

RESOLUTION NO. 2023-____

A RESOLUTION BY THE CITY TO APPROVE CHANGES TO THE CITY'S, POLICE DEPARTMENT AND FIRE DEPARTMENT PERSONNEL POLICIES

WHEREAS, the City has a Personnel Policy, the Police Department has a Personnel Policy and the Fire Department has a Personnel Policy; and

WHEREAS, the City has added Section 5.21 to the Personnel Policy to address Unauthorized Leave and Absence From Work; and

WHEREAS, the City has added Section 31 to Police Department Policy 03-001 to address Unauthorized Leave and Absence From Work; and

WHEREAS, the City has added Section 5.23 to the Fire Department Personnel Policy to address Unauthorized Leave and Absence From Work; and

WHEREAS, the City has amended the Sick Leave section of Police Policy 03-001 to increase the amount of accrued sick leave to be paid to retiring or dead police officers from sixty days to 720 hours (90 days) and added language concerning misuse of sick leave; and

WHEREAS, the City has amended the Leaves of Absence Without Pay section of Police Policy 03-001 to amend approval procedures; and

WHEREAS, the City has amended the Grievance section of Police Policy 03-001 to remove reference to Lieutenant and correct it to Captain; and

WHEREAS, the City has amended the Promotions section of Police Policy 03-001 to provide that the Chief of Police is solely responsible for promotions within the police department and removed references to obtaining confirmation by the City Council

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS:

That the City Council hereby approves the City's Personnel Policy, Police Department Policy 03-001, and the Fire Department Personnel Policy, attached to this Resolution, dated April 17, 2023 and effective for the period January 1, 2023 through December 31, 2024.

PASSED AND APPROVED on this 17th day of April 2023.

APPROVED:

ATTEST:

David Faulk, Mayor

Christine Kelly, Clerk

City of Prairie Grove
Personnel Handbook

Amended January 2023

City of Prairie Grove Personnel Handbook Contents and Preface

Effective January 1, 2023-December 31, 2024

PURPOSE OF EMPLOYEE HANDBOOK

This Handbook is designed only to be a general guide to some key policies, practices, and procedures. The City of Prairie Grove hopes this handbook is and will continue to be helpful to City employees and allow them a better understanding of the City of Prairie Grove. Please refer to the Handbook often.

No employee handbook can anticipate every circumstance or question about policy. As the City grows, changes, and evolves the City reserves the right to revise, supplement, or rescind any policies or portions of the handbook, as it deems necessary. Our policies and operating procedures will change from time to time to meet the needs of our employees and our City operations.

This Handbook is not intended to create any contractual or other legal rights. It is designed solely as a guide and does not alter your at-will employment status. Periodically, this employee manual may be revised and updated. Additionally, no supervisor or dept. head has the authority to make verbal changes in this Handbook. Any changes must be approved by the City Council of the City of Prairie Grove.

The handbook will address the following subject matter:

- ❖ Section One; Equal Employment opportunity Policy
- ❖ Section Two; Sexual Harassment
- ❖ Section Three; Employee Benefits
- ❖ Section Four; Matters affecting the status of employees
- ❖ Section Five; Standards of Conduct
- ❖ Section Six; Disciplinary Action and Supervision

The City of Prairie Grove is required to abide by a number of Federal and State Laws in respect to the hiring, work conditions, and employment practices of its employees. Among those laws are included but not solely limited to the following:

- Title VII, the Civil Rights Act of 1964 which prohibits discrimination due to race, color, national origin, religion, or sex.
- The Age Discrimination in Employment Act, which prohibits discriminatory practices in the workplace for employees over 40 based on their age.
- The Immigration Reform and Control Act of 1986; makes it illegal to hire any individual who is not authorized to work in the United States.
- The Fair Labor Standards Act (FLSA); which establishes minimum wage, overtime pay requirements, compensatory time restrictions, equal pay, and child labor standards.

- The American With Disabilities Act; Prohibits discrimination against a qualified applicant who is disabled under the act based solely on that disability. The Act can be applied to hiring, advancement, compensation, or discharge.
- The Drug-free Workforce Act; Applies to all entities that have received federal grants and requires certain policies and steps be afforded that assure compliance with zero tolerance of employee use of illegal drug use in the work place.
- The Arkansas New-Hire Act; requires employers to provide the Arkansas New Hire Office, information regarding the location and social security numbers of all newly hired employees. This information is used to track individuals who are delinquent on child support payments.

No handbook, policy, or procedure manual can effectively be all-inclusive to every possible event or situation that could occur. This policy will as such be amended periodically, as needs and specific situations might dictate.

Introduction, Scope, & Definitions

The City of Prairie Grove is an Arkansas Municipal Corporation and City of the First Class. This policy includes sections that are applicable to all employees of the City of Prairie Grove with the exception of the Police Department. Among the topics covered in this document are employee rights, benefits, discipline policies, training, compensation policies, and expected conduct.

- The term **At-will Employee** means any employee who may be terminated at any time during the course of their employment due to lack of work, misconduct, or any other reason deemed to be in the interest of the City of Prairie Grove. At-will employees can be terminated at any time for any reason or no reason at all, however he or she cannot be terminated for exercising any fundamental constitutional guarantee.
- The term **Exempt Employee** means employees who are not entitled to overtime and meet the “salary basis test & duties test” as defined in the Fair Labor Standards Act. Exempt employees shall be paid on a salary basis regardless of hours worked, and shall meet the requirements of executives, managers, and professionals.
- The term **Non-exempt Employee** means employees that can be paid on a salary or hourly basis but are entitled to overtime compensation under the FLSA.

For salaried employees overtime compensation will be calculated as follows:

Compensation ÷ Hours worked in week = hourly wage. Number of hours over 40 in week x hourly wage x 1.5 = overtime rate. For example; 60 hours worked in a week and the salaried compensation is \$500.00 per week. $\$500.00 \div 60 = \$8.33/\text{hr.}$ for that week. Overtime would then be compensated at 20 hours x $(\$8.33 \times 1.5)$.

Hourly employees are much more straightforward. The hourly rate will be multiplied by 1.5 for all hours over 40 hours during the workweek.

- The term **Employee** means an at-will employee who has been appointed to a position with the City of Prairie Grove, Arkansas on a regularly compensated basis. Regular employees are those who in the course of a week work 40 hours for at least 8 consecutive weeks, whether they are compensated on an hourly basis or whether compensated on a monthly basis without respect to hours worked.
- The term **Salaried Exempt Employee** means any employee who is compensated on a salaried basis without regard to hours worked.
- The term salaried non-exempt employee refers to employees who receive a minimum monthly/bi-monthly/or weekly compensation but are eligible for additional pay for work performed over 40 hours per week as defined in this document.
- The term **Hourly Employee** means employees who are compensated based on a 40-hour workweek as determined by the employee’s supervisor or Dept. Head.
- The term **Unlimited Full-Time Employee** means employees who work on average 40 hours per week and are entitled to all benefits prescribed under this policy without limitation.
- The term **Limited Full-time Employee** means employees who do not average 40 hours per week but average more than 30 hours per week for

more than 8 consecutive weeks. Limited Full-time employees are entitled to $\frac{3}{4}$ benefits meaning they receive $\frac{3}{4}$ of the sick leave and vacation leave benefits of un-limited full time employees. (for example: if the benefit for UL Full time employee is 10 days of vacation that refers to 40 hours of vacation time, a Limited Full time employee would receive 30 hours for the based on the same amount of longevity). Limited Full-time employees receive health insurance benefits equal as required under the City's health provider.

- The term **Half-time Employee** means employees who work a minimum of 20 hours per week but do not exceed 40 hours per week for more than 8 consecutive weeks and are certified by their Department Head as half-time status. Half-time employees are entitled to $\frac{1}{2}$ the vacation and sick leave benefits that full-time employees would be entitled to. Half-time employees are not eligible for health insurance under the terms of the City's carrier.
- The term **Part-time Employee** means employees who work less than 40 hour per week and average less than 20 hours per week for a period of 8 weeks. Part time employees are not entitled to any special benefits from the City of Prairie Grove.
- **Department Heads** shall be appointed by the Mayor.
- A **Layoff** refers to a reduction in force of City Employees, either within a Department, a job site, or throughout the City work force as a whole which is a result not of the fault of the employee but rather due to a decrease in the amount of work and/or municipal revenues which requires a reduction in the force of employees used to perform the work of the City.
- A **Relative** as described herein is declared to mean husbands, wives, sons, daughters, mothers, fathers, step-mothers, step-fathers, brothers, sisters, step-siblings, adopted siblings, adopted parents, adopted children, mothers-in-law, fathers-in law, brothers-in-law, sisters-in-law, grandparents or spouse's grandparents.
- A **Safety-sensitive Position** is defined as one in which a momentary lapse of attention may result in grave and immediate danger to the public. The following positions are considered safety sensitive:
 - (1) Law Enforcement officers who carry firearms and jailers.
 - (2) Motor vehicle operators who carry passengers including, but not limited to, ambulance drivers, bus or jitney drivers, and drivers who transport other city employees where the operation of a motor vehicle is not incidental to the employee's occupation. For the purposes of this section, a "motor vehicle" is defined as every vehicle that is self-propelled and every vehicle that is propelled by electric motor obtained from overhead trolley wires but not operated upon rails.
 - (3) Fire department employees and volunteer firefighters who directly participate in fire-fighting activities.
 - (4) Medical personnel with direct patient care responsibilities including physicians, nurses, surgical scrub technicians, emergency medical technicians and trainees, medical and nurses assistants, emergency services dispatchers and rescue workers.
 - (5) Mechanics, welders and sheet metal workers who work on vehicles designed to carry passengers such as buses, ambulances, police cruisers, vans, aircraft, and the like.
 - (6) Lifeguards, emergency medical technicians, emergency services dispatchers, and rescue workers.
 - (7) Operators of heavy equipment, including front-end loaders, trucks,

and riding lawn mowers, or other similar equipment, where the equipment is used around individuals, alongside the public rights-of-way, or on public roads.

(8) Wastewater treatment plant operators, and water treatment plant operators.

(9) Other employees whose duties meet the definition of safety or security sensitive after consultation with and approval by the Arkansas Municipal League, and where the operation of a motor vehicle is not incidental to the employee's occupation.

- A **Security-sensitive Position** includes:

(1) any police officer, jailer, police dispatcher and police department employee, including clerical workers, having access to information concerning ongoing criminal investigations and criminal cases, which information could, if revealed, compromise, hinder or prejudice the investigation or prosecution of the case.

(2) the City also considers law enforcement officers as holding security-sensitive positions by reason of their duty to enforce the laws pertaining to the use of illegal substances. Officers who themselves use such substances may be unsympathetic to the enforcement of the law and subject to blackmail and bribery.

Section One

Equal Opportunity Policy

The City of Prairie Grove is committed to providing equal employment opportunity without regard to race, color, religion, national origin, sex, age, handicap or veteran status as required by federal and state laws. The City's commitment extends to all employment-related decisions, terms and conditions of employment. In addition to those conditions, employees will also be subject to a no tolerance policy of discrimination or harassment based on race, color, religion, national origin, sex, or age in the confines of working with supervisors or co-workers or the public that they serve.

Section Two

Sexual Harassment

The City of Prairie Grove is committed to providing an atmosphere free of any type of harassment. Any employee who believes he or she is a victim of sexual harassment on the job should immediately report the matter to his or her immediate supervisor, Dept. Head, or Mayor. The choice of to whom to report the harassment is the employee's alone to make. Any employee found to be sexually harassing another employee, applicant for employment, or vendor shall be dealt with under the disciplinary policies and procedures contained in this policy document. Sexual harassment can be, but is not limited to, sexually suggestive verbal statements, inappropriate or unnecessary physical contact, suggestive gestures or stares, or any other conduct, which could be perceived as sexually harassing behavior.

