who refuses to cooperate with the drug and/or alcohol testing or who obstructs or attempts to create false readings in the testing, by failing to report directly to the test site, or failing to produce a valid specimen or failing to provide requested information or documentation, shall be considered insubordinate and may suffer disciplinary action up to and including termination of employment.

Section 6: Disciplinary Action and/or Return to Work Agreement:

Employees who violate this policy shall be subject to disciplinary action, up to and including termination of employment. Employees who are directed to submit to drug and/or alcohol testing may be placed on administrative suspension with pay pending the outcome of the tests. Employees who test positive for alcohol and/or drug use, or who self-identifies the misuse of drugs and/or alcohol, may in some instances, be placed on a Return-to-Work Agreement, prepared by the mayor as an alternative or supplement to disciplinary action. A Return-to-Work Agreement is solely at the discretion of the mayor. A Return-to-Work Agreement will specify the terms under which the employee may continue employment, including, if appropriate, on-going random drug and/or alcohol testing. It is not a guarantee of a specific job or rate of pay and does not alter an employee's at-will status.

CHAPTER 17 CONFLICT OF INTEREST

Section 1 - Acceptance of Gifts and Gratuities

No officer or employee of the City or any City agency shall directly, or indirectly through any other person or business, solicit any gift whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the solicitation was intended to influence, or could reasonably be expected to influence the officer or employee in the performance of his or her public duties.

No officer or employee of the City or any City agency shall directly, or indirectly through any other person or business, accept any gift having a fair market value of more than two hundred fifty dollars (\$250), whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence the officer or employee in the performance of his or her public duties.

Section 2 - Contracting with City Employees and Elected Officials

The City shall not contract with nor purchase services from City employees outside the terms of the normal conditions of employment.

Section 3 - Profit from Knowledge Obtained Through City Employment

An employee shall not use the confidential knowledge gained while on official duty for the City for his/her own profit. An example of this would be a situation in which an employee by virtue of his/her position in the City gains knowledge of the development of a particular piece of property, buys that property, and makes a profit by selling it.

Section 4 - Political Activity

Employees shall not engage in any political activity whatsoever while on duty. Employees shall not use their office to influence city elections or nominations or for other political purposes; solicit or receive political contributions for city offices or use political influence in connection with their employment status.

Section 5- Outside employment

Outside employment is any paid employment performed by an employee in addition to his/her employment with the city. The following criteria applies to outside employment:

1. Such employment shall not interfere with the efficient performance of the employee's duties;
2. Such employment shall not involve a conflict of interest for the City, or conflict with the employee's City duties;
3. Such employment shall not involve the performance of duties which the employee should perform as part of his/her employment with the City;
4. such employment shall not occur during the employee's or assigned working hours with the City; and
5. Any employee accepting outside employment under the terms of this policy shall make arrangements with the outside employer to be relieved from his/her outside duties if and when called for emergency service by the City.

CHAPTER 18 MISCELLANEOUS WORK RULES

Section 1 - Cooperation With Investigations and Searches

The city requires all employees to cooperate fully and, when requested, to participate in City investigations. This includes but is not limited to being totally honest and forthright when responding to City inquiries, as well as completing documents and statements requested by the city. Employees should not expect privacy with regard to any City property. In accordance with applicable state and federal law, the City may conduct searches and surveillance of the workplace and employees, including but not limited to searches of City-owned property, City-owned vehicles, City-owned offices or City-owned containers based upon a reasonable suspicion of a violation of a City policy or directive. All searches and surveillance shall be in accordance with applicable law.

Section 2 - Modified Duty

Sometimes employees are unable to perform their regular jobs because of a temporary limiting physical or mental condition. Under these circumstances, the city may choose to reassign an employee to another position, which the employee can perform, if that position already exists, or to otherwise alter job duties. If the employee is temporarily reassigned, the employee will be paid his or her regular rate of pay.

The city will comply with applicable disability discrimination laws, including permanent reassignments to vacant positions and all other forms of reasonable accommodation for disabilities under discrimination laws. The Rehabilitation Act, the Americans with Disabilities Act, and KRS Chapter 344 may all require accommodations, which the City will address on a case-by-case basis in accordance with the law.

