City of
Rifle

CITY COUNCIL AGENDA

City Council
Randy Winkler, Mayor
Barbara Clifton, Mayor Pro Tem
Joe Elliott, Councilor
Ed Green, Councilor
Theresa Hamilton, Councilor
Annick Pruett, Councilor
Dana Wood, Councilor

City Hall
City Council Chambers
202 Railroad Avenue
Rifle, CO

Cablecast Live on
Comcast Channel 10

Streamed Live at RifleNOW.org

The City of Rifle will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 665-6405 for assistance.

REGULAR MEETING
December 16, 2015

WORKSHOP 6:00 P.M.
COUNCIL CHAMBERS

6:00 P.M. Discuss Marketing and Economic Development (Nathan Lindquist)
6:30 P.M. Discuss Employee Personnel Manual Revisions (Danielle Hogan and Matt Sturgeon)

REGULAR MEETING 7:00 P.M.
COUNCIL CHAMBERS

The City Council may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.

7:00 p.m. 1. Regular Meeting Call to Order and Roll Call

7:03 p.m. 2. Consent Agenda – consider approving the following items:
- A. Minutes from the December 2, 2015 Regular Meeting
- B. Authorize extension of Animal Shelter Operations contract with Friends of the Animal Shelter (FRAS)
- C. Liquor License Renewals for Shanghai Garden and Rifle Lodge No. 2195
- D. Amending Policies in the City's Personnel Manual – Resolution No. 37, Series of 2015
- E. Accounts Payable

7:08 p.m. 3. Citizen Comments
(For items not listed as public hearings on the agenda. Please limit comments to 3 minutes.)

7:11 p.m.	4.	Action, if any, on Workshop Items (Mayor Winkler)
7:15 p.m.	5.	Consider Designating Municipal Officers to Apply for and Renew the City's Liquor Licenses - Resolution No. 38, Series of 2015 (Kristy Christensen)
7:25 p.m.	6.	Consider appointing Parks and Recreation Advisory Board (PRAB) members (Tom Whitmore)
7:30 p.m.	7.	Receive update on water projects (Jim Miller)
7:45 p.m.	8.	Receive update on Water Conservation Plan (Jim Miller)
7:55 p.m.	9.	Administrative Reports
8:05 p.m.	10.	Comments from Mayor and Council

The order and times of agenda items listed above are approximate and intended as a guideline for the City Council.

Next Regular Meeting of Council: ***January 6, 2016 at 7:00 p.m.***

RIFLE CITY COUNCIL MEETING

Wednesday, December 2, 2015

REGULAR MEETING

7:00 p.m. * Council Chambers

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Randy Winkler.

PRESENT AT ROLL CALL: Councilors Barbara Clifton, Ed Green, Theresa Hamilton, Annick Pruett, Dana Wood, and Mayor Randy Winkler.

Councilor Clifton moved to excuse Councilor Elliott from tonight's meeting; seconded by Councilor Wood.
Roll Call: Yes – Clifton, Green, Hamilton, Pruett, Wood, and Winkler,

OTHERS PRESENT: City Manager Matt Sturgeon; City Clerk Kristy Christensen; City Attorney Jim Neu; Rifle Community Television (RCTV) Manager Michael Churchill; Police Chief John Dyer; Parks and Recreation Director Tom Whitmore; Planning Director Nathan Lindquist; AmeriCorps Intern Cathleen Anthony; Ryan Hoffman; Gina Reece-Long; and Helen Rogers.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

A. Minutes from the November 18, 2015 regular meeting
B. (Acting as Liquor Licensing Authority) Special Event Permits: Grand River Hospital District Volunteers Association, December 18, 2015, January 23, 2016 and February 12, 2016 at Grand River Hospital District premises (approve permits, cancel public hearing listed in Item 5)
C. (Acting as Liquor Licensing Authority) Special Event Permit: Rifle Area Chamber of Commerce, December 3, 2015, at Ute Event Center premises (approve permits, cancel public hearing listed in Item 6)
D. (Acting as Liquor Licensing Authority) Special Event Permit: Hospice of the Valley December 10, 2015, at Grand River Hospital District premises (approve permits, cancel public hearing listed in Item 7)
E. (Acting as Liquor Licensing Authority) Special Event Permits: City of Rifle December 10, 12, 18, 19, 2015 and January 9, 2016, at Ute Event Center premises (approve permits, cancel public hearing listed in Item 8)
F. Consider Repeal of Article XVII of Chapter 16 Regional Drainage Fee - Ordinance No. 25, Series of 2015 – 2nd reading
G. October Financial Reports
H. Accounts Payable

Councilor Green moved to approve Consent Agenda Items A, B, C, D, E, F, G, and H seconded by Councilor Pruett .
Roll Call: Yes – Clifton, Green, Hamilton, Pruett, Wood, and Winkler.

Amended the agenda to item 2C to reflect Ute Event Center.

CITIZEN COMMENTS

There were no citizen comments

CONSIDER APPOINTING STEPHANIE STOCKING TO THE DOWNTOWN DEVELOPMENT AUTHORITY (DDA)

Downtown Development Authority (DDA) Manager Helen Roger stated the DDA board recommends Council appoint Stephanie Stocking to the Board.

Mayor Winkler recused himself from consideration of this matter because of a potential conflict of interest. Mayor Winkler currently serves on the DDA Board.

Councilor Hamilton moved to appoint Stephanie Stocking to the Downtown Development Authority (DDA); seconded by Councilor Green.
Roll Call: Yes – Clifton, Green, Hamilton, Pruett, Wood,

CONSIDER ADOPTING 2016 BUDGET

City Manager Matt Sturgeon presented the following items connected with adopting the 2015 budget

A. RESOLUTION NO. 34, SERIES OF 2015 – ADOPT THE 2016 ANNUAL BUDGET
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016.

B. ORDINANCE NO. 26, SERIES OF 2015 - ANNUAL APPROPRIATION OF FUNDS
AN ORDINANCE OF THE CITY OF RIFLE, COLORADO SETTING FORTH THE ANNUAL APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016.

C. RESOLUTION NO. 35, SERIES OF 2015– MILL LEVY CERTIFICATION
A RESOLUTION OF THE CITY OF RIFLE, COLORADO LEVYING GENERAL PROPERTY TAXES TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE CITY OF RIFLE FOR THE 2016 BUDGET YEAR

Councilor Hamilton moved to approve Resolution No. 34, Series of 2015, Resolution No. 35, Series of 2015, and Ordinance No. 25, Series of 2015, as presented and order the ordinance to be published as required by Charter; seconded by Councilor Pruett.
Roll Call: Yes – Clifton, Green, Hamilton, Pruett, Wood,

PUBLIC HEARING - CONSIDER APPROVING SUPPLEMENTAL BUDGET

Mayor Winkler opened the public hearing. City Manager Matt Sturgeon provided and overview of the 2015 supplemental budget.

A. RESOLUTION NO. 36, 2015 - BUDGET AMENDMENT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, AMENDING THE CITY'S BUDGET FOR THE YEAR ENDING DECEMBER 31, 2015.

B. ORDINANCE NO. 27, SERIES OF 2015 - SUPPLEMENTAL APPROPRIATION
AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR A SUPPLEMENTAL APPROPRIATION FOR THE YEAR ENDING DECEMBER 31, 2015.

The supplemental appropriation and budget amendment for fleet is not required because the expenditures for the fleet fund were within the 2015 budget. Ordinance No. 27, Series of 2015 and Resolution No. 36, Series of 2015 will be amended with the deletion of the $102,000 for fleet reducing the supplemental appropriation by $102,000.

No public comment was received. Mayor Winkler closed the public hearing.

Councilor Green moved to approve Resolution No. 36, Series of 2015 as amended and Ordinance No. 27, Series of 2015; as amended and order the ordinance to be published as required by Charter; seconded by Councilor Hamilton
Roll Call: Yes – Clifton, Green, Hamilton, Pruett, Wood, Winkler

ADMINISTRATIVE REPORTS

City Manager Matt Sturgeon reported on the following items: possible dates for Strategic Planning and Hometown Holidays.

Chief Dyer recognized Scott Minturn for donating forty $25 gift cards for people in need.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Hamilton announced she is excited for Hometown Holidays this weekend.

Councilor Pruett invited citizen to attend Hometown Holidays.

Councilor Wood recognized the Library District's efforts in the shop local campaign.

Mayor Winkler encouraged everyone to look at the schedule of events for Hometown Holidays.

Meeting adjourned at 7:34 p.m.

Kristy Christensen City Clerk	Randy Winkler Mayor

Office of the City Manager

MEMORANDUM

To: Honorable Mayor and City Council

From: Matt Sturgeon

Date: December 9, 2015

Subject: Extension of Animal Shelter and Impoundment Services Agreement

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The City has contracted with the Garfield County Animal Welfare Foundation, Inc., (dba Friends of the Animal Shelter) for the subject services since 2012. The last year (2011) the City operated the shelter and provided impoundment services internally, total expenditures were approximately $88,000. The City's costs have been reduced to $71,781—the contract amount for 2016—since contracting with Friends.

Staff recommends continuing to contract with Friends in 2016 and has placed the extension on Council's Consent Agenda.

Friends of Rifle Animal Shelter
c/o Barbara Clifton, Esq.
127 E. 5th Street
Rifle, CO 81650

RE: **Extension of Domestic Animal Shelter and Impoundment Services Agreement with the City of Rifle, Colorado**

Dear Barb,

The GARFIELD COUNTY ANIMAL WELFARE FOUNDATION, INC., a Colorado not-for-profit corporation d/b/a FRIENDS OF RIFLE ANIMAL SHELTER ("FRAS"), and the CITY OF RIFLE, COLORADO, a municipal corporation ("City") entered into a certain DOMESTIC ANIMAL SHELTER AND IMPOUNDMENT SERVICES AGREEMENT effective January 1, 2012 (the "Agreement") and renewed said Agreement in 2013, 2014 and 2015. FRAS and the City desire that FRAS continue to operate the Rifle Animal Shelter for an additional year through 2016 under the same terms and conditions contained in the Agreement, except as specifically modified herein.

Section 2 of the Agreement shall be amended with a one year extension of the Term to include from 12:00 a.m. on January 1, 2016, to 11:59 p.m. on December 31, 2016. All other provisions of Section 2 shall remain in full force and effect.

Section 3 of the Agreement shall be amended so that the total contract price to be paid by the City for FRAS's operations as described in Section 6 shall be $71,781.00 to be paid by the City in four equal installments of $17,945.25 on a quarterly basis commencing January 1, 2016.

Except as specifically modified by this Letter Agreement, FRAS and the City hereby ratify and affirm the Agreement.

Please have an authorized officer of FRAS execute the Agreement acknowledging and agreeing to the extension of the Agreement through 2016, as amended herein, and return the Agreement to my office for City endorsement.

CITY OF RIFLE, COLORADO

By:_____
Matt Sturgeon, City Manager

ATTEST:

_____
City Clerk

GARFIELD COUNTY ANIMAL WELFARE FOUNDATION, INC., a Colorado not-for-profit Corporation d/b/a FRIENDS OF RIFLE ANIMAL SHELTER

Name:_____

Title:_____

To: Honorable Mayor and City Council

From: Kristy Christensen, City Clerk

Date: Thursday, December 10, 2015

Subject: Liquor License Renewals

These businesses have filed Liquor License Renewal Applications:

Business Name/Address	**Type of License**
J&L, Inc. dba Shanghai Garden 1538 Railroad Avenue Rifle, CO 81650	Hotel & Restaurant
BPOE Lodge dba Rifle Lodge No 2195 6 & 13 Quick Mart 101 Railroad Avenue	Club License

The following criteria have been met by the applicants:

- The application is complete.
- The fees have been paid.

I recommend approval of these Liquor License Renewal Applications.

DR 8400 (Revised 09/01/12)
COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
SUBMIT TO LOCAL LICENSING AUTHORITY

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	$308.75
Storage Permit $100 x ____	_____
Optional Premise $100 x ____	_____
Related Resort $75 x ____	_____
Amount Due/Paid	308 75

Make check payable to: **Colorado Department of Revenue**. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

RIFLE LODGE NO 2195
PO BOX 1229
RIFLE CO 81650-1229

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW | **RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name		DBA		
BPOE LODGE		RIFLE LODGE NO 2195		
Liquor License #	License Type	Sales Tax License #	Expiration Date	Due Date
04093570002	Club License (city)	04093570002	12/31/2015	11/16/2015
Street Address				Phone Number
501 W 5TH ST RIFLE CO 81650-2823				970-625-2195
Mailing Address				
PO BOX 1229 RIFLE CO 81650-1229				
Operating Manager	Date of Birth			
Todd Stanovich	7-11-63			

1. Do you have legal possession of the premises at the street address above? ☑ YES ☐ NO
   Is the premises owned or rented? ☑ Owned ☐ Rented* *If rented, expiration date of lease_____
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☑ NO

   NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☑ NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☑ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☑ NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business	Title
Paul L. Ames	Commitee Chairman
Signature	Date
	Mon Nov 9

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For		Date
Signature	Title	Attest

DR 8400 (Revised 09/01/12)
COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
SUBMIT TO LOCAL LICENSING AUTHORITY

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	$500.00
Storage Permit $100 x ___	-0-
Optional Premise $100 x ___	-0-
Related Resort $75 x ___	-0-
Amount Due/Paid	$500-

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

SHANGHAI GARDEN
PO BOX 1931
GLENWOOD SPRINGS CO 81602

RECEIVED
City of Rifle
Clerk's Office

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name	DBA			
J&L, INC.	SHANGHAI GARDEN			
Liquor License # / License Type	Sales Tax License #	Expiration Date	Due Date	
4704063 / Hotel & Restaurant (city)	30775479	1/12/2016	11/28/2015	
Street Address			Phone Number	
1538 RAILROAD AVE RIFLE CO 81650			(970) 625 4430	
Mailing Address: 1538 Railroad Ave, Rifle, Co. 81650				
Operating Manager: Jack Chen	Date of Birth: 09/09/78			

1. Do you have legal possession of the premises at the street address above? ☒ YES ☐ NO
   Is the premises owned or rented? ☐ Owned ☒ Rented* *If rented, expiration date of lease 09/15/19
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ YES ☒ NO
   NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ YES ☒ NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ YES ☒ NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ YES ☒ NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business	Title
Jack Chen	president
Signature: Jack Chen	Date: 11/05/15

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For		Date
Signature	Title	Attest

To: Mayor and City Council; Matt Sturgeon, City Manager

From: Danielle Hogan, Executive Assistant

Date: Thursday, December 10, 2015

Subject: 2016 Personnel Manual Revision

Changes in employment laws and the Affordable Care Act requirements make it necessary to amend the City of Rifle's Personnel Manual. During this revision, other policies that require attention were addressed as well.

The City of Rifle Personnel Manual ("Manual" hereafter) is subject to ongoing review by Rifle staff and the City Council to ensure that it reflects best management practices, remains competitive with other employer benefits, and provides a clear and efficient guide for employer and employee conduct at the workplace. City of Rifle staff has reviewed the Manual and has identified policies in need of revision. Revised Section Numbers and explanation of revision are listed below:

2.1 Application for Vacancies

-taking out specific wording of exact procedure for listing vacant/open positions, we would like to allow flexibility and the option to alter these processes going forward

2.10.3 Severance Pay

-deleted from Personnel Manual as policy. City Manager may use severance pay on a case by case basis as situations warrant and it should not be viewed as necessary or obligated.

2.10.4 Accrued Vacation, Floating Holiday and Sick Leave Pay

-removal of compensatory time payout upon separation from service
-removal of sick leave payout upon separation from service
-allowing special provisions for current employees to be "grandfathered" in to be paid out for their sick time based on longevity of employment to those employees who have to date reached 5 plus years of service, but not have the City manage their COBRA benefit
-removal of sick leave applied toward City managed COBRA benefits for 5-10 years and 10+ years employees
-moving the provision of payout of sick leave to a beneficiary upon an employee's death from another section to this section

3.1 Temporary

-adding in definition total annual hours worked

3.2 Seasonal

-clarifying the definition of seasonal

3.3 Part-time

-changing hour requirement to no more than 29 hours per week

-part-time employees are not eligible to participate in benefit and leave program
-deletion of 3.3.1 Vacation, 3.3.2 Sick Leave, 3.3.3 Holidays-sections no longer apply

3.4 Full-time
-changing eligibility for benefits to 30 hours per week

3.7 & 3.8 Exempt Positions and Non-exempt Positions
-clarification of definition and removing compensatory time reference

4.2.1 Rest Periods
-making in compliance with the law

5.4 Computation of Overtime and Compensatory Time
-removal of compensatory time as an option for accrual, all hours worked over 40 will be paid as overtime

5.5 Pay Advances
-revising to not allow pay advances

5.6 Vacation Cash-out
-allowing 80 hours annually to be cashed out, rather than 40 hours

5.7 Health Care Benefits
-deleted sections 5.7.1 and 5.7.2 describing the exact health care option offered by the City to full-time employees
-stated that full-time employees are eligible to participate in the current health insurance and benefit package
-removing reference to part-time employee benefits

6.1 Holidays
-including December 24th as a normal holiday

6.2 Vacation Leave
-implementing a graduated by longevity annual maximum vacation carryover
-removing reference to part-time employees
-removing section 6.2.2 regarding maximum amount of accrued vacation and usage

6.3 Sick Leave
-deleting 6.3.3 Family Sick Leave, this is now covered through FMLA Leave in section 6.5
-revision of 6.3.8 Automatic Sick Leave Conversion
-deleting 6.3.9 Part-time Employees, as they are not eligible for sick leave

6.3.7 Automatic Sick Leave Conversion
-clarifying that sick leave accumulation above annual carryover maximum, will be converted to vacation leave at the end of each year at a rate of 50 percent for sick leave hours exceeding the maximum carryover, and will be added to the following year's vacation accrual

6.3.9 Part-time Employees
-removal of reference to part-time employees

6.13 Compensatory Time
-deleting 6.13 compensatory time; instead will be paid out as overtime

6.14 School Activity Leave
-deleting 6.14 as the law providing this leave had a sunset date which was fulfilled and not extended

10.9 Recording of Work Conversations Policy

-suggested policy to be included in City of Rifle Personnel Manual

15.2 Cell Phone Use in City Vehicles

-addition of new policy regarding City vehicles and restricted cell phone usage while operating them

Both a redline version of the Manual and a final version of the 2016 Manual are included.

Staff recommends that Council pass Resolution No. 37, Series of 2015, adopting a new Personnel Manual for the City of Rifle. Effective date of this new Personnel Manual will be January 1, 2016.

January 1, 2016

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City of Rifle

Adopted by the City Council December 16, 2015

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Personnel Manual

INTRODUCTION

The purpose of this manual is to inform employees of the City of Rifle's personnel policies of general applicability. This manual is not all-inclusive and does not purport to address all conceivable circumstances, but addresses those topics likely to be of interest to employees in the course of day-to-day operations.

The policies in this manual are not intended to supersede the City's home rule charter, ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail. The provisions of this manual apply to all employees of the City except as otherwise specified. Departments may have their own policies and procedures.

