

Chapter 3: General Rules of Employment

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City Manager: _____

Signature



04/22/2020

Date

Section 3.1 - Residency Requirement

Within 12 months of the date of hire, City of Mason employees are required to reside within 20-linear miles of the geographical boundaries of the City. Employees are required – within this 20-mile limit – to establish, occupy, and maintain a dwelling as their primary residence at which they regularly eat their meals, receive their mail, sleep, maintain voter registration, maintain as their driver’s license address, maintain as their tax address, and in all other manners maintain as their normal residence.

Section 3.2 – Attendance

Employees shall report for work as scheduled. Employees unable to report for work as scheduled shall notify their Supervisors or Department Heads as soon as possible. Department Heads shall notify the City Manager of their absences as soon as feasible. Department Heads will establish a sick use notification procedure for their own respective departments.

Section 3.3 - Hours of Work

The normal workweek for employees consists of five days, at nine hours per day with a one-hour unpaid lunch break. For employees who work an eight- and one-half hour day, a one-half hour unpaid lunch break is included. Each of these schedules result in a 40-hour work week. The City Manager may establish hours of work which differ from a standard for an entire department, division, or for individual employees to meet special program needs or workloads. Each department shall post the established work schedule for its employees. Once established, employees are expected to follow the defined work schedule unless written permission is obtained from the City Manager.

Employee meal breaks will be scheduled by their direct Supervisors. For part-time employees working a reduced schedule, appropriate breaks and lunch will be scheduled proportionally to the hours worked.

Section 3.4 - Appearance and Conduct

City employees shall manage their appearance and conduct while on duty as follows:

1. Maintain a clean, well-groomed appearance consistent with their position and responsibilities. Clothing that impairs performance or disrupts the transactions of public business is prohibited. Specific guidelines may be established by the Department Head, with approval of the City Manager.
2. Serve the public in a courteous, impartial manner.
3. Comply with the directives and work instructions of the Supervisor.
4. Avoid selling, peddling, or soliciting goods, services, or money resulting in the misuse of the employer’s time and resources.

Section 3.5 - Change of Employee Status

Employees shall report to the Human Resource Department any change of name, dependents, address, telephone number, or other information related to employment status.

Section 3.6 - Medical Examinations

After an offer of employment has been made to an individual, and at any subsequent time that a reasonable question, based on objective evidence, arises as to an employee's ability to perform the assigned job and essential job functions and/or whether an employee poses a direct threat to others in the workplace due to a medical condition, the City Manager – at the expense of the City – may order a comprehensive medical examination by a licensed physician of any City employee hired under the authority of the City Manager. Any employment that is offered by the City Manager may be conditioned upon the successful completion of a medical examination that indicates that the individual is capable of performing the essential duties prescribed in the job description of the offered position. In the event that the individual is found to be unable to perform the offered job, the offer of employment for that position shall be withdrawn, and the position declared vacant. If during employment, an employee is found to be unable to perform the essential duties of his assigned position, with or without reasonable accommodation, the City Manager, after considering available, alternative positions, may transfer or terminate the employee.

Section 3.7 - Outside Employment

A full-time employee of the City, with prior written consent of the City Manager, may take a part-time job or engage in a business or activity for financial gain if there are no conflicts with job assignments or hours required to perform City job responsibilities, and if this job, business, or activity will not bring the City into disrepute. The work efficiency of the employee must not be affected in a negative manner, with respect to the job performance to the City, and there must be no conflict of interests to the City. The employee shall advise the City Manager, through the Department Head, of the nature of the outside employment, the hours involved, any potential conflict of interest with outside employment, and any other appropriate information. The City Manager shall not unreasonably withhold consent to a request for outside employment. Whenever extra duty becomes necessary, such extra duty shall take precedence over outside employment. The following activities, which are not all inclusive, are considered to be in conflict or incompatible with City employment:

1. Any employment, activity, or enterprise which involves the use of City facilities, equipment, supplies, property, or influence for private gain.
2. Any activity which involves receipt or acceptance by an employee of any money or other consideration from anyone other than the City for the performance of an act which the employee should be required or expected to render in the regular course of City employment.
3. Any activity which involves a performance of an act beyond the employee's capacity as a City employee which may later be subject to the control, inspection, review, or enforcement by the employee or other employees in the same department.
4. Any activity which impairs the attendance or work efficiency of the employee.
5. Any activity which would involve a violation of law, or otherwise be deemed by the City Manager to be incompatible with City employment.