Section Three

Employee Benefits and Allowances

3.1 Vacations:

Vacation will be accrued by all regular, fire-department employees in accordance with A.C.A. §14-53-107 as may be hereafter amended.

Vacation will be accrued by all regular, non-fire department employees according to the following schedule of service:

After one year	10 working days
After five years	15 working days
After seven years	16 working days
After nine years	17 working days
After 11 years	18 working days
After 13 years	20 working days

Vacation accrual will run from January 1 to December 31. New employees will receive 10 days vacation as of January 1st following their one-year anniversary. In addition they will accrue one day per five weeks of service from the date of their anniversary till December 31st. For example: An employee beginning on July 1, 1776 would be eligible for a full 10 days of vacation beginning on January 1, 1778 and would also receive 5 days vacation beginning July 1, 1777 for the remainder of that calendar year.

Vacation days are equal to an 8-hour regular work day. Alternate schedules such as working 4, 10-hour days are the equivalent of a 40-hour week, thus the equivalent of 5 days vacation when taken off. In the event that vacation time is unused up to 5 days per year can be taken as pay at a regular daily rate. (i.e. : hourly rate for hourly employees, and salary ÷ 2080 for salaried employees, times 8 hours per day for each day unused.)

3.2 Holiday Benefits:

The following holidays will be observed for regular employees.

- ◆ New Years Day
- ◆ Memorial Day
- ◆ July 4th, Independence Day
- ◆ Labor Day
- ◆ Veterans Day
- ◆ Thanksgiving & day after
- ◆ Christmas Eve
- ◆ Christmas
- ◆ Martin Luther Kings Birthday
- ◆ Presidents Day
- ◆ Good Friday
- ◆ Employee's birthday

Holidays falling on Saturdays will be observed on the proceeding Friday, and holidays falling on Sundays will be observed the following Monday. Employees who must work on primary holidays, defined as New Years, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas, will be compensated at a regular rate for the hours worked plus 8 hours additional pay for the holiday. Employees working on secondary holidays may receive compensation for hours worked on the holiday plus 8 hours additional pay for the holiday, or may have an alternate day off substituted at a supervisor's discretion based on the demand of work schedules. The scheduling of those alternate days will be at the discretion of the employee but must be approved by a supervisor.

3.3 Sick Leave:

Qualified employees shall accrue sick leave at the rate of 3.1 hours per pay period. Sick leave will be allowed to accrue to a maximum of 600 hours. After two consecutive missed sick days a supervisor or Dept. Head may require a Doctors certificate.

All sick days shall be reported to a supervisor before the start of the work day and each subsequent day shall also require notification.

Sick leave benefits can be used for employee sickness, employee injury, or scheduled Dr.'s appointments due to illness or injury.

Maternity or Paternity leave, with pay, is limited to the number of days of accrued sick and vacation days. Paid maternity or paternity leave shall not exceed 60 days following delivery or 14 day prior to delivery without written notice by the employee's physician of the necessity. Upon expiration of accrued leave, the employee shall be placed on leave without pay provided that approval of the supervisor or Dept. Head has been obtained prior to the time leave without pay is to be taken.

Employees hurt during the course of work shall immediately report injury to a supervisor or dept. head and assist in submitting the necessary forms to Workman's Compensation. An employee receiving loss of work benefits from workman's compensation shall not be eligible for sick leave for the same time off, however, the City will compensate the employee the difference between the loss of work benefit and his regular salary based on the number of hours in the pay period for which the loss time is accrued.

3.4 Emergency Leave of Absence:

Emergency leaves of absence shall be allowed for family death or medical emergency. Emergency leaves of up to three days with pay are allowable for the serious hospitalization, serious illness, or serious injury of immediate family member but will be subtracted from an employee's cumulative sick leave. Emergency leaves of up to three days with pay are allowable for the death of an immediate family member and will be subtracted from the employee's cumulative sick leave. The term immediate family shall be understood to mean the spouse, children, parents, grandparents, siblings, in-laws, or spouse's grandparents.

3.5 Leaves of Absence without pay:

Reasonable leaves of absence for necessary personal business, personal matters, and other sound reasons may be granted an employee by his supervisor or Dept. Head. It is understood that these leaves are without pay, without loss of seniority and in excess of allowable sick or vacation privileges. In no case will a leave of absence be over thirty (30) days unless dealing with a personal illness that is in excess of accumulated sick leave.

3.6 Jury Duty:

Pay for Jury Duty shall comply with A.C.A §25-1-104. Jury Duty will be compensated with regular pay however employees are required during regular work hours to report to work during all reasonable times or days when the jury is not in session.

Employees are required to show a jury duty summons to their supervisor as soon as possible upon receiving it.

3.7 Military Service & Duty:

The City will recognize all reserve and National Guard responsibilities without jeopardizing the employee's level of employment. The City reserves the right to request a review of orders to verify service requirements. In accordance with A.C.A. §21-4-102, all members of a military service organization (e.g. Guard or Reserve) shall be entitled to 15 days of paid, military leave in order to complete annual training requirements.

3.8 Retirement Benefits:

Regular Employees and half-time employees working at least 80 hours per month will be enrolled in the Arkansas Public Employee Retirement System. APERS is a defined benefit system. The City will make contribution based on gross payroll requirements of its employees. For employees hired before July 1, 2005 this is a non-contributory program where the employee cannot contribute to the system, unless they applied for the contributory system during the period allowed for such transfers, between May and July 1st, 2005. Employees hired after July 1st, 2005 will automatically be contributory and pay the amount of contribution, based on a percentage of gross wages, required under that system.

3.9 Medical Insurance/hospitalization plan:

On the first day of a new month, following the first 60 days after the date of employment insurance benefits will be provided for new regular employees. Elective coverage will be available at the employee's expense for family members at the employee's request. Family coverage is only available during certain periods of the year and should be coordinated with the City's insurance clerk.

The employee who elects to have his dependents covered shall pay all cost associated with the additional premium for the coverage of those dependents. All insurance provisions are at the discretion of the Municipal Health Benefit Fund. From time to time the City acknowledges the right to compare and consider alternative carriers.

Any employee, who does not choose to be covered, can sign a waiver of coverage for the current calendar year. At the beginning of the next open sign up period, they will become eligible again for coverage unless they choose to renew the waiver.

3.10 Employee Incentives

Supervisors may from time to time offer incentives to employees to reward good attendance, performance or exemplary service to the City. Incentives may include time off, small gifts or bonuses less than \$51.00 or extended breaks or lunch time.

Section Four

Matters Affecting the Status of Employees

4.0 Job Descriptions:

A Job Description will be included in the permanent file of all employees of the City. It is the responsibility of the Dept. Head to develop Job Descriptions for positions within each Department. The City Council of the City of Prairie Grove reserves the right to review, modify, and develop Job Descriptions at their discretion. The JD will list the following information pertinent to the employee:

- Job title
- Assignment of At-Will Employment Status if applicable.
- Employee Type (either exempt or non-exempt; salaried or hourly)
- Employment status (full time, half time, or part time)
- A basic description of the position
- Job specifics & duties required by the position
- Special requirements of the position
- Educational, professional, specialized training, certification requirements of the position
- Established Chain of command & description of supervisors.
- Signature of the employee accepting the terms and requirement of his or her JD

4.1 Evaluations:

Evaluations of employees job performances may take place from time to time and thus become a part of the employee's permanent personnel record. Evaluations can be utilized in the determination of merit increases, promotions, demotions, decreases in pay level, or terminations.

4.2 Counseling:

From time to time, job performance, behavior, conduct, training, or work quality may be deemed insufficient, unsatisfactory, or unacceptable. Supervisors will counsel employees regarding said behavior and improvement will be documented until such a time as the deficiency no longer exists. Continued performance problems will lead to additional disciplinary steps.

4.3 Grievance Policy:

Any grievance related to a supervisor's arbitrary decision that determines, discipline, demotion, suspension, or termination shall be made in writing first to the supervisor or Department Head. Further review by the Mayor can be requested in writing but only after the initial departmental review of the grievance. Decisions that are based on City Policy, as a result of prohibited acts as listed in this employee policy, or regarding salary provisions dictated by Council Action, are not subject to grievance by employees.

4.4 Promotions:

Promotions shall be the discretion of the supervisor or Department Head but shall be confirmed by the ~~City Council of the City of Prairie Grove~~ Mayor or his designee.

4.5 Demotions:

Demotions may result from poor job performance or as the result of disciplinary actions. Demotions can result in the reduction of salary, compensation, and/or the loss of seniority. In addition employees demoted from full time to half/time or part time status may result in the loss of benefits such as but not limited to vacation, sick leave, insurance benefits, retirement, and holiday pay.

4.6 Transfers:

Employees may request transfers to other positions or departments if vacancies exist, but shall not be considered if any pending disciplinary action exists or any action taken within the previous 6-month period. In addition, all transfers will be reviewed based on merit, and the employee's capability to perform the duties of the new position.

4.7 Layoffs:

At times it may be necessary to layoff employees due to lack of work, funds, or changes in staffing requirements. In the case of employees who perform like duties, the employee with the least amount of seniority will be the first subjected to layoff. In the event a layoff is necessary the employee will receive a minimum of a two-week notice and may choose to take any earned vacation pay not already drawn.

4.8 Separation from Employment:

Employees separating from employment with the City, either by termination, lay off, or by mutual agreement, shall be compensated for any unused vacation benefits or compensatory time that had previously been agreed to by the employee's supervisor. All equipment, uniforms, keys, or possessions belonging to the City of Prairie Grove will be turned into the employee's supervisor by the end of the employees last work day and shall be certified by both parties. Final Checks for worked time will be available by the closing time of the next scheduled payday following the employees last work day.

4.9 Resignations

Resignation is a voluntary act initiated by the employee to terminate employment with the City of Prairie Grove. Although advance notice is not mandatory, employees will not be entitled to any compensation for unused vacation leave unless a minimum of two weeks notice is given. Once notice of resignation is given, vacation cannot be accrued, cannot be scheduled, and cannot be paid for prior to resignation. If an employee resigns with two weeks advance notice, unused vacation days will be paid.

4.10 Payment for Wages and Severance Benefits Following Separation of Employment:

Any accrued wages, overtime, accumulated comp time, and unused vacation days, or other severance benefits that are deemed payable by this policy will be paid no later than seven days after the employees last day of service. The City has the right to deduct any reasonable cost incurred as a result of negligence, misconduct, or malicious action by the employee prior to his separation from employment with the City.

4.11 Exit conference and return of property

Employees will report to their Department Head on the last day of their employment for an exit conference at which time all property belonging to the City will be returned, all ongoing matters affecting the operation of the City will be discussed and evaluated, and any rights or benefits due the employee will be outlined by the employer.

Section Five

Standards of Conduct, Requirements, and Responsibilities

5.1 Drug and Alcohol Use & Drug Free Workplace Policy

The City will not tolerate the use, possession, distribution of alcohol or illegal drugs while on the premises, in the course of work, or while conducting the business of the City. The use of Legal prescription drugs is permitted on the job but only if it does not impair or jeopardize an employee's ability to perform his or hers duties, essential functions, or actions which may endanger the employee or their co-workers.

Drug use and use of controlled substances, possession or distribution, is prohibited in the workplace. Any conviction of a any crime involving the use of illegal drugs in the workplace must be immediately reported to the employer within 5 days after the conviction as stipulated in the Drug-free workplace Act.

Employees shall not possess, smoke, or otherwise use medical marijuana while on City premises or while on duty. Employees authorized to use medical marijuana under the Arkansas Medical Marijuana Amendment are not subject to discipline solely because of a positive test for marijuana.

5.2 Hours of Work

An employee's work schedule will be determined by his/her supervisor or Department Head and may be altered from time to time. A standard workweek will consist of 40 hours. A workweek, for the basis of calculating 40 hours, will be defined by this policy as running from Sunday at 12:00 a.m. to Saturday at 11:59 p.m. Payroll will be calculated and paid every two weeks, with the pay period ending on Saturday at 11:59 and employees being paid on the following Wednesday. If a payday falls on a holiday, the payroll will be prepared the Tuesday before. If Tuesday also falls on a holiday, payroll will be prepared on the Thursday after.