The policies in this manual are not intended and shall not be construed to vest any employee of the City of Rifle with any rights arising from any express or implied contract of employment, and employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice. The City reserves the right to change or rescind these policies and to determine the application of these policies to specific circumstances using its sole discretion. The City further reserves the right to alter or eliminate any benefits provided to its employees as referenced in the personnel policies. Any alteration, elimination, or revision may be made applicable to then-current as well as future employees.

Certain provisions of this manual identify potential disciplinary action which may result from specified conduct. The inclusion of these provisions does not, and is not intended to, limit the imposition of disciplinary action which may be imposed for any violation, nor is the inclusion of disciplinary provisions intended to limit the City of Rifle's discretion with respect to imposition of discipline.

Any matter not specifically covered by this manual may be administered by the City Manager in a manner consistent with this manual.

CITY OF RIFLE PERSONNEL MANUAL

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DEFINITIONS

The following definitions apply whenever these words and phrases are used in this manual, unless the context clearly indicates otherwise:

ADA or Americans with Disabilities Act means the Americans with Disabilities Act, 42 USC 12101 et seq., as amended from time to time.

Appointing Authority means the City Manager or the City Manager's designee.

Charter means the City of Rifle City Charter as found in the Rifle Municipal Code.

Department Head shall include those positions which report directly to the City Manager.

FLSA or Fair Labor Standards Act means the Fair Labor Standards Act, 29 USC 201 et seq., as amended from time to time.

FMLA or Family and Medical Leave Act means the Family and Medical Leave Act, 5 USC 6382 et seq., as amended from time to time.

Immediate Family consists of the mother, father, sister, brother, husband, wife, son, daughter, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandchildren, and grandparents of the employee, or relatives who live with the employee during the time that they are employed by the City.

1 EQUAL EMPLOYMENT OPPORTUNITY

1.1 Introduction

It is the policy of the City of Rifle that there shall be no unlawful discrimination or harassment against employees or job applicants on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status. “Genetic information” includes information about an individual’s genetic tests and the genetic tests of an individual’s family members, including fetuses, family medical history, receipt of and/or results of genetic testing, and participation in genetic clinical research. Equal opportunity, as required by law, shall apply to all personnel actions including, but not limited to, recruitment, hiring, placement, promotion, transfer, demotion, layoff or termination. Equal opportunity shall also apply to all administrative actions such as compensation, benefits, training, and education.

This policy does not add to any rights that employees may be entitled to by law. Further, employment with the City may be terminated at any time, with or without cause, and with or without notice.

1.2 Equal Employment Opportunity Officer

The Human Resource Director shall serve as the equal employment opportunity officer to carry out the City’s equal employment opportunity policy.

2 EMPLOYMENT PRACTICES

2.1 Application for Vacancies

Whenever a job vacancy occurs, it shall be filled with the most qualified applicant available. To the extent permitted by law, if two equally qualified applicants apply for a City position, preference may be given to a City employee, a City resident, or a veteran of the U.S. Armed Forces.

Any City employee interested in a job vacancy shall submit a written letter of intent to apply for such vacancy stating job skills and qualifications.

Résumés/application forms of an applicant who is hired will be placed in the employee's personnel file. Applications, unless renewed, shall be considered active for a period of 12 months. Applications for employment over one (1) year old may be destroyed to the extent permitted by law.

Applicants may be disqualified for consideration for employment when any of the following factors exists:

1) The applicant does not meet the minimum qualifications for the job as set forth in the job description;

2) The applicant has demonstrated an unsatisfactory employment record as evidenced by the results of the reference check;

3) The applicant has given any false information in his/her application or has otherwise practiced deception during the selection process;

4) The applicant fails to respond in a timely fashion to an invitation to interview; or

5) The applicant has a conviction record or personal history which negatively affects fitness to perform the required duties.

Deleted: Vacancies in positions are encouraged to be filled by promotion of qualified City employees. In each case, a determination will be made as to whether an open competitive examination or a promotional examination would best serve the interests of the City. Any City employee interested in a job vacancy shall submit a written letter of intent to apply for such vacancy stating job skills and qualifications. Promotions in every case must involve a definitive increase in duties and/or responsibilities, and shall not be made merely for the purpose of affecting an increase in compensation.¶
¶
Job announcements may be posted on official City bulletin boards for a minimum of five (5) working days. The announcement shall specify the title, salary range, duties and minimum qualifications, the method and deadline for making applications, and other pertinent information. All vacancy announcements shall include a statement that the City is an equal opportunity employer. Summaries of job announcements may be placed in newspapers or other advertising media as deemed appropriate.¶

2.2 Selection Techniques

Such selection techniques as deemed appropriate may be used in the selection process. Those selection techniques may include, but are not limited to, the following:

1) Screening job applications and résumés based on previous work experience and/or job qualifications as well as format and written presentation found within the job applications and resumes when pertinent to the job.

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2) Written testing

3) Examination based on practical application of skills

4) Interviews

5) Job-related tests of physical ability

6) Polygraph or psychological testing, upon conditional hire

7) Background investigations

2.3 Conditional Hire/Physical Examination

Upon conditional appointment, full-time Law Enforcement employees and any others deemed necessary based on job classification by the Human Resource Director are required to submit to a pre-employment physical examination by a doctor selected by the City.

As a condition of employment, prospective employees may be required to submit themselves to background checks, which may include polygraph examination, fingerprinting, criminal history, driving history, credit history, past employment history, and personal references. If a background check is required, it must be completed before employment begins. Conditional offers shall be withdrawn if the results of the background check are deemed to disqualify the applicant for the position.

2.4 Promotions, Transfers, Reinstatements

2.4.1 Promotions

Promotions may occur either with or without competitive examination. The City Manager or designee may authorize the promotion without examination of a qualified employee upon the written recommendation of the Department Head.

Notices of promotional opportunities may be posted on official City bulletin boards.

Deleted: , and if a position is filled by promotion of a City employee, no outside advertising or interviewing shall be required

2.4.2 Transfers

An employee may be transferred to a similar position in a different department. An employee desiring

to be transferred shall make a written request to both Department Heads for consideration when a

No appointing authority shall participate in or vote on decisions related to hiring, retention, promotion, or determination of the salary level of a member of his or her family.

The foregoing restrictions do not preclude consideration of a relative of an elected official or City employee for City employment except as specifically restricted herein. Evidence should be available demonstrating that procedures of the personnel policies were followed during the selection process and that the most qualified person was selected.

Violation of this policy by any appointing authority may lead to the immediate termination of the relative and appropriate disciplinary action against the appointing authority.

2.6 Residency

In addition to requirements set forth in the Rifle City Charter, those employees who live outside the City should be made aware that they may have to come into Rifle after hours, if necessary, and they must do so at their own expense and travel will be on their own time.

2.7 Employee Orientation

New employees will attend an orientation session that will include information concerning the City's salary and benefits programs, personnel policies, safety, and other City policies or programs relating to employment. New employees may also receive orientation information from their supervisor. Upon six months of employment, new employees may be evaluated.

2.8 Essential Personnel

Emergency situations may arise that dictate which City employees will be designated as "Essential Personnel." Emergencies can be caused by such developments as heavy snow or severe icing conditions, floods, earthquakes, or other natural disasters; air pollution; massive power failure; major fires; or epidemics. Significant emergency situations, of the scope and impact reflected in this guideline, will be the subject of public declaration of emergency or disaster by appropriate State or local authority.

The designation of Essential Personnel may be outlined in an employee's Job Description. These Personnel are required to report for duty during emergencies. Additionally, Essential Personnel are required to have a Family Care Plan that will describe how the employee's family will be cared for in the event of his/her absence from the home during the emergency.

2.9 Reduction in Force/Recall

The City, at its discretion, will determine whether layoffs and reductions in force are necessary as a result of lack of work, lack of funds, reorganization, curtailment of operations or programs or other circumstances in the City's best interest. Work hours for some or all positions may also be adjusted in

lieu of or in addition to layoffs if City circumstances warrant such action as determined by the City Manager. There is no City appeal process for decisions regarding layoffs and reductions in force.

1) When a layoff is necessary, Department Heads in consultation with the City Manager may consider the following factors, in no particular order of magnitude, in determining which position(s) will be necessary to dissolve:

   a) Performance of the employee.

   b) Versatility and future needs.

   c) Experience and special abilities possessed by the employee.

2) Any employee on leave of absence, including FMLA leave, during a layoff period will be subject to layoff on return to work, in accordance with the above considerations.

3) The reinstatement of laid off employees requires the approval of the Department Head and City Manager.

4) Under normal conditions, the order of recall for employees being reinstated will be in reverse order of the layoff. Employees recalled will be required to report to work within a two-week period and failure to do so may result in a waiver of the recall opportunity.

5) For compensation and benefit purposes, an employee's length of service will not include the length of time the employee was laid off.

2.10 Separation and Severance Pay Policy

This policy defines the various types of separations from the employ of the City and the effect of separation on benefits and continuous service.

This policy applies to all full-time employees. This policy also applies to part-time, seasonal, and temporary employees.

Deleted: 5) An employee reinstated after a layoff lasting 13 months or longer will be treated as a new employee for all purposes including any requirement for a re-employment physical examination at the City's expense.¶
¶
6) An employee reinstated after a layoff lasting less than 13 months will maintain continuation of service if he or she reports to work within two weeks of notification of recall.¶

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2.10.1 Types of Separations

1) Voluntary Termination occurs when the separation is initiated by the employee. Voluntary terminations include, but are not necessarily limited to, the following:

   a) Written or oral resignation (a two-week notice is preferred).

   b) Absence from work for three consecutive working days without notifying the employee's supervisor.

   c) Failure to report for work upon recall from layoff on the date designated.

   d) Failure to return from an approved leave of absence at the expiration of the leave.

   e) Retirement.

2) Involuntary Termination occurs when the separation is not initiated by the employee. Involuntary terminations include, but are not necessarily limited to, the following:

   a) Reduction in force - The City must reduce its work force for economic or other reasons.

   b) Termination without cause.

   c) Termination for cause - An employee is terminated for such reasons as inadequate performance, inefficiency, absenteeism, or violation of any policy or procedure set forth in this Personnel Manual.

   d) Death of the employee.

   e) Disability - An employee who has exhausted his/her accumulated leave, who is not on leave without pay status, and who is unable to perform his/her usual work assignment regardless of the employee's eligibility for disability benefits.

2.10.2 Exit Interview

Employees are requested to participate in a voluntary exit interview with the Human Resource Director.

2.10.3 Accrued Vacation, Floating Holiday, and Sick Leave Pay

Upon termination, either voluntary or involuntary, employees will be paid for accrued and unused vacation time.

Upon termination, either voluntary or involuntary, there will be no payment for floating holidays.

Upon termination, either voluntary or involuntary, there will be no payment for sick leave, except as noted below:

Deleted: and

Deleted: rules of conduct

Deleted: under Section 11

Deleted: 2.10.3 Severance Pay¶
Contingent upon the employee signing a severance agreement and release, the City will make severance payments described below to eligible employees whose employment with the City is involuntarily terminated due to reduction in force. No severance pay will be granted for separations which are the result of voluntary termination, discharge, disability, or death.¶
¶
1) Full-time Employees - In the event of reduction in force or release without fault of a full-time employee, the following severance pay schedule will be applicable:¶
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¶
a) At least one year but less than five years of continuous service - two weeks' severance pay. b) At least five years but less than ten years of continuous service -three weeks' severance pay. c) Ten years or more of continuous service - four weeks' severance pay.¶
2) In the event of an employee's death, his/her accumulated sick leave will be paid to the beneficiary.¶
¶
3) Part-time, Temporary, or Seasonal Employees - No severance pay will be granted to part-time, temporary, or seasonal employees.¶

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Deleted: and accrued compensatory time.

Deleted: in Section 2.10.3(2), Severance Pay,

Persons hired between January 01, 2011 and January 01, 2006, shall be eligible to receive ½ of their sick time if voluntarily terminated or let go through a reduction in force.

Persons hired prior to January 01, 2006, shall be eligible to receive full value of their sick time if voluntarily terminated or let go through a reduction in force.

In the event of an employee's death, the full value of the employee's accrued sick time shall be paid to the beneficiary.

Deleted: and as noted below:¶
¶
Upon voluntary termination or reduction in force, eligible employees who have worked for the City at least five or more years may use their sick leave in the following manner:¶
¶
At least 5 years but less than 10 Years of Continuous Service: One-half of the value of the sick leave can be used to pay for COBRA benefits, up to the extent allowed for by law. The value of the sick leave is calculated by multiplying the employee's final hourly wage by the number of¶
sick hours.¶
¶
10 Years or more of Continuous Service: The full value of the sick leave can be used to pay for¶
COBRA benefits, up to the extent allowed for by law.¶

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2.10.4 Group Insurance

Upon termination, either voluntary or involuntary, any life, accident, and short- and long-term disability insurance is canceled subject to the policies in force at the time.

Upon termination, either voluntary or involuntary, any health insurance is canceled the first of the month following the last day worked unless continuation of benefits has been chosen under COBRA laws.

2.11 Restoration of Length of Service

An employee who is involuntarily terminated due to reduction in force, and who is rehired, will have subsequent service "bridged" after a year of continuous service. For example, if an employee worked for the City for 3 years, was laid off and later rehired, after a year of continuous service, his/her length of service would be 4 years. An employee who resigned or was discharged, and who is rehired, will not have any prior service restored or "bridged." The date of rehire will become his/her service date.

However, computation of service for pension purposes and the effect of breaks in service on pension rights will be determined in accordance with the provisions of the City's pension plan.

2.12 Personnel Records

The City of Rifle shall maintain information on each employee pertinent to his employment and shall retain all personnel records of City employees in accordance with §24-72-201 et seq., C.R.S. One complete set of personnel files shall be kept by the Human Resources Department for each employee. This will be the official file.

An employee, the employee's Department Head, the City Manager, the City Attorney, or a former employee or his/her designated representative may examine the employee's personnel file during regular business hours. Designation of a representative shall be in writing, witnessed, and signed by the employee or former employee, and filed with the Personnel Department, before the representative may examine the file.

No documents shall be copied from a personnel record, except as required by the Open Records Act, without a written request from the employee designating the documents to be released and the person or entity to which the release is to be made, and indemnifying and holding harmless the City from any liability, claims, and demands resulting from such release.

2.13 Verification of Employment

To ensure that consistent and only need-to-know information is provided, all verification of current or former employment is made through the Human Resource Director.

Upon reasonable request, the Human Resources Department may verify to prospective employers of a present or former employee the dates of such individual's employment with the City and the latest or last position title held. No other information concerning an employee shall be released to any prospective employer, collection agency, credit bureau, or any other person or entity, unless the employee has designated the same as his representative in accordance with the above paragraph.

3 EMPLOYMENT STATUS

Employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice.

During the course of their employment with the City, employees may be classified in the following categories:

3.1 Temporary

A temporary employee is defined as a person employed either on a part- or full-time basis in a job which has been established for a specific period of time or for the duration of a specific project or group of assignments. The duration of a temporary position cannot exceed a total hours worked of 1,559 annually. A temporary employee is not eligible to participate in employee benefit and leave programs nor may he/she exercise appeals per Chapter 11.

Deleted: six months

3.2 Seasonal

A seasonal employee is defined as a person employed either on a part- or full-time basis, in a job which has been established annually for specific dates and is employed only between these specific dates. The duration of a seasonal position cannot exceed six months or extend outside of the established seasonal dates. A seasonal employee is not eligible to participate in employee benefit or leave programs nor may he/she exercise appeals per Chapter 11.

Deleted: established for a specific period of time for work or projects only conducted during a specific time of year

3.3 Part-time

A part-time employee is defined as a person employed in a position which normally requires no more than 29 hours per week. This employee shall not exceed 1559 total hours annually. A part-time employee is not eligible to participate in employee benefit or leave programs nor may he/she exercise appeals per Chapter 11. Except as allowed in Section 6.5, Leave Under Family and Medical Leave Act.

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Deleted: A part-time employee regularly scheduled to work at least 30 hours per week is eligible to participate in employee retirement benefit and leave programs on a prorated basis, including the employee-contribution retirement plan (457 plan) and the employer-contribution retirement program (401 plan). The City's contribution to the 401 plan will be prorated. For example, for an employee regularly scheduled to work ¶
30 hours per week, the City will contribute to the 401 plan 75% (30/40) of the contribution the City ¶ would make for a full time employee.¶

Deleted: A part-time employee regularly scheduled to work at least 30 hours per week is also eligible to participate in the City's health insurance program on a prorated basis. For example, an employee regularly scheduled to work 30 hours per week will receive 75% (30/40) of the health insurance benefit offered to a full time employee as set forth in Section 5.7..¶

Deleted: **3.3.1 Vacation¶**
Vacation hours earned will be determined by length of time of service as outlined in Section 6.2.1, Vacation Leave. Time of service will be actual calendar years rather than a conversion to full-time equivalent. Employees regularly scheduled to work at least 20 hours a week will earn a percentage of that time depending upon how many hours they are regularly scheduled. For example, someone who is regularly scheduled to work 20 hours would earn 50% and someone at 30 hours would earn at 75% and, of course, whatever the percentage is in between. Regardless of their regular schedule and with their supervisor's prior approval, part-time employees may use up to 40 vacation hours in a week provided they have accrued the hours (see Section 6.2, Vacation Leave for information concerning vacation leave requests).¶
¶
Part-time employees who become full-time employees will earn vacation hours based on service years computed by converting part-time hours worked to full-time equivalent. For example, a part-time employee who worked 20 hours a week for 8 years and then became a full-time employee would have 4 years of service.¶
¶
¶
3.3.2 Sick Leave¶
Sick leave will be earned by the same percentage of scheduled hours as detailed above. The normal rate of sick leave is 3.69 hours per pay period. Sick leave can be accumulated up to a maximum of 480 hours.¶
¶
Sick leave, however, can only be taken according to the employee's established work schedule. If, for example, an employee is scheduled to work 4 hours on Tuesday, 4 hours on Wednesday, 8 hours on Thursday, and no hours on Friday or Monday and he or she becomes sick on Friday, Saturday, Sunday or Monday, he or she will receive no compensation. If he or she were sick on Wednesday and Thursday, he or she would be paid 4 hours of sick leave for Wednesday and 8 hours of sick leave for Thursday.¶
¶
¶
3.3.3 Holidays¶
Regularly designated City holidays will be paid according to the employee's established schedule. In the above example, if a holiday fell on a Tuesday, an employee would receive 4 hours holiday time; if it fell on a Thursday when an employee was scheduled to work 8 hours, he or she would receive 8 hours of scheduled time; if the holiday fell on Monday or Friday, the employee would receive no holiday pay.¶
Part-time employees who work over 20 hours per week are entitled to pro-rated floating holidays based on hours worked in a week.¶
¶
...

3.4 Full-time

A full-time employee is defined as a person employed in a position which normally requires at least 30 hours per week. A full-time employee is eligible to participate in all employee benefit and leave programs.

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3.5 Inactive

Employees who have been granted approved leaves of absence without pay in accordance with the FMLA or otherwise.

3.6 Probationary

Employees who have been placed on probationary status for disciplinary reasons (see Section 11.2.2, Types of Discipline).

3.7 Exempt Positions

Those positions classified as exempt per the FLSA. Payment of overtime is not made to this class of employee.

Deleted: considered to be administrative, executive, or professional as defined by the Fair Labor¶
Standards Act (FLSA)

3.8 Non-exempt Positions

Those positions not classified as exempt per the FLSA. Payment of approved overtime will be made in accordance with the FLSA.

