

City of Frankfort

PERSONNEL POLICIES AND PROCEDURES

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PERSONNEL POLICIES AND PROCEDURES
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SECTION I – GENERAL INFORMATION

1.1 Statement of Purpose

The Board of Commissioners and the City Manager recognize that a system designed to recruit and retain a competent, productive work force is essential to effective and efficient city government. This manual has been developed in order to achieve optimum efficiency, economy and equity in the pursuit of the City's goals and the utilization of its human resources.

The Personnel Director shall maintain this manual under the authority of the City Manager. The Personnel Director, through the City Manager, shall recommend revisions to the Board of Commissioners for final approval.

1.2 Disclaimer

Information provided herein is not intended to represent a contract nor a guarantee of continued employment between any employee and the City. The City may make changes through Board of Commissioners action without notice. The term "established position" indicates position(s), either full-time or permanent part-time, established by the Board of Commissioners and created by ordinance. The Board of Commissioners without notice may change the class(es) and/or number of positions in each class, and employee(s) occupying the position(s) may be affected by such changes.

1.3 Gender Reference

Within the context of this manual, the pronouns he or his shall represent both the male and female genders, and may be considered as either plural or singular.

1.4 Scope of Coverage

- A. The following positions and offices are excluded from coverage under these policies and procedures unless otherwise expressly provided herein:
 1. All elected officials;
 2. All members of Boards and Commissions;
 3. City Attorney, City Manager, City Clerk, Communications Director, Personnel Director, Purchasing Agent/Risk Manager, Police Chief, Fire Chief and Department Directors;
 4. Consultants, advisors, and counsel rendering temporary professional services;
 5. Independent contractors, grant employees;
 6. Members of volunteer organizations.
- B. Except as above provided, the provisions of this manual apply to all City employees occupying established positions unless otherwise required by statute.
- C. Part-time employees are covered with the exception of Section VII - Benefits.

- D. After adoption by the Board of Commissioners, this policy shall be made accessible to all employees in established positions.
- E. All employees in established positions shall receive orientation on these policies. A statement shall be signed indicating completion of such orientation and shall be placed in the employee's file.

1.5 Employee Status

The City of Frankfort recognizes the following categories of employees for the purposes of this policy manual:

1. Full-time Employee - An employee who fills an established position and works a minimum of 37.5 hours per week on a regularly scheduled basis.
2. Probationary Employee - A full-time employee who has not yet been confirmed.
3. Part-time Employee - An employee who fills an established position and works less than an average of 100 hours per month or 1200 hours per year.
4. Public Safety Employees - Those employees in Police and Fire Departments who are subject to provisions of KRS Chapter 95.

1.6 Employee Policies and Procedures

- A. The Personnel Director is responsible for maintaining and updating these policies as sections are revised. Updates will be forwarded to each department and made available to all employees.
- B. Each Department Director is responsible for maintaining his department's own manual with current updates.

1.7 Employment At-Will

The City of Frankfort is an "at-will" employer. Employment "at-will" means that an employee and employer agree that employment is for an indefinite length of time and that either the employee or the employer can terminate the employment relationship at any time and for any reason, or to the extent permitted by statute, for no reason, and nothing herein shall modify any employee's "at-will" status.

1.8 Statement of Equal Opportunity

The City of Frankfort seeks to provide equal opportunity to all of its employees and applicants for employment, and to prohibit discrimination based on race, color, sex, religion, national origin, ethnicity, political affiliation, age, physical or mental disability, as defined by the American's with Disabilities Act, or marital status. The City promotes equal opportunity in matters of hiring, training, promotion, transfer, compensation, employee benefits, and all other terms, privileges, and conditions of employment.

1.9 Administration of the Plan

- A. The City of Frankfort functions under the City Manager form of government, with legislative and executive powers vested in the Board of Commissioners and administrative powers of the City vested in the City Manager.
- B. The appointing authority for temporary employees shall be the City Manager. The appointing authority for all other positions shall be the Board of Commissioners.

1.10 Personnel Files and Employment Records

A. Personnel Files

- 1. The Personnel Office shall be the official repository for personnel files. Unofficial portions may be copied for operating purposes, and retained within an employee's respective department per stipulations and limitations set forth in this policy.
- 2. The Personnel Office will be the only repository for information relating to employee benefits, pre-employment information, and all other employment information.

B. Access

- 1. The contents of personnel files shall be the property of the City of Frankfort. An employee shall have the right to examine his personnel file upon written request. Any party, excepting the Board of Commissioners, City Manager, or employee's Department Director, desiring to inspect personnel files must make a written request to the City Clerk.
- 2. Upon receipt of a request for access to, or information from, personnel files, the City Clerk will forward a copy of the request to the Personnel Director. The Personnel Director will respond to the request and will notify an employee when an open records request is received and completed.

C. Attendance Records

- 1. Each Department Director shall maintain attendance records on each employee.
- 2. Attendance records shall be submitted to the Personnel Director each payroll period, in conjunction with the appropriate time sheets for that pay period.
- 3. Failure of employees to submit to their Department Director accurate attendance records within the appropriate payroll period may result in disciplinary action.
- 4. The Department Director shall be responsible for the accuracy of all entries on attendance records and for the transmittal of records for employees in his respective department.

D. Training Records

Departments are to maintain training records for employees requiring certification(s), re-certification(s), or other mandated training. Copies of all certifications are to be forwarded to the Personnel Director and filed in the employee's personnel file.

E. Medical Information

All medical information will be maintained by the Personnel Director in a locked, confidential file kept separate from the employee's personnel file. **INFORMATION RELATING TO MEDICAL RESTRICTIONS** may be kept by the Department Director during the period of restriction and will then be forwarded to the Personnel Director. All other information obtained during the restricted period regarding the medical condition or history of the employee is to be forwarded to the Personnel Director.

F. Retention Schedules

The Personnel Director shall be responsible for developing and adhering to retention schedules for all personnel records and files in accordance with KRS 171.410 to 171.740.