5.3 Overtime Policy

Hourly employees & non-exempt salaried employees will be entitled to overtime compensation for work above 40 hours during any one workweek as described elsewhere in this policy.

5.4 On-call or Stand-by time

On call time is not subject to pay unless the employee is required to significantly limit his mobility to stay by the phone. Employees that carry pagers and are allowed moderate mobility are not subject to pay for on-call time. ***The standard and determination shall be whether you are "engaged to wait", which would require compensation, or if you are "waiting to be engaged", which would not. If an employee is assigned to be on call because there is something imminent, and they are needed to stay by the phone at the ready, then that would require compensation, however if they are on call just in case something happens, and are allowed to use that time for their own normal benefit, then they are not eligible for overtime.***

The City may grant extra compensation as approved from time to time by the City Council for being on call or for the use of private phone or communication devices that are necessary for their jobs to communicate during off and on time periods of work.

5.5 On-time Policy

All employees are required to report to work at the time designated by their Department Head. If an employee must be late a call to the administrative office of their respective Department is required by designated start time of work. All other tardiness will not be tolerated and after 6 tardies in a calendar year, that employee may be subject to discipline. The actual time the employee is late shall either be made up at the end of the day or deducted from the time paid to the employee based on $\frac{1}{4}$ hour increments. Employees are required to be at work and prepared to start work at the designated hour. Work begins precisely at the designated hour determined by the employee's supervisor.

5.6 Lunch Periods and Breaks

The Department Heads shall designate the length and time of Lunch Breaks. Employees will not be paid for the time utilized as a Lunch Break. Employees are entitled to two 15 min breaks (morning and afternoon) and this time will be counted as part of their hourly shift. Breaks will be considered the time the employee leaves the job site till the time he returns to the site and back to work, and total shall not exceed 15 minutes.

5.7 Personal Phone Calls

Personal use of City Phones shall be limited to emergencies and/or necessary business during work hours. Long distance calls are prohibited without the use of phone cards, collect calls, or without making reimbursement arrangements with the office. ***Use of personal cell phones or other personal means of communication shall be limited to emergencies, and/or other necessary business during regular working hours. Personal calls are limited to those of a high level of importance or those that are conducted during scheduled breaks or lunch periods.***

5.8 Use of City Vehicles, Tools, Equipment, and Property

The use of City vehicles solely for personal use is prohibited. Personal use while not interfering with the course of work, or without seriously deviating from the normal course of travel is allowed but should be limited. An employee using a vehicle for personal use should be doing so within the confines of normal City business.

All employees share in the responsibility of maintaining vehicles in a clean, safe, and operational condition. Employees will regularly check vehicles for safety, check for routine maintenance of fluid levels, and will report any deficiencies or unusual characteristics to their supervisor.

Any violation of traffic laws, tickets, or vehicular accidents while operating a City Vehicle will immediately be reported to a Department Head. Any employee who receives a traffic violation which jeopardizes the status of his driving privileges shall report such violation to his supervisor as soon as is reasonably

possible. If an employee is required to maintain an operating license or a Commercial Drivers License as a condition of their employment, the loss of such privileges may potentially result in disciplinary action or possibly termination.

The City will furnish at no cost to the employee the tools and equipment necessary to perform their duties. It is the employee's responsibility to maintain, protect, and take care of tools in a manner that they do not break unnecessarily, wear out prematurely, or get lost. The employee at their expense will reimburse tools, which are damaged or lost negligently.

5.9 Travel Policy & Business Expenses:

The City will reimburse employees for reasonable business travel expenses incurred while on assignments, training, or business away from the normal work location. All business travel must be approved in advance by the employee's supervisor.

Costs of travel, (when not using a City vehicle), lodging, and other expenses directly related to the business assignment will be reimbursed by the City. Employees are expected to limit expenses to reasonable amounts. Expenses that may be reimbursed include but are not necessarily limited to:

- ❖ Air fares for travel but only in economy, coach, or the cheapest available class
- ❖ Car rental fees, but only for compact cars unless supervisor approved.
- ❖ Taxi fares
- ❖ Mileage for personal cars based on approved rate of the City at the time of travel
- ❖ Gas reimbursement or any other necessary components to the working condition of a vehicle, when using a city vehicle.
- ❖ Cost of standard accommodation in low to mid-priced hotels or similar lodgings unless approved by supervisor.
- ❖ ***Cost of meals and tips, however, reasonably priced restaurants and menu items should be selected and tips shall not exceed 15% of the total check. At no time shall meal costs + tips, exceed \$50.00 per day by a single employee.***
- ❖ Charges for telephone calls, fax, or computer access as related to business related use.
- ❖ Any supplies or equipment necessary to the business at hand.

When a City credit card is utilized, only the expenses related to items listed above may be charged to the card.

Employees are responsible to submit ALL receipts whether the purchase is cash, charge, or credit card during the period of travel.

Family members may travel on business but only as approved by the employee's supervisor, and only at the employee's expense. No reimbursements will be allowed for the employee's family member while accompanying the employee on business travel.

Any registration fee for a spouse or family member shall be paid in advance by the employee.

Employees experiencing car accidents, travel problems causing delays, or problems encountered with lodging or expenses, shall report to the problems to the supervisor as soon as realistically possible.

5.10 Training Policy:

Training requirements, which are necessary components, as determined by state statute or by requirements of a Department Head, shall be supplied or reimbursed by the City. Training materials, registration fees, fees related to travel, lodging, or travel for training purposes will be reimbursed or paid for by the City. Training which is for professional benefit, but not a requirement will only be paid for or reimbursed by the City if approved before hand by the employee's supervisor, or Department Head.

Training can be a mandatory requirement of any position or job classification. Failure to receive such training can result in disciplinary action or termination.

5.11 Political Activities

Political advocacy, campaigning, fund raising, or solicitation is prohibited by City employees during normal work hours.

5.12 Outside Employment

Outside employment is not prohibited but must be approved by the Department Head or immediate supervisor. Unless other wise stated in an employee's job description or acceptance of employment, an employee's responsibilities for scheduling, hours or work, or on-call responsibilities, will be at the priority of the City. Any requirements of a second job will be at the second to the needs and requirements of the employment of the City.

5.13 Physical Fitness

Employees are required to maintain a physical condition acceptable to perform the duties and tasks within the description of their job.

5.14 Personal Appearance

Without denying religious, ethnic, or cultural freedom the City reserves the right to expect certain requirements of appearance and dress. The City may change these policies from time to time and each Department Head or supervisor shall have a written policy of dress and appearance for his/her employees. All employees shall represent a positive image for the City and maintain an accepted level of sanitation, grooming, and cleanliness. Any clothing, jewelry, or hair style deemed to be a safety concern can be prohibited by a supervisor if he deems it to be a serious hazard. Without unduly restricting individual tastes the following personal dress and attire are expressly prohibited:

- ◆ Shoes must provide secure footing, and offer protection against any hazards associated with the normal job the employee may face.
- ◆ Tank tops tube tops, short shorts, ultra mini-skirts, or clothes that reveal sexually explicit body parts, bare midribs, or other objectionable traits are prohibited.
- ◆ No clothes, hats, or other attire shall be worn that expresses offensive language, references to advertising, references to alcohol or drug use, or sexually explicit artwork or pictures.

Supervisors may require standard uniforms and those requirements will be a part of the dress policy for that department.

5.15 Standards of Conduct

The following actions are prohibited conduct as a City of Prairie Grove Employee:

- ◆ Use or possession of intoxicating beverages, or controlled substances on the premises or during scheduled work hours. In addition being under the influence of such substances while on work time will also be construed as a violation of policy and will warrant disciplinary action.
- ◆ Theft or intentional destruction of City property, unauthorized use, or the same of the property of another employee's property will be expressly prohibited.
- ◆ Refusal to follow the direct orders of supervisors or Department Heads, insubordination to those supervisors, or an attempt to weaken or threaten their authority is prohibited conduct.
- ◆ Possession or use of firearms, hunting knives, or any other dangerous weapon that would not normally be used during the course of work, will result in immediate disciplinary action. Only with the approval of a supervisory or Department Head shall this policy be deviated from.
- ◆ Falsification of personnel records, time sheets, regulatory records, or any other job-related documents will result in disciplinary action.
- ◆ Sleeping on the job
- ◆ Fighting or threatening violence in the workplace
- ◆ Boisterous or disruptive activity in the workplace, rude or disrespectful behavior toward co-workers, supervisors, or the general public we serve.
- ◆ Negligence or improper conduct leading to damage of employer-owned property, equipment, or personal injury.
- ◆ Violation of safety rules, policies, or practices.
- ◆ Unauthorized use of City equipment, property, telephones, or related equipment.

5.16 Workplace Violence Policy

The City of Prairie Grove is committed to a safe work environment for employees, co-workers and citizens. Given the increasing problems with violence in the working environments throughout the country, the City of Prairie Grove will enforce a no-tolerance policy on violence.

Violence, fighting, intimidation, threats, or physical harassment by employees, supervisors, temporary employees, volunteers, or community service workers will not be tolerated. Any such actions shall immediately be reported to a supervisor, dept. head, or the Mayor, the choice to be made by the employee. This includes any threats that are direct or indirect by co-workers, supervisors, vendors, the general public, or a City official. Prompt disciplinary action will be taken on violators of this policy including possible termination.

Any report of a violation of this policy shall be as specific as possible and the City may request that the complaint be filed in writing.

5.17 Conflicts of Interest

Activities, including outside employment, political activities, professional memberships, or clubs, which oppose the goals and objectives of the City of Prairie Grove are discouraged. At no time will the City curb the constitutional

rights of employees, however any type of activity that would negatively impact or be contradictory to the work of the City will be seriously examined by the City for a breach of professional responsibility to the City.

5.18 On-the-job injuries

The City will do anything it can to promote safe working conditions, safe working procedures and to limit physical injury to employees. In the case an injury does occur it shall be the responsibility and obligation that the employee notify his or her supervisor just as soon as is reasonable. Any injury where blood is drawn, skin is torn, skin is bruised, loss of consciousness, a blow to body or head, or there is any type of sprain, twist, or strain should be reported. A failure to report any such injuries could result in the employee waiving his rights to compensation for the treatment of such injuries, or complications, which may result from them. **Supervisors and Department Heads are encouraged to provide alternative job duties and schedules for employees who because of injury on the job are unable to perform their normal job duties. Alternative job duties may be assigned that will allow the employee to keep working, without aggravating or further complicating the injury.**

5.19 Nepotism Policy:

It shall be the general policy that relatives as defined in this policy shall not be employed within the same department of the City of Prairie Grove where one or the other would be subject to supervise the other.

5.20 Inclement Weather Policy

The City expects employees to use good judgment while traveling to and from work during periods of inclement weather and to take the necessary measures needed in regard to ensuring their own personal safety. The City relies, however, on staff to carry out necessary functions during these periods of bad weather and because of this expects every employee to plan and prepare for these types of conditions and make best efforts to report to work during these times. If an employee believes that it is impossible to safely reach work, then notification should be made to a supervisor advising him of the situation. Every effort should be made to get to work as roads and conditions improve during the scheduled shift. If an employee believes it is simply too hazardous to travel to work, then time off shall be taken with the option of it being unpaid, unused holiday time, vacation pay, or accrued compensatory time as approved by a supervisor.