Deleted: or compensatory time will be earned

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4 EMPLOYMENT CONDITIONS

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4.1 Attendance

The City offers full municipal service to citizens and visitors. In order to do this in a tradition of high quality, our departments must be fully staffed. Employees are expected to arrive at work on time according to their work schedule. Absenteeism detracts from this service and causes an undue burden for those employees who must fill in for absent employees. Absenteeism is cause for disciplinary action (see Section 11.2 Discipline).

4.2 Work Schedule

Departments shall observe working hours as necessary to perform the services required. These working hours may be left to departmental discretion, with the approval of the City Manager. Normal hours are 8:00 a.m. to 5:00 p.m., Monday through Friday; however, the hours may vary depending upon departmental needs.

The normal work week begins at 12:01 a.m. Sunday and runs through midnight on the following Saturday. Departments have the option of establishing their own work week to fit their needs, subject to City Manager approval. Departments may also establish a fourteen (14) day work period, subject to City Manager approval.

Full-time employees have a work week consisting of forty (40) hours within the seven-day period described above. This shall be the standard for all employees with the exception of those in law enforcement.

The Police Department operates 24 hours a day, 7 days a week. Shift assignments and work periods shall be established by the Police Chief as set forth in the Police Department's policies. Meal periods will be counted as time worked only if officers are available for assignments as required during meal periods.

4.2.1 Rest Periods

Employees working four consecutive hours shall be granted one (1) 10 - minute break during every four hour period if it does not disrupt work flow. Breaks not taken may not be accumulated or used at the beginning or end of the day or in conjunction with meal periods. The rest period should be granted near the middle of each four (4) hour shift insofar as practicable. Rest periods shall be taken on or near the premises of the work site.

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4.2.2 Meal Period

With the exception of Law Enforcement employees, all full-time employees shall be granted a 60 minute non-paid meal period during each eight (8) hour work shift. Department supervisors should see to it

that employees have the opportunity to take scheduled lunch breaks and do not work during lunch breaks, unless specifically requested to do so.

4.3 Job Duties

Job descriptions are meant to be general outlines of duties performed and specific requirements of skills and abilities needed to perform the position; they are descriptive. The City reserves the right to change an employee's job duties at any time. An employee who feels that his/her responsibilities have grown substantially should discuss the new duties with the Department Head and the City Manager and may request a review of job description and salary at any time. Classification upgrades and pay increases are subject to the annual budgeting and appropriation process.

5 SALARY ADMINISTRATION AND BENEFITS

5.1 Timesheets

All employees except exempt will make daily entries on a time sheet. Exempt employees will turn in a Record of Accrual Usage on the timecard when necessary. Completed time sheets for the pay period will be signed by both the employee and supervisor.

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Payday occurs every other Friday. Time sheets for all employees except exempt must be turned in to their Department Head by 8:00 a.m. the Monday before payday. The Department Head must then turn in the time sheets to Payroll by 12:00 noon the Monday before payday.

5.2 Call Back

If an employee's position is considered "non-exempt" and he or is officially called back to work after departing from their regularly scheduled shift, the employee will be credited for the actual hours worked. Call-back hours will be counted as hours worked for the purposes of determining overtime during the work period. Workers who are called back to work on a holiday will be compensated for those hours in accordance with the holiday work policies.

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5.3 Stand-by

Some "non-exempt" employees may be expected to be on stand-by for some periods of time. Stand-by may be required for, but not limited to, law enforcement, snow removal, parks maintenance, and water and sewer personnel. Stand-by classification is based on the following three-tiered system:

Level	Response Time	Compensation*
Level 1	< 10 minutes	20%
Level 2	< 30 minutes	10%
Level 3	< 120 minutes	5%

* in percentage of hours on call

All levels of stand-by require "reliable communication." Reliable communication refers to communication by radio, pager, or cell phone. Stand-by compensation in the form of straight time is based on the percentage of hours on stand-by duty. For example, if an employee is on Level 1 stand-by for an 8 hour period, 1.6 hours of straight time will be awarded (20% of 8 hours equals 1.6 hours).

Employees on stand-by are expected to be able to perform their job in a competent manner if called in. If called back while on stand-by, the call back provision will apply in addition to applicable straight time. Any stand-by time must be specifically authorized ahead of time by the Department Head and must be noted on time sheets.

Stand-by duty is not considered overtime work and is not used to calculate overtime compensation, except to the extent that the employee is actually called into work while on stand-by duty.

5.4 Computation of Overtime

With the exception of sworn law enforcement officers who are partially exempt from overtime under Section 7(k) of the FLSA and are subject to the Police Department's overtime policies, overtime work is defined as work in excess of the normal 40-hour-per-week work schedule in a given work period, subject to prior approval of the Supervisor. The intent is that overtime is to meet emergency response or the highest priority work which cannot be accomplished during normally scheduled hours.

Only nonexempt personnel will receive pay for overtime work.

Only authorized overtime will be calculated at 1.5 times the actual time worked and paid as overtime pay subject to the provisions of this manual. For purposes of computing overtime, the following leave will be considered time worked: educational time as defined in Section 5.4.2. The following types of leave will not be considered time worked: vacation, holidays, including floating holidays, sick leave, funeral leave, maternity/paternity leave, jury leave, and administrative leave, or military duty.

5.4.1 Adjusting the Work-week Schedule

Supervisors may make immediate adjustments to the employee's scheduled work week to avoid the accumulation of unnecessary overtime.

For example, if an employee's regular schedule is:

Mon	Tue	Wed	Thur	Fri
8	8	8	8	8

but the employee actually works, for any approved reason,

Mon	Tue	Wed	Thur
8	12	10	10

the supervisor may tell the employee not to report on Friday as he/she already has accumulated 40 hours by Thursday. In this case, the employee would receive no overtime.

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5.4.2 Time spent in City-initiated or required training

Time spent in City-initiated or required training programs, lectures, and meetings is considered hours worked for the purposes of determining overtime, but must be approved in advance. Taking courses in a public or private institution or pursuing additional education on a voluntary basis is not considered hours worked for the purposes of determining overtime regardless of whether the activity is job related.

Travel time for City-initiated training on approved methods of transportation for out-of-town City business is included in the calculation of overtime. Employees will only be paid for time spent on City approved transportation. For example, if an employee elects to drive an automobile when the City provides air transportation, he or she will only be paid for the hours he or she would have spent traveling by air. Time spent away from home but not in training or not traveling is not considered "hours worked" (see Section 15, Vehicle and Travel Policy).

5.5 Pay Advances

No "advances" on paychecks shall be made by the City.

5.6 Vacation Cash-Out

An employee may request and receive payment with the approval and in the sole discretion of the Department Head in exchange for accrued vacation leave, so long as forty (40) hours of accrued vacation remain for the benefit of the employee. The maximum number of vacation hours that may be exchanged is eighty (80) hours annually. Disbursements will only be made in accordance with the City's payroll calendar, and separate checks are not allowed. Vacation cash-outs are irrevocable; once cashed out, the vacation hours cannot be bought back.

5.7 Health Care Benefits

Full-time employees are eligible to participate in the current health insurance plans and benefits package offered by the City of Rifle.

Employees hired after the beginning of a fiscal year will receive a contribution to their HRA or HSA accounts at the next full quarter.

Eligibility for health insurance is governed by the Insurance Plan, and to the extent it differs from this policy, the Insurance Plan controls. In addition, employees must properly submit all required information and documentation for enrollment before the health insurance will become active and must pay their portion of any premiums. For detailed information about eligibility and insurance coverage, please contact the Insurance Plan Administrator.

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5.7.1 County Health Pool (CTSI) – B1000 plan with HRA Account¶
Under this plan, the City will pay 80% of the premium for single person coverage and 60% of the premium for family coverage. The City will also contribute $250 annually for single HRA accounts and¶
$500 annually for family HRA accounts.¶
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5.7.2 County Health Pool – HDHP with HSA¶
Under this plan, the City will pay 80% of the premium for single person coverage and 60% of the premium for family coverage. The City will also contribute $1,250 annually for single HSA accounts and¶
$2,500 annually for family HSA accounts.¶

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6 LEAVES

Eligibility for leave as presented in this Chapter is based on Employment Status as defined in Chapter 3 of this manual.

6.1 Holidays

The following are the official City holidays for employees except as otherwise provided herein:

1.	New Year's Day	First Day of January
2.	President's Day	3rd Monday in February
3.	Memorial Day	Last Monday in May
4.	Independence Day	July 4th
5.	Labor Day	First Monday in September
6.	Thanksgiving Day	Fourth Thursday in November
7.	Friday after Thanksgiving	
8.	Christmas Eve	December 24th
9.	Christmas Day	December 25th
10.-12.	Three Floating Holidays	One holiday awarded first payday in January, May, and
10.-12.	Three Floating Holidays	One holiday awarded in January, May, and September. Floating holidays may be used only with prior approval of the Department Head.

Eligible employees receive eight (8) hours of pay per holiday.

Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday; when it falls on a Sunday, the following Monday shall be observed. When a holiday falls within a period of paid leave (i.e., vacation, sick, etc.) the employee shall be paid for the holiday and the holiday shall not be subtracted from accrued leave.

If an employee is regularly scheduled to work on a holiday, he/she will receive overtime. If an employee is called out to work on a holiday (i.e., water break, snow plowing), he/she shall receive overtime. Such overtime work will be computed at 1.5 times the hours worked.

Floating holidays shall not be considered to be scheduled holidays.

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POLICE DEPARTMENT NON-EXEMPT SWORN OFFICER HOLIDAYS.

The following are the official holidays for all Police Department Sworn, Non-Exempt employees:

> All Police Department Sworn Non-Exempt employees shall be provided with 100 Floating Holiday hours per year. Employees in this category shall receive no fixed holiday leave. This Floating holiday leave will accrue on a semi-annual basis beginning on January 1, 2010, at the rate of 50 hours per six month period.

Floating holiday leave that is unused may not be carried over to the following calendar year, and may not be exchanged for pay.

Floating holiday leave will not be considered for purposes of overtime calculation.

6.2 Vacation Leave

Vacation time must be accrued by the pay period in which it is taken.

Vacation time shall accrue as follows:

(In accumulated hours per pay period)

Completed Years of Service	Non-Exempt	Exempt	Total Hours Rolled Forward
1 – 4	3.08 hrs.	4.62 hrs.	320
5 – 14	4.62 hrs.	6.15 hrs.	360
15 or more	6.15 hrs.	7.69 hrs.	400

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6.2.1 Accrual¶

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"Completed Years of Service" are determined by anniversary date.

Employees must request vacation time in accordance with department policies. Scheduling of leave time is at the discretion of the Department Head, based on operational considerations, departmental personnel demands, and the number of employees scheduled to be on leave at any particular time. A reasonable effort will be made to accommodate employee's requested dates of leave. Department Heads will approve leave on a first-come, first-served basis unless the department has other written policies for granting leave.

The maximum number of vacation hours that an employee will be allowed to carry over from calendar year to calendar year is listed in the above table.

6.3 Sick Leave

6.3.1 Amount of Sick Leave

Full-time employees shall accrue 3.69 hours of sick leave per pay period. Sick leave may be carried over from year to year to a maximum of 480 hours.

6.3.2 Use of Sick Leave

Employees may use accrued sick leave for the following reasons: personal illness or physical incapacity; enforced quarantine of the employee in accordance with community health regulations; a doctor, optical, or dental appointment; in accordance with Domestic Violence Leave; or in certain circumstances to allow an employee to provide care for an immediate family member.

6.3.3 Reporting Sick Leave

An employee who is unable to work because of illness shall, prior to the employee's scheduled time to report for work, notify by telephone his/her immediate supervisor or other person designated by the City Manager.

6.3.4 Charging Sick Leave

Absence for a fraction or a part of the day that is chargeable to sick leave in accordance with these provisions shall be charged proportionally to the actual time taken. Sick leave taken shall be charged in increments of one quarter hour.

6.3.5 Doctor Certificate

Department Heads may require employees to verify their use of sick leave by requiring certification of illness from a licensed physician on the third consecutive day of sick leave or after six (6) days of sick leave taken in any 12 month period.

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6.2.2 Maximum amount of accrued vacation time.¶
All employees will be required to use at least 50% of their earned vacation for each calendar year. Failure to use 50% of vacation hours will result in the forfeiture of those unused vacation hours. For example, an employee who earns 80 hours of leave in one calendar year must use 40 vacation hours during the calendar year. If the employee uses only 32 hours of leave, an additional 8 hours of leave will¶
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be forfeited and subtracted from his/her balance at the end of the calendar year. New employees will not be required to use at least 50% of their earned vacation time until their second complete calendar year.¶
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Twenty-four (24) hours of sick leave per calendar year may be used to care for an ailing dependent family member living with the employee.¶
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6.3.6 On-the-Job Illness

If the employee's supervisor determines that an illness is impairing that employee's performance or that of others in the section, the Department Head may require the employee to use sick leave.

6.3.7 Automatic Sick Leave Conversion

For sick leave hours accrued over the annual carryover maximum of 480 hours, employees will automatically receive vacation hours for sick leave above the 480 at 50 percent. The vacation hours will apply toward the next year's vacation accrual.

6.3.8 Sick Leave Bank

The purpose of the City of Rifle Voluntary Sick Leave Bank (Bank) Policy is to provide additional paid leave for employees who have exhausted their sick and vacation leave benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the Bank is not to provide unlimited paid sick leave for any medical reason, but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.

A City employee who has exhausted his/her vacation, sick, or compensation leave due to a non-work related illness or injury, which has totally incapacitated the employee from work, may request hours from the sick leave bank. Hours from the sick leave bank may also be used when an employee is required to take time off for an extended period of time to care for a member of his/her immediate family.

This program is strictly voluntary. Donors must have a minimum balance of eighty (80) hours of sick leave after making the donation. Donations are irrevocable once posted to the Sick Leave Bank.

It is the sole discretion of the City Manager to grant such leave to an employee. The City Manager's decision may not be appealed.

6.4 Domestic Violence Leave

6.4.1 Statutory Rights

Domestic Violence Leave is governed by Colorado law, C.R.S. 24-34-402.7, and is available only to individuals who qualify under the law, as it may be amended from time to time. The provisions of this policy are intended to comply with the State law and not to create rights that are different from or in addition to the law. This policy is automatically amended or repealed if the State law is amended or repealed.

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Sick leave provisions for part-time employees are described in Section 3.3, Part-time.¶
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6.4.2 Eligibility

In order to qualify for Domestic Violence Leave, Employer must have 50 or more employees and the employee must have been employed by Employer for twelve months or more, must be a victim of a crime of domestic violence, must have a qualifying reason for the leave, and must provide Employer sufficient notice of this qualifying reason.

6.4.3 Leave Benefit

Eligible employees shall be permitted to take up to three working days of unpaid leave from work in any twelve-month period, for qualifying reason, if the Employee is the victim of a crime of domestic violence.

6.4.4 Crime of Domestic Violence

A crime of domestic violence includes:

1) Domestic Abuse is defined in C.R.S. 13-14-101(2). This statute provides that "Domestic Abuse" means any act or threatened act of violence that is committed by any person against another person to whom the actor is currently or was formerly related, or with whom the actor is living or has lived in the same domicile, or with whom the actor is involved or has been involved in an intimate relationship. "Domestic abuse" may also include any act or threatened act of violence against the minor children of either of the parties;

2) Stalking as defined in C.R.S. 18-3-602. This statute provides that a person commits stalking if directly or indirectly through another person, such person knowingly:

   a) Makes a credible threat to another person, and, in connection with such threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or

   b) Makes a credible threat to another person, and, in connection with such threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this subsection 6.4.4.2.c)

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c) a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

a) For the purposes of this subsection 6.4.4.2: (I) Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat; (II) "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family, or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear; (III) "Immediate family" includes the person's spouse, and the person's parent, grandparent, sibling, or child; and (IV) "Repeated" or "repeatedly" means on more than one occasion.

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3) Sexual assault as defined in C.R.S. 18-3-402. This statute provides that a person who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

a) The actor causes submission of the victim by means of sufficient consequences reasonably calculated to cause submission against the victim's will; or

b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or

c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or

d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim, and is not the spouse of the victim; or

e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age, and the actor is at least ten years older than the victim and is not the spouse of the victim; or

f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim, and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or

g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or

h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented; and

4) Any other crime, the underlying factual basis of which has been found by a court on the record to

include an act of domestic violence, as that term is defined in C.R.S. 18-6-8003(1). This statute provides that "Domestic Violence" means an act or threatened act of violence upon a person with

whom the actor is or has been involved in an intimate relationship. "Domestic Violence" also includes any other crime against a person or against property or any municipal ordinance violation against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

6.4.5 Qualifying Reasons for Leave

The Employee must be using the Leave from work to protect himself or herself by:

1) Seeking a civil restraining order to prevent domestic abuse pursuant to C.R.S. 13-14-100.2 et seq.;

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2) Obtaining medical care or mental health counseling or both for himself or herself or for his or her children to address physical or psychological injuries resulting from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence;

3) Making his or her home secure from the perpetrator of the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence or seeking new housing to escape the perpetrator;

4) Seeking legal assistance to address issues arising from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence and attending and preparing for court-related proceeding arising from the act or crime.

6.4.6 Notice to Employer

Except in cases of imminent danger to the health or safety of the Employee, an Employee seeking leave from work under this policy shall provide his or her immediate supervisor with advance notice by the next business day after the Employee becomes aware of the need for leave. The request must be accompanied by a copy of any subpoenas, court orders, police reports, medical provider's statements, or other documentation that will substantiate the need for leave. In the event prior notice is not possible because of imminent danger, the Employee must provide notice and supporting documentation, as required above, at the earliest opportunity.

6.4.7 Exhaustion of Other Paid Leave

Domestic Violence Leave is unpaid, unless the employee has accrued available leave (i.e. vacation, sick, or comp time). In this event, the Domestic Violence Leave will be used simultaneously with the accrued leave, to the extent available so that the leave will be paid. If the available accrued leave is less than three days, the remainder of the Domestic Violence Leave will be unpaid.

6.4.8 Confidentiality

Employer shall treat Employee's request for and use of this leave as confidential and shall discuss it only with those individuals who need to know for purposes of confirming the Employee's need for leave, granting or denying the request, coordinating the Employee's absence and work coverage during the period of absence, or for other legitimate business needs.

6.4.9 No Retaliation

Employee shall not be retaliated against for any request or use of this leave when the request or use is pursuant to an honest belief that the Domestic Violence Leave law applies to the circumstances.

6.4.10 No Greater Rights

An employee shall have no greater rights to continued employment or to other benefits and conditions of employment than if the employee was not entitled to leave under this policy. Nothing in this policy shall be construed to limit Employer's right to discipline or terminate any employee for any reason.

6.5 Leave under Family and Medical Leave Act

6.5.1 Family and Medical Leave.

To the extent that the Family and Medical Leave Act (FMLA) applies, eligible employees may receive a total of 12 workweeks of leave during any 12-month period. This Act provides for leave in connection with incapacity due to pregnancy, prenatal medical care or childbirth; the care of the employee's child after birth or placement for adoption or foster care; the care of a child, spouse, or parent who has a serious health condition; or serious health condition of the employee that makes the employee unable to perform the employee's job.

