



CITY OF
WILLCOX
ARIZONA

Employee Handbook

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Introduction

010 Employee Handbook Introduction

This Employee Handbook has been prepared to inform you of the City of Willcox's history, philosophy, employment practices, and policies, as well as the benefits provided to you as a valued employee.

Disclaimer: This handbook is provided as a guide and is not to be considered a contract. The City of Willcox reserves the right to make changes to policies, procedures, and other statements made in the handbook. Business conditions, federal and state law and organizational needs may require the handbook to be re-written. This is necessary to successfully provide the appropriate employment relationship and to obtain the goals of the organization. No such change shall change the at-will nature of employment at the City of Willcox.

In addition: The policies contained in this Employee Handbook substitute and supersede any other employment policy or procedure previously issued, posted, distributed or practiced by the City of Willcox. All earlier policies and procedures related to employment with the City of Willcox are hereby retracted. The City of Willcox, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this Employee Handbook at any time without prior notice as business, employment legislation, and economic conditions dictate by Resolution of the Mayor and City Council.

When a policy in this Employee Handbook is deleted, it is retracted, and, similarly, if a policy is amended, the previous version is withdrawn as well. Any such action shall apply to existing as well as to future employees. Employees may not accrue eligibility for monetary benefits that they have not become eligible for through actual time spent at work. Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked. No one, other than the Mayor and Council, may alter or modify any of the policies in this Employee Handbook. Any alteration or modification of the policies in this Employee Handbook must be submitted in advance for the City Manager's review and then submitted for the Mayor and Council's approval by Resolution. No statement or promise by a supervisor, past or present, may be interpreted as a change in policy nor will it constitute an agreement with an employee. Should any provision in this Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only that particular provision. This Employee Handbook replaces any and all other previous versions of the City of Willcox Employee Handbooks, and all other policies whether written or oral. As stated above, all such previous versions of the Handbook and all other policies, whether written or oral, are hereby retracted and should not be referenced or used by City employees.

020 Employee Handbook Acknowledgement

The employee handbook describes important information about the City of Willcox. I understand that I should consult my supervisor or the Human Resources Department if I have any questions that are not answered in the handbook. I became an employee at the City of Willcox voluntarily. I understand and acknowledge that, unless a different employment relationship is established by law or contract, that there is no specified length to my employment at the City of Willcox and that my employment is at will. I understand and acknowledge that "at will" means that I may terminate my employment at any time, with or without cause or advance notice. I also understand and acknowledge that "at will" means that the City of Willcox may terminate my employment at any time, with or without cause or advance notice, as long as they do not violate federal or state laws.

I understand and acknowledge that there may be changes to the information, policies, and benefits in the handbook. I understand that the City of Willcox may add new policies to the handbook as well as replace, change, or cancel existing policies. I understand that handbook changes can only be authorized by the Mayor and Council of the City of Willcox by Resolution.

I understand and acknowledge that this handbook is not a contract of employment of a legal document. I have received the handbook and I understand that it is my responsibility to read and follow the policies contained in this handbook and any changes made to it.

I have read and understand the Employee Handbook and I agree to adhere to it.

*****A signed Acknowledgement will be filed in the personnel file***

030 City of Willcox Expectations

The City of Willcox needs your help in making each working day enjoyable and rewarding. Your first responsibility is to know your own duties and how to do them promptly, correctly and pleasantly. Secondly, you are expected to cooperate with management and your fellow employees and to maintain a good team attitude. How you interact with fellow employees and those whom the City of Willcox serves, and how you accept direction can affect the success of your department. In turn, the performance of one department can impact the entire service offered by the City of Willcox. Consequently, whatever your position, you have an important assignment: perform every task to the very best of your ability. You are encouraged to grasp opportunities for professional development offered to you. This handbook offers insight on how you can perform positively and to the best of your ability to meet and exceed the organization's expectations. We believe in appropriate direct access to management. We are dedicated to making the City of Willcox an organization where you can approach your supervisor to discuss any work-related problem or question. We expect you to voice your opinions to the City of Willcox management and contribute your suggestions to The City of Willcox management in order to improve the quality of our service to our customers.

040 Customer Relations

The success of the City of Willcox depends upon the quality of the relationships between The City of Willcox, our employees, customers and the general public. In a sense, regardless of your position, you are the City of Willcox's ambassador. The more goodwill you promote, the more our customers will respect and appreciate you, the City of Willcox and the City of Willcox's services. Below are several things you can do to help give our patrons a good impression of the City of Willcox. These are the building blocks for our continued success.

1. Act competently and deal with customers, guests and the public in general in a business-like, courteous and respectful manner.
2. Communicate pleasantly and respectfully with other employees at all times.
3. Follow up on questions promptly, provide businesslike replies to inquiries and requests, and perform all duties in an orderly manner.
4. Take great pride in your work and enjoy doing your very best.

050 Open Communication Policy

The City of Willcox encourages you to discuss any work-related issue you may have with a co-worker directly with that person. If a resolution is not reached, or if you are uncomfortable in addressing the issue directly with the co-worker involved, please arrange a meeting with your supervisor to discuss any concern, problem, or issue that arise during the course of your employment. Any information discussed in this meeting is considered confidential within the City of Willcox management, except as may be necessary in order to address the problem. Retaliation against any employee for appropriate usage of Open Communication channels is unacceptable and should likewise be reported to your supervisor or another member of the City of Willcox management as soon as possible. Please remember it is counterproductive to the City of Willcox for employees to create or repeat rumors or gossip about colleagues or the organization; whereas, it is constructive for an employee to consult his supervisor immediately with any questions or problems related to our workplace or employees.

060 Drug-Free Workplace Policy

The City of Willcox is a community in which responsibilities and freedoms are governed by policies and codes of behavior, including penalties for violations of these standards as stated in this Employee Handbook. The City of Willcox has a standard of conduct that prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by employees on City sites or during work time. The City of Willcox will impose disciplinary sanctions on employees ranging from educational and rehabilitation efforts up to and including termination of employment and referral for prosecution for violations of this policy. Each situation will be looked at on a case-by-case basis.

It is the goal of the City of Willcox to maintain a drug-free workplace. To that end, and in the spirit of the Drug-Free Workplace Act of 1988, the City of Willcox has adopted the following policies:

1. The unlawful manufacture, possession, distribution, or use of controlled substances is prohibited in the workplace and during work time.
2. Employees who violate this prohibition are subject to corrective or disciplinary action as deemed appropriate, up to and including termination.
3. As an on-going condition of employment, employees are required to abide by this prohibition and to notify, in writing and within five (5) days of a violation, her/his supervisor of any criminal drug statute conviction, they receive. Included in this requirement are convictions for Driving While Intoxicated (DWI) and Driving Under the Influence (DUI).
4. If an employee receives such a conviction, the City of Willcox may take appropriate personnel action against the employee, up to and including termination, depending on the relationship to the employee's job.
5. The City of Willcox provides referral to an Employee Assistance Plan for information about drug counseling and treatment.
6. The City of Willcox reserves the right to search and inspect all areas of the workplace and the City of Willcox premises for the maintenance of a safe and healthy workplace.

070 Suggestions

We encourage all employees to bring forward to the City of Willcox management their suggestions and good ideas about how our organization can be made a better place to work, and our service to customers enhanced. When you see an opportunity for improvement, please talk it over with your supervisor.

Employment

101 Nature of Employment

Unless a different employment relationship is established by law or contract, your employment with the City of Willcox is on an at-will basis. This means that neither you nor the City of Willcox has entered into a contract regarding the duration of your employment. You are free to terminate your employment with the City of Willcox at any time, with or without reason. Likewise, the City of Willcox has the right to terminate your employment, or otherwise discipline, transfer, or demote you at any time, with or without reason, at its sole discretion. No manager, supervisor or other employee of the City of Willcox can enter into an employment contract for a specified period of time, or make any agreement contrary to this at-will policy without approval by Resolution of the Mayor and City Council.

102 Equal Employment Opportunity

The City of Willcox is an equal employment opportunity employer. Employment decisions are based on merit and business needs, and not on race, ancestry, religion, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, citizenship, veteran status, or disability, and other protected classes as defined and required by state and federal laws. The President has issued the following policy stating the City of Willcox's views on this matter: It is the policy of The City of Willcox to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). We will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. We will also make a reasonable accommodation whenever possible for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on our Organization, in conformance with state and federal laws. Equal employment opportunity notices are posted on our main bulletin board as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any employee believes he or she has been discriminated against. Management is primarily responsible for seeing that our equal employment opportunity policies are implemented, but all members of the staff share in the responsibility for assuring that by their personal actions the policies are followed. Any employees, including managers, responsible for or involved in discriminatory practices or actions will be subject to termination.

103 Immigration Law Compliance

All offers of employment are contingent on verification of your right to work in the United States. On your first day of work you will be asked to provide original documents verifying your right to work and, as required by federal law, to sign federal Form I-9, Employment Eligibility Verification Form. If you, at any time, cannot verify your right to work in the United States, the City of Willcox may be obliged to terminate your employment.

104 Nepotism

It is the policy of the City of Willcox to allow family members to be employed by the City of Willcox. However, close relatives and domestic partners shall not be hired or transferred under the following conditions: a. when one close relative or domestic partner would supervise or evaluate the other; b. when one close relative or domestic partner would supervise or evaluate the immediate supervisor of the other. Close relative is defined as spouse, civil union partner/domestic partner (where state law is applicable), in-law relation, child (including biological, step-children, children of the employee's civil union partner/domestic partner, adopted children and individuals for whom the employee serves as a guardian or in loco parentis capacity), parents (including step-parents, parents of the employee's civil union partner, adopted parents, former guardians or an individual who cared for the employee in an in loco parentis capacity), parent of the employee's spouse or civil union partner, grandparents, sibling or sibling of the employee's spouse or civil union partner/domestic partner. If a relationship occurs that results in two employees of the City of Willcox becoming close relatives when they are currently in a position reflecting the aforementioned conditions, the employee must notify his or her supervisor. The supervisor, in consultation with the affected employees, will attempt to derive an alternate employment arrangement within the City of Willcox. If such an arrangement cannot be achieved within six months, the matter will be decided by the City Manager.

105 Employee Medical Examinations

The City of Willcox may require medical examinations to demonstrate the ability to perform certain job duties. After we make an offer to an applicant entering a designated job, applicants for City employment may at the City's discretion be required to submit to a medical examination that will be performed at the City's expense by a health professional selected by the City of Willcox. The offer of employment and assignment to duties shall be contingent upon satisfactorily completing the exam.

Current employees may be required to take medical examinations to determine the employee's physical/mental/emotional fitness for work. If an exam is needed, it will be scheduled at a reasonable time and interval and at the City's expense.

Information concerning medical/mental/emotional conditions or history is highly confidential and it will be kept separate from other personnel information. Access to this information is limited only to persons who have a legitimate need to know.

106 Conflict of Interest

It is expected that employees of the City of Willcox will use sound judgment at all times in avoiding actions or commitments that might create conflicts of interest, or that might do harm to the Organization's business position. In particular, City funds, materials, supplies, proprietary or inside information, or other resources shall not be used in any way to advance an employee's personal business, financial, or other interests.

107 Confidential Information

Employees deal with and have access to information that must stay within the Organization. Confidential Information includes, but is not limited to, information that is related to: our customers, suppliers, distributors; the City of Willcox management and marketing processes, plans and ideas, processes and plans; our financial information, including costs, prices; current and future business plans, our computer and software systems and processes; personnel information and documents, and our logos, and art work. No employee is permitted to share this Confidential Information outside the organization, or to remove or make copies of any the City of Willcox records, reports or documents in any form, without prior management approval. Disclosure of Confidential Information could lead to termination, as well as other

possible legal action. Nor are the City of Willcox employees free during or after employment to use the City of Willcox Confidential Information, in any form, for their own purposes or for those of other persons or entities. All the City of Willcox Confidential Information, regardless of the form, must be returned to the organization at the termination of employment with the organization.

108 Disability Accommodation

The City of Willcox is committed to complying full with the Americans with Disabilities Act (ADA). We are also committed to ensuring equal opportunity in employment for qualified person with disabilities. We conduct all our employment practices and activities on a non-discriminatory basis.

Our hiring procedures have been reviewed and they provide meaningful employment opportunities for persons with disabilities. When asked, we will make job applications available in alternative, accessible formats. We will also give assistance in completing the application. We only make pre-employment inquiries regarding an applicant's ability to perform the duties of the job.

We require post-offer medical examinations only for jobs that have bona fide job-related physical requirements. An examination will be given any person who enters the job, but only after that person has been given a conditional job offer. We keep medical records separate from other personnel files and confidential.

Reasonable accommodation is available to an employee with a disability when the disability affects the performance of job functions. We make our employment decisions based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. We make all types of leaves of absence available to all employees on an equal basis.

The City of Willcox is also committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with disability. The City of Willcox will follow any state or local law that gives more protection to a person with a disability that the ADA gives.

The City of Willcox is committed to taking all other actions that are necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and other applicable federal, state, and local laws.

109 Background Checks

The City of Willcox conducts background checks on the City of Willcox candidates post-offer (contingency offer). The City of Willcox may also use a third party administrator to conduct background checks. The type of information that can be collected by this agency includes, but is not limited to, a criminal background check, education, employment history, credit, and professional and personal references. This process is conducted to verify the accuracy of the information provided by the candidate and determine his/her suitability for employment.

The City of Willcox will ensure that all background checks are held in compliance with applicable federal and state statutes, such as the Fair Credit Reporting Act. All criminal background screens are conducted post-offer (contingency offer). However, as part of Title VII of the Civil Rights Act, this information cannot be used as a basis for denying employment, unless it is determined to be job-related. The City of Willcox reserves the right to make the sole determination concerning information or any employment decision arising out of the background check. The City of Willcox requires all contractors who routinely perform work for the City of Willcox to be in compliance with this policy.

Offer of Employment Process: Once a candidate has been identified for hire, the hiring manager submits an Employment Recommendation Form to the Human Resources Department. At that time, the Human Resources Office will extend an offer of employment to the finalist. When verbally making the offer of employment to the successful candidate, they will inform the candidate that the offer is contingent upon the successful results of the background check. The Human Resources Department then conducts any and all applicable background checks on the final candidate.

General Guidelines

New Hires: Background checks are required for all new hires. This includes all full-time, part-time and temporary part-time employees. The background check must be completed and results verified before any employee begins work. At no time should an employee begin work until the Human Resources Department has verified results of the background check.

Rehires: A background check is required for all rehires that have been separated for longer than 90 days.

Employment Contingency: Background checks are to be processed after a contingent offer of employment has been extended to the applicant. Note: The offer of employment is contingent upon the successful results of the background check.

Authorization by Applicant: The candidate must authorize the background check. This is done by having the applicant complete the City of Willcox form. This form is available to the applicant on the City of Willcox website and can be sent via e-mail to the candidate as well. To expedite the process, the candidate may fax the completed and signed form to the Human Resources Department.

Note: All applicants must complete an Application for Employment and Employment Background Authorization form as this is required to be submitted to the administrator conducting the background check.

Verification of Background Checks: The results of the background check will be sent directly to the Human Resources Department. The City of Willcox will review the report. If any discrepancies or criminal history are noted, the City of Willcox will notify Human Resources and Legal Council for final determination. The City of Willcox reserves the right to consult with the hiring department, or any other pertinent office such as the City Manager or the Chief of Police. If the background check is favorable, the Human Resources Department will notify the hiring manager that the candidate is approved to begin employment.

Adverse Action Notifications: If a background check is returned with unfavorable results, the Human Resources Department will notify the hiring Director. The Human Resources Department will contact the candidate to inform him/her that the City of Willcox is rescinding its contingent offer of employment and that he/she will receive written notification under the Fair Credit Reporting Act. The City will give the candidate the opportunity to review a copy of the report, which informs him/her of his/her rights to dispute inaccurate information.

