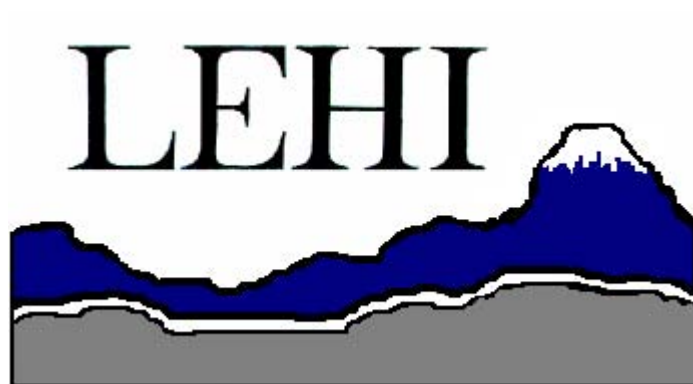


***Lehi City***  
***Personnel Policies & Procedures/ Safety Manual***  
***Update: March 2011***



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# **Personnel Policies and Procedures**

## **SECTION I: EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

1. **GENERAL POLICY.** It is the policy of Lehi City to comply with Equal Employment Opportunity (EEO) standards in all phases of personnel administration and to hire individuals solely on the basis of their qualifications and ability to do the job to be filled. EEO standards shall apply related to: job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, etc, without unlawful regard to race, color, religion, sex, age, physical or mental disability, national origin or veteran's status. Unless otherwise provided in writing, employment with the Lehi City is considered to be at-will, so that either party may terminate the relationship at any time and for any lawful reason.

## SECTION II: PROTECTION FROM LOSS AND LIABILITY (INDEMNITY)

1. GENERAL POLICY. Lehi City will take all necessary precautions and steps in written contracts to prevent loss and liability arising from entering relationships with independent contractors using the Indemnity Provision Agreement.
  - A. Each contract with a private contractor should contain indemnity/hold harmless clauses which provide that:
    - (1) All contracts must contain indemnity and defense provisions in which the contractor assumes all liability arising out of work performed by the contractor or their officers, employees, agents, and volunteers.
    - (2) All contractors must provide evidence that they have acquired and maintain comprehensive general liability coverage, including liability insurance covering the contract concerned, prior to the execution of the contract.
    - (3) Lehi City and its officials, employees, agents and volunteers must be named as "additional insured" on the liability insurance policy.
  - B. Each contract with a private contractor should contain provisions that ensure the contractor is carrying workers' compensation insurance coverage.
    - (1) Lehi City should require evidence of Workers Compensation insurance (or evidence of qualified self -insurance) from all contractors.
    - (2) Lehi City should have the contractor show evidence of the contractor's Workers Compensation coverage to Lehi City.

## SECTION III: EMPLOYEE HIRING

1. **EMPLOYMENT.** Job Descriptions defining the essential functions of the vacant position shall be drafted and adopted before the vacancy is posted or otherwise advertised internally or externally.
2. **RESIDENCY REQUIREMENTS.** It is preferred that city employees live within or near the corporate limits of Lehi City. Additionally, it is expected that the employee will take pride in the community and promote and project it as though it were his/her own hometown. Special residency requirements are as follows:

**Essential Employees.** Individuals hired into essential positions listed below shall be required to reside within the corporate boundaries of the City within 12 months of being hired unless an extension is authorized by the Mayor and approved by the City Council. Such extension shall not exceed an additional 12 month period. Additional extensions may be granted at the discretion of the Mayor and City Council upon a showing of hardship by the employee. Current essential employees hired prior to April 2011 are grandfathered in and are therefore not required to comply with the residency or response time requirements so long as they continue to hold their current positions. The positions are as follows:

1. City Administrator
2. Assistant City Administrator
3. Police Chief
4. Fire Chief
5. City Engineer
6. Public Works Director
7. Director of Finance and Administrative Services
8. Planning Director
9. Power Director

In addition to the essential employee positions identified above, several City departments have essential employee positions that require prompt response in the event of emergencies or service outage occurrences. These departments are the Police Department, Fire Department, Public Works Department and the Power Department. Each of these departments will specify, in department policies, such essential positions. Employees occupying these specified positions will be required to reside within a 20 minute response time of the City Administrative Offices as determined by the City's G.I.S. calculations.

3. **RECRUITMENT.** All recruiting shall be conducted in a non-discriminatory manner.
  - A. **Internal Promotions.** It is Lehi City's policy to give first consideration to current City employees to fill a job position.
  - B. **External Advertising.**
    - (1) Only the Personnel Officer/City Administrator, or designee, is authorized to place advertisements and respond to inquiries from employment agencies and/or job applicants.
    - (2) Each Job Opening Notice should contain a statement indicating that Lehi City is an equal opportunity employer.
    - (3) Job Opening Notices must be advertised in the appropriate media and through any other channels the Personnel Officer/City Administrator deems appropriate.
    - (4) All Job Opening Notices must specify the name and the office of the person from whom Job Applications are to be obtained, the name and office of the person to whom completed applications are to be returned, and the deadline for filing an application.
    - (5) Advertisements may state that job applicants residing in Lehi City or the surrounding area will be given hiring preference

4. **SELECTION.**

- A. Nepotism. It is the policy of Lehi City to comply with the provisions of Utah's Anti-Nepotism Act, Utah Code 52- 3-1.
- B. Employment of Minors. It is the policy of Lehi City that no one under the age of fifteen (15) shall be hired for any position.
- C. Rehires. Job applications received from former employees will be processed using the same procedures and standards that govern all other applications. The Personnel Officer/City Administrator will review the former employee's personnel records and the circumstances surrounding termination of previous employment with Lehi City.
  - (1) Former employees who have been terminated for cause are not eligible for rehire.
  - (2) Applicants who are rehired shall be required to serve an introductory period.
- D. Job Applications. All interested job applicants shall complete a Job Application.
  - (1) All applications and resumes received for the job opening will be forwarded to the Personnel Officer/City Administrator, or designee. Upon receipt, each application and resume will be marked with the date it was received.
  - (2) Job applications shall be signed by the job applicant and the truth of all information contained therein shall be certified by the job applicant's signature. The job applicant may be required to provide a copy of a certified educational transcript either with the application or upon hire.
- E. General Aptitude Test Battery (GATB). When necessary, job applicants may be required to take the General Aptitude Test Battery. If administration of the GATB is deemed necessary, Job Service may administer it.
- F. Other Ability Tests. Job Applicants may be required to take other ability tests that Lehi City deems necessary for a specific position. Job applicants for certain positions may require skills for which a known level of competence must exist such as mathematics, keypunch, and/or timed typing tests. When Lehi City uses other ability tests, Lehi City shall make reasonable accommodations for disabled applicants, as may be requested, and does not create an undo hardship on the City.
- G. Job Applicant Disqualification. An application may be rejected if the job applicant:
  - (1) Does not meet the minimum qualifications established for the position.
  - (2) Is physically or mentally unable to perform the essential duties and responsibilities of the position with reasonable accommodation(s) (determined only after a conditional offer of employment, pending the results of a medical examination, has been extended to a job applicant).
  - (3) Has falsified a material fact or failed to complete the application.
  - (4) Has failed to timely file the application.
  - (5) Has an unsatisfactory employment history or poor work references.
  - (6) Has failed to attain a passing score, if an examination is required.

- H. Interviewing.
  - (1) The Personnel Officer/City Administrator, or designee, will select applicants to interview from those who have passed the preliminary screening job application and ability tests. Job related duties and qualifications will provide the basis for initial screening of job applicants. During the interview, all job applicants should be advised that any and all of the information provided will be verified.
  - (2) Individuals conducting job interviews shall only ask questions that pertain to the job position. The Pre-Employment Inquiry/Questions should be reviewed by the interviewer before the interview begins.
- I. Reference Checks. In order to facilitate reference checks, written permission shall be obtained from the applicant using the Applicant's Consent to Release Information Form. Lehi City may contact the references for each job applicant and ask job-related questions, which include similar questions for each job applicant checked.

5. **FULL TIME PLACEMENT.**

- A. Rejection Letters. Within five (5) working days after *the* job offer has been accepted, non-selected job applicants shall be notified. The Personnel Officer/City Administrator, or designee, will send a Job Rejection Letter to each job applicant who was not selected for a job opening.
- B. Job Offers. After a job applicant is approved by Lehi City, the Personnel Officer/City Administrator shall notify the successful job applicant of their selection through a written Job Offer Letter. The written Job Offer Letter shall clearly state the job description, salary conditions, and any provisional conditions of employment (i.e., successfully passing drug/alcohol tests). Additionally, the written Job Offer Letter shall clearly state that the offer is not accepted until the candidate signs the written Job Offer Letter and returns it to Lehi City by the requested date. The original Job Offer Letter is then filed in the employee's file and a copy is given to the new employee during orientation. Written Job Offer Letters should also include the following:
  - (1) A clear statement of job description.
  - (2) The employee's starting salary. Starting salary offers for exempt positions shall be figured for a specified period, such as a two-week period. Starting salary offers for non-exempt positions shall be figured at an hourly wage.
  - (3) The employee's job title.
  - (4) The employee's department.
  - (5) Any relocation commitments, if applicable.
  - (6) The employee's starting date.
  - (7) The length of the employee's introductory period (one year minimum)
  - (8) Notice that employment is contingent upon passing a background examination, drug tests, medical/physical examinations, etc.
- C. Medical Examinations. Once Lehi City has extended a conditional job offer to the job applicant, a medical interview or examination may be conducted by a health professional chosen by Lehi City to determine a job applicant's ability to fulfill essential job related requirements necessary for job classification. Only the Personnel Officer/City Administrator or designee may authorize such



interviews or physical examinations. All costs for required medical interviews or physical examinations will be borne by Lehi City. The prospective employee must sign a written release of this information to Lehi City.

- D. Reinstatements. Employees who are reinstated into Lehi City may maintain their original anniversary date for seniority purposes as well as for those benefit programs governed by the anniversary date. The policy will be as follows:
- (1) Layoffs. Employees who terminate because of reduction in work force will maintain their original anniversary date for seniority purposes if they are re-employed by Lehi City within one year after date of termination.
  - (2) Voluntary resignations. Employees who voluntarily terminate their employment with Lehi City may maintain their original anniversary date, subject to Personnel Officer/City Administrator or City Council approval, if they are re-employed by Lehi City within six months after date of termination.
- E. Hiring New Employees.
- (1) Required for All Employees: The Personnel Officer/City Administrator, or designee, is responsible for having new employees fill out all pre-employment forms, benefit applications, enrollment forms and providing basic information on Lehi City's policies concerning pay, vacation, holidays, and sick leave, benefits, parking and work hours during the employee's first day of work.
  - (2) Additional Requirement for Contract, Part Time, Temporary, and Seasonal Employees Only: If applicable, the Personnel Officer/City Administrator, or designee, is responsible for filling out an Employment Agreement.
  - (3) Additional Requirement for Employment of Minors (employers may protect themselves from unintentional violation of the child labor provisions by keeping on file an employment or age certificated for each minor employed to show that the minor is the minimum age for the job.):
    - (a) All states have child labor laws and compulsory school attendance laws.
    - (b) Unless otherwise exempt, a minor employee must be paid according to the statutory minimum wage and overtime (currently one and one half (1 and ½) times the employee's regular wage after forty (40) hours worked in a work week) provisions of the Fair Labor Standards Act of 1938, as amended.
    - (c) Employees fifteen (15) years old may not be employed:
      - [1] During school hours, except as provided for in work experience and career exploration programs.
      - [2] Before 7 a.m. or after 7 p.m., except 9 p.m. from June 1 through Labor Day (time depends on local standards).
      - [3] More than three (3) hours a day on school days.
      - [4] More than eighteen (18) hours a week, in school weeks.
      - [5] More than eight (8) hours a day, on non-school days.
      - [6] More than forty (40) hours a week, in non-school weeks.

- [7] In any occupations found and declared to be hazardous.
- [8] In the operation or tending of hoisting apparatus.
- [9] In the operation or tending of any power-driven machinery.
- [10] Outside window washing that involves working from window sills, and all work requiring the use of ladders, scaffolds or their substitutes.

(d) Employees sixteen (16) and seventeen (17) years old are subject to Department of Labor Orders when working in any occupations which the Secretary of Labor “shall find and by order declare to be particularly hazardous or detrimental to their health and well-being” as set forth in WH Publication 1330, entitled Child Labor Requirements in Nonagricultural Occupations.

F. Orientation. Newly hired employees shall complete all required paperwork and receive orientation as a new employee of Lehi City on their first day of work.

- (1) In accordance with the Immigration Reform and Control Act, all new employees shall provide proof of identity and employment status by completing an Employment Eligibility Verification Form and providing two original unexpired government ID’s. The employee must sign under penalty of perjury that they are a U.S. citizen, a lawful permanent resident alien, or an alien otherwise authorized for U.S. employment.
- (2) All new employees shall complete and sign a Form W-4 Federal Withholding Statement.
- (3) All new employees should be given an orientation and tour of the work place with a brief overview of company rules and benefits

G. Introductory Period.

- (1) All new employees shall be subject to a one year introductory period. During this period, introductory employees may be terminated with or without notice for any or no reason without any right to due process, notice, explanation, or appeal in connection with said termination.
- (2) Introductory periods begin on the first day of employment and continue for one year or longer if extended in writing for work performance. Management will provide guidance to introductory employees so they understand work requirements.
- (3) Introductory employees shall have a performance evaluation at the end of the introductory period. This performance evaluation may be used to provide information to both the employee and management regarding the employee’s performance. A performance evaluation and the results of such evaluation shall not obligate management to a particular course of action relative to the introductory employee nor shall it create any property/due process rights for the introductory employee relative to their job/position.

## 6. VOLUNTEERS.

- A. “Court Ordered” Community Service Volunteer labor may, at the discretion of the Personnel Officer/City Administrator, may be accepted by Lehi City.
- B. The Personnel Officer/City Administrator, with approval of the City Council, may establish a program for the use of any other volunteers.

- C. The Personnel Officer/City Administrator shall develop guidelines for use of volunteers.
- D. Prior to accepting any volunteer services, the Personnel Officer/City Administrator and the volunteer shall sign a Memorandum of Understanding Agreement defining the nature and terms of the volunteer services.
- E. A volunteer is considered an employee of Lehi City for the purposes of:
  - (1) Workers compensation benefits for compensable injuries sustained by the volunteer while acting in the scope of employment.
  - (2) Operating Lehi City owned vehicles or equipment when the volunteer is properly licensed to do so.
  - (3) Liability insurance coverage offered employees.
- F. Volunteer service experience may be recognized for determining minimum qualifications for an employment position with Lehi City.

## **SECTION IV: ALCOHOL AND DRUG & SMOKE FREE WORKPLACE**

1. **GENERAL POLICY.** The purpose of this policy is to implement a program patterned after the Federal Drug Free Workplace Act of 1988 and the State of Utah title 67-19-33 statute governing drug testing for state employees. The intent is to provide a safe and productive work environment that is free from impaired performance caused by employee use or abuse of alcohol, controlled substances, and/or medication.

"Alcohol and Drug Test" means generally accepted and proven test methodology or methodologies as recommended by the laboratory and medical experts selected by the City, consisting of screening methodology and confirmatory methodology; a screening test and a confirmation test.

2. **EMPLOYEE RESPONSIBILITIES.**

- A. No employee shall unlawfully manufacture, dispense, possess, use, or distribute any controlled substance, medication, or alcohol.
- B. Any employee convicted under a federal or state statute regulating controlled substances shall notify their supervisor and the Personnel Officer/City Administrator within five days after the conviction.
- C. No employee shall consume alcoholic beverages immediately before work, during work hours, while at work, during breaks, or during lunch.
- D. No employee shall be impaired by alcohol, illegal drugs, or medication during work hours.
- E. No employee shall represent Lehi City in an official capacity while impaired by alcohol, illegal drugs, or medication.
- F. No employee using medication that may impair performance shall operate a motor vehicle on behalf of Lehi City.
- G. If an employee is using prescription or non-prescription medication that may impair performance of duties, the employee shall report that fact to their supervisor.
- H. An employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, and/or medication shall notify the impaired employee's supervisor and/or the Personnel Office

3. **TESTING**

- A. Randomly- city-wide, all departments, all employees and volunteers.
- B. As part of an industrial accident investigation. Any employee involved in an industrial accident will be asked to submit to a drug screen.
- C. As a result of a perceived change or observed impairment in job performance.
- D. On any employee who is perceived to be under the influence of drugs or alcohol. The employee may be removed from service and requested to undergo evaluation and appropriate testing by medical personnel. Management may take disciplinary action on the basis of the medical information obtained. Refusal by the employee to undergo evaluation and testing will be

considered cause for discharge. The personnel department is to be notified prior to any action being taken.

- E. As part of pre-employment testing. Drug screening tests are conducted as a regular part of the pre-employment examination for full-time and part-time applicants.
- F. Random screen testing may be performed as part of a Reinstatement Agreement.

4. **POSITIVE SCREEN TEST:** A positive screen test means either the presence of a drug or alcohol. Sample testing procedures shall conform to scientifically accepted analytical methods and procedures and shall include verification of confirmation of any positive test result by gas chromatography - mass spectroscopy, or other comparably reliable analytical method, before the results of any test may be used as a basis for any action.

- A. **First Offense:** When a screen test is positive for the 1st time but no evidence of drug or alcohol use on the job exists, the employee will be suspended without pay until all company required testing and treatment is completed. The employee will be required to obtain a written evaluation for drug abuse from a recognized professional and/or institution (at the employee's expense). If there is evidence of drug or alcohol use on the job, the employee may be disciplined or discharged and not be eligible for reinstatement.
- B. **Reinstatement:** To be reinstated to a job, an employee must have a signed release from a doctor stating that they are fit for work. The employee must submit to another screen test and have a negative result within six weeks from the date they were suspended, otherwise the employee will be discharged. Before the employee returns to work, they will be required to sign a Condition of Reinstatement Agreement and random drug screening will be conducted for one year.
- C. **Second Offense:** An employee who has been suspended for a positive drug test and allowed to return to work will be discharged for any subsequent positive drug screen.
- D. **Consequences of Test Refusal**
  - (1) **Prospective employee:** Refusal to give written consent for a drug screening test will terminate further action towards employment
  - (2) **Employee:** Refusal by an employee to submit to screen testing will be considered cause for discharge

5. **REMOVAL FROM SERVICE:** It is the intention of Lehi City to provide a safe workplace. All employees must be fit for duty when reporting to work and at all times while performing their work assignments.

- A. **Removal from Service may result from:**
  - 1. **Impairment -** must be observed and documented by two Qualified Persons, one being the supervisor and the other being the Department Manager or Key Executive.
  - 2. **An industrial Accident**
- B. **Employee must be transported to the designated medical facility, by a member of Management for testing. Employee must sign a consent form agreeing or refusal to be tested for drugs and/or alcohol.**

1. If the employee is injured or impaired in such a way that they cannot sign a consent/refusal form, the form can be taken to the medical facility to be signed as soon as possible.
  2. If the drug screen cannot be immediately administered at the medical facility due to the condition of the employee, the physician in charge will be informed of the testing policy. Collecting the sample for the drug screen will be at the physicians discretion.
- C. Employee must undergo a medical evaluation which will include a blood/urine/hair test for drugs and/or alcohol and physical examination by medical staff.
- D. Employee will be suspended from work pending receipt of results of lab tests within 48 hours unless:
1. The physician clearly states that the employee is fit for duty following a Fitness for Duty Examination.
  2. He/She is released by the physician following an industrial accident. The release should state that the employee is fit for duty.
- E. If, after the medical evaluation, the employee is considered to be impaired, the management representative will transport the employee home and release them into the care of a family member.
- F. If the drug/alcohol screen results are positive, follow company policy.
- G. If drug/alcohol screen is negative, and:
1. Evidence of work-related cause is found, refer employee to a Lehi City approved physician for treatment.
  2. Cause is medical but not work-related, refer employee to their personal physician for care and have them obtain a fit for duty work-release.
  3. Cause is unknown, refer the employee to their personal physician and have them obtain a fit for duty work-release.
4. **DISCIPLINARY ACTION.** Because of the serious nature of the illegal use or abuse of alcohol, controlled substances, and/or medication., appropriate employee disciplinary action will be taken, up to and including termination.
5. **Smoke-Free Workplace:** Since smoking has been demonstrated to be a health and safety hazard not only to smokers, but also to non-smokers in confined spaces, it shall be the policy of Lehi City to create a smoke-free environment for employees and the general public in City facilities. The following policies will therefore be observed:
- A. Smoking is prohibited in all buildings and on property owned and leased by the City of Lehi.
  - B. Smoking is prohibited in all Lehi City owned and leased vehicles whether being used on or off duty. This is a health and safety precaution as well as an effort to maintain employee and citizen relations.

## Lehi City Employee/Applicant Consent Form

Physical Examination and Test  
Controlled Substances (Drugs) and/or Alcohol  
(Confidential)

I hereby voluntarily consent to a physical examination and tests to be conducted by city designated physicians and/or other appropriate medical personnel contracted to perform this service for Lehi City. I specifically voluntarily consent to the taking of samples of my blood, urine, hair, breath, saliva and other samples for testing to determine the presence of drugs and/or alcohol in my system. I voluntarily authorize the release of medical information concerning the results of my physical examination and test to company representatives who will use it to determine if I am in compliance with Lehi City work rules and policies on drugs and/or alcohol. I understand that I am entitled to a copy of this authorization. I also understand that refusal by me to sign this consent will be cause for discharge or ineligibility for employment. This authorization shall remain valid during the period of employment.