For purposes of this policy, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves either:

1) An overnight stay in a medical care facility, OR

2) Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

   Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

6.5.2 Military Caregiver Leave

Military caregiver leave is available to care for a "covered servicemember" with a "serious injury or illness" as those terms are defined by the FMLA. Eligible employees may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total 26 weeks available for military caregiver leave.

Eligible employees with a spouse, child, or parent on covered active duty or called to covered active duty status may also use their 12-week FMLA leave entitlement to address certain qualifying exigencies as set forth in the FMLA.

6.5.3 Eligibility and Terms of Leave

An employee is eligible for family leave if he/she has been employed by the City for at least 12 months and has worked at least 1,250 hours during the 12-month period preceding the requested leave. Leave will consist of accumulated paid leave (which shall be used first) and leave without pay.

Intermittent leave or leave on a reduced leave schedule may be approved to coincide with a health treatment plan or other appropriate requirements for an individual employee, spouse, parent, or child. Such intermittent leave must be determined to be medically necessary by a health care provider. Leave due to qualifying exigencies may also be taken on an intermittent basis. Employees taking approved intermittent leave or reduced schedule leave may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

When necessary FMLA leave is foreseeable, the employee must provide the City with at least 30 days notice before the date the leave begins. If the event requires leave to begin in less than 30 days, the employee must provide such notice as is practicable and make a reasonable effort to schedule the treatment so as to avoid unduly disrupting City operations. A family member of the employee may give the notice if the employee is unable to do so.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees must also inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. The City may also require that a request for FMLA leave be supported by a certification and periodic recertification supporting the need for leave. If notification and appropriate certification are not provided in a timely manner, approval of leave may be denied.

The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required. If they are not eligible, the City will provide the reason for the ineligibility. The City will also inform employees if leave will be designated as FMLA protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

The City will not interfere with, restrain, or deny the exercise of any right provided under FMLA. The City will not discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for their involvement in any proceeding under or relating to the FMLA.

Most employees returning from FMLA leave shall be restored to the original or equivalent position with equivalent pay, benefits and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

The taking of FMLA leave will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

The City will maintain equivalent coverage and premium level under the City's group health plan for the duration of an employee's FMLA leave. The City may recover any benefit premiums paid for the employee if the employee fails to return from leave, unless the failure to return from leave has resulted from a continuation of a serious health condition or other circumstances beyond the employee's control. If an employee is taking FMLA leave without pay, no other fringe benefits will continue to accrue nor will contributions to retirement plans continue during this period.

If an employee fails to report to work promptly at the end of the medical leave, the City of Rifle will assume that the employee has resigned.

6.6 Work-Related Injury Leave

See Section 7 of this manual.

6.7 Administrative Leave

An employee may be granted administrative leave with pay with approval of the City Manager during the time that an employee is participating in authorized meetings or other authorized activities related to his/her work. Administrative leave may also be granted for other matters as deemed appropriate by the City Manager.

6.8 Jury or Court Leave

To the extent required by law, employees shall be granted time off with pay when performing jury duty or when appearing before any court of law as a defendant in a civil action arising from the employee's job with the City. An employee released from jury duty before the end of his or her normal workday shall return to work to complete the remaining portion of his/her scheduled shift.

6.9 Educational Leave

Educational leave with or without pay may be granted to full-time employees at the discretion of Department Heads, subject to approval by the City Manager (see Section 9, Education and Training

Assistance Program). The direct relationship of the proposed educational experience to the employee's duties, ability, or potential may be considered in approving or disapproving requests for educational leave. The City Manager shall make the final determination whether to grant any educational leave and, if granted, whether such leave shall be with or without pay.

6.10 Leave without Pay Not Covered by FMLA

6.10.1 When leave without pay not covered by the FMLA may be granted

Leave without pay not covered by the FMLA (see Section 6.5, Leave under Family and Medical Leave Act) may be granted without pay in cases of emergency and/or when a leave of absence would not be contrary to the best interests of the City. Employees are required to exhaust accrued vacation and compensatory time prior to taking unpaid leave under this section. A leave of absence may be granted only upon written request by an employee who presents the reason for the leave. Request for leave without pay shall be made through use of the City's Request for Time Off form. A request for a leave of absence without pay may be approved in writing by a Department Director, at his or her sole discretion, with the written approval of the City Manager, depending on the merit of the individual case.

If approved, an employee may work a modified schedule while taking periods of leave without pay. In this circumstance, the employee will be eligible to accrue vacation and sick leave based on the number of hours actually worked.

6.10.2 Conditions

If an employee is taking leave without pay that is not covered by the FMLA, the following conditions will apply:

1) The City may fill a position formerly held by an employee on leave without pay not covered under FMLA.

2) Fringe benefits shall not accrue during a period of leave without pay not covered under FMLA, nor will the City make any contributions during such period for retirement or group insurance programs. However, the employee may participate in the group insurance programs during such period, provided the employee deposits in advance with the City the amounts necessary to cover the total cost of the premiums. Computation of service, for pension purposes other benefit plans, and the effect of leave without pay not covered by FMLA will be determined in accordance with the provisions of the applicable plan.

3) The City will make reasonable efforts to reinstate the employee to the same position previously occupied or to a similar position following a leave of absence not covered under FMLA. The City, however, cannot guarantee that the same position or a similar position will be available at the time an employee desires to return to work.

4) In the event an employee has been granted non-FMLA leave without pay and the City decides to fill the position while the employee is on leave, the employee will be given written notice of the City's decision and the option to return to work on a designated date. The designated return to work date shall be no less than two (2) weeks after the date of the notice. This notice will be sent via first class mail to the last official address provided by the employee. The employee shall have one week from the date of the notice to advise the City whether he or she will return to work on the designated date. If the employee fails to respond timely or advises the City that he or she will not return to work on the designated date, the employee shall be deemed to have resigned from his or her employment with the City. The resignation shall be effective the date the employee advises the City of his or her intent not to return to work or ten days after the date of the notice, whichever occurs first.

6.11 Military Leave and Emergency Military Leave

6.11.1 Purpose

The purpose of this policy is to outline the City of Rifle's accommodation for service in the uniformed forces. The terms of this policy are subject to the Uniformed Services Employment and Reemployment Act (USERRA).

6.11.2 Applicability/Scope

This policy applies to regular employees who are a member of the uniformed services (which includes all branches of the military and their respective reserves, Commissioned Corps of the Public Health Service, and any other category or persons designated by the President of the United States in time or war or emergency):

1) Who provide advance written notice or verbal notice to their supervisor and the Human Resources Department prior to leave;

2) Whose leave does not exceed five years (subject to exceptions required by law); and

3) Who report to work or submit applications for reemployment in accordance with this policy.

This policy does not apply to temporary employees, or employees who were:

1) Separated from service with dishonorable or bad conduct discharge;

2) Separated from service under other than honorable discharge;

3) Dismissed as commissioned officers in certain situations such as a result of a court martial or by the President in time of war;

4) Dropped from the military rolls as a result of being absent without authority for more than three months or being imprisoned by a civilian court.

6.11.3 Time-off and Benefits Continuance

1) Up to 15 days per calendar year of paid time-off for military duty will be granted to full-time employees. Employees granted such time off will receive the difference, if any, between their base rates and their military pay (remuneration including but not limited to base pay, longevity, subsistence, flight hazard or overseas pay, but not including travel pay) for the period. Appropriate pay vouchers and copies of orders must be submitted to receive the City's portion. Reserves are eligible to receive the pay differential for their required military reserve duty and training, however, they will not be eligible for the pay differential for voluntary training or duty assignments.

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2) In addition to the benefits described in paragraph 1) above, unpaid time-off will be granted in addition to any vacation time to which the employee is entitled. If the military time-off involuntarily coincides with the employee's scheduled vacation, the employee will be granted vacation at some other time. Employees who elect to have their military time-off coincide with their vacation shall not be entitled to receive make-up pay in addition to their regular vacation pay.

3) Life and health insurance as well as dental and vision coverage may be continued by the Employee and his or her dependents (if covered at the start of leave) for up to 31 days, as long as the employee pays his or her regular contribution. Employees on military leave are not covered by accidental death and dismemberment insurance (AD&D) or long-term disability insurance (LTD).

4) The benefits mentioned in paragraph 3) above will be discontinued after 31 days or, if earlier, the day after the deadline for the employee's return to work or application for reemployment. Upon termination of the employee's coverage, the employee (and eligible dependents) will be eligible for continuation coverage under COBRA, generally up to 18 months, at the full cost of the extended benefit as determined by the City at the regular COBRA rate. At the City's discretion, the employee may be required to produce documentation of length of service and status of discharge.

5) The City may, in its sole discretion, provide additional benefits during periods of war or national emergency.

6.11.4 Reemployment

1) Notification of Intent to Return to Work is required to maintain reemployment eligibility. Absent unusual circumstances, notice requirements are based on the following leave durations:

   a) Less than 31 days or Fitness-for-Service Exam – the employee must report to his or her immediate supervisor at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service;

b) More than 30 days but less than 181 days – the employee must submit a request for reemployment to Human Resources within 14 days of the completion of service;

c) More than 180 days – the employee must submit a request for reemployment to Human Resources no later than 90 days after completion of the period of service.

d) Disability Incurred or Aggravated – An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Human Resources Department (if the service was less that 31 days), or submit a request for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period (but which may not exceed two years).

2) Return to Work – In general, an employee will be reinstated to the position that he/she would have held had he/she been continuously employed and for which he or she is qualified (or for which he or she can become qualified in a reasonable period of time). The same applies for an employee with a disability that was incurred in, or aggravated during, the period of service. If the employee is unable to fulfill the duties due to disability or lack of qualifications, the employee may be placed in the same position the employee held prior to taking leave. If that position is no longer available, or the employee is no longer able to perform the duties of that position, the City shall place the employee in a similar position with similar benefits, to the extent such a position exists.

3) Benefits upon Return – Returning employees are eligible for immediate reinstatement to all welfare and benefit plans, and the period of military service will be deemed to constitute service for vesting and accrual purposes. If accrued benefits are based on employee contributions, returning employees are entitled to those benefits only to the extent that they make such contributions. Returning employees will be given three times the period of leave to make-up employee contributions that were missed, with the repayment period not to exceed five years. For example, if an employee was on leave for 90 days, he or she has 270 days (3 x 90) to make-up contributions to the 457 plan, subject to IRS Regulations.

6.12 Funeral Leave

All full-time employees are eligible for paid Funeral Leave in the event of a death in the immediate family. Funeral Leave will be provided for a maximum of three working days, up to and including the day of the funeral. Employees needing additional time off may request vacation time in accordance with applicable provisions. Temporary, seasonal and part-time employees are eligible for unpaid Funeral Leave.

6.13 Time Off to Vote.

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In no case will an employee who is eligible to receive overtime or standby pay be allowed to accumulate or use more than 40 hours of compensatory time annually. Compensatory time or standby time will be¶
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automatically paid once 40 hours are accumulated. All accumulated compensatory time will be paid out at the end of each calendar year; employees will not be permitted to carry comp time from year to year.¶
¶
Employee requests to use accrued compensatory time should be made as far in advance as reasonably possible and supervisors may honor these requests, unless doing so will unduly disrupt the operations of the Department or prevent essential service from being performed.¶
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Personnel exempt from FLSA are eligible to receive compensatory time, but must utilize it within the pay period in which it occurs, or in the pay period immediately following the pay period in which it is earned. No accrual shall continue beyond these limits.¶
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Deleted: **6.14 School Activity Leave.**¶
Employees requesting time off for school-related activities may request up to six (6) hours in any month and eighteen (18) hours in an academic year to attend school related activities. These activities include:¶
¶
1) The attendance of school and early childhood educational activities that are directly related to the educational advancement of a child. This includes, but is not limited to, parent-teacher conferences, meetings with child-care providers, interviews for a new school or child-care facility, participation in volunteer activities which support a child's educational advancement, or school-sponsored¶
activities.¶
¶
2) Employees who do not have children may request leave under this heading for participation in school activities deemed important to the educational advancement of a child, such as tutoring or attendance at school board meetings. "School" refers to elementary, secondary, and high schools, Head Start programs, or child-care facilities.¶
¶
Requests for time off must be approved by the ...

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The City of Rifle encourages employees to fulfill their civic responsibility by participating in elections. Therefore, an employee shall be granted leave with pay, up to a maximum of two hours, for voting in a local, statewide, primary or general election if the employee is scheduled to work eight hours or more on that day and does not have time to vote outside of working hours. Employees should request time off to vote from their supervisor at least two working days prior to the election. Advance notice is required so that the necessary time off can be scheduled. The City may require time off to be taken only at the beginning or end of the employee's workday or shift.

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6.14 Suspension of Paid Leave

The City of Rifle reserves the right to postpone all paid leave for an employee, or recall an employee from paid leave, in the event of an emergency, except during a period of authorized sick leave, FMLA leave, or worker's compensation leave.

7 WORK-RELATED INJURY AND RETURN TO WORK POLICY

7.1 Return-to-Work Policy

The City of Rifle has elected to adopt a return-to-work policy with the intent to utilize eligible workers in a job-related incident in a productive capacity while they are recovering from an injury. The goal of temporary modified duty is to provide a progression of job duties that will return the injured worker to their regular job.

The Human Resources Director will be responsible for coordinating the return-to-work program.

7.2 Return to Work Program

The following return-to-work program should be followed when an employee sustains a work-related injury or illness.

1) All injuries will be reported immediately by the injured worker to the worker's direct supervisor, who will then notify the designated coordinator. Injuries will be filed with the City's Worker's Compensation Provider within two working days.

2) The injured worker will seek medical attention from the designated medical provider.

3) In case of an emergency, the injured worker is to seek medical attention from the nearest medical facility. Follow-up care must be coordinated through the designated medical provider. The Worker's Compensation Provider may not pay for medical expenses incurred by the injured worker, if he or she seeks unauthorized treatment from a non-designated medical provider. When possible, follow-up medical appointments are to be made before or after work hours. Time off for medical appointments will be treated consistently with other personnel policies.

4) The injured worker should deliver a copy of the medical provider's work status report to the designated coordinator within 24 hours of the medical visit, if feasible.

5) The designated coordinator is responsible for maintaining regular contact with the injured worker and the medical provider, and obtaining recovery status information and work restriction updates.

6) The designated coordinator will maintain a list of modified duty tasks. Once the employer is ready to make a job offer to the injured worker, the coordinator sends the proposed tasks to the treating physician for approval, in accordance with the formal job offer process.

7) During the modified duty period, the designated coordinator will provide to the Worker's Compensation Provider records of wages paid to the injured worker. If the injured worker is

receiving full wages during the modified duty period, the designated coordinator will provide the Worker's Compensation Provider a statement to that effect; no ongoing provision of pay records is then required.

8) Modified duty will be allowed as long as it is realistic and reasonable for the job to continue, or until the injured worker receives a release to full duty or reaches maximum medical improvement (MMI).

9) The supervisor will monitor the injured worker's performance while on modified duty.

While on modified duty, the injured worker will be held to all existing personnel policies and will be responsible for maintaining acceptable performance standards as a condition of continued employment.

Modified duty assignments are designed to be temporary and transitional in nature. They will be reviewed jointly by the supervisor, injured worker and relevant staff to address increasing work duties and overall performance. While on worker's compensation leave, an employee may continue to receive health insurance benefits. The modified duty is not intended to exceed six months, unless authorized in writing by the Designated Coordinator.

8 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Rifle strives to provide assistance for employees with personal problems that may affect job performance. The purpose of this EAP is to offer employees assistance in such a way as to restore individual productivity and enable employees to lead meaningful lives.

8.1 Drugs or Alcohol

An employee who desires assistance with substance abuse may request an evaluation to assess the need for professional assistance. The City will pay for one evaluation. If in-patient treatment is required, the employee may use sick leave and vacation time to the extent available. Costs incurred over and above the amount allowed by the City's medical insurance carrier will be the sole responsibility of the employee.

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8.2 Mental/Physical Health

When in the judgment of the Department Head and with the concurrence of the City Manager, an employee's mental or physical health is such that it appears to adversely affect the employee's ability to perform duties of his/her position, the City may require the employee to undergo an examination by medical personnel of the City's choice and at the City's cost. If in-patient treatment is required, the employee may use sick leave and vacation time to the extent available.

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9 EDUCATION AND TRAINING ASSISTANCE PROGRAM

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In order to provide employees with the skills necessary for performance of the requirements of their positions, employees may be eligible for tuition reimbursement. Consideration for reimbursement is contingent on satisfactory job performance as determined by the Department Head.

9.1 Employee-Initiated Education

A full-time employee seeking tuition reimbursement for an educational course must obtain advance approval from his or her Department Head. The Department Head may consider the availability of funds and content of the course as it relates to job responsibilities and potential advancement in determining whether tuition reimbursement shall be available. Department Heads have discretion to approve all, part, or none of the tuition and/or expenses associated with any educational course.

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Reimbursement of tuition and book fees may be available upon presentation of both of the following:

1) Evidence of satisfactory completion (grade C or better) and the class grade in the form of a grade slip from the school or a letter from the instructor of the class.

2) A copy of a paid invoice detailing expenses for which the employee is seeking reimbursement.

The City will not pay for courses for employees whose employment is terminated, for any reason, prior to completing the class. Study and class attendance must be accomplished during non-working hours, unless arrangements to change an employee's work schedule are made in advance with the Department Head's approval.

9.2 City-Initiated Training

When an employee attends a seminar, training program, or school at the request of the Department Head, all reasonable expenses directly incident to the training shall be paid by the City. Training expenses are reimbursable to the employee for all training required by the City or by law.

Time spent actually attending courses and traveling to attend courses using modes of transportation deemed acceptable to the City shall be considered hours worked.

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10 RULES, POLICIES, AND PROCEDURES

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10.1 Safety Policy - Program Policy Statement - Goals

The City of Rifle acknowledges that a valid safety program should be a part of the overall function of City government. Therefore, the City has adopted an Injury & Illness Prevention Program Manual containing the City's safety rules. A copy of the manual is available for each employee's review in the City facility to which the employee is assigned, as well as on the City's computer system. The safety program pertains to all employees and officers of the City.

All employees are responsible for requesting any equipment, equipment repairs, training, changes in procedures, or any activity necessary for the safe performance of their job. Employee safety requests which are not granted can be appealed by following the procedures outlined in Chapter 11.3 (Appeal Procedures).

Employees are expected to take individual responsibility for the safe performance of their job functions. It is the responsibility of each employee to read and understand all City safety rules. Each Department Head will evaluate his or her employees on how well each follows safety rules in the performance of their jobs.

A safety committee should hold meetings as necessary to review each Department's safety program activities.

10.2 Establishment of Rules, Policies, and Procedures

Each department may establish written rules, policies, and procedures pertaining to its individual operating needs and requirements. The rules shall not conflict with the provisions of this manual and in the case of any perceived conflict between department rules and this manual, the provision of this manual shall control. Departmental rules may be reviewed, amended, and/or repealed at the discretion of the Department Head.

10.3 Use of City Equipment

The use of City equipment for employees' personal purposes or for private gain is prohibited unless authorized in advance by the City Manager.