110 Outside Employment

The City of Willcox may allow its employees to hold an outside job(s) providing he or she can satisfactorily perform his or her the City of Willcox job without causing interference with the City employment scheduling demands or otherwise affecting the employee's job with the City. Prior approval from the City Manager must be obtained before any outside employment is undertaken. All employees will be held to the same standards of performance and scheduling expectations, regardless of any outside job. If the City determines that outside work is adversely affecting the City's image or impacting an employee's performance and the ability to adequately perform his or her job requirements, which may change over time, the employee will be required to terminate the outside job in order to remain employed at the City of Willcox.

111 Work Schedule - Attendance

Your particular hours of work and the scheduling of your meal period will be determined and assigned by your immediate supervisor. Should you have any questions concerning your work, please ask your supervisor.

Attendance: The City of Willcox expects you to be ready to work at the beginning of your assigned daily work hours. Please let your supervisor know if you will be away from your work location for an extended period of time and when you expect to return. You will be expected to make every effort to talk directly

with your supervisor; voice mail messages should only be used as a last resort.

Absence or Lateness: From time to time, it may be necessary for you to be absent from work. The City of Willcox is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside your work hours may arise. The City provides time off for these reasons outlined within the Leave of Absence section of this Manual. If you are unable to report to work, or if you will arrive late, please contact your supervisor immediately. If you know in advance that you will need to be absent, please request this time off directly from your supervisor. If your absence is for a scheduled medical appointment, please refer to our policy and procedure for Family Medical Leave (FMLA) set out in this Employee Handbook. When you call in to inform the City of an unexpected absence or late arrival, please ask for your supervisor. If you're arriving to work late, please let your supervisor know when you expect to arrive for work. If you are unable to call in yourself because of an illness, emergency or for some other reason, be sure to have someone call for you.

Absence from work for three (3) consecutive days without notifying your supervisor may be considered a voluntary resignation. If you are absent because of an illness for three (3) or more successive days, your supervisor may request that you submit written documentation from your doctor stating you are able to resume normal work duties before you will be allowed to return to work. (The City of Willcox will pay for this certification if it entails charges in addition to those that you have already incurred for treatment.)

FMLA may also be run for absences of three or more days or in the case of absence due to a chronic health condition. A consistent pattern of absences that do not qualify for FMLA leave may be considered excessive, and may be cause for concern and/or discipline.

In addition, excessive lateness or leaving early without letting your supervisor know will be considered lateness pattern and may carry the same weight as an absence. Other factors, like the degree and reason for the lateness, will be taken into consideration. Your supervisor will make a note of any absence or lateness, and their reasons, in your personnel file. Be aware that excessive absences, lateness or leaving early may lead to disciplinary action, including possible dismissal.

112 Disciplinary Actions

This Disciplinary Actions Policy applies to all employees. This policy pertains to matters of conduct as well as the employee's competence on the job.

Discipline Procedure: Unacceptable behavior that does not lead to immediate dismissal may be dealt with by any of the following interventions, taken in any order, as your supervisor determines is appropriate.

Verbal Reminder: Your supervisor will meet with you to discuss the problem or violation, to make sure that you understand the nature of the problem or violation and the expected remedy. The purpose of this conversation is to remind you of exactly what the rule or performance expectation is and also to remind you that it is your responsibility to meet the City of Willcox's expectations. Your supervisor will fully document the Oral Reminder, which will remain in effect for an established period of time.

Written Warning: If you are in violation of the City of Willcox's practices, rules or standards of conduct, your supervisor will discuss the problem with you, emphasizing the seriousness of the issue and the need for you to immediately remedy the problem. After the meeting your supervisor will write a memo to you summarizing the discussion and your agreement to change. A copy of the memo will be placed in your personnel file. The Written Warning will remain in effect for an established period of time to be determined by your supervisor.

Decision-Making Leave / Counseling Session: If your performance does not improve within the established period following the Written Warning, if you are again in violation of the City of Willcox's practices, rules or standards of conduct, or if your supervisor determines that this intervention is otherwise appropriate, you may be placed on Decision-Making Leave. Decision-Making Leave is a paid, one (1) day disciplinary suspension. Employees on Decision-Making Leave may spend the following day away from

work deciding whether to commit to correcting the immediate problem and to conform to all of the organization's practices, rules and standards of conduct, or to terminate their employment with the City of Willcox. If your decision following the Decision-Making Leave is to return to work and abide by City practices, rules and standards of conduct, your supervisor will outline the consequences of failing to meet this commitment. You will be required to sign the letter to acknowledge receipt. A copy will be placed in your personnel file. You will be allowed to return to work with the understanding that if a positive change in behavior does not occur, or if another disciplinary problem occurs within a set period of time, you may be terminated. If you are unwilling to make such a commitment, you may either resign or be terminated.

Crisis Suspension: If you commit any of the actions listed below, or any other action not specified but similarly serious, you may be suspended without pay pending an investigation of the situation. Following the investigation you may be terminated without any previous disciplinary action having been taken.

1. Theft.
2. Falsification of the City of Willcox's records.
3. Failure to follow safety practices.
4. Breach of Confidentiality Agreement or Confidential Information Policy.
5. Threat, or the act of any type of workplace violence.
6. Willful or negligent destruction of organization or employee property.

The provision of this Disciplinary Policy is not a guarantee of its use. The City of Willcox reserves the right to terminate employment at any time, with or without reason. Additionally, the City of Willcox reserves the right to prosecute any employee for any of the above infractions.

113 Termination of Your Employment

The City of Willcox may consider you to have voluntarily terminated your employment if you do any of the following:

1. Resign from the City of Willcox;
2. Fail, without prior notice and request for extension, to return from an approved leave of absence, including FMLA, on the date specified by the City of Willcox; or
3. Fail to report to work or call in for three (3) or more consecutive workdays.

You may be terminated for poor performance, misconduct, excessive absences, tardiness, discrimination, harassment, or other violations of the City of Willcox policies. However, unless a different employment relationship is established by law or contract, your employment is at-will, and you and the City of Willcox have the right to terminate your employment for any reason that is not against the law, or for no reason.

114 In-house Job Posting

Our job-posting program provides you with the opportunity to indicate your interest in open positions and advancement within the City according to your skills and experience. In general, we post all regular full-time job openings, although the City of Willcox reserves its right not to post a particular opening.

Job openings will be posted on the employee bulletin board and normally remain open for three (3) working days. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, essential duties, and qualifications (required skills and abilities).

The City recognizes the benefit of developmental experiences and encourages you to talk with your supervisor about your career plans. The City also encourages supervisors to support employees' efforts to gain experience and to advance within the City of Willcox. After you apply for a job, your supervisor may be contacted to verify your performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

Employment Status & Records

201 Employment Classifications

At the time you are hired, you are classified as full-time or part-time. In addition, you are classified as either non-exempt or exempt. All policies described in this Employee Handbook apply to all employees. Please note, however, that certain wage, salary and time off limitations apply only to non-exempt employees, and selected benefits may be extended to exempt employees. If you are unsure of which job classification your position fits into, please ask your supervisor.

Non-Exempt and Exempt Employees: At the time you are hired, you will be classified as either exempt or non-exempt. This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours actually worked in excess of forty (40) hours per workweek. These employees are referred to as non-exempt in this Employee Handbook. This means that they are not exempt from (and therefore should receive) overtime pay. Exempt employees are managers, executives, administrators, professional staff, highly-skilled computer professionals and any others whose duties and responsibilities allow them to be exempt from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws. If you are an exempt employee, you should be advised that you are in this classification at the time you are hired.

Full-Time Employees: An employee who works at least 30 hours per week year round is considered a full-time employee. Unless otherwise specified, the benefits described in this Employee Handbook apply only to full-time employees.

Part-Time Employees: An employee who works less than 30 (the minimum number of hours specified to be classified as a full-time employee) hours per week is considered a part-time employee. If you are a part-time employee, please understand that you are not eligible for all benefits described in this Employee Handbook, except as granted on occasion, or to the extent required by provision of state and federal laws.

Temporary Employees: Employees who are hired as interim replacements to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond the initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until they are notified of a change. While temporary employees receive all legally mandated benefits (such as Social Security and workers compensation insurance), they are ineligible for all other the City of Willcox benefit programs.

Emergency Appointments: In the event of an emergency, the City Manager may select and appoint persons without regard to the policies and procedures governing appointments, but in no case shall such emergency appointments continue longer than ninety (90) days. However, the City Manager may renew the appointment for up to an additional ninety (90) days with the expressed understanding that the appointment is for a fixed period that will terminate at the end of the emergency appointment.

Volunteer: Any person aged 16 or over who is accepted to volunteer within a City department and who provides a non-compensated service to the City of Willcox.

202 New Employee Orientation

On your first working day, you will be asked to complete employment paperwork. Depending on your department's workload, your supervisor will introduce you to your co-workers and the layout of the office. Please feel free to ask your colleagues any questions not answered during your orientation.

203 Anniversary Date

The first day you report to work is your official anniversary date. Your anniversary date is used to compute various conditions and benefits described in this Employee Handbook.

204 Personnel Records Updates and Review

The task of handling personnel records and related personnel administration functions at the City of Willcox has been assigned to Human Resources. Questions regarding insurance and interpretation of policies may be directed to this position. Questions pertaining to your wages should be directed to Human Resources.

Your Personnel File: Keeping your personnel file up-to-date is important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the items listed below, please be sure to notify Human Resources as soon as possible.

1. Legal name
2. Home address
3. Home telephone number
4. Person to call in case of emergency
5. Number of dependents
6. Marital status (including civil unions or domestic partner status if applicable under state laws)
7. Change of beneficiary
8. Driving record or status of driver's license, if you operate any the City of Willcox vehicles
9. Military status
10. Exemptions on your W-4 tax form
11. Training Certificates
12. Professional License
13. Upon experiencing a family status change, please notify Human Resources within thirty (30) days for benefit modifications, if necessary.

You may see information which is kept in your own personnel file if you wish, and you may request and receive copies of all documents you have signed; provided that the Organization reserves the right not to provide copies of documents in your personnel file, even if signed by you, that contain trade secrets or other Confidential Information. If you wish to review your file please contact the Human Resources office to schedule a time to meet.

Your Medical Records File: All medical records, e.g. related to FMLA Leave, Workers Compensation and Disability will be kept in a separate confidential file. The City of Willcox maintains this information in the strictest confidence, and only the Human Resources Personnel and his/her designee have access to the file itself. They will not disclose the information it contains, except to the City of Willcox managers or first-aid or safety personnel on an as-needed basis, without the employee first having signed an authorization form permitting such disclosure or use, unless the law requires otherwise.

205 Performance Reviews

The City of Willcox conducts an annual review for each employee. A review may also be conducted in the event of a promotion or change in duties and responsibilities. During a formal performance review your supervisor may cover the following areas: - The quality and quantity of your work. - Strengths and areas for improvement. - Attitude, behavior and willingness to work. - Initiative and teamwork, including communication skills. - Attendance, Safety, Problem solving skills. - Ongoing professional growth and development.

Your review provides an opportunity for collaborative, two-way communication between you and your supervisor. This is a good time to discuss your interests and future goals. The performance review gives your supervisor an opportunity to suggest ways for you to advance and make your job at the City of Willcox more fulfilling. Your supervisor can answer any questions you may have about the performance review process. In addition to individual job performance reviews, the City of Willcox periodically conducts a review of job descriptions to ensure that we are fully aware of any changes in the duties and responsibilities of each position and those changes are recognized and adequately compensated. Please inform your supervisor if you consider that your job description is inaccurate.

The responsibility for properly completing the evaluation rests with the immediate supervisor, who is

responsible for ensuring that the reports are accurate and fair. The immediate supervisor has ten (10) days prior to the employees annual review date to complete the evaluations.

Special Reviews: These may be performed by your supervisor at their discretion.

206 Job Descriptions

The City of Willcox makes every effort to create and maintain accurate job descriptions for all positions within the City. Each description includes sections for job information; a job summary (giving a general overview of the job's purpose); essential duties and responsibilities; supervisory responsibilities; qualifications (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required); physical demands; and work environment.

Job descriptions are used to help new employees understand their job duties and to set standards for employee performance evaluations. Job descriptions are also used to identify the requirements of each position, establish hiring criteria, and establish a basis for making reasonable accommodations for individuals with disabilities.

The Human Resources office and the hiring Director prepare job descriptions when new positions are created and are approved by the City Manager. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the positions duties and responsibilities. All new job descriptions and modifications to existing job descriptions must be approved by the City Manager before becoming effective. Each employee is responsible to help ensure that his or her job description accurately reflects the work he or she is responsible to complete.

Job descriptions do not necessarily cover every task or duty that an employee may be assigned. Additional responsibilities may be assigned as necessary. You may contact your supervisor or the Human Resources office if you have any questions or concerns about your job description.

Compensation

301 Wage and Salary Policies

Compensation Philosophy: It is the City's goal to pay all regular employees' wages and salaries that are competitive with other employers in the marketplace in a way that will be motivational, fair and equitable. The City of Willcox applies the same principles of fairness to all employees, regardless of race, ancestry, religion, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, veteran status, or disability, as defined and required by state and federal laws.

Basis for Determining Pay: Several factors may influence your rate of pay. In addition to its business needs and financial capacity, some of the factors the City considers in setting compensation are the nature and scope of your job, what other employers pay their employees for comparable jobs (external equity), what the City pays their employees in comparable positions (internal equity), as well as individual the City of Willcox performance. It is the City of Willcox's goal to have a current job description on hand, which broadly defines your job responsibilities.

Pay Cycle: The City of Willcox will pay you on a bi-weekly pay cycle. Our pay period and workweek for overtime purposes runs from Monday–Sunday, and paychecks are distributed to employees on the Friday following the end of the pay period.

Pay Advances: The City of Willcox does not provide pay advances on unearned wages to its employees.

Time Records: The nature of our business requires that we take the issue of recording time worked seriously. Further, and by law we are obligated to keep accurate records of the time worked by each employee. This is done by time sheets for non-exempt employees. You are responsible for

accurately recording your time. No one may record hours worked for another employee and tampering with another employee's time record is cause for disciplinary action, up to and including termination of both employees. In the event of an error in recording your time, please report the matter to your supervisor immediately.

Mandatory Deductions from Paycheck: The City of Willcox is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal, state and local income taxes and your contribution to Social Security, Medicare and State Funded Retirement Systems (ASRS & PSPRS) as required by law. These deductions will be itemized on your check stub. The amount of the deductions will depend on your earnings and on the information you furnish on your W-4 form regarding the number of exemptions you claim. If you wish to modify this number, please request a new W-4 form from Human Resources immediately. Only you may modify your W-4 form. Verbal or written instructions are not sufficient to modify withholding allowances. We advise you to check your pay stub to ensure that it reflects the proper number of withholdings. The W-2 form you receive annually reflects how much of your earnings were deducted for these purposes. Any other mandatory deductions to be made from your paycheck, such as court-ordered garnishments, or child support, will be set out on your pay stub whenever the City of Willcox is ordered to make such deductions.

Direct Payroll Deposit: Direct payroll deposit is the automatic deposit of your pay into the financial institution accounts of your choice. If you are not currently enrolled in direct deposit of your pay, but would like to do so please contact Human Resources. Written authorization is required to deposit your pay through electronic funds transfer or other direct deposit systems.

Error in Pay: Every effort is made to avoid errors in your paycheck. If you believe an error has been made, please contact Human Resources. They will take the necessary steps to research the problem and to assure that any necessary correction is made promptly.