5.21 Unauthorized Leave or Absence From Work

All employees must seek authorization from their supervisor or department head to miss work for any reason during a scheduled work day. This shall include leaving a shift for any reason during the shift, or failing to arrive for a shift on a scheduled work day. Any Employee who leaves work without authorization, misses an assigned shift, or misrepresents sick leave or other leave benefits falsely will be terminated by their supervisor or department head. The following actions shall constitute, but are not limited to, violations of this policy:

- Leaving during a scheduled shift without authorization

- Failing to show up for a scheduled shift or work a scheduled shift without authorization or without calling to notify the supervisor or department head for reasons dictated as allowable by this policy
- Falsifying information regarding sick leave, doctor's appointments, or health status of the employee or their immediate family members in order to utilize sick leave

If an Employee is terminated for any of the reasons stated above, they can appeal for reinstatement by requesting a meeting with the supervisor or department head and the Mayor within 1 work day of the termination notice.

Section Six

Disciplinary Action and Supervision

6.0 Progressive Discipline

The City is committed to equitable and fair discipline for unsatisfactory performance and conduct in the workplace. The main purpose of disciplinary action is to prevent the same conduct from repeating itself, correct problems or improve performance. The City emphasizes that it maintains the right to terminate at-will with or without cause or advance notice, but it may choose to use progressive discipline as another form of corrective action. Progressive discipline involves the following steps:

Warning and Reprimands

Written Warnings

Suspensions with or without pay

Discharge

6.1 Appeals from Disciplinary actions:

See Grievances, section 4.3

6.2 Chain of Command

At the time of Employment new hires will be provided with a rundown of the proper chain of command with regard to conduct, performance, and complaint.

Acknowledgement of Receipt of Personnel Policy

I understand that I am an employee at-will. Nothing contained in this Handbook shall be construed as a guarantee that my employment or my benefit program will be continued for any period of time. Any salary figures stated to me in annual or monthly terms are stated for the sake of administrative convenience or to facilitate comparisons. Nothing contained in this Handbook should be construed to change the City of Prairie Grove's at-will employment status.

I have read and understand the City of Prairie Grove's Employment Handbook, dated this 18th day of December 2018.

_____ signature _____ date

**City of Prairie Grove
Fire Department**

Personnel Policy

April 17, 2023

Prairie Grove Fire Department Personnel Handbook Contents and Preface

Effective January 1, 2023 – December 31, 2024

PURPOSE OF EMPLOYEE HANDBOOK

This Handbook is designed only to be a general guide to some key policies, practices, and procedures. The City of Prairie Grove hopes this handbook is and will continue to be helpful to City employees and allow them a better understanding of the City of Prairie Grove. Please refer to the Handbook often.

No employee handbook can anticipate every circumstance or question about policy. As the City grows, changes, and evolves the City reserves the right to revise, supplement, or rescind any policies or portions of the handbook, as it deems necessary. Our policies and operating procedures will change from time to time to meet the needs of our employees and our City operations.

This Handbook is not intended to create any contractual or other legal rights. It is designed solely as a guide and does not alter your at-will employment status. Periodically, this employee manual may be revised and updated. Additionally, no supervisor or dept. head has the authority to make verbal changes in this Handbook. Any changes must be approved by the City Council of the City of Prairie Grove.

The handbook will address the following subject matter:

- ❖ Section One; Equal Employment opportunity Policy
- ❖ Section Two; Sexual Harassment
- ❖ Section Three; Employee Benefits
- ❖ Section Four; Matters affecting the status of employees
- ❖ Section Five; Standards of Conduct
- ❖ Section Six; Disciplinary Action and Supervision

The City of Prairie Grove is required to abide by a number of Federal and State Laws in respect to the hiring, work conditions, and employment practices of its employees. Among those laws are included but not solely limited to the following:

- Title VII, the Civil Rights Act of 1964 which prohibits discrimination due to race, color, national origin, religion, or sex.
- The Age Discrimination in Employment Act, which prohibits discriminatory practices in the workplace for employees over 40 based on their age.
- The Immigration Reform and Control Act of 1986; makes it illegal to hire any individual who is not authorized to work in the United States.
- The Fair Labor Standards Act (FLSA); which establishes minimum wage, overtime pay requirements, compensatory time restrictions, equal pay, and child labor standards.

- The American With Disabilities Act; Prohibits discrimination against a qualified applicant who is disabled under the act based solely on that disability. The Act can be applied to hiring, advancement, compensation, or discharge.
- The Drug-free Workforce Act; Applies to all entities that have received federal grants and requires certain policies and steps be afforded that assure compliance with zero tolerance of employee use of illegal drug use in the work place.
- The Arkansas New-Hire Act; requires employers to provide the Arkansas New Hire Office, information regarding the location and social security numbers of all newly hired employees. This information is used to track individuals who are delinquent on child support payments.

No handbook, policy, or procedure manual can effectively be all inclusive to every possible event or situation that could occur. This policy will as such be amended periodically, as needs and specific situations might dictate.

Introduction, Scope, & Definitions

The City of Prairie Grove is an Arkansas Municipal Corporation and City of the First Class. This policy includes sections that are applicable to all employees of the Prairie Grove Fire Department. Among the topics covered in this document are employee rights, benefits, discipline policies, training, compensation policies, and expected conduct.

- The term **at-will employee** means any employee who may be terminated at any time during the course of their employment due to lack of work, misconduct, or any other reason deemed to be in the interest of the City of Prairie Grove. At-will employees can be terminated at any time for any reason or no reason at all, however he or she cannot be terminated for exercising any fundamental constitutional guarantee.
- The term **exempt employee** means employees who are not entitled to overtime and meet the “salary basis test & duties test” as defined in the Fair Labor Standards Act. Exempt employees shall be paid on a salary basis regardless of hours worked, and shall meet the requirements of executives, managers, and professionals.
- The term **non-exempt employees** means employees that can be paid on a salary or hourly basis but are entitled to overtime compensation under the FLSA.

- For salaried employees, overtime compensation will be calculated as follows:

Compensation ÷ Hours worked in week = hourly wage. Number of hours over 40 in week x hourly wage x 1.5 = overtime rate. *For example; 60 hours worked in a week and the salaried compensation is \$500.00 per week. $\$500.00 \div 60 = \$8.33/\text{hr.}$ for that week. Overtime would then be compensated at 20 hours x $(\$8.33 \times 1.5)$.*

- *For hourly employees on 40-hour week shifts, overtime compensation will be calculated at 1.5 times hourly rate for each hour over 40 in a given week.*
- *For hourly employees on 24-hour shifts, overtime compensation will be calculated as stated below.*

- Fair Labor Standards Act 207(k) Exemption Notification Pursuant to the Fair Labor Standards Act governing municipal fire departments, the City of Prairie Grove, Arkansas has adopted the 29 U.S.C. 207 (k) exemption as interpreted by the U.S. Department of Labor, for the purpose of overtime compensation.

It is hereby established that a shift Firefighter’s tour of duty shall be twenty-four (24) hours on duty followed by forty-eight (48) hours off duty. Each Firefighter’s tour of duty shall commence at 0700 hours and shall run for twenty-four (24) hours. There shall be three (3) shifts designated as Shift A, Shift B, and Shift C.

The Firefighter’s work period shall be designated as fourteen (14) consecutive calendar days. This shall be known as the Fair Labor Standards Act (FLSA) cycle.

The FLSA adjustment of ½ time premium shall be applied to all hours actually worked that exceed the 106 hour standard for the fourteen (14) day cycle. All shift Firefighter’s yearly work period shall be designated as 2,912 hours.

- The term **employee** means an at-will employee who has been appointed to a position with the City of Prairie Grove, Arkansas on a regularly compensated basis. Regular employees are those who in the course of a week work 40 hours for at least 8 consecutive weeks, whether they are compensated on an hourly basis or whether compensated on a monthly basis without respect to hours worked.
- The term **salaried exempt employee** means any employee who is compensated on a salaried basis without regard to hours worked.
- The term **salaried non-exempt employee** means employees who receive a minimum monthly/bi-monthly/or weekly compensation but are eligible for additional pay for work performed over 40 hours per week as defined in this document.
- The term **hourly employee** means employees compensated based on a 40-hour workweek as determined by the employee's supervisor or Dept. Head.
- The term **unlimited full-time employee** means employees who work on average 40 hours per week and are entitled to all benefits prescribed under this policy without limitation.
- The term **limited full-time employee** means employees who do not average 40 hours per week but average more than 30 hours per week for more than 8 consecutive weeks. Limited full-time employees are entitled to $\frac{3}{4}$ benefits meaning they receive $\frac{3}{4}$ of the sick leave and vacation leave benefits of un-limited full-time employees. (e.g.: if the benefit for unlimited full-time employee is 10 days of vacation that refers to 40 hours of vacation time, a limited full-time employee would receive 30 hours for the based on the same amount of longevity). Limited full-time employees receive health insurance benefits equal as required under the City's health provider.
- The term **half-time employee** means employees who work a minimum of 20 hours per week but do not exceed 40 hours per week for more than 8 consecutive weeks and are certified by their department head as half-time status. Half-time employees are entitled to $\frac{1}{2}$ the vacation and sick leave benefits that full-time employees would be entitled to. *Half-time employees are not eligible for health insurance under the terms of the City's carrier.*
- The term **part-time employee** means employees who work less than 40 hour per week and average less than 20 hours per week for a period of 8 weeks. Part time employees are not entitled to any special benefits from the City of Prairie Grove.
- **Department Heads** shall be appointed by the Mayor.
- A **layoff** refers to a reduction in force of City Employees, either within a Department, a job site, or throughout the City work force as a whole which is a result not of the fault of the employee but rather due to a decrease in the amount of work and/or municipal revenues which requires a reduction in the force of employees used to perform the work of the City.
- A **relative or immediate family** as described herein is declared to mean husbands, wives, sons, daughters, mothers, fathers, step-mothers, step-fathers, brothers, sisters, step-siblings, adopted siblings, adopted parents, adopted children, mother in-law, father in-law, brother in-law, sister in-law, grandparents or spouse's grandparents.
- A **safety sensitive position** is defined as one in which a momentary lapse of attention may result in grave and immediate danger to the public. The following positions are considered safety sensitive:
 - (1) Law Enforcement officers who carry firearms and jailers

(2) Motor vehicle operators who carry passengers including, but not limited to, ambulance drivers, bus or jitney drivers, and drivers who transport other city employees when the operation of a motor vehicle is not incidental to the employee's occupations. For the purposes of this section, a "motor vehicle" is defined as every vehicle that is self-propelled and every vehicle that is propelled by electric motor obtained from overhead trolley wires but not operated upon rails.

(3) Fire department employees and volunteer firefighters who directly participate in fire-fighting activities.

(4) Medical personnel with direct patient care responsibilities including physicians, nurses, surgical scrub technicians, emergency services dispatchers, and rescue workers

(5) Mechanics, welders, and sheet metal workers who work on vehicles designed to carry passengers such as buses, ambulances, police cars, vans, aircraft and the like.

(6) Lifeguards, emergency medical technicians, emergency services dispatchers, and rescue workers

(7) Operators of heavy equipment, including front-end loaders, trucks, and riding lawn mowers, or other similar equipment, where the equipment is used around individuals, alongside the public right of ways, or on public roads.

(8) Waste water treatment plant operators and water treatment plant operators

(9) Other employees whose duties meet the definition of safety or security sensitive after consultation with and approval by the Arkansas Municipal League, and where the operation of a motor vehicle is not incidental to the employee's occupation.

- A **security sensitive position** includes:
 - (1) any police officer, jailer, police dispatcher and police department employee, including clerical workers, having access to information concerning ongoing criminal investigations and criminal cases, which information could, if revealed, compromise, hinder, or prejudice the investigation or prosecution of the case.
 - (2) The City also considers law enforcement officers as holding security-sensitive positions by reason of their duty to enforce the laws pertaining to the use of illegal substances. Officers who themselves use such substances may be unsympathetic to the enforcement of the law and subject to blackmail and bribery.

Section One

Equal Opportunity Policy

The City of Prairie Grove is committed to providing equal employment opportunity without regard to race, color, religion, national origin, sex, age, handicap or veteran status as required by federal and state laws. The City's commitment extends to all employment-related decisions, terms and conditions of employment. In addition to those conditions, employees will also be subject to a no tolerance policy of discrimination or harassment based on race, color, religion, national origin, sex, or age in the confines of working with supervisors or co-workers or the public that they serve.

