City of Plymouth



Employee Handbook

Revised December 2024

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TO OUR EMPLOYEES:

On behalf of the Mayor, the Clerk-Treasurer, the Common Council, and the more than one hundred City employees, we welcome you to employment with the City of Plymouth and we wish you every success here.

We believe that each employee contributes directly to the City's strength and progress, and we hope that you will take pride in being a member of our team. You will find that you are joining a group of friendly, cooperative and responsible people who make work interesting and productive by working together.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the City of Plymouth.

We hope that your experience here will be challenging, enjoyable, and rewarding.

Again, welcome!

1.0 Introduction

1.1 Purpose of the Employee Handbook

The City of Plymouth has established the following summary of policies and procedures to ensure consistency in day-to-day operations. This employee handbook outlines some of the general policies and procedures that cover employment practices, operations, and professional conduct. These policies apply to all City of Plymouth employees, except when in conflict with special employment conditions set forth by various statutes governing employment relationships, including but not limited to, elected officials, sworn police officers and statutes governing the City. It is your responsibility to know and practice them. As you study them, please refer any questions to your superintendent or the Human Resources Manager.

1.2 Introductory Period

As a new employee, you will be in an introductory period for 90-180 days (or up to one year for police and firefighters) from your date of hire. This time allows you to become acquainted with the new position. At the end of this introductory period your manager will evaluate your performance and your training progress. Any significant absence will automatically extend the introductory period by the length of the absence. If the City determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified time.

1.3 Statement of Change

The policies in this handbook are subject to change at any time at the sole discretion of the City of Plymouth. From time to time, you may receive updated information regarding any changes in policy. This handbook is for informational purposes only. Because the City of Plymouth's employees are employed at will, this is not intended to be and does not create any contract of employment. An individual's employment can be terminated for any reason at any time, at the option of either the employee or the City of Plymouth. Please direct any questions about specific policies or procedures to your superintendent or the Human Resources Manager.

2.0 Employment Practices

2.1 Equal Employment Opportunity

The City of Plymouth offers equal employment opportunities to all without regard to race, gender, gender identity, age, color, religion, national origin, disability, or any other legally protected characteristic. This policy applies to all employees and applicants for employment and in all phases of employment, including recruitment, hiring, placement, promotion, compensation, evaluation, training, discipline, termination, and all other terms and conditions of employment. If you have any questions about this policy or if you feel that you have been discriminated against in any way, see a member of management immediately.

2.2 Management Rights

The City retains the responsibility and authority to manage and direct on behalf of the public the operations and activities of the City to the full extent authorized by law. Such responsibility and authority shall include but not be limited to:

1. The right to direct the work of its employees.
2. The right to establish policy.
3. The right to maintain the efficiency of public operations.
4. The right to design and implement safety programs for employees.
5. The right to design and implement job training for employees.
6. The right to determine what services shall be rendered to the public and the maintenance procedures, materials, facilities, and equipment to be used.
7. The right to determine job responsibilities.
8. The right to determine and implement the objectives and goals of the City.

9. The right to establish, allocate, schedule, assign, modify, change, and discontinue City operations, work shifts, and working hours.
10. The right to establish, modify, change, and discontinue work standards.
11. The right to hire, examine, classify, train, transfer, assign, and retain employees; suspend, discharge, or take other disciplinary action against employees in accordance with applicable law and to relieve employees from duties due to disciplinary reasons or other legitimate reasons; and make promotions and demotions.
12. The right to determine composition of the work force, including the right to determine and/or modify the size of the work force.
13. The right to determine, establish, set, and implement policies for the selection, training, and promotion of employees in accordance with applicable law.
14. The right to establish, implement, modify, and change procedures and policies for the safety, health, and protection of City property and personnel.
15. The right to adopt, modify, change, enforce, or discontinue any existing rules, regulations, procedures, and policies.
16. The right to establish, select, modify, change, or discontinue equipment, materials, and the layout and arrangement of equipment.
17. The right to determine the size and character of inventories and their disposal.
18. The right to control the use of property, machinery inventories, and equipment owned, leased, or borrowed by the City of Plymouth.
19. The right to locate, establish, and organize new departments, divisions, subdivisions, or facilities thereof, and the right to relocate departments, subdivisions, locations, and the closing and discontinuance of same.
20. The above enumeration of management rights is not inclusive of all such rights and all rights granted the City of Plymouth by constitution, statute, charter, ordinance, or in any manner are retained by the City of Plymouth.

2.3 E-Verify
The Human Resources Manager shall administer the **e-verify enrollment** of all City new-hires; and shall ensure that appropriate forms are properly completed and retained as required by law.

2.4 Eligibility for Local Public Benefits
All City employees shall complete a **Verification of Eligibility for Local Public Benefits Form** to ensure entitlement to a Federal public benefit as defined in I.C. 12-32-1-3. This form shall be administered and retained by the Clerk Treasurer required by law.

2.5 Recruitment
Whenever vacancies occur or new positions are created, job information shall be posted within City facilities for seven (7) calendar days to encourage internal promotion and transfer whenever possible. If the position is not filled within seven (7) calendar days, job information shall be posted publicly within City facilities until opening is filled. Bulletin boards located in government City buildings will be used for posting job openings.

Basic qualifications of formal education, background and experience shall be determined before recruiting begins and shall be based on job requirements, as well as dictates of applicable federal, state, and local laws.

At the discretion of hiring officials, based on the urgency and specialization of the job requirements, newspaper and trade journal advertising may be used in recruiting employees. Advertisements shall describe the position, basic qualifications, and state that the City is "An Equal Opportunity Employer."

<u>Consideration of Benefit Time and Longevity Pay in Recruitment of Lateral Transfers into a 77 Fund position</u>
As a recruitment tool, notwithstanding other provisions of this employee handbook or the applicable salary ordinance, with the written approval of the Mayor and any applicable department head, a prospective employee of a Fire and Police 77 Fund position may be offered vacation leave, sick leave, personal time, or longevity pay in increments not ordinarily afforded to new hires. Such benefits may begin on the employee's date of hire or after completion of the 90-day introductory period, however designated in the written approval described above. This provision is intended to be used by the City's leadership when necessary to recruit skilled talent to a given position. An example of a lateral transfer includes, but is not limited to, a Police Officer, Firefighter, or EMT/Paramedic already serving with a department in another jurisdiction.

2.6 Employment Applications
All applicants are required to complete a **City Application for Employment** as well as any other forms required for statistical purposes or deemed necessary to process the Application. Prospective employees may only complete and submit a job application in conjunction with a posted position. The standardized application form shall be submitted to and maintained by the Human Resources Manager and made available to elected officials, department heads, and applicants for use. Copies of the standardized application are available in the Clerk Treasurer's office. The Application shall request only the information necessary for rational decision-making. Only questions specifically related to occupational standards shall be asked.

All applicants must complete the City Application for Employment in its entirety, providing any requested information in its entirety and accounting for periods of employment and unemployment. The elected official/department head may screen applicants and conduct testing relevant to the skills needed to effectively complete the duties of the position.

The City relies on the accuracy of information contained in the employment application, as well as other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the City's exclusion of the individual from further consideration for employment, or, if the person has been hired, termination of employment.

Placement of an employee application with the City does not mean that all applicants will be granted an interview by the elected official/department head. However, equal consideration will be given to all applicants based on the qualifications listed for the job.

Applications will be retained in active files for a minimum of forty-five (45) days and up to 1 year depending on the departments recruitment needs. Applications shall be returned to the Human Resources Manager prior to hiring or being placed on the City payroll. All newly hired employees shall report to the Human Resources Manager to submit documents necessary for compliance with federal, state, and local law and for enrollment in any eligible benefit programs.

Applicant must meet with the Clerk Treasurer's Office to complete their enrollment into the payroll system and complete all state and federally required payroll documents.

Hiring decisions are the sole responsibility of the appointing authority (i.e., elected officials, designated department heads and/or designated boards).

2.7 Applicant Testing
Applicant tests may include, but are not limited to, basic skills written tests, mechanical or physical agility, and psychological tests may be used by the City in the selection process for certain positions. Such tests are to be related to the requirements of the position.

2.8 Pre-Employment Interviews
Pre-employment interviews are used to gather information and screen applicants for City employment. Interviews shall be conducted by the administrative officer making the employment decision.

2.9 Conditional Offer of Employment
Applicants may receive a conditional offer of employment conditioned on the successful completion of all established prerequisite requirements of the position, which may include passing medical, physical, and mental examinations or requirements, reference and criminal background checks, and driving record requirements. Applicants who receive a conditional offer of employment are not employees of the City until they complete their paperwork in the human resources office and the results of such testing has been received by the City. The City may withdraw the conditional offer of employment at any time for any reason, except as otherwise prohibited by law. Applicants shall be required to submit to a drug test prior to being hired by the City.

2.10 Employee Medical Examinations
To help ensure that employees are able to perform their duties safely, medical examinations may be required of those positions responsible for public safety prior to hiring, or anytime during the course of employment with the City, (e.g., hiring, FMLA, ADA) which will be paid for by the City.
After a conditional offer of employment has been extended, applicants may be required to undergo a pre-employment medical examination by a health professional of the City's choice, at the City's expense.

2.11 Harassment
The City of Plymouth affirms its commitment to the principle of equal opportunity and equal treatment in employment regardless of a person's race, gender, gender identity, age, color, religion, national origin, disability, or any other legally protected characteristic. In accepting a position at the City of Plymouth, you agree to share this commitment in the performance of your assigned responsibilities and in your interactions.

The City of Plymouth strives to provide all staff, citizens, and vendors with an environment that is free of harassment or other unreasonable interference with the performance of their duties. We aspire to be a community in which mutual respect guides our day-to-day interactions. In our work environment, there is no place for conduct that demeans or belittles another person. For these reasons, **harassment of any kind is unacceptable**.

Sexual Harassment
Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment is conduct based on sex, whether directed toward a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another person's body.

Employee's Responsibility
If you feel you are the subject of harassment, you may want to first advise the offending person that the behavior is unwanted. If you and the offending person are unable to satisfactorily resolve the situation, or if you feel that discussing the behavior with the offending person will present a physical danger or undue suffering, you should notify your superintendent as soon as possible. This immediacy will allow for swift investigation, action, and resolution. If for any reason you are unable to inform your superintendent, you may also discuss the issue with the Human Resources Manager or the City Attorney.