\_\_\_\_\_  
Employee/Applicant (print name)

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Employee/Applicant (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness (signature)

\_\_\_\_\_  
Date

---

## Employee/Applicant Refusal Form

Physical Examination and Test  
Controlled Substances (Drugs) and/or Alcohol

I decline to authorize Lehi City to perform a physical examination and tests for drugs and/or alcohol or the release of results to Lehi City representatives. I understand that I am entitled to a copy of this refusal. I also understand that refusal by me to sign this consent will be cause for discharge or ineligibility for employment.

\_\_\_\_\_  
Employee/Applicant Name (print name)

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Employee/Applicant (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness (signature)

\_\_\_\_\_  
Date

## Lehi City Condition of Reinstatement

I understand that my reinstatement to employment by Lehi City, is conditioned upon and subject to my satisfactorily fulfilling the following terms:

1. Contacting the drug referral center, a Lehi City approved physician, my personal physician, or a specialist of my choice for an evaluation at my expense. Obtaining a written drug or alcohol evaluation.
2. Securing a doctor's release to return to work or requesting a leave of absence for treatment. Regular medical, leave of absence policies will be followed.
3. Following reinstatement, I hereby agree to submit to screen tests for drug or alcohol use on a periodic or random basis. If these show the presence of drugs or alcohol, I understand and agree that I shall be discharged immediately.
4. I understand that upon my return to employment, I am required to meet all of Lehi City's established standards of conduct and job performance, and that I will be subject to Lehi City's disciplinary procedures for failure to meet such standards.
5. I understand that my failure to meet any of the above requirements will result in my immediate discharge.
6. Nothing contained herein shall be construed as a waiver of Lehi City's right to take normal disciplinary actions against me under existing policies and procedures for unsatisfactory work performance or misconduct. My use of or treatment for use of alcohol or controlled substances shall not constitute a mitigating circumstance.

\_\_\_\_\_

Employee (print name)

\_\_\_\_\_

Employee (signature)

\_\_\_\_\_

Date

\_\_\_\_\_

Witness (signature)

\_\_\_\_\_

Date



## **SECTION V: SEXUAL/GENDER HARASSMENT**

1. GENERAL POLICY. It is the policy of Lehi City that:
  - A. The giving or withholding of tangible job benefits based on the granting of sexual favors (Quid Pro Quo) and any behavior or conduct of a sexual/gender based nature which is demeaning, ridiculing or derisive and results in a hostile, abusive, or unwelcome work environment constitutes sexual harassment.
  - B. Unlawful discrimination/harassment of employees of any type, on or off duty, based on sex/gender, subtle or otherwise, shall not be tolerated and violators will be subject to disciplinary action up to and including termination.
  - C. Retaliation or reprisals are prohibited against any employee who opposes a forbidden practice, has filed a charge, testified, assisted or participated in any manner in an investigative proceeding or hearing under this policy.
  - D. False or bad faith claims regarding sexual or gender harassment shall result in disciplinary action, up to and including termination, against the accuser.
  - E. Employees accused of sexual harassment and facing disciplinary action shall be entitled to receive notice of charges, the evidence to be used against them, and an opportunity to respond before any disciplinary action may be taken.
  - F. Records and proceedings of sexual harassment claim, investigations, or resolutions are confidential and shall be maintained separate and apart from the employee's personnel file.
  - G. All employees, supervisors and management personnel shall receive training on the sexual/gender harassment policy and grievance procedures during orientation and in-service training.
  
2. **PROHIBITED CONDUCT.**
  - A. Any deliberate, unwanted or unwelcome behavior of a sex/gender based nature, whether verbal, non-verbal, or physical is prohibited.
  - B. Two major categories of sexual/gender harassment:
    - (1) Quid Pro Quo, or the granting or conditioning of tangible job benefits on the granting of sexual favors.
      - [1] Assignments made or denied solely on the traditional historic perceptions regarding the types of jobs that specific genders may/should perform.
      - [2] Comments or written material reinforcing traditional historic perceptions regarding gender.
    - (2) Creating a hostile or unwelcome work environment, that can occur through any or all of the following general means:
      - (a) Level One: Sex role stereotyping.
        - [1] Assignments made or denied solely on the traditional historic perceptions regarding the types of jobs that specific genders may/should perform.
        - [2] Comments or written material reinforcing traditional historic perceptions regarding gender.
      - (b) Level Two: Gender harassment/discrimination.

- [1] Intentional or unintentional behavior/conduct of a visual or verbal nature directed at a specific gender which is demeaning, ridiculing, or derisive.
- [2] Creating an environment that demonstrates a demeaning, ridiculing, or derisive attitude toward a specific gender.
- (c) Level Three: Targeted or individual harassment.
  - [1] Intentional behavior predicated on gender or expressing sexuality which is directed at a specific group or individual.
  - [2] Offensive conduct may be verbal, visual, or physical; including unwanted physical touching of a non-criminal nature.
- (d) Level Four: Criminal touching.
  - [1] The intentional unwanted touching of the breasts, buttocks, or genitals of another.
  - [2] Forcible sexual abuse.

3. **TYPES OF CORRECTIVE ACTION.** Any employee who is being sexually harassed or who has personal knowledge of clearly offensive conduct may address the issue either through the formal or informal processes described below:

A. Informal Action.

- (1) Employees who are experiencing an unwelcome or hostile work environment at Level One, Level Two, or Level Three as described above may, if they so desire, choose to address that unwelcome behavior/conduct informally by notifying the individual responsible for the behavior of the behavior that is objectionable, that the conduct/behavior is unwelcome and that future similar behavior will result in a formal complaint. Employees experiencing sexual harassment at this level are not required to use the informal process and may file a formal complaint if they so desire.
- (2) This notification may be:
  - (a) Verbally, in person.
  - (b) In writing, signed or unsigned.
  - (c) Through a supervisor, verbally or in writing. The victim may:
    - [1] Ask the supervisor for assistance in determining what to say and how to approach the offending employee.
    - [2] Request the supervisor to accompany the victim when the victim gives the offending employee notice.
    - [3] Ask the supervisor to give notice to the offending employee, accompanied by the victim.
    - [4] Ask the supervisor alone to provide notice to the offending employee.

B. Formal Action.

- (1) Employees who are experiencing an unwelcome or hostile work environment which is clearly offensive or at Level Four as described above, or who have been subjected to quid pro quo type sexual harassment, should address that unwelcome behavior/conduct through the formal remedial process.
- (2) Formal complaints should be in writing and specify:
  - (a) The identity of the victim.
  - (b) The identity of the offending employee.
  - (c) The offensive behavior that the employee engaged in.
  - (d) The frequency of the offensive behavior.
  - (e) Damage the victim suffered as a result of the offensive behavior.
  - (f) How the victim would like the matter settled, or what the victim would like to see happen.
- (3) The victim will be allowed a reasonable amount of time during work to prepare a formal complaint.
- (4) The victim should submit formal written complaints to their immediate supervisor. If the immediate supervisor is the employee engaging in the offensive behavior, the formal complaint should be submitted to the next highest supervisor, the Appointed Official, the Personnel Officer/City Administrator, or designee.

4. **DISCIPLINARY ACTION.** Employees found guilty of sexual harassment may face disciplinary action up to, and including, termination based on all the circumstances of the case, as well as the offending employees work history.

5. **MAINTAINING COMPLAINT FILES.**

- A. Information related to any sexual harassment complaint, proceeding, or resolution shall be maintained in separate and confidential sexual harassment complaint files. This information shall not be placed or maintained in the any employee's personnel file.
- B. Information contained in the sexual harassment complaint files shall be released only with the written authorization of the victim and the Personnel Officer/City Administrator, or designee.
- C. Participants in any sexual/gender harassment proceeding/investigation shall treat all information related to that proceeding/investigation as confidential.

6. **VICTIM PROTECTION.**

- A. Individual complaints, either verbal or written, are confidential.
- B. Victims of alleged sexual harassment shall not be required to confront the accused outside of a formal proceeding.
- C. The accused shall not contact the victim regarding the alleged harassment.

- D. Retaliation or reprisals are prohibited against any employee who opposed a practice forbidden under this policy, or who has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding or hearing.
- (1) Any employee engaging in prohibited retaliatory activities shall be subject to disciplinary action up to, and including, termination.
  - (2) Retaliation is an additional and separate disciplinary offense.
  - (3) Retaliation may consist of, but is not limited to, any of the following:
    - (a) Open hostility.
    - (b) Exclusion or ostracism.
    - (c) Special or more closely monitored attention to work performance.

## SECTION VI: EMPLOYEE CODE OF CONDUCT

1. **PROFESSIONALISM.** Lehi City is a professional association whose purpose, among others, is to provide professional services to its citizens. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are required to carry out efficiently the work items assigned as their responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with their supervisors and fellow employees, the public, and other employees and officials.
2. **PRIVILEGED INFORMATION.** Lehi City employees involved with information of significant public interest may not use this privileged information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest that could be affected by any Lehi City plan or activity, this situation must be reported to the Personnel Officer/City Administrator immediately. Each employee is charged with the responsibility of ensuring that only information that should be made available to the general public is released as defined in the Government Records Access and Management Act.
3. **CONFIDENTIALITY.** Fellow employees have an unquestionable right to expect all personal information about themselves, their illness, their family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence. Never discuss privileged information with others who are not authorized to receive it, either inside or outside the office.
4. **GIFTS AND GRATUITIES.** Lehi City employees will not accept gifts or gratuities except under circumstances allowed by the Utah Employee Ethics Act 67-16. This paragraph should not be used to prevent the legitimate pursuit of contributions in support of various city programs by City Officials.
5. **ATTENDANCE.** Regular attendance and punctuality are essential to providing high quality work, service to customers, and to avoid extra work for fellow employees. Therefore, when the employee is going to be late or will not be able to report to work, the employee must notify his/her Supervisor prior to the scheduled work time. If the employee is ill or has an emergency, he/she should notify a Supervisor (immediate Supervisor preferred) as soon as possible on each day of absence.
6. **APPEARANCE.** The City reserves the right to expect its employees to present a favorable impression during any contact with the public. All employees are expected to maintain a neat and clean personal appearance. Standards of dress shall be appropriate to the job and the tasks to be accomplished.
7. **SMOKING.** In compliance with the Utah Indoor Clean Air Act smoking is not permitted in Lehi City facilities. Lehi City also prohibits smoking in Lehi City owned vehicles.
8. **NON-FRATERIZATION.**

This policy provides guidelines and definitions to follow regarding relationships in the workplace. Employees should avoid situations where a conflict of interest may arise or where workplace relationships may result in claims of favoritism or harassment.

### **Policy:**

Dating, request for dates and/or personal relationships between management and persons within their scope of influence are prohibited.

### **Definitions:**

Management is defined as all exempt positions to include Manager, Supervisor, Trainer, Owner, etc.

Scope of Influence includes the ability to affect salary, promotional status, performance appraisal content, work assignment, etc. If you are unsure if you fall within the scope of influence of another person, contact the Human Resources representative or a member of Senior Management for clarification.

If a relationship develops, the manager, supervisor or trainer involved is responsible to immediately disclose the existence of the relationship in writing to his/her supervisor and department head.

Failure to comply with this policy will result in disciplinary action up to and including termination.

Employees who knowingly make false accusations may be disciplined up to and including termination

## 9. **PERSONAL USE OF LEHI CITY OFFICE ITEMS.**

### A. Computer Equipment.

- (1) Incidental use of Lehi City owned computer systems is permitted only when all of the following criteria are met.
  - (a) The use offers an opportunity for the employee to increase the employee's knowledge and skills.
  - (b) The employee is not compensated for the work performed, unless the employee has received prior written approval by the Personnel Officer/City Administrator, or designee.
  - (c) The employee pays for the cost of consumables and other attendant expenses (diskettes, paper, computer on-line/access charges, etc.).
  - (d) The employee uses the computer system after hours, or on the employee's personal time.
  - (e) The employee does not use the computer system for permanent storage of data.
  - (f) The use does not conflict with the employee's Lehi City responsibilities or normal Lehi City business.
  - (g) The use has been approved by the Personnel Officer/City Administrator or Designee.
- (2) Software developed on Lehi City owned computer equipment is the property of Lehi City.

B. Postage Meters. No employee shall be allowed to use Lehi City owned postage metering machines at any time for posting and mailing of any material of a personal nature.

C. FAX and Copying Machines. Any employee desiring to use Lehi City owned FAX or copying machines for items of a personal nature may do so after paying for such use at the rate which is in effect at the time of use.

D. Telephone calls. It is expected that all employees will use Lehi City owned telephones for local personal calls judiciously. Local telephone calls will be limited to necessity and must not disrupt the carrying out of employee responsibilities. Long distance phone calls of a personal nature should be avoided. If long distance calls are made, arrangements must be made to compensate the city for the related expense.

10. **TIME CARDS.**
- A. All employees of Lehi City are required to maintain an accurate and legible record of all their hours worked for Lehi City on time cards.
  - B. Time cards will be signed and dated by the employee, and forwarded to the Personnel Officer/City Administrator, or designee, as directed for review and payment.
11. **CREDIT CARDS.** Lehi City credit cards shall be used for official business only, and shall not be used for the personal convenience of an employee.
12. **OUTSIDE ACTIVITIES.** Lehi City employees shall not use Lehi City owned property in support of outside interests and activities when such use would compromise the integrity of Lehi City or interfere with the employee's duties. Specifically, an employee who is involved in an outside activity such as a civic organization, church organization, committee unrelated to Lehi City business, public office, or service club, shall:
- A. Pursue the outside activity on the employee's own time.
  - B. Pursue the outside activity away from Lehi City offices.
  - C. Discourage any phone, mail or visitor contact related to the outside interest at Lehi City offices.
  - D. Arrange for annual leave or compensatory time off in advance to pursue the outside interest during business hours.
  - E. Except as provided in paragraph 8, not use data processing equipment, postage metering machines, copiers, other Lehi City owned equipment or supplies for the outside interest.
13. **POLITICAL ACTIVITY.**
- A. An employee shall not be coerced to support a political activity, whether funds or time are involved.
  - B. An employee shall not engage in political activity during work hours, unless on approved leave.
  - C. An employee shall not use Lehi City owned equipment, supplies or resources, and other attendant expenses (diskettes, paper, computer online and access charges, etc.) when engaged in political activity.
  - D. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on political activities.
  - E. An employee shall not use the employee's title or position while engaging in political activity.
14. **SECONDARY EMPLOYMENT.**
- A. Lehi City employment is primary.
    - (1) Employment with Lehi City shall be the employee's primary employment. Lehi City employees are permitted to engage in secondary or outside employment under the following guidelines. Outside employment must not be of a type that would reasonably give rise to criticism or suspicion of conflicting interests or duties.

- (2) Employees are required to provide written notification to the Personnel Officer/City Administrator, or designee, using the Employee's Notice of Secondary Employment before starting any secondary or outside employment. This notification should include the following information:
  - (a) The employer's name, business name, and business address.
  - (b) A general overview of the type of business engaged in by the secondary employer.
  - (c) The specific duties engaged in by the employee at their secondary employment.

B. Lehi City's approval process.

- (1) The Personnel Officer/City Administrator, or designee, shall review the information contained in the Employee's Notice of Secondary and determine whether the employee's secondary employment is approved or denied except that the Mayor must approve secondary employment for all appointed employees. Factors to consider include, but are not limited to, the following:
  - (a) That the secondary employment reasonably articulates some factor or factors which could negatively impact their employment with Lehi City. For example, that the secondary employment could reasonably be expected to be too physically or mentally draining on the employee.
  - (b) That the secondary employment could invoke a conflict of interest with their employment with Lehi City
  - (c) That the secondary employment is immoral or unethical.
  - (d) The recommendation of the immediate supervisor of the employee seeking approval for secondary employment.
- (2) This decision shall be communicated in writing to the employee, using the same Employee's Notice of Secondary Employment. The employee:
  - (a) Shall abide by that decision.
  - (b) May appeal the decision to the City Council, whose decision shall be final.
  - (c) May voluntarily resign their employment with Lehi City.



## **SECTION VII: DISCIPLINARY ACTION**

### **1. GENERAL POLICY.**

- A. It is the policy of the Lehi City that management will inform its employees about what is expected at work, what constitutes employee misconduct, what management and the employee may do to correct any misconduct, and what the employee's rights are if disciplined.
- B. It is the responsibility of all employees to observe rules of conduct necessary for the proper operation of Lehi City government. Administrative procedures have been established for the handling of disciplinary measures when required. All such measures shall follow the presentation of charges to the employee.
- C. Disciplinary action, up to and including termination, may be imposed for misconduct.
- D. Written documentation concerning employee disciplinary action imposed will become a permanent part of an employee's Personnel Record.

### **TYPES OF DISCIPLINARY ACTION.**

- A. Verbal Warning. Whenever grounds for disciplinary action exist, and the Personnel Officer/City Administrator, or designee, determines that more severe action is not immediately necessary, the deficiency demonstrated should be verbally communicated to the employee.
- B. Written Reprimand.
  - (1) The Personnel Officer/City Administrator, or designee, may reprimand an employee for cause. The Personnel Officer/City Administrator, or designee, shall furnish the employee with an Employee Written Reprimand Notification setting forth the reason(s).
  - (2) A copy of the Employee Written Reprimand Notification, signed by the Personnel Officer/City Administrator and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Personnel Officer/City Administrator, or designee, will so state.
- C. Suspension.
  - (1) The Personnel Officer/City Administrator, or designee, may suspend an employee with or without pay for up to, but not exceeding, thirty (30) calendar days for cause. Exempt employees must be suspended for at least one complete pay period.
  - (2) When suspending an employee, the Personnel Officer/City Administrator, or designee, shall follow the due process proceedings hereinafter set forth in paragraph 5 of this section, entitled, "Imposing Disciplinary Action".
  - (3) On or before the effective date of the suspension, the Personnel Officer/City Administrator, or designee, shall furnish the employee with a written Employee Suspension Notification setting forth the reason(s) for suspension.
  - (4) A copy of the Employee Suspension Notification, signed by the Personnel Officer/City Administrator, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Personnel Officer/City Administrator, or designee, will so state.

- (5) An employee on suspension shall be responsible for making full contributions to their employee medical insurance benefits.

D. Demotion.

- (1) The Personnel Officer/City Administrator, or designee, may demote, or reduce in grade, an employee for cause or provide for reasonable accommodation in appropriate circumstances.
- (2) When demoting an employee, the Personnel Officer/City Administrator, or designee, shall follow the due process proceedings hereinafter set forth in paragraph 5 of this section, entitled, "Imposing Disciplinary Action".
- (3) On or before the effective date of the demotion, the Personnel Officer/City Administrator, or designee, shall furnish the employee with a written Employee Demotion Notification setting forth the reason(s) for demotion.
- (4) A copy of the Employee Demotion Notification, signed by the Personnel Officer/City Administrator, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Personnel Officer/City Administrator, or designee, will so state.

E. Transfer.

- (1) The Personnel Officer/City Administrator, or designee, may transfer an employee (with the exception of a introductory employee) by furnishing the employee with a written Employee Transfer.
- (2) A copy of the Employee Transfer Notification, signed by the Personnel Officer/City Administrator, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Personnel Officer/City Administrator, or designee, will so state.

F. Termination.

- (1) The Personnel Officer/City Administrator, or designee, may terminate a regular full time employee for cause with the advice and consent of the City Council. The Personnel Officer/City Administrator must consult with the City Council following the decision to terminate but prior to the implementation of the decision.
- (2) When terminating a regular full time employee for cause, the Personnel Officer/City Administrator, or designee, shall follow the due process proceedings hereinafter set forth in paragraph 5 of this section, entitled, "Imposing Disciplinary Action".
- (3) On or before the effective date of the termination for cause, the Personnel Officer/City Administrator, or designee, shall furnish the employee with a written Employee Termination Notification setting forth the reason(s) for termination or demotion.
- (4) A copy of the Employee Termination Notification, signed by the Personnel Officer/City Administrator, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Personnel Officer/City Administrator, or designee, will so state.

3. **CAUSES FOR DISCIPLINARY ACTION.**

- A. Causes for disciplinary action, up to and including termination, may include, but are not limited to, the following:
- (1) Violation of the laws of the State of Utah or the United States, other than minor traffic offenses.
  - (2) Violation of the code of personal conduct.
  - (3) Conduct which endangers the peace and safety of others or poses a threat to the public interest.
  - (4) Unjustified interference with work of other Lehi City employees.
  - (5) Misconduct.
  - (6) Malfeasance.
  - (7) Misfeasance.
  - (8) Nonfeasance.
  - (9) Incompetence.
  - (10) Negligence.
  - (11) Insubordination.
  - (12) Failure to maintain skills.
  - (13) Inadequate performance of duties.
  - (14) Unauthorized absence.
  - (15) Falsification or unauthorized alteration of records.
  - (16) Violation of Lehi City policies.
  - (17) Falsification of employment application.
  - (18) Discrimination in hiring, assignment, or promotion.
  - (19) Sexual harassment.
  - (20) Violation of the Personnel Policies and Procedures.
  - (21) Use of alcohol or drugs, other than medication prescribed by a physician, that affect job performance.
  - (22) Falsifying Lehi City Records.
  - (23) Knowingly marking the time slip of another employee, authorizing one's time slip to be marked by another employee, unauthorized alteration of a time slip.
  - (24) Unauthorized possession of firearms, weapons, or explosives on Lehi City owned property.

- (25) Carelessness that affects the safety of personnel.
- (26) Threatening, intimidating, coercing, or interfering with fellow employees on the job, or the public at large.
- (27) Theft or removal of any Lehi City property or property of any employee from the work area premises without proper authorization.
- (28) Gambling or engaging in a lottery at any Lehi City work area.
- (29) Misusing, destroying, or damaging any Lehi City property or the property of any employees.
- (30) Deliberately restricting output.
- (31) Drinking any alcoholic beverage during the workday, or being under the influence of illicit drugs or alcohol during the workday.
- (32) Sleeping during working hours, with the obvious exception of fireman employees.
- (33) Fighting (verbal or physical) on Lehi City premises.
- (34) Bringing firearms or weapons onto Lehi City premises, with the obvious exception of police officer employees.
- (35) Any act which might endanger the safety or lives of others.
- (36) Fraternalization with an employee working in same department.