SECTION II – EMPLOYMENT PROCESS

2.1 Procedures for Filling Non-Public Safety Positions

A. Job Announcements

When announcements of vacant positions are made, any of the following procedures for publication may apply:

1. Internal Job Posting - It is the policy of the City to encourage all employees to seek career advancement within the City. In support of this, the City shall notify employees of job openings through posting job notices in all departments.
 - a. All internal applicants meeting the qualifications specified for the position are considered without prejudice to an employee's current position;
 - b. When qualified internal candidates having the required skills and experience emerge, preference may be given to those candidates:
 - i. who have a satisfactory performance record;
 - ii. who have a satisfactory attendance record;
 - iii. who have a minimum of six (6) months in their current position;
 - iiii. who are confirmed employees.
 - c. In all cases the candidate most likely to be successful in the position will be selected.
2. The City may also advertise available job openings in a newspaper of general circulation in the city, and any other media or publication determined to be appropriate.
3. All announcements shall include such information as where to apply, deadlines for applications, the pay range for the position, summary of duties and responsibilities, and position qualifications. They shall also include the following statement: "An Equal Opportunity Employer, M/F/A/D."

B. Application for Position

1. Employment Application Forms supplied by the City and completed by applicants shall include information about the applicant's training and experience and such additional information as required to effectively evaluate the applicant's ability to perform the duties required by the position.
2. No person may be appointed to an established position unless verified information on an official Employment Application Form indicates that the person meets the qualifications for the position as set forth in the position description.
3. Falsification of any information on the application form may result in immediate dismissal, regardless of length of service or confirmed status, if selected for the position.
4. All Employment Application Forms must be signed and dated by the applicant.

C. Certification of Eligibility for Position

The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following:

1. Information the applicant supplied on the official Employment Application Form;
2. Job-related written, performance or physical tests or examinations;
3. Personal interview;
4. Information and evaluations supplied by references given by the applicant; and/or
5. Other appropriate information as determined.

D. Background Investigation

The City reserves the right to conduct background investigations on all applicants for employment; this includes credit checks for any position requiring access to or management of City funds.

E. Drug Testing

See: Drug and Alcohol Policy, Section IV (Order No. 4, 2002 Series)

F. Appointment to Position

1. For purposes of this section, the term "current employee" is defined as any full-time confirmed employee.
2. This section applies to current employees who request a transfer or promotion to a position, as well as applicants for employment or re-employment.
3. The role of the Personnel Director is to facilitate the hiring process, ensure compliance with all applicable ordinances and regulations, and determine that the person considered meets all qualifications as prescribed in the class specification to which the appointment will be made.
4. The role of the Department Director is to evaluate each applicant and determine which applicant is most likely to be successful in the position based on the applicant's skills, abilities and suitability for the position.

2.2 Procedures for Filling Public Safety Positions

A. All candidates must meet the following qualifications in order to participate in the hiring process:

1. The applicant must be a person of sobriety and integrity, who is and has been an orderly, law-abiding citizen;
2. The applicant is a high school graduate or equivalent;

3. The applicant's age is not less than twenty-one (21) years upon the date of appointment;
4. The applicant must possess a valid Kentucky operator's license as prescribed by state law;
5. The applicant must be capable of reading, writing, and understanding the English language.

B. Announcement of Vacancies

All vacancies shall be advertised for a minimum of one full week in any manner determined by the Personnel Director, or the Police or Fire Chief respectively, to be effective in attracting the desired candidates.

C. Application Process

An applicant for original appointment shall submit a completed application form to the Personnel Director as clerk of the Board of Civil Service for Police and Fire.

1. Application must be made on forms prescribed by the City Manager.
2. For an application to be considered, the Personnel Office must receive it on or before the application deadline stated in the vacancy announcement. Applications received after the vacancy announcement deadline and considered "active" shall be considered in any future hiring arising for a similar vacancy.
3. A copy of the applicant's Birth Certificate (issued by the Department of Vital Statistics), high school diploma or GED, and driver's license issued by the State of Kentucky, must be submitted with the application by the application deadline date.
4. If applicable, applicants shall attach a copy of Form DD-214 to the employment application form.
5. Applicants having post-secondary education shall submit official transcripts with the employment application form.
6. All applicants shall, by virtue of having made an application, consent to a departmental background investigation.
7. If the background investigation reveals that an applicant has provided false information or does not meet the qualifications for employment as stated in the Kentucky Revised Statutes or City orders and ordinances, the City Manager shall remove the applicant from the employment process.
8. Falsification of any information on the application form may result in immediate dismissal, regardless of length of service or confirmed status, if selected for the position.

D. Parts of the Examination (F.M.C. 2.30.050 {2000})

All positions are filled on a competitive basis based on the applicant's performance on the examination process. All applicants shall be examined by the Board of Civil Service for Police and Fire or its designee as to qualifications and fitness in the following respects:

1. Physical Agility- Pass/Fail -Applicants must meet minimum physical agility requirements;
2. Written examination – Applicants must take a written examination and achieve a minimum score of 70% or higher;
3. Oral interview – The applicant shall satisfy the Board of Civil Service for Police and Fire, by oral interview, that the applicant knows in general the duties of the position applied for and is prepared to make the necessary personal commitment for the position.

E. Relative Weight of Tests (F.M.C. 2.30.050 {2000})

1. The relative weight of the tests shall be as follows:

<u>Tests</u>	<u>Relative Weight</u>
Physical Agility:	Pass/Fail
Background Investigation:	Pass/Fail
Written Test:	Forty-five (45) percent
Oral Interview:	Fifty-five (55) percent
Total:	One hundred (100) percent

2. Upon receiving a passing score, additional credit for current certifications shall be applied to the applicant's total score as follows:

<u>Firefighter Applicants</u>	<u>Additional Credit</u>
Kentucky Certified Firefighter:	Four (4) percent
Kentucky or National EMT-B:	Four (4) percent
Kentucky or National EMT-P:	Eight (8) percent

Patrol Officer Applicants

Out-of-state Law Enforcement Certification and one
(1) year or more experience: Four (4) percent

Kentucky Peace Officer Professional Standards

Certification: Eight (8) percent

F. Other Parts of the Examination

Additional parts of the examination for each applicant for original appointment shall be as follows, upon a conditional offer of employment:

1. Psychological evaluation (Police applicants only) – Prior to actual appointment, an applicant shall receive a job-related evaluation by a professional at the Kentucky Department of Criminal Justice Training to determine the applicant's ability to perform the required tasks and assume the required responsibilities.
2. Physical evaluation – An applicant shall receive a job-related examination, by a medical doctor of the City's choice, to determine the applicant's ability to perform the required tasks.