10.4 Use of Tobacco Products

The use of tobacco products, including but not limited to cigarettes, cigars, pipes, and chewing tobacco is prohibited in all City buildings, facilities, and vehicles, or while operating mechanized equipment. The use of electronic cigarettes in City buildings, facilities, and vehicles or while operating mechanized equipment is also prohibited.

10.5 Seatbelt Policy

Employees who drive City vehicles and equipment in which seatbelts are installed are required to wear seatbelts at all times when the vehicle or equipment is in motion. Employees with passengers are responsible for ensuring that the passengers are also wearing seatbelts.

10.6 Personal Appearance

During business hours or when representing the City, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards. Employees should follow the following personal appearance guidelines:

1) Office clothing must be free of holes or rips.
2) Dress and skirt length should be at a length at which you can sit comfortably in public. Skirts and dresses that ride halfway up the thigh and spaghetti-strap clothing are not allowed.
3) Closed-toed shoes are required for those employees working in the field.
4) An employee must dress in uniform if his/her job requires it.
5) Facial hair must be clean, well-trimmed and neat.
6) Hairstyles are expected to be in good taste.
7) Excessive makeup is not permitted.
8) Offensive body odor and poor personal hygiene is not professionally acceptable.
9) Extreme facial jewelry, such as eyebrow rings, bull rings, lip rings, tongue studs, gauges, tunnels, and plugs, should not be worn during business hours.
10) Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing should not be worn during business hours.
11) Visible tattoos should be covered during business hours.

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10.7 Uniform and Clothing Policy

10.7.1 To be approved by the Department Head

Any clothing purchased by the City for employee use is to be approved by the Department Head and shall be paid for by that Department's clothing budget line item. Department Heads shall submit planned clothing purchases for the following year to be considered along with their annual budget requests. The clothing plan must be approved by the City Manager prior to implementation.

10.7.2 Property of the City

All clothing purchased by the City is the property of the City and shall be returned to the City if an employee leaves City employment, unless the Department Head determines otherwise.

10.7.3 Responsibility of the Department

The purchase of safety equipment and clothing is responsibility of the Department and is to be replaced based on need and/or as required by law at the determination of the Department Head.

10.7.4 Clothing to be functional

Clothing purchases should be driven by an employee's job duties and requirements and be functional in nature without unnecessary or excessive embroidery, trim, tailoring or styling.

10.7.5 Office Staff

Unless approved by the City Manager, the City will not purchase clothing or provide a clothing stipend for any "office staff". Office staff is defined as those City employees whose jobs are not associated with special clothing requirements or where an employee's personal clothing will not ordinarily be damaged in carrying-out their normal job duties.

10.7.6 Care

Unless approved by the City Manager, employees are responsible for laundering and proper care of all City-purchased clothing. Tattered, torn, ripped or badly faded City-clothing shall not be worn.

10.7.7 Volunteers

At the discretion of the Department Head, clothing may be provided to volunteers as a gift from the City.

10.7.8 Purchase of Clothing from the City

Clothing bearing the City name, City logo and/or Department designation may be purchased from the City by any City employee at their expense.

10.7.9 Worn Only While On Duty

All clothing bearing the City name, City logo and/or City Department designation purchased by the City should be worn only while "on-duty" conducting City business.

10.7.10 Department Policies

Individual City Departments may adopt additional policies to supplement this uniform and clothing policy with the approval of the City Manager.

10.8 Office/Workstation Decorations Policy

Posters, pictures, notes, etc., are permitted in offices and on the inside of workstation panels as long as they are tasteful and professional, and not annoying, abusive, profane, threatening, defamatory or offensive. In addition, in displaying posters, pictures, notes, etc., employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

10.9 Recording of Work Conversations Policy

Recording conversations with a tape recorder or other recording device (including a cell phone or any electronic device) is prohibited. The purpose of this policy is to eliminate a chilling effect to the expression of views that may exist when one person is concerned that his or her conversation with another is being secretly recorded. This concern can inhibit spontaneous and honest dialogue especially when sensitive or confidential matters are being discussed.

11 CONDUCT AND DISCIPLINE

Nothing in this section constitutes an agreement of employment for a specific period of time or is intended to affect the at-will employment relationship.

11.1 Conduct

City employees are expected to conduct themselves in a manner which reflects positively on the City and its departments. Every employee shall be held accountable for his/her actions, including, where appropriate, imposition of disciplinary action up to and including dismissal.

11.2 Discipline

An employee whose conduct or work performance detracts from the effectiveness of service provided to the community or hinders organizational operation shall be subject to discipline, up to and including dismissal.

11.2.1 Causes for Disciplinary Action

Many different kinds of conduct, including but not limited to the following, may result in the imposition of disciplinary measures, including, without limitation, suspension, demotion, or dismissal:

1) Breach of any City/Departmental policy, procedure, or rule

2) Insubordination by failure to follow instructions or direction of a supervisor

3) Inability to perform the essential duties of the job

4) Abusive, disrespectful, or discourteous language or conduct directed toward any other employee or a member of the public

5) Discrimination toward fellow employees or a member of the public

6) Violation of the City's discrimination or harassment policy (see Section 12)

7) Violation of the City's workplace violence policy (see Section 13)

8) Violation of the City's drug and alcohol policy (see Section 14)

9) Soliciting or accepting any fee, gift, or item of value for personal gain, in the course of work or in connection with work

10) Attempting deception in work-related matters

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11) Absence from work without proper notification or authorization

12) Negligence or willful misconduct which endangers the health and safety of any person, or violation of safety rules/policies

13) Failure to properly maintain or operate City equipment or property

14) Inappropriate dress or appearance (see Section 10.6)

15) Being charged with any felony or misdemeanor crime

16) Being charged with any traffic violation while operating a City-owned vehicle

17) Inadequate job performance

18) Theft of City Property

19) Sleeping on the job

20) Falsification of records

11.2.2 Types of Discipline

An employee may be terminated as a result of a first disciplinary action; same termination need not necessarily be preceded by warnings or other less severe disciplinary actions.

Disciplinary actions may include any or all of the following steps, which may be repeated or bypassed as deemed appropriate:

1) Oral Warning - An immediate supervisor's or Department Head's verbal notice to an employee that his/her behavior or performance must be improved or corrected. An oral warning defines the improvement or corrective action required and informs the employee that failure to comply with the oral warning may result in more severe discipline. Supervisors shall retain a record of the oral warning. An oral warning is not appealable.

2) Written Reprimand - A written notice to an employee that his/her performance or behavior must be improved or corrected. The notice may be given by an immediate supervisor, Department Head, or City Manager, and shall be presented to the employee for review, signature, and written response at the option of the employee. Written reprimands contain a statement of the cause for the disciplinary action, improvement or corrective action required of the employee, time frames for such action, and consequences of the employee's failure to comply. Written reprimands shall be included in the employee's permanent personnel file. A written warning is not appealable.

3) Probationary Status - An employee may be placed on probationary status for various reasons, including but not limited to unacceptable job performance. An employee is placed on probationary

status in writing and for a specific period of time by his/her Department Head. An employee on probationary status is not eligible to receive pay increases of any kind. An employee may appeal placement on probationary status as outlined in Appeal Procedures.

4) Suspension - An employee may be suspended by the Department Head with or without pay for any period, depending upon the seriousness of the problem. The circumstances resulting in suspension shall be explained in a written communication to the employee and the signed copy shall be placed in the employee's permanent personnel file. Procedures for appealing a suspension are outlined in Appeal Procedures.

5) Demotion/Reduction in Grade - An employee may be demoted or reduced in grade by the Department Head. The employee shall be informed of the reasons for and terms of said demotion or reduction in grade and may appeal this action per Appeal Procedures.

6) Termination - An employee may be permanently removed from City service. A Department Head may impose a termination with the concurrence of the Human Resource Director and City Manager. The employee shall be advised of the cause of the termination, which shall be a final action of the City not subject to appeal.

11.3 Appeal Procedures

An employee who is subject to a disciplinary action eligible for appeal shall have five (5) working days after the disciplinary action to appeal the action to the Department Head who shall make inquiry into the facts and circumstances of the grievance. Written requests for extensions will be considered by the Department Head on a case by case basis. The Department Head shall review the matter and notify the employee of the appeal decision in writing within ten (10) working days. A copy of the written grievance shall be forwarded to the City Manager.

If the employee is dissatisfied with the Department Head's decision, the employee shall submit a written request for review of the decision to the City Manager within five (5) working days. The City Manager will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within ten (10) working days, or other mutually agreeable time period. If the Department Head imposed the disciplinary action, the appeal may be taken directly to the City Manager.

Department Heads or employees subject to disciplinary action imposed by the City Manager may appeal the action by filing a written request for the review of the decision within five (5) working days to the City Manager. A Committee consisting of the Mayor, a Department Head appointed by the City Manager, and a Department Head selected by the appealing Department Head or employee will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within fifteen (15) working days, or other mutually agreeable time period.

12 DISCRIMINATION & HARASSMENT POLICY

12.1 Introduction

The City of Rifle strives to provide a work environment which is free from unlawful discrimination and harassment. Harassment of any employee on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status is a serious violation of City policy and will not be tolerated. A prompt investigation of all claims and complaints of unlawful discrimination and harassment will be undertaken, and appropriate corrective action will be taken when the City determines that action is warranted.

12.2 Harassment Defined

12.2.1 Harassment can take many forms

Harassment can take many forms and can include, but is not limited to, slurs, comments, jokes, innuendoes, unwelcome compliments, pictures, cartoons, pranks, or other verbal or physical conduct which:

1) Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;

2) Has the purpose or effect of unreasonably interfering with an individual's work performance; or

3) Otherwise unreasonably affects an individual's employment opportunities.

12.2.2 Sexual harassment

Sexual harassment is a type of harassment and occurs when the verbal and/or physical conduct described above is sexual in nature or is gender-based (i.e., directed at a person because of his or her gender).

Examples of conduct which may constitute sexual harassment include, but are not limited to: pinching; grabbing; fondling; propositioning; making either explicit or implied job threats or promises in return for submission to sexual favors; making sexually-oriented comments on appearance or physical features; telling sexually oriented stories or jokes; and display or circulation of sexually-oriented pictures or photographs. Unwelcome conduct including sexual advances, requests for sexual favors, or other physical, verbal, or written conduct of a sexual nature may constitute sexual harassment.

12.3 Procedures

12.3.1 Inform the person responsible

Any employee who believes that he or she is being discriminated against or subjected to harassment of any kind immediately should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately. Employees who are unable, for any reason, to approach the person responsible for the conduct directly should immediately inform a Department Head of the conduct in accordance with Section 12.3.2 of this manual.

12.3.2 Inform the City

Within five (5) working days after the incident or occurrence, the employee shall also inform the City of the discrimination or harassment by notifying his/her immediate supervisor or Department Head, the Human Resource Director, the City Manager, or any Department Head, as the employee chooses (in cases involving the City Manager, the Mayor should be notified). The employee shall make notification in writing. Upon receipt of notification, the immediate supervisor, Department Head, Human Resources Director, or the City Manager (or the Mayor for cases involving the City Manager) shall investigate the complaint and make findings and/or recommendations.

Deleted: The notification may be in the form chosen by the employee; the employee is urged to put the notification in writing.

12.3.3 Confidentiality

To the extent possible, complaints and investigations will be handled in a confidential manner.

12.3.4 Disciplinary Action

If it is determined that any employee's conduct constitutes discrimination or harassment, the employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

12.3.5 Retaliation

No employee shall be subjected to reprisal or retaliation for making such a notification. The employee should report immediately any incidents of reprisal, retaliation, discrimination or harassment which occur as a result of making such a notification.

12.3.6 Investigation of Retaliation Complaints

Upon notification of reprisal or retaliation, an investigation will be undertaken by the City Manager (or by the Mayor in cases where the City Manager is the subject of the complaint), who shall, within ten (10) working days after the employee's notification, or such additional time as may be necessary to conduct an investigation, inform the employee in writing of the results of the investigation.

13 WORKPLACE VIOLENCE POLICY

13.1 Introduction

The City strives to promote a safe environment free from violence, threats of violence, harassment, intimidation, stalking, and other disruptive behavior.

13.2 Violent Behavior Defined

Violence, threats, harassment, intimidation, stalking, and other disruptive behavior in the workplace will not be tolerated. Such behavior may include, but is not limited to, oral or written statements, gestures, bullying, or expressions that communicate a direct or indirect threat of physical harm toward employees, citizens, or City property or facilities. Threats may include veiled, conditional, or direct threats in verbal or written form that result in intimidation, harassment, harm, or endangerment to the safety of another person or property. Bullying is defined as the repeated mistreatment of a person at work by a coworker, supervisor, manager, or customer. The mistreatment may involve repeated acts of: 1) shouting, yelling, screaming, or swearing; 2) insults, put-downs, name-calling, or belittling; 3) public humiliation, criticism, or "dressing down"; 4) cruel or offensive pranks, jokes; or 5) physical behavior, such as pushing, blocking, or tripping. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

Possession of a firearm or illegal weapon of any kind, including those defined by Colorado Revised Statute Title 18, Article 12, is prohibited at work, including in a City vehicle or on a City-owned facility or parking lot, except when such possession is a necessary requirement of an employee's job.

13.3 Procedures

Threats or assaults that require immediate attention by police should be reported first to police at 9-1-1. Employees who observe or experience violent, threatening, harassing, intimidating, stalking, or other disruptive behavior by anyone on City property should report it immediately to their supervisor or department head.

Supervisors or department heads who receive such reports should report the incident by the next business day to the City Manager. The City shall address responsibility and timing of any investigation to be made. All reports of incidents will be taken seriously and will be dealt with appropriately. The employee making the report will be notified of the results of the investigation. To the extent possible, complaints and investigations will be handled in a confidential manner.

If it is determined that an employee's conduct violates the City's workplace violence policy, the offending employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

No employee shall be subjected to reprisal or retaliation for making a report of workplace violence; the employee should report to his/her supervisor or department head immediately any incidents of reprisal, retaliation, or harassment which occur as a result of making such a report pursuant to Section 12.3.6 of this Manual.

14 DRUG AND ALCOHOL POLICY

14.1 Drug and Alcohol Policy Overview

The City of Rifle has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. Individuals under the influence of drugs, alcohol, or other controlled substances may cause serious safety and health risks, not only to themselves, but also to others who work with them.

The City of Rifle recognizes that the success of its operations is dependent upon the physical and psychological health of its employees. Accordingly, it is the right, obligation, and intent of the City of Rifle to take reasonable measures to ensure that alcohol, drugs, and controlled substances do not jeopardize the success of its operations or otherwise affect the City of Rifle, its employees, or it customers.

With these basic objectives in mind, the City of Rifle has established the following policy and procedures with regard to alcohol, drugs, and controlled substances.

14.2 Prohibited Activities

14.2.1 Alcohol

The use of, or being under the influence of, alcohol by any employee, subcontractor, contractor, or volunteer performing City business is strictly prohibited.

Deleted: , or while in a City facility,

14.2.2 Controlled Substance

The use, sale, purchase, transfer, manufacture, or possession of a controlled substance by any employee, while in a City facility or while performing City business, is prohibited. The presence of an amount of any controlled substance that results in a positive test of any employee, while in a City facility or while performing City business, is prohibited. Being under the influence of a controlled substance, while in a City facility or while performing City business, is prohibited. Although the Colorado Constitution has decriminalized marijuana use, marijuana use is still illegal under federal law. The City prohibits marijuana use by employees and will treat its use the same as any other use of a controlled substance.

14.2.3 Legal Drugs

The use, or being under the influence of, any legally obtainable drug by any employee while in a City facility or while performing City business, is prohibited, as such usage or influence may affect the safety of others. Employees who are under the influence of a legal drug may continue to work provided management has determined, after seeking appropriate medical counsel, that the employee does not pose a threat to his/her own safety or to the safety of others. Employees who feel, or who have been

informed that the use of a legal drug may impair their performance or present a safety risk, must report the use of such drug to management.

14.3 Testing

14.3.1 Pre-employment screening practices

Each department may maintain pre-employment screening practices designed to prevent the hiring of individuals who use illegal drugs or individuals whose use of legal drugs or alcohol indicates a potential for impaired or unsafe job performance.

14.3.2 Pre-employment Testing

Testing may take place at the time an applicant undergoes a pre-employment physical exam. Applicants whose test results are at a positive level for either drugs or alcohol will be rejected for employment.

14.3.3 Post-accident Testing

Any employee involved in an on-the job accident, whether as a victim, or the probable cause of the accident, may be subject to a blood test, urinalysis, or other drug or alcohol test. However, testing will not be limited to such situations.

14.3.4 Reasonable suspicion

All employees are subject to testing if the employee's supervisor has a reasonable suspicion of drug or alcohol use.

14.3.5 Commercial Driver's License

Employees whose position requires a Commercial Driver's License (CDL) are subject to random drug testing.

14.3.6 Samples and specimens

At its discretion, the City of Rifle may require its employees to provide a urine specimen or blood sample, at a collection site, and may require the testing of such samples and specimens. A positive-level test may result in disciplinary action at the City's exclusive discretion, including termination of employment. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action at the City of Rifle's exclusive discretion, up to and including termination of employment, even for a first refusal.

14.4 Searches

The City, in its discretion, may conduct unannounced searches for illegal drugs or alcohol in City facilities. It is understood that these facilities are those of the City's, and there is no expectation of

privacy in employee lockers and/or other property which belongs to the City. There is absolutely no basis for the bringing of drugs or alcohol on the premises and locations such as lockers, desks, etc. These areas are the property of the City of Rifle, and they, as well as personal belongings, may be searched by the employer when it is considered necessary, at the City's exclusive discretion.

14.5 Employee Responsibility

14.5.1 Employee's Duty to Report Drug-related Arrests

Each employee shall notify his/her supervisor of any criminal drug statute arrest, no later than five (5) days after such arrest.

14.5.2 Employee Responsibilities and Assistance

The City of Rifle may offer referral to rehabilitation programs which emphasize education, prevention, counseling, and treatment to employees when problems arise which may affect the employee's performance, safety, and/or safety of others.

Each employee is responsible for complying with the requirements of this policy and should seek assistance before drug or alcohol problems lead to disciplinary action.

14.6 Disciplinary Action

Violation of this policy may result in disciplinary action at exclusive discretion of the employee's Department Head. Such disciplinary action could result in termination of employment, even for the first offense.

Any employee who refuses to submit to a search or inspection, refuses to give a urine specimen or blood sample, or is found under the influence of alcohol, drugs, or controlled substances, may be discharged at the City of Rifle's exclusive discretion, up to and including termination of employment.

14.7 Definitions

14.7.1 City Facilities

Any City property including, but not limited to, all land (including parking lots), property and buildings owned or leased by the City, as well as any jobsite where the City is responsible for furnishing products or where City employees may perform services. Property includes motor vehicles and equipment owned or leased by the City.

14.7.2 Controlled Substance

Any drug which is not legally obtainable or which is legally obtainable but has not been legally obtained. The term includes prescribed drugs which are not being used for the prescribed purposes.

14.7.3 Legal Drugs

All prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they have been prescribed or manufactured.

14.7.4 Under the Influence Of

The employee is affected by a drug, alcohol, or controlled substance, or any combination thereof, in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. This term includes a positive result in a drug or alcohol test.