4. **CONDUCTING AN INVESTIGATION.**

- A. The Personnel Officer/City Administrator, or designee, shall conduct an investigation into the allegations which form the grounds for disciplinary action.
- B. During an investigation to determine the facts upon which disciplinary action may be imposed, the Personnel Officer/City Administrator, or designee, may place an employee on administrative leave.
- C. Disciplinary action shall not be imposed until a due process hearing, with appropriate written notice, has been completed by the Personnel Officer/City Administrator, or designee. The investigation shall include an opportunity for the employee to respond to the allegations.

5. **IMPOSING DISCIPLINARY ACTION.**

- A. The Personnel Officer/City Administrator shall conduct disciplinary action in a consistent manner.
- B. Each employee shall be afforded prior access to Lehi City's rules, policies, and procedures.
- C. The employee shall receive timely notice of the pre-disciplinary meeting, overview of allegations, and potential disciplinary action.
- D. Prior to imposing the disciplinary action, the employee shall have the opportunity to review the disciplinary action with the Personnel Officer/City Administrator, or designee. The employee shall

have the opportunity to respond to the allegations. The employee's written response, if any, and other related documents shall be placed in the employee's personnel file.

- E. In determining the type and severity of the disciplinary action, the Personnel Officer/City Administrator, or designee, may consider aggravating and mitigating circumstances such as: the repeated nature of misconduct; prior disciplinary action imposed; the severity of the misconduct; the employee's work record; the effect on Lehi City operations; and/or the potential of the misconduct to harm person(s) or property.
- F. For disciplinary action other than a verbal reprimand, the Personnel Officer/City Administrator, or designee, shall notify the employee, in writing, of the findings of the investigation. The written statement shall include:
  - (1) The grounds for disciplinary action, including a description of the specific misconduct for which the disciplinary action is being imposed.
  - (2) Any prior disciplinary action imposed.
  - (3) The disciplinary action to be imposed.
  - (4) The effective date and duration of the disciplinary action.
  - (5) The corrective action necessary for the employee to avoid further disciplinary action.
- G. Suspension, demotion, transfer, or termination of an employee shall require the approval of the Personnel Officer/City Administrator. The Personnel Officer/City Administrator is required to seek and abide the advice and consent of the Council in all termination matters following the decision to terminate, but prior to implementation.
- H. The Personnel Officer/City Administrator, or designee, may note the disciplinary action on their personal notes at the time the disciplinary action is imposed and/or on the employee's performance evaluation form.

## 6. **APPEAL PROCEDURES.**

- A. "Introductory employees (probationary), temporary, seasonal or part time employees have no appeal rights.
- B. "Appointed Employees" have no appeal rights.
- C. Employees have no "verbal warning" appeal rights.
- D. Employees have no "written reprimand" appeal rights.
- E. Appealing to an Appeals Board. Upon written receipt of an Employee Transfer or Termination Notice, some employees have the right to first appeal the disciplinary process and action imposed by the Personnel Officer/City Administrator, or designee, to an Appeals Board (exceptions include Introductory Employees, Appointed Officials, the Police Chief, Deputy Police Chief, Fire Chief, a Deputy or Assistant Fire Chief, a head of a Department, a Deputy Head of Department, a Superintendent, a Probationary Employee, and a Part-time Employee):
  - (1) An employee must submit their written notice of appeal to Lehi City's Human Resources within ten (10) days or an employee will be deemed to have waived all appeal rights.

- (2) The Appeals Board shall consist of an impartial Hearing Officer appointed by the City for the purpose of conducting a hearing and ruling on the appeal. The Hearing Officer shall be a person with experience in law, human resources, mediation or arbitration. The Hearing Officer shall be chosen, for each appeal, from a list of qualified and interested persons maintained for that purpose by the City Manager, by agreement of the City and the employee who requests the hearing. The costs and expenses of the hearing and any fees paid to the Hearing Officer shall be the responsibility of the City. The Hearing Officer, upon receipt of the assignment from the City, shall forthwith commence an investigation, take and receive evidence and fully hear and determine the matter which relates to the cause for the discharge, suspension, or transfer. The employee who is subject of the discharge, suspension, or transfer may appear in person and be represented by counsel, have a public hearing; confront the witnesses whose testimony is to be considered, and examine the evidence to be considered by the Hearing Officer. The hearing officer shall uphold the disciplinary process and action imposed by the City if the hearing officer finds that the City has presented sufficient evidence to justify the discipline imposed. Sufficient evidence to justify the discipline imposed shall mean that the City has presented substantial evidence (more than a scintilla but less than preponderance), that the proposed transfer, suspension or termination is justified under the City's adopted personnel policies and procedures.
- (3) If the Appeals Board overturns the Employee Disciplinary Action:
  - (a) The Appeals Board may also reinstate any loss of pay associated with the Employee Disciplinary Action.
  - (b) The Personnel Officer/City Administrator, or designee, shall remove the record of the disciplinary action from the employee's personnel file.
- (4) If the Appeals Board upholds the Employee Disciplinary Action, the employee may then appeal to the Court of Appeals pursuant to Utah Code section 10-03-1106(6).

## SECTION VIII: GRIEVANCE PROCEDURES

### 1. GENERAL POLICY.

- A. Employees who perceive that they have a grievance against Lehi City should exhaust the administrative procedure set forth in the body of this policy before addressing their grievance through any other forum. An employee may file a grievance about any perceived work related injustice or oppression resulting from an act, occurrence, omission, condition, or unfair labor practice, not including disciplinary action. Issues addressable throughout the grievance process include, but are not limited to:
- (1) Employee-supervisor relationships.
  - (2) Duty assignments not affecting job classification.
  - (3) Shift and job location assignments.
  - (4) Working conditions.
  - (5) Practices affecting granting of leave.
- B. Grievances should be resolved at the lowest administrative level possible. Employees and supervisors shall attempt to resolve grievances informally by discussing the grievance issues before any formal written grievance is filed. Each employee pursuing a formal grievance must prepare and submit a separate written grievance/appeal. Written grievances shall contain, at a minimum, the following information:
- (1) Name of the employee.
  - (2) Date the occurrence or action underlying the grievance occurred.
  - (3) Nature of the grievance.
  - (4) Historical information related to the grievance.
  - (5) Requested Resolution.
  - (6) Signature of the employee filing the grievance and date filed.
- C. Employees will be allowed a reasonable amount of time during work to prepare written grievances. Employee grievances must be filed within ten (10) days of the occurrence or event giving rise to the grievance, or within ten (10) days of the employee's acquiring knowledge of the occurrence or event giving rise to the grievance.
- D. At each level of the grievance process, after an administrator has received an employee grievance, the administrator shall have ten (10) working days to respond in writing to the grievance.
- E. If an administrator is unable to answer the grievance within the specified time period due to exigent circumstances, the administrator may take an additional ten (10) working days to answer the grievance if they notify the employee in writing of the exigent circumstances and that the extension is being exercised. If the grievance remains unresolved or the decision is considered unacceptable, the employee may appeal the decision to the next level of appeal.

- F. Absent exigent circumstances, if the supervisor fails to respond within the allotted time, the employee may proceed to the next level of appeal.
  - G. Only the issues presented in the original grievance may be considered throughout the appellate process. A grievance and any necessary appeals shall be processed through the following chain of command, if applicable:
    - (1) Immediate supervisor.
    - (2) Appointed Official.
    - (4) Personnel Officer/City Administrator.
    - (3) City Administrator/Manager.
    - (5) Mayor
    - (6) City Council.
  - H. The decision of the City Council constitutes the final level of appeal and is final and non-appealable.
2. **CONFIDENTIALITY.** Written Grievance Forms shall be private data under the Government Records Access Management Act of the State of Utah. The Personnel Officer/City Administrator or City Council may declare the grievance documents to be confidential and/or order the entire record, or any part of it, sealed.
3. **FILING.**
- A. No document relating to a grievance shall be placed in the employee's personnel file.
  - B. If any disciplinary action against an employee is rescinded as a result of the grievance process, the Personnel Officer/City Administrator, or designee, shall remove the record of the disciplinary action from the employee's personnel file.
  - C. If any disciplinary action against an employee is modified as a result of the grievance process, the unmodified record of the disciplinary action shall be removed from the employee's personnel file and the modified record of the disciplinary action shall be placed in the employee's personnel file.



## SECTION IX: TERMINATION OF EMPLOYMENT

1. **TYPES OF TERMINATION.** Any involuntary termination or termination of an employee who may feel “pressured into a voluntary termination”, also known as a “constructive termination”, should be reviewed with legal counsel before termination is pursued or a resignation is accepted to ensure the employee’s “due process” property rights are not violated.
  - A. Retirement. Retirement is acceptable as long as it is truly voluntary. The purpose of Lehi City’s retirement program is to provide employees with income benefits upon completion of successful careers.
  - B. Voluntary Resignation: When an employee wishes to leave Lehi City, they will complete a Notice of Voluntary Resignation Form and present it to the Personnel Officer/City Administrator.
  - C. Resignation, in Lieu of an Involuntary Termination, Agreement. The Personnel Officer/City Administrator, or designee, may conclude that an employee should be involuntarily terminated for no reason (for introductory employees and Appointed Officials) or for cause. If Involuntary Termination proceedings have begun, but have not been completed, and an employee suggests that they would like to voluntarily resign, Officer may agree to a Resignation In Lieu Of an Involuntary Termination.
  - D. Involuntary Termination. The Personnel Officer/City Administrator, or designee, may conclude that an employee should be involuntarily terminated for no reason (for introductory employees and Appointed Officials) or for cause.
  - E. Reductions in Force/Layoffs. Whenever it is necessary to reduce the number of employees in Lehi City because of lack of work or lack of funds, Lehi City may attempt to minimize layoffs by readjustment of personnel through reassignment of duty in other work areas.
  - F. Medical. The American’s with Disabilities Act (ADA) prohibits illegal discrimination by an employer against an "otherwise qualified individual with a disability." Consequently, an employee should not be terminated for medical reasons without prior consultation with legal counsel.
  - G. Death. If an employee of Lehi City dies, their estate receives all pay due and any earned and payable benefits (such as payment for compensation time and/or annual leave) as of the date of death.
  
2. **REQUIRED NOTICE PRIOR TO TERMINATION.**
  - A. All employees, including “at-will” employees, must notify Lehi City at least two (2) weeks before retiring or voluntarily resigning to be eligible:
    - (1) To receive pay for unused, accrued vacation leave (if applicable).
    - (2) For rehire.
  - B. Lehi City does not have a requirement to give any prior notice to an employee before terminating their employment with Lehi City. When Lehi City terminates their employment, Lehi City will determine whether any pay for unused, accrued vacation leave (if applicable) or other pay will be paid to the terminated employee.
  - C. Unused, accrued vacation leave (if applicable) and vested sick leave (if applicable) will always be paid for terminations of employment involving Reductions in Force/Layoffs, Medicals and Deaths.

### 3. TERMINATION PROCEDURES

- A. A Notice of Voluntary Resignation Form, signed by the employee and the Personnel Officer/City Administrator, or designee, may be utilized in Voluntary Resignations.
- B. Involuntary Terminations/Separations for Cause require Lehi City to provide their terminating employees with written notification of due process. "At-Will" Involuntary Terminations (for introductory employees and Appointed Officials) do not require Lehi City to provide their terminating employees with written notification of due process.
- C. A Resignation In Lieu of an Involuntary Termination, signed by the employee and the Personnel Officer/City Administrator, or designee, may be utilized in negotiated terminations. A Resignation In Lieu of an Involuntary Termination Agreement does not require Lehi City to provide their terminating employees with written notification of due process.
- D. The following steps should be taken for Voluntary Retirements:
  - (1) Employees who desire retirement should notify Lehi City three months in advance.
  - (2) Lehi City should communicate the status of each employee's retirement benefits. Upon request for retirement benefits, Lehi City should notify the administrator of the retirement program and the appropriate state and federal regulatory agencies.
  - (3) Lehi City should carefully explain to the employee what the options are (such as Cobra and Retirement Plan Options).
  - (4) Lehi City should give the employee ample time to review the retirement plan.
  - (5) Lehi City should have the employee sign a release, or at least a declaration statement, to the effect that they are electing retirement of their own free will.
- E. The following steps should be taken for Reductions in Force/Layoffs:
  - (1) Determine whether Lehi City is required to follow statutory guidelines related to the reduction in force/layoff. If Lehi City is required to follow statutory guidelines; policy, procedure and actual practice must comply with said guidelines.
  - (2) If Lehi City is facing a possible reduction in labor force, Lehi City should explain the situation to its employees, advising them of the possibility that reductions in force/layoffs may become an economic necessity for Lehi City.
  - (3) In the selection of employees for Lehi City's reduction in force/layoff, the following guidelines should be considered:
    - (a) Selection should be based upon the employee's ability to perform the work assignments within the affected department.
    - (b) Seniority should govern the selection when ability is equal.
    - (c) Emergency, temporary, and introductory employees should be laid off first.
    - (d) Regular employees should be the last to be laid off, when possible, in inverse order of their length of service.

- (e) Before any reduction in force/layoff, Lehi City should determine whether it is subject to the requirements of the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101, et seq.
      - (f) If Lehi City cannot give advanced notice of a reduction in force/layoff to the employee, two weeks severance pay may be given in lieu of notice for a bona fide reduction in force/layoff.
    - (4) Written reductions in force/layoffs notices should contain the following information:
      - (a) Statement of reason for layoff.
      - (b) Anticipated date of layoff.
      - (c) Lehi City's option regarding employee placement in another position.
  - F. Outstanding Pay
    - (1) Arrange for distribution of any paychecks which may be due the employee, including pay for any hours worked but not paid; pay for unused, accrued vacation leave (if applicable).
    - (2) Under Utah State law, the required timing of the final payment at termination is:
      - (a) A Voluntary Resignation. Final paycheck will be available on the next regular payroll cycle
      - (b) An Involuntary Termination/Separation for Cause. Within one 24 hours of last day worked.
  - G. The terminating employee will return any supplies or equipment, which are the property of Lehi City, to Lehi City at termination.
  - H. All terminating employees should complete an Exit Interview with the Personnel Officer/City Administrator, or designee. The Exit Interview Form should be signed by the employee and the Personnel Officer/City Administrator, or designee.
4. **COBRA.** Any employee that is separated from Lehi City is entitled to a continuation of insurance coverage per the mandates of the Consolidated Omnibus Budget Reconciliation Act of 1985 or COBRA plan as stated in the Lehi City's COBRA Notification.
- A. Federal Public Law 99-272 (which became effective July 1, 1986 and is known as COBRA) requires that all employers of 20 or more full time employees offer a continuation of group insurance coverage to individuals who fall under one of the following "qualifying events":
    - (1) Termination of employment (other than for gross misconduct), for a maximum continuation period of eighteen (18) months.
    - (2) Reduction of work hours below eligibility requirement, for a maximum continuation period of eighteen (18) months.
    - (3) Dependent coverage terminated due to death of employee, for a maximum continuation period of thirty six (36) months.
    - (4) Divorce or legal separation from employee, for a maximum continuation period of thirty six (36) months.

- (5) Spouse or dependent of Medicare eligible employee, for a maximum continuation period of thirty six (36) months.
  - (6) Dependent child who ceases to be a dependent under the generally applicable requirements of the group plan, for a maximum continuation period of thirty six (36) months.
- B. Under the Act, a qualifying individual is entitled to continued group insurance coverage identical to that which is provided to similarly situated beneficiaries to whom a qualifying event has not occurred. Individuals who are entitled to continued benefits under COBRA guidelines are required to pay the entire premium required under the policy during the entire period of the continued coverage. The premium a qualifying individual will be required to pay may not exceed one hundred and two percent (102 %) of the applicable premium, for any period of continued coverage. Failure to pay the monthly premium will result in a cancellation of the insurance.
- C. The insurance benefits offered under the COBRA guidelines will be terminated if and when any of the following occur:
- (1) A qualifying individual fails to pay the premium at the time it is required.
  - (2) A qualifying individual becomes eligible for coverage under any other group insurance plan due to employment or remarriage.
  - (3) At the expiration of a qualifying individual's maximum continuation period.
- D. The offer of continued insurance coverage under COBRA is made independent of any other offer to continue insurance that may be required under any applicable state law.
- E. A qualifying individual has sixty (60) days from the termination date of their current coverage to decide whether to continue their insurance coverage under this plan. If they decide to apply for the continued coverage, all due and owing premiums must be paid before coverage will be granted. If they fail to apply for coverage within the sixty (60) days, they will have waived their rights to continuation of coverage under the COBRA guidelines. They are not required to apply for or accept coverage under COBRA.

## SECTION X: RECORD KEEPING

1. GENERAL POLICY. Federal law requires employers to keep detailed data about their employees.
2. **CONFIDENTIALITY.** Employee records are maintained in compliance with the law.
  - A. Confidentiality must be maintained at all times with access limited to employees and their supervisory chain.
  - B. Lehi City's policy is that only relevant, job-related information is maintained on its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate business reasons.
  - C. Employees have the opportunity to review their own files in the presence of the Personnel Officer/City Administrator, or designee, on Lehi City premises during regular business hours. It is recommended that an appointment be scheduled if possible.
3. **PERSONNEL FILES REQUIREMENTS**
  - A. General.
    - (1) Personnel files are maintained on each employee and kept by the Personnel Officer/City Administrator, or designee. The record copy (original) of all appropriate personnel information, as set forth hereafter, related to an employee shall be filed in the employee's personnel file.
    - (2) No information from any record placed in an employee's personnel file will be communicated to any person or organization except by the Personnel Officer/City Administrator, or their designated representative.
    - (3) Employees, or their representative designated in writing, may examine the employee's personnel file upon request during normal working hours at Lehi City. When a Supervisor requires access to the personnel file of an employee under their supervision for the handling of personnel matters, the supervisor must obtain authorization from the Personnel Officer/City Administrator, or designee.
  - B. Contents.
    - (1) An employment record; including the employee's job application, resume, interview forms, Employment Eligibility Verification (Form I-9), Employee's Withholding Allowance Certificate (Form W-4), etc.
    - (2) A signed copy of the employee's acknowledgment of receiving access to a copy of the Personnel Policies and Procedures Manual and a copy of the job description for the position the employee currently occupies.
    - (3) Election form to disclose or keep confidential, the employee's home address and home telephone number.
    - (4) All personnel action forms, including:
      - (a) Performance evaluations.
      - (b) Promotions or transfers.

- (c) Salary rate changes.
      - (d) Disciplinary action taken. The employee will be asked to sign the disciplinary action form. If the employee refuses to sign this form; the Personnel Officer/City Administrator, or designee, will so state.
    - (5) Any information the employee wants included in response to any of the above actions.
    - (6) Records of citations for excellence or awards for good performance.
    - (7) Annual records of any leave accrued and taken. Official records of vacation and sick leave accrual and of leave usage are kept for employees by the Personnel Officer/City Administrator, or designee. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled. Employees may check with the Personnel Officer/City Administrator, or designee, to obtain information regarding their current leave usage.
    - (8) Record of any other pertinent information having a bearing on the employee's status.
  - C. Employee Information/Change of Employee Status. Employees are responsible for ensuring that personal employee information contained in their personnel files is current and accurate. Employee information (any change in number of dependents, marital status, address, telephone number, etc.) should be kept updated by notifying Human Resources.
  - D. Giving References. Lehi City limits information given in a reference to the following:
    - (1) Verification that the employee worked, full- or part- time, for Lehi City during a stated period.
    - (2) A description of the position held.
    - (3) Verification that the employee achieved a given salary range.
4. **OTHER FILES REQUIREMENTS.** Records related to the items listed below should be kept for a period of at least one (1) year. In addition, records should be examined annually to keep the files current and to save those records that management feels should be kept longer.
- A. Job applications.
  - B. Test papers completed by job applicants or candidates for any position.
  - C. Results of any pre-employment physical exam and mobility exams should be kept for a period of at least four (4) years.
  - D. Any advertisements or notices relating to job openings, promotions, training programs, or opportunities for overtime work.
  - E. Personnel Action Forms to reflect the promotion, demotion, transfer, selection for training, layoff, rehire, or termination of any employee. These should also be signed by the employee.

5. **FEDERAL LABOR STANDARDS ACT (FLSA) MINIMUM WAGE REQUIREMENTS.** Lehi City should keep the following data on all employees for a period of at least two (2) years.
  - A. Employee's sex;
  - B. Time and day workweek begins;
  - C. Hours worked each day and total hours worked each week;
  - D. Total daily or weekly straight-time earnings;
  - E. Total additions to, or deductions from, wages paid each pay period, including an explanation of items that make up additions and deductions;
  - F. Date of payment and pay period covered; and
  - G. Total overtime above regular compensation for work week.
  
6. **OTHER REQUIREMENTS:** There are record keeping requirements under other federal and state laws over which the personnel record keeping function has jurisdiction:
  - A. OSHA record of injuries.
  - B. ERISA record of pensions.
  - C. IRCA requires verification of status forms to be kept for three (3) years after the person is hired or for one (1) year after employment is terminated, whichever is later.