Overtime Pay: When operating requirements or other needs cannot be met during regular hours, employees may be scheduled to work overtime. When possible, advance notification of these assignments will be provided. When required, overtime work is a job requirement for all the City of Willcox non-exempt employees. All overtime work requires the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Overtime compensation is paid to all non-exempt employees in accordance with the federal and state wage requirements, and is based upon actual hours worked. Time off for Vacation or Sick leave will not be considered hours worked for purposes of performing overtime calculations. For overtime purposes, the City of Willcox workweek runs from Monday 12:00 a.m. to Sunday 11:59 p.m.

Compensatory Time Off: The City of Willcox does offer compensatory time off, ("comp time"), to all non-exempt employees in lieu of overtime pay for overtime hours worked. The compensatory time accrued by each employee shall not exceed forty (40) hours. Employees designated as exempt are not eligible for compensatory time. Also, time off in the same workweek may be provided in order to avoid the City's incurring an overtime obligation. The City reserves the right to make this type of adjustment in the work schedule for any non-exempt employee.

Stand-by Compensation: Employees assigned to stand-by duty by their supervisors shall be compensated and governed by the following:

- Stand-by duty requires that employees so assigned:
 - Be ready to respond within the required time to the calls for their services;
 - Be readily reachable by telephone or paging device;
 - Remain within a specified distance or time from their work stations; and
 - Refrain from activities that might impair their ability to perform their assigned duties.
- Compensation for stand-by duty time shall be at the rate of one (1) hour per day for each day on such stand-by duty and shall be paid at the same time as scheduled for the pay period in which the stand-by duty was performed.
- Employees other than those exempted from overtime compensation shall, when called to active duty while on stand-by duty status, be compensated for such active duty at the applicable overtime rate.

Work time for employees called to active duty while on stand-by status shall begin at the time of notification to report to a job site and shall continue until the employee completes work and returns to home (or the location called out from), or the nearest regular work site, whichever is the shortest distance. A minimum of one (1) hour at the appropriate rate shall be paid in those cases when an employee on stand-by status is required to report to a job site.

- No employee or other qualified person shall be paid for stand-by duty time and other compensable duty time simultaneously.

Wage Garnishments: If court-ordered wage garnishments require deductions to be taken from your paycheck, you will be notified, and it will appear on your pay stub.

302 Other Compensation Programs and Policies

Promotion and Transfer Policy: The City of Willcox has a policy of providing our employees with opportunities for advancement within the organization. Approval of promotions or transfers depends largely upon training, experience, and work record. Promotions and transfers are made without regard race, ancestry, religion, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, veteran status, or disability, as defined and required by state and federal laws.

Pay Rates and Reduction in Grade: A position may be reclassified to a lower level classification, or the classification may be assigned to a lower salary range. An employee's salary will be frozen if the new maximum is lower than the incumbent's salary. The employee will receive no salary increases until the new maximum salary is higher than the employee's salary.

Pay Rates in Transfer: If an employee is transferred, his/her rate of pay for a new classification should be within the compensation range established for that job position.

Pay Rates in Promotion: If an employee is promoted, his/her rate of pay shall be determined as follows: If the rate of pay for the former position is less than the minimum rate established for the salary in the new position, the rate shall be advanced to at least the minimum of the new position.

Pay Adjustments: Performance pay adjustments are normally effective on the employee's anniversary date. Employees may qualify for a pay increase after twelve (12) consecutive calendar months of service in the current classification. The Department Director with the approval of the City Manager may shorten the twelve (12) month period. If service is interrupted or if the employee is promoted, a new performance evaluation date and the twelve (12) consecutive calendar month period will begin on the date of rehire or promotion.

Pay increases are not given for longevity but must be earned by maintaining or exceeding expected standards of performance. Pay increases depend upon increased service value of an employee to the City as exemplified by written recommendation of the supervisor, length of service, performance evaluation, special training undertaken, licensing relevant to the position or other pertinent evidence in compliance with the adopted salary plan.

No pay increase shall exceed the maximum rate established for the position to which an employee has been appointed except with approval of the City Manager.

If the performance evaluation reflects below average performance, action may be taken to demote, reassign or terminate employment for performance reasons. A position may be reclassified to a higher classification, or the classification may be assigned to a higher salary maximum. An affected employee may or may not receive a salary increase.

Pay adjustment questions are not subject to review or appeal through the Problem Resolution Policy (620).

The salary plan may be amended from time to time by action of the Mayor and City Council. Requests for amendments and revisions to the pay plan shall be submitted to the Mayor and City Council by the City Manager. In the event the pay plan for a position is re-evaluated by the City Manager, and subsequently the Mayor and City Council, authorizes implementation, and results in an increased salary range for the

position, the employee shall retain his/her current salary within the range or assume the entry level step of the new range, whichever is greater.

Termination Pay: All involuntarily terminated employees shall receive their final paycheck within five (5) working days of their termination. Prior to issuing the final paycheck, the City Manager or his/her designee shall ascertain from the Department Director that the terminating employee has completed the out-processing in the department and has turned in all equipment and City property. The Human Resources office will ensure that all records are properly closed.

303 Holidays

The City of Willcox gives holiday time off to all employees on the following recognized holidays:

- * New Year's Day (January 1)
- * Martin Luther King, Jr. Day (third Monday in January)
- * President's Day (second Monday in February)
- * Memorial Day (last Monday in May)
- * Independence Day (July 4)
- * Labor Day (first Monday in September)
- * Columbus Day (second Monday in October)
- * Veterans' Day (November 11)
- * Thanksgiving (fourth Thursday in November)
- * Friday after Thanksgiving
- * Christmas Eve (December 24) Half Day
- * Christmas (December 25)
- * New Year's Eve (December 31) Half Day
- * Floating Holiday- Birthday or other special day of choice

We provide recognized holiday time off with pay to eligible employees immediately upon assignment to an eligible employment classification. If you are eligible for recognized holiday, your holiday pay will be calculated on your straight-time pay rate as of that recognized holiday multiplied by the number of hours you would normally have worked on that day.

Employees in the following employment classifications are eligible for paid holiday time off:

- * Full-time employees
- * Part-time employees will receive half rate for observed holidays

If you are eligible for paid holidays and on the holiday you are on an approved paid absence, such as vacation or sick leave, you will get holiday pay instead of the Vacation/Sick pay you would have received.

When a recognized holiday that falls on a Saturday it will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. If this subsection language would cause two holidays to overlap (i.e. if Christmas Holiday were to fall on a Saturday it would overlap Christmas Eve Holiday), then the earlier recognized Holiday will be observed on the preceding regular scheduled work day (i.e. In the above case the Christmas Eve holiday would be observed on Thursday December 23).

If eligible nonexempt employees work on a recognized holiday, the employees will receive holiday pay plus wages at one and one-half times their straight-time rate for the hours worked on the holiday. It should be noted that Public Safety and other essential service employees might be required to be on duty on holidays in the interest of public health, safety, or general welfare of the City. Paid time off for holidays will be counted as hours worked for the purposes of determining overtime pay.

Floating Holiday: The Floating Holiday must be used as a full 8-hour block of time or a full 4-hour block of time in direct proportion to accrual eligibility. Floating Holiday time may not be used incrementally and shall not under any circumstances carry over into the following year. The day selected by the employee to be the Floating Holiday is subject to approval by the supervisor to assure effective operations.

304 Vacation

The City of Willcox offers vacation leave with pay to eligible employees for rest, relaxation, and personal pursuits. Employees in the following employment classifications are eligible to earn and use vacation:

- * Full-time employees
- * Part-time employees - (accrue at half rate)

The amount of paid vacation time you receive each year increases with the length of your employment as shown in the following schedule:

*Upon initial eligibility the employee is entitled to 10 vacation days each year, accrued biweekly at the rate of 3.08 hours.

*After 2 years of eligible service, the employee is entitled to 12 vacation days each year, accrued biweekly at the rate of 3.69 hours.

*After 5 years of eligible service the employee is entitled to 15 vacation days each year, accrued biweekly at the rate of 04.62 hours.

*After 10 years of eligible service the employee is entitled to 18 vacation days each year, accrued biweekly at the rate of 5.54 hours.

*After 15 years of eligible service the employee is entitled to 20 vacation days each year, accrued biweekly at the rate of 6.15 hours.

The length of eligible service is calculated based on a benefit year. A benefit year is defined as the twelve (12) month period that begins at date of hire. Your benefit year may be extended for any significant leave of absence except military leave of absence. (Military leave does not affect the benefit year calculation.) See the leave of absence policies in this Handbook for more information.

You may use vacation time in minimum increments of half hour after you complete 90 calendar days of employment. To schedule vacation time, you should first request advance approval from your supervisor. Each request will be reviewed based on a number of factors, including the City's business needs and staffing requirements.

Vacation time off is paid at your base pay rate at the time of the vacation. It does not include overtime or any special forms of compensation such as shift differentials.

You are encouraged to use your available paid vacation time for rest, relaxation, and personal pursuits. In the event that you do not use your available vacation by the end of the benefit year, you may carry over the unused time to the next benefit year. If the total amount of unused vacation time reaches the cap, your vacation accruals will stop. When you use vacation time again and the available amount falls below the cap, your vacation accruals will resume.

Accrual allowance:

One (1) to Ten (10) years of service	160 hours maximum
Eleven (11) or more years of service	240 hours maximum

Exceptions to this policy may be made by the City Manager with written justification from the Department Director. In such cases, the City Manager may permit arrangements to compensate the employee for loss of accrued time.

If your employment terminates, you will be paid for any unused vacation time that has been earned through your last day of work. However, if the City of Willcox, in its sole discretion, terminates your employment for cause, your unused vacation time may be forfeited.

305 Sick Leave

The City of Willcox provides paid sick leave benefits to eligible employees for periods of temporary absence due to illnesses or injuries. Employees in the following employment classifications are eligible for sick leave:

- * Full-time employees
- * Part-time employees (accrue at half rate)

Eligible full-time employees will accrue sick leave benefits at the rate of twelve (12) days per year (1 day for every full month of service); regular part-time employees will accrue sick leave benefits at the rate of six (6) days per year. Sick leave benefits are calculated based on a benefit year. Sick leave calculations begin at date of hire. An employee must complete 90 days of active employment in order to be eligible to use sick leave benefits.

Paid sick leave may be used in increments of one hour. You may use sick leave benefits for an absence due to your own illness or injury, or that of your child, parent, or spouse.

If you are unable to report to work due to illness or injury, you should notify your supervisor before the scheduled start of your workday if possible. Your supervisor must also be contacted on each additional day of absence.

If you are absent for three (3) or more consecutive work days due to illness or injury, a physician's statement must be provided verifying the condition and its beginning and expected ending dates. The same verification may be requested for other sick leave absences as well and may be required as a condition of receiving sick leave benefits. Before returning to work from a sick leave absence of three (3) work days or more, you must provide a physician's verification that you may safely return to work.

Sick leave benefits will be calculated using your base pay rate at the time of the absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

As an additional condition of eligibility for sick leave benefits, if you are on an extended absence, you must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that you are eligible to receive from state disability insurance, workers' compensation, or the City of Willcox provided disability insurance programs. The combination of any such disability payments and sick leave benefits may not exceed your normal weekly earnings.

Unused sick leave benefits will be allowed to accumulate until you have accrued a total of 1000 hours of sick leave benefits. If your benefits reach this maximum, further accrual of sick leave benefits will be suspended until you have reduced the balance below the limit.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. You will not be paid for unused sick leave benefits either while you are employed or upon resignation, or termination of employment.

Transfer of sick leave accrual to fellow employees:

All full-time and part-time City employees with accrued sick leave may donate a percentage of this accrued time to a fellow employee who has experienced or is experiencing a catastrophic illness. For purpose of this policy, catastrophic illness is defined as any illness, which causes great harm or damage to an individual's health. The City Manager will have the authority to determine and provide final approval regarding this definition.

All accrued sick leave will be transferred on a percentage basis. This basis will be determined by utilizing the hourly wage of the employee donating the accrued sick time with the hourly wage of the employee receiving the accrued sick leave.

Example: Employee A with an hourly wage of \$8.98 wishes to transfer 80 hours of accrued sick leave to Employee B with an hourly rate of \$7.77.

Method: $\$8.98 \times 80 = 718.40$
 $718.4 / 7.77 = 92.46$ hours.
Result: Employee B would receive 92.46 hours of accrued sick leave.

An employee cannot donate more than two hundred (200) accrued sick leave hours in a fiscal year. An employee cannot receive more than the maximum sick leave accrual allowed as stated in this Employee Handbook (1000 hours). For an employee to be eligible to receive a donation of accrued sick

time from a fellow employee, that employee must have or will have exhausted all accrual of his/her respective bank of leave time. This will include sick leave, vacation time and compensatory time. The procedure necessary to transfer sick leave hours to a fellow employee is as follows:

- A. The employee or the Department Director may discuss the employee's need for donated sick leave with the City Manager and the Human Resources Office.
- B. Upon approval from the City Manager, the Human Resources Office will issue a memo requesting voluntary donations for a fellow employee due to a serious illness or injury. The first request will be posted on the bulletin boards in all staff areas for a period of two (2) weeks. If a second request is needed it will be posted on staff bulletin boards for one (1) week.
- C. Employee requesting to transfer sick leave accrual must complete a written document outlining the number of hours to be donated to the Human Resources Office within the two-week period.
- D. The payroll department will review the request to ensure the employee has sufficient accrued sick leave hours to complete the transfer.
- E. A computation of the amount of accrued hours approved will be conducted utilizing the above example. The transfer of the approved hours will transpire at the next regular processing of the City Payroll.

All transfers are the final decision of the City Manager. The City Manager has the express authority to approve or deny any and all requests.

Compensation for employees upon retirement:

To promote longevity, loyalty, productivity and to discourage misuse of sick leave, compensation will be paid to employees upon retirement for accumulative sick leave based on the following:

- A. Accumulation of 300 to 499 hours, employees receive 10% of their hourly salary for each hour of accumulated leave.
- B. Accumulation of 500 to 749 hours, employees receive 25% of their hourly salary for each hour of accumulated leave.
- C. Accumulation of 750 to 1000 hours, employees will receive 50% of their hourly salary for each hour of accumulated leave.
- D. Full-time or part-time employees hired after May 21, 2007 will receive 10% of their hourly salary for up to 500 hours only.

Retirement is defined for the purpose of this buy-out as processing out through either the ASRS or PSPRS retirement system and completing the required paperwork to begin drawing from either retirement system.

306 Medical Appointment

An employee shall be allowed up to six (6), two (2) hour leaves for appointments, within a calendar year, without reduction in sick leave for medical, optical, or dental examination and treatment. Requests exceeding this provision shall be charged to Sick leave.

If an employee requires more than two (2) hours for a medical, dental or optical appointment, the absence is considered an illness and sick leave shall be charged. The Department Director must authorize all time off for use of this Medical Appointment benefit.

Benefits

401 Insurance Coverage

Group Insurance Programs: The City of Willcox is dedicated to the health and well-being of both you and your family; therefore, a comprehensive insurance program is available to you and your family. The following benefits are available and are described in the literature provided by our insurance carrier(s): - Medical Care Coverage (to include prescription coverage) - Vision Care - Dental Insurance - Life Insurance - Accidental Death and Dismemberment - Short Term Disability - Long Term Disability. For more information on rates, premiums and coverage's please see the Human Resources Administrator.

402 HIPAA

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) limits exclusions for preexisting conditions; prohibits discrimination against employees and their dependents based on health status; guarantees renew-ability and availability of health coverage to certain employees and individuals; and protects many workers who lose health coverage by providing better access to individual health insurance.

The special enrollment rights apply without regard to the dates on which an individual would otherwise be able to enroll under the plan. Special Enrollment periods apply to you and/or your dependents, if you have a new dependent as a result of marriage, birth, adoption or the placement for adoption (qualifying event). Under these rules, a group health plan is required to provide the opportunity for special enrollment for these individuals should make the request within 30 days of the date the qualifying even occurred.