Investigation Process
If you bring forth a harassment complaint, you should be as specific as possible about the conditions and information surrounding the issue. We will treat every complaint of harassment seriously and will investigate each incident. We will make all due effort to maintain confidentiality and the dignity of all parties involved. As we work to resolve the issue, you are also responsible for maintaining the dignity and privacy of the offending person.

If an investigation confirms that a violation has occurred, we will take corrective action. This may include disciplinary action against the offending person, up to and including immediate termination, as determined to be appropriate.

Retaliation
The City of Plymouth's policy prohibits retaliation against any employee by another employee or by the City of Plymouth itself for using this complaint procedure in good faith or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a federal, state or city enforcement agency. Prohibited retaliation includes, but is not limited to, demotion, suspension, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit. If you feel you are a victim of retaliation, you should notify your superintendent or the Human Resources Manager as soon as possible. This immediacy will allow for swift investigation, action, and resolution. If for any reason you are unable to inform your superintendent or the Human Resources Manager, you may also discuss the issue with the City Attorney.

2.12 Employment Classifications
City of Plymouth employees fall into one of the following classifications:

Full-Time (except firefighters)—Any employee who is assigned to work for the City of Plymouth on a regular basis for 35 hours or more per week.

Full-Time Firefighter/Paramedic—Any firefighter/Paramedic who is assigned to work 24 hours on-duty then 24 hours off-duty for 3 cycles before a 4 day off duty period.

Part-Time—Any employee who is assigned to work for the City of Plymouth on a regular basis for fewer than 25 hours per week.

Temporary/Seasonal—Any employee who is hired as a temporary replacement for a full-time or part-time employee, or for a short period of time until a specific task is performed. Seasonal employees, hired in periods such as summer months, peak periods, and vacation, are considered temporary employees.

Employees will be either exempt or nonexempt for the purposes of the overtime requirements of state law and the federal Fair Labor Standards Act:

Exempt—Exempt employees, as defined by the Fair Labor Standards Act, are employed in certain administrative, executive, professional, technical, or outside sales categories and are specifically exempted from overtime payment considerations. The hours worked by exempt employees are often irregular and may begin and end beyond the normal workday. Exempt employees do not receive overtime pay.

Nonexempt—Nonexempt employees (excluding firefighters), as defined by the Fair Labor Standards Act, are expected to confine their work to the normal workday and workweek unless a member of management authorizes overtime in advance. The City of Plymouth will pay nonexempt employees overtime at one-and-one-half times their regular hourly rate for all hours worked over 40 hours per week. Firefighter overtime is determined based on a schedule of 212 hours in a 28 day period. (Refer to the overtime section in this handbook).

Any changes to an employee's employment category shall be in writing. No change in employment classification is to be construed in inferred without written notification from the hiring authority.

2.13 Drug-Free Workplace and Alcohol Policy

The City of Plymouth prohibits employees from unlawfully manufacturing, distributing, dispensing, selling, transferring, using, or possessing any illegal drug or controlled substance on the City of Plymouth's premises or while working. Any employee who is found in violation of this policy will be subject to disciplinary action, up to and including termination.

All employees are forbidden from using or possessing alcohol at any time on the City of Plymouth's premises or while performing duties for the city. In addition, employees shall not report to work while under the influence of alcohol. Employees who abuse alcohol at work or work-related functions will be subject to disciplinary action, up to and including termination.

Please refer to the Drug and Alcohol Policy and Testing Procedures of the City of Plymouth, Indiana for full policy and testing regulations.

2.14 Background Checks

The City of Plymouth reserves the right to require applicants for all full- and part-time positions, as well as temporary/seasonal employees over the age of 18 years, to submit to a background check, including driving record check where applicable. An employee's first day of work must not be prior to the satisfactory completion of the background check, drug screen, and driving record request.

If an applicant attempts to withhold information or falsify information pertaining to his or her background, previous convictions, etc., he or she will be disqualified from further employment consideration. If, after hire, an employee is found to have withheld or falsified information regarding his or her background, or his or her driver's license is suspended, he or she may be subject to disciplinary action and/or termination.

To ensure that individuals who are employed by the City are well qualified and have a strong potential to be productive and successful, it is the policy of the City to check the employment references of all applicants. Information regarding this procedure is contained in the "Employment History and Work Experience" section of the City's Employment Application. Further, employees will be evaluated and selected based upon their insurability and driving ability.

For employment reference checks requested by other employers of past or current City employees, the City will respond in writing only to those reference inquiries that are submitted in writing. Responses to such inquiries will

confirm only dates of employment, wage rates, and position(s) held. Employees and former employees shall be provided copies of past performance records upon written request; and must acknowledge receipt in writing.

No additional employment data will be released without written authorization and a release signed by the individual who is the subject of the inquiry.

2.15 Privacy/Personnel Files

We respect the privacy of our employees and keep our employee files confidential to the extent possible. Employee files contain original applications, forms relating to references received, forms pertaining to benefits, and information regarding changes such as annual salary actions.

The employment selection procedure shall be documented and recorded and shall remain strictly confidential. Accurate personnel records shall be kept on file for each employee for a period of not less than seven (7) years and should be used to substantiate and support the employment decision in the event of inquiry. The City of Plymouth maintains four (4) separate personnel records concerning the employee's employment history.

1. Personnel File: The employee's personnel file shall contain the employee's employment application, salary, emergency information sheet, insurance beneficiaries, retirement forms, educational accomplishments, change of address forms, records of training, disciplinary action forms, employee performance evaluations, and personnel policies handbook acknowledgment form. This file shall be maintained by the Human Resources Manager. Copies will be filed with Clerk Treasurer as needed for payroll processing. Certain documents in this file shall be deemed confidential, and released only to persons on a need-to-know basis.

2. Administrative File: This file shall contain documentation of performance, such as performance evaluations, disciplinary records, and other documentation concerning disciplinary actions including employee complaints, absences, tardiness, administrative leaves, and other related information. This confidential file shall be deemed as exempt under the Indiana Public Records Law. This file shall be maintained by the department head and released only to persons on a need-to-know basis. Copies of records affecting employee compensation, benefits, or any and all disciplinary action notices shall be provided to the Human Resources Manager for the employees Personnel File.

3. Medical File: The employee's medical file shall contain all medical information, including insurance enrollment and beneficiary forms, health insurance, disability information, ADA accommodations, worker's compensation documents, results of alcohol and drug tests, sick leave forms, physician notes, and other medically related information. This confidential file shall be deemed as exempt under the Indiana Public Records Law. This file shall be maintained by the Human Resources Manager and released only to persons on a need-to-know basis.

4. Payroll File: The employee's payroll file shall contain all appropriate documents needed to complete payroll processing such as new employee rate sheet and/or rate increase form, direct deposit forms, W-4, and WH-4. This file will also hold benefit deduction forms and Sick Leave Authorization forms from the Human Resources Manager. The employees INPRS documentation will be stored in their payroll file along with any other retirement account deduction forms. This file shall be maintained by the Clerk Treasurer. Certain documents in this file shall be deemed confidential and released only to persons on a need-to-know basis.

It is important that you keep the City of Plymouth current on your address, phone number, emergency contact information, payroll tax-withholding allowances, direct-deposit account numbers, and other pertinent information that is necessary to properly administer benefits or maintain up-to-date records. Please submit any changes to the Clerk Treasurer's Office or Human Resources Manager.

2.16 Access to Personnel Files

Access to confidential personnel files shall be limited to the employee and other persons authorized by the Human Resources Manager on a need-to-know basis.

Personnel files are property of the City of Plymouth and access to the information they contain is restricted. Only officials or representatives of the City who have a legitimate reason to review information in a file are allowed to do so. With twenty-four (24) hour notice, an employee may review material in his/her file. Upon written request, the City will provide the employee copies of any documents contained in his/her personnel file.

No information shall be provided to any person concerning the employment of the employee other than job title, department, date of hire, date of termination, and wages.

2.17 Promotions
The City of Plymouth encourages you to seek promotional opportunities within the City of Plymouth. Promotions will be based on a variety of factors, including job performance, skill, and ability.

2.18 Reductions in Force (Except Police Officers and Firefighters)
The City policy is to provide stable and continuous work for its employees to the extent possible. However, when work slows down necessitating a reduction in workforce, the City will lay off employees. Layoff decisions will be made based on a review of the work available, the abilities of the employees to perform the remaining work available, the employee's past performance and attendance. If abilities, past performance and attendance are similar, then length of service will control. Otherwise, length of service will not play a part in the decision-making process. Compensation for an employee separated due to a layoff will be made on the next scheduled payday. The final check will include vacation and compensatory leave time, as appropriate.

3.0 Personal Conduct and Performance

3.1 Performance Management
The City of Plymouth is committed to providing you with a supportive environment in which you feel challenged. Offering performance feedback/evaluations is one of the ways we acknowledge your strengths and highlight areas for future growth and improvement.

You will receive most feedback informally on an ongoing basis. This type of feedback is important for two reasons: (1) immediate feedback is highly effective in enhancing your job performance, and (2) working in our type of environment requires open communication between you and management.

It is our policy to formerly review and evaluate the performance of each employee. Performance reviews will occur at the end of your introductory period, at the completion of your first year, and one time per year thereafter.

3.2 Work Conduct and Performance Improvement (Police and Firefighters may have additional rules and discipline.)

Our employees make the City of Plymouth a successful organization. We expect our employees to maintain the highest level of professionalism and integrity.

The work rules which follow provide guidelines of the City's expectations of its employees. These rules are not intended to be all inclusive but are intended to refer to situations which can reasonably be anticipated. In the event there are other acts which do not meet the standard of conduct we reasonably expect of our employees, appropriate disciplinary action will be taken. These rules are merely guidelines and will not limit the City from using alternative disciplinary measures at any step, including suspension and discharge, as the City deems appropriate.

3.3 Work Rules and Progressive Discipline
The rules are classified in three categories (Type A, Type B, and Type C) depending on the degree of seriousness. The corrective actions which may be taken when work rules are violated during a 12-month consecutive period are as follows:

Type A	• First violation – Employee counseling with notation in employee's file • Second violation – Written warning • Third violation – Discharge
Type B	• First violation – Written warning • Second violation – Discharge
Type C	• First violation - Discharge

The rules above will be applied in a fair and consistent manner. The violations listed below are only examples of conduct in each category. Full consideration will be given to the nature and cause of the violation, the seriousness of the event, the likelihood that the event will be repeated, and the attitude of the violator when determining appropriate discipline.