Section 3.8 - Conflict of Interest

No employee shall engage in any activity or enterprise which conflicts with the duties as a City employee or with the duties, functions, and responsibilities of the Department in which employed.

An employee of the City shall not have any financial interest in any contract, service, or other work performed by the City; nor shall personally profit directly or indirectly from any contract, purchase, sale, or service between the City and any person or company; or personally, or as an agent, provide any surety, bail, or bond required by law or subject to the approval of the City Council. Any potential or perceived conflict of interest must be reported, in advance if possible, to the City Manager. No employee shall accept any free or preferred services, benefits, or concessions from any person or company other than items generally distributed by the

donor for advertising purposes. Employees shall refuse or return all gifts and notify the Supervisor upon receipt or offer of a gift. If the gift cannot be returned it will be donated to a local charity.

Section 3.9 - Use of City Property

Employees shall be responsible for the proper use and care of City property issued to them or used by them for the performance of their duties. No City equipment, materials, or supplies shall be used for private gain or convenience. Employees shall not be allowed to store personal items in City buildings, except items required for the employees to perform their duties.

Employees issued City vehicles, shall use such vehicles for official business only. All vehicles shall be operated in compliance to state laws and traffic regulations. All operators of City vehicles shall possess a valid, current driver's license with the proper classification for the vehicle being used by the employees in the performance of their work. Only employees subject to a number of emergency calls or after-hour duties may, upon the recommendation of the Department Head and approval of the City Manager, be authorized to take a vehicle to their homes during off-duty hours if they reside within the City of Mason limits.

Section 3.10 - Property Searches

Lockers, tool bins, vehicles, and other property owned by the City must be maintained according to City rules and policies. City property, including desks and computers, provided to employees must be used only for proper work-related purposes in an appropriate manner. The City reserves the right to inspect all City property to ensure compliance with its rules and regulations, and the employee has no expectation of privacy. The City further reserves the right to inspect all property stored on City property, such as tool bags stored around work areas, and lunch boxes stored in the lunch room. While the City will attempt to advise the employee at the time of a search or inspection, the City reserves the right to make any investigation or search without notice to the employee, and in the employee's absence.

Section 3.11 - Political Activity:

The following defines inappropriate and appropriate activity related to this issue:

1. City employees may not engage in an activity with a Political Benefit while on duty. This includes paid breaks, paid lunch and paid dinner.
2. City employees may not use City property, equipment or materials for an activity with a Political Benefit. This includes telephones, email, fax machines, copiers, computers, etc., as well as, any activity at City owned and/or operated places of business.
3. City employees may not use their positions to influence individual or public opinion, or represent their personal opinion as that of the City's for any activity with a Political Benefit purpose. Endorsement of a candidate or referendum, or other political activity involving state or federal elections are not prohibited as long as the employee does not associate themselves, by endorsement, either through dialogue or financial means, or any other means as an employee or representative of the City of Mason, either by name or association.
4. City employees may not engage in an activity with a Political Benefit while wearing City uniforms or City insignia of any kind.
5. City employees may not solicit or attempt to influence other City employees for Political Benefit purposes.
6. If an employee that is not an emergency medical service personal or firefighter (City Charter, Sec 5.1) becomes a Political Candidate for the office of City Council in Mason, the City shall require the employee to request and take a leave of absence without pay, when she/he complies with the

candidacy filing requirement, or sixty days before any election relating to that position, whichever date is closer to the election. If the employee that is not an emergency medical service personal or firefighter (City Charter, Sec. 5.) wins an election, she/he must resign from employment with the City.

7. All requests for City information by Mason City Council Political Candidates related to their campaign should be provided to the City Manager for response. Any responses to information requests will be provided in written form to all Mason Council Political Candidates to avoid any Political Benefit.
8. It is the responsibility of the City employee to notify the City Manager and the City Clerk of violations of this policy immediately.