3. All applicants will be given a pre-employment drug test, by a testing facility of the City's choice, and will be subject to random testing as a condition of employment.
4. Polygraph testing - Applicants for the police department will receive a polygraph test administered by the Department of Criminal Justice Training.

G. Eligibility List

The applicant's name and total score shall be certified, in rank order, as being eligible for original appointment. The eligibility list is certified for one year. Selection shall be in accordance with F.M.C. 2.30.080 (1996).

H. Background Investigation

The City reserves the right to conduct background investigations on all applicants for employment; this includes credit checks for any position requiring access to or management of City funds.

I. Drug Testing

See: Drug and Alcohol Policy, Section IV (Order No. 4, 2002 Series)

2.3 Orientation of All New Employees

- A. An orientation shall be made available by the Personnel Director or designee to all new employees occupying established positions as soon as possible after their first day of employment. The orientation shall consist of at least the following:
 1. An explanation of what the City expects of its employees, and what the employees can expect from the City;
 2. An explanation of the City's policies and procedures, including salaries/wages, employee benefits, etc.;
 3. A copy of the employee's job description provided to employee;
 4. Training on the City's Harassment policy (including sexual harassment), Drug and Alcohol policy, Worker's Compensation, Code of Conduct and other subject areas as appropriate.
 5. Employees will be required to sign a statement that they have received orientation and have been trained on the specific areas identified. Documentation will be maintained in the employee's personnel file.
- B. Department Directors shall insure that new employees are informed of specific information about the employee's job description, job duties and responsibilities, as initially assigned upon employment.
- C. At the beginning of the probationary period, the supervisor shall identify, in writing, the specific goals the employee is expected to obtain within the probationary period.

SECTION III – CONDITIONS OF EMPLOYMENT

3.1 Nepotism

See: Code of Ethics, Section V (F.M.C. 2.100.180 {2000}).

3.2 Probationary Period

- A. All employees initially appointed to an established position shall be on probationary status for twelve (12) months.
- B. While on probationary status, new employees shall be evaluated at the end of three, six, nine and at the end of the twelve-month period, or more frequently if departmental policy provides, by the employee's immediate supervisor. The evaluations will assess the employee's performance in relation to the goals established at the beginning of employment. The Supervisor shall provide a copy of the completed evaluation form to the Personnel Office. Evaluation forms will be placed in the employee's personnel file.
- C. Any employee who has previously served an initial probationary period and enters a new position shall be on probation in the new position for a period of six (6) months.
- D. An employee who is serving a probation period due to promotion, transfer, demotion or reassignment, may, during the probation period, be returned to the employee's previous position, assigned to another position (provided the position is vacant and the employee possesses the minimum qualifications for the position), or separated from the City service if the employee is unable to perform the basic requirements of the position to which he was promoted, transferred, demoted, or reassigned.
- E. New employees who do not successfully complete the probationary period will be subject to dismissal.

3.3 Transfer

- A. Any employee occupying an established position, except those serving a probationary period, may request a transfer from one position to a vacant position, provided they meet the minimum qualifications for the position.
- B. Employees transferring from one position to another may be compensated at an amount above entry level depending upon the employee's longevity with the City. All benefits that increase via longevity are based on length of time with the organization, not the length of time in any one position.

3.4 Employee Conduct and Work Rules

- A. To ensure orderly operations and provide the best possible work environment, the City of Frankfort expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

- B. It is not possible to list all the forms of behavior that are considered unacceptable conduct. The following are examples of misconduct and willful or wanton disregard for the interests of the City of Frankfort, any of which may result in disciplinary action in accordance with applicable law and policy, up to and including dismissal.
 - 1. Insubordination or refusal to follow a proper order by a supervisor;
 - 2. Unsatisfactory job performance;
 - 3. Conduct which unreasonably exposes the City to civil liability;
 - 4. Unexcused absenteeism or tardiness;
 - 5. Failure to use property precautions for personal safety or the safety of others;
 - 6. Loss or suspension of vehicle operator's license when such license is required for discharge of assigned duties;
 - 7. Unauthorized disclosure of privileged information;
 - 8. Violation of the City's drug and alcohol policy;
 - 9. Unauthorized possession of dangerous weapons or substances while on duty or upon City property;
 - 10. Work place or sexual harassment or discrimination as defined herein;
 - 11. Disorderly conduct; engaging in dangerous horseplay, fighting, threatening violence, boisterous or disruptive behavior, agitating others to fight or become violent, intimidating behavior, coercive behavior, inappropriately interfering with others, loud arguing, inappropriate language, harassing behavior, or any other form of violence;
 - 12. Intentional conduct which reflects unfavorably on the City;
 - 13. Falsification or concealment of a material fact on an employment application or other City document or record;
 - 14. Abuse or misuse of authority;
 - 15. Unauthorized use or negligent use of City property;
 - 16. Engaging in or inducing or attempting to induce a work stoppage or slow down;
 - 17. Inducing, or attempting to induce, an officer or employee in the service of the City to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order.

3.5 Progressive Discipline

- A. The purpose of this policy is to state the City of Frankfort's position on

administering equitable and consistent discipline for unsatisfactory conduct or performance of duties.