Type A—Violations	Type B—Violations	Type C—Violations
Creating or contributing to unsanitary or unsafe work conditions or failing to meet City quality or quantity of work standards.	Refusing to carry out a directive of a superintendent or other management personnel, or engaging in an act of insubordination.	Threatening, intimidating, coercing, using derogatory and/or abusive language or harassing any other employees or members of the public.
Engaging in or participating in horseplay or practical jokes which interfere with the ability of a fellow employee, client, client's employee or subcontractor's employee to carry out assigned work duties.	Violating the drug and alcohol policy. (Note: This could also be a Type C Violation.)	Provoking, instigating or participating in a fight and/or verbal/written altercation during working hours.
Failing to report injuries to your superintendent, assistant superintendent or the clerk-treasurer's office within 24 hours of occurrence.	Intentionally restricting, hindering, interfering with or limiting production, or attempting to influence others to do so.	Possessing firearms, weapons or explosives in City buildings and/or on City property during working hours, without proper authorization from City management.
Frequent and/or excessive absenteeism or tardiness. Repetitive absenteeism that is not previously approved by your superintendent	Unauthorized or improper handling of or tampering with City equipment or property. (Note: This could also be a Type C Violation.)	Using, removing or disclosing confidential information of any nature without proper authorization.
Failure to report to work or personally call in and speak to your superintendent or assistant superintendent within one hour of your starting time.	Negligently or intentionally disregarding common safety practices. (Note: This could also be a Type C Violation.)	Falsifying any record, including time sheets, work records or expense reports, or deliberately giving false information for any City record.
Failing to punch your time card in or out upon entering or leaving the job, including during the lunch period.		Willfully destroying, damaging, abusing, removing or stealing any property owned, leased, rented or in the custody of the City.
Entering or remaining on non-public City property during hours other than your regular working hours and without permission of your superintendent or assistant superintendent.		Willfully destroying, damaging, abusing, removing or stealing, any property owned, leased, rented or in the custody of any member of the public.
Performing non-City work on City time and/or on City premises without authorization.		Threatening serious bodily harm to any employee or member of the public.
Leaving your work area or clocking out without permission of your superintendent or assistant superintendent.		Insubordinate conduct in conjunction with other Type A or B infractions.

NOTE: Depending on the nature and severity of the violation, the City of Plymouth reserves the right to proceed with suspension or termination at any point in the discipline process.

From time to time the City may, upon notice to its employees, institute, modify or rescind rules as it may deem necessary to promote the safe and efficient operation of the City.

Use of Accumulated Time Off During Unpaid Suspension
The City of Plymouth reserves the right to require you to use any accrued vacation days during your unpaid suspension leave. The Clerk's Office will use this benefit to deduct the employees share of benefit premiums owed while the employee is serving their suspension.

3.4 Problem Resolution ~~(excluding police and firefighters and clerk-treasurer's office)~~

The City of Plymouth encourages you to bring to our attention any issues or concerns you have regarding your employment and working conditions. In order to minimize the possibility of misunderstandings, we suggest that you talk to your superintendent as soon as possible. Management will investigate, evaluate, and provide a solution or explanation to you. If management cannot provide a solution, Human Resources will work with Management to conduct a thorough investigation of the situation to come up with a reasonable solution.

3.5 Commission of a Felony or Unlawful Act

The City is committed to providing its citizens with qualified staff who possess good character and standards. This policy provides basic safeguards in maintaining a safe working environment for employees and citizens and in fulfilling this commitment.

Whenever an employee is cited for an infraction while on duty or arrested for any misdemeanor or felony while on duty, the employee shall report this matter, in writing, to their elected official/department head within twenty-four (24) hours of the arrest or citation. Failure to report in accordance with this policy shall be considered a violation of the personnel policies subject to disciplinary actions up to and including termination.

Unauthorized time away from work shall be subject to the City's attendance and wage policies. Time spent under arrest or in jail is not considered a valid excuse for missing work.

An employee who is cited for an infraction or arrested for any misdemeanor or felony, whether the citation or arrest happened while the employee was on duty or not, may be suspended without pay pending an administrative investigation and/or the disposition of any charges filed against the employee. The investigation will be used to determine if the accused employee is in violation of the personnel policies and to determine if disciplinary action is warranted, up to and including termination.

The determination as to whether an employee shall be suspended will be based upon the nature and circumstances of the alleged offense and the impact the charges may have on the employee's ability to adequately perform their job duties and/or remain in compliance with the City's personnel policies.

It is the responsibility of any employee with pending criminal charges to provide their elected official/department head written documentation such as a court record of the disposition of the charges within five (5) calendar days after receiving notification. Failure to do so will be considered a violation of this policy and may subject the employee to discipline, up to and including termination.

If the employee is on a leave of absence pending administrative investigation and/or the disposition of any charges, and the employee is not found to have been in violation of the personnel policies, he/she shall be returned from suspension and if suspended without pay shall be reimbursed.

Factors to be used in determining appropriate discipline, which may range from no disciplinary action up to termination of employment, will include the employee's assigned duties and responsibilities, the nature of the offense, sentences imposed, other convictions/infractions, relevant provisions of Indiana statutes, licensing requirements, risk of recidivism, reasonable inferences about problems with self control, propensity for violence, honesty, and damage to the reputation of the employee, the employee's department, and/or City government. Any employee found guilty, admitting guilt, or pleading no contest or *nolo contendere* of/to a felony will be subject to immediate dismissal.

3.6 Gifts or Gratuities
Employees are encouraged to maintain good relations with suppliers and others with whom the City may have business dealings. However, the practice of accepting gifts or gratuities is not only unnecessary and undesirable, but also may be contrary to the public interest.

Employees shall not accept unreasonable gifts or gratuities from firms, organizations, agents, or other individuals who may or do conduct business with the City in furnishing materials, goods, and services to the City.

3.7 Ghost Employment
The City is committed to providing efficient and lawful services to its citizens and to maintaining public trust. Therefore, "ghost employment" is a violation of City policy and of Indiana Code 35-44-2-4. Ghost employment is a Class D felony.

A public servant who knowingly or intentionally hires an employee for a governmental entity and fails to assign the employee any duties, or assigns duties not related to the operation of the governmental entity, is committing ghost employment.

Additionally, a public servant employed by a governmental entity knowing that he/she has not been assigned any duties to perform for the entity and accepts property (compensation) from the entity, or a public servant who knowingly or intentionally accepts property (compensation) from the entity for the performance of duties not related to the operation of the entity, commits ghost employment.

Examples of violations of this policy include, but are not limited to, performing work on public property that is not job related, authorizing or receiving payment for time not worked, and authorizing or receiving payment for leave time not authorized by City paid leave policies. Violations of this policy shall result in disciplinary action up to and including termination, in addition to potential prosecution under Indiana Code 35-44.1-1-3.

4.0 General Policies

4.1 Electronic Communications
The electronic communication systems, the voice mail system, Internet access, and the computer hardware and software owned or leased by the City of Plymouth are to be used for business purposes. Using the City of Plymouth's systems for any illegal purpose is prohibited. Any employee who is found in violation of this policy will be subject to disciplinary action.

<u>E-Mail</u>
The City of Plymouth's e-mail system and all messages sent or received on the City of Plymouth's e-mail system are City of Plymouth property. You should not expect any such communications to be private. The City of Plymouth will allow incidental personal use of City of Plymouth e-mail. E-mail should not be used to communicate sensitive, urgent, or confidential information. You should anticipate that an e-mail message could be disclosed to or read by individuals other than the intended recipient(s).

You should refrain from:

- Using vulgarities, sarcasm, offensive, demeaning, or disruptive messages. This includes, but is not limited to, messages that are inconsistent with the City of Plymouth's policies concerning equal employment opportunity, sexual harassment, and other unlawful harassment.
- Using e-mail to harass/threaten others.
- Initiating or propagating electronic chain letters.
- Sending inappropriate mass mailings (e.g., spamming, flooding, or bombing).

<u>Internet Usage</u>
The City of Plymouth may monitor computer, Internet, and e-mail usage, including retrieving and reading e-mail messages and other computer files. Access to the Internet is intended to support the City of Plymouth's business. Personal use should be kept to a minimum.

Social Networking Sites and Blogs
The City of Plymouth respects the right of employees to use social networking sites, personal web sites, and blogs. However, it is the right and duty of the City of Plymouth to protect itself from unauthorized disclosure of information.
Employees are expected to protect the privacy of the city and its employees. Employees are not authorized to speak on behalf of the city and may not disclose any city or organization confidential, trade secret, or insider information at any time; engage in unlawful harassment, violate the city's intellectual property rights; make discriminatory, defamatory, libelous, or slanderous statements in discussing the city, employees, citizens, and vendors; or engage in other violations of city policy or the law. This policy shall not be applied to interfere with employees' rights under the National Labor Relations Act, as amended.

The City of Plymouth requests and strongly urges you to report any violations or possible or perceived violations to your superintendent. The City of Plymouth investigates and responds to all reports of violations of this policy. Violation of this policy will result in disciplinary action up to and including immediate termination. Discipline or termination will be determined based on the nature of the violation.

Image or Text Downloading
Downloading or viewing materials of a sexual, pornographic, racist, sexist, defamatory, or otherwise offensive nature, or which constitute an invasion of another person's privacy, is strictly prohibited. Any such materials and actions are subject to the City of Plymouth's harassment policies. Employees must be aware of the effect that any of these materials may have on others. Keep in mind that not everyone will share your sense of humor or appropriateness, and be aware of the impact that such materials may have if they escape their intended audience. When in doubt, err on the side of caution.

Phone Systems and Cellular Phones
The telephone systems owned or leased by the City of Plymouth are to be used for business purposes only. We understand that there will be times when you must make personal calls during the course of the workday; however, you should keep them to a minimum. You should also silence your cellular phones while in the office and limit personal calls and texting on them. In compliance with Indiana's Hands-Free law, I.C. 9-21-8-59, any employee driving on City business must refrain from using a cellular phone (either personal or City of Plymouth-owned) unless it is being used in conjunction with hands free or voice operated technology, or it is being used to call 911 to report a bona fide emergency.