## **SECTION XI: PERFORMANCE EVALUATIONS**

### **1. GENERAL POLICY.**

- A. Performance evaluations will consist of a review between the supervisor and the employee using Lehi City's Performance Evaluation.
- B. It is the policy of Lehi City that employee evaluations be conducted in a manner which will ensure fair treatment and an objective evaluation of employee performance.
- C. Goal setting is critical for the development of performance plans and standards. Goals define in broad terms the underlying purpose of a given activity or set of activities.
- D. Objectives specify what should be achieved during an employee's employment with Lehi City.
- E. There are certain fundamental principles which govern the establishment of goals, objectives, and performance standards.
  - (1) Participatory Goal Setting. In setting goals and objectives of employees, the supervisors should seek to involve employees in the process.
  - (2) Outline Results to be Achieved. There should be room for flexibility. The supervisor should discuss with the employee how much will be done, when it needs to be completed, and what resources will be required.
  - (3) Relate to Organizational Objectives and Goals. In the process of initially formulating performance plans, each employee should be provided with the larger picture and how their work contributes to the organization. This is the responsibility of each supervisor.
  - (4) Define Objectives. Objectives must be clearly defined and understood by both employees and their supervisors. There must be clear agreement on resources to be made available, periodic reviews and other related control activities.
  - (5) Give Support. Employees should understand that they will be fully supported by their supervisors in pursuing the achievement of the mutually agreed upon objectives and standards.

### **2. PERFORMANCE PLANS.**

- A. When time and circumstances permit, supervisors should complete a written performance plan with their new employees prior to their assignment to their workstations. When circumstances do not permit, supervisors should complete a written performance plan with their new employees as soon as possible given the existing constraints. Performance planning is a continuing and collaborative process in which employees and their supervisors:
  - (1) Jointly identify objectives for the next performance evaluation period.
  - (2) Define priorities and performance standards for the next performance period.
  - (3) Compare progress against expectations and revise the plan, when necessary.
- B. The performance plan shall include goals and objectives, mutually acceptable performance standards, and a prioritization of goals and objectives.



- C. Both employees and their supervisor shall sign the performance plan. The employee shall receive a copy from their supervisor. The supervisor will turn in the original to Human Resources and keep a copy for themselves.

3. **PERFORMANCE STANDARDS.**

- A. Performance standards and expectations shall be established for each employee. Employees shall participate in the establishment of performance standards and expectations relevant to their jobs.
- B. Employees shall be advised of how they are performing in relation to established standards.
- C. Performance evaluations are an ongoing process which requires that supervisor and subordinates meet periodically to discuss achievements, review performance and mutually agree on strategies to eliminate performance deficiencies. This ongoing process culminates in the written evaluation at the end of the annual performance evaluation period.
- D. Employees shall be made aware of the time frames and actions to be taken to improve performance and to increase the value of service.
- E. Employees shall know what role their supervisors shall play in providing them with assistance toward improved performance.
- F. Under no circumstances should employees be allowed to prepare their own performance evaluation. It is the responsibility of the employee's supervisor to prepare performance evaluations.
- G. Employees shall have the right to prepare relevant comments to accompany their evaluations.

4. **PERFORMANCE RATINGS.**

- A. Each employee evaluation shall provide an overall performance rating which can be equated to one of the following:
  - (1) Unsatisfactory. Performance fails to meet the minimum requirements of the position. Unsatisfactory progress has been made in response to corrective action. Removal from the job/position or termination is recommended.
  - (2) Marginal. Performance does not meet all requirements of the job/position. Some unsatisfactory progress has been made in response to corrective action.
  - (3) Satisfactory. Performance meets all requirements of the job/position.
  - (4) Good. Performance exceeds all requirements of the job/position.
  - (5) Exceptional. Performance consistently far exceeds all requirements of the job/position.

5. **PERFORMANCE PERIODS.**

- A. Introductory Period.
  - (1) Employees working in the introductory period shall have a performance evaluation at the end of the designated introductory period.

- (2) The performance evaluations may be used to provide information to both the employee and management regarding the employee's performance.
  - (3) Introductory employees should understand that their performance evaluations and the results of such evaluations shall not obligate Lehi City to a particular course of action relative to introductory employees, nor shall it create any property/due process rights for introductory employees relative to their jobs/positions.
- B. Annual.
- (1) Performance evaluations will be completed annually in June.
  - (2) Although a salary adjustment never automatically follows a performance evaluation, the performance evaluation will be included as a component of any future compensation increase.

6. **CONFIDENTIALITY.**

- A. Completed performance evaluations shall permanently remain in the employee's personnel file and become a part of the private information of that file.
- B. Performance evaluations may be used in decisions concerning advancement, future training needs, performance related salary adjustments and contested disciplinary actions.

## SECTION XII: EMPLOYMENT CLASSIFICATIONS/COMPENSATION

1. **GENERAL POLICY.** Lehi City will pay at least minimum wages and overtime to all employees except those who are specifically exempt from minimum wage and overtime under the Fair Labor Standards Act (FLSA) of 1938. Lehi City will also provide equal pay to all employees doing similar work which requires substantially equal skill, effort, and responsibility and are performed under similar working conditions in accordance with the Fair Labor Standards Act of 1938 and the Equal Pay Act of 1963.

2. **EMPLOYMENT CLASSIFICATIONS.** There are six classifications of employees within Lehi City:

1) Department Head and Appointed City Employees

The City Administrator may enter into employment agreements with Department Head and Appointed City Employees subject to the following limitations:

- Agreements shall provide for annual employment evaluations.
- Agreements shall recognize value of employees participation in civic organizations.
- Agreements shall, when appropriate, recognize unusual working hours and provide flexibility for some employees.
- Agreements shall provide for severance packages of not more than six months if removal is without cause for termination.
- Agreements shall define cause for termination.
- Agreements shall provide for reimbursement of travel and training expenses subject to budget considerations.
- Agreements shall encourage professional development.
- Agreements shall provide for benefits and wage adjustments on an equitable basis.

2) **Regular Full Time.** An employee hired for an indefinite period in a position for which the normal work schedule is forty (40) hours per week. Full-time employees qualify for specific Lehi City benefits.

3) **Part-time.** An employee hired for an indefinite period in a position for which the normal work schedule is less than forty (<40) hours per week, but at least 20 hours per week. Part-time employees do not qualify for any Lehi City paid benefits.

4) **Part-time Benefited.** An employee hired for an indefinite period in a position for which the normal work schedule is at least twenty five (25) hours per week on an average calculated over a three year period may receive the following limited benefits beginning the fourth year, if the position has been pre-approved and meets City classification standards: retirement holiday pay, vacation, and sick leave - pro-rated on hours worked. There are no dental or health benefits offered.

5) **Temporary.** An employee hired for a position that is required for only a specific, known duration, usually less than six (6) months. Temporary employees do not qualify for Lehi City benefits though they may work a 40-hour work week.

6) **Summer or Seasonal.** An employee hired for a position that is required only for the summer months, typically June through September. Seasonal employees do not qualify for Lehi City benefits.

3. **EMPLOYMENT STATUS.** To facilitate provisions of the Fair Labor Standards Act, employees shall also be classified as either exempt or non exempt, with respect to eligibility for overtime payment. They shall be defined as:
  - A. Exempt. Positions of a managerial, administrative, or professional nature, as prescribed by Federal and State Labor Statutes shall be exempt from minimum wage and mandatory overtime payment regulations.
  - B. Nonexempt. Positions of a clerical, technical, or service nature, as defined by Federal and State Labor Statutes, which are covered by provisions for minimum wage and mandatory overtime payment regulations.
  
4. **WORK WEEK.**
  - A. Begins on Sunday at 12:01a.m.
  - B. Ends on Saturday at 12:00 midnight.
  - C. Employees engaged in public safety activities, such as Police and Fire Departments: As directed by the Personnel Officer/City Administrator, or designee.
  
5. **ATTENDANCE.** Employees shall be in attendance at their work stations during normal working hours.
  
6. **BREAKS AND LUNCH PERIODS.**
  - A. Full-time:
    - (1) Breaks: Two (2) optional fifteen (15) minute paid breaks may be taken during a standard workday. Breaks cannot be used to extend the lunch period or shorten an employee's work hours.
    - (2) Lunch period: One (1) hour unpaid lunch period during a standard workday.
  - B. Part-time: As directed by the Personnel Officer/City Administrator, or designee.
  - C. Employee breaks and lunch periods will be taken at the discretion of the Personnel Officer/City Administrator, or their supervisor, to ensure continuity in the flow of work.
  - D. Employees may not work through their chosen lunch period, but must be totally relieved from all work responsibilities, which lunch period may be taken on or off city premises. Lunch breaks must be over 20 minutes in length and no longer than one hour. If given special permission, employees may work through their lunch period as needed to accommodate an earlier quitting time. Such circumstances will be given case-by-case consideration.
  - E. Employees engaged in public safety activities, such as Police and Fire Departments: As directed by the Personnel Officer/City Administrator, or designee.
  
7. **COMPENSATION TIME.**
  - A. Compensation time may be given in lieu of overtime at Lehi City's discretion. The employee's immediate supervisor will schedule when an employee's compensation time will be used. Written employee requests, to use their accumulated compensation time during specific dates and times, must be approved by the immediate supervisor.
  - B. The law requires that after certain types of employees have accumulated specific maximum amounts of compensatory time during any work period, overtime must be paid.

- (1) For employees engaged in public safety activities, such as Police and Fire Departments; not more than eighty (80) hours of compensatory time may accrue.
    - (2) For employees not engaged in public safety activities; not more than eighty hours (80) of compensatory time may accrue.
  - C. Compensation time will be accumulated at the regular hourly rate of one (1) hour for every hour worked, during regular, non-overtime hours worked
  - D. Compensation time will be accumulated at the overtime rate of one and one-half (1 and ½) hours for every hour worked, for all overtime hours worked.
10. **OVERTIME PAY.** Overtime is defined as any hours worked in excess of forty (40) hours per week for those employees who normally work (40) hours per week. Some public safety employees work more than 40 hour weeks and overtime for these employees is calculated within the limits of the FLSA of 1938 as amended. As a rule, overtime is not paid unless more than 40 hours are physically worked in a work-week. However, some variance is required in order to comply with provision of the FLSA related to carrying pagers, emergency phones or working on nights and weekends to solve problems in weeks where scheduled time off would otherwise preclude the payment of overtime.
11. **DAILY LOGS OR TIME SHEETS.** Each non-exempt employee is required to maintain and sign, as verification of accuracy, daily logs or time sheets showing all hours worked, including overtime, and to submit the daily logs or time sheets to their immediate supervisor for examination.
12. **PERSONAL LEAVE.** City employees that are exempt as defined in Section XII, part 3 will receive 40 hours of personal leave every calendar year. City employees that qualify for personal leave are responsible for reporting personal leave use to payroll. Unused personal leave hours will not be carried over to the next calendar year. There will be no compensation for unused personal leave, including when an employee leaves employment with Lehi City,

## **SECTION XIII: SALARY PLANNING**

1. GENERAL POLICY. The Personnel Officer/City Administrator, in conjunction with the City Council, shall be responsible for the development and maintenance of a uniform and equitable pay plan for Lehi City.
2. **APPOINTMENT.**
  - A. Pay for newly hired employees shall normally be set at the minimum of the pay range assigned to a job class.
  - B. The Personnel Officer/City Administrator shall not authorize hiring above the midpoint of a pay range except in unusual circumstances and with prior approval from the City Council.
3. **MERIT INCREASE.**
  - A. The Personnel Officer/City Administrator, upon approval of the City Council, shall adopt merit increase guidelines effective July 1 of each year subject to funding in the approved budget.
  - B. Regular full-time and benefited part-time employees are eligible to receive a merit increase.
  - C. Temporary, seasonal, or introductory employees at or above the pay range maximum and employees whose performance is rated less than successful, shall not be eligible to receive a merit increase.
  - D. A benefited part-time employee is eligible to receive a merit increase in the same amount of elapsed calendar time on the job as a full-time employee.
  - E. The Personnel Officer/City Administrator, or designee, must complete an employee's performance evaluation within thirty (30) days preceding the effective date of a merit increase.
4. **SELECTIVE SALARY ADJUSTMENT.**
  - A. The Personnel Officer/City Administrator may recommend a selective salary adjustment in order to mitigate an inequity caused by a merit increase freeze or other circumstances.
  - B. The Personnel Officer/City Administrator shall submit a written rationale supporting the recommendation to the Mayor and City Council.
  - C. A selective adjustment is subject to the availability of funds and guidelines established by the City Council.
5. **LONGEVITY INCREASE.** The City Council may grant a longevity increase to a career service employee.
6. **COST OF LIVING ADJUSTMENTS.** The City will annually consider the approval of a cost of living adjustment for all employees. This adjustment should be made based on inflation and market data available and should be made effective January 1 of each year, subject to the availability of funds.
7. **PROMOTION.**
  - A. At the discretion of the City Council, a minimum 5% and a maximum of 25% salary increase shall be granted to an employee receiving a promotion.

- B. The Personnel Officer/City Administrator, with the concurrence of the City Council, may approve a salary increase when a promotion results from a competitive recruitment to a new position level. Such an adjustment shall be based on exceptional qualification and subject to the availability of funds. Typically an 8 % increase may be given for one grade higher or 10% for two plus grades higher.
8. **ORDER OF SALARY CALCULATION.** Multiple categories of pay increases awarded simultaneously shall be calculated in the following order:
- A. Cost of living adjustment.
  - B. Merit.
  - C. Selective adjustment.
  - D. Promotion.
  - E. Longevity.
9. **REASSIGNMENT.** Except when due to a demotion or a disciplinary action, an employee who is reassigned shall be paid the same salary received prior to the assignment.
10. **RECLASSIFICATION.**
- A. If the Personnel Officer/City Administrator reclassifies a position to a higher level, the Personnel Officer/City Administrator shall adjust the incumbent's salary to at least the minimum of the new range and may give a 0-15% salary increase, based upon increased responsibility and job classification.
  - B. A reclassification increase in compensation is subject to the availability of funds.
  - C. If the Personnel Officer/City Administrator reclassifies a position to a lower level, as the result of job restructuring causing the loss of responsibility or changes in other compensable factors, i.e., difficulty, working conditions, or minimum qualifications; reduction in compensation may take place if the incumbent's salary exceeds the maximum of the new range, or provided the individual meets longevity status criteria, the longevity scale maximum. In such cases the employee pay rate shall be adjusted to the maximum of new pay grade and be eligible for future general adjustments to the pay plan to reflect market or cost-of-living
11. **DEMOTION.** If an employee is demoted, either voluntarily or involuntarily, the Personnel Officer/City Administrator may treat the employee's salary according to paragraph 10 C. above or reduce the salary.
12. **BENEFITS.**
- A. Suspended Employee.
    - (1) An employee suspended for disciplinary reasons shall continue to receive Lehi City contributions to retirement, health, dental, disability and life insurance programs.
    - (2) The employee shall pay the employee portion of insurance premiums to continue coverage through the period of suspension.

## SECTION XIV: PAYROLL ADMINISTRATION

1. Longevity Pay
  - A. Longevity Pay will be paid to all employees with ten (10) or more years of service to Lehi City at the rate of \$6.00/year for each year of service.
  - B. Longevity Pay shall be paid with the first pay period in December of each year.
  
2. Deductions and Garnishments
  - A. It shall be the policy of Lehi City to comply with all State legislation applicable to municipalities. In specific, it shall be the policy of the City to ensure that the provisions of the Utah Code Section 34-32-1 through Section 34-32-4, as they pertain to a municipal corporation, are fully adhered to in the development of personnel procedures and regulations.
    - (1) The Utah Code states: “Whenever an employee of any ...municipal corporation within the State of Utah executes and delivers to his employer an instrument in writing whereby such employer is directed to deduct a sum at the rate not exceeding 3% per month from his wages and to pay the same to a labor organization or union or any other organization of employees as assignee, it shall be the duty of such employer to make such deduction and to pay the same monthly or as designated by employee to such assignee and to continue to do so until otherwise directed by the employee through an instrument in writing. Any employer, dealer or processor who willfully fails to comply with the duties imposed by this chapter shall be guilty of a misdemeanor.
  - B. The purpose of this section of the Handbook is to insure a procedure whereby an employee of Lehi City may, without incrimination, and free from restraint, discrimination or intimidation, authorize and/or terminate a payroll deduction to a labor organization or union or any other organization of employees as stipulated by the employee. This directive shall not be construed to imply recognition, formally or informally by the city toward one or more labor organizations, or unions or any other organization comprised of employees. This policy shall provide for the mechanism to achieve deductions for said organizations under Section 34-32-1 through 34-32-4 of the Utah Code.
  - C. The procedure to be followed for implementation of this policy is indicated by the following lettered steps; a) this directive and prescribed forms shall be provided to each City department head; b) any employee desiring a payroll deduction for a labor organization, union or any other employee organization shall fill out the Authorization for Payroll Deduction form available from the employee’s department head at the same time that the payroll is submitted; e) the Payroll Clerk shall direct a review of the form for completeness and compliance to Section 34-32-1; f) if the form is incomplete or not in compliance it shall be returned to the employee with an explanation, if the form is complete and in compliance, it shall be initiated and processed; g) employees that wish to discontinue a payroll deduction shall complete the “Authorization to Terminate Payroll Deduction Form” and follow steps (a) through (e) above.
  - D. **GARNISHMENTS.** It is the policy of Lehi City to comply with Section 70B-5-106 of the Utah Code which was enacted in 1969 and provides that “No employer may discharge any employee by reason of the fact that his or her earnings have been subjected to garnishment for any one indebtedness.” This section of the Handbook details the City’s position on garnishments and explains the conditions under which an employee may be discharged for garnishment of wages.
  - E. A “garnishment”, as per Section 70B-5-106, is “...any legal or equitable procedure through which the earnings of an individual are required to be withheld for the payment of a debt.” Likewise, “indebtedness” indicates any legal obligation entered into by an employee requiring the payment of money in return for any service or commodity received. Indebtedness is not limited to just consumer credit sales, consumer leases, or consumer loans.



- F. It is the policy of Lehi City to encourage every City employee to live within their means and avoid the unnecessary use of debt or credit. The City views garnishments as an indication of financial mismanagement and a very serious and undesirable reflection upon an employee. While the City will show forth professional consideration toward an employee with financial problems beyond the employee's control. It shall be the policy of the City to view more than one garnishment as sufficient cause to suspend or terminate an employee unless he or she can present evidence within twenty (20) working days from the day the additional garnishment is served that said garnishment has been completely satisfied.
- G. According to an opinion issued March 25, 1997 by the Utah State Attorney General's Office, "Any employee may be discharged by his or her employer for (1) more than one garnishment the same paycheck by creditors on more than one indebtedness judgment; (2) More than one garnishment on the same paycheck by the same creditor on more than one indebtedness judgment; or (3) More than one garnishment on different pay periods by the same or different garnishees on more than one indebtedness judgment."
- H. An employee may not be discharged by his or her employer for more than one garnishment on more than one paycheck by the same creditor for a single indebtedness. Decisions regarding garnishments or other financial problems such as civil suits for non-payment of debts, bankruptcy, etc. shall be handled with professional discretion. Consideration shall be given to the individual involved. The circumstances which created the problem, and the effect of such disciplinary actions on both the City and the employee.

## SECTION XV: BENEFITS

Lehi City Currently offers the following benefit package to all regular fulltime employees and retirees:

1. **Health Insurance** – The city insurance carrier is as determined by the Council from time to time. Eligibility for participation upon hire requires that the employee will be working in a position that has the expectation of long-term employment (at least one year). The full cost for individual and family plans is paid by Lehi City for employees working in a fulltime, 40 hour per week, status:
  - A. Employees who are classified as regular full time employees working 40 hours per week= City pays 100% Employee and Family insurance premium. A regular full time employee covered under another health plan may choose to sign a waiver not accepting health coverage and have ½ of the insurance premium they are eligible for put into a 401 k account, with the 401 k contribution not to exceed \$425.00 per month.
  - B. Any employees working less than 40 hours per week and are not classified as a full time permanent employee = City pays 0%. Employees in this category receive no city paid insurance benefits.
2. **Retirement** – Utah State Retirement System Non-Contributory and Contributory Plans are available depending on position and enrollment date. A maximum of 13% of base pay is available to pay for these plans except that the full cost of the Utah State Retirement System benefits for public safety employees is paid by Lehi City. Employees retiring at the age of 60, or at any age if eligible under the Utah Retirement System, may choose one of two options for which to receive compensation for accrued, unused balances of sick leave:
  - A. The retiree may opt for cash and receive 25% of the unused sick leave in a lump-sum payment. This lump-sum shall be paid at the employee’s hourly rate which was being earned at the time of retirement.
  - B. Receive 75% of the unused sick leave placed into Retirement Health Savings Plan to help cover medical insurance premiums and medical costs incurred after retirement. The Retirement Health Savings plan reverts to the City upon the death of the employee and spouse. No survivor benefit is offered.

Exempt employees not covered by the Utah State Retirement System may make the same elections as covered employees at the time of resignation. This provision does not apply to employees terminated with cause.
3. **ICMA 401k and Deferred Compensation Plans** – Appointed Officials may opt not to participate in the Utah State Retirement System in which case the ICMA plans are available as an alternative. All city employees may participate in these plans via payroll deduction.
4. FICA, Workers Compensation, Medicare and other required employee benefits programs are paid for by Lehi City in accordance with all applicable regulations.
5. Flexible Benefit Program – Lehi City administers a flexible benefit program for medical and child care pre-tax deductions. This program is operated in accordance with all applicable rules and regulations.
6. Other programs may be available from time to time as approved by the City. (For example, Cancer Insurance, Legal Services, Additional Life Insurance and so forth.) Employee has responsibility for entire premium.

## **SECTION XVI: FAMILY AND MEDICAL LEAVE ACT**

Lehi City provides FMLA leave to employees who qualify to be eligible to provide up to 12 weeks of unpaid, job-protected leave for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

### **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

### **Benefits and Protections**

During FMLA leave, Lehi City will maintain the employee's health coverage under our group health plan on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

### **Eligibility Requirements**

Employees are eligible if they have worked for the City for at least one year, for 1,250 hours over the previous 12 months.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### **Substitution of Paid Leave for Unpaid Leave**

Lehi City's policy is to pay your accrued sick leave, holidays and vacation during your leave time.