- B. Progressive steps toward correcting unsatisfactory conduct or performance of duties in the workplace may consist of verbal counseling, written reprimand, suspension without pay, demotion, or dismissal-- depending on the severity of the problem and the number of occurrences, subject to requirement of KRS Chapter 95 as appropriate. *There may be instances when one or more steps are bypassed due to the nature of the employee's conduct.*
- C. Supervisors and Department Directors may find it appropriate to request an employee to seek counseling through the Employee Assistance Program when an employee is demonstrating inappropriate behavior, attitude, or job performance. Although employees may choose not to seek counseling, failure to comply with such request may indicate that the employee is unwilling to seek available avenues to improve his behavior, attitude, or other job-related performance, and therefore other disciplinary action may result.
- D. Verbal counseling should consist of the Supervisor or Department Director orally communicating to the employee:
 - 1. The manner(s) in which the employee conducted himself unsatisfactorily (e.g., inefficiency, misconduct, violation of rules, etc.);
 - 2. The date, place, and time that such unsatisfactory conduct took place;
 - 3. The supervisor's expectations of that employee in regard to performance, behavior, attitude, ability to work within a team environment, work habits, or the like, and;
 - 4. Action that may be taken if the employee does not meet expectations. The supervisor or Department Director responsible for conducting the counseling shall document the communication that took place with the employee, the date and time it took place, and those present.
- E. A written reprimand should primarily consist of the Supervisor or Department Director communicating to the employee, in written form:
 - 1. The manner(s) in which the employee conducted himself unsatisfactorily (e.g., inefficiency, misconduct, violation of rules, etc.);
 - 2. The date, place, and time that such unsatisfactory conduct took place;
 - 3. The supervisor's expectations of that employee in regard to performance, behavior, attitude, ability to work within a team environment, work habits, or the like;
 - 4. Action that may be taken if the employee does not meet expectations;
 - 5. Date of the Written Reprimand, and signature of the Supervisor or Department Director preparing the Written Reprimand, and;
 - 6. The signature of employee. A specimen "Written Reprimand" document is provided at the end of this section.
- F. Suspension should be recommended when prior forms of discipline have failed

to produce the required change, when an offense is of sufficient severity to warrant immediate suspension, or while awaiting an investigation and/or hearing to determine if dismissal is appropriate.

1. The Department Director is authorized to suspend an employee for a full or partial day as a disciplinary measure.
 2. The City Manager is authorized to suspend an employee for a maximum of ten working days (five working days for employees normally scheduled to work an average fifty-six (56) hour work week) as a disciplinary measure. In the event the offense or behavior requires more severe discipline, the City Manager may suspend the employee until such time as the Board of Commissioners is able to review the circumstances, hold a hearing if requested and the Board deems it warranted, and make a final decision regarding the discipline to be administered.
 3. The Board of Commissioners may suspend an employee up to sixty (60) additional days.
 4. It is the responsibility of the suspending authority to determine, based on relevant circumstances, whether or not the suspension shall be paid or unpaid.
 5. The suspending authority shall notify the employee in writing of the reasons for suspension, number of days or hours of suspension, the date and time the employee may return to work, and whether or not the suspension is with or without pay.
- G. Demotion may be imposed when an employee's work has not been satisfactory, but the employee could be successfully assigned to less difficult work. Demotion under these circumstances is dependent upon the availability of a suitable position for which the employee is qualified.
1. When circumstances warrant, the Department Director may recommend that an employee be demoted if there is a vacancy for which the employee is qualified in a lower class within the department. When there is no such vacancy, the Department Director will notify the Personnel Director, and the employee may be considered for placement in other departments.
 2. An employee may be demoted only by the Board of Commissioners.
- H. A Department Director may recommend to the City Manager that an employee be dismissed.
1. Such recommendation must be substantiated by documentation in the employee's personnel file that work habits or actions of the employee have not been satisfactory, and that progressive discipline has been utilized, unless immediate dismissal is warranted due to the nature or severity of the offense.
 2. The Department Director will notify, with documentation attached, the Personnel Director and the City Manager, of a recommendation to dismiss an employee.
 3. Following investigation, the City Manager may schedule an informal

hearing with the employee, the Department Director, and the Personnel Director.

4. If warranted, the City Manager will make a recommendation of dismissal to the Board of Commissioners.
5. If requested, the Board of Commissioners may schedule an informal hearing. Strict rules of evidence shall not be observed, and the Kentucky rules of civil procedure, including discovery provisions, shall not be applicable.
6. The Board of Commissioners is the dismissing authority for any employee.

WRITTEN REPRIMAND

Date of Reprimand: _____

PLEASE PRINT

Employee Name: _____

Department: _____

Job Title: _____

Type of Violation/Incident (please check one or more that apply):

- Unexcused absence (tardiness or any unauthorized absence)
- Discourteous or disrespectful conduct
- Unsatisfactory work performance or conduct
- Damage to material, equipment, or property
- Unsafe work behavior, including but not limited to preventable vehicle incident
- Failure to follow policy/procedures/rules/directives
- Other (please specify) _____

Date and Time of Incident _____

Location where Incident Occurred: _____

Details of the Unsatisfactory Conduct (state the incident/violation that occurred, and describe the manner in which the employee conducted him or herself unsatisfactorily):

Supervisor's Expectations (state how the employee is to improve in regards to performance, behavior, attitude, etc.):

Disciplinary action may result from any future violations/incidents, including any of the following: counseling, reprimand, suspension, demotion, or dismissal.

I have provided this written reprimand to the above employee on this incident as stated above:

Supervisor Signature Date

Employee Comments: _____

I, the undersigned, acknowledge receipt of a copy of this written reprimand:

Employee Signature Date

cc: Department Director; Personnel Director

3.6 Resignation Procedures

- A. An employee wishing to resign should give written notice of the intended resignation to the Department Director at least two (2) weeks before its effective date.
- B. The Department Director shall forward the original copy of the employee's resignation to the Personnel Director.
- C. Upon notification of resignation, the Personnel Office will schedule an exit interview with the employee. During the exit interview, the Personnel Director will ask the employee to briefly identify why he is leaving; to comment regarding his experience with the City; and to identify areas where the City can make improvements.

The completed exit interview form will be retained in the employee's personnel file.

- D. In the event that an employee is absent for two (2) consecutive scheduled work days without notifying the Department Director, the employee shall be considered to have abandoned the job and may be terminated from employment with the City and the provisions of Section 3.5 shall not be applicable.

3.7 Layoff/Reduction in Force Policy

- A. The Board of Commissioners may lay off an employee because of lack of work or funds.
- B. The order of layoffs shall be determined on the basis of the City's needs. Consideration shall be given to both the seniority and past performance of persons being considered for layoff. This determination will be made for police/fire on the basis of seniority only.
- C. Temporary and probationary employees shall be laid off before employees occupying established positions within class(es) affected by the layoff.
- D. Two (2) weeks before the effective date of the layoff of an employee occupying an established position, the City Manager shall notify the employee of the layoff in writing. The written notice shall explain the reason(s) for and duration of the layoff (if known), and a copy of the notice shall be placed in the employee's file.
- E. An employee who has given satisfactory service and is laid off may be eligible for reemployment in other positions which require basically the same qualifications and involve basically the same duties and responsibilities as the position from which the employee has been laid off.