4.2 Confidentiality
Depending upon the nature of your duties, you may have access to information that is confidential. This includes financial information, organizational information, and information regarding other employees. To protect confidentiality, you must limit the disclosure and discussion of this information to only those individuals who need to know. You should never use this information for personal benefit or for the benefit of others.

Occasionally, employees of the City are contacted by outsiders for information about current or former employees, or about the City's policies, practices or projects. All such requests must be referred to appropriate officials in the organization.

4.3 Conflicts of Interest
Employees have a responsibility to avoid any situation that might make it difficult to act in the best interest of the City of Plymouth. In general, a conflict of interest could exist when you or a member of your family has a financial interest in a company or organization dealing with the City of Plymouth. In addition, if you would receive any personal gain from a business relationship, a conflict of interest likely exists. If any business/vendor/supplier relationship could affect your judgment or decisions exercised on behalf of the City of Plymouth, then there is a conflict of interest. For clarity on whether any transaction or relationship is or might be appropriate, you should contact the Clerk Treasurer, Human Resources Manager or the City Attorney.

4.4 Fraternization
The City of Plymouth views romantic relationships between supervisors and subordinates as a conflict of interest; therefore, we discourage such relationships. We do not otherwise discourage friendship or social activities among City

of Plymouth employees. If a supervisor and a subordinate are involved in or are contemplating a romantic relationship, the supervisor involved must notify the City Attorney immediately.

4.5 Hiring of Relatives/Anti-Nepotism (Refer to Ordinance No. 2012-2042 as may be amended from time to time)
Although we do not prohibit hiring of relatives, we must eliminate situations in which a conflict of interest may exist. Therefore, we will not hire a relative if he or she would perform under or have supervisory authority over a relative, whether actual or perceived. This means an elected officer or employee who is in a position to affect the terms and conditions of a relative's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of a unit, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the unit. We define a relative as any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. This includes spouse, parent, stepparent, child (natural or adopted), stepchild, brother, half-brother, sister, half-sister, stepbrother, stepsister, niece, nephew, aunt, uncle, daughter-in-law or son-in-law.

Failure to abide by this policy may result in disciplinary action, up to and including termination of employment or an elected or appointed official of the City may be subject to action allowed by law.

4.6 Outside Employment
Although we do not prohibit outside employment, you must ensure that any outside employment does not present a conflict of interest or interfere with your job performance. A conflict of interest could arise if the outside employer does business with the city, or if the work adversely affects our image. Please direct questions regarding outside employment to your supervisor.

4.7 Health and Safety
The City of Plymouth is committed to employee safety and to protecting employees from accidents. The City of Plymouth and all employees have a responsibility to work safely at all times. Safety concerns and accidents are to be reported to your superintendent.

Each department has adopted specific safety rules. See your superintendent regarding safety rules in your specific position or department as they may be in addition to policies stated in this handbook. Additional safety rules may also be communicated verbally or posted. Failure to comply with safety rules may result in disciplinary action.

It is the policy of the city to provide specific preventative health services and safe working conditions for both seasonal and full-time workers, as appropriate to the work being done by particular workers, in order to safeguard the health of such employees and remain in compliance with OSHA requirements. See your superintendent for the specific requirements of your job.

4.8 Right to Search
The City of Plymouth's right-to-search policy has been implemented to provide a safe and productive work environment. Failure to submit, upon request, to a search of any City of Plymouth property or personal property located in the City of Plymouth's facilities may lead to progressive discipline, up to and including immediate termination.

4.9 Weapons and Violence
The City of Plymouth supports an environment that is safe and free from violence for all employees, clients, citizens, and vendors. To that end, any act of intimidation, threat of violence, or act of violence committed against any person on the property of the City of Plymouth is prohibited. Employees are not allowed to illegally carry firearms, ammunition, knives (other than a small blade used directly for work-related functions), or any other weapon on our property or while conducting City of Plymouth business except as permitted by state law. All reported incidents will be investigated. Any employee found to be violating this policy is subject to discipline, up to and including termination.

4.10 Solicitation and Distribution
People who are not employed by the City of Plymouth may not solicit or distribute literature and goods on City of Plymouth property for any purpose at any time. Vendors soliciting in the normal course of business who have established a business relationship with the City of Plymouth are excluded from this restriction.

We strive to clearly and accurately communicate with employees; therefore, unless the City of Plymouth is involved in the activity, all notices, brochures, and other forms of solicitation of or by outsiders are prohibited. You may not solicit other employees during working time (either your own working time or the working time of other employees). Working time includes that time for which any employee is paid and is expected to be performing services for the City of Plymouth. Working time does not include unpaid meal breaks, recognized unpaid break periods, or unpaid time before or after the established workday. Managers may authorize limited exceptions to this policy (e.g., for bona fide charitable causes).

4.11 Image and Dress Code

As an employee, you should be concerned with the impressions you make on others. You should strive at all times to ensure that your clothing and appearance is clean, is businesslike, and contributes to a professional atmosphere. If you have specific questions about whether something is appropriate to wear, your best bet is not to wear it.

Employees provided uniforms must wear uniforms at all times while on duty, unless extenuating circumstances occur. Employees are required to avail themselves of the services provided by the city to keep uniforms clean and well-maintained. If an employee leaves city employment, the employee must return all uniforms, including blue jeans, that he or she received from the city or from a company with which the city has contracted to supply or launder such uniforms. Employees will be responsible for paying for any uniform not returned. (Police and Fire personnel are governed by the uniform policies of their own departments.)

Employees who are dressed inappropriately will be asked to change their attire. Repeated violations of this policy may result in disciplinary action.

4.12 Smoking

Smoking is prohibited on city property except in specially designated areas at least 8 feet away from any public entrance.

4.13 Weather Conditions/Emergency Closing

The City of Plymouth will remain open during most periods of inclement weather; however, where extraordinary circumstances warrant, the City of Plymouth reserves the right to close certain offices or departments. Thus, employees are encouraged to monitor radio broadcasts on local radio station WTCA AM 1050 and/or websites during periods of adverse weather to find out if their facility is open or closed on a given day.

If the office or department remains open in inclement weather, you may decide whether you can make it to work safely. If you elect not to work, you must call into the office to let us know prior to the start of your work shift.

Facility Closed

If the office or department is closed in inclement weather, all exempt-level staff will receive their regular pay for the day of closure. Hourly employees, on a day of closure, must use paid time off, if available, or the time for that day will be unpaid. Hourly employees, on a day of closure, may elect to use benefit time or may go unpaid with the approval of their Department Head.

Facility Open

If the office or department remains open on an inclement weather day, employees who report to work will receive their normal pay for the day (i.e., exempt staff will receive their regular salary and hourly employees will be paid at their normal rate for all hours worked). If you elect not to report to work due to road conditions on a day when the facility is open, you must use any accrued paid time off, if available, for the missed day or you will receive no pay for the day.

4.14 Bloodborne Pathogens

City employees working in high-risk jobs will be offered bloodborne pathogen training and a series of hepatitis B vaccinations for their protection. The City will provide this service at no cost to the employees for those wishing to participate in this program.

4.15 Lactation Support

The City shall provide a reasonable paid break time for an employee to express breast milk for her nursing child for one (1) year after the child's birth each time such employee has need to express the milk.

The City shall provide a room or other location, other than a bathroom, in close proximity to the work area, where employees can express their breast milk in privacy, which is shielded from view and free from intrusion from coworkers and the public, during any period away from their assigned duties.

The City shall make reasonable efforts to provide a refrigerator or other cold storage space for storing breast milk; or allow employees to store their breast milk in their own portable storage device until the end of their workday.

Except in cases of willful misconduct, gross negligence, or bad faith, the City is not liable for any harm caused by or arising from either of the following that occur on the City's premises:

A. The expressing of employees' breast milk; or

B. The storage of expressed milk.

4.16 Use of Equipment and Vehicles

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, including City telephones, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.
Employees operating City vehicles shall maintain the ability to legally operate assigned vehicles. Employees who operate City vehicles are required to notify their supervisor in the event that their driver's license is suspended or revoked.

An employee's failure to notify his/her supervisor of a driver's license suspension or revocation is subject to disciplinary action up to and including termination.

Employees who operate a City vehicle or operate a personal vehicle for City business, such as driving to a conference in Indianapolis, are required to keep a copy of their valid driver's license, and proof of insurance and insurance liability for personal vehicle, on file with the Human Resources Office.

Each occupant of a City or personal vehicle while on City business must wear appropriate seat belts. Each employee is personally responsible for any fines incurred as a result of driving or parking violations. In addition, no employee is permitted, under any circumstances, to operate a City vehicle or personal vehicle for City business when any physical or mental impairment causes the employee to be unable to drive safely.

This prohibition includes, but is not limited to, circumstances in which the employee is temporally unable to operate a vehicle safely or legally because of illness, medication, or intoxication.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, including termination.

Driver Evaluation and Insurability

Any employee who is required to operate a City-owned vehicle or a personal vehicle for City business must remain insurable. Employees will be evaluated and selected based on their insurability and driving ability. Insurability ratings will be determined by the City's risk management services consultant's review of Motor Vehicle Report (MVR) data and accident history against the City's insurance carrier's insurability matrix which outlines insurability requirements as follows:

Insurability Evaluation Matrix

Point System for City of Plymouth MVR Report		
2 Points	**4 Points**	**6+ Points**
Acceptable	Probationary	Unacceptable

Major Violation – Assign **6 points** for each violation
-A felony involving the use of a motor vehicle
-Driving under the influence of alcohol or drugs (or refusal to be tested)
-Leaving the scene of an accident
-Reckless driving (resulting in an accident)
-Driving with a suspended or revoked license
-Passing a school bus

Serious Violation – Assigned **4 points** to each violation
-Speeding (15 mph or more over the posted speed limit)
-Reckless driving (not resulting in an accident)
-Driving too fast for conditions (resulting in an accident)
-Failing to yield to emergency personnel or police officer
-At fault accident (major damage)

Minor Violation – Assigned **2 points** to each violation
-Speeding (less than 15 mph above posted speed limit)
-Improper lane change
-Failure to use seat belt or child restraints
-Failure to stop at a stop sign
-Driving too fast for conditions (not resulting in an accident)
-All other minor moving violations
-At fault accident (minor damage)



"Probationary" Insurability Status
Drivers with an insurability status of "Probationary" may be permitted to operate City-owned vehicles, personal vehicles or other vehicles, including rented, leased, or borrowed vehicles, on City business, at the City's discretion and will be subject to at least quarterly monitoring and may include driving restrictions or remedial courses at the driver's expense.