### **Employee Responsibilities**

Employees must provide 30 days advance notice to Human Resources of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable

and generally must comply with the city's normal call-in procedures. Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees may be required to provide certifications and periodic re-certifications supporting the need for leave

## SECTION XVII: LEAVES OF ABSENCE

### 1. ABSENT WITHOUT LEAVE.

- A. Any unauthorized absence of an employee from duty shall be grounds for disciplinary action, up to and including termination, by the Personnel Officer/City Administrator.
- B. Any employee who is absent for three (3) or more consecutive work days without authorized leave shall be deemed to have resigned without notice. Where extenuating circumstances are found to have existed, however, such absence may be covered by the Personnel Officer/City Administrator by subsequent grant of leave with or without pay as the circumstances dictate.

### 2. VACATION LEAVE.

- A. Annual leave benefits are provided to permit time away from the job for rest, recreation, and the pursuit of non-employment objectives.
- B. Qualifying employees include regular full and part-time benefited employees as defined:
  - (1) Regular full-time employees
  - (2) Part-time benefited employees
  - (3) Fire/EMS full-time employees
- C. Vacation is accrued as follows:
  - (1) Regular full-time employees accrue monthly vacation credit from date of hire.
    - (a) Employees with 1-5 years of employment with Lehi City shall earn two weeks of annual vacation leave (80 hours) each year.
    - (b) Beginning with the sixth year of employment, a full-time employee shall earn one additional day (8 hours) of vacation leave for each additional year of service to a maximum of 20 days (160 hours).

<u>Years of Consecutive City Service</u>	<u>Hours of Vacation Accrued per Bi-weekly Pay Period</u>
1 – 5 years	3.08 (10 – 8 hr. days/year)
6 <sup>th</sup> year	3.38 (11 – 8 yr. days/year)
7 <sup>th</sup> year	3.69 (12 – 8 hr. days/year)
8 <sup>th</sup> year	4.00 (13 – 8 hr. days/year)
9 <sup>th</sup> year	4.31 (14 – 8 hr. days/year)
10 <sup>th</sup> year	4.62 (15 – 8 hr. days/year)
11 <sup>th</sup> year	4.92 (16 – 8 hr. days/year)
12 <sup>th</sup> year	5.23 (17 – 8 hr. days/year)
13 <sup>th</sup> year	5.54 (18 – 8 hr. days/year)
14 <sup>th</sup> year	5.85 (19 – 8 hr. days/year)
15 <sup>th</sup> year and beyond	6.15 (20 – 8 hr. days/year)

- (2) Benefited part-time employees accrue vacation credit beginning their fourth year of employment with Lehi City. Benefited part-time employees earn vacation as follows:
  - (a) Benefited part-time employees earn 65% vacation leave

(b) Beginning with the sixth year of eligible service with the City, a benefited part-time employee shall earn additional vacation hours based on 65% of the accrued vacation hours covered in the fulltime employee vacation section.

(3) Fire/EMS employees accrue vacation as follows:

- a) Fire/EMS personnel with 1-5 years of employment working 24 hour shifts shall earn vacation leave at 5.54 hours per pay period, 144 vacation hours each year. Vacation hours for these employees will be used in 24 hour increments, which equates to 6 vacation days a year.
- b) Beginning with the sixth year of employment, fulltime Fire/EMS personnel working 24 hour shifts will earn one additional 24 hour vacation day for every four years of service to a maximum of 240 vacation hours, 10 vacation days.
- c) Fire/EMS personnel working 24 hour shifts may carry over to the next calendar year a maximum of 144 hours, 6 days of vacation leave.
- d) Fire/EMS personnel working 24 hour shifts shall accrue annual vacation leave in accordance with the following:

<b><u>Years of Consecutive City Service</u></b>	<b><u>Hours of Vacation Accrued per Bi-weekly Pay Period</u></b>
1 – 5 years	5.54 (6 – 24 hr. days/year)
6 – 9 years	6.46 (7 – 24 hr. days/year)
10 – 13 years	7.38 (8 – 24 hr. days/year)
14 – 17 years	8.31 (9 – 24 hr. days/year)
18 years and beyond	9.23 (10 – 24 hr. days/year)

D. Use of Vacation Leave shall be scheduled by the employee in consultation with the employee’s supervisor.

E. City employees working a 40 hour work week may carry over 160 hours of vacation to the next calendar year. Any vacation hours over 160 hours will be lost at the end of the calendar year unless authorized by the Personnel Officer/City Administrator.

**3. HOLIDAY LEAVE.**

Annually, regular full-time employees are entitled to 13 paid holidays.

Benefited part-time, employees (after three years employment and to be specified by Lehi City) are entitled to a pro-rated portion of these paid holidays based on the employees normal work schedule.

Fire/EMS personnel working 24 hour shifts are entitled to 6, 24 hour paid holidays each calendar year. These employees working 24 hour shifts will be advanced their holiday hours at the beginning of each calendar year. These paid holidays will be used as determined by the Fire Department Administration.

Holiday pay must be used within the calendar year.

<u>Holiday</u>	<u>Date</u>
New Year's Day	January 1st
Human Rights Day	Third Monday in January
President's Day	Third Monday in February
Spring Break	Fluctuates
Memorial Day	Last Monday in May
Independence Day	July 4th
Pioneer Day	July 24th
Labor Day	First Monday in September
Veterans Day	November 11th
Thanksgiving Day	Last Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25th
Christmas Break	December 24 <sup>th</sup> or 26th

If a paid holiday falls on a weekend, the holiday pay (time off) will be taken on the Friday before, or the Monday after the actual holiday

#### 4. **SICK LEAVE.**

- A. Sick leave is a form of insurance to protect employees from loss of income due to illness or injury. Sick leave is earned and accumulated so the employee will have leave with pay during a bona-fide illness or injury up to the total amount of sick leave accrued. Sick leave is not a right, but shall be allowed only in case of necessity and actual personal sickness or disability except as otherwise indicated below.
- B. Qualifying employees include regular full-time employees, benefited part-time employees and full time Fire/EMS personnel.
  - (1) Regular full-time employees accrue sick leave at the rate of 1 day (8 hours) per calendar month (96 hours/year). Accrual begins during the employee's first month of employment.
  - (2) Benefited part-time employees accrue sick leave at a 65% pro-rated basis of the hours normally worked. Accrual begins at the beginning of the fourth year of employment when the benefited part-time criteria is met.
  - (3) Fire/EMS personnel working 24-hour shifts shall accrue sick leave at 5.54 hours per pay period, 144 hours of sick leave per calendar year. Sick leave hours may be used as outlined in this section of the manual.
- C. Sick leave may be used in accordance with the following guidelines:
  - (1) Employees who become ill or are injured are entitled to sick leave with full pay until all accrued sick leave has been exhausted. Sick leave shall not be granted in excess of the employee's scheduled work week.
  - (2) Employees who exhaust sick leave benefits, may, at their option, substitute accumulated vacation leave for sick leave with approval of the Personnel Officer/City Administrator.
  - (3) To receive compensation while absent on sick leave, employees shall notify their immediate supervisor prior to the time set for beginning their daily duties.

- (4) If more than two days of sick leave are taken sequentially, the Personnel Officer/City Administrator may require the employee to file a physician's certificate stating the cause of the absence.
- (5) In the case of a health emergencies or health issues concerning members of the employee's immediate family, (parent, spouse, dependent) the Personnel Officer/City Administrator may grant the use of sick leave for a period not to exceed three days. After three days an employee will be offered FMLA leave if eligible.
- (6) Sick leave may be used, with Department Head approval, for doctor and dental appointments for employee and immediate family if appointments cannot be made out side of working hours.
- (7) An employee receiving temporary disability payments under the worker's compensation program will continue to receive their normal rate of pay from the city. However, the employee's normal salary shall have deducted from it the amount received from Worker's Compensation payments. This arrangement shall continue for a period of six months (180 calendar days). After six months the affected employee may use accumulated sick time to maintain a regular income although in no case shall an employee use the provision of this section to realize any financial gain. FMLA leave and Worker's Compensation run concurrently.
- (8) Sick leave may be carried over from year to year without penalty. No maximum exists for the accumulation of sick leave.

## 5. **MATERNITY LEAVE.**

- A. An employee who becomes pregnant shall be afforded access and use of paid sick leave as is authorized for any other illness, disability or medical condition requiring attending physician care, giving parental care or convalescence. Employees requesting leave may use some or all accumulated sick leave or comp-time prior to being placed upon FMLA leave-without-pay status. All paid and non-paid leave shall be applied to the twelve (12) weeks of leave authorized in compliance with FMLA leave regulations. Failure by the employee to report promptly at the expiration of such leave shall be considered a resignation without notice; otherwise all rights to continued employment, compensation and benefits shall be administered according to the Family Medical Leave Act.
- B. Regulations governing sick leave, annual leave, and leave-without-pay will apply. During leave-without-pay in excess of thirty (30) calendar days, vacation leave, sick leave, or time toward annual performance evaluation shall not accrue.

6. **INJURY LEAVE.** Any employee injured on the job, however slightly, must report the fact immediately to their supervisor or the Personnel Officer/City Administrator. It shall be the duty of the injured employee's supervisor, or the Personnel Officer/City Administrator, to inform the Risk Manager of the incident so he can obtain information regarding the accident or injury and complete reports and submit them in a timely manor. Unused sick leave or vacation leave may be granted in accordance with applicable rules and regulations. During injury leave periods, vacation leave, sick leave, or time toward yearly performance evaluation shall not accrue, unless an exception is granted by the Personnel Officer/City Administrator, with approval of the City Council. However, injury leave for periods greater than six (6) months shall in no case be granted. Furthermore, eligibility for such leaves requires conformance with all FMLA and Workmen's Compensation regulations.

7. **EMERGENCY LEAVE.** The Personnel Officer/City Administrator, or their designated representative, may allow a regular or introductory employee reasonable time off, not to exceed three (3) working days with pay, in case of an emergency. Time will be charged to sick leave. The City Council shall have the authority to grant longer leaves in unusual circumstances in which an emergency exists. During emergency leave period in excess of thirty (30) calendar days, vacation leave, sick leave, or time toward yearly evaluation shall not accrue.



8. **MILITARY LEAVE.** In accordance with the “Uniformed Services Employment and Reemployment Rights Act” (USERRA), eligible full-time Lehi City employees who perform service in the uniformed services (as defined by USERRA) are entitled to a military leave of absence from their current positions, subject to the limitations and restrictions set forth in federal and state laws and Lehi City policy. Upon receiving an assignment for military service, employees should promptly provide notice to his/her supervisor and Human Resources prior to going on military duty, unless precluded by military necessity.

**Military Leave – Short Term.** An eligible full-time employee, who is a member of the military (as defined by USERRA), will be granted leave with compensation for the purpose of fulfilling annual field training not to exceed ten (10) working days in any one (1) calendar year. (Utah State Code 39-3-1 & -2). Any military compensation including salary, travel and expense allowance received by the employee for training must be returned to the City.

**Military Leave – Active Duty.** Any eligible full-time employee who is called up to active duty by Presidential Order will be granted a leave of absence from employment with Lehi City to the extent required by State and Federal law, including, but not limited to Utah Code Annotated provisions regarding “Government Employees in Military Service” set forth in Utah Code Ann. 39-3-1 and provisions of the federal “Uniformed Services Employment and Reemployment Rights Act” (USERRA).

**Salary Differential.** Salary differential for employees activated will be paid by the City if the military pay of an employee called into active service is less than the salary he/she would have continued to receive if not called to active service. He/she may receive a salary differential that is equal to the difference between the lower active military pay and the higher public salary for a period not to exceed 24 months, subject to the availability of City funds.

**Health Insurance Benefits.** Per USERRA, the City will at a minimum maintain health benefits and other benefits for the first 30 days of military leave as if the employee was actively employed. After the initial 30 day period, employees on military leave may continue their benefits under COBRA, for a period up to 24 months. The employee must pay his/her premiums in order to keep the benefits active.

**Pension Benefits.** Time spent on military leave is not considered a break in employment for pension benefit purposes if the employee is honorably discharged from military service. Upon return to work at the City from deployment, the City will purchase retirement credit with the Utah Retirement Systems for time deployed. The employee would pay the amount he/she would have contributed during leave time.

**Reemployment Rights.** USERRA places a 5-year limit on the cumulative length of time a person may voluntarily serve in the military and remain eligible for reemployment rights. The USERRA reinstatement rights do not extend, however, to employees who are employed for brief, non-recurrent periods with no reasonable expectation that employment will continue indefinitely. Under certain circumstances employees are eligible to be reinstated to their former position unless the City establishes that the circumstances have so changed as to make reemployment impossible or unreasonable. If on military leave for 90 days or less, eligible employees may be reinstated to their own position. If on military leave for over 90 days, eligible employees may be reinstated to their own position or a similar position of like seniority, status or pay.

Upon return from military leave, employees must comply with the current provisions of the law in regards to notification of and time frame in which they must return to work. Employees who fail to report to work within ninety (90) days of completing active military service will be considered to have voluntarily terminated their employment.

9. **JURY LEAVE.** A regular or introductory employee may be granted leave with full pay when performing jury duty or when required to serve as a witness in any municipal, county, state, or federal court, or before an administrative tribunal. Any compensation, including travel and expense allowance, received by the employee must be turned back to Lehi City. Paid leave will not be granted when the employee is serving as his own witness in financial and related suits that he has initiated.
10. **ADMINISTRATIVE LEAVE.** A regular or introductory employee may be granted administrative leave with pay to perform authorized duties in connection with Lehi City business, attend trade or professional meetings which relate to official duties, participate in recognized and authorized training programs, or facilitate the needs of Lehi City.
11. **FUNERAL LEAVE.** The Personnel Officer/City Administrator, or their designated representative, shall grant an employee up to three (3) days of funeral leave with pay to attend the funeral of the employee's spouse, child, step-child, daughter or son-in-law, parent, step-parent, grandchild, mother or father-in-law, sister or brother-in-law, uncle or aunt, grandparent, spouses' grandparent, brother or sister. Such leave shall not be charged against accrued sick or annual leave.
12. **LEAVE WITHOUT PAY.**
- A. Upon recommendation of the Personnel Officer/City Administrator and approval of the City Council, an employee may be granted leave without pay for a specified period of time, not to exceed one (1) year. At the expiration of a leave without pay, the employee shall return to the same position, where feasible, or to a similar position. Failure of the employee to report promptly at the expiration of such leave without pay shall be considered a resignation without notice.
  - B. A leave with out pay shall not constitute a break in service. However, during leave without pay in excess of thirty (30) calendar days, vacation leave, sick leave, and time toward annual performance evaluation shall not accrue.
  - C. Leave without pay shall be granted for education purposes when the employee's course of study will be of direct benefit to Lehi City, their absence will not be a hardship for their department, and the employee agrees to return to work at the end of the leave without pay period.
  - D. To attend funerals not covered by the funeral leave policy.
  - E. To attend to an ill or injured member of the employee's immediate family when such absence is FMLA qualified.
  - F. Employees are expected to apply for absences in advance and in writing, giving as much detail about the absence as is necessary so that the Personnel Officer/City Administrator, or designee, may decide whether the leave without pay is warranted.
13. **DOCUMENTATION OF LEAVE.** Some of the above absences must be supported by a copy of the official paperwork causing the absence. Such paperwork must be submitted to the Personnel Officer/City Administrator, or their designated representative, as soon as possible. In some cases where official paperwork is not available, the Personnel Officer/City Administrator, or their designated representative, may request that the employee supply additional information in writing to support the absence.

## SECTION XVIII: GENERAL SAFETY

1. GENERAL POLICY. The following general safety rules will apply in all city work places. Each work unit may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules or the city-wide safety manual (see attachment "Safety Manual").
  - A. Proper licensing and extreme caution are required by all employees operating any type of power equipment.
  - B. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, toe guards, back supports, and hard hats, if required or appropriate to the work performed.
  - C. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines. Long hair will be properly secured.
  - D. All accidents, regardless of severity, personal or vehicular, shall be reported immediately to the supervisor/manager.
  - E. Defective equipment will be reported immediately to the supervisor or Personnel Officer/City Administrator.
  - F. Employees will not operate equipment or use tools for which licensing and training has not been received.
  - G. In all work situations, safeguards required by State and Federal Safety Orders will be provided.
2. PROPER USE OF Lehi City EQUIPMENT AND TOOLS The use of Lehi City equipment or tools for private purposes is strictly prohibited. However, reasonable use of Lehi City tools and equipment to protect property and preserve life is authorized.
  - A. Employees shall be required to attend training provided by Lehi City; including an explanation of job hazards, safety procedures and training on all equipment, tools, etc., necessary for the accomplishment of the employee's job description. Employees may attend additional training as approved by Lehi City.
  - B. A commercial driver's license (CDL) is required for operators of commercial motor vehicles. No individual shall be allowed to operate such vehicles unless they have a current commercial drivers license in their possession. This license is required pursuant to the Commercial Motor Vehicle Safety Act, signed into law on October 27, 1986. Employees must renew their commercial drivers license at four-year intervals.
  - C. Operators and passengers in a business-use vehicle equipped with seat belts must wear them when the vehicle is in operation, and all employees operating vehicles shall observe all local traffic laws.
  - D. Employees shall keep the agency vehicles that are used by them clean, presentable, and serviceable. Employees receiving car allowances shall also keep their vehicles clean, presentable, and serviceable.

## SECTION XIX: UOSHA REQUIREMENTS

1. **GENERAL POLICY.** It is the policy of Lehi City to maintain an environment that is free from any recognizable hazard that is likely to cause death or serious injury to any employee through open communication with all employees.
2. **POSTING UOSHA NOTICES.** Lehi City will post all required UOSHA notices in conspicuous places (such as employee bulletin boards or where similar notices are usually posted). Employees may obtain additional information from the Personnel Officer/City Administrator when they have questions about any of the standards that are provided under UOSHA.
3. **INSPECTION PROCEDURES.** All employees should follow the procedures listed below in the event an inspector from UOSHA presents themselves on the job site.
  - A. If an inspector arrives on the job site, an employee should understand that they are not authorized to offer any information requested by the inspector.
  - B. The employee will inform the inspector that the employee will contact the Personnel Officer/City Administrator, Supervisor, or designee, who will accompany the inspector during any inspection.
  - C. The Personnel Officer/City Administrator should make sure that all employees know who they are required to contact, including all alternates, in the event an UOSHA inspector shows up on the job site.
  - D. If the UOSHA inspector does not reveal the appropriate credentials at the outset of the inspection, the Personnel Officer/City Administrator, or designee, should ask the inspector to reveal his credentials and should then examine them before allowing an inspection of the job site.
  - E. The Personnel Officer/City Administrator, or designee, should not refuse an inspection of the job site where the inspector does not have a warrant to inspect. The inspector will usually have no trouble obtaining a warrant for an inspection. Refusing to allow an inspection may create a negative atmosphere that may be more harmful to Lehi City. This may result in harsher penalties if the inspector discovers violations.
  - F. If the credentials are appropriate, and before beginning the inspection, the Personnel Officer/City Administrator, or designee, should ask the inspector the reason the inspection is being conducted. If it is routine, no further requests are required. If the inspection was due to an employee complaint, the Personnel Officer/City Administrator, or designee, should request a copy of the complaint. This will help Lehi City correct any safety problems (Under no circumstances should the information received on an employee complaint be used for disciplinary action toward an employee as this type of action is prohibited by law).
  - G. The Personnel Officer/City Administrator, or designee, should accompany the inspector during the entire inspection of the job site.
  - H. The Personnel Officer/City Administrator, or designee, should take notes throughout the entire inspection. The Personnel Officer/City Administrator, or designee, should note every comment and observation made by those participating in the inspection. The Personnel Officer/City Administrator, or designee, accompanying the inspector should not volunteer any unsolicited information.

#### 4. **ACCIDENT REPORTING PROCEDURES.**

- A. Employees who are injured in connection with employment, regardless of the severity of the injury, must immediately notify the Personnel Officer/City Administrator, Risk Manager or their supervisor, who will ensure prompt and qualified medical attention is provided and all required UOSHA reports are completed. Employees who do not and/or will not accept qualified medical attention when directed by the Personnel Officer/City Administrator, Risk Manager or designee, shall be subject to disciplinary action, up to and including termination.
- B. The Personnel Officer/City Administrator, Risk Manager or designee, will investigate the job related injury to determine the cause of the injury.
- C. Lehi City shall contact UOSHA within twelve (12) hours of the occurrence of any job related death, disabling, serious, or significant injury, and/or any occupational disease.
- D. Lehi City shall file the required report with UOSHA within seven (7) days after first knowledge or notification of an injury or occupational disease resulting in medical treatment, loss of consciousness, loss of work, restriction of work, or transfer to another job. Minor injuries such as scratches and cuts do not need to be reported to UOSHA if they require only minor first-aid treatment.
- E. Lehi City shall keep a copy of the UOSHA report in their UOSHA File.
- F. Lehi City shall give the employee a copy of the UOSHA report and explain the employee's rights and responsibilities concerning the work related injury or occupational disease.
- G. If an employee later dies as a result of a work related injury, Lehi City shall file a report with UOSHA within seven (7) days of first knowledge or notification of the death.

#### 5. **Employment of Minors**

**POLICY.** The following rules regarding the employment of minors will apply in all city work places, and city employment. A "Minor" is a person under the age of 18 years, but not younger than 15 years. The Employment of Minors in Hazardous Occupations is prohibited.