14.7.5 Collection Site

A location for specific applicant/employees to report for the purpose of providing urine specimens and/or blood samples, for testing for the presence of drugs and/or alcohol. The collection of urine specimens is to be conducted under tightly controlled conditions. This site will be separate from City facilities.

14.7.6 Accident

Any event where property is damaged or personal injury occurs.

14.7.7 Reasonable Suspicion

Facts and circumstances that would lead a reasonable person to believe that another individual is under the influence of drugs, alcohol, or controlled substances.

15 VEHICLE AND TRAVEL POLICY

15.1 City Vehicles

Employees who are subject to call back may be required to drive home a City vehicle for quicker response time. Except for Department Heads or when on-call, City employees who live more than two (2) miles outside the City Limits will be required to leave their assigned vehicle at a designated City facility.

While traveling between home and their assigned work location, employees may, on occasion, perform small items of personal business in order to avoid wasting energy by retracing their route in their private vehicle. Employees must exercise good judgment in using City vehicles for personal business.

15.2 Cell Phone Use in City Vehicles

The City advocates safe and responsible driving habits while operating a City vehicle or a personal vehicle on City business. This includes not only adherence to traffic laws, speed limits, and use of seat belts, but also to limiting distractions through the use of cell phones and other hand-held electronic devices. For purposes of this policy, "hand-held electronic devices" includes but is not limited to, wireless phones, computers, on line email, pagers, palm pilots, pda's, tablets, and any other communication device. The use of cell phones and other hand-held electronic devices is generally discouraged while operating a City vehicle or personal vehicle on City business, and should comply with the following guidelines:

1. Employees shall not text message, email or use any similar form of electronic communication while operating a City vehicle or personal vehicle on City business.

2. Employees shall not use a cell phone while operating a City vehicle or a personal vehicle on City business, unless such use is through a hands-free device, or in an emergency situation, in which case the communication should be as short as reasonably necessary for the situation.

3. Employees shall make all calls or other necessary communications before departing on a trip or after arriving at your destination.

4. Employees shall pull off the road to a safe location before making or returning cell phone calls or any form of electronic communication.

15.3 Travel Policy

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15.3.1 Department Budget

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Each department may generally budget a set amount for travel expenses each year. The Department Head is responsible for monitoring and controlling that budget.

15.3.2 Advances

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The City may, upon sufficient request, advance money to an employee to cover anticipated travel expenses. The employee must file a report and acceptable receipts with his/her supervisor detailing amounts actually spent within one week of returning to work. Any money not spent according to this policy will be returned to the City at that time.

15.3.3 Out-of-state Travel

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Out-of-state travel must be approved, in advance, by the City Manager.

15.3.4 City Vehicle

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The City may make a City vehicle available, and the employee may use that vehicle for any travel. If the employee must use his/her own vehicle, expenses will be reimbursed at the mileage rate established by current IRS guidelines.

15.3.5 Family Members

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An employee may allow family members to travel with him/her in the City vehicle, but only the City employee may drive.

15.4 Reimbursement Expenses

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Examples of expenses that will be reimbursed with presentation of acceptable receipts:

1) Reasonable meal expenses, including non-alcoholic beverages
2) Reasonable parking, tolls, etc.
3) Tips (no receipt required but must follow common practice)
4) Phone calls required by City business plus one phone call of reasonable duration home for each 24 hour period
5) Reasonable taxi cab, bus rides, etc.

Examples of expenses that will not be reimbursed:

1) Any alcoholic beverages
2) Snacks, beverages not associated with a meal
3) In-room movies or other entertainment
4) Any strictly personal items
5) Toiletries, dry cleaning, etc.

15.5 Vehicle Maintenance Responsibility

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15.5.1 Assigned Vehicles

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Employees with assigned vehicles are responsible for securing maintenance on the vehicles. Assigned vehicles must be kept clean and presentable.

15.5.2 Motor Pool Vehicles

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Employees using motor pool vehicles are responsible for reporting defects or maintenance needs. After they are returned, motor pool vehicles must be vacuumed, have a full tank of gas, and all trash and personal items removed. Motor pool vehicles must be ready to go for the next user.

16 ELECTRONIC MEDIA ACCESS AND ACCEPTABLE USE POLICY

16.1 Policy

This policy governs the use of computers, networks, and related services of the City. Users of these resources are responsible for reading, understanding, and complying with this policy. Computers and networks can provide access to resources within and outside the City, as well as the ability to communicate with other users worldwide. Such access is a privilege and requires that individual users act responsibly.

Users must respect the rights of others, respect the integrity of the computers, networks, and related services, conform to network etiquette, customs and courtesies, and observe all relevant laws, regulations, contractual obligations, and City policies and procedures. Misuse of the City Computer System can undermine public confidence and waste taxpayer resources.

16.2 The City Computer System

The City Computer System includes: computers and related equipment, e-mail, telephones, voice mail, facsimile systems, communications networks, computer accounts, internet and/or web access, network access, central computing and telecommunications facilities, and related services.

Access to and use of the City Computer System is a privilege granted to City staff. All users of the Computer System must act responsibly and maintain the integrity of the Computer System. The City reserves the right to deny, limit, revoke, or extend computing privileges and access to the Computer System in its discretion.

The City may, in its discretion, limit the use of specified portions of the Computer System to certain employees, and/or deny the use of specified portions of the Computer system to certain employees.

The City may, in its discretion, regulate which applications may be downloaded on City issued telephones, tablets, and similar devices. The GPS Find function shall be activated on all City issued devices.

The City Computer System may not be used in any manner or for any purpose which is illegal, dishonest, disruptive, threatening, is damaging to the reputation of the City, is inconsistent with the mission of the City, or could subject the City to liability.

Any violation of this policy or of other City policies in the course of using the Computer System may result in an immediate loss of computing privileges, disciplinary action up to and including termination of employment, and referral of the matter to the appropriate authorities.

16.3 No Expectation of Privacy

City personnel have no expectation of privacy in City property and equipment. Such property and equipment includes, but is not limited to, the City Computer System, and all messages, data files and programs stored in or transmitted via the Computer System ("Electronic Communications"). The City reserves the right to monitor, access, use, and disclose all messages, data files and programs sent over or stored in its Computer System for any purpose. City management reserves the right to monitor, inspect, and examine any portion of the Computer System at any time and without notice.

Further, correspondence of an employee in the form of e-mail may be a public record under the public records law, and may be subject to public inspection under C.R.S. Section 24-72-203, unless an exception provided by law applies. The City may monitor or access an employee's e-mail, with or without notice, for any business-related purpose, including any situation in which a supervisor has reason to believe that an employee is misusing or abusing e-mail privileges, or is violating any other City policy.

16.4 Passwords

Portions of the City Computer System may be accessible by password only. The purpose of a password is not to provide privacy, but to control and prevent unauthorized access.

Every password issued for the use of any part of the City Computer System is the responsibility of the person in whose name it is issued. That individual must keep the account secure from unauthorized access by keeping the password secret, by changing the password often, and by reporting to the City when anyone else is using the password without permission.

Passwords are intended to help prevent unauthorized access and may not be shared with unauthorized persons. The contents of all password protected data files and programs belong to the City and are subject to access and disclosure by the City as set forth in this policy.

16.5 Improper Use of the Computer System.

Improper use of the Computer System is prohibited. The following are examples of improper use of the Computer System:

16.5.1 Storage, Transmission, or Printing of Improper Materials

Storing, transmitting or printing any of the following types of Electronic Communications on the Computer System is prohibited: material that infringes upon the rights of another person; material that is obscene; material that consists of any advertisements for commercial enterprises; material or behaviors that violate laws, regulations, contractual obligations, and City policies and procedures; or material that may injure someone else and/or lead to a lawsuit or criminal charges.

16.5.2 Harassment

Any electronic communication that violates the City harassment policy is prohibited. Additionally, any electronic communication that is annoying, abusive, profane, threatening, defamatory or offensive is prohibited. Some examples include: obscene, threatening, or repeated unnecessary messages; sexually, ethnically, racially, or religiously offensive messages; and continuing to send messages after a request to stop.

16.5.3 Destruction, Sabotage

Intentionally destroying anything stored on the Computer System, including anything stored in primary or random access memory is prohibited. Deliberately performing any act that will seriously impact the operation of the Computer System. This includes, but is not limited to, tampering with components of a network, otherwise blocking communication lines, or interfering with the operational readiness of a computer or peripheral.

16.5.4 Evasive Techniques

Attempts to avoid detection of improper or illegal behavior by encrypting or passwording electronic messages and computer files are prohibited.

16.5.5 Unauthorized Use/Access

Using the Computer System to gain or attempt to gain unauthorized access to remote computers is prohibited. Other prohibited behaviors include: actions that give simulated sign off messages, public announcements, or other fraudulent system responses; possessing or changing system control information (e.g., program status, protection codes, and accounting information), especially when used to defraud others, obtain passwords, gain access to and/or copy other user's electronic communications, or otherwise interfere with or destroy the work of other users.

16.5.6 E-Mail Forgery

Forging e-mail, including concealment of the sender's identity, is prohibited.

16.5.7 Theft/Unauthorized Use of Data

Data created and maintained by the City, or acquired from outside sources, are vital assets of the City and must be used only for authorized purposes. Theft of or unauthorized access to or use of data is prohibited.

16.5.8 Program Theft

Unless specifically authorized, copying computer program(s) from the Computer System is prohibited.

16.5.9 Viruses, etc.
Intentionally running or installing on the Computer System, or giving to another, a program that could result in damage to a file or the Computer System, and/or the reproduction or transmission of itself, is prohibited. This prohibition includes, but is not limited to, the classes of programs known as computer viruses, Trojan horses, and worms.

16.5.10 Security
Attempting to circumvent data protection schemes or uncover security loopholes is prohibited.

16.5.11 Wasting Resources
Performing acts that are wasteful of computing resources or that unfairly monopolize resources to the exclusion of others is prohibited. These acts include, but are not limited to: sending mass mailings or chain letters; creating unnecessary multiple jobs or processes; generating unnecessary or excessive output or printing; or, creating unnecessary network traffic.

16.5.12 Occasional Non-Commercial Uses Permitted
It is understood that, occasionally, staff members use e-mail or internet access for non-commercial, personal use. Such occasional non-commercial uses are permitted if they are not excessive and are limited to breaks or lunch hours, do not interfere with the performance of the employee's duties, do not interfere with the efficient operation of the City, and are not otherwise prohibited by this policy or any other City policy.

16.5.13 Accessing User Accounts
Unauthorized attempts to access or monitor another user's electronic communications are prohibited. Unauthorized accessing, reading, copying, changing, disclosing, or deleting another user's messages, files or software without permission of the owner is prohibited.

16.5.14 Backup Copies
All data on the Computer System is subject to backup at the discretion of the City.

16.5.15 Deleting Electronic Communications
Users of the Computer System should be aware that Electronic Communications are not necessarily erased from the Computer System when the user "deletes" the file or message. Deleting an Electronic Communication causes the Computer System only to "forget" where the message or file is stored on the Computer System. In addition, Electronic Communications may continue to be stored on a backup copy long after it is "deleted" by the user. As a result, deleted messages often can be retrieved or recovered after they have been deleted.

16.5.16 Criminal Laws

Under C.R.S. Section 18-5.5-101 et seq., criminal sanctions are imposed for offenses involving computers, computer systems, and computer networks. Any person committing an offense with respect to them may be subject personally to criminal sanctions and other liability. Federal laws may also apply to some circumstances.

16.5.17 Copyright Infringement

The Copyright Laws of the United States prohibit unauthorized copying. Violators may be subject to criminal prosecution and/or be liable for monetary damages.

In general, employees may not copy, download, install or use software on the Computer System without acquiring a license from the publisher. (For example, employees may not copy it from a friend or other source.) Furthermore, employees may not copy the City's software, unless such copying is specifically authorized by the City and permitted by the license agreement.

The ability to download documents from the Internet, and to attach files to E-mail messages, increases the opportunity for and risk of copyright infringement. A user can be liable for the unauthorized copying and distribution of copyrighted material through the use of download programs and E-mail. Accordingly, employees may not copy and/or distribute any materials of a third party (including software, database files, documentation, articles, graphics files, audio or video files) unless they have the written permission of the copyright holder to do so. Any questions regarding copying or downloading should be directed to the IT Director.

17 SOCIAL MEDIA POLICY

The City recognizes that social media internet applications can be used to enhance communication and collaboration and further citizen involvement in government issues. The City also recognizes that access to the City's social media sites may directly impact the image and the operation of the City as a whole and each individual department. This policy governs the use of social media and social networking by all authorized personnel in order to mitigate potential risk and abuse of any social media efforts.

17.1 Definitions

17.1.1 Social Media

Any internet-based application that facilitates the exchange of user-generated content, communications and conversations including, but not limited to LinkedIn, Facebook, Twitter, web feeds, blogs, wikis, photo-sharing, video-sharing, podcasts and other means of transferring information through the internet.

17.1.2 Post

A comment by City Personnel or a Public Citizen uploaded to and displayed on a social media site.

17.1.3 Moderator

An authorized City official who reviews, authorizes and allows content submitted by City Personnel and Public Citizens to be posted to a social media site.

17.2 Policies

17.2.1 Existing Policies

All existing laws, rules, regulations and other existing policies governing the conduct of City personnel are applicable to conduct associated with social media.

17.2.2 City of Rifle

City social media sites shall make clear that the site is maintained by the City and that the site complies with this social media Policy. Each social media site should state the general purpose fully stated in Section I. All City social media sites shall be approved by the City Manager. Each site should also include a link connecting a user to this Policy to facilitate full user compliance.

17.2.3 Colorado Open Records Act

City social media sites are subject to the Colorado Public Records Act. Any content maintained in a social media format that is related to City affairs, including lists of subscribers, posted communications, and communications submitted for posting, may be a public record subject to public disclosure.

17.2.4 Site Content

The Moderator shall review social media sites daily to prevent inappropriate, topically irrelevant, or technically harmful information, posts, comments and links. Social media sites that allow public comment shall inform visitors that the purpose of the site is to present matters of pubic interest in the City, including its residents, businesses and visitors and that it is a moderated online discussion site and not a public forum. Inappropriate posts are subject to removal including but not limited to the following types of postings:

1) Comments not topically related;

2) Profane language or content;

3) Content that promotes or perpetuates discrimination on the basis of race, sex, creed, color, age, religion, gender, marital status, public assistance, national origin, physical or mental disability or sexual orientation;

4) Sexual content;

5) Advertisements or solicitations of commerce;

6) Information that may tend to compromise the safety or security of the public or public systems;

7) Content that violates a legal ownership of interest of another party;

8) Defamatory statements, personal attacks, violent or aggressive statements, encouragement of illegal activity or other comments that may incite, aggravate, or generally not conducive to the good will of the Citizens of the City of Rifle.

17.2.5 Authorized Use

Only official spokespersons and other specifically selected persons authorized by the City Manager may have access to publish, post, or comment on behalf of the City.

All persons granted access shall:

1) Identify themselves as a member of the City.

2) Conduct themselves as representatives of the City and by the same standards, principles and guidelines that apply to all City Personnel in the performance of their assigned duties.

All persons granted access shall NOT:

1) Post, transmit or otherwise disseminate classified data or confidential information without the express written consent of the Moderator or his designee.

2) Conduct political activities or private business. Employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

17.2.6 Personal Use

City Personnel who are off-duty and engage in the use of social media do not represent the City of Rifle or any official position maintained by any department of the City. Postings of this manner are personal communications, and City Personnel are personally responsible for the content they publish. Postings by an employee concerning the City are not prohibited provided they comply with the guidelines set forth in this Personnel Manual and do not:

1) Use their rank, title, or position in a manner that would suggest they are representing the interest of the City;

2) Post any depiction, illustration, text, photo, video, audio, or any multimedia file containing the uniform, official seal, badge, logo, or any instrumentality used during the execution of the City Personnel's official duties to any social media;

3) Disclose any sensitive, proprietary, confidential, or financial information about the City.

If a City employee identifies himself or herself as a City employee on a social media site, the employee must indicate that his or her views are not the official views of the City of Rifle. If a City employee publishes content on any social media site that relates to his or her work or any subjects associated with the City, the employee must post a conspicuous disclaimer such as "The views expressed on this site (or in this post) are my own and do not necessarily represent the City of Rifle's positions, strategies or opinions."

A social media site is not the appropriate place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Such complaints must be made consistent with the complaint procedures in this Handbook.

January 1, 2016

City of Rifle

Personnel Manual

Adopted by the City Council December 16, 2015

INTRODUCTION

The purpose of this manual is to inform employees of the City of Rifle's personnel policies of general applicability. This manual is not all-inclusive and does not purport to address all conceivable circumstances, but addresses those topics likely to be of interest to employees in the course of day-to-day operations.

The policies in this manual are not intended to supersede the City's home rule charter, ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail. The provisions of this manual apply to all employees of the City except as otherwise specified. Departments may have their own policies and procedures.

The policies in this manual are not intended and shall not be construed to vest any employee of the City of Rifle with any rights arising from any express or implied contract of employment, and employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice. The City reserves the right to change or rescind these policies and to determine the application of these policies to specific circumstances using its sole discretion. The City further reserves the right to alter or eliminate any benefits provided to its employees as referenced in the personnel policies. Any alteration, elimination, or revision may be made applicable to then-current as well as future employees.

Certain provisions of this manual identify potential disciplinary action which may result from specified conduct. The inclusion of these provisions does not, and is not intended to, limit the imposition of disciplinary action which may be imposed for any violation, nor is the inclusion of disciplinary provisions intended to limit the City of Rifle's discretion with respect to imposition of discipline.

Any matter not specifically covered by this manual may be administered by the City Manager in a manner consistent with this manual.

CITY OF RIFLE PERSONNEL MANUAL

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DEFINITIONS

The following definitions apply whenever these words and phrases are used in this manual, unless the context clearly indicates otherwise:

ADA or Americans with Disabilities Act means the Americans with Disabilities Act, 42 USC 12101 et seq., as amended from time to time.

Appointing Authority means the City Manager or the City Manager's designee.

Charter means the City of Rifle City Charter as found in the Rifle Municipal Code.

Department Head shall include those positions which report directly to the City Manager.

FLSA or Fair Labor Standards Act means the Fair Labor Standards Act, 29 USC 201 et seq., as amended from time to time.

FMLA or Family and Medical Leave Act means the Family and Medical Leave Act, 5 USC 6382 et seq., as amended from time to time.

Immediate Family consists of the mother, father, sister, brother, husband, wife, son, daughter, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandchildren, and grandparents of the employee, or relatives who live with the employee during the time that they are employed by the City.

1 EQUAL EMPLOYMENT OPPORTUNITY

1.1 Introduction

It is the policy of the City of Rifle that there shall be no unlawful discrimination or harassment against employees or job applicants on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status. “Genetic information” includes information about an individual’s genetic tests and the genetic tests of an individual’s family members, including fetuses, family medical history, receipt of and/or results of genetic testing, and participation in genetic clinical research. Equal opportunity, as required by law, shall apply to all personnel actions including, but not limited to, recruitment, hiring, placement, promotion, transfer, demotion, layoff or termination. Equal opportunity shall also apply to all administrative actions such as compensation, benefits, training, and education.

This policy does not add to any rights that employees may be entitled to by law. Further, employment with the City may be terminated at any time, with or without cause, and with or without notice.