"Unacceptable" Insurability Status

Drivers with an insurability status of "Unacceptable" may not be permitted to operate City-owned vehicles, personal vehicles or other vehicles, including rented, leased, or borrowed vehicles, on City business, at the City's direction or on behalf of the City until a probationary or acceptable rating is achieved and may be subject to disciplinary action, up to and including termination of employment at the City's discretion. Unacceptable drivers will be subject to at least quarterly monitoring and the City will be notified once the insurability status has improved.

Drivers who are not legal to drive, have had their license suspended, revoked, withdrawn, expired or disqualified are not permitted to operate City-owned vehicles, personal vehicles or other vehicles, including rented, leased, or borrowed vehicles, on City business, at the City's direction or on behalf of the City.

The City is not obligated to provide non-driving work to employees who are deemed "Unacceptable" by the City's insurance carrier, are not legal to drive or have invalid or limited driving privileges.

Insurability Rating Dispute

An employee has the right to review his or her individual current MVR data that was used as the basis for an insurability rating. If there is a dispute regarding a driver's rating, the employee should contact the Clerk-Treasurer's office which will provide contact information for the City's risk management services consultant who administers the City's MVR review program.

4.17 Take Home Vehicles

The Internal Revenue Code (IRC) requires the taxable value for the use of City provided vehicles be reported as additional compensation to employees. The City and employee must timely report personal use as a wage. Such reports are processed by the Clerk-Treasurer's office. Police vehicles are considered non-personal use vehicles. Police officers who are required to use the vehicle for commuting and personal use is incidental to use for law-enforcement purposes. Personal use of City vehicles, other than commuting, for travel outside of the City is prohibited (e.g. vacation use).

4.18 Personal Use of Organization Facilities

In order to minimize unnecessary expenses, prevent the loss of valuable work time, and prevent lowered morale of cooperative employees, personal use of City facilities, vehicles and equipment is prohibited. This policy applies to all employees.

4.19 Appearance of Work Areas

The City expects the work areas of all employees to be well organized, clean, and attractive. These qualities promote health, productivity, safety, good morale, and customer respect. This policy applies to all employees.

4.20 Business Travel

The City is responsible for authorizing employee business travel and reimbursement of travel expenses including overnight lodging, per day meal allowances as set by the State Board of Accounts, and transportation. All such reimbursements are subject to approval and appropriate documentation being submitted to the Clerk-Treasurer's office. In all cases, the expense for which an employee seeks reimbursement must have been budgeted in departmental budgets. All employees must obtain authorization from the department head/elected official before business travel or reimbursement of expenses. All mileage reimbursements must be supported by MapQuest or another approved mileage calculator. **Employees must provide itemized receipts to receive reimbursement.**

Whenever practical, travel will be accomplished in a City vehicle or via common carrier. Before using a personal vehicle on any City business, the employee must be properly licensed and insured. If a personal vehicle must be used for authorized travel, the employees shall be reimbursed at the prevailing rates established by the United States Internal Revenue Service.

The City shall not pay for a person's meal more than once. This includes, but is not limited to, meals included in registration fees or by hotels in the room charge. If a person in travel status received a meal without charge, then

the meal allowance must be reduced. Meal expenses are not allowed for meals during normal duty hours for routine employee duties requiring travel.

Allowances for meals and mileage while on city business are addressed by Ordinance No. 2023-2214 or subsequent ordinance.
Employee pay for travel time shall be determined according to applicable provisions of the Fair Labor Standards Act.

4.21 Political Activity

City employees shall not be required to participate, financially or otherwise, in any political campaign or party activity during his/her working hours. This policy includes any threats or coercion by elected official's/department heads or political party officials.

City owned equipment shall not be used to generate, copy, or reproduce campaign materials. City vehicles shall not be used to distribute campaign materials. City telephones or facsimile machines shall not be used for campaign purposes.

5.0 Attendance and Time Off

5.1 Attendance

Being at work on time every day is important. Your coworkers depend on you. The City of Plymouth realizes that occasional absences are unavoidable. However, excessive absenteeism or tardiness creates a hardship for your coworkers, who must do your job as well as their own. Because of this, frequent and unapproved absences and excessive tardiness can be cause for disciplinary action or dismissal.

- In the event you are absent, it is critical that you provide as much notice as possible.
- You must contact your superintendent or assistant superintendent before the start of your scheduled work time to report an absence or extended time away from the job. This procedure holds for every day of absence, unless you are on an approved leave of absence. If you are unable to reach your superintendent or assistant superintendent, contact the Human Resources office at 574-914-0502.
- If you are going to be late for work, you must contact your superintendent or assistant superintendent before the start of your scheduled work time.
- A no call or no show will be cause for disciplinary action, up to and including termination of employment.
- If you are absent for three or more consecutive workdays, we require you to provide acceptable medical or other documentation to support your absence.

We reserve the right to address the issue of chronic absenteeism or tardiness by accelerating the disciplinary process, up to and including termination.

5.2 Working Hours

With the exception of police officers and firefighters, the regular workday schedule will be eight hours and the regular work week will be forty hours. Full-time employees working less than their regular work week will be charged benefit time. The work week begins at 12:00 a.m. Monday and ends at 11:59 p.m. the following Sunday, except for firefighters whose work week begins at 7:30 a.m. on Monday and ends at 7:29 a.m. the following Monday.

Your superintendent will set your work schedule. Changes in work schedules will be announced as far in advance as practical.

<u>Police Hours of Work</u>
For police officers, the regular workday schedule will be eight hours and the regular work week will consist of an alternating schedule of five days on and two days off, followed by four days on and two days off. This schedule results in an average of 38.75 hours per work week.

Firefighters Hours of Work
For firefighters, the regular workday schedule will be twenty-four hours and the regular work week schedule will consist of one day on and two days off, resulting in an average work week of approximately 56 hours.

Call-in of Off-Duty Workers
City employees who are called into service when they would normally be off duty shall be paid for a minimum of two hours' work. If a second call-in occurs within the initial two-hour time frame, the only additional pay will be for actual time worked in excess of the original two-hour time frame. This provision shall apply to all city employees mentioned above in this section 5.2.

Water and Wastewater Department Workers On-Call Pay
In recognition of the fact that the water and wastewater department must regularly schedule one of its workers each week for on-call duty on weekends, evenings, and holidays to respond to such emergencies as broken water lines or mains, each member of the water and wastewater department who is scheduled for weekly on-call duty shall receive two hours' pay at his or her regular rate, and not as overtime unless they are actually called into work and have already worked 40 hours during the week, for each week so scheduled. Said two hours pay shall be in addition to any pay or overtime pay to which such worker is entitled for time worked.

5.3 Vacation
The City of Plymouth believes that you should have opportunities to enjoy time away from work to help balance your life. Therefore, we provide you with paid vacation time. Employees become eligible for vacation time upon their date of hire after their 60-day introductory period. All regular full-time employees receive accrued vacation time on January 1st for the previous calendar year or after their 60-day introductory period, whichever is later. Part-time and temporary employees are not eligible for vacation time. Vacation leave must be scheduled and pre-approved by your superintendent.

Vacation time is accrued according to the following schedules:

Vacation (for all employees except Firefighters)	
Continuous years of service as of December 31st	**Days of vacation to be taken in the following calendar year**
Year of hire	4 hours per month (40 hr max)
<1 through 7 years	10
8 through 14 years	15
15 through 24 years (eligible for up to 1 week buy back)	20
25 years or more (eligible for up to 1 week buy back)	25

Vacation (for Firefighters)	
Continuous years of service as of December 31st	**Days of vacation to be taken in the following calendar year**
Year of hire	12 hours per month (72 hr max)
Less than 2 years	4 work days
2 through 7 years	5 work days
8 through 14 years	8 work days
15 through 24 years	11 work days
25 years or more	14 work days

Carryover and Payment of Unused Vacation Time
In the event you do not use your earned vacation time by the end of the calendar year, you may not carry over vacation time to the next calendar year. Any vacation not taken will be forfeited.

Employee Buy-Back Program
Once an employee has reached 15 years of continuous service, they are eligible to "buy back" up to 1 week of vacation (40 hrs.) earned from the year prior. To "buy back" means an employee can request up to 40 hrs of vacation pay at their regular rate to be paid out per calendar year. Payout can be requested one time during the calendar year and must be submitted to your department head for approval on or prior to November 1st of the calendar year. This rule does not apply to firefighters, paramedics, or salaried exempt employees.

Payment upon Termination
Any vacation earned the previous year, and not taken before termination, will be paid upon termination. Any vacation earned during the year in which termination occurs will be forfeited upon termination. Termination date may not be extended to accrue additional vacation time.

Scheduling and Requesting Vacation Time
Time-off schedules are dictated by workload demands; we must ensure that we are appropriately staffed in order to meet business needs. We will make every attempt to accommodate your time-off request, but your superintendent will determine preference; generally, earlier requests will receive first consideration. Exempt staff may take vacation in half- or full-day increments.

5.4 Sick Time (All eligible employees except firefighters)
The City of Plymouth realizes that on occasion employees will need to be away from work due to personal illness. As a benefit, all regular full-time employees are eligible for sick days after completion of the 60-day introductory period.

Sick days shall be prorated during the first year of employment. During the first calendar year of employment, after the 60-day introductory period, employees earn ½ day per month, not to exceed five sick days per year. A partial initial month of employment shall count as a full month for the purpose of determining whether a new employee has completed the 60-day introductory period. (E.g. employee hired on September 15, shall have completed three months after November 30th of the same year.) After completion of the first calendar year, employees receive five sick days each calendar year. Unused sick days may accrue up to a maximum of fifty days. (Exception for employees who on December 31, 1996 have 10 or more years of service.) Said employees shall accrue no more than five days per year of service as of January 1, 1997, with a maximum of 100 days.

Nonexempt and Exempt employees must log sick leave on a 15 minute (.25 hour) basis. If sick time is used for a doctor visit, you must bring in a doctor's note when you return to work to confirm the visit.

Employees who miss three consecutive sick days or a total of 40 hours of sick time in a calendar year must provide medical documentation to their department head before sick time is approved. The employee, Department Head, and Human Resources Manager must then complete a City supplied Sick Leave Form and turn it in to the Clerk Treasurer for approved extended sick leave. Additionally, department heads reserve the right to require medical verification for any sick time taken.