3.8 Reinstatement

- A. The Board of Commissioners may reinstate any former employee separated from service:
 - 1. Who has resigned from that service for sixty (60) days or less with good record;
 - 2. Who has been laid off because of lack of work or funds;
 - 3. Who has been improperly demoted or dismissed.

- B. Reinstatement of an employee shall:
 - 1. Restore the employee to his former position, or
 - 2. Place him in a position of the same class or a class comparable to that of his former position.
 - 3. Reinstatement him to a salary that is commensurate with the position to which the employee is reinstated.

3.9 Mandatory Retirement Age

- A. Pursuant to F.M.C. 2.30.170 (1980), public safety employees are subject to mandatory retirement requirements.

- B. The City does not have a mandatory retirement age for non-public safety employees.

3.10 Examination

If there is reasonable cause to believe that it is warranted, the City Manager may require any employee to submit to a physical or mental examination and/or drug testing, by a medical professional selected by the City to ensure competency to complete required duties and responsibilities.

3.11 Political Activity

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

- B. No employee of the City shall engage in political activity during the employee's assigned duty hours, while in uniform or other apparel identifying the City, while in a City vehicle or on City property.

3.12 Employee Evaluation

- A. Public safety employees in the Police Department will be evaluated in accordance with F.M.C. 2.30.125 (1991).

- B. All other employees occupying established positions shall be evaluated by their

immediate supervisor at least annually on the employee's anniversary date of employment, except that employees on an initial probationary period shall be evaluated at the end of the third, sixth, ninth and twelfth month, or more frequently if departmental policy provides.

- C. Employee evaluation forms approved by the City Manager shall be used for all evaluations. The City Manager shall be evaluated as the Board of Commissioners deems appropriate.
- D. A copy of the completed evaluation, signed by both the supervisor and employee being evaluated, shall be placed in the employee's permanent file.
- E. If the employee does not concur with the evaluation, the employee shall indicate this in writing on the evaluation form, along with the reasons therefor.

3.13 Workplace Harassment (Including Sexual Harassment) and Discrimination

This section replaces the previously established harassment and discrimination policy.

- A. The City of Frankfort (the employer) is responsible for creating and maintaining a working environment free of discrimination and harassment, including sexual harassment. This responsibility requires positive (affirmative) action where necessary to eliminate such practices or remedy their effects. The employer is responsible for providing education and training programs for all employees. Additional training will be provided to managerial and supervisory personnel concerning discrimination, harassment, sexual harassment, and diversity.
- B. Managerial and supervisory personnel are responsible for creating and maintaining a work environment free of discrimination and harassment (including sexual harassment), promptly investigating complaints of discrimination and harassment, and taking corrective action to prevent prohibited conduct.
- C. Employees are responsible for respecting the rights of their co-workers and avoiding discriminatory or harassing actions, including sexually harassing conduct.
- D. These policies apply to all officers and employees of the City and all person(s) outside employment with the City who interact with its officers and employees. The present state of law suggests that all harassment, including sexual harassment, is based on the views and reactions of the person toward whom the conduct is directed, not those of the person who is accused of harassment.
- E. Harassment
 - I. Harassment is conduct that has the purpose or effect of creating an intimidating, hostile or offensive working environment, has the purpose of

- unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.
2. The policy of the City prohibits harassment of one employee by another employee or supervisor. Prohibited conduct includes, but is not limited to, epithets, slurs, negative stereotyping, innuendoes, jokes, vulgar gestures, disparaging remarks, verbal conduct consisting of crude or vulgar language, inquiries and disclosures, and offensive verbal comments and commentary, or threatening, intimidating, or hostile acts, written or graphic material that denigrates or shows hostility or aversion that is on the employer's premises or circulated in the workplace.

F. Sexual harassment

1. The City prohibits sexual harassment of one employee by another employee or supervisor. Acts of sexual harassment include, but are not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:
 - a. submission to such is made, either explicitly or implicitly, a term or condition of an individual's employment;
 - b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
2. Employees shall refrain from touching, sexual innuendoes or jokes, disparaging remarks, verbal conduct consisting of crude or vulgar language or gestures of a sexual nature, and inquiries or disclosures of sexual habits or proclivities, sexist remarks, offensive sexual flirtations, advances, propositions, and offensive verbal commentaries and sexually suggestive conduct. All employees shall assume that all such behavior listed in this paragraph is UNWELCOME.
3. Discrimination means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other acts or practices of differentiation or preference in the treatment of a person or persons, or the aiding, abetting, inciting, coercing, or compelling thereof made unlawful by the federal or state statutes.
4. Disciplining, changing work assignments, providing inaccurate work information, or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted discrimination or harassment is prohibited.

G. Remedy

1. Any officer or employee, or any person(s) outside employment with the City who feels he has been the victim of discrimination or harassment shall immediately file a Problem Resolution Form as set forth in the Problem Resolution section of these policies and procedures. Should the employee believe the Problem Resolution procedure is not appropriate, the employee

should immediately notify either the Supervisor, Department Director, Personnel Director or City Manager. The City will promptly investigate the situation and respond within an appropriate time frame.

2. Subsequent to exhausting all such administrative remedies as may be available to the staff member or other employee by law and upon a finding of a violation of this policy, the offender will be subject to the strongest disciplinary action that may be justified, including dismissal.

3.14 Residency Requirement

- A. Members of the Fire Department are required to reside within a sixty (60) minute response time to the City of Frankfort as determined by the Fire Chief. (Order No. 9, 2002 Series)
- B. Employees must notify the Department Director immediately upon any change in residency. The Department Director must notify the Personnel Office and notation must be made in the employee's personnel file.