If you decline enrollment under the City of Willcox's plan for yourself or your dependents (including your spouse) and state in writing that you and/or your dependents have coverage under another group health plan or health insurance coverage as the reason for declining to enroll you may also have special enrollment rights. Special enrollment rights may apply to you and/or your dependents in the event that you and/or your dependents are no longer eligible for this other coverage.

Your plan may offer an Annual Open Enrollment giving you the opportunity to enroll yourself and /or your dependents if you have previously declined/waived coverage for you and/or your dependents.

403 Eligibility For and Information about Benefits

If you are an eligible full-time employee, you will enjoy all of the benefits described in this Employee Handbook as soon as you meet the eligibility requirements as defined within the benefit plans(s) or as required by law. The City of Willcox benefits described below become available to you on the following first day of the month after hire. Today's many insurance plans and options can be confusing and complicated. That is why the City of Willcox has taken the time to carefully review the coverage and plans available. We have selected the plans we feel provide the best coverage for our employees. Refer to the literature provided by our insurance companies for details on your benefit coverage. Summary Plan Descriptions are available prior to enrollment and may be obtained through our carrier or by contacting the Human Resources Department. If you are an eligible part-time employee, you will enjoy only those benefits specifically required by law, provided that you meet the minimum requirements set forth by law and in the benefit plan(s).

404 Benefits Continuation – COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) helps employees and their dependents to continue their health insurance even if they are no longer eligible under out health plan.

There are strict rules about when you can use COBRA. COBRA lets an eligible employee and dependents choose to continue their health insurance when a “qualifying event” happens. Qualifying events include the employee’s resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

If you continue your insurance under COBRA, you will pay the full cost of the insurance at the City of Willcox City’s group rates plus an administration fee. When you become eligible for our health insurance plan, we will give you a written notice describing your COBRA rights. Because the notice contains important information about your rights and what to do if you need COBRA, be sure to read it carefully.

405 Workers Compensation Insurance

The City of Willcox provides a comprehensive workers’ compensation insurance program to our employees. This program does not cost you anything. The workers’ compensation program covers injuries or illnesses that might happen during the course of your employment that require medical, surgical, or hospital treatment. Subject to legal requirements, workers’ compensation insurance begins after a short waiting period, or if you are hospitalized, the benefits begin immediately. It is very important that you tell your supervisor immediately about any work-related injury or illness, regardless of how minor

it might seem at the time. Prompt reporting helps to make sure that you qualify for coverage as quickly as possible and will let us investigate the matter promptly.

Workers' compensation covers only work-related injuries and illnesses. Neither the City of Willcox nor its insurance carrier will pay workers' compensation benefits for injuries that might happen if you voluntarily participate in an off-duty recreational, social, or athletic activity that we might sponsor.

406 Government Required Coverage

Unemployment Compensation: Depending upon the circumstances, employees may be eligible for Unemployment Compensation upon termination of employment or a reduction in hours of work with the City of Willcox. The Department of Employment and Training determines eligibility for Unemployment Compensation. The City of Willcox pays the entire cost of this insurance program.

Social Security: As a wage earner, you are required by law to contribute a set amount of your weekly wages to the trust fund from which future Social Security benefits are paid. As your employer, the City of Willcox is required to deduct this amount from each paycheck you receive. In addition, the City of Willcox matches your contribution dollar for dollar, thereby paying one-half of the cost of your Social Security benefits. Your Social Security number is used to record your earnings. You are encouraged to protect your Social Security record by ensuring your name and Social Security number on your pay stub and W-2 Form are correct. You may also want to make sure your earnings statement is accurate each year by requesting a Personal Earnings and Benefit Estimate Statement from the U.S. Social Security Administration.

Arizona State Retirement (ASRS): An employee becomes a member and starts making contributions to the Arizona State Retirement System (ASRS) if: (1) he/she works for one or more employer(s) participating in the ASRS for a total of twenty (20) or more hours per week for twenty (20) or more weeks in a fiscal year, and (2) he/she contributes to Social Security under section 218 of the Social Security Act. Employee contributions to ASRS shall be withheld from his/her pay in an amount equal to the percentage of gross income mandated by Arizona Revised Statutes. The City shall participate by contributing an amount equal to the employee's contribution.

Public Safety Personnel Retirement System (PSPRS): Sworn police officers participate in their own retirement system, which is administered by the State. This system is known as the State of Arizona's Public Safety Personnel Retirement System (PSPRS). Officer contribution percentage and Employer Contribution percentages are determined by the State of Arizona annually. Specific PSPRS forms are available at the office of the Director of Public Safety and must be completed on the first day of employment.

Public Safety Life Insurance: The beneficiaries of sworn public safety officers are entitled to a federal death benefit whenever the death occurs as a result of line of duty performance. This additional Public Safety benefit is by Act of the US Congress and may be terminated at the will of the US Congress.

Supplemental Benefits for injured sworn Public Safety Employees: This section of the Employee Handbook was adopted per the Arizona Revised Statutes (ARS) 38-961. The section became effective August 2, 2012 and will only apply to injured sworn Public Safety employees as long as ARS 38-961 remains in effect.

407 457(b) Savings Plan

The City of Willcox has established a 457(b) savings plan to provide employees with the potential for future financial security for their retirement.

To be eligible to join our 457(b) savings plan, you must be 21 years of age or older. You may join the plan only during open enrollment periods. Eligible employees may participate in the 457(b) plan subject to all terms and conditions of the plan

408 ERISA

As a participant of the City of Willcox's plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan members shall

be entitled to: Examine all plan documents, at the plan administrator's office, without charge. This includes insurance contracts and copies of all documents filed by the plan with the U.S. Department of Labor.

Examples of this include detailed annual reports and plan descriptions. Obtain copies of all plan documents and other plan information upon request to the plan administrator. The administrator may make a reasonable charge for copies. The plan administrator is required by law to furnish to each member with a copy of this summary annual report. In addition to creating rights for plan members, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people, who operate your plan, call "fiduciaries" of the plan, have a duty to do so prudently and in the interest of you and other plan members and beneficiaries. No one, including your employer, may terminate you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA. If your claim for a welfare benefit is denied in whole or in part, you must receive a written explanation of the reason for denial. You have a right to have the plan reviewed and your claim reconsidered.

If you have any questions about your plan, you should contact Human Resources. If you have any questions about this statement or about your rights under ERISA, you should contact the nearest Area Office of the U.S. Labor-Management Services Administration, Department of Labor.

409 Funeral Bereavement

Five days of leave with pay (not charged to other leave time) shall be granted to full-time regular employees upon request to make arrangements for and attend funeral services of the employee's spouse, civil union partner, child, stepchild, parent, parent-in-law, grandparent, grandparent-in-law, granddaughter, grandson, daughter-in-law, son-in-law, step-parent, brother, sister, brother-in-law, sister-in-law, and any relative living in the household of the employee.

With your supervisor's approval, you may take up to one (1) full day without pay to attend the funeral of other relatives and friends. If you prefer, a day of accrued vacation may be used for this purpose.

Funeral leave pay will only be made to employees for actual time spent away from work for the funeral or its arrangements. For example, if the death occurs at a time when work is not scheduled, payment will not be made. If a part of your vacation occurs on any of the days of absence, you may not receive vacation pay in addition to paid funeral leave.

410 Jury/Witness Duty

It is your civic duty to report for jury duty whenever called and to comply with any subpoena or summons requiring you to appear as a witness. If you are called for jury duty or summoned as a witness, you must notify your supervisor within forty-eight (48) hours of receipt of the summons. The City of Willcox will permit you to take the necessary time off and we wish to help you avoid any financial loss because of such service. The City will reimburse you for your regular pay, not to exceed eight (8) hours per day, for a maximum of ten (10) business days. You will not be penalized for any length of jury or witness duty and you will continue to accrue seniority, leave time, and other benefits while serving as a juror or witness. However, either you or the City of Willcox may ask the court to excuse you from jury duty if necessary. We may ask that you be relieved from going on jury duty if we think your absence would cause serious operational problems for the City of Willcox.

411 Time Off to Vote

The City of Willcox encourages you to fulfill your civic responsibilities by voting in elections. Generally, it is expected that you will be able to vote either before or after work hours. However, if there are less than two (2) consecutive hours between when the polls open and the beginning of your shift or less than two (2) hours of open polls after the end of your workday, you will be given time off to vote. In such event, you may take such length of time at the beginning or end of your work shift that, when added to the time difference between work shift hours and opening and closing of the polls, you will have two (2) consecutive hours. The time off will be paid if it would otherwise have been work time. In order to accommodate your absence, you should request the time off from your supervisor at least three (3) working days prior to an election day.

412 Community Service

At the City of Willcox, we recognize the importance of building positive relationships within our community. The City's business and its employees are interdependent on service agencies, organizations, educational institutions, and various resources. Our community service program is intended to encourage and support participation in community service activities that will contribute to the community and foster future growth and development needs. The City is committed to help community service organizations implement and continue programs and projects that will improve the quality of life for our community at large.

If you are a regular full-time employee, you may voluntarily take up to a maximum of eight (8) hours of normal paid work time within every twelve (12) month period to participate in an approved community service activity. Your Department Director must first approve the time and activity and your participation must be scheduled at least 2 weeks in advance with your supervisor.

When you complete your volunteer service, provide the Human Resources Office with a statement showing the date and amount of time volunteered to the community service organization. We would also like to have any supporting information, photographs, or materials relating to the service activity that will document and acknowledge your effort and participation. You can contact the Human Resources Office if you have any questions or suggestions about eligible community service activities.

Leaves

501 FMLA Leave

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the duties of your job with the City of Willcox. One such regulated leave law is the Family Medical Leave Act.

Family Medical Leave (Federal): An employee who has worked for the City of Willcox for at least twelve (12) months (whether or not consecutive) and for at least 1,250 hours during the previous twelve (12) months is entitled to take Family Medical Leave under the circumstances described below.

Qualifying Reasons for Leave: The City of Willcox will allow eligible employees to take Family Medical Leave for the following qualifying reasons: - pregnancy or the birth of a child; - the placement of a child with the employee for adoption or foster care; - the serious illness of the employee's child, stepchild, or ward who lives with the employee, foster child, parent, spouse, or the employee's own serious illness. "Serious illness" means an accident, disease or physical or mental condition, including illness, injury, or impairment, that: i) poses imminent danger of death; ii) requires inpatient care in a hospital, hospice, or nursing home; or iii) requires continuing treatment, including outpatient treatment, by a health care provider. Caregiver Leave: FMLA-eligible employees who are the spouse, child, parent, or next of kin to a service member who has been seriously injured (including illness) while on active duty can take up to 26 weeks of unpaid leave in a 12-month period to care for the service member.

Important: Where appropriate, all existing provisions of the FMLA apply, including the intermittent leave, the substitution of paid leave, and the notice provisions. Effective 10/28/09 The Caregiver Leave has expanded the provision to include veterans who are undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment. Active Duty Leave (Exigency Leave): An employee may take FMLA leave for "any qualifying exigency" arising out of the fact that his/her spouse, child, or parent is on active duty or has been notified of an active-duty call. Amount of leave available: up to 12 weeks in a 12-month period (i.e., the usual FMLA leave allotment). Effective 10/28/09 The Active Duty Leave was expanded to include family members of active duty service members not just the National Guard and Reserves.

Length of Leave: Eligible employees may use a maximum of twelve weeks of FMLA Leave during a rolling 12-month period. A "rolling 12-month period" is defined by the City of Willcox to be the 12-month period rolling backward from the first day of any Family Medical Leave used by an employee.

Note: Employers may choose other 12 month options. Family Medical Leave need not be taken at one time. It may also be taken on an intermittent basis or used to reduce your work schedule during the period of the serious illness, if there is a medical need for such leave and that need can best be accommodated

through an intermittent or reduced leave schedule. If you need intermittent Family Medical Leave or a reduced schedule, you must attempt to schedule the Leave so as not to disrupt the operations of the City of Willcox. The City of Willcox may assign you to an alternative position with equivalent pay and benefits that better accommodates your intermittent leave or reduced schedule. Payment for FMLA Leave: Family Medical Leave will be unpaid unless the employee chooses to use accrued paid vacation time or sick leave.

Employees have the right to use any amount of accrued, unused paid leave for any part of the 12-week period. However, accrued paid leave may not be used to extend FMLA Leave. FMLA Leave will run concurrently with absences from work covered by workers' compensation and disability plans.

Notices: You must give reasonable notice of the need to take FMLA Leave to the City of Willcox when it is foreseeable. "Reasonable notice" means notice that is given as soon as is practicable. If the necessity for Family Medical Leave is based on planned medical treatment, you must provide at least thirty (30) days' notice and make a reasonable effort to schedule the treatment so as to not unduly disrupt the City's operations, subject to the approval of the health care provider.

The City of Willcox requires that any Family Medical Leave request that is based on a serious illness of the employee or family member, or that is for an intermittent or reduced schedule, be supported by the certification of a health care provider on the form provided by the City of Willcox for that purpose. Copies of the Certification of Health Care Provider form are available from the Human Resources department. You must obtain a re-certification of the need for leave for your serious illness or that of a family member every thirty (30) days or at the end of the predicted minimum period of absence (whichever is later) in order to establish the continuing need for Family Medical Leave. If you are taking Family Medical Leave because of your own serious illness, you must present certification from your health care provider indicating that you are able to return to work.

Updates While On Leave: Any employee on Family Medical Leave must report to the City of Willcox periodically, but at least once per month, regarding his/her status and intent to return to work. Additionally, an employee must notify the City of Willcox as soon as possible when he/she is able to return to work so that the organization may make the appropriate arrangements to reinstate the employee.

Return from Leave: Upon returning from leave, you will be returned to your previous position, or a comparable position with equal pay, benefits, seniority, and other terms and conditions of employment, unless one of the following exceptions applies. If, during the period of Family Medical Leave, the City of Willcox would have ended your employment or you would have been laid off for reasons unrelated to the leave, the City of Willcox will not reinstate you to your previous position. Additionally, if you performed unique services and hiring a permanent replacement during the leave was necessary to prevent substantial and grievous economic injury to the City of Willcox, we will notify you of the City of Willcox's intent not to reinstate you after the expiration of your Family Medical Leave. If you choose not to return to work at the expiration of the Family Medical Leave for reasons other than the continuation of a serious illness or reasons beyond your control, you must reimburse the City of Willcox for the employer portion of premiums it paid in maintaining group health and dental benefits during your Family Medical Leave. If you do return from Family Medical Leave, you will be restored to your former position, or to an equivalent position with equivalent pay, and you will be credited for benefits and other terms and conditions of employment for the time you were on Family Medical Leave. Please contact the Human Resources if you have any questions about this policy.

502 Military Leave

The City of Willcox will grant a military leave of absence if you are absent from work because you are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

You must give your supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable. You will not be paid for military leave. However, you may use any available accrued paid time off, such as vacation or sick leave, to help

pay for the leave. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to terms, conditions, and limitations of the applicable plans for which you are otherwise eligible.

If you are on military leave for up to 30 days, you must return to work on the first regularly scheduled work period after your service ends (allowing for reasonable travel time). If you are on military leave for more than 30 days, you must apply for reinstatement in accordance with USERRA and applicable state laws.

When you return from military leave (depending on the length of your military service in accordance with USERRA), you will be placed either in the position you would have attained if you had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, you will be treated as if you had been continuously employed.

Military Reserves or National Guard Leave of Absence: Employees who serve in U. S. military organizations or state militia groups may take the necessary time off without pay to fulfill this obligation, and will retain all of their legal rights for continued employment under existing laws. These employees may apply accrued personal leave and unused earned vacation time to the leave if they wish; however, they are not obliged to do so. You are expected to notify your supervisor as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence. If you have questions about military leave, contact the Human Resources Department for more information.

