

SECTION 3 EMPLOYMENT

The City of Logan is committed to providing a work environment that is free of discrimination. The City has further adopted a zero tolerance policy regarding harassment and discrimination which means that any actions, words, jokes, or inappropriate comments based on an individual's sex, race, ethnicity, age, religion, disability, or any other legally protected status will not be tolerated.

Employees with questions or concerns regarding working conditions or standards of conduct should follow the chain of command as described below:

- a. An employee with questions or concerns should first contact his or her immediate supervisor.
- b. If unable to resolve situation with immediate supervisor an employee should contact his or her Division Manager or Department Head.
- c. If the situation is still unresolved an employee should contact the Human Resource Department or the Legal Department.
- d. If the situation cannot be resolved at that level, the employee may contact the Mayor.

3-01 STANDARDS OF CONDUCT

- 3-01 (1) City employees should exemplify the highest ideals of honesty and integrity in order to merit the respect and confidence of the public, elected and administrative officials, and other City employees.
- 3-01 (2) City employees should conduct themselves in a way that will bring credit to them and the City. To this end, employees should be courteous and cooperative with the citizens of the City, other City employees, their supervisors, and others who may contact the City.
- 3-01 (3) Employees should be honest in word and conduct. They should never use their position to privately benefit themselves or another party through the disclosure of confidential information, award of work, procurement of supplies, or use of City facilities, equipment, or resources.
- a. Employees should not allow unauthorized persons access to City property without management supervision or approval.
 - b. Employees should not use, duplicate, or possess keys to City buildings or other property without authorization.
 - c. Employees should report questionable behavior and business practices through their proper chain of command.
- 3-01 (4) Employees should conduct themselves in a professional and competent manner, appropriate to their position.
- 3-01 (5) In order to maintain a professional atmosphere and appearance, all employees, including those who do wear uniforms, are expected to maintain the following minimum standards:
- a. Employees must maintain a high standard of personal hygiene. Employees must appear neat and clean and have no offensive odors. An employee's hair must be clean and groomed.
 - b. Employees must wear clothing appropriate to their employment. Appropriateness may vary, depending upon the nature of work performed, safety concerns, and the degree of public contact.
 - c. Employees must wear clothing that is clean and neat, and not torn or frayed. Employees must avoid clothing that is unduly revealing,

immodest, or otherwise inappropriate for a professional office setting or other work environment.

- d. Employees who violate these guidelines will receive verbal instructions from their Department Head regarding appropriate appearance. Subsequent violations of a similar nature are cause for disciplinary action.

3-02 POLITICAL ACTIVITIES

- 3-02 (1) City employees may not engage in the distribution or publication of political materials during working or office hours. Employees may not engage in the solicitation of money while on the job for the purpose of aiding or defeating the election of any candidate for any public office.
- a. Employees may not use their office or position for the political enhancement of any individual or group.
 - b. Employees may not become candidates for general election to the office of Mayor or Council Member, unless the employee takes a leave of absence in accordance with the leave policy or resigns from City employment effective the day after the primary election.
 - c. While in City uniform or while on the job, employees may not wear campaign buttons, signs, or articles of clothing, or otherwise actively or passively campaign for candidates for political office.
- 3-02 (2) It is not the intent of the City to interfere with the right of employees to be members of political clubs or organizations, attend political meetings, express opinions, contribute freely to political causes, or enjoy freedom from interference in voting.

3-03 SECONDARY EMPLOYMENT

All benefited positions with the City of Logan are considered to be “primary” employment and as such must meet the standards of conduct established in these policies. When an employee decides to seek or accept a second job the following policies apply:

- 3-03 (1) Before accepting “secondary” employment, employees must submit a written request to their Department Head/Division Manager for approval of the secondary employment. Such requests should be updated on an annual basis.
- 3-03 (2) The City reserves the right to withdraw its approval for secondary employment when deemed to be in the best interest of the City.
- 3-03 (3) City equipment may not be used in connection with secondary employment.
- 3-03 (4) Employees who engage in secondary employment without approval may be subject to termination. Approval is contingent upon the following terms and conditions, however, they are not all inclusive:
 - a. Secondary employment must not interfere with the employee’s ability to meet the City’s work schedules, including reasonable callback and standby assignments.
 - b. Secondary employment should not be directly connected with nor contingent upon a representation that the employee is in any way representing the City, either directly or indirectly.
 - c. Secondary employment should not cause an employee to violate the City’s policy on Standards of Conduct.
 - d. City employees may not solicit or engage in secondary employment during working or office hours.