3.15 Use of City Owned Vehicles and Equipment

- A. City-owned vehicles will be used for City business only. Only authorized persons are to be transported in City vehicles, with the exception of Police Officers who may pick up or deliver immediate family members (as defined in F.M.C. 2.100.040 {1996}) when enroute to or from police activities or related duties.
- B. All drivers of, and passengers in City vehicles and equipment will be required to use seat belts and/or appropriate restraints while in the City vehicle or equipment.
- C. Assignment of a take home City vehicle is a privilege afforded to the employee as assigned by the City Manager, not a right, and the removal of a take home vehicle from an employee is not a reprimand or a reduction in grade or pay.
- D. Take home vehicles may be used only for:
 - Official City business
 - Court attendance
 - Participation in approved training
 - Incidental stops or errands of a personal nature when traveling to and from City business activities or related duties.
- E. Employees living outside of Franklin County and assigned take home vehicles may not drive the City vehicle outside of the Franklin County limits.
- F. No person other than the assigned employee, or other approved City employee, is to operate a City vehicle or other piece of equipment. Passengers other than City employees may not ride in the vehicle unless first authorized by the employee's Department Director.

- G. Members of the Police or Fire departments shall refer to departmental policies and standard operating procedures.

3.16 Inclement Weather

- A. The City of Frankfort is an organization that exists primarily for the delivery of direct essential services to its citizens whether under normal or emergency conditions. These services cannot be disrupted for any duration of time without consequences to those for whom we are charged to protect. It is therefore incumbent on the organization to continue to operate to the extent possible despite adverse weather and civil defense emergencies.
- B. In times of inclement weather due to snow, ice, flooding, tornadoes, or other emergencies, the City will shift to its Emergency Operation Plan by public announcement through the media by the City Manager in cases of inclement weather and by the Mayor if a disaster declaration is issued. Under the plan:
1. The Fire Chief as the City's Disaster and Emergency Services Director shall determine whether to activate the City's Emergency Operations Center, and shall serve under the City Manager's direction to ensure inter-departmental and inter-agency coordination;
 2. All Department Directors and Division Supervisors shall:
 - a. Arrive early at their duty stations;
 - b. Implement contingency measures to ensure continuation of operation of the department in providing essential services and to support other departments when called upon to do so by Frankfort Emergency Command;
 - c. Ensure that employees are provided meaningful work duties;
 - d. Be prepared to adjust work assignments and/or schedules to address emergency conditions requiring extra phone answering, evacuation, blockades, etc.;
 - e. Department Directors and Division Supervisors shall, whenever possible, work with their personnel in our attempt to formulate a contingency transportation plan. However, it is the employee's responsibility to provide his own transportation to and from the worksite.
 3. All employees:
 - a. During times of emergency, are considered essential and emergency personnel;
 - b. Shall report for duty in times of emergency if scheduled to work or if called in by the Department Director;
 - c. When access to the normal duty station is blocked, arrangements are to be made to report to the Emergency Operations Center at City Hall or designated alternate location approved by the City Manager;
 - d. Employees who cannot report to work due to adverse conditions in their area shall inform the Department Director by the time scheduled to report for work. In deciding whether or not to report to work, each employee shall put safety first; in no event shall the employee jeopardize personal safety in order to report to work;

- e. Those who cannot report to work or work their scheduled working hours due to inclement weather shall be charged accrued vacation, compensatory, or holiday leave during the period of absence. Hours worked begins when arriving at your duty station.

3.17 Wearing of Uniform Policy

- A. The annual budget shall determine the allotment for purchase/replacement of uniforms.
- B. All employees who are required to wear uniforms provided by the City are authorized to wear the uniforms only while traveling to and from work, and while at work or on special detail.

3.18 Use of City Property and Equipment

- A. For the City's policy regarding the use of City property and equipment, see F.M.C. 2.100.080 (1994).
- B. Employees who damage or observe damage to City property, whether in a vehicle, machinery, buildings, grounds, etc., shall immediately notify their supervisor, who is charged with promptly notifying the City's Risk Manager. If the immediate supervisor is not present, the report shall be made to the Frankfort Police Department. The chain-of-command shall be followed in reporting the incident.

~~3.19 Carrying of Weapons Prohibited~~

- Deleted
3/25/13*
- ~~Unless an employee is required to carry a weapon as a job requirement, employees shall not be in possession of weapons on City premises, including while riding/driving City-owned vehicles.~~

3.20 Absenteeism and Tardiness

- A. It is expected that employees report to their workstation and be ready to begin work at their scheduled starting time.
- B. Any employee who is going to be absent or tardy must notify his supervisor directly, no later than one-half (1/2) hour prior to his normal reporting time, or as soon as is practicable. Failure to follow this procedure shall be a separate offense to that of tardiness or absenteeism.
- C. Use of accrued leave for unscheduled absenteeism or tardiness must be approved by the Department Director. Employee will not be paid for absenteeism or tardiness not so approved.

3.21 Work Schedule

Each employee shall work according to a schedule of hours determined by the employee's immediate Supervisor or Department Director. An employee's work schedule is subject to change at any time according to departmental needs.

3.22 Meal and Rest Periods

- A. Employees are provided a reasonable meal period, of not less than thirty (30) minutes, nor more than sixty (60) consecutive minutes, away from the employee's workstation. (See F for public safety and communications employees.)
- B. Meal periods must be offered as close to the middle of the work day as possible, and between three (3) to five (5) hours after beginning of work (803 KAR 1:065).
- C. Each employee is given no less than ten (10), and no more than fifteen (15), consecutive minutes of rest, for each four (4) hours worked.
- D. Break and meal periods are to be scheduled by the Supervisor to meet departmental needs.
- E. Break periods are considered actual time worked for compensation purposes.
- F. With the exception of Police and Fire public safety employees and Communications Department employees, meal periods are not considered actual time worked for compensation purposes.

3.23 Safety

- A. The City's primary safety objectives are:
 - 1. To preserve the safety of its employees and the public; and
 - 2. To minimize damage to City property and other property.
- B. The employee's safety takes precedence over productivity.
- C. On-the-job accidents, however minimal, must be reported immediately to the immediate supervisor. Failure to do so may result in disciplinary action.
- D. In the event of a vehicular accident, the employee involved shall immediately call the police to the scene of the accident, and notify his immediate supervisor.

3.24 Smoking in the Workplace

Smoking is prohibited except in certain designated areas of its buildings and workplaces.