Hazardous Occupations involve, but are not limited to, the following duties:

- Operation of motor vehicles
- Operation of riding lawnmowers
- Operation of walking lawnmowers with a ride-on attachment
- Operation of a power driven hoisting apparatus
- Operation of power driven metal forming, punching, and shearing machines
- Operation of power-driven woodworking machines
- Operations of circular saws, band saws, and guillotine shears
- Roofing operations
- Excavation operations

## **SECTION XX: CONFINED SPACE ENTRY**

1. **GENERAL POLICY.** Lehi City shall have a written confined space entry policy, if required in accordance with Volume 29 Code of Federal Regulations 1910.146
2. **REQUIREMENTS.** When required, the written confined space entry policy shall include at least the following:
  - A. Annual training on confined space issues.
  - B. A review of potential confined spaces.
  - C. A permitting system for entering permit-required confined spaces.
  - D. A rescue plan for managing confined space incidents.
  - E. Protocols for managing contractors doing work in Lehi City's confined spaces.
  - F. A list of the appropriate personal protective equipment and hardware (hoists, winches, gas monitors, respirators, and ventilation gear) required for safe entry and exit.

## **SECTION XXI: VOLUNTEER POLICY FOR LEHI CITY**

### **1. General**

1.1 City officials who recruit volunteers to perform services of benefit to the public will provide appropriate training and supervision.

1.2 A volunteer shall be deemed an employee of Lehi City only for the purpose of:

- A. Medical benefits under Worker's compensation for any injury sustained by him/her while engaged in the performance of any City service as required by state law. This requirement does not apply if Worker's Compensation coverage is provided by another government agency.
- B. Operation of City motor vehicles or equipment if the volunteer is properly licensed and authorized to do so: and,
- C. Indemnification protection normally afforded salaried employees or as otherwise provided by state law.

1.3 Volunteers receive liability protection as provided by state law.

1.4 Volunteers are subject to the same standards of performance as regular employees and are required to sign a Volunteer Code of Conduct and provide a copy of a current driver's license.

1.5 Volunteers are subject to drug tests and background checks.

1.6 Definitions

- Volunteer: Any person (16 years and older) who donates services to the City without compensation, except for pre-approved, incidental expenses relevant to their volunteer work. This policy does not apply to volunteer positions appointed by the Mayor.

1.7 Exceptions

- On a case by case basis. Department heads will determine, based on the nature of the work to be performed by the volunteers, the location of the work, the level of supervision, the duration of the assignment, and any other relevant factors, whether or not background investigations are needed.

## Lehi City Volunteer Code of Conduct

As a volunteer, I am at least 16 years of age and I will perform only those assigned tasks that are within my physical capability and will not undertake any tasks that are beyond my physical capability or ability. I will not undertake to use any equipment or tools that I am unfamiliar with or have not been trained to operate properly and safely. As a volunteer I will strictly observe all safety rules and use care in the performance of my assigned tasks.

As a volunteer I will treat everyone with respect, loyalty, patience, integrity, courtesy, dignity and consideration. While volunteering I will not use profanity, or make humiliating, ridiculing, threatening, or degrading statement.

### Volunteer Acknowledgements and Waivers

Many volunteer positions with the City involve working with children or in other safety sensitive positions. To help safeguard the public, the City will perform a background check on all volunteers.

As a condition of volunteering, I give the City of Lehi permission to conduct a thorough background check on me, and I will provide proof of authorization to work in the United States such as a driver's license, birth certificate, or green card. The background check may include a review of sex offender registries, criminal history records, driving records and federal FBI records. I understand that all volunteer positions are conditioned upon the City never receiving inappropriate information on my background.

I understand that volunteer positions are charitable contributions to the City of Lehi without anticipation of compensation of any kind or consideration of future employment.

As a volunteer I agree to be subject to the policies and procedures of the City of Lehi.

Volunteer employment may be terminated at anytime by the employer or employee for any reason or for no reason.

I agree to hold Lehi City harmless for any personal injury that could result from participation as a volunteer for Lehi City.

Your signature below indicates that you have read each of the above items and you agree to be bound by them. If you are under that age of eighteen, your parent or guardian must also review these items and sign below.

\_\_\_\_\_

**Volunteer Signature**

\_\_\_\_\_

Date

I, \_\_\_\_\_, am the parent or legal guardian of

\_\_\_\_\_, and I agree to allow him/her to be bound by conditions represented above..

\_\_\_\_\_

**Parent/Guardian Signature**

\_\_\_\_\_

Date



## SECTION XXII: ELECTRONIC COMMUNICATIONS USAGE POLICY

### 1.1 PURPOSE

To remain responsive, better serve customers and provide employees with the best tools to do their jobs, Lehi City makes available to the workforce access to one or more forms of electronic media and services, including computers, e-mail, telephones (cell and analog), voicemail, fax machines, external electronic bulletin boards, wire services, online services, intranet, internet and the world wide web.

Lehi City encourages the use of these media and associated services as they can make communication more efficient, effective and because they are valuable sources of information about vendors, customers, technology, and new products and services. **However, all employees and everyone connected with the organization are advised that electronic media and services provided by Lehi City are city property and their purpose is to facilitate and support city business.** All users have the responsibility to use these resources in a professional, ethical, and lawful manner.

To ensure that all employees are responsible, the following guidelines have been established for using e-mail, telephones, and the internet. No policy can lay down rules to cover every possible situation. Instead, it is designed to set forth general principles when using electronic media and services.

### 1.2 PROHIBITED COMMUNICATIONS

Employees are advised of the following prohibited activities and prohibited uses of Lehi City electronic media:

**Prohibited Activities:** Sending, receiving, displaying, printing or otherwise disseminating material that is fraudulent, harassing, illegal, sexually revealing, explicit or obscene. Employees or users encountering such material should immediately report it to their supervisor/ manager or a human resources representative.

**Prohibited Uses:** Employees or users may not utilize Lehi City's internet, intranet and email resources for commercial and personal advertisements, solicitations, promotions, destructive programs (i.e., viruses or self replicating software), political material, gambling or any other use that is or may be adverse to the best interests of the organization. Users should exercise the same care in drafting email as they would for any other written communication. Anything created on the computer or internet may be viewed by others. Visiting adult web sites containing sexual images is strictly prohibited.

In addition, electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is the following:

- Discriminatory or harassing;
- Derogatory to any individual or group;
- Obscene, sexually explicit or pornographic;
- Defamatory or threatening;
- In violation of any license governing the use of software; or
- Engaged in for any purpose that is illegal or contrary to Lehi City policy or professional interests.

### 1.3 PERSONAL USE

Computers, telephone, e-mail, internet and electronic media and services are provided for business purposes to assist employees in the performance of their jobs. It is understood that there will be occasional or incidental use of electronic media (e.g. sending or receiving e-mail or telephone calls) for personal, non-business purposes, and as such, should be done in a manner that does not negatively affect the systems' use for city purposes or employee productivity. Employees are expected to

demonstrate a sense of personal responsibility and accountability in using city resources for personal purposes.

#### **1.4 ACCESS TO EMPLOYEE COMMUNICATIONS**

Electronic information created and/or communicated by an employee using a city computer, e-mail, word processing, utility programs, spreadsheets, voicemail, telephones, internet, and similar electronic media may be monitored by Lehi City.

Lehi City gathers and stores daily user log files for most electronic activities and monitors employee communications directly (e.g., telephone numbers dialed, e-mails sent and received, internet sites visited, call length, and time at which calls are made) for the following purposes:

- Confidentiality and data security;
- Cost analysis;
- Resource allocation;
- Monitor and prevent potential internet virus intrusions;
- Optimum technical management of information resources; and
- Detecting patterns of use that indicate employees are violating city policies or engaging in illegal activity.

Lehi City reserves the right, at its discretion, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are not being compromised and are being used in compliance with the law, this policy and any other city policies.

Employees should not assume electronic communications are private. Accordingly, if an employee has personal sensitive information to transmit electronically, he/she should use other personal means not provided by the city or on city computers, telephones, fax machines, printers, etc.

#### **1.5 SOFTWARE**

To prevent potential computer virus intrusions from being transmitted through the city's network system, downloading of any unauthorized programs or software is strictly prohibited. Only software registered through the city and installed by an authorized network system administrator may be downloaded. Employees should contact the city's Information Technology Division if they have any questions.

#### **1.6 SECURITY / APPROPRIATE USE**

Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by Lehi City management or supervisors, employees are prohibited from engaging in, or attempting to engage in the following:

- Monitoring or intercepting the files or electronic communications of other employees or third parties;
- Hacking or obtaining security access to systems or accounts they are not authorized to use;
- Using other people's log-ins or passwords;
- Using online chat/instant messenger (IM) programs for non-business related activity.
- Breaching, testing, or monitoring computer or network security measures.

No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.

Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

### **1.7 ENCRYPTIONS**

Encryption software may be utilized for purposes of safeguarding sensitive or confidential business information. Employees who may use encryption on files stored on a city computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

### **1.8 ONLINE CHAT ROOMS / INSTANT MESSAGING**

Employees should remember that any messages or information sent using city-provided computers and equipment to one or more individuals via an electronic network (e.g., internet mailing lists, bulletin boards, chat rooms, and online services) are statements identifiable and attributable. The installation or use of external online instant messaging programs is prohibited without prior city approval.

The city recognizes that participation in some forums may be important to the performance of an employee's job. For instance, an employee may find the answer to a technical problem by consulting members of a user group devoted to a particular technical area.

### **1.9 VIOLATIONS**

Violations of previous sections of this policy which outline the privilege of access to e-mail, telephones, the internet or any other city electronic media will be subject to disciplinary action, up to and including termination of employment, legal action, and/or criminal liability.

# **SAFETY MANUAL**

## PURPOSE

This program is established by the Administration of Lehi City to emphasize safety and loss prevention as integral parts of management and employee procedures. Most accidents can be prevented! It is therefore the aim of this document to provide for a work environment free of potential hazards or work procedures that may result in injuries or property damage to City employees or the public they serve. Although profit is not the motive of most municipal operations, the same efficiency used to produce profit is desired to ensure full utilization of each tax dollar available and to provide the maximum of public service.

It is an established fact that a well-trained, well-disciplined and well-supervised individual in a safe and healthful environment is less likely to have or cause an accident. The objectives of this program are focused upon achieving these characteristics. A low experience of losses in any organization is indicative of top quality supervision at all levels; and we would like to change the misconception that accidents are inevitable where hazardous operations are accomplished.

## INTRODUCTION

In the conduct of the affairs of the Lehi City Corporation, the safety and well-being of Lehi City employees and citizens are the paramount considerations. The policies and procedures contained herein are therefore adopted to create and maintain a safe working environment and assure the utilization of practices which will provide safety and protect human life.

The policies and procedures contained in this manual are intended to be minimums. It is recognized that some departments, by the nature of their functions, will require more detailed, more restrictive, and somewhat different provisions than those specified here. It is intended, therefore, that these provisions will be supplemented by department safety policies which will not, in any case, be less restrictive than those contained herein.

## SCOPE

This manual contains both broad and specific rules, regulations and procedures. The manual is broad in that no attempt is made to prescribe the safety rules, regulations and procedures that cover hazards in specific jobs and operations. Those rules are to be established by the departments and divisions. An exact and clear-cut rule in this manual cannot be changed by a department or division rule. Hopefully, these exact rules are obvious upon reading. Any questions concerning anything in the manual are to be directed to the Risk Manager.

## DEFINITIONS

<b>APRB</b>	The Accident Prevention Review Board
<b>EMPLOYEE</b>	Anyone who works for and is paid by the City of Lehi. This may, in some instances, include contractors, sub-contractors, and their employees, and volunteers when accomplishing specifically assigned duties for the City.
<b>EMERGENCY</b>	An unforeseen combination of circumstances, or the resulting state that calls for immediate action; and in which danger of death or serious physical harm to a person or persons is imminent.
<b>ENVIRONMENTAL HEALTH HAZARD</b>	A bacteria, chemical particulate, gas, or vapor that may cause sickness, impaired health, or disease, noise, radiation, temperature extremes, and ergonomic stresses present in the workplace.
<b>HAZARD</b>	A source of danger to the safety and health of any person.
<b>HIS</b>	A generic term that, in this document, shall be gender neutral and shall include either sex as may be applicable to any specific instance.
<b>IMMINENT DANGER</b>	Any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through appropriate enforcement procedures.
<b>KNOW/KNOWINGLY</b>	To recognize, be acquainted with, or aware of. When the matter of concern would instantly be recognizable by any person of sound mind.
<b>OPERATION</b>	Performance of any work.
<b>OPERATING PRACTICES</b>	The actions and performance required to do any work or process.
<b>PERSONAL PROTECTIVE EQUIPMENT</b>	Any clothing or device designed for protection against injury or disease.
<b>PROCESS</b>	A continuous operation.
<b>SAFE/SAFETY</b>	The protection of persons or property from danger to life, property or injury as the nature of the employment, process, operation and task will reasonable permit.
<b>SHALL/WILL</b>	An order requiring mandatory compliance.
<b>SHOULD/MAY</b>	A recommended action that accomplishes a purpose. Other means than the action recommended could accomplish the same purpose.
<b>STANDARD</b>	The Occupational Safety and Health Standards for General Industry (29 CFR Part 1910) and for the Construction Industry (29 CFR Part 1926), all standards incorporated by reference (such as Electrical, Fire, and Mechanical Codes, and standard setting organizations), declared in force by the Utah Division of Occupational Safety and Health now and in the future.

<b>SUPERVISOR</b>	An employee that has charge of and responsibility for a unit, operation, process or place of employment.
<b>SUSTAINED</b>	Continuously for more than thirty (30) seconds in a single, one (1) hour period.
<b>TLC - THRESHOLD LIMIT VALUE</b>	A value adopted to designate a safe degree of exposure to a vapor, gas, particulate, or fire and explosion hazard.
<b>VEHICLE EQUIPMENT</b>	Anything that will move under the control of a driver or an operator whether on or off a road.
<b>WILLFUL VIOLATION</b>	An intentional disregard, indifference, or neglect to meet a Safety and Health requirement to provide protection which may be required or to make a reasonable effort to eliminate a hazardous condition. Willful implies deliberate, voluntary, or intentional as distinguished from inadvertent, accidental, or ordinary negligence.

## **SECTION I: SAFETY COMMITTEES**

### **1. BASIC FUNCTIONS**

Basic Functions of all safety committees are as follows:

- (a) To create and maintain an active interest in safety.
- (b) To reduce accidents (committees do not dictate policy nor relieve those in the line of authority of their direct responsibility).
- (c) To involve workers in furthering the cause of accident prevention.

### **2. ORGANIZATION**

The most effective accident prevention measures are those which have been formulated at each level of the organization, thoroughly discussed, understood and coordinated by all concerned, and unreservedly supported by top management. The organization of safety committees within the City facilitates the maximum exchange of ideas between supervisory personnel at all levels and greatly enhances the immediate definition of policies covering hazards, problem areas, and loss control promotion. Safety committees will be a function of management at all levels.

### **3. SAFETY COMMITTEE**

A city-wide Safety Committee is established to provide a mechanism for the coordination of departmental safety programs, to expedite communications and an exchange of ideas, and to review safety inspection reports and convey them to department heads, the Mayor and the CAO. The Safety Committee shall be composed of representatives of all line departments, appointed by the department directors.

- (a) Member Functions and Duties: Members of the City-wide Safety Committee shall have responsibility for providing departmental liaison with the City Safety Committee; and creating a safe working environment in the department they serve. This responsibility shall include the following functions and duties:
  - (1) To regularly attend City-wide Safety Committee meetings to report activities and receive information; or to send substitute representatives as needed.
  - (2) To provide a communication channel to carry safety and loss prevention information in both directions between the department and the Safety Committee.
  - (3) To receive safety hazard, loss exposure and unsafe work practice complaints from department employees; and to report them to the Supervisor, the Department Director, or the Safety Committee as conditions may warrant.
  - (4) To identify safety hazards and loss exposures within the department they represent; and recommend corrective measures and resource needs to the Department Director and the Safety Committee.
  - (5) To serve as the department safety committee chairperson, or assist the chairperson, to organize and conduct frequent departmental safety meeting on topics related to identified needs within the department or City.
  - (6) To develop and implement, with the Department Director, long range safety and loss control programs and strategies for the department they serve.



- (7) To make recommendations, with the department director, for nominations for safety awards; and to organize the awards program within their respective departments.
  - (8) To conduct annual and periodic facility and work practices safety inspections within their respective departments; -- and to report the results of those inspections to the Department Director and the Safety Committee.
  - (9) To observe safety hazards, loss exposures, or unsafe work practices throughout the city organization and to report them to the Site Supervisor, the Department Director, and the Safety Committee.
- (b) Risk Manager Functions: The Risk Manager shall be the facilitator and chairperson of the Lehi City Safety Committee and shall have the responsibility for calling meetings as required and providing resources for the Committee to the extent they are available. Committee meetings will be scheduled at least monthly. Regular attendance of each member is required.
  - (c) Success Criteria: The success of the Lehi City Safety Committee in reducing accidents and resulting economic losses depends on:
    - (1) The support provided by the Administration and department directors to the activities and programs of the Committee.
    - (2) The belief of each member in his/her effectiveness and the usefulness to the overall safety program.
    - (3) The willingness of each committee member to accept the duties and responsibilities of committee membership.

#### **4. DEPARTMENT SAFETY COMMITTEE**

A safety Committee may be appointed by the Department Director in each department. Said director shall also appoint an individual in the department to chair the committee, and the same or another person to serve as a representative on the City-wide Safety Committee or Safety Sub-committee. Each department shall have a representative on the City-wide Safety Committee.

Minutes must be kept of all department safety committee meetings. Department safety committees shall assist in the administration of the department safety programs under the direction of Department Directors. To benefit from the professional knowledge and job skills available in the work force, responsible employees in the various trade and labor level classifications should participate in committee activities. The committee provides an opportunity for the department director to utilize the variety of skills and knowledge available in his/her work force, and to distribute among several persons the duties of administering the department safety program. This committee is responsible for assuring compliance with safety regulations applicable to its jurisdiction. It may be assigned such duties and responsibilities as:

- (1) Reviewing/analyzing accident investigation reports for:
  - (a) Accuracy and completeness (recommending follow-up investigations if incomplete)
  - (b) Adequacy of corrective action (not disciplinary action)
  - (c) Identification of accident problems or trends and determination of what order they should be given attention
- (2) Reviewing safety inspection reports, job safety analysis, supervisors' safety observation reports, and employee suggestions for:

- (a) Possible changes in work practices or procedures
  - (b) Need for safety procedures
  - (c) Need for protective devices or equipment
  - (d) Need for training
- (3) Planning and administering safety promotional activities.
  - (4) Developing practical safety inspection procedures and assisting in making inspections when directed by the department director or requested by the Safety Committee.
  - (5) Keeping the department director informed on the progress of his safety program and comparative safety records of work crews or other segments of the department.
  - (6) Assisting in developing the records and statistical data necessary to provide an accurate picture of department safety problems.
  - (7) Submit bi-annual reports of department safety conditions and status of inspection deficiencies to the City Safety Committee.

## **ACCIDENT PREVENTION REVIEW BOARD**

- (a) The Accident Prevention Review Board (APRB) is an advisory sub-committee to the City-wide Safety Committee, established to review work-related accidents and to analyze and give recommendations for corrective or other courses of action for prevention of accidents. The APRB will consist of Five (5) members appointed by the Risk Manager and confirmed by the Mayor. The Risk Manager will serve as facilitator and Board Chairperson. Four members must be present during any review.
- (b) The three functions of the Accident Prevention Review Board are to:
  - (1) Review compliance reports, injury reports and statistical data reports to determine the effectiveness of overall accident prevention efforts.
  - (2) Investigate accidents, when appropriate, to evaluate preventability and mitigate accident causes.
  - (3) Recommend policy additions or changes which will promote safety and potentially reduce accidents.
- (c) The Accident Prevention Review Board may be convened by the Mayor, the CAO, the Personnel Officer/City Administrator or the Risk Manager for review of any work-related accident or incident which is deemed by its severity, nature, or suspicious cause to warrant review by the Board; or which is deemed to require a determination of preventability. The Board shall be convened by the Risk Manager or any of the above listed officials in the event of a work-related accident or incident in which any of the following circumstances exist:
  - (1) The accident involves the death of any person(s).
  - (2) The accident involves injury to any person (s) that requires hospitalization or surgical treatment at any emergency medical facility.
  - (3) The cause, or contributory cause, of the accident is suspected to be related to the use of alcohol or controlled substances.
  - (4) The accident is the second or more to involve the same employee in a one-year period: or appears to represent a repetition of accidents/incidents with a similar cause by the same employee or group of employees over any period of time.
  - (5) The accident is the subject of any liability or civil rights litigation.
- (d) The Accident Prevention Review Board shall, within ten (10) working days of a determination by said Board, submit their findings to the Mayor, the Chief Administrative Officer, the Safety Committee and to the Department/Office Director having jurisdiction.

## **6. INSPECTION COMMITTEE**

- (c) This committee is a sub-committee of the City-wide Safety Committee and is comprised of the following professionals:
  - (1) Mayor
  - (2) Chief Administrative Officer
  - (3) Risk Manager
  - (4) Fire Chief
  - (5) Chief Building Official

- (d) The duties of this committee are to:
- (1) Inspect job worksites and City facilities for compliance with accepted safety practices and conditions, using as a guide OSHA regulations, Utah Occupational Safety and Health Standards, Lehi City Safety Policies, and other provisions and standards as may be deemed appropriate.
  - (2) Coordinate and provide training for a self-inspection program to be conducted by department representatives to the City-wide Safety Committee and by other department personnel as assigned by the Director.
  - (3) Submit inspection reports to the City Safety Committee.

## **5. RISK MANAGER**

- (1) Gathers data relating to accident and injury experience and related costs.
- (2) Assists Accident Prevention Review Board in accident review efforts and in development of prevention and mitigation measures.
- (3) Coordinates and chairs the Lehi City Safety Committee in the implementation and continuity of safety programs in the City, in formulating recommendations on safety, loss prevention and loss control policies, and in providing resources for department safety committees. Also coordinates the activities and reporting procedures of the Inspection Committee.
- (4) Facilitates the submission of Safety Committee meeting minutes, safety related data and accident information to the Accident Prevention Review Board, the CAO and the Mayor.