503 Insurance Premium Payment During Leaves

While you are on any type of unpaid leave of absence, other than approved Family Medical Leave (FMLA), from the City of Willcox, you will be responsible for paying the total premiums for your coverage and that of your dependents. Failure to do so may result in loss of coverage and possible refusal by the insurance carrier to allow your coverage to be reinstated.

Notes on Leaves

Both paid and unpaid time off may be granted to eligible employees according to the following leave policies. Please consult with the Human Resources Department for more information. For purposes of determining allowable leave, Arizona the term "spouse" includes a civil union partner/domestic partner, the term "stepchild includes the child of a civil union partner, and the term "parent-in-law" includes the parent of a civil union partners.

Workplace Policies

601 Drug and Alcohol Testing Policy

The City of Willcox wants to provide a drug-free, healthful, and safe workplace. To meet this goal, you must report to work in a mental and physical condition that enables you to perform your job in a satisfactory manner.

While on the City of Willcox premises or while conducting business-related activities off the City premises, you may not use, possess, distribute, sell, consume or ingest in any manner, or be under the influence of Medical Marijuana, alcohol or illegal drugs. (ARS 36-2814 (A) (3)) The legal use of prescribed drugs is permitted on the job providing that such use does not impair your ability to perform the essential functions of your job effectively and safely without endangering others. Employees using any medications must notify their supervisor or Department Director immediately of any work restrictions related to the use of any medication.

If you violate this policy, it may lead to disciplinary action, up to and including immediate termination of your employment. Additionally, the City may require that you participate in a substance abuse rehabilitation or treatment program. If you violate this policy, there could also be legal consequences. (A.R.S.36-2814(B))

To help employees understand the important provisions of this policy, the City has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, the resources available, and the consequences of violating this policy.

If you have questions about substance dependency or abuse, you are encouraged to discuss these matters with your supervisor or the Human Resources Office to receive assistance or referrals to appropriate community resources.

An employee with a drug or alcohol problems or dependency may request approval to take unpaid time off to participate in a rehabilitation or treatment program through our health insurance benefit coverage, if the employee's substance abuse problem has not already resulted in disciplinary action and the employee is not currently subject to immediate disciplinary action. The time off may be granted if the employee agrees to abstain from using the problem substance; abides by all the City of Willcox policies, rules, and prohibition relating to conduct in the workplace; and if granting the time off will not cause the City of Willcox any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a federally funded government contract or grant must notify the City of Willcox of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five (5) days of the conviction.

There are several jobs within the City of Willcox which are affected by the Federal Omnibus Transportation Employee Testing Act of 1991 (Drug Free Workplace), most notably any Job which has included as an "essential function" the requirement of a Commercial Driver's License (CDL). The State law on Medical Marijuana does not nullify the requirements of the Federal Law. In order to maintain the CDL you may not use Medical Marijuana. If you use any marijuana, you may lose your CDL, if you lose your CDL and it is a requirement to have one for your position, you cannot fulfill the "essential functions" of the position and will have to be removed from that position. (ARS 36-2813.(B))

The Arizona Medical Marijuana Act provides limitations and does not authorize any person to engage in, and does not prevent the imposition of any civil, criminal or other penalties, for operating, navigating or being in actual physical control of any motor vehicle while under the influence of marijuana, except that a registered qualifying patient shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment. (ARS 36-2802(D))

If you have questions about this policy or issues related to drug or alcohol use at work, you can raise your concerns with your supervisor or the Human Resources Office without fear of reprisal.

Drug Testing of Employees

The City of Willcox herein incorporates the provisions of Arizona Revised Statutes 28-493 through 28-493.11 as they currently exist and as they may be amended.

Pre-Employment Testing: The City of Willcox will conduct pre-employment drug testing on all applicants who are considered for a position, to detect individuals who use illegal drugs. Any applicant who tests positive for drugs or the by-products of drugs will be denied employment at that time. He/she may seek employment with the City of Willcox after one (1) year from the date of the positive test. (A.R.S. 23-493.04(A))

Reasonable Suspicion Testing: The City may require drug and/or alcohol testing of an employee if there is reason to suspect that he/she is under the influence of a drug or alcohol based on specific contemporaneous articulate observations concerning the appearance, behavior, speech and/or body odors. The observation may include chronic withdrawal effects of prohibited substances. In the case of alcohol testing, the test is to be administered within two (2) hours of a determination of reasonable suspicion. (A.R.S. 23-493.04(B))

Random Testing: The City also does random drug testing throughout all departments on a monthly basis. The City has adopted the provisions of the federal Omnibus Transportation Employee testing Act of 1991 to implement the Alcohol and Controlled Substances Testing Policy for utilities workers, operators of pipeline facilities and certified driver's licenses as required by the United States department of Transportation. (A.R.S. 23-493.04(C))

Positive Test or Refusal to Submit: An employee who tests positive is subject to discipline up to, and including, immediate termination as provided by A.R.S. 23-493.05. An employee will be considered to have refused to submit to drug or alcohol testing, when employee fails to provide adequate testing sample, when an employee engages in conduct that clearly obstructs the testing process, refuses to sign

all appropriate consent forms, or otherwise fails to comply with this policy to the City's complete satisfaction. Such refusal will be treated as if the City of Willcox received a positive test, The appropriate level of discipline will be determined on a case-by-case basis at the City's discretion, and may include treatment or rehabilitation under the terms established by the City of Willcox.

Post Accident Testing: An employee must submit to a drug and alcohol test after an on the job accident, including workplace injuries. (A.R.S. 23-493.04(B))

An Accident for purposes of this policy is defined as an incident or occurrence in which;

- A person dies or requires medical treatment
- Property Damage is estimated at greater than \$1000.00
- The accident involves use of a City vehicle or motorized equipment.
- The accident involves an employee in a personal vehicle while on the job.

An employee who is involved in an accident must immediately report the accident to his/her supervisor. When a supervisor observes or is notified of an accident, the supervisor will initiate drug and alcohol testing. The supervisor will order the employee to submit to a blood, urine and/or breathe test. The supervisor will arrange to transport the employee to the collection site and will arrange for the employee's transport home. The City of Willcox will place the employee on paid leave pending receipt of drug testing. The City of Willcox is entitled to rely on the results of its drug or alcohol test, or the recommendation of the Medical Review Officer to determine if the employee has violated the policy prohibiting drug or alcohol abuse.

The City of Willcox may test for;

Marijuana – Cocaine – Opiates - Phencyclidine (PCP) – Amphetamines – Alcohol

Safeguards/Confidentiality

The drug screen analysis is accomplished through urinalysis testing. Alcohol and Marijuana testing may be through breath testing or blood testing. Samples will be collected in a sanitary environment designed to maximize employee's privacy while minimizing the possibility of sample tampering. If there is a positive drug and/or alcohol result on the initial screening test, the laboratory of blood alcohol technician will automatically do a second test to confirm the results. The second drug test will be performed using gas chromatograph/mass spectrometry or other scientifically accepted method. A positive breath alcohol test result will be confirmed by a second breath test. In the event the drug and alcohol test result is dilute, the applicant or employee will be required to retest if the test result is a negative dilute. (A.R.S.23-493.01; 02 and 03)

All drug tests are performed by a government-certified outside laboratory. All government-certified outside laboratories strictly follow chain of custody guidelines to ensure the integrity of the testing process. The City shall use a Medical Review Officer (MRO) who will receive the laboratory results of the testing procedure. The MRO shall be a licensed physician and have knowledge of substance abuse disorders and the appropriate medical training to evaluate positive results, medical histories, and any other relevant biomedical information. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication. (A.R.S. 23-493.01; .02 and .03)

If the results of the initial test are negative, the testing laboratory will report the results to the MRO retained by the City. The MRO or the testing laboratory reports the negative results to the City. In this instance, no additional test on the specimen will be done.

If the results of the initial test are positive, that is, if the results exceed the permitted levels for any of the five drugs tested or for alcohol, a second confirmatory test shall be performed. Only specimens that are confirmed positive on the second (confirmatory) test are reported to the MRO for review and analysis. The MRO will contact the employee personally, in the case of a positive test result. The MRO has the responsibility of reporting to the City of Willcox whether the test results are positive or negative. (A.R.S. 23-493.09)

Each applicant or employee will have an opportunity to discuss the test results with an MRO in a confidential setting. Additionally, each applicant of employee will have an opportunity to discuss the test results with a representative of the employer in a confidential setting. The City of Willcox will keep the test

results confidential and will share the results only within the City on a business need to know basis, in administrative law proceedings, and when required by law. Each applicant of employee upon his or her written request may be provided with a written copy of the positive test result. Upon written request within seven days of taking the test, an employee may access records relating to his drug and/or alcohol test. (A.R.S. 23-493.09)

An employee who does not pass a drug test may require that the original sample be analyzed again at the individual's expense by a government certified laboratory. All requests for an independent analysis must be made in writing within 72 hours of notification of the confirmed positive result. (A.R.S. 23-493.09)

The City of Willcox may conduct unannounced inspections for violations of this policy in the workplace, work sites, or on City premises. Employee should have no expectation of privacy concerning any equipment, or personal property which is on City property. (A.R.S. 23-493.04(C))

The City of Willcox Drug and Alcohol Policy will assert all the benefits and limits related to Employer protection from litigation as provided by Arizona law. (A.R.S. 23-493.06; .07 and .08 or as may be provided under the Arizona Medical Marijuana Act)

602 Sexual and other Unlawful Harassment

The City of Willcox intends to provide a work environment that is pleasant, professional, and free from intimidation, hostility or other offenses that might interfere with work performance. Harassment of any sort verbal, physical, and visual will not be tolerated, particularly against employees in protected classes. These classes include, but are not necessarily limited to race, ancestry, religion, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, citizenship, veteran status, or disability, or any other protected status defined by law.

What Is Harassment? Workplace harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, pranks, intimidation, physical assaults or contact, or violence that substantially interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment. Harassment is not necessarily sexual in nature. It may also take the form of other activity, including derogatory statements, not directed to the targeted employee but observed by the affected employee. Other prohibited conduct includes, but is not limited to, written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against an employee for discussing or making a harassment complaint.

Responsibility: All the City of Willcox employees, and particularly managers, have a responsibility for keeping our work environment free of harassment. Any employee, who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, is required to report it to Human Resources. When a member of the City of Willcox management becomes aware of the existence of harassment, he or she is required to report it to Human Resources whether or not the victim requests the organization to do so.

Reporting: While the City of Willcox encourages you to communicate directly with the alleged harasser, and make it clear that the harasser's behavior is unacceptable, offensive or inappropriate, it is not required that you do so. It is essential, however, to notify Human Resources immediately even if you are not sure the offending behavior is considered harassment. Any incidents of harassment must be immediately reported to Human Resources. Appropriate investigation, and in addition, disciplinary action may be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. However, confidentiality cannot be guaranteed. Any employee found to have harassed a fellow employee or subordinate would be subject to severe disciplinary action up to and including termination. The City of Willcox will also take any additional action necessary to appropriately remedy the situation. Retaliation of any sort will not be permitted. No adverse employment action will be taken against any employee who makes a good faith report of alleged harassment or who participates in the investigation of such a complaint.

Policy Statement on Sexual Harassment: What Is Sexual Harassment? Sexual harassment may include unwelcome sexual advances, requests for sexual favors or other verbal or physical contact of a sexual nature when such conduct substantially interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment. It also encompasses such conduct when it is

made a term or condition of employment or compensation, either implicitly or explicitly and when an employment decision is based on an individual's acceptance or rejection of such conduct. It is important to note that sexual harassment crosses age and gender boundaries and cannot be stereotyped. Among other perceived unconventional situations, sexual harassment may even involve two women, two men, or a bystander.

Examples of a hostile, intimidating, and offensive working environment include, but are not limited to, pictures, cartoons, symbols, or apparatus found to be offensive and which may exist in the workspace of an employee. This behavior does not necessarily link improved working conditions in exchange for sexual favors but it may be unwelcome and can substantially interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment. The City of Willcox will investigate any complaint of sexual harassment and will take immediate and appropriate disciplinary action if sexual harassment has been found within the workplace. Complaints related to sexual harassment should be made as soon as possible to Human Resources.

Notice of this policy is posted on the main organization bulletin board. If this policy is determined not to have been violated, the complainant and the accused person shall be so informed, with appropriate instruction provided to each, including the right of the complainant to contact any of the state or federal agencies identified in this posted policy notice.

603 Employee Conduct and Work Rules

We expect you to follow certain work rules and conduct yourself in ways that protect the interests and safety of all employees and the City of Willcox. While it is impossible to list every action that is unacceptable conduct, the following lists some examples. Employees who break work rules such as these may be subject to disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer- owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas or in City Vehicles
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized use of telephones, cellular phone, mail system, or other employer-owned equipment
- Unauthorized disclosure of business "secrets" or confidential information
- Violation of personnel policies
- Unsatisfactory performance or conduct
- Violation of OSHA Safety Standards
- Failure to carry out assigned tasks
- Nonpayment of city accounts

Since your employment with the City of Willcox is voluntary and at will, you may terminate your employment at any time you want, with or without cause or advance notice. Likewise, the City of Willcox may terminate your employment at any time, with or without cause or advance notice.

604 Violence in the Workplace Policy

The City of Willcox has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect the City of Willcox or which occur on the City of Willcox property will not be tolerated. Acts or threats of violence include conduct that is sufficiently severe, offensive, or intimidating to alter the employment conditions at the City of Willcox or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

1. All threats or acts of violence occurring on the City of Willcox's premises, regardless of the relationship between the City of Willcox and the parties involved.
2. All threats or acts of violence occurring off the City of Willcox's premises involving someone who is acting in the capacity of a representative of the City of Willcox.
3. All threats or acts of violence between the City of Willcox employees off the City of Willcox's premises that reasonably result in the creation of a hostile work environment for one or more the City of Willcox employees in the City of Willcox workplace.

Specific examples of conduct that may be considered threats or acts of violence include, but are not limited to, the following:

1. Hitting or shoving an individual.
2. Directly or indirectly threatening an employee or his/her family, friends, associates, or property with harm, including behavior or remarks that could reasonably be construed as threatening, e.g. having literature about assault weapons in the workplace.
3. Intentional destruction or threatening to destroy the City of Willcox's property.
4. Making harassing or threatening phone calls from or to the City of Willcox workplace or to a the City of Willcox employee.
5. Harassing surveillance or stalking (following or watching) a City of Willcox employee or family member.
6. Unauthorized possession or inappropriate use of firearms or weapons.

The City of Willcox's prohibition against threats and acts of violence applies to all persons involved in the City of Willcox's operation, including but not limited to personnel, contract, and temporary workers and anyone else on the City of Willcox property. Violations of this policy by any individual on the City of Willcox property will lead to disciplinary action, up to and including termination and/or legal action as appropriate.

Every employee is required to report incidents of threats or acts of physical violence of which he/she is aware. The report should be made to your supervisor or Human Resources immediately.

605 Attendance and Punctuality

We expect the City of Willcox employees to be reliable and punctual. You should report for work on time and as scheduled. If you cannot come to work or you will be late for any reason, you must notify your supervisor as soon as possible. Unplanned absences can disrupt work, inconvenience other employees, and affect productivity. If you have a poor attendance record or excessive lateness, you may be subject to disciplinary action, up to and including termination of employment.

606 Dress Code and Personal Appearance

Please understand that you are expected to dress and groom yourself in accordance with accepted social and business standards, particularly if your job involves dealing with staff, donors/contributors, volunteers and/or customers in person or the general public. A neat, tasteful appearance contributes to the positive impression you make on our customers. You are expected to be suitably attired and groomed during working hours or when representing the City of Willcox. A good, clean appearance bolsters your own poise and self-confidence and greatly enhances our organization's image. However, graphic t-shirts, short shorts, halter or abbreviated shirts or low cut, sheer or revealing blouses, sweatshirts, torn or dirty appearing clothing are not permitted. Torn, shredded, faded or worn out jeans are not permitted. Personal appearance should be a matter of concern for each employee. Proper attire should be worn for each

department and if the department requires uniforms, protective footwear, or special attire each employee is responsible for following the dress code of his or her department.