3.25 Dress Code

- A. Employees are expected to ensure that their dress and grooming projects a positive image of the City to the public, co-workers, visitors and others.
- B. Dress Guidelines
 - 1. Administrative and clerical employees shall dress in appropriate business attire.
 - 2. Employees must use good judgment in determining what is appropriate to wear.
 - 3. Appropriate work attire will depend on the employee's job duties and responsibilities, degree of public contact, weather conditions, safety concerns and other activities.
 - 4. Business and work attire shall be kept clean and neat in appearance at all times, subject to the demands of the job.
 - 5. The Department Director is responsible for determining what is, or is not appropriate attire.
- C. Casual Day
 - 1. Casual Day applies to administrative employees not required to wear uniforms.
 - 2. In the interest of employee comfort, every Friday coinciding with a payday shall be designated "Casual Day" for employees.
 - 3. Employees shall use good judgment in determining what is appropriate to wear. Denim jeans are permitted on Casual Day only.
 - 4. Clothing shall be kept clean and neat in appearance at all times.
 - 5. Employees should remember that business reasons might require them to wear regular business attire on Casual Day.
- D. Employees Issued Uniforms
 - 1. Employees who are issued uniforms must wear their uniform while working for the City.
 - 2. Uniforms shall be worn in their entirety and be well maintained, clean and free of excessive wrinkles.
- E. Grooming Guidelines
 - 1. Hairstyles, make-up, grooming of beards and mustaches, and personal hygiene shall be reasonable and in accordance with customary business practices.
 - 2. An employee's personal grooming and hygiene practices shall contribute to a clean and neat appearance, and make a favorable professional impression.
- F. Exceptions

This policy applies to all City employees. When necessary, Department Directors may specify additional attire and/or grooming requirements when based on safety reasons or business needs of the department.

G. Religion, Ethnicity or Disability

The City shall make reasonable accommodations for dress or grooming directly related to an employee's religion, ethnicity or disability.

3.26 Use of Telephone

- A. The City recognizes that employees will from time to time need to place and/or receive personal calls during working hours. Occasional personal use of the telephone, when necessary, is acceptable within reason. Placing and/or receiving numerous and/or lengthy personal telephone calls is prohibited.
- B. The following guidelines must be considered regarding the use of the City's telephone system:
 - 1. Employees shall use good judgment and limit the time spent during working hours on personal calls. Personal telephone calls shall be limited so as not to reduce productivity. All calls shall be limited to non-peak hours unless it is an emergency.
 - 2. Employees shall place and/or receive personal telephone calls away from the public view unless it is an emergency and moving to a non-public area is not possible.
 - 3. Personal telephone calls are to be limited to break and meal periods when possible.
 - 4. Personal cell phones shall not be turned on or utilized, with the exception of meal and break periods, while at work except with supervisory approval.
- C. Excessive use of the telephone, as determined by the Department Director, will be subject to disciplinary action.
- D. Fire Department employees working twenty-four (24) hour shifts are excluded from the application of the use of telephone policy and are subject to Frankfort Fire and Emergency Medical Services Standard Operating Procedure 300.41.

3.27 Computer, Information Systems and Electronic Mail Policy

This policy sets forth the City's policies and procedures on use of computers, information systems, and disclosures of electronic mail messages sent or received by City employees.

- A. Computers, computer files, the e-mail system, facsimile machines and software furnished to employees are City property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization.
- B. The electronic mail and other information systems, including facsimile machines, of the City are not to be used in a way that may be illegal, disruptive, offensive to others, or harmful to morale.

- C. There is to be no display or transmission of any type of sexually explicit images, messages, or cartoons, or any transmission or use of e-mail communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs. Any such activities shall be subject to disciplinary action.
- D. The City purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software, or its related documentation. Unless authorized by the software developer, the City does not have the right to produce such software for use on more than one computer.
- E. The computers, facsimiles and e-mail system should not be used to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations.
- F. All computer files, facsimiles and e-mail messages are the City's records. The City reserves the right to access and disclose all computer files and messages sent over its electronic systems for any purpose, except where legally prohibited.
- G. For privacy reasons, employees should not attempt to gain access to another employee's computer files and e-mail messages without the latter's express written permission. However, the City reserves the right to enter an employee's computer files if to do so would protect or serve its best interest.
- H. Employees should notify their immediate supervisor or any member of management, upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Computer, Information Systems, and Electronic Mail Policy

Certification Form

I, the undersigned, have read the Computer, Information Systems, and Electronic Mail Policy. My questions, if any, have been addressed. By my signature, I acknowledge that I understand this policy and will abide by it.

Department: _____

Signature: _____

Name: _____
(printed)

Date _____

3.28 Problem Resolution

This section replaces the previously established grievance procedure.

A. General

1. The City of Frankfort is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem or complaint receives a timely response from supervisors and management.
2. The City of Frankfort strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.
3. No employee shall be disciplined, formally or informally, for using the problem resolution procedure in a reasonable, business-like manner.
4. If an employee believes that a non-work related condition exists or has a general concern about any public issue affecting him as a citizen of Frankfort (not as an employee), he shall not use this process, but may exercise any and all rights afforded citizens under the U.S. and Kentucky Constitutions and the general laws of Kentucky.
5. This problem resolution procedure may not be used to contest a disciplinary action unless such action constitutes a clear violation of law or established City policy.

B. Steps of Problem Resolution Procedure

1. The employee shall present a "Problem Resolution Complaint Form," to his immediate supervisor within five working days after the incident occurs. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee may progress immediately to Step 3 in this process.
 - a. Group problem resolution requests within the same department shall be submitted directly to their immediate Supervisor. Group requests crossing departmental lines shall be submitted directly to the City Manager.
 - b. Resolution requests involving harassment (including sexual harassment and discrimination) shall be submitted directly to the Personnel Director.
2. The Supervisor shall respond to the employee, in writing, after consulting with appropriate management, when necessary, within five working days of receipt of Problem Resolution Complaint Form, stating his decision regarding the problem and what corrective actions, if any, will be taken.
3. If the problem is not satisfactorily resolved, the employee may submit the Problem Resolution Complaint Form and a copy of the supervisor's response to the Department Director within five working days after receipt of the supervisor's response.
4. Within five working days of receipt of a Problem Resolution Complaint Form, the Department Director shall respond to the employee, in writing,

- stating his decision regarding the problem and what correction actions, if any, will be taken.
5. If the employee does not believe the problem is resolved in Step 4, he may appeal the Department Director's decision within five working days of the Department Director's decision by submitting the Problem Resolution Complaint Form and a copy of the Supervisor/Department Director responses to the City Manager. Within ten working days of receipt of the Problem Resolution Complaint Form, the City Manager shall respond to the employee, in writing, stating his decision regarding the problem and what corrective actions, if any, will be taken.
 6. Within five working days after receipt of the City Manager's decision, an employee may appeal the decision to the Board of Commissioners by filing a notice of appeal with the City Clerk, who shall immediately communicate same to the Board of Commissioners.
 - a. The Board of Commissioners, after receiving the facts presented and prior responses, may conduct an investigation and may schedule a hearing, both in its discretion.
 - b. The Board of Commissioners may accept, modify, or reject the City Manager's decision, in whole or in part. The employee will be notified of the Board of Commissioners' decision in writing.
 - c. The decision of the Board of Commissioners is final.
- C. All other work-related concerns are to be addressed through the chain of command unless otherwise provided in these policies and procedures.