## **6. EMPLOYEES**

- (a) Employees are required, as a condition of employment, to exercise due care in the course of their work to prevent injuries to themselves, their fellow workers, and to avoid property damage. Each employee will:
- (1) Immediately report all unsafe conditions to his supervisor.
  - (2) Keep work areas clean and orderly at all times.
  - (3) Report all accidents immediately to his supervisor.
  - (4) Avoid engaging in any horseplay and avoid distracting others.
  - (5) Learn and use proper methods to lift and handle materials.
  - (6) Actively support and participate in safety promotional and educational measures utilized in department safety programs.
  - (7) Become familiar with and observe approved safe work procedures for their work activities.
  - (8) Obey all safety rules and follow published work instructions. If any doubt exists about the safety of doing a job, he shall STOP and get instructions from his supervisor before continuing work.

- (9) Operate only machine equipment that he has been trained and authorized to operate by his supervisor.
- (10) Use only the prescribed equipment for the job and handle it properly.
- (11) Wear required protective equipment when working in hazardous operation area. Dress safely and sensibly.
- (12) Dress for the job. Avoid wearing clothing that is not suitable for the work performed; i.e., loose clothing in a shop, tennis on a construction site.

## SECTION II: SAFETY RULES AND REGULATIONS

### 1. SAFETY RULES-GENERAL

Each city department will establish specific safety rules and procedures applicable to work areas, equipment, operations, and processes in the Department. Where a specific rule already exists, such as in this manual, it may be incorporated in the Department rules by reference. Copies of such departmental rules and procedures will be sent to the Risk Manager no later than ten (10) working days after implementation and updated as revisions are incorporated by the Department.

Supervisors will provide employees access to a written copy of safety rules and working practices and procedures to follow in performing their duties (with an explanation when necessary), familiarize employees with the hazards of the jobs to which they are assigned, and instruct them in the safe methods of performing the jobs.

Except in the case of emergencies, all amendments, deletions or changes in such rules will be posted prior to implementation.

Supervisors will enforce safety rules among employees under their supervision.

Safety will be considered a condition of employment, and all city employees will endeavor to conduct their work in a safe manner, and obey all safety rules.

Employees will use the safety equipment, personal protective equipment and machine guards required for safe performance of the job.

### 2. OPERATING SAFETY POLICIES

If injury occurs while on the job:

- a. **Minor Injury:** Employee is to notify the supervisor of the injury immediately, or as soon as possible under emergency conditions, and complete an accident report. Superficial injuries, such as minor cuts, bruises, small punctures, scratches, etc., will be treated in the field or office if practical.
- b. **Serious Non-emergency Injuries:** If emergency treatment is not required, but the injury is serious enough to require medical treatment, the supervisor must ensure that the employee is transported to a medical facility. If necessary, the supervisor or another city employee will accompany the injured person. It is the employee's and/or supervisor's responsibility to first make report of injury and then inform the physician at the time of treatment, that it was an on-the-job injury so that the physician can bill the Worker's Compensation carrier instead of the individual employee.
- c. **Emergency Medical Treatment:** Serious injuries requiring emergency medical treatment, such as profuse bleeding, broken bones, unconsciousness, shock, etc., will warrant emergency treatment. The injured person will be transported to the nearest hospital.
  - (1) Call the 911 emergency number for an ambulance or other appropriate emergency equipment.
  - (2) Administer first aid as necessary until help arrives.
  - (3) Fatalities and injuries within this emergency category will be reported by telephone to the Risk Manager or the City Attorney immediately after the emergency is under control, or at the beginning of normal duty the next morning.

(4) Complete and accident report!

- d. **Report Under any Circumstance:** Any accident or injury, no matter how minor, must be reported to the supervisor. Failure to report at time of occurrence may result in delay or loss of worker's compensation benefits in the event medical treatment is needed later. The Risk Manager and/or City Administrative Officer must be notified immediately when an accident occurs that results in death or severe injury, if there are unusual circumstances involved, or if the cause of the accident or injury is difficult to determine.
- e. **Supervisor Responsibility:** The supervisor will investigate the cause of injury immediately after notification, preferably at the scene, by observation and by talking to witnesses. All information needed to complete the Lehi City Accident Report form, concerning the accident and possible causes, should be obtained at this time. The supervisor and the employee are to complete the accident report form and send it to their Department Director for signature.
- f. **Accident Report Form:** The accident report form must be forwarded to the Risk Manager within twenty-four (24) hours following any accident. This report provides the information necessary to file the employer's report of industrial injury to the State Industrial Commission.
- g. **False Industrial Claims:** An individual injured while off-duty who falsely claims an on-the-job industrial accident is committing a misdemeanor, and shall be subject to the full penalties provided by the law up to and including dismissal from employment.
- h. **Establishing an Industrial Claim:** It is not necessary to have a physician treat an injury in order to validate an industrial claim. A minor injury such as a small cut, scratch, or bruise should be treated in the field from a first aid kit. As long as the injury is reported to the supervisor and recorded, the employee will be fully covered.

### 3. **CONFINED SPACE ENTRY**

**General Policy:** Lehi City has a written confined space entry policy. It is in accordance with Volume 29 Code of Federal Regulations 1910.146.

**Requirements:** When required, the written confined space policy should be closely followed. The policy includes the following:

- a. Annual training on confined space issues.
- b. A review of potential confined spaces.
- c. A permitting system for entering permit-required confined spaces.
- d. A rescue plan for managing confined space incidents.
- e. Protocols for managing contractors doing work in Lehi City's confined spaces.
- f. A list of the appropriated personal protective equipment and hardware (holsts, winches, gas monitors, respirators, and ventilation gear) required for safe entry and exit.

### 4. **UOSHA SAFETY REGULATIONS**

- a. Employees who are injured in connection with employment, regardless of the severity of the injury, must immediately notify their supervisor, who will ensure prompt and qualified medical attention is provided and all required UOSHA reports are completed. Employees

who do not and/or will not accept qualified medical attention when directed by the Personnel Officer/City Administrator, or designee, shall be subject to disciplinary action, up to and including termination.

- b. The Risk Manager, or designee, will investigate the job related injury to determine the cause of the injury.
- c. Lehi City shall contact UOSHA within twelve (12) hours of the occurrence of any job related death, disabling, serious, or significant injury, and/or any occupational disease.
- d. Lehi City shall file the required report with UOSHA within seven (7) days after first knowledge or notification of an injury or occupational disease resulting in medical treatment, loss of consciousness, loss of work, restriction of work, or transfer to another job. Minor injuries such as scratches and cuts do not need to be reported to UOSHA if they require only minor first-aid treatment. UOSHA form 200.
- e. Lehi City shall keep a copy of the UOSHA report in their UOSHA File and in the employee's file.
- f. Lehi City shall give the employee a copy of the UOSHA report and explain the employee's rights and responsibilities concerning the work related injury or occupational disease.



## SECTION III: SECURITY AND EVACUATION PROCEDURES

### 1. Security Procedures:

The following security procedures are established to provide protection of Lehi City Employees from violent actions or the threat of violence:

- a. There is hereby created a Lehi City Crisis Management Team to include the following as ex-officio members:

Mayor  
Chief Administrative Officer  
Risk Manager  
Fire Chief  
Chief Building Official

Duties of the Crisis Management Team related to:

- (1) Respond to employee concerns related to building or worksite security
- (2) Recommend disciplinary or other actions toward employees who threaten the safety of other employees or the public.
- (3) Conduct a Risk Assessment of all City facilities and work sites to identify conditions that may contribute to violent acts; security measures needed for prevention or correction of violence hazards; and controls or training programs that may be needed.
- (4) Prepare and maintain a Lehi City Crisis Plan for prevention and handling of violent behavior.
- (5) Conduct an administrative investigation of any incident of violence or threat of violence at the request of the Personnel Director or the Chief Administrative Officer.
- (6) Prepare a training curriculum for employees and supervisors which includes, but is not limited to: early warning signs of violent behavior; conflict resolution; legal implications of violence; security measures; crisis procedures; reporting procedures and counseling and treatment resources.
- (7) Assist departments in organization and presentation of crisis training.
- (8) Assist departments in facilitating the reopening of offices or work sites closed by a crisis event.

### 2. Evacuation Procedures:

Each City Department will, under the supervision of the Director, prepare one or more Emergency Evacuation Plans to include the following procedures:

- a. Determine the number of plans need and the geographical area or employee group to be served by each plan. The plan should cover a logically related floor area or group of employees that can conveniently use the same exits and assembly areas.
- b. Determine a primary evacuation route for all area personnel.

- c. Determine a secondary evacuation route to be used if the primary route is inaccessible.
- d. Assign a primary assembly area that is far enough away from the structure being evacuated to assure no conflict with operations of emergency services. If possible it should be in an adjacent block.
- e. Assign an alternate assembly area further away from the evacuated structure than the primary area, to be used in the event the primary area is unsafe or inaccessible.
- f. Assign a Warden for each Plan Location. The Warden should be familiar with the layout and all of the personnel at that location, and is responsible for the following:
  - (1) To be sure, so far as personal safety permits, that in an emergency all personnel assigned to the area have been evacuated and the area is entirely vacated.
  - (2) To account for all area personnel at the assembly area.
  - (3) To report any missing personnel to the Incident Commander.
- g. Conduct an annual instruction session for all area personnel to review the evacuation routes, the assembly locations, and the duties of the Warden.
- h. Conduct an annual emergency evacuation drill for the personnel in each area to physically follow the evacuation routes; and to convene area personnel at the assembly locations.
- i. The Department Director, the Area Warden(s) and the Safety Committee Representative will meet together annually to review the plan(s), update it as necessary, and to submit a copy with the current review date, instruction date, and drill date to the Lehi City Fire Marshall and the Safety Committee.

## **SECTION IV: MEDICAL STANDARDS**

### **1. Physical and Medical Requirements**

If an employee is unable to meet the performance requirements of the job, or appears to be a safety or health hazard to themselves, other employees, or the public because of physical or health reasons, the supervisor will notify the Personnel Department and may remove the employee from the job until the condition is corrected or certified acceptable by the City physician.

The employee has the responsibility to obtain, release, or otherwise make known to the City the medical information necessary for making decisions affecting the position status.

If an employee becomes unable to perform the required duties in a position because of physical or health conditions and the condition was reasonably shown to be caused by the job or to be a job-incurred injury and the condition is:

- a. Temporary: The Personnel Department shall be notified by the Department Director and the employee will be assigned temporary duties compatible with employee's physical condition.
- b. Permanent: The Personnel Department shall be notified and State rehabilitation services may be offered to aid the employee in changing occupations.

### **2. Disability Compensation**

Maintenance of income benefits for employees unable to work because of a service-incurred accident or illness will be provided in accordance with current ordinances and/or Personnel Rules and Regulations.

To receive these benefits, the injured employee must initially furnish to the supervisor and the Director of Personnel, a doctor's report stating that the employee is unable to work or specifying the work the employee is unable to do. The employee must continue to keep the supervisor informed of the condition and be available for light-duty work upon release by a qualified physician who may be either City-appointed or employee's attending physician. The supervisor is responsible to call the employee every two weeks and get a report on the condition.

Department Directors will assess their operations and, if possible, find light-duty work for employees released for light duty. Questions regarding this policy should be made to the Director of Personnel.

## SECTION V: FIRST AID KIT REQUIREMENTS

First Aid Kits are required in work locations where emergency medical treatment is not immediately available and they should be easily accessible. It will be the responsibility of the Department Director to ensure that First Aid Kits are in compliance with minimum requirements and meet work location requirements. The Fire Department will, from time to time, inspect work locations and kits for compliance. Following are the minimum requirements for First Aid Kits:

1. **Small Kits** - For cars and trucks serving up to five people:

Band-Aids (Adhesive bandages)	2 Units
4"x4" or 3"x3" Compresses	6 Units
Gauze Roller Bandages (Kerlix) -4.5"	2 Units
Eye Patch	2 Units
40" Triangular Bandage	1 Unit
1" Adhesive Tape	1 Unit
Tweezers	1 Unit
Aspirin	1 Unit
Latex Gloves	2 Pair

2. **Large Kits** - For cars and Trucks for five people or more in addition to items required above.

Gauze Roller Bandages (Kerlix) - 4.5	2 Units
7.5"x8" ABD Pads	2 Units
Alcohol or Betadine Preps	24-36 Packets
4"x4" or 3"x3" Compresses	6 Units
Sterile Cleansing Water	1 Liter
Ace Bandage	2 Units
Ammonia Inhalants	2 Units

3. **Larger Kits** - For areas like Garage, Maintenance, or Sanitation in addition to items required above.

40" Triangular Bandage	2 Units
7.5"x8" ABD	2 or 3 Units
Gauze Roller Bandages (Kerlix) - 4.5"	2 Units
4"x4" or 3"x3" Compresses	6 Units
Latex Gloves	2 Pair

To prevent pilferage and contamination of supplies, kits should not be placed in areas accessible to the public. Replacement items will be procured through normal requisition procedures after periodic inventory as established by the Department.

## **SECTION VI: VEHICLE OPERATION; RULES AND PROCEDURES**

### **1. Utah Driver's License**

Every City employee required to drive a City vehicle will have a valid Utah Driver's License and as part of his/her job may attend a Defensive Driving Course or complete the instruction and examination of a self-instructed defensive driving course within six (6) months after hire, and a refresher course when determined necessary by the City.

City employees who drive vehicles which require a Commercial Drivers License (CDL) will comply with the Utah State Department of Motor Vehicles requirements for qualification, testing, medical examinations and renewal procedures.

Employees who drive a City vehicle and/or equipment will have in their possession, while driving, a valid Utah driver's license of a class or type required for the type of vehicle/equipment. Failure to do so may result in disciplinary action. Employees will notify their supervisors immediately if their license is suspended, revoked, or expired.

The driving record of employees hired into jobs that require continual daily operation of City vehicles will be obtained by the Personnel Department from the Utah Department of Motor Vehicles or the Department of Motor Vehicles in the State from which the applicant is moving. An invalid license, or a poor driving record as determined by the Director of Personnel and the Department Director, may result in disqualification for the position.

Records of employees in positions requiring driving may be checked by the Personnel Department every 12 months. Driving with a suspended license may result in possible suspension, or termination under Personnel Rules and Regulations.

### **2. Operator Responsibilities**

It shall be the responsibility of the supervisor to ensure that anyone using a city vehicle has a valid Utah Driver's License. Supervisors who knowingly permit the operation of city vehicles by employees or others who do not have a valid Utah Drivers License shall be subject to disciplinary action up to and including termination.

The driver is responsible, prior to use, for checking the safety and general conditions of the vehicle such as the gas, oil, etc.; and the availability of accident report forms and reporting procedures in all street-licensed vehicles which they operate. The supervisor will ensure that each vehicle or piece of equipment is appropriately equipped with first aid kits, fire extinguishers, emergency flares, safety or warning lights, horns, bells, or other appropriate safety devices; that street-licensed vehicles are provided with accident report forms and reporting procedures; and that all vehicles are in proper working order. If there is something wrong with the vehicle that affects safety, the City Mechanic must be notified immediately and repairs made before use.

The operator of the vehicle is responsible for passenger safety, cargo and equipment loading and tie down, and the attachment of towed equipment.

An employee being trained in the operation of a vehicle or piece of equipment will have a qualified operator with him at all times. The operator retains the driver responsibilities listed above.

#### **Lehi City Cell Phone Policy:**

- Cellular/mobile phones should not be used while operating a vehicle
- Allow voice mail to handle your calls and return them at your safe convenience
- If you need to place or receive a call pull off the road to a safe location
- Ask a passenger to make or take the call
- Inform regular callers of your driving schedule, and when you will be available to talk
- Keep your hands on the wheel and your eyes and mind on the road while driving

**3. Assignment of Temporary Operators**

Employees will not be assigned to operate any vehicle or piece of equipment not covered in their position duties unless written authorization is received from the Department Director prior to operation.

**4. Traffic Laws**

When operating a City vehicle, employees will conform to the applicable traffic laws. An employee will at all times operate a City vehicle in such a manner as to avoid injury to persons or damage to property. While operating City vehicles, employees will be responsible to pay their own fines and forfeitures when judged guilty of traffic violations. Operating a vehicle while under the influence of drugs or alcohol (DUI) or in a reckless manner will result in disciplinary action up to and including dismissal.

**5. Parking City Vehicles**

All employees shall park a City vehicle in a legal and proper manner. Employees will remove the keys and lock the vehicle, except in areas where the vehicle is otherwise secured, and as otherwise instructed by the Department Director. Employees will not park on the wrong side of a street or highway, unless it is mandatory to park in such a location to perform a job. All signs, cones, lights, and warning devices as required by law will be used when vehicles are parked or in a public travel lane. Employees will use all safety brakes, lock-out devices, lowered buckets and blades, and other parking safety methods when parking equipment.

**6. Transporting Employees in City Vehicles**

No more than three City employees will ride in the front seat or cab of a City vehicle. Each position in a vehicle will be equipped, as soon as possible after purchase, with a seat belt and each driver and passenger must use the seat belt provided.

**7. Vehicle Abuse**

No employee will use a vehicle or any motorized equipment for any purpose for which it was not designed; operate the equipment beyond its designated limits in any way, or operate it in areas or locations for which it was not designated; or cause damage through neglect, misuse, improper driving techniques, or improper handling in any way. Public Safety personnel operating emergency vehicles are subject to departmental guidelines in emergency circumstances.

**8. Unauthorized Use of Vehicles**

City vehicles are for City Business only, and persons found using them for their personal use will be subject to disciplinary action or dismissal. Exceptions to this personal use policy may be authorized by the CAO in writing where work conditions warrant. In such cases, the conditions and parameters associated with said use shall be specified in the authorization and contained in the policies of the department where the authorization is given.

**9. Operation and Occupancy of Vehicle by Unauthorized Persons**

No employee of the City will allow, at any time, an unauthorized person to operate a City vehicle or have in his/her possession the keys of such vehicle.

**10. Use of City Vehicle to Move Another**

Except in extraordinary situations, no employee will use a City vehicle to push or pull another vehicle, unless the City vehicle is specifically equipped for this purpose.

**11. City Vehicle Accident and Reporting Procedures**

In the event that a City employee is involved in an accident in a city owned vehicle, or in a private vehicle while conducting city business, the following reporting procedures will be observed:

(Note: All such accidents shall be reported to the Risk Manager.)

- a. In the event of a vehicle accident which involves personal injury, the first responsibility of the driver is to "render to any person injured in the collision reasonable assistance" in conformance with the provisions of Section 41-6-31 of the Motor Vehicle Code.
- b. Immediately and by the quickest means of communication available, give notice to the nearest office of an authorized law enforcement agency and request an investigation and accident report.
- c. Give Name, Address, and Registration Number of the vehicle to anyone involved; and exhibit operators license to any law enforcement officer or anyone involved, if requested.
- d. If physically possible, immediately summon the Risk Manager to the accident scene unless damage is less than \$400 and there are no apparent injuries or fatalities.
- e. Within 24 hours complete a standard city vehicle accident report and submit it to the Risk Manager. Report forms may be obtained from the Risk Manager, the Personnel Office, or the Department Secretary. The Risk Manager will submit the report for consideration of workers compensation benefits.
- f. Within 48 hours submit a copy of the law enforcement agency accident report to the Risk Manager in the Personnel Office.

**12. Procedure for Submitting Vehicle Accident Preventability Report**

Following any accident involving a City vehicle or a private vehicle used in the conduct of City business, a report of preventability may be required to be submitted to the Risk Manager in compliance with the following procedure:

- a. Within a reasonable time after any vehicle accident involving a City vehicle or a vehicle used to conduct City business, the Risk Manager may convene the Accident Prevention Review Board to review the circumstances and determine whether or not the accident was preventable and if there was negligence involved on the part of the operator.
  - (1) The National Safety Council definition of preventability will be used by the Board: "A preventable accident is one in which you failed to do everything you reasonably could have done to prevent it."
  - (2) The employee's previous City vehicle/equipment driving record, all available accident reports, and any other information deemed to be pertinent to the findings will be reviewed by the Board.
- b. The Accident Prevention Review Board shall, within ten (10) days, submit their findings on accident preventability to the Mayor, the Chief Administrative Officer, the Safety

Committee and to the Department/Office Head having jurisdiction.

**13. Vehicle and Equipment Accident Investigation**

All accidents involving motorized equipment will be investigated and reviewed by the department(s) involved. A report of the findings and actions recommended or taken will be forwarded to the Risk Manager for review by Accident Prevention Review Board.

When an accident results in extensive damage, death or serious injury, serious violation of the rules or law by an employee, or the circumstances are unusual, the Department Director will be notified immediately so he can go to the scene, if possible. The department involved will then notify the Risk Manager and/or the Chief Administrative Officer.

When vehicle and equipment operation is a requirement and Performance aspect of an employee's job, it shall be evaluated as such. In some position classifications, it is the most vital function of the job and the ability to perform the function safely and competently is mandatory.

When an accident is caused by violation of a traffic law, incompetency, inefficiency, neglect or some other reason recognized as a good reason for disciplinary action, the employee will be administered disciplinary action according to the gravity of the offense as determined by the Department Director. The disciplinary action will be exercised by the Department Director in accordance with established disciplinary procedures. Disciplinary action, when taken or recommended, will be included in the report of findings required above. Disciplinary actions taken by departments will only be reviewed by the APRB for effectiveness in the prevention of future accidents.