Section Two

Sexual Harassment

The City of Prairie Grove is committed to providing an atmosphere free of any type of harassment. Any employee who believes he or she is a victim of sexual harassment on the job should immediately report the matter to his or her immediate supervisor, Department Head, or Mayor. The choice of to whom to report the harassment is the employee's alone to make. Any employee found to be sexually harassing another employee, applicant for employment, or vendor shall be dealt with under the disciplinary policies and procedures contained in this policy document. Sexual harassment can be, but is not limited to, sexually suggestive verbal statements, inappropriate or unnecessary physical contact, suggestive gestures or stares, or any other conduct, which could be perceived as sexually harassing behavior.

Section Three

Employee Benefits and Allowances

3.1 Vacations:

Vacation will be accrued as follows:

After one year	120 hours per year
After seven years	128 hours per year
After nine years	136 hours per year
After eleven years	144 hours per year
After thirteen years	160 hours per year

Vacation accrual will run from January 1 to December 31. New employees will receive 120 hours vacation as of January 1st following their one-year anniversary. In addition they will accrue 10 hours per month of service from the date of their anniversary till December 31st. For example: An employee beginning on July 1, 1776 would be eligible for a full 120 hours of vacation beginning on January 1, 1778 and would also receive 60 hours vacation beginning July 1, 1777 for the remainder of that calendar year.

Vacation may not be carried forward from year to year. In the event that vacation time is unused up to 40 hours per year can be taken as pay at the employee's regular hourly rate. (i.e. hourly rate for hourly employees, and salary ÷ 2080 for salaried employees). Any unused vacation at the end of a year in excess of 40 hours will be forfeited.

3.2 Holiday Benefits:

The following holidays will be observed for regular employees.

- ◆ New Years Day
- ◆ Memorial Day
- ◆ July 4th, Independence Day
- ◆ Labor Day
- ◆ Veterans Day
- ◆ Thanksgiving & day after
- ◆ Christmas Eve
- ◆ Christmas
- ◆ Martin Luther Kings Birthday
- ◆ Presidents Day
- ◆ Good Friday
- ◆ Employees birthday

Holiday pay for 24-hour firefighters (104 hours = 13 holidays x 8 hours) will be paid in one lump sum annually in December. ACA §14-53-106. When the holiday falls on a firefighters regular scheduled shift they will be paid for that shift in addition to the compensation for holiday pay that is paid annually.

3.3 Sick Leave:

From and after January 1, 2022, all Fire Department Employees shall accrue sick leave as stated below, starting on their date of hire:

Fire Department – 8-hour employees
3.1 Hours per pay period

Fire Department – 12-hour employees
4.62 hours per pay period

Fire Department – 24-hour employees
9.23 Hours per pay period

Accrual Limits – employees may not accrue more than 1440 hours of sick leave.

After two consecutive missed sick days a supervisor or Dept. Head may require a Doctor's certificate. All sick days shall be reported to a supervisor before the start of the workday and each subsequent day shall also require notification. Sick leave benefits can be used for employee sickness, employee injury, or scheduled Dr.'s appointments due to illness or injury.

Maternity or Paternity leave, with pay, is limited to the number of days of accrued sick and vacation days. Paid maternity or paternity leave shall not exceed 60 days following delivery or 14 days prior to delivery without written notice by the employee's physician of the necessity. Upon expiration of accrued leave, the employee shall be placed on leave without pay provided that approval of the supervisor or Dept. Head has been obtained prior to the time leave without pay is to be taken.

Employees hurt during the course of work shall immediately report injury to a supervisor or dept. head and assist in submitting the necessary forms to Workman's Compensation. An employee receiving loss of work benefits from workman's compensation shall not be eligible for sick leave for the same time off, however, the City will compensate the employee the difference between the loss of work benefit and his regular salary based on the number of hours in the pay period for which the loss time is accrued.

Employees on FMLA leave may not be employed or work at a second job/business without the express written approval of the Fire Chief.

If at the end of his or her term of service, upon retirement or death, whichever occurs first, any firefighter has unused accumulated sick leave, he or she shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death up to a maximum of 3 months' salary.

3.4 Emergency Leave of Absence:

Emergency leaves of absence shall be allowed for family death or medical emergency. Emergency leaves of up to three days with pay are allowable for the serious hospitalization, serious illness, or serious injury of immediate family member but will be subtracted from an employee's cumulative sick leave. Emergency leaves of up to three days with pay are allowable for the death of an immediate family member and will be subtracted from the employee's cumulative

sick leave. The term immediate family shall be understood to mean the spouse, children, parents, grandparents, siblings, in-laws, or spouse's grandparents.

3.5 Leaves of Absence without pay:

Reasonable leaves of absence for necessary personal business, personal matters, and other sound reasons may be granted an employee by his supervisor or Dept. Head. It is understood that these leaves are without pay, without loss of seniority and in excess of allowable sick or vacation privileges. In no case will a leave of absence be over thirty (30) days unless dealing with a personal illness that is in excess of accumulated sick leave.

3.6 Jury Duty:

Pay for Jury Duty shall comply with A.C.A 25-1-104. Jury Duty will be compensated with regular pay however employees are required during regular work hours to report to work during all reasonable times or days when the jury is not in session. Employees are required to show a jury duty summons to their supervisor as soon as possible upon receiving it.

3.7 Military Service & Duty:

The City will recognize all reserve and National Guard responsibilities without jeopardizing the employee's level of employment. The City reserves the right to request a review of orders to verify service requirements. In accordance with A.C.A. §21-4-102, all members of a military service organization (e.g. Guard or Reserve) shall be entitled to 15 days of paid military leave in order to complete annual training requirements.

3.8 Retirement Benefits:

Regular Employees will be enrolled in the LOPFI retirement system.

3.9 Medical Insurance/hospitalization plan:

On the first day of a new month, following the first 60 days after the date of employment insurance benefits will be provided for new regular employees. Elective coverage will be available at the employee's expense for family members at the employee's request. Family coverage is only available during certain periods of the year and should be coordinated with the City's insurance clerk.

The employee who elects to have his dependents covered shall pay all cost associated with the additional premium for the coverage of those dependents. All insurance provisions are at the discretion of the Municipal Health Benefit Fund. From time to time the City acknowledges the right to compare and consider alternative carriers.

Any employee, who does not choose to be covered, can sign a waiver of coverage for the current calendar year. At the beginning of the next open sign up period, they will become eligible again for coverage unless they choose to renew the waiver.

Chapter Four

Matters Affecting the Status of Employees

4.0 Job Descriptions:

A Job Description will be included in the permanent file of all employees of the City. It is the responsibility of the Dept. Head to develop Job Descriptions for positions within each Department. The City Council of the City of Prairie Grove reserves the right to review, modify, and develop Job Descriptions at their discretion. The JD will list the following information pertinent to the employee:

- Job title
- Assignment of At-Will Employment Status if applicable.
- Employee Type (either exempt or non-exempt; salaried or hourly)
- Employment status (full time, half time, or part time)
- A basic description of the position
- Job specifics & duties required by the position
- Special requirements of the position
- Educational, professional, specialized training, certification requirements of the position
- Established Chain of command & description of supervisors.
- Signature of the employee accepting the terms and requirement of his or her JD

4.1 Evaluations:

Evaluations of employee's job performances may take place from time to time and thus become a part of the employee's permanent personnel record. Evaluations can be utilized in the determination of merit increases, promotions, demotions, decreases in pay level, or terminations.

4.2 Counseling:

From time to time, job performance, behavior, conduct, training, or work quality may be deemed insufficient, unsatisfactory, or unacceptable. Supervisors will counsel employees regarding said behavior and improvement will be documented until such a time as the deficiency no longer exists. Continued performance problems will lead to additional disciplinary steps.

4.3 Grievance Policy:

Any grievance related to a supervisor's arbitrary decision, which determines, discipline, demotion, or suspension shall be made in writing first to the supervisor or department head. Further review by the Mayor can be requested in writing but only after the initial departmental review of the grievance. Decisions that are based on City Policy, as a result of prohibited acts as listed in this employee policy, or regarding salary provisions dictated by Council Action, are not subject to grievance by employees.

4.4 Promotions:

Promotions shall be the discretion of the supervisor or Department Head but shall be confirmed by the City Council of the City of Prairie Grove.

4.5 Demotions:

Demotions may result from poor job performance or as the result of disciplinary actions. Demotions can result in the reduction of salary, compensation, and/or the loss of seniority. In addition, employees demoted from full time to half/time or part time status may result in the loss of benefits such as but not limited to vacation, sick leave, insurance benefits, retirement, and holiday pay.

4.6 Transfers:

Employees may request transfers to other positions or departments if vacancies exist but shall not be considered if any pending disciplinary action exists or any action taken within the previous 6-month period. In addition, all transfers will be reviewed based on merit, and the employee's capability to perform the duties of the new position.

4.7 Lay offs:

At times it may be necessary to layoff employees due to lack of work, funds, or changes in staffing requirements. In the case of employees who perform like duties, the employee with the least amount of seniority will be the first subjected to layoff. In the event a layoff is necessary the employee will receive a minimum of a two-week notice and may choose to take any earned vacation pay not already drawn.

4.8 Separation from Employment:

Employees separating from employment with the City, either by termination, lay off, or by mutual agreement, shall be compensated for any unused vacation benefits or compensatory time that had previously been agreed to by the employee's supervisor. All equipment, uniforms, keys, or possessions belonging to the City of Prairie Grove will be turned in to the employee's supervisor by the end of the employees last work day and shall be certified by both parties. Final Checks for worked time will be available by the closing time of the next scheduled payday following the employees last working day.

4.9 Resignations

Resignation is a voluntary act initiated by the employee to terminate employment with the City of Prairie Grove. Although advance notice is not mandatory, employees will not be entitled to any compensation for unused vacation time unless a minimum of two weeks' notice is given.

4.10 Payment for Wages and Severance Benefits Following Separation of Employment:

Any accrued wages, overtime, accumulated comp time, and unused vacation days, or other severance benefits that are deemed payable by this policy will be paid no later than seven days after the employees last day of service. The City has the right to deduct any reasonable cost incurred as a result of negligence, misconduct, or malicious action by the employee prior to his separation from employment with the City.

4.11 Exit conference and return of property

Employees will report to their Department Head on the last day of their employment for an exit conference at which time all property belonging to the City will be returned, all ongoing matters affecting the operation of the City will be discussed and evaluated, and any rights or benefits due the employee will be outlined by the employer.

Chapter Five

Standards of Conduct, Requirements, and Responsibilities

5.1 Drug and Alcohol Use & Drug Free Workplace Policy

The City will not tolerate the use, possession, distribution of alcohol or illegal drugs while on the premises, in the course of work, or while conducting the business of the City. The use of Legal prescription drugs is permitted on the job but only if it does not impair or jeopardize an employee's ability to perform his or her duties, essential functions, or actions which may endanger the employee or their co-workers.

Drug use and use of controlled substances, possession or distribution, is prohibited in the workplace. Any conviction of a any crime involving the use of illegal drugs in the workplace must be immediately reported to the employer within 5 days after the conviction as stipulated in the Drug-free workplace Act.

Employees shall not possess, smoke, or otherwise use medical marijuana while on City premises or while on duty. Employees authorized to use medical marijuana under the Arkansas Medical marijuana amendment are not subject to discipline solely because of a positive test for marijuana.

5.2 Hours of Work, Work Schedules, Establishment of Work Week, & Pay Periods

An employee's work schedule will be determined by the Fire Chief. Payroll will be calculated and paid every two weeks. Checks will be issued every other Wednesday. Workweek will begin on Sunday.