If your supervisor feels your attire and/or grooming is out of place, you may be asked to leave your workplace until you are properly attired and/or groomed. Employees who violate dress code standards may be subject to appropriate disciplinary action. Jewelry must not create a distraction. Pierced ears are acceptable; however, any other visible form of body piercing is not. Should you violate this policy your supervisor will ask you to remove the article in question. The City of Willcox additionally reserves the right to require you to cover a tattoo. Failure to follow the directions of your supervisor may result in disciplinary action.

607 Business Travel Expense

The City of Willcox will reimburse you for reasonable business travel expenses if the immediate supervisor and department director approves the travel in advance. After a trip is approved, you should make your travel arrangements through the Human Resources Department.

We reimburse approved travel expenses such as travel, meals, lodging, and other expenses as long as they were necessary to meet the objectives of the trip. You are expected to keep expenses within reasonable limits. The City of Willcox does not reimburse for Alcoholic Beverages.

Meal reimbursements will be paid for overnight travel based on the federal allowance as stated on <http://www.gsa.gov/portal/category/100120>

The Internal Revenue Service (IRS) considers reimbursements paid to a person for meal expenses incurred during one-day, non-overnight travel as taxable income.

If you are involved in an accident while on business travel, immediately report the accident to your supervisor. If you use a City vehicle, a vehicle leased, or rented by the City of Willcox, you may not use that vehicle for personal reasons unless you received advance written approval from the City Manager.

When a business trip is over, submit your completed travel expense report within 30 days. With your expense report, you must also submit receipts for every expense item. See your supervisor for help and questions about business travel, expense reports, or any other travel issues. It is a very serious matter if you record false or misleading information in your expense report. You may not request reimbursement for expenses that you did not have or that were not business-related. Employees who do not follow this business travel policy could be subject to disciplinary action, up to and including termination of employment.

608 Expense Reimbursement

You must have your supervisor's written authorization (usually by way of a requisition or purchase order) prior to incurring an expense on behalf of the City of Willcox. To be reimbursed for all authorized expenses, you must submit an expense report or voucher accompanied by receipts and your supervisor must approve it.

609 Personal Vehicle Use

The City of Willcox is not responsible for damage to your personal vehicle when you are using it for City business. The City will reimburse you based upon actual miles driven times the rate established by the Federal Government. This must totally compensate you for all gasoline mileage, wear and tear, and insurance costs associated with the business use of the vehicle. If a City vehicle is available for use you are encouraged to use it to conduct all City business. If you choose to use your personal vehicle for out of town travel you will be reimbursed at half the federal government rate for mileage.

610 Cell Phone and Any Electronic Device Usage in a Vehicle

This Cell Phone Usage in a Vehicle policy applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to email whether the device is City-supplied or personally owned. An employee who uses a City-supplied device or a City-supplied vehicle is prohibited from using a cell phone or similar device while driving, whether the business conducted is personal or city-related. This prohibition includes

receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment; the business; our customers; our vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the City; or any other City or personally related activities not named here while driving. To safely use your cell phone or similar device you are required to stop your vehicle in a safe location.

In addition, the City of Willcox prohibits employee use of personal cellular phones or similar devices in a personal vehicle, for business purposes related in any way to the City of Willcox, while driving. To safely use your cell phone or similar device you are required to stop your vehicle in a safe location. Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination.

I have read and understand this policy and I agree to adhere to this policy.

*****A signed Acknowledgement will be filed in the personnel file***

611 Phone/Voicemail/Computer And Privacy

The City of Willcox Phones: Organization telephones/cellular phones are to be used for business purposes in serving the interest of our clients and in the course of normal organization operations. Personal use of the City of Willcox phones should be for emergencies and essential personal business. The frequency or duration of telephone calls for personal business must not interfere with the performance of an employee's job duties or the functioning of the City of Willcox's operations. The log of calls from each extension/cell phone will be reviewed on a regular basis to implement this policy and to ensure that the organization is not incurring charges for personal calls. Employees should not expect that voice mail is private. The content of messages left in voice mail may be reviewed by organization management and an employee's use of the organization's telephone/cell phone and voice mail systems grants permission for such review. Proper use of the telephones/cell phones and voice mail is a job requirement for all the City of Willcox employees.

City of Willcox Computers: Employees may use organization computers for personal purposes on a limited basis during non-work time so long as it does not interfere with organization utilization. Communications per the City of Willcox computer system are subject to the policies of the City of Willcox and are held to the same standards as in-person communications, e.g. confidentiality, violations of trust, harassment, etc. the City of Willcox may access your computer files and documents. The City of Willcox employees should not expect that the contents of their computer documents or files are private. Use of the organization's computer and equipment and software grants permission for such access. The City of Willcox employees are prohibited from giving their passwords to anyone other than the computer administrator, or in some approved instances, to members of the support staff assigned to assist that individual. Non-Employees are prohibited from using the City of Willcox work station computer systems.

612 Technology Use and Lack of Privacy

General Provisions

Introduction: The City of Willcox provides various Technology Resources to authorized employees to assist them in performing their job duties for the City of Willcox. Each employee has a responsibility to use the City of Willcox's Technology Resources in a manner that increases productivity, enhances the City of Willcox's public image, and is respectful of other employees. Failure to follow the City of Willcox's policies regarding its Technology Resources may lead to disciplinary measures, up to and including termination of employment.

Technology Resources Definition: Technology Resources consist of all electronic devices, software, and means of electronic communication, including, but not limited to, the following, whether provided or supported by the City of Willcox: personal computers and workstations; laptop computers; mini and mainframe computers; computer hardware such as disk drives and tape drives; peripheral equipment such as printers, modems, fax machines, and copiers; computer software applications and associated files and data, including software that grants access to external services, such as the Internet; electronic mail; telephones; cellular phones; pagers; and voicemail systems.

Authorization: Access to the City of Willcox's Technology Resources is within the sole discretion of the City of Willcox. Generally, employees are given access to the City of Willcox's various technologies based

on their job functions. Only employees whose job performance will benefit from the use of the City of Willcox's Technology Resources will be given access to the necessary technology.

Use: The City of Willcox's Technology Resources is to be used by employees only for the purpose of conducting the City of Willcox business. Employees may, however, use the City of Willcox's Technology Resources for the following incidental personal uses so long as such use does not interfere with the employee's duties, is not done for pecuniary gain, does not conflict with the City of Willcox's business, and does not violate any the City of Willcox policy: To send and receive necessary and occasional personal communications, To prepare and store incidental personal data (such as personal calendars, personal address lists, and similar incidental personal data) in a reasonable manner. To use the telephone system for brief and necessary personal calls; and to access the Internet for brief personal searches and inquiries during meal times or other breaks, or outside of work hours, provided that employees adhere to all other usage policies.

The City of Willcox acknowledges that employees may, at other times, engage in incidental personal use of the Internet, as long as such use does not interfere with the performance of job duties. The City of Willcox assumes no liability for loss, damage, destruction, alteration, disclosure, or misuse of any personal data or communications transmitted over or stored on the City of Willcox's Technology Resources. The City of Willcox accepts no responsibility or liability for the loss or non-delivery of any personal electronic mail or voicemail communications or any personal data stored on any the City of Willcox property. The City of Willcox strongly discourages employees from storing any personal data on any of the City of Willcox's Technology Resources. Non-Employees are prohibited from using the City of Willcox's work station computer systems.

Improper Uses

Prohibition Against Harassing, Discriminatory and Defamatory Use: The City of Willcox are aware that employees use electronic mail for correspondence that is less formal than written memoranda. Employees must take care, however, not to let informality degenerate into improper use. As set forth more fully in the City of Willcox's "Policy Against Harassment," the City of Willcox does not tolerate discrimination or harassment based on gender, pregnancy, childbirth (or related medical conditions), race, color, religion, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, sexual orientation, family care or medical leave status, veteran status, or any other status protected by state and federal laws. Under no circumstances may employees use the City of Willcox's Technology Resources to transmit, receive, or store any information that is discriminatory, harassing, or defamatory in any way (e.g., sexually-explicit or racial messages, jokes, cartoons).

Prohibition Against Violating Copyright Laws: Employees must not use the City of Willcox's Technology Resources to copy, retrieve, forward or send copyrighted materials unless the employee has the author's permission or is accessing a single copy only for the employee's reference.

Other Prohibited Uses: Employees may not use any of the City of Willcox's Technology Resources for any illegal purpose, violation of any the City of Willcox policy, in a manner contrary to the best interests of the City of Willcox, in any way that discloses confidential or proprietary information of the City of Willcox or third parties, or for personal or pecuniary gain.

The City of Willcox Access to Technology Resources

Introduction: All messages sent and received, including personal messages, and all data and information stored on the City of Willcox's electronic-mail system, voicemail system or other computer systems/ resources are the City of Willcox's property regardless of the content. As such, the City of Willcox reserves the right to access all of its Technology Resources including its computers, voicemail and electronic-mail systems, at any time, in its sole discretion.

Lack of Privacy: Although the City of Willcox does not wish to examine personal information of its employees, on occasion the City of Willcox may need to access any and all information in its Technology Resources, including computer files, electronic-mail messages, and voicemail messages. Employees should understand, therefore, that they have no right of privacy with respect to any information or messages – including personal information or messages – created, received or maintained on the City of Willcox's Technology Resources. The City of Willcox may, at its discretion, inspect all files or messages on its Technology Resources at any time for any reason. The City of Willcox may also monitor its

Technology Resources at any time to determine compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other business purpose.

Passwords: Certain of the City of Willcox's Technology Resources can be accessed only by entering a password. Passwords are intended to prevent unauthorized access to information. Passwords do not confer any right of privacy upon any employee of the City of Willcox. Thus, even though employees may maintain passwords for accessing Technology Resources, employees must not expect that any information maintained on Technology Resources, including electronic-mail and voicemail messages, is private. Employees are expected to maintain their passwords as confidential. Employees must not share passwords and must not access coworkers' systems without express authorization.

Data Collection: The best way to guarantee the privacy of personal information is not to store or transmit it on the City of Willcox's Technology Resources. To ensure that employees understand the extent to which information is collected and stored, below are examples of information currently maintained by the City of Willcox. The City of Willcox may, however, in its sole discretion, and at any time, alter the amount and type of information that it retains.

Telephone Use and Voicemail: Records are kept of all calls made from and to a given telephone extension. Although voicemail is password protected, an authorized administrator can reset the password and listen to voicemail messages.

Electronic Mail: Electronic mail is backed-up and archived. Although electronic mail is password protected, an authorized administrator can reset the password and read electronic mail. Desktop

Facsimile Use: Copies of all facsimile transmissions sent and received are maintained in the facsimile server.

Document Use: Each document stored on the City of Willcox computers has a history, which shows which users have accessed the document for any purpose.

Internet Use: Internet sites visited, the number of times visited, and the total time connected to each site is recorded and periodically monitored.

Deleted Information: Deleting or erasing information, documents, or messages maintained on the City of Willcox's Technology Resources is, in most cases, ineffective. All employees should understand that any information kept on the City of Willcox's Technology Resources may be electronically recalled or recreated regardless of whether it may have been "deleted" or "erased" by an employee. Because the City of Willcox periodically backs-up all files and messages, and because of the way in which computers re-use file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential.

Internet and Electronic Mail Policy

Proper and Improper Uses: The City of Willcox provides employees with access to the Internet and electronic mail to assist them in conducting the City of Willcox's business. The City of Willcox expects that when employees use the Internet or electronic mail during work hours, while on the City of Willcox's premises, or remotely through the use of the City of Willcox computer equipment, they will do so in a responsible manner, and for work-related purposes only. The City of Willcox acknowledges that employees may, at other times, engage in incidental personal use of the Internet, as long as such use does not interfere with the performance of job duties. The City of Willcox expects employees to exercise discretion and good judgment when accessing the Internet or when sending or receiving electronic mail and attachments thereto. Improper use of the Internet and electronic mail includes, but is not limited to, the following: Use which is illegal, which are contrary to the City of Willcox's bests interests, or which violates or conflicts with the City of Willcox's policies, including, but not limited to, the City of Willcox's policies against discrimination or harassment. Use, which discloses or leads to the disclosure of confidential or proprietary information about the City of Willcox. Use of electronic mail, chat rooms or other Internet devices that is defamatory or offensive in any way, including, but not limited to, racially or sexually charged messages, jokes or cartoons. Use of Internet sites, which may damage or interfere with the City of Willcox's computer network, including use that generates the delivery of "junk" electronic mail. Use that violates copyright laws, Personal use, and/or use which is not work-related.

Improper use of the Internet or electronic mail may lead to discipline, including, but not limited to, discharge from employment. Employees have no right of privacy, nor any expectation of privacy, with respect to any aspect of their use of the Internet or electronic mail while on the City of Willcox's premises, or when accessing the Internet or using electronic mail remotely. The City of Willcox reserves the right to, at any time, without limitation, monitor your use of the Internet, including monitoring Internet sites visited, the number of times those sites are visited, and the time connected to each site. All items uploaded to or downloaded from any location on the Internet and all electronic mail and attachments thereto, must be scanned for viruses. Materials downloaded from the Internet must be placed on discs and not on your computer hard drive, or the City of Willcox's network. Employees must use anti-virus software to scan any material from obtained via the Internet. Files or documents sent outside of the City of Willcox via the Internet and/or electronic mail must be properly encrypted. For any questions about encryption, or other protective measures you may employ in using the Internet or electronic mail, please contact the Human Resources Department or the Information Technology Department.

Confidentiality: Some of the information to which the City of Willcox has access is confidential. Employees should avoid sending confidential information over the Internet, except when absolutely necessary. Employees also should verify electronic mail addresses before transmitting any messages.

Monitoring: The City of Willcox monitors both the amount of time spent using on-line services and the sites visited by individual employees. The City of Willcox reserves the right to limit such access by any means available to it, including revoking access altogether.

Software Use

License Restrictions: All software in use on the City of Willcox's Technology Resources is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is being put. No employee may load any software on the City of Willcox's computers, by any means of transmission, unless authorized in writing in advance by the City Manager.

Authorization for loading software onto the City of Willcox's computers should not be given until the software to be loaded has been thoroughly scanned for viruses.

Confidential Information: The City of Willcox is very sensitive to the issue of protection of confidential and proprietary information of both the City of Willcox and third parties ("Confidential Information"). Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting Confidential Information the City of Willcox's Technology Resources. Confidential Information should not be accessed through the City of Willcox's Technology Resources in the presence of unauthorized individuals. Similarly, Confidential Information should not be left visible or unattended.

613 Social Media

Choosing to develop or contribute to a blog, wiki, online social media network or any other form of online publishing or discussion is a personal decision. As user-generated web content—blogging, social web-applications and networking increase, it is key that employees understand our organization's policies and the guidelines. Social Computing Guidelines: Know and follow all the City of Willcox's policies and procedures, particularly on Confidentiality and Code of Conduct. Employees are personally responsible for the content they publish on blogs, wikis or any other form of user-generated social media. Remember that what you publish will be public for a long time so protect your privacy. Always identify yourself with your name, and when relevant, your role at the City of Willcox when you discuss the City of Willcox or City-related matters. Always write in the first person to make it clear that you are speaking for yourself and not on behalf of the City of Willcox. If you publish content to any website outside of the City of Willcox and it has something to do with work you do or subjects associated with the City of Willcox, use a disclaimer. For example, "The postings on this site are my own and do not necessarily represent the City of Willcox's positions, strategies or views."