Sick time is to be used only for the employee's own sickness or employee's own doctor appointment.

CITY OF PLYMOUTH – SICK LEAVE FORM

DATE: _____

FROM: _____
Employee

DEPARTMENT HEAD: _____

DATE(S) OF ABSENCE(S): From _____ To _____

APPROVED HOURS OF SICK LEAVE _____

EMPLOYEE SIGNATURE: _____

DEPT HEAD SIGNATURE: _____DATE: _____

Human Resources certifies the physician's statement was received and sick leave can be compensated.

HR SIGNATURE: _____DATE: _____

NOTE: Employees who miss 3 consecutive days, 40 hours per calendar year, or when directed by department head. Upon request by your department head, or as required by the Sick Leave Policy, this original form must be completed and returned to your department head for inclusion in your confidential medical file at the Human Resources Office. Human Resources must submit a copy of this form without medical documentation to the Clerk-Treasurer before you will be compensated for the sick leave in question.

City of Plymouth
Revised 05/24/2024

Payment upon Termination
Accrued sick days will not be paid upon termination of employment.

5.5 Sick Time (Firefighters)

New firefighters shall be eligible for eight hours sick leave per month, to be calculated from date of employment, after completing 60 days of their one-year introductory period, with a maximum of 72 hours or three sick days per

year. Each full-time Firefighter and EMT/Paramedic shall receive three sick days per year, and may accrue a maximum of 30 days. (Exception for those employees who, on December 31, 1996, have 10 or more years of service.) Said employees shall accrue no more than three days per year of service as of January 1, 1997, with a maximum of 60 days.

Firefighters who are unable to report to work due to illness or injury should notify their department head or assistant department head, if available, or designated supervisor, before the start of the workday. The department head or supervisor must also be notified on each additional day of absence. If an employee uses two or more consecutive work days as sick days, (s)he must provide medical documentation upon return to work, verifying the illness or injury, to receive pay for these sick days. The employee, Department Head, and Human Resources Manager must then complete a city supplied Sick Leave Form and turn it in to the Clerk Treasurer for confirmation of approved extended sick leave. A doctor's excuse shall be required for any sick leave absence after an employee has used three sick days in one year.

The City of Plymouth reserves the right to direct an employee to a doctor of the City's choice to receive a second opinion at the City's expense for any illness or injury that has caused the employee to be absent for more than two sick days. A physician's certification of fitness for duty shall be required, after an extended absence for illness or medical condition.

Sick time is to be used only for the employee's own sickness or employee's own doctor appointment.

Payment upon Termination
Accrued sick days will not be paid upon termination of employment.

5.6 Personal Time

All regular full-time employees receive 24 hours or 2 work days of personal time per calendar year, whichever is greater. During the first calendar year of employment, and after completion of the 90-day introductory period, employees hired prior to June 1st receive 16 hours or 2 work days of personal time, whichever is greater, and those hired June 1st or later, receive eight hours or one work day of personal time, whichever is greater. These are days that employees may use to conduct personal business that may take them away from the course of the normal workweek. Unused personal days do not carry over from year to year and are not paid out upon termination of employment. Personal leave must be scheduled and pre-approved by your superintendent.

5.7 Holidays (Except Police and Firefighters)

All full-time employees are eligible to receive holiday pay. Part-time and temporary employees are not eligible.

The City of Plymouth observes the following holidays:

Holidays	
New Year's Day	**Labor Day**
Martin Luther King Day	**Veteran's Day**
President's Day	**Thanksgiving Day**
Good Friday	**Day after Thanksgiving**
Memorial Day	**Christmas Day**
Independence Day	***Additional day before or after Christmas**

*The additional day will be determined annually, by the Mayor, depending on which day of the week Christmas Day falls.

If a holiday falls on a Saturday, the City of Plymouth will typically observe the holiday on the preceding Friday. If the holiday falls on a Sunday, the City of Plymouth will typically observe the holiday on the following Monday. All time off for holidays must be reported as "holiday" on the time report.

In the event of an emergency, or in a department or area that must remain open to provide services (such as the airport), if an employee must work on a paid holiday, such employee shall receive holiday pay plus his or her regular rate for hours worked on such paid holiday.

Paid holiday hours do not count toward the accumulation of overtime hours/pay. Employees on layoff or unpaid leave of absence during a holiday will not receive holiday pay (As a point of clarification, this means that an employee must work a full day (or use other paid time off) on their last scheduled day prior to the holiday, and on the next day following the holiday to be eligible for holiday pay).

Holidays—Police
Each employee of the police department shall be entitled to up to twelve paid holidays per calendar year. The total number of holidays per year shall be divided by four, and each employee shall be entitled to take the resulting number of days (e.g. 12 divided by 4 quarters = 3 holidays per quarter) off during each calendar quarter. Days off for holidays shall be scheduled in advance at a time convenient to and with the written consent of his or her supervisor. Each day off for holidays must be taken during the respective quarter. If the employee does not take the specified number of holidays in said calendar quarter, the employee shall be compensated for eight hours for each unused holiday at his or her regular rate of pay.

Each newly hired employee will be eligible for prorated holidays during their first quarter of employment. A new employee will receive one holiday for each month that they complete one 8-hour shift. (e.g. if you are hired on February 28th, you will receive 2 Holidays for the first quarter, one for February and one for March).

Holidays—Fire Department
Employees of the Fire Department shall be entitled to one work day off with holiday pay for every three months worked in the calendar year. The holiday (day off) shall be scheduled in advance at a time convenient to and with the written consent of his or her supervisor. The use of Holiday hours must be in 12 hour increments. If the employee does not use all 24 hours of holiday time allowed during the three-month period, the employee shall be compensated for the remaining unused holiday hours at his or her regular rate of pay.

5.8 Bereavement Leave
The City of Plymouth will provide employees (except firefighters) with up to three paid days off upon the death of an immediate family member (mother, father, spouse, child, sister, brother, grandchild, an immediate step-relative, an immediate in-law, or any legal dependent living with the employee). Firefighters will receive one 24-hour workday off upon the death of an immediate family member as defined above.

The City of Plymouth will provide eight hours of paid time off upon the death of a grandparent, grandparent in-law, or step-grandparent in-law.

The bereavement leave policy is designed to reimburse employees for work days lost. As such, it does not apply if the employee is on any other type of leave. Employees should notify their superintendent as soon as possible if the need for bereavement leave arises.

Leave shall be in conjunction with time of death or date of funeral leave or memorial service. If additional time off is required, employees may use vacation or personal time if available, with your superintendent's approval. Employees are eligible to use sick time for their mental or physical well-being with an approved physician form Is required. If there are special circumstances to be considered, you should seek additional direction and approval from your direct superintendent.

5.9 Jury Duty
The City of Plymouth encourages employees to fulfill their obligation as citizens when they are called to serve jury duty. If you serve, you are entitled to retain any compensation you receive from the courts. In addition, you will receive your normal salary or hourly rate minus compensation received for jury duty, for the period of time you serve on jury duty, up to 30 days. Jury duty lasting longer than 30 days will be unpaid by the city.

- Before you begin jury duty leave, you must submit to your superintendent the court order for jury duty.

- At the beginning of the jury duty term, you should ask the court clerk or bailiff to prepare a weekly work verification form. The court clerk will typically provide the work verification form on each day you serve on the jury.
- Please give the work verification form or a copy of your check to your superintendent each week. The compensation will be deducted from your next scheduled paycheck.
- Time served on jury duty does not count toward overtime.

A request to the court to excuse an employee from serving on jury duty shall be made only in cases of extreme hardship to the employee, the employee's immediate family, or the department.

5.10 Family and Medical Leave Act (FMLA)

The City of Plymouth will grant family and medical leaves of absence in accordance with the Family and Medical Leave Act (FMLA) and applicable state or other laws. The law is complex, so we encourage you to contact the Human Resources office if you are anticipating a need to take a leave and/or if you have questions about the law or this policy.

Eligibility

You may be eligible for FMLA leave if you:

- Work at a City of Plymouth facility with at least 50 employees within a 75-mile radius
- Have worked for the City of Plymouth for at least 12 months
- Have worked for at least 1,250 hours during the 12 months preceding your requested leave of absence

Note: Certain high-level salaried employees may be exempt from the law if granting a leave would cause the City of Plymouth economic hardship.

Reasons for FMLA Leave

You may take FMLA leave for any of the following reasons:

- The birth or care of a newborn child
- The placement of a child with you for adoption or foster care, or the care of the newly placed child
- The care of a spouse, child, or parent (but not in-law) with a serious health condition
- Your own serious health condition
- Any qualifying exigency related to a spouse, child, or parent who is a member of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.
- The care of a spouse, child, parent, or nearest blood relative recovering from an injury or illness sustained while on active duty in the Armed Forces

A serious health condition generally means an illness, injury, or other medical condition that renders you unable to perform your job, such as a period of hospitalization or a period of incapacity exceeding three days while under the continuing care or treatment of a health-care provider.

Leave Time Allowed

- FMLA allows eligible employees to take up to 12 unpaid workweeks of leave during a 12-month period for the family and medical reasons listed above. The 12-month period shall be measured backward from the date the employee first uses leave under this policy.
- Eligible employees with a spouse, son, daughter, or parent who either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may use their 12-week leave entitlement for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest

and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

"Covered active duty" means:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave during a single 12-month period to care for a covered servicemember. The eligible employee may be the servicemember's parent, child, spouse, or next of kin (defined as the closest blood relative of the injured or recovering servicemember).

  The term "covered servicemember" means:

  - A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
  - A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

  The term "serious injury or illness":

  - In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating
  - In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

- Husband and Wife Employed: If you and your spouse are both employed by the City of Plymouth, each of you may take 12 workweeks' leave for your own serious illness or to take care of your sick child or each other. However, a married couple is limited to a total of 12 workweeks for the birth, adoption, or foster placement of a child; the care of a sick parent; or the care of a healthy infant or adopted child.
- Intermittent or Reduced-Schedule Leave: You may take intermittent or reduced-schedule leave for the serious health conditions of yourself, your spouse, your child, or your parent when medically necessary. If your need for intermittent leave requires you to miss only part of the workday, we expect you to work the remainder of your shift, whether before or after the requisite period of intermittent leave. Under certain circumstances, if you are using intermittent leave or reduced-schedule leave, we may temporarily transfer you to an alternate position for which you are qualified and that better accommodates your leave.
- If you use FMLA leave for any purpose other than its intended purpose, we will consider it as grounds for disciplinary action, up to and including termination.