1.2 Equal Employment Opportunity Officer

The Human Resource Director shall serve as the equal employment opportunity officer to carry out the City’s equal employment opportunity policy.

2 EMPLOYMENT PRACTICES

2.1 Application for Vacancies

Whenever a job vacancy occurs, it shall be filled with the most qualified applicant available. To the extent permitted by law, if two equally qualified applicants apply for a City position, preference may be given to a City employee, a City resident, or a veteran of the U.S. Armed Forces.

Any City employee interested in a job vacancy shall submit a written letter of intent to apply for such vacancy stating job skills and qualifications.

Résumés/application forms of an applicant who is hired will be placed in the employee's personnel file. Applications, unless renewed, shall be considered active for a period of 12 months. Applications for employment over one (1) year old may be destroyed to the extent permitted by law.

Applicants may be disqualified for consideration for employment when any of the following factors exists:

1) The applicant does not meet the minimum qualifications for the job as set forth in the job description;

2) The applicant has demonstrated an unsatisfactory employment record as evidenced by the results of the reference check;

3) The applicant has given any false information in his/her application or has otherwise practiced deception during the selection process;

4) The applicant fails to respond in a timely fashion to an invitation to interview; or

5) The applicant has a conviction record or personal history which negatively affects fitness to perform the required duties.

2.2 Selection Techniques

Such selection techniques as deemed appropriate may be used in the selection process. Those selection techniques may include, but are not limited to, the following:

1) Screening job applications and résumés based on previous work experience and/or job qualifications, as well as format and written presentation found within the job applications and resumes when pertinent to the job.

2) Written testing

3) Examination based on practical application of skills

4) Interviews

5) Job-related tests of physical ability

6) Polygraph or psychological testing, upon conditional hire

7) Background investigations

2.3 Conditional Hire/Physical Examination

Upon conditional appointment, full-time Law Enforcement employees and any others deemed necessary based on job classification by the Human Resource Director are required to submit to a pre-employment physical examination by a doctor selected by the City.

As a condition of employment, prospective employees may be required to submit themselves to background checks, which may include polygraph examination, fingerprinting, criminal history, driving history, credit history, past employment history, and personal references. If a background check is

required, it must be completed before employment begins. Conditional offers shall be withdrawn if the results of the background check are deemed to disqualify the applicant for the position.

2.4 Promotions, Transfers, Reinstatements

2.4.1 Promotions

Promotions may occur either with or without competitive examination. The City Manager or designee may authorize the promotion without examination of a qualified employee upon the written recommendation of the Department Head.

Notices of promotional opportunities may be posted on official City bulletin boards.

2.4.2 Transfers

An employee may be transferred to a similar position in a different department. An employee desiring to be transferred shall make a written request to both Department Heads for consideration when a vacancy occurs. The request by the employee, must be approved by the City Manager and the department director receiving the employee.

Transfer of an employee from one position to another may be permitted if the Department Head determines that the employee meets the qualifications of the position, that the transfer is in the best interest of the City, and that further training and development of the employee in the new position would be beneficial to the City.

2.4.3 Reinstatements

A former employee may be rehired at the discretion of the Department Head, with City Manager approval, if a vacancy occurs in the same or similar position held by the former employee within one year of the date the employee left City employment. This is known as reinstatement and it may occur without a competitive examination. Such action originates only from departmental request. Request for the action must be submitted to the Human Resource Director by letter giving name, title, salary, date of separation, and date of proposed reinstatement, together with a report of personnel changes that must be approved by the City Manager before the employee reports for duty.

An employee may be reinstated at the same salary at the discretion of the Department Head and with the approval of the City Manager or Human Resource Director. Other than as provided for in this manual (see Section 2.11, Restoration of Length of Service), reinstated employees are considered new employees for all purposes.

2.5 Nepotism Policy

For the purposes of this section, “family member” includes mother, father, sister, brother, husband, wife, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandchildren,

grandparents, aunts, uncles, nieces, nephews, first cousins, and step-relatives of the employee, or relatives who live with the employee during the time that they are employed by the City.

A family member of an employee shall not be considered for employment by the City in circumstances where one relative directly would exercise supervisory, appointment, or dismissal authority or disciplinary action over the other relative.

If City employees become relatives after employment by the City, and any of the circumstances exist or would exist as described in the preceding paragraphs, one of the employees shall be separated from employment or, if possible, moved to a non-conflicting position. The affected employees may choose the one to be separated but, if no agreement can be reached, the City Manager shall decide.

No family member of or person serving as a member of the City Council shall be eligible for employment with the City until the council member has been out of office for one year.

No appointing authority shall participate in or vote on decisions related to hiring, retention, promotion, or determination of the salary level of a member of his or her family.

The foregoing restrictions do not preclude consideration of a relative of an elected official or City employee for City employment except as specifically restricted herein. Evidence should be available demonstrating that procedures of the personnel policies were followed during the selection process and that the most qualified person was selected.

Violation of this policy by any appointing authority may lead to the immediate termination of the relative and appropriate disciplinary action against the appointing authority.

2.6 Residency

In addition to requirements set forth in the Rifle City Charter, those employees who live outside the City should be made aware that they may have to come into Rifle after hours, if necessary, and they must do so at their own expense and travel will be on their own time.

2.7 Employee Orientation

New employees will attend an orientation session that will include information concerning the City's salary and benefits programs, personnel policies, safety, and other City policies or programs relating to employment. New employees may also receive orientation information from their supervisor. Upon six months of employment, new employees may be evaluated.

2.8 Essential Personnel

Emergency situations may arise that dictate which City employees will be designated as "Essential Personnel." Emergencies can be caused by such developments as heavy snow or severe icing

conditions, floods, earthquakes, or other natural disasters; air pollution; massive power failure; major fires; or epidemics. Significant emergency situations, of the scope and impact reflected in this guideline, will be the subject of public declaration of emergency or disaster by appropriate State or local authority.

The designation of Essential Personnel may be outlined in an employee's Job Description. These Personnel are required to report for duty during emergencies. Additionally, Essential Personnel are required to have a Family Care Plan that will describe how the employee's family will be cared for in the event of his/her absence from the home during the emergency.

2.9 Reduction in Force/Recall

The City, at its discretion, will determine whether layoffs and reductions in force are necessary as a result of lack of work, lack of funds, reorganization, curtailment of operations or programs or other circumstances in the City's best interest. Work hours for some or all positions may also be adjusted in lieu of or in addition to layoffs if City circumstances warrant such action as determined by the City Manager. There is no City appeal process for decisions regarding layoffs and reductions in force.

1) When a layoff is necessary, Department Heads in consultation with the City Manager may consider the following factors, in no particular order of magnitude, in determining which position(s) will be necessary to dissolve:

    a) Performance of the employee.

    b) Versatility and future needs.

    c) Experience and special abilities possessed by the employee.

2) Any employee on leave of absence, including FMLA leave, during a layoff period will be subject to layoff on return to work, in accordance with the above considerations.

3) The reinstatement of laid off employees requires the approval of the Department Head and City Manager.

4) Under normal conditions, the order of recall for employees being reinstated will be in reverse order of the layoff. Employees recalled will be required to report to work within a two-week period and failure to do so may result in a waiver of the recall opportunity.

5) For compensation and benefit purposes, an employee's length of service will not include the length of time the employee was laid off.

2.10 Separation and Severance Pay Policy

This policy defines the various types of separations from the employ of the City and the effect of separation on benefits and continuous service.

This policy applies to all full-time employees. This policy also applies to part-time, seasonal, and temporary employees.

2.10.1 Types of Separations

1) Voluntary Termination occurs when the separation is initiated by the employee. Voluntary terminations include, but are not necessarily limited to, the following:

    a) Written or oral resignation (a two-week notice is preferred).

    b) Absence from work for three consecutive working days without notifying the employee's supervisor.

    c) Failure to report for work upon recall from layoff on the date designated.

    d) Failure to return from an approved leave of absence at the expiration of the leave.

    e) Retirement.

2) Involuntary Termination occurs when the separation is not initiated by the employee. Involuntary terminations include, but are not necessarily limited to, the following:

    a) Reduction in force - The City must reduce its work force for economic or other reasons.

    b) Termination without cause.

    c) Termination for cause - An employee is terminated for such reasons as inadequate performance, inefficiency, absenteeism, or violation of any policy or procedure set forth in this Personnel Manual.

    d) Death of the employee.

    e) Disability - An employee who has exhausted his/her accumulated leave, who is not on leave without pay status, and who is unable to perform his/her usual work assignment regardless of the employee's eligibility for disability benefits.

2.10.2 Exit Interview

Employees are requested to participate in a voluntary exit interview with the Human Resource Director.

2.10.3 Accrued Vacation, Floating Holiday, and Sick Leave Pay

Upon termination, either voluntary or involuntary, employees will be paid for accrued and unused vacation time.

Upon termination, either voluntary or involuntary, there will be no payment for floating holidays.

Upon termination, either voluntary or involuntary, there will be no payment for sick leave except as noted below:

Persons hired between January 01, 2011 and January 01, 2006, shall be eligible to receive ½ of their sick time if voluntarily terminated or let go through a reduction in force.

Persons hired prior to January 01, 2006, shall be eligible to receive full value of their sick time if voluntarily terminated or let go through a reduction in force.

In the event of an employee's death, the full value of the employee's accrued sick time shall be paid to the beneficiary.

2.10.4 Group Insurance

Upon termination, either voluntary or involuntary, any life, accident, and short- and long-term disability insurance is canceled subject to the policies in force at the time.

Upon termination, either voluntary or involuntary, any health insurance is canceled the first of the month following the last day worked unless continuation of benefits has been chosen under COBRA laws.

2.11 Restoration of Length of Service

An employee who is involuntarily terminated due to reduction in force, and who is rehired, will have subsequent service "bridged" after a year of continuous service. For example, if an employee worked for the City for 3 years, was laid off and later rehired, after a year of continuous service, his/her length of service would be 4 years. An employee who resigned or was discharged, and who is rehired, will not have any prior service restored or "bridged." The date of rehire will become his/her service date.

However, computation of service for pension purposes and the effect of breaks in service on pension rights will be determined in accordance with the provisions of the City's pension plan.

2.12 Personnel Records

The City of Rifle shall maintain information on each employee pertinent to his employment and shall retain all personnel records of City employees in accordance with §24-72-201 et seq., C.R.S. One complete set of personnel files shall be kept by the Human Resources Department for each employee. This will be the official file.

An employee, the employee's Department Head, the City Manager, the City Attorney, or a former employee or his/her designated representative may examine the employee's personnel file during regular business hours. Designation of a representative shall be in writing, witnessed, and signed by the employee or former employee, and filed with the Personnel Department, before the representative may examine the file.

No documents shall be copied from a personnel record, except as required by the Open Records Act, without a written request from the employee designating the documents to be released and the person or entity to which the release is to be made, and indemnifying and holding harmless the City from any liability, claims, and demands resulting from such release.

2.13 Verification of Employment

To ensure that consistent and only need-to-know information is provided, all verification of current or former employment is made through the Human Resource Director.

Upon reasonable request, the Human Resources Department may verify to prospective employers of a present or former employee the dates of such individual's employment with the City and the latest or last position title held. No other information concerning an employee shall be released to any prospective employer, collection agency, credit bureau, or any other person or entity, unless the employee has designated the same as his representative in accordance with the above paragraph.

3 EMPLOYMENT STATUS

Employment with the City of Rifle is at will, and can be terminated at any time without procedures, cause, or notice.

During the course of their employment with the City, employees may be classified in the following categories:

3.1 Temporary

A temporary employee is defined as a person employed either on a part- or full-time basis in a job which has been established for a specific period of time or for the duration of a specific project or group of assignments. The duration of a temporary position cannot exceed a total hours worked of 1,559 annually. A temporary employee is not eligible to participate in employee benefit and leave programs nor may he/she exercise appeals per Chapter 11.

3.2 Seasonal

A seasonal employee is defined as a person employed either on a part- or full-time basis, in a job which has been established annually, for specific dates and is employed only between these specific dates. The duration of a seasonal position cannot exceed six months or extend outside of the established seasonal dates. A seasonal employee is not eligible to participate in employee benefit or leave programs nor may he/she exercise appeals per Chapter 11.

3.3 Part-time

A part-time employee is defined as a person employed in a position which normally requires no more than 29 hours per week. This employee shall not exceed 1559 total hours annually. A part-time employee is not eligible to participate in employee benefit or leave programs nor may he/she exercise appeals per Chapter 11. Except as allowed in Section 6.5 Leave under Family and Medical Leave Act.

3.4 Full-time

A full-time employee is defined as a person employed in a position which normally requires at least 30 hours per week. A full-time employee is eligible to participate in all employee benefit and leave programs.

3.5 Inactive

Employees who have been granted approved leaves of absence without pay in accordance with the FMLA or otherwise.

3.6 Probationary

Employees who have been placed on probationary status for disciplinary reasons (see Section 11.2.2, Types of Discipline).

3.7 Exempt Positions

Those positions classified as exempt per the FLSA. Payment of overtime is not made to this class of employee.

3.8 Non-exempt Positions

Those positions not classified as exempt per the FLSA. Payment of approved overtime will be made in accordance with the FLSA.

4 EMPLOYMENT CONDITIONS

4.1 Attendance

The City offers full municipal service to citizens and visitors. In order to do this in a tradition of high quality, our departments must be fully staffed. Employees are expected to arrive at work on time according to their work schedule. Absenteeism detracts from this service and causes an undue burden for those employees who must fill in for absent employees. Absenteeism is cause for disciplinary action (see Section 11.2 Discipline).

4.2 Work Schedule

Departments shall observe working hours as necessary to perform the services required. These working hours may be left to departmental discretion, with the approval of the City Manager. Normal hours are 8:00 a.m. to 5:00 p.m., Monday through Friday; however, the hours may vary depending upon departmental needs.

The normal work week begins at 12:01 a.m. Sunday and runs through midnight on the following Saturday. Departments have the option of establishing their own work week to fit their needs, subject to City Manager approval. Departments may also establish a fourteen (14) day work period, subject to City Manager approval.

Full-time employees have a work week consisting of forty (40) hours within the seven-day period described above. This shall be the standard for all employees with the exception of those in law enforcement.

The Police Department operates 24 hours a day, 7 days a week. Shift assignments and work periods shall be established by the Police Chief as set forth in the Police Department's policies. Meal periods will be counted as time worked only if officers are available for assignments as required during meal periods.

4.2.1 Rest Periods

Employees working four consecutive hours shall be granted one (1) 10- minute break during every four hour period, if it does not disrupt work flow. Breaks not taken may not be accumulated or used at the beginning or end of the day or in conjunction with meal periods. The rest period should be granted near the middle of each four (4) hour shift insofar as practicable. Rest periods shall be taken on or near the premises of the work site.

4.2.2 Meal Period

With the exception of Law Enforcement employees, all full-time employees shall be granted a 60 minute non-paid meal period during each eight (8) hour work shift. Department supervisors should see to it that employees have the opportunity to take scheduled lunch breaks and do not work during lunch breaks, unless specifically requested to do so.

4.3 Job Duties

Job descriptions are meant to be general outlines of duties performed and specific requirements of skills and abilities needed to perform the position; they are descriptive. The City reserves the right to change an employee's job duties at any time. An employee who feels that his/her responsibilities have grown substantially should discuss the new duties with the Department Head and the City Manager and may request a review of job description and salary at any time. Classification upgrades and pay increases are subject to the annual budgeting and appropriation process.

5 SALARY ADMINISTRATION AND BENEFITS

5.1 Timesheets

All employees except exempt will make daily entries on a time sheet. Exempt employees will turn in a Record of Accrual Usage on the timecard when necessary. Completed time sheets for the pay period will be signed by both the employee and supervisor.

Payday occurs every other Friday. Time sheets for all employees except exempt must be turned in to their Department Head by 8:00 a.m. the Monday before payday. The Department Head must then turn in the time sheets to Payroll by 12:00 noon the Monday before payday.

5.2 Call Back

If an employee's position is considered "non-exempt" and he or is officially called back to work after departing from their regularly scheduled shift, the employee will be credited for the actual hours worked. Call-back hours will be counted as hours worked for the purposes of determining overtime during the work period. Workers who are called back to work on a holiday will be compensated for those hours in accordance with the holiday work policies.

5.3 Stand-by

Some "non-exempt" employees may be expected to be on stand-by for some periods of time. Stand-by may be required for, but not limited to, law enforcement, snow removal, parks maintenance, and water and sewer personnel. Stand-by classification is based on the following three-tiered system:

Level	Response Time	Compensation*
Level 1	< 10 minutes	20%
Level 2	< 30 minutes	10%
Level 3	< 120 minutes	5%

* in percentage of hours on call

All levels of stand-by require "reliable communication." Reliable communication refers to communication by radio, pager, or cell phone. Stand-by compensation in the form of straight time is based on the percentage of hours on stand-by duty. For example, if an employee is on Level 1 stand-by for an 8 hour period, 1.6 hours of straight time will be awarded (20% of 8 hours equals 1.6 hours).

Employees on stand-by are expected to be able to perform their job in a competent manner if called in. If called back while on stand-by, the call back provision will apply in addition to applicable straight time. Any stand-by time must be specifically authorized ahead of time by the Department Head and must be noted on time sheets.

Stand-by duty is not considered overtime work and is not used to calculate overtime compensation, except to the extent that the employee is actually called into work while on stand-by duty.

5.4 Computation of Overtime

With the exception of sworn law enforcement officers who are partially exempt from overtime under Section 7(k) of the FLSA and are subject to the Police Department's overtime policies, overtime work is defined as work in excess of the normal 40-hour-per-week work schedule in a given work period, subject to prior approval of the Supervisor. The intent is that overtime is to meet emergency response or the highest priority work which cannot be accomplished during normally scheduled hours.

Only nonexempt personnel will receive pay for overtime work.

Only authorized overtime will be calculated at 1.5 times the actual time worked and paid as overtime pay subject to the provisions of this manual. For purposes of computing overtime, the following leave will be considered time worked: educational time as defined in Section 5.4.2. The following types of leave will not be considered time worked: vacation, holidays, including floating holidays, sick leave, funeral leave, maternity/paternity leave, jury leave, and administrative leave, or military duty.

5.4.1 Adjusting the Work-week Schedule

Supervisors may make immediate adjustments to the employee's scheduled work week to avoid the accumulation of unnecessary overtime.

For example, if an employee's regular schedule is:

Mon	Tue	Wed	Thur	Fri
8	8	8	8	8

but the employee actually works, for any approved reason,

Mon	Tue	Wed	Thur
8	12	10	10

the supervisor may tell the employee not to report on Friday as he/she already has accumulated 40 hours by Thursday. In this case, the employee would receive no overtime.

5.4.2 Time spent in City-initiated or required training

Time spent in City-initiated or required training programs, lectures, and meetings is considered hours worked for the purposes of determining overtime, but must be approved in advance. Taking courses in a public or private institution or pursuing additional education on a voluntary basis is not considered hours worked for the purposes of determining overtime regardless of whether the activity is job related.

Travel time for City-initiated training on approved methods of transportation or out-of-town City business is included in the calculation of overtime. Employees will only be paid for time spent on City approved transportation. For example, if an employee elects to drive an automobile when the City

provides air transportation, he or she will only be paid for the hours he or she would have spent traveling by air. Time spent away from home but not in training or not traveling is not considered "hours worked" (see Section 15, Vehicle and Travel Policy).