**CITY OF FRANKFORT
PROBLEM RESOLUTION COMPLAINT FORM**

NAME OF COMPLAINANT _____

SUBMITTED TO: _____

JOB TITLE _____ DEPT. _____

DATE OF COMPLAINT _____ DATE OF INCIDENT _____

DATE COMPLAINANT LEARNED OF INCIDENT (if different) _____

DATE OF PREVIOUS INCIDENTS, IF ANY: _____

BASIS OF ALLEGATION: (More than one may be checked, if applicable)

Offensive Behavior Violation of policy/procedure Unfair policy/practice
 Safety/Health issue Administrative Error Unfair treatment
 Other (specify): _____

NOTE: Requests for problem resolution arising during or as a result of progressive disciplinary action shall not be handled through this process; thus, such requests shall be rejected.

DESCRIPTION OF THE PROBLEM (attach sheet, if necessary, and explain the problem(s) or allegation(s) in detail, including dates, names, places, details of the incident, etc.):

LIST PERSON(S) WHO WITNESSED THE INCIDENT(S), IF APPLICABLE:

LIST PERSON(S) YOU HAVE NOTIFIED OF THIS COMPLAINT:

LIST PERSON(S) WHO MAY BE ABLE TO VERIFY YOUR COMPLAINT, IF ANY:

SPECIFICALLY STATE THE RESOLUTION YOU ARE SEEKING:

I acknowledge and confirm that the above complaint is true to the best of my knowledge:

SIGNATURE OF COMPLAINANT

DATE

Immediate Supervisor

Date Received

Date Returned

Department Director

Date Received

Date Returned

City Manager

Date Received

Date Returned

Received by City Clerk for
Board of Commissioners

Date Received

3.29 Temporary Limited Duty (TLD) Policy

- A. The City of Frankfort has established a program to assist employees in the event of injury or illness, either on or off the job, by offering temporary limited duty when employees are unable to perform regularly assigned duties and responsibilities. All TLD assignments shall be subject to the following:
1. This program is intended to provide temporary limited duty; in no way is it intended to be a permanent duty assignment;
 2. TLD assignments (either part-time or full-time) may be made only if meaningful work is available, and the assignment shall be terminated immediately upon approval for the employee to return to regular duties and responsibilities by a medical doctor. If meaningful work is available, any of the following arrangements may be made:
 - a. Employees may return to their regular job with alterations in duties;
 - b. Employees may be assigned limited duty within the same department; or
 - c. Employees may be assigned to duties in another department.
- B. Assignments
1. All TLD assignments shall be determined in advance by the Department Director in which the employee is assigned, and shall be approved by a medical doctor and the City Manager prior to the beginning of the TLD assignment.
 2. Work-related TLD has priority over non-work related TLD for assignments in the event that there are a limited number of TLD assignments.
 3. If there are no TLD assignments available, non-work related TLD employees shall be required to utilize accrued sick, vacation, compensatory and/or holiday leave time, or time-off-without-pay if accrued leave is exhausted. Employees on time-off without pay status as a result of non-work related injury or illness shall not accrue benefits, and shall be responsible for total insurance costs.
 4. Employees assigned to TLD shall report to duty at the assigned time and location, and perform duties as determined in advance. The hourly rate of pay shall remain unchanged during TLD assignments.
 5. Requests for leave shall be made in advance directly with the assigned supervisor, including vacation leave, time off for medical appointments, etc.
 6. Pay checks shall be picked up in the assigned department unless alternate arrangements are made prior to payday.
- C. Time elements
1. Non-work related
 - a. Non-work related TLD shall not exceed ninety calendar days; at the end of ninety days, employees may request the use of accrued leave with pay benefits; in the event an employee requests the use of family and medical leave of absence (up to 12 weeks) either with or without pay, the use of accrued leave with pay benefits shall be considered as part of the twelve-week period.
 - b. Forty-five calendar days into the TLD program, employees must present a

current statement from a medical doctor with an estimated date of return to regular duty in order to continue in the TLD assignment.

- c. Employees on non-work related TLD assignments shall utilize sick leave for all medical appointments.
 - d. Prior to returning to full duty, a statement from a medical doctor is required which gives full release for the employee to perform all essential job functions.
2. Work-related
- a. Upon assignment, work-related TLD shall not exceed 180 calendar days unless approved in advance by the City Manager; at least each 45 days employees on TLD shall present a current statement from a medical doctor with an estimated date of return to regular duty.
 - b. Employees on work-related TLD shall be entitled to up to 4 hours each week for medical appointments; therapy visits must be approved in advance, and documentation of visits must be presented to the assigned Department Director.
 - c. Prior to returning to regular duty, a statement from a medical doctor is required which gives full release for the employee to perform all essential functions.
- D. Any time during the period of injury/illness an employee believes that he will never again be able to perform the essential functions of his classification, the employee should seek counseling from the Department Director and/or Personnel Director regarding employment alternatives, including, but not limited to:
1. Seek a lateral transfer to a position where such duties can be performed, provided a vacancy exists and the employee meets the qualifications for the position.
 2. Apply for another position more compatible with the employee's physical condition, provided a vacancy exists and the employee meets the qualifications for the position.
 3. Apply for voluntary demotion to a vacant position, provided the employee meets the qualifications for the position.
 4. If disability warrants, submit application to CERS and/or Social Security.
 5. Seek employment outside the City service before TLD time has expired.