- We will consider authorized absences for family or medical leave as excused absences for purposes of our attendance policies. But whenever the need for leave is for planned, periodic, or foreseeable medical treatments of a serious health condition, please schedule the treatments to minimize any absence from work and so as not to disrupt the operations of the City of Plymouth.

Notice
Whenever the need for leave is foreseeable, you must request the leave not less than 30 days before it is to begin. Failure to submit the request at least 30 days in advance may result in the leave being delayed. In this instance, any absences that occur prior to the beginning of the leave may be counted as unexcused under the City of Plymouth's attendance policy.

Medical Certification
The City of Plymouth may ask you to produce a satisfactory medical certification in support of your leave request, or during the leave, or as a condition of returning to work at the expiration of the leave. In addition, we may require you to obtain a second opinion at our expense. In certain circumstances, we also have the right to require follow-up medical certifications during your leave.

The Human Resources office will provide you with certification forms for your specified type of leave. You must have your attending physician complete a Certification of Health Care Provider form for all medically related leave requests. You must return the leave of absence certification forms to the Human Resources office within 30 days prior to your leave if the need for leave is foreseeable, or as soon as practicable if the leave is not foreseeable (at least within 15 days of the date you receive the request for certification). If you fail to provide the required certifications in a timely manner, your leave may be denied and the absences in question may therefore be considered unexcused under the City of Plymouth's attendance policy.

Use of Accumulated Time Off
The City of Plymouth reserves the right to require you to use any accrued paid time off, such as accrued sick days (only if the time off is due to a personal health condition), vacation or personal days, during any part of the 12-week period.

Benefits
The City of Plymouth will continue your existing health insurance coverage under the same conditions applicable to active employees. You must continue paying your portion of the health insurance premium during this time. If you do not return to work after the leave, we may require you to reimburse us for the health-care premiums/expenses we paid during your leave. During periods of FMLA leave, you are not entitled to unemployment compensation.

Outside Employment
While on FMLA leave, employees shall not be engaged in outside employment.

Reinstatement
Upon the expiration of the leave, the City of Plymouth will return you to the job that you held prior to the leave of absence or to an equivalent position, unless your position has been affected by a reduction-in-force or reorganization, or unless you qualify as a key employee under certain circumstances.

If you find that you do not require the amount of time originally contemplated for your FMLA leave, it is your responsibility to notify Human Resources office in writing immediately. We require a minimum of two days' notice of your intention to return to work early.

You must have your attending physician provide you with written authorization prior to returning to work. If you fail to return to work at the conclusion of an unpaid FMLA leave, and you have not communicated with the Human Resources office to see if accommodations can be provided, we will proceed with the understanding that you have voluntarily resigned your employment.

5.11 Military Leave of Absence
Military leave, up to a maximum of 15 days per year, is provided without loss of time or pay. Any additional leave time may be on an unpaid basis. This policy is not intended to conflict with state or federal military leave laws;

therefore, to the extent such laws require more generous treatment to individuals seeking military leave, the City of Plymouth will follow those laws.

If you request a military leave of absence, you may elect to use paid time off in lieu of unpaid leave, and you may elect to continue health-care benefits to the extent permitted by law during your leave of absence. You should direct questions regarding military leave to the Clerk-Treasurer's office. You must supply your Department Head with a copy of all Military Leave orders before paid Military Leave will be approved.

5.12 Americans with Disabilities Act (ADA)

It is the policy of the City that qualified individuals with disabilities not be excluded from participation in or benefit from the services, programs or activities of the City. It is the policy of the City not to discriminate against a qualified individual with a disability in: job application procedures; the hiring, advancement or discharge of employees; employee compensation; job training, and other terms, conditions and privileges of employment. It is the intent of the City to comply with all applicable requirements of the Americans with Disabilities Act (ADA).

If a person is not able to perform the essential functions of a job, even with reasonable accommodation, the person is not qualified for the position. The City will reasonably accommodate persons with a disability on a case-by-case basis, which may include making facilities readily accessible to individuals with a disability, restructuring jobs, modifying work schedules, modifying equipment, or similar accommodations.

Accommodations may not create an undue hardship for the City or other employees. An individual who cannot be reasonably accommodated for a job, without undue hardship, will not be selected for that position.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, and which threat cannot be eliminated by reasonable accommodation, will not be hired or retained. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave.

Further, disabled individuals cannot pose a direct threat to the safety of themselves or others. Generally, a "direct threat" means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation. Employees requesting an ADA accommodation must secure ADA forms **(Reasonable Accommodation Request form)** from the Human Resources office. It is the employees' responsibility to complete and return such forms as specified.

Benefits provided to disabled individuals who are qualified to perform the work are not different from the benefits provided to other employees.

Any individual who believes he or she has received treatment inconsistent with the policies set forth above or any other requirement of ADA, may file a complaint within ninety (90) days of the date of the alleged discriminatory act or practice with City ADA Coordinator/City Attorney.

5.13 Wage Policy

Violations of benefit time of the City shall be subject to disciplinary actions and penalized as follows:

1. Unauthorized time away from work shall be subtracted from existing leave time in the following order: accrued compensatory time, vacation days, and sick days (if applicable).
2. If an employee paid on an hourly wage has no existing paid leave time as described above, unauthorized time from work shall be docked from his/her wages on an hourly basis.
3. The City of Plymouth's pay system is based on a policy based on principals of public accountability which recognizes the City's accountability to its citizens for the use of public funds. Because of this accountability and in the interest of efficient use of these funds, the city will not pay exempt salaried employees for hours in which they do no work, unless they have accrued leave available to cover that time. Full-day (8 hour) or partial-day (4 hours) increments will be used if accrued leave is not available.
4. The wages of an elected official cannot be docked, as set by law.

Additional disciplinary actions may be taken for violations of the sick leave, personal leave, and/or vacation policy, up to and including termination of employment.

5.14 Timekeeping

Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits.
The Fair Labor Standards Act (FLSA) and Family and Medical Leave Act (FMLA) require that certain records be kept on each covered non-exempt worker. The record must include accurate information about the employee and data about hours worked and wages earned. The city is required to maintain the following records:

1. Employee's full name, as used for Social Security purposes, and on the same record, the employee's identifying symbol or number if such is used in place of name on any time, work, or payroll records;
2. Address, including zip code;
3. Birth date if younger than 19;
4. Sex and occupation;
5. Time of day of week when employee's workweek begins, hours worked each day, and total hours worked each workweek;
6. Basis on which the employee's wages are paid;
7. Regular hourly rate;
8. Total daily or weekly straight-time earnings;
9. Total overtime earnings for the workweek;
10. All additions to or deductions from the employee's wages;
11. Total wages paid each pay period; and
12. Date of payment and the pay period covered by the payment.

IC 36-4-10-4.5 allows the clerk-treasurer to require time clocks or whatever reporting equipment that she feels is necessary to record the time worked.

6.0 Compensation and Benefits

The City of Plymouth is proud of the benefits package we provide to our employees and their families. We reserve the right to amend or terminate any of the plans at any time.

6.1 Pay Policies

The City of Plymouth is committed to a compensation program that is consistent and fair and that does not discriminate. All pay policies are in compliance with all local ordinances as well as all state and federal pay regulations.

Paychecks
The City of Plymouth's payroll cycle runs on a semi-monthly pay period. Pay periods for all exempt employees are from the first through the fifteenth and from the sixteenth through the last working day of the month. Pay periods for our non-exempt employees are set by the Clerk Treasurer each calendar year on a schedule of 2-to-3-week timeframe. All paychecks are deposited on the 15th day and the last day of each month covering the immediate pay period that has ended. If we have made an error in calculating your wages, you should notify your superintendent immediately. We will make every effort to correct the error as quickly as possible.

Direct Deposit
The City of Plymouth requires direct deposit of paychecks into one account at the banking institution of your choice. If you change banks or account numbers, please submit the change in person immediately to the Clerk-Treasurer's office.

Payroll Deductions and Garnishments
The City of Plymouth is directed by law to make certain deductions from your paycheck. Among these are applicable federal, state, and local income taxes. We also must deduct Social Security taxes on your earnings up to a specified limit. We match the amount of Social Security taxes you pay. Court-ordered payments such as garnishments are pay deductions collected and forwarded to the courts. We will handle garnishments as required by law.

6.2 Overtime

(Excluding Firefighters)

On occasion, the City of Plymouth may require overtime for nonexempt employees. Although situations may arise that will prevent someone from working overtime, we do expect all of our nonexempt employees to be available to work overtime and a flexible schedule when it is necessary. Refusal to work overtime when specifically requested, without a valid reason for refusing the work, constitutes insubordination and may result in disciplinary action.

Nonexempt employees will be paid overtime at one-and-one-half times their regular hourly rate for all hours worked over 40 hours per week. All overtime work must be approved by your superintendent. Paid time off and holidays are not included in the calculation of overtime pay.

Firefighters (Nonexempt)

All nonexempt Firefighters shall be compensated at the employee's regular rate of pay until the total hours worked in a designated 28-day period exceeds 212 hours. All hours worked in excess of 212 hours in a designated 28-day period shall be paid at one and one-half times the employee's regular rate. Only hours actually worked count toward the calculation of overtime.

Firefighters may elect to receive compensatory time off in lieu of overtime pay for hours worked in excess of 212 hours in the 28-day period. Compensatory time is calculated at one and one-half times the number of hours in excess of the 212 hours. An employee may accrue a maximum of 480 hours of compensatory time. Employees who have accrued 480 hours must then be paid one and one-half times their regular rate of pay for any hours worked in excess of 212 hours in the designated 28-day period. Earned compensatory time belongs to the employee and in the event an employee leaves his or her employment for any reason, such employee shall be paid for any unused compensatory time at his or her current regular rate of pay at the time of such employee's last payroll check.

6.3 Meal Periods and Breaks

You should talk with your superintendent about meal periods and break times to determine an appropriate schedule. Nonexempt employees (excluding firefighters and police officers should clock out for lunch per your superintendent's schedule. You must have your superintendent's prior approval if you do not clock out and take a lunch break. The standard lunch break is thirty minutes and is unpaid.