3-04 DUAL CITY EMPLOYMENT

- 3-04 (1) Employees may not be employed concurrently in more than one (1) City position except as needed on a temporary, short-term basis. Approval must be obtained from both departments involved and the Human Resource Department.
- 3-04 (2) An employee's primary position will be considered the position of employment through which any eligible benefits are paid. Benefits can only be paid through one (1) position.

3-05 CODE OF ETHICS (CONFLICT OF INTEREST)

- 3-05 (1) The City of Logan adopts the Municipal Officers' and Employees' Ethics Act, Section 10-3-1301, *et seq.*, Utah Code Annotated 1953, as amended, which establishes standards of conduct for employees to disclose actual or potential conflicts of interest between public and personal duties. Employees are responsible for complying with the disclosure requirements for personal interest and restrictions as it relates to the acceptance of gifts as provided in the Act.
- 3-05 (2) Disclosure provision rules and forms for disclosure compliance are available from the City Recorder.
- 3-05 (3) The following actions are prohibited:
- a. Disclosure of confidential information acquired by reason of an official position or using such information to secure special privileges or exemptions for the employee or others.
 - b. Use or attempt to use any city position to secure special privileges or the employment of others.
 - c. Knowingly receive or accept any gift or loan if the gift or loan would influence the employee in the discharge of official duties.
 - d. This section does not apply to the following:
 1. Any occasional non-pecuniary (non-cash equivalent) gifts with a value less than \$50.00.
 2. Publicly presented awards.
 3. Bona fide loans made in the ordinary course of business.
 4. Political campaign contributions actually used in a political campaign.

3-06 HIRING STATUS

- 3-06 (1) Hiring may be made on a temporary, emergency, or regular basis. All hiring practices including job postings and announcements, interviewing, pre-employment skills assessments, background checks, pre-employment drug screening, job offers, etc. will be coordinated through the Human Resource Department.
- 3-06 (2) Department Heads may hire employees on an emergency or temporary basis, with the approval of the Human Resource Department. Emergencies are defined on a case by case basis and may not be used to avoid the normal recruitment procedures.
- 3-06 (3) Department Heads, Division Managers, or their designees have the discretion to assign employees in their departments to any work or service within the classification to which they have been hired or promoted, and may change such assignments from time to time. Any work or service performed out of classification for more than two (2) weeks requires approval from the Human Resource Department.
- 3-06 (4) Work schedules and job requirements may vary and can be unpredictable. Logan City will make reasonable efforts to accommodate work schedules and employee availability and may require employees to work overtime, weekends, different shifts, or other arrangements.

3-07 EMPLOYMENT STATUS

All City of Logan employees are employed on an “at-will” basis unless they are expressly and specifically granted another employment status by law or separate written documents. Both the City and the employee have the right to terminate the employment relationship at any time for any lawful reason and nothing in this handbook alters or limits that right. City of Logan employees are classified as outlined below:

- 3-07 (1) **Appointed Employee:** An Appointed Employee includes Department Heads, Assistants to Department Heads, Division Managers, and others as outlined per state law. Appointed Employees are subject to City policy guidelines and serve at the pleasure of the Mayor.
- a. The Finance Director and Library Director are appointed and removed with the advice and consent of the respective governing bodies.
 - b. The Justice Court Judge is appointed per the Judicial Code and rules of the State of Utah.
- 3-07 (2) **Introductory Probationary Employee:** An Introductory Probationary Employee is any employee with less than one (1) full year of employment with the City. Introductory Probationary Employees are “at will” employees and may be terminated without cause and do not have appeal rights as provided to Regular Employees.
- 3-07 (3) **Regular Employees:** A Regular Employee is classified in one of the following classifications.
- a. **Full-time Employee:** A Full-time Employee is an employee in a City Council-authorized position who works up to 40 hours per week and has successfully completed the Introductory Period.
 - b. **Year-Round Non-Benefited Employee:** A Year-Round Non-Benefited Employee is an employee that is typically hired for on-going, continuing work within a specified department, generally working less than 40 hours per week and are not eligible for benefits.
- 3-07 (4) **Temporary/Seasonal Employee:** A Temporary/Seasonal Employee is an employee that is typically hired for work during a specified season or period of intermittent need. Employees in this classification are not eligible for benefits.