5.3 Overtime Policy

8-Hour employees & non-exempt salaried employees will be entitled to overtime compensation for work above 40 hours during any one work week as described elsewhere in this policy.

24-hour shift employees will be entitled to overtime compensation for work above 106 hours during any 14-day work period as described elsewhere in this policy.

There will be times that it will be required for an employee to work mandatory overtime to cover for vacation time and sick vacancies.

5.4 On-call or Stand-by time

On call time is not subject to pay unless the employee is required to significantly limit his mobility to stay by the phone. Employees that carry pagers and are allowed moderate mobility are not subject to pay for on-call time. ***The standard and determination shall be whether you are "engaged to wait", which would require compensation, or if you are "waiting to be engaged", which would not. If an employee is assigned to be on call because there is***

something imminent, and they are needed to stay by the phone at the ready, then that would require compensation. However, if they are on call just in case something happens and are allowed to use that time for their own normal benefit, then they are not eligible for overtime.

5.5 On-time Policy

All employees are required to report to work at the time designated by their Department Head. If an employee must be late a call to the administrative office of their respective Department is required by designated start time of work. All other tardiness will not be tolerated and after 6 tardies in a calendar year, that employee may be subject to discipline. The actual time the employee is late shall either be made up at the end of the day or deducted from the time paid to the employee based on ¼ hour increments. Employees are required to be at work and prepared to start work at the designated hour. Work begins precisely at the designated hour determined by the employee's supervisor.

5.6 Required Staffing

24-hour shift employees will be required to remain on duty until their relief has arrived to start their shift.

5.7 Lunch Periods and Breaks (does not apply to 24-hour shift employees)

The Department Heads shall designate the length and time of Lunch Breaks. Employees will not be paid for the time utilized as a Lunch Break. Employees are entitled to two 15 min breaks (morning and afternoon) and this time will be counted as part of their hourly shift. Breaks will be considered the time the employee leaves the job site till the time he returns to the site and back to work, and total shall not exceed 15 minutes.

5.8 Personal Phone Calls

Personal use of City Phones shall be limited to emergencies and/or necessary business during work hours. Long distance calls are prohibited without the use of phone cards, collect calls, or without making reimbursement arrangements with the office. ***Use of personal cell phones or other personal means of communication shall be limited to emergencies, and/or other necessary business during regular working hours. Personal calls are limited to those of a high level of importance or those that are conducted during scheduled breaks or lunch periods.***

5.9 Use of City Vehicles, Tools, Equipment, and Property

The use of City vehicles solely for personal use is prohibited. Personal use while not interfering with the course of work, or without seriously deviating from the normal course of travel is allowed but should be limited. An employee using a vehicle for personal use should be doing so within the confines of normal City business.

All employees share in the responsibility of maintaining vehicles in a clean, safe, and operational condition. Employees will regularly check vehicles

for safety, check for routine maintenance of fluid levels, and will report any deficiencies or unusual characteristics to their supervisor.

Any violation of traffic laws, tickets, or vehicular accidents while operating a City Vehicle will immediately be reported to a Department Head. Any employee who receives a traffic violation which jeopardizes the status of his drivers' privileges shall report such violation to his supervisor as soon as is reasonably possible. If an employee is required to maintain an operating license or a Commercial Drivers License as a condition of their employment, the loss of such privileges may potentially result in disciplinary action or possibly termination.

The City will furnish at no cost to the employee the tools and equipment necessary to perform their duties. It is the employee's responsibility to maintain, protect, and take care of tools in a manner that they do not break unnecessarily, wear out prematurely, or get lost. The employee at their expense will reimburse tools, which are damaged or lost negligently.

5.10 Travel Policy & Business Expenses:

The City will reimburse employees for reasonable business travel expenses incurred while on assignments, training, or business away from the normal work location. All business travel must be approved in advance by the employee's supervisor.

Costs of travel, (when not using a City vehicle), lodging, and other expenses directly related to the business assignment will be reimbursed by the City. Employees are expected to limit expenses to reasonable amounts.

Expenses that may be reimbursed include but are not necessarily limited to:

- ❖ Air fares for travel but only in economy, coach, or the cheapest available class
- ❖ Car rental fees, but only for compact cars unless supervisor approved.
- ❖ Taxi fares
- ❖ Mileage for personal cars based on approved rate of the City at the time of travel
- ❖ Gas reimbursement or any other necessary components to the working condition of a vehicle, when using a city vehicle.
- ❖ Cost of standard accommodation in low to mid-priced hotels or similar lodgings unless approved by supervisor.
- ❖ ***Cost of meals and tips, however, reasonably priced restaurants and menu items should be selected, and tips shall not exceed 15% of the total check. At no time shall meal costs + tips, exceed \$40.00 per day by a single employee.***
- ❖ Charges for telephone calls, fax, or computer access as related to business related use.
- ❖ Any supplies or equipment necessary to the business at hand.

When a City credit card is utilized, only the expenses related to items listed above may be charged to the card. Employees are responsible to submit ALL receipts whether the purchase is cash, charge, or credit card during the period of travel. Family members may travel on business but only as approved by the employee's supervisor, and only at the employee's expense. No

reimbursements will be allowed for the employee's family member while accompanying the employee on business travel.

Employees experiencing car accidents, travel problems causing delays, or problems encountered with lodging or expenses, shall report to the problems to the supervisor as soon as realistically possible.

5.11 Training Policy:

Training requirements, which are necessary components, as determined by state statute or by requirements of a Department Head, shall be supplied or reimbursed by the City. Training materials, registration fees, fees related to travel, lodging, or travel for training purposes will be reimbursed or paid for by the City. Training which is for professional benefit, but not a requirement will only be paid for or reimbursed by the City if approved before hand by the employee's supervisor, or Department Head.

Training can be a mandatory requirement of any position or job classification. Failure to receive such training can result in disciplinary action or termination.

5.12 Political Activities

Political advocacy, campaigning, fund raising, or solicitation is prohibited by City employees during normal work hours.

5.13 Outside Employment

Outside employment is not prohibited but must be approved by the department head or immediate supervisor. Unless other wise stated in an employee's job description or acceptance of employment, an employee's responsibilities for scheduling, hours or work, or on-call responsibilities, will be at the priority of the City. Any requirements of a second job will be at the second to the needs and requirements of the employment of the City.

5.14 Physical Fitness

Employees are required to maintain a physical condition acceptable to perform the duties and tasks within the description of their job. 24-hour employees will be allowed to exercise while on duty after 5:00 p.m. but will still be available to respond to an emergency.

The City promotes physical exercise as a good way to prevent potential injuries, illness, and promote good physical fitness. The city has a facility, located at Fire station #2 that is available for employees to work out and it is encouraged, but not mandatory. The facility is open to City employees and their family members or one guest. If a family member or guest is present, the city employee must be present with them. All employees, family, or guests must log into the User log located in the exercise area.

The User log and all rules made by the Physical Fitness Coordinator for use and operation of the facility will be posted inside the facility. Employees can only use the facility during off duty hours. All persons using the facility must sign

the approved waiver form before using the facility. The Coordinator will maintain a file of all waivers. Employees will only need to sign a waiver one time.

5.15 Personal Appearance

A neat and well-groomed appearance by employees is fundamental to the Department and contributes to building the pride and spirit essential to having an effective fire department. It must be recognized that maintenance of proper public image, personal safety and use of protective equipment, dictate that certain restrictions be placed on the employee's personal hygiene and grooming standards.

All employees shall report to work each day at the start of their shift with a neat and well-groomed appearance. There are many hairstyles that are acceptable. The bulk or length of the hair must not interfere with work performance and/or the normal wearing of a fire helmet or facepiece. No hair style, including facial hair, that may impede the seal of a member's face-piece will be allowed.

Without denying religious, ethnic, or cultural freedom the City reserves the right to expect certain requirements of appearance and dress. The City may change these policies from time to time and each department head or supervisor shall have a written policy of dress and appearance for his/her employees. All employees shall represent a positive image for the City and maintain an accepted level of sanitation, grooming, and cleanliness. Any clothing, jewelry, or hair style deemed to be a safety concern can be prohibited by a supervisor if he deems it to be a serious hazard. Without unduly restricting individual tastes the following personal dress and attire are expressly prohibited:

- ◆ Shoes must provide secure footing and offer protection against any hazards associated with the normal job the employee may face.
- ◆ Tank tops, tube tops, short shorts, ultra mini-skirts, or clothes that reveal sexually explicit body parts, bare midriffs, or other objectionable traits are prohibited.
- ◆ No clothes, hats, or other attire shall be worn that expresses offensive language, references to advertising, references to alcohol or drug use, or sexually explicit art work or pictures.
- ◆ Tattoos or body art- Defined as procedure to alter the body's appearance such as branding, piercing (other than earlobe), scarification, tongue splitting, or tattoos. Permitted inasmuch as it does not contain language or graphics that would be offensive to a reasonable person. Prohibited artwork may include, but are not limited to, elements that could be considered prejudicially suggestive including those of race, religion, color, sex, age, national origin, nudity, foul language, etc. Tattoos on the head, neck, face, or hands are not permitted. Members with body art that doesn't meet acceptable criteria have the following options:
 - Cover body art with clothing/uniform.
 - Cover body art with neutral colored patch or elastic bandage, size not to exceed 4" x 4".
 - Have body art removed at member's expense.
 - Cover body art with non-petroleum makeup that matches body skin tone

Daily uniforms will be expected to be worn during normal business hours and will be dependent on the weather conditions as to what will be worn. Issued daily wear will consist of t-shirts (long and short sleeve), sweat shirt, BDU type pants or shorts. These items will be provided or paid for by the department.

5.16 Standards of Conduct

The following conduct is prohibited conduct as a City of Prairie Grove Employee:

- ◆ Use or possession of intoxicating beverages, or controlled substances on the premises or during scheduled work hours. In addition, being under the influence of such substances while on work time will also be construed as a violation of policy and will warrant disciplinary action.
- ◆ Theft or intentional destruction of City property, unauthorized use, or the same of the property of another employee's property will be expressly prohibited.
- ◆ Refusal to follow the direct orders of supervisors or Department Heads, insubordination to those supervisors, or an attempt to weaken or threaten their authority is prohibited conduct.
- ◆ Possession or use of firearms, hunting knives, or any other dangerous weapon that would not normally be used during the course of work, will result in immediate disciplinary action. Only with the approval of a supervisory or Department Head shall this policy be deviated from.
- ◆ Falsification of personnel records, time sheets, regulatory records, or any other job-related documents will result in disciplinary action.
- ◆ Fighting or threatening violence in the workplace
- ◆ Boisterous or disruptive activity in the workplace, rude or disrespectful behavior to co-workers, supervisors, or the general public we serve.
- ◆ Negligence or improper conduct leading to damage of employer-owned property, equipment, or personal injury.
- ◆ Violation of safety rules, policies, or practices.
- ◆ Unauthorized use of City equipment, property, telephones, or related equipment.

5.17 Workplace Violence Policy

The City of Prairie Grove is committed to a safe work environment for employees, co-workers and citizens. Given the increasing problems with violence in the working environments throughout the country, the City of Prairie Grove will enforce a no-tolerance policy on violence.

Violence, fighting, intimidation, threats, or physical harassment by employees, supervisors, temporary employees, volunteers, or community service workers will not be tolerated. Any such actions shall immediately be reported to a supervisor, Department Head, or the Mayor, the choice to be made by the employee. This includes any threats that are direct or indirect by co-workers, supervisors, vendors, the general public, or a City official. Prompt disciplinary action will be taken on violators of this policy including possible termination.

Any report of a violation of this policy shall be as specific as possible and the City may request that the complaint be filed in writing.

5.18 Conflicts of Interest

Activities, including outside employment, political activities, professional memberships, or clubs, which oppose the goals and objectives of the City of Prairie Grove are discouraged. At no time will the City curb the constitutional rights of employees, however any type of activity that would negatively impact or be contradictory to the work of the City will be seriously examined by the City for a breach of professional responsibility to the City.