**14. Accident Prevention Review Board (APRB)**

The APRB will use all motor vehicle accident reports available for their review, such as State of Utah Traffic Accident Reports, Lehi City Accident Reports, Garage Accident and Repair Reports, and Department Reports. Accidents will be reviewed in order to:

- a. Assist Individual drivers in assessing their driving habits and counseling them on how to correct them.
- b. Educate drivers in the concept of preventability and Defensive Driving, the costs of accidents, traffic laws, and current driving hazards.
- c. Assess problems in vehicle maintenance.
- d. Identify accident repeaters and a means to correct their deficiencies.
- e. Determine if the accident was preventable by the City Employee.
- f. Determine a means for preventing future accidents.
- g. Assess the effectiveness of management practices in accident prevention.
- h. Assist Department Directors in consistent and fair administration of disciplinary or preventative measures.

The APRB will meet whenever necessary. Drivers involved in accidents, their supervisors, and witnesses as needed to insure proper and complete review, will be made available by their Department to appear before the APRB when requested by the APRB.

Board reports on individual accidents will be sent to the individual employee, the Department Director, and the Mayor/Chief Administrative Officer. The reports will also be placed in the employee's official work history file.

Any other recommendations or deficiencies noted in the review by the APRB will be forwarded to the appropriate department. The department will notify the APRB in writing with a copy to the Mayor and Chief Administrative Officer when the deficiencies were corrected and the action taken on the



recommendations within thirty (30) days of receipt of the report. This information will provide the Board with Information on successful precedents and practices and their effect on accident prevention.

The existence of the APRB does not prohibit and should not inhibit the appointment of internal review boards or other mechanisms within departments to assist the Department Directors in their accident prevention functions.

## **SECTION VII: PROTECTIVE EQUIPMENT**

### **1. General Rules**

Protective equipment is defined as any device designed to prevent injury or death including machine guards, safety shoes, seat belts in cars, etc. All protective equipment, whether furnished by the employer or employee, will meet the standards set by law or the recognized standard and specifications group for the equipment. Employees will use the protective equipment required in their jobs as determined by the Department Director. Supervisors will ensure that employees use the protective equipment required for the job.

### **2. Safety Footwear**

Safety Footwear is intended primarily to provide protection for the toes from impact and compression forces. This is accomplished through the use of a protective toe box capable of meeting the minimum requirements specified in ANSI 24-1-1 Standard, 241-1-1967 (2,500 compression pounds, 75 impact, foot pounds). Specifications for the basic shoes are 6" regular shoe steel box toe; mildew, mold, and rot-resistant; full-cushioned insole and arch pad; steel shank and oil resistant and slip resistant soles and heels. The safety toe shoe will be used for work that requires the repetitive handling of heavy materials, and when impact from heavy falling or moving objects and abrasive, sharp, or piercing objects or tools is a work hazard encountered in the job.

Certain work requires special footwear, such as Electricians, Firefighters or when work is performed in wet locations. All employees operating in such positions will wear protective footwear as required by the Department Director and/or work-related laws or regulations.

### **3. Hearing Protection**

Employees whose jobs require sustained exposure to noise levels above 85 dBA will be given audiometry tests under the supervision of the personnel Department upon hire or when first assigned, and annually thereafter. Hearing protection shall be worn when noise levels exceed 85 dBA. This policy applies to, but is not limited to, employees in the following classifications:

- a. Fire Engineer
- b. Fire Captain
- c. Fire Fighter
- d. Police Officers (All grades in range firearms use)
- e. Street Sweeper Operator
- f. Heavy Equipment Operator
- g. Light Equipment Operator
- h. Truck Driver (regularly operating diesel equipment)

Whenever noise levels above 85 dBA are suspected, the Department in question will be responsible to measure sound levels.

### **4. Eye Protection Program**

Eye protection shall be provided to employees where any possibility of eye-dangerous work exists or when foreign objects may enter the eyes due to work operations and conditions. Supervisors will ensure that such protection is made available to employees. Employees have the responsibility to follow training and direction in proper utilization. Any eye injury that occurs due to a work operation will be prima facie evidence that eye protection was required to be used. The following is an incomplete list of typical work functions that generally require eye protection to be worn:

- a. Drilling or chipping stone, brick or masonry, breaking or cutting concrete or pavement, etc., by hand tools (sledgehammers, etc.) or power tools such as pneumatic drills or hammers.
- b. Working on or around grinding wheels.
- c. Cutting or chipping terra cotta ducts, tile, etc.
- d. Working under motor vehicles requiring hammering.
- e. Cleaning operations using compressed air, steam, or sand blast.
- f. Acetylene welding or similar operations where sparks are thrown off.
- g. Using power-actuated stud drivers.
- h. Tree pruning or cutting underbrush, grinding or loading brush and limbs.
- i. Handling battery cells and solutions, and taking battery readings with a hydrometer.
- j. Removing or rearranging strand or open wire.
- k. Performing lead sleeve wiping and soldering.
- l. Demolition or tearing down of buildings, walls, or structures.
- m. Shooting or observing on a firing range.
- n. Working with hazardous chemicals.
- o. All other work functions that may have the potential for eye injuries.

Eye protectors must meet certain standards. The standards are listed below for your information.

- a. Provide adequate protection against the particular hazards for which they are designed.
- b. Be reasonably comfortable when working under the designated working conditions.
- c. Fit snugly, yet not unduly interfere with the movements of the wearer.
- d. Be durable.
- e. Be capable of being disinfected.
- f. Be easily cleaned.
- g. Be clean and in good repair.
- h. Have protection of side shields.

Persons with vision which requires use of corrective lenses in spectacles and who are required to wear eye protection, will wear goggles, spectacles, or full face shields that do not distort vision, of one of the following types:

- a. Spectacles with protective lenses that provide optical correction.

- b. Goggles that can be worn over protective spectacles without disturbing the adjustment of the spectacles.
- c. Goggles that incorporate corrective lenses mounted behind the protective lenses.

## 5. Health Hazard-Asbestos Exposure

Intermittent exposure to quantities of asbestos fiber or dust can lead to asbestosis and asbestos cancer, which may surface many years after such exposure. Asbestos is also associated with cancer of the lungs, stomach, colon, and rectum. Exposure occurs when servicing brake pads, brake linings and clutches, and from handling some heat insulation materials.

The 8-hour time-weighted average airborne concentrations of asbestos fibers to which any employee may be exposed will not exceed two (2) fibers longer than five (5) micrometers per cubic centimeter of air, as determined the membrane filter at 400-450 X (magnification) (4 millimeter objective) with phase contrast illumination. This is in accordance with State Law.

Engineering controls, such as, but not limited to, isolation, enclosure, exhaust ventilation and dust collection will be used to meet the exposure limits. To reduce the possibility of exposure, the following procedures shall be observed:

- a. Insofar as practical, asbestos must be removed in a wet state; this is to prevent the asbestos dust being blown around.
- b. No brake drums will be banged on the floor and air will not be used to clean brakes or drums. All brake dust will be vacuumed or washed away with water. This will be done prior to maintenance so clothes do not get contaminated.
- c. All hand-operated and power-operated tools which may produce or release asbestos fibers in excess of the exposure limits, such as, but not limited to, saws, abrasive wheels and drills shall be provided with local exhaust ventilation systems. All systems must comply with ANSI governing the design and operation of local exhaust systems.
- d. Vacuum cleaner bags, if used, will be disposed of in sealed plastic bags and identified as containing asbestos.
- e. Brake shoes will be replaced, rather than reground. (Regrinding requires dust controls and the use of respirators.)
- f. In any construction, repair, rehabilitation, demolition, or similar operation, where a product containing asbestos (generally the mineral chrysotile) is present and fibers could be inhaled, approved respiratory protection is to be used and proper maintenance adhered to.
- g. Monitoring of asbestos exposure will be required to determine whether every employee's exposure is below standard limits. Samples are to be collected from within the breathing zone of the employees, on membrane filters of 0.8 micrometer porosity mounted in an open-face filter holder. Sampling should be done in frequent intervals, not exceeding 6 months, to make sure to have accurate sampling.
- h. The City will provide and require the use of special clothing, such as coveralls, or similar attire. Employees will be trained properly in how to wear and remove special clothing.
- i. The City will provide change rooms for employees as well as two specific lockers or containers for each employee. One locker is for street clothes; the other, for work clothes.

- j. Laundering of asbestos contaminated clothing should be the employer's responsibility and should be done as to prevent the effects of airborne asbestos fibers. Contaminated clothing will be transported in sealed airtight bags or other closed airtight containers. Asbestos brought home on work clothes, lunch boxes, and hair has been responsible for diseases in wives and children of workers. Do not clean clothes at home.
- k. Caution signs are to be posted at all approaches to the strip area. The signs must state:  
ASBETOS  
DUST HAZARD  
AVOID BREATHING DUST  
WEAR ASSIGNED PROTECTIVE EQUIPMENT  
DO NOT REMAIN IN AREA UNLESS YOUR WORK REQUIRES IT  
BREATHING ASBESTOS DUST MAY BE HAZARDOUS TO YOUR HEALTH  
Any product containing asbestos is required to have a label. The label should state:  
CONTAINS ASBESTOS FIBERS  
AVOID CREATING DUST  
BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM.
- l. All surfaces at the work site are to be maintained free of accumulation of asbestos fibers.
- m. In the removal of asbestos, all material containing asbestos are to be placed in airtight bags, and the bags sealed. Bags will be properly disposed of by the City.
- n. Every employee and former employee should have access to any record which would indicate the employee's own exposure to asbestos fibers. Environmental monitoring records should also be available.
- o. The City should provide or make available, at City's cost, medical examinations relative to the exposure to asbestos.

**6. Respiratory Protection**

These policies on respiratory protection should be considered as general, minimum standards. They are intended to be supplementary to specific standards, instructions and policies of departments and of individual equipment manufacturers.

Proper selection of respiratory protection equipment for positions and duties which require such protection is the responsibility of the Department Director. In selecting such equipment, respirators or self-contained breathing units requiring a positive face seal should be individually fitted to the employees under test conditions to ensure proper fit and seal. Once a proper fit is obtained, that unit becomes the correct respirator for that individual and no other make or type of respirator will be issued or used by that individual for protection unless the unit is lost, being repaired or otherwise out of service.

Component parts are certified for particular protection. Parts should not be interchanged unless an approval has been issued that all components have been tested together and certified.

Supervisors at all levels are to notify the Fire Department to identify the chemical, physical and toxic substances present which are outside of the normal work environment. Sometimes this can be done from the labels or the sources of the contaminant. When substances are not labeled or trade names do not specify particular chemicals and substance, suppliers should be contacted by the Department to find out what these products contain.

The use of all chemical, physical and toxic substances should be reported to the APRB through the Personnel Department. In cooperation with the Fire Department, an evaluation of the hazard and exposure limits should be made, and protective measures determined.

The primary control of air contaminants will be elimination, whenever possible, through engineering controls. When this is impractical, ineffective, or inapplicable, protective respirators will be the primary means or adjunct or supplement to other primary control measures.

Training in the proper use of respiratory protection equipment will be conducted by the Department with assistance from the Fire Department as necessary so that both supervisors and employees using such equipment will be instructed in the proper selection, use, and maintenance of any respirator or self-contained breathing apparatus used in conjunction with their position responsibilities. Training should include the following:

- a. Instruction in the hazards and appraisal of what may happen if the respirator, or self-contained breathing apparatus is not used.
- b. Explanation of why this is the proper type of respirator or self-contained breathing apparatus for the particular purpose.
- c. Explanation of the respirator's or self-contained breathing apparatus' capabilities and limitation.
- d. Instruction and training in actual size.
- e. Classroom and field training to recognize and cope with emergency situations and procedures in use of respirators and self-contained breathing apparatus for emergency use.
- f. Inspection, cleaning, storage and other special training as needed for special use.

Training and fitting will be accomplished concurrently whenever possible, and include use in a test atmosphere. Training and fitting should be recorded and records maintained by the department and copies sent to the Personnel Department. Employees will certify training and fitting by signing their names and dates to such records.

All training, including emergency procedures and fittings, on self-contained breathing apparatus will be conducted by Fire Service instructors. Employees, other than in Fire Services, will be trained annually in emergency procedures that require use of self-contained breathing apparatus.

The use of Respiratory Protection Equipment will involve the following:

- a. An employee will wear respiratory protection equipment:
  - (1) Any time exposure to airborne concentrations of contaminants exceed permissible limits established by any recognized standard-setting organization.
  - (2) In any atmosphere deficient in oxygen exceeding established threshold limits.
  - (3) Any time the airborne concentrations of contaminants or the oxygen level is unknown and entry is necessary because of an emergency. Whenever any doubt exists in other

circumstances as to whether oxygen deficiencies are exceeding established threshold limits, the Fire Department will be contacted to test oxygen levels prior to entry.

- b. Employees exposed to a nuisance condition such as odor or irritation which reasonably affects performance, may wear respiratory protection if desired.
- c. Only self-contained breathing apparatus should be used for protection against atmosphere deficient in oxygen.
- d. Chemical cartridge respirators should not be used if concentration of organic vapors is above 0.1 percent by volume.
- e. Beards and sideburns which prevent a satisfactory face seal shall not be worn by employees in jobs requiring respiratory protection.
- f. No employee will enter any confined space, such as tanks, manholes, or chlorine rooms, without wearing appropriated safety equipment. Any time an employee enters a confined space, such as tanks, manholes, or chlorine rooms, to perform hazardous operations, an employee with self-contained breathing apparatus will be present on the outside in case of emergency. If the tank or hole is of such depth that the entering employee cannot be reached, or taken out, or cannot be seen, the employee will wear a lifeline.
- g. No employee will enter a tank, manhole, well, pressure vessel, boiler, or similarly confined space where the concentration of gaseous contaminants are immediately dangerous to life without self-contained breathing apparatus, harness and lifelines. An attendant with similar apparatus shall stand by in fresh air in case of emergency. A gas mask shall not be used if the concentration of the contaminant is above one per cent by volume of chlorine, or two per cent of other gases and vapors as stated on the label of the particular canister. When a gas mask is used, the proper canister will be selected for protection against specific contaminants.
- h. No one will be permitted to wear a respirator or self-contained breathing apparatus as a control measure unless instruction has been given in its use. In a case of extreme emergency, call the Fire Department.
- i. The independent use of devices in emergency by unauthorized- or untrained persons should not be permitted.
- j. Supervisors will ensure the proper use of respiratory protection where required. The use of respirators or self-contained breathing apparatus under dangerous conditions shall be under strict supervision. The supervisor may be the attendant.

## **7. Maintenance, Care and Storage of Respirators**

- a. Inspection
  - (1) All routinely used respirators and self-contained breathing apparatus shall be inspected before and after use.
  - (2) Emergency respirators and self-contained breathing apparatus shall be inspected after each use and every 30 days.

- (3) Respirators and self-contained breathing apparatus with any defective component should be removed from service immediately and replaced or repaired.
- (4) For respirators and self-contained breathing apparatus maintained for emergency use, a record shall be kept of inspection dates, signatures of persons performing the inspections and new findings. Each inspection record should be kept with the respirator or self-contained breathing apparatus.

b. Cleaning

- (1) Respirators and self-contained breathing apparatus should be cleaned after each use. Individuals issued personal respirators or self-contained breathing apparatus are responsible for cleaning their respirators.
- (2) Respirators and self-contained breathing apparatus maintained for emergency use and used by more than one individual will be cleaned and disinfected after each use.
- (3) No attempt shall be made to replace components or make adjustments or repairs beyond the manufacturer's recommendations. Reducing or admission valves or regulators will be returned to the manufacturer or to a trained technician for adjustment or repair.

c. Storage

- (1) Respirators and self-contained breathing apparatus shall be stored in essentially dust-proof containers away from sunlight, heat, extreme cold, and excessive moisture. Routinely used devices, such as spray point respirators, may be stored in plastic bags and their original cartons. Devices placed in areas for emergency use will be stored in compartments as necessary to protect them if original containers do not afford adequate protection. Respirators and self-contained breathing apparatus will be stored so that the rubber face piece and exhalation valve rest in normal positions and their function will not be impaired by the rubber sitting in bent or twisted positions.



## SECTION VIII: HAZARDOUS MATERIAL COMMUNICATION STANDARD

### "RIGHT-TO-KNOW STANDARD"

#### 1. Policy

It is the Policy of the City of Lehi to comply with Federal law regarding toxic and hazardous materials communication standards (OSHA sub-part Z).

#### 2. Procedure

- a. The Hazard Communication Standard (29 CAR 1910.1200) is intended to address potential hazards of chemicals, and to communicate information concerning hazards and appropriate measures to employees. This will include providing information to employees about the hazardous chemicals to which they are exposed, by means of the Hazard Communication Program, ie labels, warnings, Material Safety Data Sheets, information, and training.
- b. This applies to any chemical which is known to be present in the work place in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency.
- c. Each department Director is responsible for the implementation of the Hazard Communication Program within his/her respective department, and will be responsible for violations.
- d. The following is a basic plan that each director may use as a guide to comply with the Standard. This compliance plan consists of a step by step approach that addresses the basic requirements of the law.
  - (1) Conduct a physical inventory of all chemical substances used in the department.
  - (2) Determine which chemical substances presently in use are classified as hazardous to employees and compile a list. Properly dispose of unused or obsolete substances.
  - (3) Develop or obtain Material Safety Data Sheets (MSDS) for each substance found. (Available from material manufactures and distributors.) MSDS's must be posted in the work area at a location near the chemicals and convenient to all employees.
  - (4) Establish a file of MSDS's and develop a written communication/training program for the department.
  - (5) Provide, when required, adequate labeling and identification of hazardous substances.
  - (6) Conduct, in conformance with written programs, periodic employee training on precautions to use when exposed to particular chemicals used within the Department. Particularly target new, seasonal and temporary part-time employees with limited experience or training who may be exposed to various chemicals and substances in the work place.

## **SECTION IX: WORK ZONE SAFETY**

### **WORK AREA TRAFFIC CONTROL AND SAFETY**

Many employees of Lehi City are required, as part of their assigned duties, to work within the right-of way areas of streets and highways of the City. The safety of employees and the public is therefore dependent on the safe and efficient movement of traffic and the protection of workers at street and highway construction, maintenance and utility work area (work zones). Minimum standards and principles of safety must therefore be followed when working in such areas, including the correct placement of personnel and standard traffic control devices.

To assure the highest practical level of safety for employees and the public, all traffic control for work zones of Lehi City projects shall be accomplished in compliance with the standards of the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD) published by the Federal Highway Administration. For practical purposes, the "Guide for Work Area Traffic Control" published by the American Traffic Safety Services Association will be the field compliance manual for meeting MUTCD standards in work zones of Lehi City projects. The ATSSA Guide may be obtained from the department safety representative or the Risk Manager.

In conformance with the ATSSA Guide, "for each project a well trained and knowledgeable individual shall be assigned the responsibility for traffic control". On Every Lehi City project within a street or highway, that responsibility will reside with the supervisor of the crew or unit at that job site (work zone), unless a specific individual other than the supervisor has been assigned by the department director to assume those duties. The individual having traffic control and safety responsibilities will be familiar with the MUTCD, and will have a copy of the ATSSA Guide available at the job site. Failure of the responsible individual to reasonably comply with the standards of the ATSSA Guide may result in disciplinary action.

Every City employee whose job duties require them to frequently or occasionally perform work in a public street or highway shall, at least once every three years, complete a course of at least four (4) hours in length on work area traffic control and safety. New employees shall complete a course during the first 12 months of employment by Lehi City. Courses will be taught by, or arranged by, the City and shall be provided at no cost to the employee.

## SECTION X: SPECIAL SUBJECTS

Any violation of the following shall be grounds for suspension, termination or such other appropriate disciplinary action deemed necessary by the Department Director and/or the Personnel Officer/City Administrator:

### 1. **Horseplay**

Employees will not engage in horseplay, such as running and pushing, tripping others, throwing things, grabbing, "goosing", and acts which startle and distract other employees involved in work operations or breaks. Injuries in the work place caused by horseplay may not be covered under Worker's Compensation Insurance if the causes are deemed to result from deliberate or malicious actions.

### 2. **Use of Narcotics and Controlled Substances**

Employees shall not use; meaning consume by mouth, nose, insertion or injection, narcotics nor any controlled substance unless such narcotic or controlled substance is properly prescribed by a physician for an injury or illness. The employee is required to notify his/her supervisor immediately in such a circumstance so work limitations may be ascertained and the employee will not be assigned duties that could be injurious to himself or others.

This policy shall not be construed to preclude law enforcement personnel from handling, impounding, confiscating, transporting or otherwise being in contact with illegal drugs or a controlled substance in conjunction with normal job performance.

#### a. **Drug Testing**

Random drug testing will be preformed by qualified medical personal at the discretion of the City during City business hours.

### 3. **Use of Alcohol**

An employee will not drink any kind of intoxicating beverage while on duty. No employee will report for a regular tour of duty or be on a regular tour of duty while under the influence of alcohol or drugs, or be unfit for regular duty because of their use.

### 4. **Liquor and Substances on Official Premises**

Employees shall not bring, keep, or consume any intoxicating liquor, narcotics or controlled substances on any City property or in any City vehicle.

### 5. **Weapons**

While on duty or on any City property or in any City vehicle, employees shall not bring, carry, or have in their possession any firearms or other lethal weapons. All exceptions need to be authorized by Personnel Officer/City Administrator. Exempt from this policy are those employees engaged in law enforcement that are required to carry firearms as expected in the normal performance of their day-to-day duties.

### 6. **Smoke-Free Workplace**

Since smoking has been demonstrated to be a health and safety hazard not only to smokers, but also to non-smokers in confined spaces, it shall be the policy of Lehi City to create a smoke-free environment for employees and the general public in City facilities. The following policies will therefore be observed:

a. Smoking is prohibited in all buildings and on property owned and leased by the City of Lehi.

- b. Smoking is prohibited in all Lehi City owned and leased vehicles whether being used on or off duty. This is a health and safety precaution as well as an effort to maintain employee and citizen relations.