- 3-07 (5) Civil Service Employees: A Civil Service Employee is an employee that is governed by Civil Service Rules and Regulations. Such employees are typically found in the police and fire departments.

3-08 INTRODUCTORY PROBATIONARY PERIODS

The following policy shall govern Appointed, Regular, and Civil Service employees.

- 3-08 (1) New Hire Introductory Probationary Period: The New Hire Introductory Probationary Period is generally the first full year of employment with the City. The introductory period is regarded as a working test period and is regarded as an integral part of the hiring and promotion process. During the Introductory Period, the employee is trained, observed, and evaluated on their ability to perform the essential duties of the position.
- a. Appointed or hired employees are required to successfully complete a one (1) year New Hire Introductory Probationary Period. The New Hire Introductory Probationary Period may be extended in thirty (30) day increments for a maximum of ninety (90) days, as determined by performance evaluation.
 - b. Upon satisfactory completion of the New Hire Introductory Probationary Period, a new employee may receive an increase in salary dependent upon available funding and current pay practices at that time. However, employees are not eligible for Pay for Performance adjustments until they complete their New Hire Introductory Probationary Period.
 - c. The Department Head may terminate an employee at any time during the New Hire Introductory Probationary Period, after consultation with the Human Resource Department and the City Attorney's Office.
 - d. Upon successful completion of a New Hire Introductory Probationary Period an Introductory Probationary Employee becomes a Regular Employee.
- 3-08 (2) Promotion/Transfer Introductory Period: The Promotion/Transfer Introductory Period is regarded as an integral part of the promotion/transfer process. During the Promotion/Transfer Introductory Period, the employee is trained, observed, and evaluated on their ability to perform the essential duties of the position.
- a. Promoted or transferred employees are required to successfully complete a six (6) month Promotion/Transfer Introductory Period. This introductory period may be extended in thirty (30) day

increments for a maximum of 90 days, as determined by performance evaluation.

- b. During the Promotion/Transfer Introductory Period employees are eligible for Pay for Performance adjustments, in accordance with established practices, if the employee has completed a minimum of one (1) year employment.

3-08 (3) Time spent for an unpaid leave of absence is not considered part of an Introductory Probationary Period.

3-08 (4) Department Heads evaluate employees during an introductory period by formal performance evaluation every six (6) months or as needed. At least ten (10) days before the completion of an employee's introductory period, the Department Head shall complete a performance evaluation of the employee and submit the results, in writing, to the Human Resource Department. If the employee's performance during an introductory period is unsatisfactory, the employee's introductory period may be extended as mentioned above, or he or she may be terminated and will be notified of such termination in writing.

3-09 ANNIVERSARY DATE

- 3-09 (1) For each employee hired to fill an approved and budgeted position, the date the employee begins employment with the City as a benefited employee is the employee's anniversary date.

3-10 RE-EMPLOYMENT

- 3-10 (1) Former City employees forfeit all rights to be automatically re-employed at termination and must go through the normal application process for employment with the City. A rehired employee does not retain claim to previous rank, service, or salary held prior to termination or resignation.
- 3-10 (2) Temporary/Seasonal employees may be reinstated in accordance with City Temporary/Seasonal re-employment requirements.
- 3-10 (3) Employees who are terminated for cause, including but not limited to violations of the City's Standards of Conduct, failure to follow established policies and procedures, misconduct as outlined in Section 7 "Grounds for Discipline" of the Employee Handbook, etc., or are allowed to resign in lieu of termination for cause, are not eligible for re-hire.

3-11 JOB DESCRIPTIONS

- 3-11 (1) Employee job descriptions are prepared according to duties and qualifications required for successful job performance. Job descriptions include a summary of the position purpose and objectives; the supervision received by the employee; the supervision exercised by the employee; essential and secondary job duties; required knowledge, skills, and abilities; minimum qualifications; and work environment.
- 3-11 (2) Under the direction of the Human Resource Department, job descriptions are reviewed periodically as part of the City's Classification and Compensation Plan and may be revised as needed.

3-12 PERFORMANCE EVALUATIONS

- 3-12 (1) Department Heads and Supervisors conduct Regular Employee performance evaluations annually, at minimum, to assist employees in performing their responsibilities. The Human Resource Department assists Department Heads and Supervisors in developing a performance evaluation process that best meets the needs of the City.