5.19 On-the-job injuries

The City will do anything it can to promote safe working conditions, safe working procedures and to limit physical injury to employees. In the case an injury does occur it shall be the responsibility and obligation that the employee shall notify his or her supervisor just as soon as is reasonable. Any injury where blood is drawn, skin is torn, skin is bruised, loss of consciousness, a blow to body or head, or there is any type of sprain, twist, or strain should be reported. A failure to report any such injuries could result in the employee waiving his rights to compensation for the treatment of such injuries, or complications, which may result from them. ***Supervisors and Department Heads are encouraged to provide alternative job duties and schedules for employees who because of injury on the job are unable to perform their normal job duties. Alternative job duties may be assigned that will allow the employee to keep working, without aggravating or further complicating the injury.***

5.20 Nepotism Policy:

It shall be the general policy that relatives as defined in this policy shall not be employed within the same department of the City of Prairie Grove where one or the other would be subject to supervise the other.

5.21 Inclement Weather Policy

The City expects employees to use good judgment while traveling to and from work during periods of inclement weather and to take the necessary measures needed in regard to ensuring their own personal safety. The City relies, however, on staff to carry out necessary functions during these periods of bad weather and because of this expects every employee to plan and prepare for these types of conditions and make best efforts to report to work during these times. If an employee believes that it is impossible to safely reach work, then notification should be made to a supervisor advising him of the situation. Every effort should be made to get to work as roads and conditions improve during the scheduled shift. If an employee believes it is simply too hazardous to travel to work, then time off shall be taken with the option of it being unpaid, unused holiday time, vacation pay, or accrued compensatory time as approved by a supervisor.

5.22 Living Quarters

1. All members will be solely responsible for the cleanliness of their personal living quarters along with the overall cleanliness of the dormitory facility itself. The Chief or his designee will conduct periodic inspections.

- Members not in compliance with this policy will be faced with disciplinary actions.
2. Any member wanting a personal telephone or cable TV in their personal living quarters will be solely responsible for any cost incurred for installation, service, maintenance and removal when necessary.
 3. All members shall be considerate of the rights of other on duty personnel. Loud or excessive noise or boisterous activity will not be tolerated.
 4. All members will be totally responsible for the actions of their guest(s) at all times. Guest(s) will be allowed in a members personal living quarters, however, the entry door must remain open at all times. NO OVERNIGHT GUESTS WILL BE ALLOWED.
 5. The kitchen will be left in a clean and organized manner after every use. It is the responsibility of the member(s) using the kitchen to see that it is clean, and dishes are washed after every use.
 6. The Fire Department will not be responsible for any loss to personal contents due to theft, fire or act of God.
 7. Any changes made to the interior walls, floor or ceiling finish must be approved by the Chief.
 8. All members will be responsible for the repair of the personal living quarters for any damages which are determined by the Chief to be intentional or not normal wear and tear. If it cannot be determined who is responsible for the damages, all members will be assessed for the repairs.

5.23 Unauthorized Leave or Absence From Work

All employees must seek authorization from their supervisor or department head to miss work for any reason during a scheduled work day. This shall include leaving a shift for any reason during the shift, or failing to arrive for a shift on a scheduled work day. Any Employee who leaves work without authorization, misses an assigned shift, or misrepresents sick leave or other leave benefits falsely will be terminated by their supervisor or department head. The following actions shall constitute, but are not limited to, violations of this policy:

- Leaving during a scheduled shift without authorization
- Failing to show up for a scheduled shift or work a scheduled shift without authorization or without calling to notify the supervisor or department head for reasons dictated as allowable by this policy
- Falsifying information regarding sick leave, doctor's appointments, or health status of the employee or their immediate family members in order to utilize sick leave

If an Employee is terminated for any of the reasons stated above, they can appeal for reinstatement by requesting a meeting with the supervisor or department head and the Mayor within 1 work day of the termination notice.

Chapter Six

Disciplinary Action and Supervision

6.0 Progressive Discipline

The City is committed to equitable and fair discipline for unsatisfactory performance and conduct in the workplace. The main purpose of disciplinary action is to prevent the same conduct from repeating itself, correct problems or improve performance. The City emphasizes that it maintains the right to terminate at-will with or without cause or advance notice, but it may choose to use progressive discipline as another form of corrective action. Progressive discipline involves the following steps:

- Warning and Reprimands
- Written Warnings
- Suspensions with or without pay
- Discharge

6.1 Appeals from Disciplinary actions:

See Grievances, section 4.3

6.2 Chain of Command

At the time of Employment new hires will be provided with a rundown of the proper chain of command with regard to conduct, performance, and complaint.

Acknowledgement of Receipt of Personnel Policy

I understand that I am an employee at-will. Nothing contained in this Handbook shall be construed as a guarantee that my employment or my benefit program will be continued for any period of time. Any salary figures stated to me in annual or monthly terms are stated for the sake of administrative convenience or to facilitate comparisons. Nothing contained in this Handbook should be construed to change the City of Prairie Grove's at-will employment status.

I have read and understand the City of Prairie Grove Fire Department Employment Handbook, dated this _____ day of _____.

Signature

Date

POLICY NAME: Employee Benefits & Personnel Policy	
POLICY NUMBER: 03-001	
EFFECTIVE DATE: 05-31-02	REVISED DATE: 07/18/2022

Purpose:

To establish uniform procedure for benefits and personnel policies for the department.

Policy:

1. Vacation Leave:

A. All employees who have five (5) years service or less and have worked for the police department for one (1) year shall be entitled to fifteen (15) days of paid vacation.

B. All employees with more than five (5) years of service shall be entitled to the following vacation:

6 Years -	17 working days	(A working day is 8 hours. Employees working 12 hour days will be charged for 12 hours of vacation time when they use a vacation day)
8 Years -	19 working days	
10 Years -	20 working days	
12 Years -	22 working days	
15 years	23 working days	
20 years	25 working days	

C. All new employees will accumulate 1 ¼ days of vacation per month.

D. Paid part time employees working a minimum of 20 hour a week will receive 4 paid vacation hours per month. Paid part time employees working a minimum of 30 hours a week will receive 6 paid vacation hours per month. No part time officer will be allowed to work more than 39 hours per week.

E. All vacation time will be assigned at the discretion of the Chief of Police. Employees should turn in a vacation request form at least four (4) weeks prior to the time they wish to take vacation. Requests turned in after that time will be granted at the discretion of the Chief of Police.

2. Holiday Leave:

All employees of the Prairie Grove Police Department shall be entitled to the following Holidays:

- New Years Day – January
- Martin Luther King Day - January
- Presidents Day – February
- Good Friday-April
- Memorial Day – May
- Independence Day – July
- Labor Day – September

Veterans Day-November
Thanksgiving Day – November
Day after Thanksgiving – November
Christmas Eve – December
Christmas Day – December
Employee's Birthday

All full time members of the Police Department will be paid for the above holidays in accordance with Arkansas Code 14-52-105. Officer's pay will be in addition to their regular pay and will be paid in a lump sum annually at the end of the first pay period in December. The City Council approved that the Police Clerk be paid for Holidays in the same manner. Employees will not receive a day off for the Holiday.

A. Part time employees working a minimum of 20 hours per week will be paid ½ of the full time employee Holiday time (6.5 days) in addition to their regular pay and will be paid in a lump sum annually at the end of the first pay period in December.

3. Sick Leave:

- A. From and after April 11, 1969, all law enforcement officers shall accumulate sick leave at the rate of twenty (20) working days per year beginning immediately upon hire and per pay period throughout the year to equal 20 days. Civilian employees will immediately accumulate sick leave at a rate of ten (10) working days a year accumulating per pay period throughout the year to equal 10 days. A working day is considered eight (8) hours.
- B. If unused, sick leave shall accumulate to a maximum of ninety five (95) days.
- C. Time off may be charged against accumulated sick leave only for such days that an officer is scheduled to work.
- D. If, at the end of ~~his~~ **their** term of service, upon retirement or death whichever occurs first, any police officer that has unused accumulated sick leave, he shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death. Payment for unused sick leave in the case of a police officer, upon retirement or death, shall not exceed ~~sixty (60) days~~ **seven-hundred and twenty (720) hours** salary.
- E. It shall be the responsibility of employees who cannot report for duty due to illness or injury to notify their supervisor at least one hour prior to their reporting time. Employees must give a telephone number and address where they can be located during their normal tour of duty. **A Any supervisor with the approval from the Chief of Police or the Police Captain** may require an employee to provide a doctor's statement.
- F. Sick leave can be used when the employee is needed to care for a member of his immediate family who is sick. **If this becomes excessive or routine, the employee will have to use his/her personal vacation or comp time or choose not to be paid for the time gone. Falsifying information regarding sick leave, doctors' appointments, or health status of the employee or their immediate family members in order to utilize sick leave will not be tolerated and the employee will be subject to disciplinary action up to termination.** The term immediate family shall mean spouse, children, parents, or any family member who is residing in the employee's home.

4. Injury Leave:

Any employee of the department who is injured on duty and reports the injury as required by Workers Compensation may be placed on injury leave. An employee will be placed on injury leave on the first day they are unable to report for duty due to injury. The injury must have been reported and a medical doctor must order the employee not to return to work. Employees who are off work due to a duty related injury will have the difference between their regular salary and Workers Compensation made up by the city. An employee receiving salary continuation can not take any other form of leave. Injury time and salary continuation will be for a period of three months. At that time the Chief of Police will determine if the employee will continue on injury leave or not. Employees will not be allowed more than one year of injury leave. Once an employee has used all injury time allowed, they may take sick time or vacation time. An employee who is unable to return to work after using all available leave time can be terminated.

5. Military Leave:

- A. An employee who is a member of an Armed Forces Reserve Organization or the National Guard shall be granted up to fifteen (15) work days of military leave for required military training in a calendar year. Military Leave not used in one year can be carried into the next year, up to a total of thirty (30) days. An employee called to duty in an emergency situation by the Governor or by the President shall be granted leave with pay not to exceed thirty (30) working days. After that leave without pay will be granted.
- B. Reasonable advance notice of impending military leave should be provided by the employee.
- C. Military leave is to be coded on the employee's time sheet with the letters "ML" in the regular hours column.
- D. If the employee has no Military Leave left and wants to use vacation days or compensatory time to attend training the city will pay the employee for the time. If the employee does not wish to use accrued time for training, the city will give the employee the time off without pay.

6. Emergency Leave of Absence

Emergency leaves of absence shall be allowed for family death or medical emergency. Emergency leaves of up to three days with pay are allowable for the serious hospitalization of immediate family members but will be subtracted from an employee's cumulative sick leave. Emergency leaves of up to three days with pay are allowable for the death of an immediate family member. The term immediate family shall be understood to mean the spouse, children, parents, grandparents, siblings, in-laws or spouses grandparents.

7. Leaves of Absence Without Pay

Reasonable leaves of absence for necessary personal business, personal matters, and other sound reasons may be granted to an employee by ~~his~~ **their** supervisor ~~or~~ **if approved by** the Chief of Police **or Police Captain**. It is understood that these leaves are without pay, without loss of seniority and in excess of allowable sick or vacation privileges. In no case will a leave of absence be over thirty (30) days unless dealing with a personal illness that is in excess of accumulative sick leave.

8. Night Shift Pay Differential

Officers working night shift or those hours that fall within the current night shift schedule will receive an additional **\$2.00 per hour** compensation. Night shift differential will only be paid for employees physically working within the current designated night shift hours and will exclude leave/pay such as Vacation, Holiday, Certificate, Sick, Emergency, Injury, etc. Night shift differential pay will not be paid for any special assignments such as U of A games, concerts, STEP Mobilizations, etc. regardless of hours worked during those assignments. Employees will receive Overtime or Comp time based on their base rate of pay and will not be based off the shift differential pay on top of their regular base pay rate.