6.4 Benefits

The following are highlights of the benefits that the City of Plymouth provides to employees. It is not to be considered a complete description of the plans.

The City of Plymouth Benefits Summary	
Medical Insurance	**Dental Insurance**
Vision Insurance	**Disability Insurance**
Group and Voluntary Life Insurance	**457 Retirement Plan**
INPRS for regular full-time employees	**INPRS for Police and Firefighters**
Lifeplex Medical Clinic	

More information on these benefit plans is available from the Human Resources office.

Medical Insurance

Full-time employees are eligible for the City of Plymouth's medical insurance plan on the first of the month following 30 consecutive days of full-time employment.

Dental and Vision Insurance

Full-time employees are eligible for the City of Plymouth's dental insurance plan on the first of the month following 30 consecutive days of full-time employment.

Life Insurance
Full-time employees are eligible for the City of Plymouth's life insurance plan on the first of the month following 30 consecutive days of full-time employment. This coverage is fully paid for by the City of Plymouth. Coverage for all full-time employees is $20,000; plus $5,000 for the spouse; and $2,000 per child.

Voluntary life insurance is available for employees who wish to purchase additional life insurance.

Disability Insurance
Full-time employees may purchase disability insurance through a group plan.

Health Insurance Portability and Accountability Act (HIPAA)

The City is compliant with applicable requirements and standards of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and has established guidelines regarding the privacy of individually identifiable health information accordingly.

The City has designated the human resources manager as the City's "privacy official" who is responsible for developing and implementing privacy policies and procedures. The human resources manager is the contact person who is responsible for receiving complaints regarding compliance.

All City HIPAA inquiries shall be directed to the human resources manager.

Retirement Plans
457 Deferred Compensation Program **–** This program is voluntary and is non-contributory on the part of the city.

PERF – The city participates in the State Retirement Fund, also known as Public Employees Retirement Fund. All full-time employees, except police officers and firefighters, are required to enroll in the program on or before their first day of employment. Additional information is available from the Clerk-Treasurer's office.

Indiana Police & Firefighters' Pension Fund – All full-time police officers and firefighters are members of the Indiana Police & Firefighters' 77 Pension Fund. Additional information is available from the police or fire pension secretary of each department.

6.5 COBRA

When you or your enrolled dependents are no longer eligible for regular coverage under the City of Plymouth's medical, dental, and vision plans, you may be eligible for continued coverage by paying the monthly premium for the coverage. This is guaranteed under the Consolidated Omnibus Budget Reconciliation Act (COBRA) if:

- You were covered under the group plan at the time of a qualifying event (see "Qualifying Events" below).

Retirees
Any City employee retiring on or after January 1, 2003 shall be allowed to stay on the City's group health, vision and dental insurance plans through COBRA, at their own cost, if the employee is qualified to retire under PERF, until the date that they become Medicare eligible (or should choose to move out of the service area). Retirees qualified to retire under PERF, prior to January 1, 2003, shall be allowed to remain on said plan under the rules applying prior to said date.

Qualified retirees who retire on or after January 1, 2003, shall not be permitted to stay on the City's life insurance or Lifeplex Medical Clinic plan. Qualified retirees who retire on or after January 1, 2003 shall be allowed to stay on the City's group health, vision and dental insurance plans through COBRA only.

Qualifying Events
You have the right to choose continuation coverage (COBRA) if you lose your group insurance because of a reduction of hours in employment or the termination of your employment (voluntary or involuntary) for reasons other than gross misconduct. A covered family member or dependent child has the right to choose continuation coverage (COBRA) if coverage is lost for **any** of the following reasons:

- You die.
- You are terminated (voluntarily or involuntarily) or your hours of employment are reduced.

- Your child is no longer considered a "dependent child" under the terms of the City of Plymouth's insurance policies.
- You and your covered spouse divorce or become legally separated.

You must inform the Human Resources Manager as soon as possible in the case of a qualifying event. If you have questions regarding continuation coverage (COBRA) or your responsibilities to obtain and maintain it, you should contact the Human Resources Manager at 574-914-0502.

6.6 Workers' Compensation

From the first day of employment, all City of Plymouth employees are covered with insurance against medical expenses arising from work-related illnesses or accidents. This insurance also provides for a percentage of lost wages due to accidents and illness related to work for all City of Plymouth employees except Police and Fire. These benefits start seven days from the date of disability.

> **NOTE:** Employees who sustain a work-related injury or illness must inform his or her superintendent or the Human Resources office **immediately**. This will enable eligible employees to qualify for coverage as quickly as possible.
>
> If medical attention is required, you should proceed immediately to the clinic of the doctor currently serving as city worker's compensation doctor. If treatment is required outside normal business hours or if the injury is very serious, you should go to the emergency room at St. Joseph's Regional Medical Center, Plymouth Campus. If follow-up visits are necessary, they are to be performed by the city's worker's compensation doctor. Benefits will be denied if these medical providers are not utilized.

Employees on Workers' Compensation shall not be engaged in outside employment. Workers' Compensation is considered FMLA leave and employees may be required to use benefit time while off on leave. Medical certification will be required upon return to work.

The city's workers compensation carrier will investigate and determine qualified injuries. (I.e., injuries received as a result of not following proper safety procedures are not qualified for workers' compensation benefits.)

<u>Police and Fire Employees</u>

Employees of the Police Department and Fire Department will be paid through the City of Plymouth for any approved work related injury leave time for up to a 6 month period without the use of their benefit time. If an injured employee is not able to return to duty after the approved leave time, a medical evaluation will be required in order to determine the employees work status.

Civilian Fire Department employees who work 24 hour shifts are eligible for wage benefits through Workers Compensation. These employees will not be required to use benefit time while off on Workers Compensation leave.

6.7 Multiple Positions

Non-exempt employees working in more than one City position shall count the combined hours worked in more than one position in determining overtime obligations under the Fair Labor Standards Act (FLSA).

6.8 Timesheets

It is an employee's responsibility to sign his/her timesheet to certify the accuracy of all-time recorded. The supervisor will review and initial timesheets before submitted them for payroll processing. If corrections or modifications are made to the timesheets, both the employee and the supervisor should verify the accuracy of the changes by signing the timesheets. Should an employee fail to sign such a timesheet, the timesheets shall be submitted by the supervisor with an acknowledgment that the employee has reviewed the modification. The supervisor will counter-sign the timesheet, indicating that the hours claimed were actually worked. Failure by an employee to submit a timesheet when required or submitting a falsified timesheet may result in disciplinary action.

7.0 Resignation and Termination

7.1 Resignation

Below are examples of some of the most common circumstances under which employment is terminated:

- **Resignation:** Voluntary employment termination initiated by an employee. Although advance notice is not required, the City requests at least two (2) weeks written notice from the employee.
- **Discharge:** Involuntary employment termination initiated by the City.
- **Layoff:** Involuntary employment termination initiated by the City for non-disciplinary reasons.
- **Retirement:** Voluntary employment termination initiated by the employee meeting City retirement criteria as established by the Public Employees Retirement Fund (PERF).

7.2 Exit Interview

If you are leaving the City of Plymouth, we may conduct an exit interview with you in order to:

- Finalize your compensation
- Obtain all City of Plymouth property, if applicable, including uniforms, equipment, phones, keys, etc.
- Understand your reasons for leaving

7.3 Termination Pay

An employee's termination date shall always be the last day worked, unless the employee is on an approved leave. An employee's termination date may not be extended to include accrued and/or unused paid or unpaid time off.

Regardless if the termination is voluntary or involuntary, you will receive your final paycheck with the next scheduled pay period.

7.4 Eligibility for Rehire

You may be eligible for rehire if you:

- Voluntarily left City of Plymouth employment or were laid off due to business slowdowns
- Possessed a satisfactory record of service, including acceptable performance reviews and attendance
- Provided two weeks' notice upon resigning.

Any person who previously terminated employment with the City and is later rehired, shall be subject to the same terms and conditions of employment as all other new employees.

Former employees who had a less-than-satisfactory work record and/or who failed to give proper notice upon resigning may be excluded from rehire consideration. The final decision for rehire eligibility will be at the superintendent's discretion.

Severability

The policies and procedures contained in this handbook are subject to all applicable federal and states laws, rules and regulations and shall be interpreted wherever possible so as to comply fully with such laws, provisions or any judicial interpretations. If an article or section of this handbook shall be held invalid by operation of law or tribunal or competent jurisdiction, or compliance with or enforcement of any article or section of this handbook shall be restrained by such tribunal, the remainder of this and any amendments thereto shall not be affected and shall remain in full force and effect. The City of Plymouth reserves the right to delete, modify, or amend the policies contained herein or allocate new policies as needed.

Indemnification

In the event that a department head, elected official, or any other City employee becomes a defendant, either in his/her representative capacity, or individually in any litigation arising out of the administration to this policy, the City and/or its insurers, shall defend the employee of that action, and pay any judgment entered in the action provided by the City, so long as the elected official, department head, or City employee has made a good faith effort to comply with the terms and conditions set out in this handbook.

Enabling ordinances
This employee handbook shall be approved by the Mayor and the City Council. The terms and conditions of this handbook shall be incorporated by reference in the annual Salary Ordinance approved annually by the Plymouth City Council and the terms and conditions set out herein shall be deemed a condition of compensation under that Ordinance.

Amendments
This handbook may be amended from time to time in substantially the same form approved as it is approved. Any amendments shall be distributed to each department of the City of Plymouth and shall be conspicuously posted for at least ninety (90) days throughout the offices of the City of Plymouth after their passage.

Acknowledgment of Receipt

I hereby acknowledge that I have received the City of Plymouth employee handbook and that I have been advised to read it carefully and bring any questions I have to the attention of my superintendent or the Human Resources office.

I understand that this handbook and the policies contained in it do not create a contract of employment between the City of Plymouth and any of its employees.

I further understand that my employment with the City of Plymouth is at will and that either the City of Plymouth or I may terminate my employment at any time, for any lawful reason or for no reason at all.

I acknowledge that I do not in any way rely upon the provisions of this handbook in accepting or continuing my employment with the City of Plymouth.

Finally, I understand that the City of Plymouth may, unilaterally and without prior notice, alter, amend, change, or discontinue any of the policies or benefits described in this handbook at any time.

Employee Printed Name	
Employee Signature	
Date	