3-13 TRANSFERS

- 3-13 (1) A transfer occurs when an employee is moved from one position to another within the City. An employee may be transferred temporarily or permanently to receive additional training, due to a shortage of funds, as part of a department's reorganization, or when it is in the best interest of the employee or the City.
- 3-13 (2) An employee may initiate a request to the Human Resource Department for a transfer.
- 3-13 (3) Employees may not be transferred from one department to another without the review and knowledge of the Human Resource Department.

3-14 PROMOTION, RECLASSIFICATION, OR DEMOTION

The City recognizes that employees may be promoted, reclassified, or demoted periodically as positions are changed and jobs restructured.

- 3-14 (1) Promotion: In the event an employee is promoted to a position of greater demand or of elevated responsibility, the employee may:
- a. Receive a salary increase of up to five (5) percent. If the five percent increase does not bring the employee's salary up to the entry level salary for the new position, the employee receives the entry level salary for the new position. Any increase exceeding the first quartile of the new position must have mayoral approval.
 - b. Receive an appropriate change in job title.
 - c. Serve a six (6) month Promotion/Transfer Introductory Period. At the completion of the six-month introductory period, there is no salary adjustment.
- 3-14 (2) Reclassification: When the needs of the City or the job duties change substantially for an individual position or job class, the Human Resource Department conducts a reclassification study.
- a. If the new job duties and requirements are significantly greater than those of the previous position, then the employee's salary may be increased to reflect the additional responsibilities.
 - b. If the new job duties and requirements are considerably less than those of the previous position, the employee's salary may be reduced to reflect the decreased responsibilities.
- 3-14 (3) Demotion: The City may demote an employee if the employee's work is unsatisfactory.
- a. The new salary is determined by the employee's relative salary position before the demotion and the market rate being paid for the new position.
 - b. The employee's anniversary date continues to be the first full day of work as a benefited City employee.

3-15 REDUCTION IN FORCE (RIF)

- 3-15 (1) As a general rule, the City of Logan will RIF Temporary employees and employees who are on their New Hire Introductory Probationary Period before Regular employees. The procedure for a Reduction in Force is as follows:
- a. The Mayor makes a request for a RIF based upon the needs of the City.
 - b. The Department Head, through consultation with the Human Resource Department, City Attorney's Office and the Mayor, identifies categories of work or positions to be reduced.
 - c. The City assesses and ranks employees by skill and by considering the employee's two previous performance evaluations as well as a current evaluation. The City will also consider any documentation that it has regarding the employee's work performance and employment history. Skills may include, but are not limited to, certifications, education, and other qualifications applicable to the position.
 - d. The City of Logan then proceeds to RIF the employee(s) with the lowest ranking first, based on Section 3-15 (1) c.
 - e. When employee ranking is equal, seniority governs the RIF selection and the employee(s) with the least seniority will be eliminated.
 - f. In lieu of a RIF, returning an employee to a position formerly held by that employee is at the sole discretion of the City.
- 3-15 (2) Department Heads have the right to confer with the Mayor regarding recommendations of the Human Resource Department.

3-16 VOLUNTARY TERMINATION

- 3-16 (1) In order to terminate in good standing, employees who are voluntarily terminating their employment should give the City two (2) weeks advance, written notice.
- 3-16 (2) Department Heads should complete and submit a Yellow Personnel Action Form to Human Resources upon termination of a departing employee.
- 3-16 (3) Departing employees are encouraged to complete an "Exit Interview Form" and submit it to Human Resources upon termination of employment.
- 3-16 (3) Terminated employees receive compensation for hours worked, accrued Personal Leave, Comp Time, and Overtime in accordance with State and Federal Payroll Laws.
- 3-16 (4) Employees who desire to retire from the City are encouraged to notify the City, in writing, as early as possible so that normal retirement and vacancy notices can be followed.

3-17 ABANDONMENT

- 3-17 (1) It is the employee's responsibility to call their immediate supervisor if they are going to be absent or late for work. If their supervisor is not available, employees should contact their Division Manager, Department Head, or their Department Head's designee.
- 3-17 (2) In cases of emergency where an employee is physically unable to call, another person may contact the City on their behalf.
- 3-17 (3) An employee who is absent from work for three (3) consecutive days without knowledge, approval, or consent of their Department Head or immediate supervisor shall be deemed to have abandoned their position. The City considers abandonment as voluntary termination. Employees terminated for abandonment shall be notified in writing.