Section 3.12 - Use of Tobacco

Use of tobacco products by employees during work hours, either inside a City-owned facility or automobile, is forbidden. Employees may only use tobacco products during work hours while in a designated smoking area away from public view, and while on an authorized break. The use of, or possession of, tobacco “spit cups” is forbidden.

Section 3.13 - Separation from Employment

An employee who desires to leave City employment in good standing is expected to give at least 10 working days’ notice (cannot include holidays or minimum staffing days) in writing—the original of which will be placed in the employee’s personnel file. The employee shall be paid earned annual salary to the date on which employment terminates. Employees terminated by the City, and those who resign with the requested notice, will be paid for accumulated but unused vacation. Resigning employees who do not give proper notice will not be paid for unused vacation. Upon separation, employees will not be paid for accumulated but unused sick or personal time.

The employer’s contribution to insurance plans will be made through the end of the month in which termination occurs. Employees enrolled in the City’s insurance plan may be eligible to continue coverage at their own expense under the group plan. Coverage may be extended up to 18 months, at an increased rate, depending on the coverage.

Upon termination from employment from the City, employees are required to return all City-owned property assigned to them. Failure to return any City-owned property may result in required reimbursement to the City. An employee will be requested to sign a Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

Section 3.14 – Use of Information Systems/Email Policy

The electronic mail and other information systems of the City are not to be used in a way that may be disruptive, offensive to others, or harmful to morale. There is to be no display or transmission of sexually explicit images, messages, or cartoons, nor any transmission or use of email or voice mail communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, height, weight, age, disability, or religious or political beliefs. Violation of this policy will result in appropriate disciplinary action. Employees’ communications and use of the email, computer, Internet, and voicemail systems will be held to the same standard as all other business communications, including compliance with the City’s equal employment opportunity and anti-harassment policies. The City should immediately be notified of any unsolicited, offensive material received by any employee on any of these systems.

Email is the equivalent of a business memorandum. Words and messages should be prudently selected. Employees should not commit to email what they would not readily commit to a business memorandum. Employees should be professional in their use of the computer and email systems.

Employees should use the information systems for City's purposes only. These systems were put in place to facilitate the employees' ability to efficiently and productively do their jobs. To that end, these systems are provided solely for business purposes. The information systems should not be used to solicit or contact others for commercial ventures, religious or political causes, outside organizations, or non-job-related solicitations.

The email, computer, Internet, and voice mail systems are the property of the City. Anything an employee creates or loads on the system becomes the City's property. All electronic and voice mail messages are the City's records. The City reserves the right to access, monitor, copy, review, download, and disclose all messages, communications, and files created or maintained on these systems, at any time and for any business purpose, without prior notice to the employee.

Employees are hereby notified that they have no expectation of privacy with regard to use of the City's information systems. If email is deleted from employees' screens, it is not deleted from the system and can still be accessed. Management reserves the right to enter an employee's information systems' files at any time. It is a violation of this policy for non-management employees to attempt to gain access to another employee's information systems' files without express permission from management. Non-management employees also should not access anything which is designated "confidential" without first receiving proper authorization from management.

Employees should not transmit or disclose any of the City's confidential information on the information systems, without proper authorization from management. Even after receiving such authorization, employees should only send materials of a sensitive nature or which constitute "confidential information" on the Internet if the material are properly encrypted to prevent interception by third parties. Employees must treat this information in a secure manner at all times.

Connection to outside or third-party vendor websites that offer "live" feeds in the way of music, video, radio or television simulcasts or similar media broadcasts is prohibited without prior authorization from the City Manager. Webcasts that provide job related training or technical information are acceptable, but must be scheduled with their Supervisor.

The City has acquired rights to use certain software programs on its communication and information systems for business purposes. In virtually all cases, the City's right to use software is subject to license agreements that prohibit users from copying, selling, loaning, or giving away software, or using or duplicating it in any way that is not expressly authorized by the license agreement. Therefore, anyone who uses or has access to any software that is on, or accessed through, the City information systems must assume that any use of software other than in regular course of City business is strictly prohibited. If any employee believes software is vital to their job or is of benefit to the City as a whole, they shall make the request for installation to their supervisor. If the supervisor believes the software merits consideration, they shall then consult with the City Manager to determine whether or not the software is to be installed.

Some information on the Internet may be protected by copyright law. Before downloading any information from the internet, creating a Web page with links to other material, or copying or using a third party's materials, employees should first consult with management.

