

RESOLUTION NO. 2022-_____

A RESOLUTION BY THE CITY TO APPROVE CHANGES TO THE POLICE DEPARTMENT POLICY MANUAL

WHEREAS, the Police Chief is charged with developing a policy and procedure manual to be used by officers employed with the police department; and

WHEREAS, the Police Chief has developed such a policy and procedures manual; and

WHEREAS, the Police Chief has revised Policy 03-001 regarding overtime; and

WHEREAS, it is the responsibility of the City Council to be the body to approve all policy decisions on the behalf of the City.

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

That the City Council hereby approves the police department policy and procedures manual as it exists this 19th day of September 2022.

PASSED AND APPROVED on this 19th day of September 2022.

APPROVED:

ATTEST:

Charles (Sonny) Hudson, Mayor

Christine Kelly, Clerk

| | |
|--|---------------------------------|
| 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.

Deleted: 0
Deleted: 0

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 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 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 supervisor 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. 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 an employee by his supervisor or the Chief of Police. 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 any 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~~

Deleted: A standard work week will consist of 40 hours. A work week begins on Saturday at 7:00 am and concludes on the following Saturday at 7:00 am for the purpose of determining the 40 hour work week.

Deleted: Employees will be allowed (1) one hour for lunch during a (9) nine-hour shift and (2) two (15) fifteen-minute breaks. ...

Deleted: an (8) eight-hour or ten

Deleted: -hour

breaks are still considered on duty and are subject to call. If officers do not get these breaks they will not receive overtime pay.

Deleted: Employees who work a (9) nine-hour shift and are not being paid for their lunch hour will be compensated if they must work through their break.

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.

Deleted: ¶

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.

Deleted: ○

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.

Deleted: week

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).

| <i>Work Period Days</i> | <i>Maximum Hours Standards Law Enforcement</i> |
|-------------------------|--|
|-------------------------|--|

| | |
|----|-----|
| 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.

Deleted: forty

Deleted: 4

Deleted: seven

Deleted: 7

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 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. This request should be made in writing and given to the Lieutenant who will then forward it to the Chief of Police and/or the Mayor.

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 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 employee's 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.

28. 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.

Approved By:

Chris Workman
Chief of Police

Date

Deleted: 07/18/2022