Section 3 - General Grooming

Professional appearance depends on careful grooming and proper business attire. City employees shall conform their grooming and attire to the following standards:

Employees shall not wear ripped denim jeans of any color, overalls, athletic clothing, shorts, flip-flop style sandals, tank or halter tops, novelty T-shirts, workout leggings, or other items of casual attire which do not present a business-like appearance. Public Works staff may wear shorts, only if the daytime temperature is expected to exceed 90 degrees Fahrenheit for at least three hours during the workday. If an employee is not properly dressed, the mayor may send the employee home to change to approved attire. Time spent changing to proper attire shall not be paid and vacation leave time cannot be used. On special occasions or for special assignments employees may dress in a more casual fashion than is required by this policy.

Section 2 - Uniform costs

At the City's discretion, City staff members may be provided with a reasonable number of uniform shirts or other logoed clothing for use in their official duties.

CHAPTER 19 SOCIAL MEDIA

Section 1 - Policy Statement

Whether or not an employee chooses to create or participate in a blog, wiki, online social network or any other form of online publishing or discussion is his or her own decision. However, the City recognizes that emerging online collaboration platforms are fundamentally changing the way individuals and organizations communicate, and this policy is designed to offer practical guidance for responsible, constructive communications via social media channels for employees.

The same principles and guidelines that apply to the activities of employees in general, as found in these Personnel Policies apply to employee activities in social media channels and any other form of online publishing.

Section 2 - Definitions

Social Media Channels - Blogs, micro-blogs, wikis, social networks, social bookmarking services, Twitter, You-Tube, user rating services and any other online collaboration, sharing or publishing platform, whether accessed through the web, a mobile device, text messaging, email or any other existing or emerging communications platform.

Social Media Account - A personalized presence inside a social networking channel, initiated at will by an individual. YouTube, Twitter, Facebook and other social networking channels allow users to sign-up for their own social media account, which they can use to collaborate, interact and share content and status updates. When a user communicates through a social media account, their disclosures are attributed to their User Profile.

Social Media Disclosures - Blog posts, blog comments, status updates, text messages, posts via email, images, audio recordings, video recordings or any other information made available through a social media channel. Social media disclosures are the actual communications a user distributes through a social media channel, usually by means of their social media account.

Section 3 - Policy

The city trusts and expects employees to exercise personal responsibility whenever they use social media, which includes not violating the trust of those with whom they are engaging. Employees should never use social media for advocacy, marketing or public relations of the city unless said Employee has been authorized to do so by the mayor.

Employees are responsible for making sure that their online activities do not interfere with their ability to fulfill their job requirements or their commitments to their duties with the city. This includes use of private devices which permit posting to or review of personal social media sites. Employees may engage in online activities or use personal devices to access or view social media sites if necessary to obtain information for family-related illness, or other exigencies, such as school closings, traffic accidents, dangerous weather conditions, etc.

Employees have no expectation of privacy while using City-owned or leased equipment, even when they are merely using the equipment to access personal email accounts or other social media, or from private devices while on duty. Employees are advised that posts, e-mails, and text messages while on duty may be deemed public record and subject to disclosure under the Kentucky Public (Open) Records Act.

YOUR USE OF THE CITY OF LAKESIDE PARK LEASED OR OWNED EQUIPMENT CONSTITUTES YOUR CONSENT FOR THE CITY OF LAKESIDE PARK TO MONITOR AND INTERCEPT YOUR COMMUNICATIONS WHILE IN TRANSIT, AFTER RECEIPT, OR WHILE STORED ON THE CITY OF LAKESIDE PARK LEASED OR OWNED EQUIPMENT UNDER TITLE I AND II OF THE ELECTRONIC COMMUNICATIONS PRIVACY ACT OF 1986.

Employees may not disclose confidential information about the City of Lakeside Park or its employees or confidential information of third parties who have provided information to the City.