9. Jury Duty

Pay for jury duty shall comply with A.C.A 25-1-104. Jury duty will be compensated with regular pay; however employees are required during regular work hours to report to work during all reasonable times or days when the jury duty is not in session. Employee's regular work hours will be changed to meet the demands of jury duty. Employees are required to show a jury duty summons to their supervisor as soon as possible upon receiving it.

10. Retirement Benefits

Civilian employees and half-time employees working at least eighty (80) hours per month will be enrolled in the Arkansas Public Employees Retirement System. Sworn employees will be enrolled in the Arkansas Local Police & Fire Retirement System (LOPFI). The city will make contributions based on gross payroll requirements of its employees. The employee will have deducted from their pay whatever contribution is required by the system.

11. Medical Insurance / Hospitalization Plan

On the first day of a new month, following the first full month after the date of employment insurance benefits will be provided for new regular employees. Elective coverage will be available at the employee's expense for family members at the employee's request. Family coverage is only available during certain periods of the year and should be coordinated with the City's Insurance Clerk.

The employee who elects to have his dependants covered shall pay all costs associated with the additional premium for the coverage of those dependants. All insurance provisions are at the discretion of the Municipal Health Benefit Fund. From time to time the City acknowledges the right to compare and consider alternative carriers.

12. Physical Fitness

Employees are required to maintain a physical condition acceptable to perform the duties and tasks within the description of their job.

13. Drug Free Workplace

The Prairie Grove Police Department will not tolerate the use, possession, distribution of alcohol or illegal drugs while on the premises or on duty unless in the course of work. The use of legal prescription drugs is permitted but only if it does not impair or jeopardize an employee's ability to perform his or her duties, essential functions, or actions which may

endanger the employee, their co-workers, or the public. Employees will be subject to random drug testing per policy 03-006.

14. Hours of Work

An employee's work schedule will be determined by his / her supervisor or department head and may be altered from time to time. Some employees will work 8-hour shifts at 40 hours per week; some employees will work 12-hour shifts working 32 hours one week and 48 hours the next.

Employees on shift, where they are being paid for all hours worked, are allowed (30) thirty minutes for a meal break and (1) one (15) fifteen minute break. Officers who are on breaks are still considered on duty and are subject to call. If officers do not get these breaks they will not receive overtime pay.

During the working shift, officers are not to go to any private residence or business or other location and remain there for extended periods of time, unless it is work related or for a meal break. Officers who live outside the city limits have to take their breaks in town, unless approved by the Chief of Police. No officer shall remain outside the city limits visiting with other people while on a shift.

All employees are required to report for duty at the designated time and place to begin their shift. Tardiness will not be tolerated and can result in disciplinary action. Employees that will be tardy will contact a supervisor as soon as possible. If unable to report for duty at all, employees should notify a supervisor at least one (1) hour prior to their reporting time.

15. Compensation

The Fair Labor Standards Act (FLSA) sets minimum wage, overtime pay, equal pay, record keeping and child labor standards for Police Department employees who are covered by the Act and are not exempt from specific provisions. Effective April 15, 1986, FLSA became applicable to cities and towns.

FLSA requires cities to compensate covered employees for overtime hours worked by (1) scheduling equal time off for the employee within the same workweek or work period in which the overtime hours were worked; (2) crediting the employee with compensatory time at a rate of one and one-half (1 ½) hours for each overtime hour worked or; (3) paying the employee for the extra hours at one and one-half (1 ½) times the employee's regular hourly rate for each overtime hour worked.

A work period under FLSA is defined as seven (7) consecutive twenty-four hour periods for all non-fire and non-police with overtime compensation due beginning with any time in excess of forty (40) hours.

For those employees engaged in law enforcement activities who have a work period of at least seven (7) but less than twenty-eight (28) consecutive days, no overtime compensation is required under section 7(k) until the number of hours worked exceeds the number of hours which bears the same relationship to 171 as the number of days in the work period bears to twenty-eight (28).

Work Period Days

***Maximum Hours
Standards Law Enforcement***

28	171
27	165
26	159
25	153
24	147
23	141
22	134
21	128
20	122
19	116
18	110
17	104
16	98
15	92
14	86
13	79
12	73
11	67
10	61
9	55
8	49
7	43

The Prairie Grove Police Department will utilize a 14-day work period for employees working 12-hour shifts and will compensate officers who exceed eighty (80) hours in a fourteen (14) day work period. The Prairie Grove Police Department will utilize a 7-day work period for employees working 8-hour shifts and will compensate officers who exceed forty (40) hours in a seven (7) day work period. Only hours actually worked are used for computing overtime and/or comp-time accrual. All leave time does not count toward computing overtime and/or comp-time.

- 16. Additional outside work such as the University of Arkansas sporting events, Walmart Shareholders event, STEP programs, and other security needs will be paid at the employees over time rate through the city unless other agreed upon payment methods have been arranged. This will be for both hourly and salary employees of the department.

17. Carry over of unused vacation and comp time

Employees who choose not to use all earned vacation and comp time in a calendar year may carry this time forward into the next calendar year for a maximum of 20 days (160 hours) earned vacation days and a maximum of 80 hours of comp time. An employee may also choose to sell back up to 60 hours of earned vacation time in a calendar year. No employee can schedule vacation/comp time over two weeks back-to-back without specific approval from the Chief of Police.

18. On-call or Stand-by Time

On call time is not subject to pay unless the employee is required to significantly limit his mobility. However, officers who are on call for four (4) hours or more will receive one (1) hour of overtime pay or compensatory time whether or not they are called out. If an officer is called out, they will receive an additional hour of overtime or compensatory time in

addition to the one (1) hour already received. If the officer is called out for more than one (1) hour they will receive overtime pay or compensatory time for the time over one (1) hour. However, officers cannot be paid for more hours than the number of hours they were on call. This overtime pay will not apply to supervisory officers who are on call for supervisory purposes only. However, supervisors who respond to the scene of a call while off duty will receive a minimum of one (1) hour overtime pay or compensatory time.

19. Standards of Conduct

Employees of the police department are expected to maintain high standards of conduct in both their personal and professional lives. Any employee who becomes involved in a police incident while off duty will report such incident to a supervisor as soon as possible. Any employee who is arrested will contact a supervisor immediately. Any employee receiving a traffic citation will report such to his supervisor when he / she return to duty. Violations of the law can result in disciplinary action.

20. Grievance

Any grievance shall be first made in writing to the ~~Lieutenant~~ **Captain** where it will be reviewed. The employee may then request further review by the Chief of Police or the Mayor if not satisfied with the initial decision of the ~~Lieutenant~~ **Captain, in writing within 3 business days following the Captain's decision..** This request should be made in writing and given to the ~~Lieutenant~~ **Captain** who will then forward it to the Chief of Police and/or the Mayor. **All decisions of the Chief of Police or the Mayor shall be final.**

21. Police Cell Phones

Cell phones will be issued to officer's who wish to carry a department phone. These phones will be a normal part of your everyday equipment and will need to be maintained as such. Personal usage is allowed if it does not go over plan coverages or become excessive.

22. Travel Policy & Training Expenses

The Prairie Grove Police Department will reimburse employees for reasonable travel expenses incurred while on assignments, training, or business away from the normal work location. All travel must be approved in advance by the employee's supervisor. Costs of travel, when not using a City vehicle, lodging, and other expenses directly related to the assignment will be reimbursed by the Prairie Grove Police Department. Employees are expected to limit expenses to reasonable amounts. Expenses that may be reimbursed include, but are not limited to:

- Air fares for travel but only in economy, coach, or the cheapest available class.

- Car rental fees, but only for compact cars unless supervisor approved

- Taxi fees – Including tips

- Mileage for personal cars based on the approved rate of the City at the time of travel

- Gas reimbursement or any other necessary components the working condition of the vehicle, when using a Police Department vehicle

- Cost of standard accommodation in a mid-priced hotel or similar lodging unless approved by a supervisor

- Cost of meals, including tips. At no time shall meal costs exceed \$50.00 per day by a single employee.

- Charges for telephone calls, fax, or computer access as related to business related use.

- Any supplies or equipment necessary to the business or training at hand.

When a Police Department credit card is utilized, only expenses related to items listed above may be charged to the card. Any charges for unauthorized expenses will be reimbursed by the employee.

Employees are responsible for submitting all receipts whether purchase is cash, charge, or credit card during the period of travel.

Family members may travel on business but only as approved by the employee's supervisor and only at the employee's expense. No reimbursements will be allowed for the employee's family member while accompanying the employee on travel.

Employees experiencing car accidents, travel problems causing delays, or problems encountered with lodging or expenses, shall report the problems to the supervisor as soon as realistically possible. City business which is over 75 miles from Prairie Grove and requires an overnight stay will be reimbursable or charged on a city credit card. A multiple day meeting/training is eligible for overnight status regardless of distance upon approval of the department head.

23. Promotions

Promotions shall be **at** the discretion of the Chief of Police. ~~but shall be confirmed by the City Council of the City of Prairie Grove.~~

24. Demotions

Demotions may result from poor job performance or as the result of disciplinary actions. Demotions can result in the reduction of salary, compensation and/or the loss of seniority.

25. Lay-Offs

At times it may be necessary to lay off employees due to lack of work, funds or changes in staffing requirements. In the case of employees who perform like duties, the employee with the least amount of seniority will be the first subjected to layoff. In the event a layoff is necessary, the employee will receive a minimum of a two week notice and may choose to take any earned vacation pay not already drawn.

26. Separation from Employment

Employees separating from employment with the Prairie Grove Police Department, either by termination, lay off, or by mutual agreement, shall be compensated for any unused vacation benefits or compensatory time that had previously been agreed to by the employee's supervisor. All equipment, uniforms, keys or possessions belonging to the Prairie Grove Police Department will be turned in to the employee's supervisor by the end of the employee's last work day and shall be certified by both parties. Final checks for worked time will be available by the closing of the next scheduled payday following the employee's last work day.

27. Resignations

Resignation is a voluntary act initiated by the employee to terminate employment with the Prairie Grove Police Department. Although advance notice is not mandatory, employees will

not be entitled to any compensation for unused vacation or comp time unless a minimum of two weeks notice is given.

28. Payment for Severance Benefits Following Separation of Employment

Any unused vacation days, or other severance benefits that are deemed payable by this policy will be paid no later than 10 days after the employees last day of service. The Prairie Grove Police Department has the right to deduct any reasonable cost incurred as a result of negligence, misconduct or malicious action by the employee prior to his separation from employment with the police department.

29. Exit Conference and Return of Property

Employees will report to the Chief of Police on the last day of their employment for an exit conference at which time all property belonging to the Prairie Grove Police Department will be returned. All ongoing matters effecting the operation of the department will be discussed and evaluated and any rights or benefits due the employee will be outlined by the employer.

Nepotism Policy:

It shall be the general policy that immediate family members will not be employed within the Police Department. Immediate family members shall be spouse, children, parents, grandparents, siblings, in-laws, or spouse's grandparents.

30. Unauthorized Leave or Absence From Work

All employees must seek authorization from their supervisor to miss work for any reason during a scheduled work day. This shall include leaving a shift for any reason during the shift, or failing to arrive for a shift on a scheduled work day. Any Employee who leaves work without authorization, misses an assigned shift, or misrepresents sick leave or other leave benefits falsely will be terminated by their supervisor or the Police Chief. The following actions shall constitute, but are not limited to, violations of this policy:

- Leaving during a scheduled shift without authorization
- Failing to show up for a scheduled shift or work a scheduled shift without authorization or without calling to notify the supervisor for reasons dictated as allowable by this policy
- Falsifying information regarding sick leave, doctor's appointments, or health status of the employee or their immediate family members in order to utilize sick leave

If an Employee is terminated for any of the reasons stated above, they can appeal for reinstatement by requesting a meeting with the supervisor and the Mayor within 1 work day of the termination notice.

Approved By:

Chris Workman
Chief of Police

10/20/2022

Date