Compliance with this information systems policy is a term and condition of employment. Failure to abide by these rules or to consent to any interception, monitoring, copying, reviewing, or downloading of any communications or files will result in discipline, up to and including termination.

Section 3.15 – Telecommuting Policy

This policy establishes the guidelines the City will use to select and manage those employees approved to telecommute either for temporary or extended periods of time.

1. Scope: This policy applies to all City employees authorized to work remotely by their supervisor and the City Manager.

2. Definition: Telecommuting is defined as working from home or other off-site location using electronic communications, such as the internet, to connect with the primary place of employment.
3. Criteria for Selection: The City strives to provide equal opportunities to all employees when it comes to working situations. However, telecommuting is not conducive to every employee and position. Keeping this mind, the City will review all reasonable employee requests to telecommute using the following criteria:
 - a) Is the employee a good candidate for telecommuting?
 - Dependable
 - Flexible
 - Proven performance
 - No record of disciplinary action
 - Comprehensive knowledge of position
 - b) Can the duties of the position be successfully fulfilled through telecommuting?
 - Measurable work activities
 - Little need for face-to-face interaction with coworkers
 - Clearly established goals and objectives
 - Duties can be performed alone
 - Equipment needed is limited and can be easily stored at the off-site location
 - c) A National, State, or Local declared emergency deems that it's necessary to work remotely.

Note: The City reserves the right to deny or revoke telecommuting privileges at any time, with or without cause or notice.
4. Responsibilities: Position requirements and responsibilities will not change due to telecommuting. Workers face the same expectations in relation to professionalism, work output and customer service, regardless of where the work is being performed. The amount of time an employee is expected to work in a given week will not change, although the exact scheduling of allotted hours will be left up to the discretion of their direct supervisor. If an employee's physical presence is required at the City's primary work location, he or she is expected to report once given adequate notice.
5. Contact with Primary Location: Employees approved for telecommuting are responsible for maintaining regular contact with their supervisor. The supervisor will act as the employee's primary contact at the City. Both the employee and his or her supervisor are expected to work together to keep each other informed of any developments that occur during the workday.
 - a) Employees must have approval from their supervisor to:
 - Alter their defined work schedules
 - Move company equipment to a new location
 - Transfer primary off-site operations to a new location
6. Off-Site Work Area: The City has a legal responsibility to provide liability and worker's compensation coverage to its employees. Such legal responsibilities extend only to authorized, off-site work locations during scheduled work time. The City is responsible only for injuries, illnesses, and damages

that result directly from official job duties. The City accepts no responsibility for employees' personal property.

As the City could foreseeably be held responsible for an injury befalling an employee in their off-site work area, the City reserves the right to inspect off-site locations for safety concerns. Such an inspection will always be planned in advance for a time convenient for both the inspector and the employee.

If employees have domestic responsibilities, they must attend to during scheduled working hours, they are expected to do so in a reasonable manner that will still allow them to successfully fulfill their job duties.

7. Off-site Security: While positions that regularly deal with highly sensitive information may not be ideal candidates, under certain circumstances such employees may be allowed to telecommute. In these situations, it is up to the employee to enforce a rigorous standard for ensuring the security of all sensitive information entrusted to them. Failure to do so will result in loss of telecommuting privileges.
8. Expenses: Working primarily off-site could result in expenses not directly addressed in this policy. If such expenses are necessary for their official duties as prescribed, the City may reimburse the employees. However, since reimbursement is subject to management approval and is not guaranteed, potential expenditures should always be approved prior to the transaction being made.
9. Equipment: Employees approved for telecommuting will be supplied with the equipment required to perform their duties, by the City of Mason. It must be kept in mind that:
 - a) All employees must sign the "Remote Access Policy Acknowledgement" form.
 - b) All equipment purchased by the City remains the property of the City. All equipment is to be returned in a timely fashion should the employee cease telecommuting operations for any reason.
 - c) Hardware is only to be modified or services by parties approved by the City.
 - d) Software provided by City is to be used only for its intended purpose and should not be duplicated without consent.
 - e) Any equipment provided by the City of off-site use is intended for legitimate business use only.
 - f) All hardware and software should be secured against unauthorized access.