Employees are forewarned that social media posts may be disseminated to the public, regardless of any privacy settings that the Employee sets, and that these posts may be disclosed to the Employee's supervisor(s) by persons who the Employee had authorized to view the posts. In those circumstances, the City reserves the right to review the posts presented to it, and if it deems the posts as having violated this Social Media Policy, to impose the appropriate discipline, up to and including termination of employment.

Employees contributing to social media or engaging in posts must not use the City's name in their identity (*e.g.*, username, handle, or screen name). They also must not speak as a representative of the City of Lakeside Park unless expressly authorized by the mayor. If an employee's posting in any way identifies him/her as an employee of the City of Lakeside Park and that posting expresses any personal opinion, belief, statement, or position held by the employee, then the employee in the same posting must include a disclaimer that any statements, beliefs, opinions, or positions stated in that post are not representative of the City and that the post is the employee's personal statement only.

Mutual respect and teamwork are essential to an effective and efficient workplace. Employees must be courteous, respectful, and thoughtful about how the City of Lakeside Park and other employees or the community may be affected by posts. Incomplete, inaccurate, inappropriate, threatening, harassing or poorly worded posts may be harmful to other employees, damaging to employee relationships, and/or may undermine the City's efforts to provide a healthy working environment. Such postings may result in corrective or disciplinary action up to and including termination.

Employees bear full responsibility for information contained in their posts and on their social media sites.

Employees must make certain that their posts are accurate and must correct any inaccurate statements they make. Employees' social media posts must not violate co-workers' privacy rights or disclose any information that is otherwise confidential within City operations. Most social media sites require that users, when they sign up, agree to abide by a "Terms of Service" document. Employees are responsible for reading, knowing, and complying with the "Terms of Service" of the social media sites they use.

Stated simply, your decision to use an electronic medium to communicate does not excuse recklessness in public communication or limit the City's ability to regulate your social media and posts *as it could any other communication*. The City supports employees' rights to engage in discourse about matters of public concern, to discuss the terms and conditions of their employment and supports their First Amendment rights. However, the City prohibits electronic communications and postings that fall outside of the aforementioned rights and violate this or any other City policy.

Executive Order 1-2023 adopted January 4, 2023, bans the use of TikTok on any city owned device indefinitely due to the potential of misuse by foreign entities and malware.

ACKNOWLEDGEMENT AND CERTIFICATION OF RECEIPT

The City of Lakeside Park considers its employees to be its most valuable resource, and at the same time, is committed to providing quality public service to the citizens of the City of Lakeside Park, and any visitors to our city. Employees are expected to familiarize themselves with these policies and procedures, and to act and behave in a manner that is consistent with these policies, and in a manner which reflects positively upon the City of Lakeside Park.

The following are important to keep in mind about these personnel policies:

These personnel policies are not a contract of employment, and all employees of the City of Lakeside Park are at-will employees. The City of Lakeside Park is not bound to continue the employment relationship if it chooses at its will/option, to end the relationship at any time. It is the employee's responsibility to be familiar with the contents of this manual, and by signing below the employee acknowledges receipt, knowledge, and understanding of the personnel policies and a willingness to be subject to these policies. These contents will help guide the employee toward job behavior which reflects credit upon you and the City of Lakeside Park.

These personnel policies cannot anticipate every situation or answer every question about employment. The contents of these policies are subject to change at the discretion of the Mayor and City Council. The City shall attempt to advise all employees of changes in these personnel policies as they occur. However, failure to notify employees of any change will not affect the validity of the change or the application of a changed policy or benefit to a particular situation.

I acknowledge that the City of Lakeside Park is a drug-free workplace.

By signing below, I acknowledge that I have received the policies and procedures outlined in this document and it is my responsibility to read and understand its contents. I understand that the policies and procedures contained herein are intended only as a general reference and are not a full statement of all policies and procedures. I agree to keep this book readily available during my employment with the City of Lakeside Park and to update it whenever I am provided with materials to do so.

I certify that I have read and received a copy of the Personnel Policies of the City of Lakeside Park, Kentucky.

Employee Signature _____ Date _____

PLEASE SIGN AND RETURN THIS FORM TO THE MAYOR.