Respect copyright, fair use and financial disclosure laws. Don't provide the City of Willcox's or another's confidential or other proprietary information. Ask permission to publish or report on conversations that are meant to be private or internal to the City of Willcox. Don't cite or reference clients, partners or suppliers

without their approval. When you do make a reference, where possible link it back to the source. Respect your audience. Don't engage in any conduct that would not be acceptable in the City of Willcox's workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory—such as politics and religion. Find out who else is blogging or publishing on the topic, and cite them. Be aware of your relationship with the City of Willcox in online social networks. If you identify yourself as a the City of Willcox employee, be sure that your profile and related content is consistent with how you wish to present yourself with co-workers and clients. Add value. Provide meaningful information and perspective. The City of Willcox brand is best represented by its people and what you publish may reflect on the City of Willcox's brand.

614 Web Blogging

Know and follow the City of Willcox's Business Conduct Guidelines. If you are unsure of what these are, please contact your supervisor or Human Resources.

Web Logs (Blogs), which are forms of online discourse are individual interactions, not corporate communications. You are personally responsible for their posts. Be mindful that what you write will be accessible by the public for a long time – protect your privacy and the confidential information of the City of Willcox.

- Identify yourself – name and, when relevant, your role at the City – when you blog about the City of Willcox or the City of Willcox's business matters. Write in the first person. You must make it clear that you are speaking for yourself and not on behalf of the City of Willcox.
- If you publish a blog or post to a blog and it has something to do with work you do or subjects associated with the City of Willcox use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the City of Willcox positions, strategies or opinions."
- Only those officially designated by the City of Willcox have the authorization to speak on behalf of the City
- Respect copyright, fair use and financial disclosure laws.
- Don't provide the City of Willcox or another's confidential or other proprietary information.
- Don't cite or reference clients, partners or suppliers without their approval.
- Respect your audience. Don't use ethnic slurs, personal insults, obscenity, etc., and show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory – such as politics and religion.
- Find out who else is blogging on the topic, and cite them.
- Be respectful in your opinions and statements; be the first to correct your own mistakes, and don't alter previous posts without indicating that you have done so.
- Try to add value and provide worthwhile information and perspective.

615 Monitoring of Employee Usage & Restricting Access to Objectionable Internet Content

The City of Willcox reserves the right to monitor employee use of its corporate resources in accord with the Electronic Communications Privacy Act. Under this law, The City of Willcox has the absolute right to review, audit, monitor and disclose the content of all e-mail messages (and any documents, files or materials attached to them) that employees send or receive through the organization's system.

Employees should be aware that access to content includes deleted items not fully eliminated from the system, as well as to existing hard copies of the same. Personal passwords can be overridden and should not be disclosed to others. Use of e-mail and organization Internet connection grants consent to review by management. The City of Willcox's e-mail and Internet connection is to be used only by authorized persons, i.e. employees and others such as contractors or consultants specifically granted such permission.

The City of Willcox, at its discretion, may prevent access to Web sites and/or monitor employee access to Web sites. This capability is necessary because the City of Willcox, as well as its employees, is legally responsible for employee conduct utilizing corporate assets and facilities. In addition the Electronic Discovery Act provides that all material transmitted electronically can be used in any employment litigation. This means that all electronic communication must be maintained by the organization.

While not everyone may have access to the Internet or e-mail as a requirement of his or her immediate job, over time, access will be expanded within the organization. Therefore every employee is expected to comply with this policy. All employees will be asked to read and sign the statement attesting to their receipt and understanding of this policy. Employees who violate this policy may be subject to disciplinary action up to and including termination of employment, at the discretion of the City of Willcox management.

I have read and understand this policy and I agree to adhere to this policy.

*****A signed Acknowledgement will be filed in the personnel file***

616 Gift Acceptance

The City of Willcox strives to maintain straightforward business relationships with customers and suppliers. These relationships should be based on cost and the quality of the product and/or service, rather than on personal relationships.

It is the employees' obligation to guard against any behavior, including the receipt of or offering of gifts, meals or other gratuities that could be perceived as improperly intended to influence a business decision.

The City of Willcox employees are discouraged from offering money, gifts or entertainment that is not incidental to a business relationship to any client or customer of the City of Willcox. Suppliers are encouraged to respect and observe our gift policy and avoid offering excessive gifts and entertainment that may place our employees in an uncomfortable position.

In the event any gifts (flowers, chocolates or other small treats) are delivered to the office you may accept and share them with your office-mates if the gift is of small value.

In all other circumstances, however, you should return the gift and explain that the organization's Gift Policy prohibits employees from receiving gifts because (1) customers can expect our employees to provide competent and responsive public service without receiving "something extra," and (2) acceptance of a gift could be misunderstood by others as a way of gaining favor.

617 Communications

Successful working conditions and relationships depend upon successful communication. Not only do you need to stay aware of changes in procedures, policies and general information, you also need to communicate your ideas, suggestions, personal goals or problems as they affect your work. In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and utilize all of the City of Willcox methods of communication, including this Employee Handbook, bulletin boards, discussions with your supervisor, memoranda, staff meetings, newsletters, and training sessions. You will receive other information booklets, such as your insurance summary plan descriptions from time to time. You may take this information home so that you and your family can make decisions on your benefits offered. In addition, you may receive letters from the City of Willcox. The function of each letter is to provide you and your family with interesting news and helpful information that will keep you up-to-date on the events here at the City of Willcox.

618 Recycling, Waste Prevention and Conservation

The City of Willcox encourages you to be conscious of our commitment to recycle and conserve our resources.

619 Solicitations and Distributions

Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-organization literature in work areas at any time during working time. Working time is defined as the time assigned for the performance of your job and does not apply to break periods and meal times. Persons not employed by the City of Willcox are prohibited from soliciting or distributing literature on organization property or from being on the City of Willcox property other than for business-related reasons.

620 Problem Resolution

The City of Willcox encourages an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the City of Willcox supervisors and management team.

The City of Willcox tries hard to ensure fair and honest treatment of all employees. We expect supervisors, directors, and employees to treat each other with mutual respect. We encourage employees to give positive and constructive criticism to each other.

If you disagree with the City of Willcox's rules of conduct, policies, or practices, you can state your concerns through the problem resolution procedure described in this policy. You will not be penalized, formally or informally, for making a complaint as long as you do it in a reasonable, business-like manner. You will also not be penalized for using this problem resolution procedure.

If a situation occurs when you believe that a condition of employment or a decision that affects you is not fair, you are encouraged to use the following problem resolution steps. You may stop the procedure at any step.

1. You present the problem to your supervisor after the incident occurs. If you believe it would be inappropriate to discuss it with your supervisor, you may present the problem to the Human Resources Department.
2. Your supervisor responds to the problem during discussion or after consulting with appropriate management, when necessary. Your supervisor documents the discussion.
3. You present the problem to the Human Resources Department if the problem is not resolved.
4. The Human Resources Department counsels and advises you, helps you to put the problem in writing, visits with your managers, if necessary, and directs you to the City Manager for a review of the problem.
5. You present the problem to the City Manager in writing.
6. The City Manager reviews and considers the problem. The City Manager informs you of the decision and keeps a copy in your file.
7. The City Manager has full authority to make any adjustment that is determined to be appropriate to resolve the problem. The decision of the City Manager is final.

Not every problem can be resolved to everyone's total satisfaction. However, we believe that honest discussion and listening to each other will build confidence between employees and management and help make the City of Willcox a better place to work.

621 Progressive Discipline

This policy describes the policy for administering fair and consistent discipline for unsatisfactory conduct at the City of Willcox.

We believe it is important to make sure that all employees are treated fairly and that disciplinary actions are prompt, consistent and impartial. The major purpose of a disciplinary action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future.

Although your employment is based on mutual consent and both you and the City of Willcox have the right to terminate employment at will, without cause or advance notice, The City of Willcox may use progressive discipline at its discretion.

Disciplinary action may be any of the following four steps:

1. verbal warning
2. written warning,
3. suspension with or without pay, or
4. termination of employment.

We will look at how severe the problem is and how often it has happened when deciding which step to take. There may be circumstances when one or more steps are bypassed.

In most cases, progressive discipline means that we will normally take these steps in the following order:

- a first offense may call for a verbal warning;
- a next offense may be followed by a written warning;
- another offense may lead to a suspension; and
- still another offense may then lead to termination of employment.

In very serious situations, some types of employee problems may justify either a suspension, or, in extreme situations, termination of employment without going through the usual progressive discipline steps.

By using progressive discipline, we hope that most employee problems can be corrected at an early state, benefiting both the employee and the City of Willcox

Note on Workplace Policies

This Employee Handbook is designed to answer many of your questions about the practices and policies of the City of Willcox. Feel free to consult with your supervisor for help concerning anything you don't understand.

Safety Policies

701 Safety

The City of Willcox's safety and health rules and procedures are designed to ensure that each job and area of the workplace will be as free as possible from hazards and comply with applicable State and/or Federal Occupational Safety and Health Administration (OSHA) regulations. Employees, who are aware of an unrecognized or poorly identified hazard, or potential hazards in their jobs or in the workplace, are encouraged to report such hazards to their Department Director or Safety Coordinator. Any ideas for removing or for guarding against the hazard are welcome.

The City of Willcox has appointed a Safety Coordinator and a Safety Committee, whose responsibilities include:

1. Investigating accidents and proposing needed corrective measures
2. Reviewing employee safety and health suggestions or recommendations
3. Recommending changes or additions to improve safety
4. Conducting periodic workplace reviews, including emergency and evacuation drills, and following up on workplace review results
5. Reviewing plans for safety training
6. Other projects as requested by the City.

The City of Willcox maintains the policy to enforce all applicable safety and health rules in the workplace. Consequently, it is a part of every employee's job description to follow all organization safety and health procedures. Should you ever have a question about any safety or health matter in the workplace, you should immediately contact your Department Director or the Safety Coordinator for further information. Although certain safety and health rules will apply to your particular work area, some general rules apply to all areas of the workplace, including:

Hazard Communication Program: The Hazard Communication or "HazCom" Program provides information on the various chemicals found in the workplace. The information is provided through Material Safety Data Sheets ("MSDSs"), which are available for your reference. Each MSDS will contain information on the particular chemical substance and provide guidance for the safe handling and use of the chemical.

Blood borne Pathogen Protection Program: The Blood borne Pathogen Protection Program is designed to prevent the transmission of blood borne pathogens through contact with blood or bodily fluid in the workplace. The primary prevention technique is through the use of the "Universal Precaution" whereby all exposed blood or bodily fluid is treated as potentially infectious material.

Emergency Evacuation Procedure: In the event of an emergency requiring evacuation (fire or otherwise), each employee must proceed to the nearest exit and proceed out of the workplace.

Emergency exit locations are marked throughout the building along with diagramed exit routes. Once safely out of the building, each employee must stay in the immediate area so that a proper accounting of each individual may take place.

Workplace Violence Prevention Program: The City does not tolerate acts or threats of violence by any individual in the workplace. The City Workplace Violence Prevention Program is therefore aimed at preventing incidents of violence from occurring and handling any acts or threats of violence that may arise. In the event any act or threat of violence occurs, the Department Director should be immediately notified so that a prompt response may be commenced. All acts or threats of violence will be taken seriously and thoroughly investigated. Discipline shall be administered and law enforcement contacted as deemed appropriate by the City. (See Policy 604 for additional information)

All employees will be trained on the organization safety and health programs upon the beginning of employment and whenever significant changes to the programs take place. All employees and visitors entering the work area must wear safety glasses and "Hard Hats", in areas designated as "Safety Glass Area" or "Hard Hat Area".

Hard Hats Areas: All supervisors will ensure all personnel wear their hard hats under the following conditions:

- Employees working in areas where there is a possible danger of head injury from impact, falling or flying objects, or from electric shock and burns shall be protected by hard hats.
- Hard hats shall be worn at all times during all phases of construction.
- Hard hats shall be worn at all times on construction sites and around any heavy equipment.
- Hard Hats shall be worn when operating heavy equipment.
- Hard hats shall be worn in all right of ways

Hard Hat Care Instructions

- Hard hats shall be worn with the suspension properly fitted.
- Before wearing your hard hat, inspect it for cracks, etc.
- Hard hats shall be inspected quarterly by department supervisors.
- Don't store hard hat where it is exposed to direct sunlight.

Safety Vests: All supervisors will ensure all personnel wear their Safety Vests under the following conditions:

- Safety vests shall be worn at all times during all phases of construction.
- Safety vests shall be worn at all times on construction sites and around any heavy equipment.
- Safety vests shall be worn in all right-a-ways
- All employees exposed to public vehicular traffic shall wear proper vests.
- All flag persons shall be equipped with proper protection devices, i. e., vests, flags or signs, hard hats, safety glasses, etc.

Steel Toed Boots or Shoes: The following Departments will wear steel toed boots or shoes at all times: Public Works and Development Services. (Administrative Assistants are required to wear steel toed boots or shoes when in the field, working in the Public Works yard, mechanic shop or in the warehouse.)

Safety Glasses: Employees shall be provided with eye and face protection equipment and shall wear these items when machines or operations present potential eye or face injury from physical, chemical, or radiation agents.

Hearing Protection: The City of Willcox shall make hearing protectors available to all employees exposed to 85 decibels or greater at no cost to the employees or whenever the employee requests hearing protectors. They must be replaced as necessary. Employers must ensure that all affected employees wear hearing protectors.

Any accident, no matter how small, must be reported to the Human Resources Department immediately. An accident report must be filled out by the appropriate department in all cases within three (3) working

days. This policy ensures that any entitlement to workers' compensation benefits will be efficiently processed with the City's insurance carrier

702 Security

Maintaining the security of the City of Willcox buildings is every employee's responsibility. Develop habits that insure security as a matter of course. For example: Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise. If you are the last to leave your area make sure that all entrances are properly locked and secured

703 Emergency Evacuation

In the event of an emergency at the City of Willcox or whenever fire alarms sound/flash, EXIT the building immediately using the most direct route possible.

Individuals who need assistance during an evacuation are encouraged to identify and discuss with someone in advance who might assist them in leaving the building and/or who will inform emergency personnel of their presence and where they are located so that further assistance can be provided. Ask for assistance to the nearest EXIT or room near a stairway with a window; Note the room number of location where you are; ask someone leaving the building to notify emergency personnel of your location and further assistance will be provided; if a phone is available, call 911. State your location. A police dispatcher will verify your location.

704 Smoking

Smoking is only permitted in designated smoking areas. Please be courteous and concerned about the needs of your fellow employees and others. Please do not smoke in restricted areas (this includes the offices or vehicles of the City of Willcox). Additionally, employees are not permitted to smoke in the presence of our customers; nor are they provided with additional break time for the purpose of smoking. All employees are expected to abide by this policy while at work.

705 Emergency Closing

The City of Willcox will not close due to normal conditions of bad weather. If there is an extreme condition that endangers the safety of the City of Willcox's employees, due to weather or otherwise, closure will be announced only by the City Manager or his/her designee.

Each employee of the City of Willcox is expected to make his or her own personal safety decision with regard to reporting to work on days of poor road conditions. Employees choosing not to report to work or to work a reduced number of hours due to inclement weather will be required to use vacation time for lost hours. With approval from an employee's supervisor, time may also be made up.

706 First Aid

In the event of a life threatening emergency, call 911. If an accident or illness should occur no matter how slight, notify your manager or supervisor immediately so that appropriate medical treatment can be administered. It is imperative that employees take extreme care in case of an accident, both on and off the job. The transfer of any body fluid (blood, saliva, urine, etc.) may pass on a blood borne pathogen. Use caution to avoid contact with these body fluids. Each first aid kit contains plastic gloves, please be sure to use them. If this is not possible, use a strong disinfectant, to clean up afterwards. On the job injuries will be handled in accordance with the Workers' Compensation laws. Any employee who is injured while on the job must notify the personnel department immediately to be eligible for coverage provided under our Workers' Compensation policy. As part of our Drug Free Work Place program, you may also be required to submit to drug testing if you are injured on the job.

707 Children in the Workplace

It is the responsibility of the City of Willcox's managers and supervisors to ensure that the work of the City is accomplished in an environment in which employee health and safety concerns are respected and work-related disruptions are minimized. It is inappropriate to allow extended workplace visits by children, creating a disruption of workflow and work activities. Children exhibiting symptoms of potentially contagious illnesses should not be brought into the workplace at any time.

708 Fleet Safety Policies Program

Purpose: The theme of this policy is safety: the purpose is Accident Prevention. Our aim in implementing this policy is to improve safety awareness and performance, in addition to creating a system of accountability for any individual who is entrusted with the serious responsibility of operating a vehicle for the City of Willcox (“City”) business. The primary objective of vehicular accident prevention is the prevention of injuries to people, with an additional goal of preventing damage to vehicles and other property.

Scope: This policy formally establishes an accident prevention program with a minimum set of safety regulations, standards, and disciplinary procedures, which will be completely enforced. It is expected that all individuals driving vehicles for City business will fully understand these rules and the need to follow them, and it is expected that supervisors will enforce them. This policy supersedes all previous fleet safety policies. This policy supplements the City of Willcox Employee Handbook (“Employee Handbook”). If there is any inconsistency between the terms of this policy and the Employee Handbook, the terms of the Employee Handbook shall control.

Public Safety, including the Police and Fire Departments, will be exempt from this policy if they have a policy in place that meets or exceeds the policies and procedures outlined here.

Operators with a Commercial Driver’s License must follow federal and state guidelines as well as City policy.

The City Vehicle Maintenance Department is responsible for the maintenance of all vehicles and equipment purchased by the City. The City Vehicle Maintenance Department will perform or commission all repairs on vehicles and equipment, unless otherwise directed. The City requires that privately owned vehicles operated for City business be registered in the State of Arizona and insured as required by Arizona State law.

Definitions

“Accident” is any contact made by any City vehicle or equipment with any person or object that was not intended to come in contact with which causes, creates or leaves any damage to the vehicle, the person or the object, whether visible or not.

“Abuse” of a vehicle or equipment is any operation beyond the specified purpose or capabilities for the vehicle or equipment that may result in inordinate wear or damage.

“Driver/operator” of any vehicle or equipment is a person who is assigned, assumes, or takes responsibility, whether directly or indirectly, for the operation of any City vehicle or equipment; or any person who is at any time in actual physical control of any vehicle or equipment.

“Employee” is City employees, elected officials, and commission/committee members.

“Vehicle” is any motorized equipment that requires a license to operate or is registered through the Department of Transportation, Motor Vehicle Division.

Management Responsibilities

Risk Management/Human Resources

- Ensure effective application of this policy by monitoring that the required programs are carried out and reporting to the City Manager.
- Work closely with the Risk Management Team in establishing goals and objectives of the accident prevention program.
- Review and log vehicular Incident Reports and Investigations. Oversee that quality and accuracy is maintained, and proper disciplinary and corrective action has been taken.
- Provide initial safe driver training for all new hires.
- Assist departments and divisions with resources and materials for annual refresher classes.
- Perform annual driver’s license checks on an ongoing basis.

Vehicle Maintenance Department

- Ensure that all vehicles, vehicular equipment, and fleet facilities meet and are maintained at safe standard.

Supervisors

- See that drivers receive complete safety instruction at the first available opportunity.
- Enforce all safety rules, regulations, and standards.
- See that all accidents are properly and promptly reported to the Department Director and to the Human Resource Department.
- Ensure proper maintenance of equipment.
- Immediately remove from a driving position any driver whose license is cancelled, expired, refused, revoked, suspended, or restricted in a manner, which affects the individual's ability to drive on City business.
- Arrange for all new hires to attend an initial Safe Driver Awareness – Initial Course as soon as is feasible after starting employment.
- Arrange for all employees to receive annual refresher training.

Department Heads

- Ensure that supervisors have a clear understanding of their responsibilities as they relate to this policy.
- Ensure that effective programs are developed and administered in their respective departments, regarding maintenance, safety, and cleanliness standards.

Minimum Standards For All Drivers

- Drivers/operators should always practice good, courteous, defensive driving habits. All drivers/operators shall comply with the applicable local, state and federal traffic laws at all times by observing posted laws and regulations, speeds, traffic control signals and signs pertaining to the operation of motor vehicles on public streets and highways.
- Seat belts must be used in all vehicles at all times.
- The possession, transportation, or consumption of any alcoholic beverage or any controlled substance within or upon any City vehicle is expressly prohibited.
- No personal business may be conducted using a City vehicle, unless specifically approved by the City Manager or designee.
- No unauthorized passengers may ride in a City vehicle, unless specifically approved by the City Manager or designee. Other City employees or individuals conducting business with the City are considered to be authorized.
- Any substantiated report of tailgating, speeding, or other unsafe driving behavior will be subject to disciplinary procedures up to and including termination. All moving violations or traffic citations are to be reported to the supervisor as soon as practical.
- License denials, suspensions and revocations or any change in driving status must be reported to the supervisor before the beginning of the next scheduled work shift.
- All moving violations or citations will be the responsibility of the driver, whether driving a City vehicle or not. The City will not pay for any costs associated with violations or citations.
- Smoking is expressly prohibited in all City vehicles. This applies to all employees of the City, as well as volunteers or employees of other agencies performing work for the City. It shall also apply to any member of the general public who has access to a City vehicle as a passenger. The assigned driver/operator is at all times responsible for insuring that no one smokes in the vehicle.
- No radio, tape player, or CD player will be played in a City vehicle at a volume that interferes with the driver/operator's ability to hear traffic and engine sounds.
- Follow procedures of Cellular Policy #610 regarding cell phone usages while driving.
- It is the full and total responsibility of the driver/operator assigned to a City vehicle to conduct inspections prior to operation of the City vehicle. Driver/operator of City pool vehicles must turn in an inspection form if repairs or services are needed.
- All accidents, regardless of circumstances or fault, are to be reported to a supervisor as soon as possible. The supervisor must *immediately* notify the Department Director, Human Resource

Department, and the Vehicle Maintenance Department to expedite insurance claims and damage repair.

- It is the responsibility of the driver/operator to ensure an Incident report is completed and given to their supervisor in the event of any type of vehicle accident. Refer to the “In Case of an Accident” portion of this program for specific details.
- A Damage Report Form must be filled out whenever a City vehicle encounters another vehicle, person, building, or other property, regardless of apparent lack of damage.
- It is the responsibility of the driver/operator of any City vehicle who is involved in an accident to file an accident report as required by law.

Abuse of City Vehicles or Equipment

Abuse of any City vehicle or equipment may subject the abuser to a suspension of driving privileges and/or other disciplinary action up to and including termination in accordance with the City Employee Manual. Examples of abuse include, but are not limited to:

- driving at excessive speeds,
- towing without proper equipment,
- overloading,
- failure to perform operator inspections/maintenance,
- failure to facilitate scheduled preventative maintenance, and
- general neglect and horseplay.

Any person observing such abuse may report incidents of abuse of equipment to any City Supervisor.

Motor Vehicle Record Guidelines

New Hires: It is the responsibility of the Human Resources Department to request an MVR from each prospective employee. Volunteer coordinators are responsible for requesting from Human Resources, an MVR for each volunteer driver prior to allowing them to operate a City vehicle. No one shall be allowed to drive a City vehicle who's MVR indicates:

- A current cancellation, expiration, refusal, revocation, suspension, or restriction that affects the applicant's ability to drive on City business.

Other factors such as a non-chargeable accident, zero point violation, or pending DUI charge are considered in determining if the applicant's driving record is permissible.

No person may be permitted to operate a vehicle for City business without possessing a valid, current driver's license. Out-of-State applicants may be required to furnish a copy of their driver's license record prior to the offer of employment and may be required to obtain an Arizona Drivers' License as a condition of employment. Depending on the vehicle to be driven, the license must be of the appropriate class.

Annual Driver's License Validation

At least annually, the City may request a driver's license validation through the Department of Public Safety for all City employees, elected officials, commission/committee members, and volunteer drivers. The City reserves the right to check at any time for proof of valid driver's license. License revocation or suspension, DUI, DWI or any drug violation shall be cause for disciplinary action up to and including termination.

Administrative Actions

Employees and volunteer drivers in Driving Positions are expected to obey all laws, regulations, policies, and mandates when operating City vehicles or when operating personal vehicles on City business.

Failure to do so may result in disciplinary actions up to and including termination. Examples of violations include, but are not limited to:

- Employee or volunteer driver operating a vehicle with an expired license
- Employee or volunteer driver failing to notify supervisor that he/she is not in possession of a valid license, and driving
- Employee or volunteer driver driving without appropriate class of license
- Employee or volunteer driver driving contrary to a license restriction
- Employee or volunteer driver driving while license is cancelled, refused, revoked, or suspended

- Employee or volunteer driver failing to notify supervisor of change in driver's license status, or failing to notify supervisor of any citation concerning DUI/DWI by the beginning of the next scheduled work shift, or returning to active work status from leave status
- Violation of any policy concerning DUI/DWI, while on City business or driving a City vehicle

In case of an Accident

Accident Reporting: The supervisor will ensure that all drivers/operators have been adequately trained in what to do when an accident occurs. All accidents will be reported immediately to a supervisor. The supervisor will immediately report the accident to the Department Director, the Human Resources Department, and the Vehicle Maintenance Department. All accidents are to be carefully investigated in a prompt manner to determine accident cause, responsibility, and preventability. It is the responsibility of the driver/operator to ensure an Incident report is completed and given to their supervisor in the event of any type of vehicle accident. Each department may obtain an incident report from the department supervisor or administrative assistant.

An Incident Report Form should be filled out whenever a City vehicle encounters another vehicle, person, building, or other property, regardless of apparent lack of damage.

It is the responsibility of the driver/operator of any City vehicle who is operating the city vehicle at the time of the accident to file an accident report under the terms and conditions of the state in which he or she drives. Anyone involved in an accident while driving a city owned vehicle will submit to a post-accidental drug screen test

If an employee is placed on medication that may impair their ability to safely, operate a city vehicle or use city equipment, due to HIPAA Privacy Laws, it is the employee's responsibility to report to their immediate supervisor or to Human Resources any medications that may restrict them from performing any aspect of their job description.

This vehicle policy is also effective when a City Employee uses their personal vehicle on any approved City business. The employee must secure approval from their immediate supervisor in order to use their personal vehicle. The City of Willcox provides mileage reimbursement to employees that use their personal vehicle for approved City business. This reimbursement encompasses costs related to vehicle usage, fuel, insurance, deductibles, etc. If a City owned car were available for use then the employee would be required to use the City property.

Vehicle Accident Review

Corrective action will be based on a number of factors such as employee history, how much the employee contributed to the incident, severity of damage or loss, etc. The Department Director will determine the final decision on corrective action or discipline, with the Human Resources Department reviewing all decisions. The Human Resources Department and the City Manager must also approve any decision involving demotion, suspension, or termination.

Action may consist of any combination of the following: warnings (verbal or written), retraining, evaluation by a professional, probation, suspension and/or termination. The Human Resources Department and City Manager must review all decisions. Any discipline involving demotion, suspension, or termination must be reviewed and approved by the Human Resources Department and the City Manager. The City Employee Handbook will govern any appeal. Any City vehicle or equipment which is involved in any accident or is reportedly or suspected to be involved in abuse must be driven, towed or transported to the Vehicle Maintenance Shop as soon as possible, but no more than three (3) days after the accident or incident report, for inspection and estimates for repair. Failure to properly report any accident or to deliver the vehicle or equipment to the Vehicle Maintenance Shop in accordance with this policy may result in disciplinary action up to and including termination, in accordance with the City Employee handbook

If You Are Involved in an Accident

DO:

- Stop at once. Turn off engine. Turn on emergency flashers. Extinguish fires.
- Make sure no one is injured. Call 911 if needed.
- Notify your supervisor and Fleet Services Manager immediately.

- Answer all questions truthfully when asked by the police agency investigating the accident
- Fill out a Damage Report immediately and thoroughly. Reports are available through your supervisor or administrative assistant.

DO NOT:

- **Do not** admit that you did anything wrong, violated any policies/procedures or failed to act reasonably.
- **Do not** call insurance company: please let management do this.
- **Do not** give a signed statement to the claims adjuster representing the other driver's insurance company.
- **Do not** speak to the claims adjuster representing the other driver's insurance company without the presence of a representative of the Legal Department, Risk Management, the City's insurance administrator, or a law firm hired by the City's insurance administrator.
- **Do not** give a statement to the press.

Training Requirements

New Hires and Volunteer Drivers

- All new employees and volunteer drivers who will operate City vehicles or personal vehicles while conducting City business should be enrolled in the first available Safe Driver Awareness – Initial course. The Risk Management Team will schedule this course on a periodic basis.

All Employees and Volunteer Drivers

- All employees, elected officials, commission/committee members, and volunteer drivers who operate City vehicles or personal vehicles while conducting City business should participate in an annual Safe Driver Awareness – Refresher course. This course will be conducted as part of each Department's annual training program. Course materials will be prepared and distributed by the Risk Management Team. Options for providing the course may include Train-the-Trainer courses for departmental designees, outside training resources and/or computer based training programs.

Drivers Involved in Vehicular Accidents

- Drivers involved in an accident deemed to be preventable under City guidelines may be required to complete additional safe driver training as provided for or arranged by the Risk Team.

Exemptions

- Departments who conduct annual driver training courses specific to their department are not required to conduct additional annual refresher training.

Separation of Employment

801 Termination

Unless a different employment relationship is established by law or contract, employees at the City of Willcox work on an at-will basis. At will employees are free to terminate their employment at any time, with or without a reason. Likewise, the City has the right to terminate employment, or transfer or move an at-will employee into a different job classification, at any time, with or without cause, at the discretion of the City of Willcox. The City expects, but does not demand, that you will give at least two (2) weeks' notice prior to your resignation. Any earned but unused vacation time will be paid out following the termination of employment in accordance with requirements of Arizona law.

802 Insurance Conversion Privileges

According to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, in the event of your termination of employment with the City of Willcox, or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under our health insurance program for a limited period of time at your own expense. The City of Willcox will provide you with written notice as to your COBRA rights, so you may decide if you wish to

continue your insurance coverage benefits you currently have as an employee/dependent that is eligible for continuation.

803 Exit Interviews

In a resignation situation, The City of Willcox management may wish to conduct an exit interview to discuss your reasons for leaving and any other impressions that you may have about the City of Willcox. During the exit interview, you can provide insights into areas for improvement that the City of Willcox can make. Every attempt will be made to keep all information confidential within the City of Willcox management.

804 Return of Organization Property

Any the City of Willcox property and equipment issued to you, as well as all documents, including those stored electronically or on external computer storage devices (including but not limited to External Hard Drive, CD, DVD, Disk), and all computer software must be returned to the City of Willcox at the time of your termination. Your Supervisor and HR will work with you to collect all City property

805 Post-Employment Inquiry

The City of Willcox will only verify dates of employment, salary information and position last held.

Policy Summary Statement

901 Policy Statement

As a valued employee of the City of Willcox your compliance with all of the preceding is an expectation of management. Therefore, should you have any questions or misunderstandings with regard to any of the information in this Handbook we ask that you bring them to the attention of your Department Director or to the Human Resources Department.

As a City which strives to be the best, we are constantly seeking ways to do things better. Consequently, you are encouraged to make your recommendations for improvement known. At the City of Willcox we recognize that there can be several ways to accomplish an objective; being the best requires they all be considered. If you have an idea or suggestion for improvement please submit it to your supervisor.

In closing, we trust you will find your employment with the City of Willcox both personally rewarding and professionally challenging. We believe in what we do for the community, the customers we serve and ourselves. Together, we can strive for and achieve our goals.