5.5 Pay Advances

No “advances" on paychecks shall be made by the City.

5.6 Vacation Cash-Out

An employee may request and receive payment with the approval and in the sole discretion of the Department Head in exchange for accrued vacation leave, so long as forty (40) hours of accrued vacation remain for the benefit of the employee. The maximum number of vacation hours that may be exchanged is eighty (80) hours annually. Disbursements will only be made in accordance with the City’s payroll calendar, and separate checks are not allowed. Vacation cash-outs are irrevocable; once cashed out, the vacation hours cannot be bought back.

5.7 Health Care Benefits

Full-time employees are eligible to participate in the current health insurance plans and benefits package offered by the City of Rifle.

Employees hired after the beginning of a fiscal year will receive a contribution to their HRA or HSA accounts at the next full quarter.

Eligibility for health insurance is governed by the Insurance Plan, and to the extent it differs from this policy, the Insurance Plan controls. In addition, employees must properly submit all required information and documentation for enrollment before the health insurance will become active and must pay their portion of any premiums. For detailed information about eligibility and insurance coverage, please contact the Insurance Plan Administrator.

6 LEAVES

Eligibility for leave as presented in this Chapter is based on Employment Status as defined in Chapter 3 of this manual.

6.1 Holidays

The following are the official City holidays for employees except as otherwise provided herein:

1.	New Year's Day	First Day of January
2.	President's Day	3rd Monday in February
3.	Memorial Day	Last Monday in May
4.	Independence Day	July 4th
5.	Labor Day	First Monday in September
6.	Thanksgiving Day	Fourth Thursday in November
7.	Friday after Thanksgiving	
8.	Christmas Eve	December 24th
9.	Christmas Day	December 25th
10.-12.	Three Floating Holidays	One holiday awarded in January, May, and September. Floating holidays may be used only with prior approval of the Department Head.

Eligible employees receive eight (8) hours of pay per holiday.

Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday; when it falls on a Sunday, the following Monday shall be observed. When a holiday falls within a period of paid leave (i.e., vacation, sick, etc.) the employee shall be paid for the holiday and the holiday shall not be subtracted from accrued leave.

If an employee is regularly scheduled to work on a holiday, he/she will receive overtime. If an employee is called out to work on a holiday (i.e., water break, snow plowing), he/she shall receive overtime. Such overtime work will be computed at 1.5 times the hours worked.

Floating holidays shall not be considered to be scheduled holidays.

POLICE DEPARTMENT NON-EXEMPT SWORN OFFICER HOLIDAYS.

The following are the official holidays for all Police Department Sworn, Non-Exempt employees:

> All Police Department Sworn Non-Exempt employees shall be provided with 100 Floating Holiday hours per year. Employees in this category shall receive no fixed holiday leave. This Floating holiday leave will accrue on a semi-annual basis beginning on January 1, 2010, at the rate of 50 hours per six month period.

Floating holiday leave that is unused may not be carried over to the following calendar year, and may not be exchanged for pay.

Floating holiday leave will not be considered for purposes of overtime calculation.

6.2 Vacation Leave

Vacation time must be accrued by the pay period in which it is taken.

Vacation time shall accrue as follows:

(In accumulated hours per pay period)

Completed Years of Service	Non-Exempt	Exempt	Maximum Annual Vacation Carryover
1 – 4	3.08 hrs.	4.62 hrs.	320 hrs.
5 – 14	4.62 hrs.	6.15 hrs.	360 hrs.
15 or more	6.15 hrs.	7.69 hrs.	400 hrs.

"Completed Years of Service" are determined by anniversary date.

Employees must request vacation time in accordance with department policies. Scheduling of leave time is at the discretion of the Department Head, based on operational considerations, departmental personnel demands, and the number of employees scheduled to be on leave at any particular time. A reasonable effort will be made to accommodate employee's requested dates of leave. Department Heads will approve leave on a first-come, first-served basis unless the department has other written policies for granting leave.

The maximum number of vacation hours that an employee will be allowed to carry over from calendar year to calendar year is listed in the above table.

6.3 Sick Leave

6.3.1 Amount of Sick Leave

Full-time employees shall accrue 3.69 hours of sick leave per pay period Sick leave may be carried over from year to year to a maximum of 480 hours.

6.3.2 Use of Sick Leave

Employees may use accrued sick leave for the following reasons: personal illness or physical incapacity; enforced quarantine of the employee in accordance with community health regulations; a doctor, optical, or dental appointment; in accordance with Domestic Violence Leave; or in certain circumstances to allow an employee to provide care for an immediate family member.

6.3.3 Reporting Sick Leave

An employee who is unable to work because of illness shall, prior to the employee's scheduled time to report for work, notify by telephone his/her immediate supervisor or other person designated by the City Manager.

6.3.4 Charging Sick Leave

Absence for a fraction or a part of the day that is chargeable to sick leave in accordance with these provisions shall be charged proportionally to the actual time taken. Sick leave taken shall be charged in increments of one quarter hour.

6.3.5 Doctor Certificate

Department Heads may require employees to verify their use of sick leave by requiring certification of illness from a licensed physician on the third consecutive day of sick leave or after six (6) days of sick leave taken in any 12 month period.

6.3.6 On-the-Job Illness

If the employee's supervisor determines that an illness is impairing that employee's performance or that of others in the section, the Department Head may require the employee to use sick leave.

6.3.7 Automatic Sick Leave Conversion

For sick leave hours accrued over the annual carryover maximum of 480 hours, employees will automatically receive vacation for sick leave above 480 hours at 50 percent. The vacation hours will apply toward the following year's vacation accrual.

6.3.8 Sick Leave Bank

The purpose of the City of Rifle Voluntary Sick Leave Bank (Bank) Policy is to provide additional paid leave for employees who have exhausted their sick and vacation leave benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the Bank is not to provide unlimited paid sick leave for any medical reason, but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.

A City employee who has exhausted his/her vacation, sick, or compensation leave due to a non-work related illness or injury, which has totally incapacitated the employee from work, may request hours from the sick leave bank. Hours from the sick leave bank may also be used when an employee is required to take time off for an extended period of time to care for a member of his/her immediate family.

This program is strictly voluntary. Donors must have a minimum balance of eighty (80) hours of sick leave after making the donation. Donations are irrevocable once posted to the Sick Leave Bank.

It is the sole discretion of the City Manager to grant such leave to an employee. The City Manager's decision may not be appealed.

6.4 Domestic Violence Leave

6.4.1 Statutory Rights

Domestic Violence Leave is governed by Colorado law, C.R.S. 24-34-402.7, and is available only to individuals who qualify under the law, as it may be amended from time to time. The provisions of this policy are intended to comply with the State law and not to create rights that are different from or in addition to the law. This policy is automatically amended or repealed if the State law is amended or repealed.

6.4.2 Eligibility

In order to qualify for Domestic Violence Leave, Employer must have 50 or more employees and the employee must have been employed by Employer for twelve months or more, must be a victim of a crime of domestic violence, must have a qualifying reason for the leave, and must provide Employer sufficient notice of this qualifying reason.

6.4.3 Leave Benefit

Eligible employees shall be permitted to take up to three working days of unpaid leave from work in any twelve-month period, for qualifying reason, if the Employee is the victim of a crime of domestic violence.

6.4.4 Crime of Domestic Violence

A crime of domestic violence includes:

1) Domestic Abuse is defined in C.R.S. 13-14-101(2). This statute provides that "Domestic Abuse" means any act or threatened act of violence that is committed by any person against another person to whom the actor is currently or was formerly related, or with whom the actor is living or has lived in the same domicile, or with whom the actor is involved or has been involved in an intimate relationship. "Domestic abuse" may also include any act or threatened act of violence against the minor children of either of the parties;

2) Stalking as defined in C.R.S. 18-3-602. This statute provides that a person commits stalking if directly or indirectly through another person, such person knowingly:

    a) Makes a credible threat to another person, and, in connection with such threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or

    b) Makes a credible threat to another person, and, in connection with such threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that

person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this subsection 6.4.4.2.c)

c) A victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

a) For the purposes of this subsection 6.4.4.2: (I) Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat; (II) "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family, or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear; (III) "Immediate family" includes the person's spouse, and the person's parent, grandparent, sibling, or child; and (IV) "Repeated" or "repeatedly" means on more than one occasion.

3) Sexual assault as defined in C.R.S. 18-3-402. This statute provides that a person who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

a) The actor causes submission of the victim by means of sufficient consequences reasonably calculated to cause submission against the victim's will; or

b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or

c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or

d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim, and is not the spouse of the victim; or

e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age, and the actor is at least ten years older than the victim and is not the spouse of the victim; or

f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim, and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or

g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with

reasonable medical practices; or

h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented; and

4) Any other crime, the underlying factual basis of which has been found by a court on the record to include an act of domestic violence, as that term is defined in C.R.S. 18-6-8003(1). This statute provides that "Domestic Violence" means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic Violence" also includes any other crime against a person or against property or any municipal ordinance violation against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

6.4.5 Qualifying Reasons for Leave

The Employee must be using the Leave from work to protect himself or herself by:

1) Seeking a civil restraining order to prevent domestic abuse pursuant to C.R.S. 13-14-100.2 et seq.;

2) Obtaining medical care or mental health counseling or both for himself or herself or for his or her children to address physical or psychological injuries resulting from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence;

3) Making his or her home secure from the perpetrator of the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence or seeking new housing to escape the perpetrator;

4) Seeking legal assistance to address issues arising from the act of domestic abuse, stalking, or sexual assault or other crime involving domestic violence and attending and preparing for court-related proceeding arising from the act or crime.

6.4.6 Notice to Employer

Except in cases of imminent danger to the health or safety of the Employee, an Employee seeking leave from work under this policy shall provide his or her immediate supervisor with advance notice by the next business day after the Employee becomes aware of the need for leave. The request must be accompanied by a copy of any subpoenas, court orders, police reports, medical provider's statements, or other documentation that will substantiate the need for leave. In the event prior notice is not possible because of imminent danger, the Employee must provide notice and supporting documentation, as required above, at the earliest opportunity.

6.4.7 Exhaustion of Other Paid Leave

Domestic Violence Leave is unpaid, unless the employee has accrued available leave (i.e. vacation, sick, or comp time). In this event, the Domestic Violence Leave will be used simultaneously with the accrued leave, to the extent available so that the leave will be paid. If the available accrued leave is less than three days, the remainder of the Domestic Violence Leave will be unpaid.

6.4.8 Confidentiality

Employer shall treat Employee's request for and use of this leave as confidential and shall discuss it only with those individuals who need to know for purposes of confirming the Employee's need for leave, granting or denying the request, coordinating the Employee's absence and work coverage during the period of absence, or for other legitimate business needs.

6.4.9 No Retaliation

Employee shall not be retaliated against for any request or use of this leave when the request or use is pursuant to an honest belief that the Domestic Violence Leave law applies to the circumstances.

6.4.10 No Greater Rights

An employee shall have no greater rights to continued employment or to other benefits and conditions of employment than if the employee was not entitled to leave under this policy. Nothing in this policy shall be construed to limit Employer's right to discipline or terminate any employee for any reason.

6.5 Leave under Family and Medical Leave Act

6.5.1 Family and Medical Leave.

To the extent that the Family and Medical Leave Act (FMLA) applies, eligible employees may receive a total of 12 workweeks of leave during any 12-month period. This Act provides for leave in connection with incapacity due to pregnancy, prenatal medical care or childbirth; the care of the employee's child after birth or placement for adoption or foster care; the care of a child, spouse, or parent who has a serious health condition; or serious health condition of the employee that makes the employee unable to perform the employee's job.

For purposes of this policy, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves either:

1) An overnight stay in a medical care facility, OR

2) Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

   Subject to certain conditions, the continuing treatment requirement may be met by a period of

incapacity of more than 3 consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

6.5.2 Military Caregiver Leave

Military caregiver leave is available to care for a "covered servicemember" with a "serious injury or illness" as those terms are defined by the FMLA. Eligible employees may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total 26 weeks available for military caregiver leave.

Eligible employees with a spouse, child, or parent on covered active duty or called to covered active duty status may also use their 12-week FMLA leave entitlement to address certain qualifying exigencies as set forth in the FMLA.

6.5.3 Eligibility and Terms of Leave

An employee is eligible for family leave if he/she has been employed by the City for at least 12 months and has worked at least 1,250 hours during the 12-month period preceding the requested leave. Leave will consist of accumulated paid leave (which shall be used first) and leave without pay.

Intermittent leave or leave on a reduced leave schedule may be approved to coincide with a health treatment plan or other appropriate requirements for an individual employee, spouse, parent, or child. Such intermittent leave must be determined to be medically necessary by a health care provider. Leave due to qualifying exigencies may also be taken on an intermittent basis. Employees taking approved intermittent leave or reduced schedule leave may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

When necessary FMLA leave is foreseeable, the employee must provide the City with at least 30 days notice before the date the leave begins. If the event requires leave to begin in less than 30 days, the employee must provide such notice as is practicable and make a reasonable effort to schedule the treatment so as to avoid unduly disrupting City operations. A family member of the employee may give the notice if the employee is unable to do so.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees must also inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. The City may also require that a request for FMLA leave be supported by a certification and periodic recertification supporting the need for leave. If notification and appropriate certification are not provided in a timely manner, approval of leave may be denied.

The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required. If they are not eligible, the City will provide the reason for the ineligibility. The City will also inform employees if leave will be designated as FMLA protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

The City will not interfere with, restrain, or deny the exercise of any right provided under FMLA. The City will not discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for their involvement in any proceeding under or relating to the FMLA.

Most employees returning from FMLA leave shall be restored to the original or equivalent position with equivalent pay, benefits and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

The taking of FMLA leave will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

The City will maintain equivalent coverage and premium level under the City's group health plan for the duration of an employee's FMLA leave. The City may recover any benefit premiums paid for the employee if the employee fails to return from leave, unless the failure to return from leave has resulted from a continuation of a serious health condition or other circumstances beyond the employee's control. If an employee is taking FMLA leave without pay, no other fringe benefits will continue to accrue nor will contributions to retirement plans continue during this period.

If an employee fails to report to work promptly at the end of the medical leave, the City of Rifle will assume that the employee has resigned.

6.6 Work-Related Injury Leave

See Section 7 of this manual.

6.7 Administrative Leave

An employee may be granted administrative leave with pay with approval of the City Manager during the time that an employee is participating in authorized meetings or other authorized activities related to his/her work. Administrative leave may also be granted for other matters as deemed appropriate by the City Manager.

6.8 Jury or Court Leave

To the extent required by law, employees shall be granted time off with pay when performing jury duty or when appearing before any court of law as a defendant in a civil action arising from the employee's job with the City. An employee released from jury duty before the end of his or her normal workday

shall return to work to complete the remaining portion of his/her scheduled shift.

6.9 Educational Leave

Educational leave with or without pay may be granted to full-time employees at the discretion of Department Heads, subject to approval by the City Manager (see Section 9, Education and Training Assistance Program). The direct relationship of the proposed educational experience to the employee's duties, ability, or potential may be considered in approving or disapproving requests for educational leave. The City Manager shall make the final determination whether to grant any educational leave and, if granted, whether such leave shall be with or without pay.

6.10 Leave without Pay Not Covered by FMLA

6.10.1 When leave without pay not covered by the FMLA may be granted

Leave without pay not covered by the FMLA (see Section 6.5, Leave under Family and Medical Leave Act) may be granted without pay in cases of emergency and/or when a leave of absence would not be contrary to the best interests of the City. Employees are required to exhaust accrued vacation and compensatory time prior to taking unpaid leave under this section. A leave of absence may be granted only upon written request by an employee who presents the reason for the leave. Request for leave without pay shall be made through use of the City's Request for Time Off form. A request for a leave of absence without pay may be approved in writing by a Department Director, at his or her sole discretion, with the written approval of the City Manager, depending on the merit of the individual case.

If approved, an employee may work a modified schedule while taking periods of leave without pay. In this circumstance, the employee will be eligible to accrue vacation and sick leave based on the number of hours actually worked.

6.10.2 Conditions

If an employee is taking leave without pay that is not covered by the FMLA, the following conditions will apply:

1) The City may fill a position formerly held by an employee on leave without pay not covered under FMLA.

2) Fringe benefits shall not accrue during a period of leave without pay not covered under FMLA, nor will the City make any contributions during such period for retirement or group insurance programs. However, the employee may participate in the group insurance programs during such period, provided the employee deposits in advance with the City the amounts necessary to cover the total cost of the premiums. Computation of service, for pension purposes other benefit plans, and the effect of leave without pay not covered by FMLA will be determined in accordance with the provisions of the applicable plan.

3) The City will make reasonable efforts to reinstate the employee to the same position previously occupied or to a similar position following a leave of absence not covered under FMLA. The City, however, cannot guarantee that the same position or a similar position will be available at the time an employee desires to return to work.

4) In the event an employee has been granted non-FMLA leave without pay and the City decides to fill the position while the employee is on leave, the employee will be given written notice of the City's decision and the option to return to work on a designated date. The designated return to work date shall be no less than two (2) weeks after the date of the notice. This notice will be sent via first class mail to the last official address provided by the employee. The employee shall have one week from the date of the notice to advise the City whether he or she will return to work on the designated date. If the employee fails to respond timely or advises the City that he or she will not return to work on the designated date, the employee shall be deemed to have resigned from his or her employment with the City. The resignation shall be effective the date the employee advises the City of his or her intent not to return to work or ten days after the date of the notice, whichever occurs first.

6.11 Military Leave and Emergency Military Leave

6.11.1 Purpose

The purpose of this policy is to outline the City of Rifle's accommodation for service in the uniformed forces. The terms of this policy are subject to the Uniformed Services Employment and Reemployment Act (USERRA).

6.11.2 Applicability/Scope

This policy applies to regular employees who are a member of the uniformed services (which includes all branches of the military and their respective reserves, Commissioned Corps of the Public Health Service, and any other category or persons designated by the President of the United States in time or war or emergency):

1) Who provide advance written notice or verbal notice to their supervisor and the Human Resources Department prior to leave;

2) Whose leave does not exceed five years (subject to exceptions required by law); and

3) Who report to work or submit applications for reemployment in accordance with this policy.

This policy does not apply to temporary employees, or employees who were:

1) Separated from service with dishonorable or bad conduct discharge;

2) Separated from service under other than honorable discharge;

3) Dismissed as commissioned officers in certain situations such as a result of a court martial or by the President in time of war;

4) Dropped from the military rolls as a result of being absent without authority for more than three months or being imprisoned by a civilian court.

6.11.3 Time-off and Benefits Continuance

1) Up to 15 days per calendar year of paid time-off for military duty will be granted to full-time employees. Employees granted such time off will receive the difference, if any, between their base rates and their military pay (remuneration including but not limited to base pay, longevity, subsistence, flight hazard or overseas pay, but not including travel pay) for the period. Appropriate pay vouchers and copies of orders must be submitted to receive the City's portion. Reserves are eligible to receive the pay differential for their required military reserve duty and training, however, they will not be eligible for the pay differential for voluntary training or duty assignments.

2) In addition to the benefits described in paragraph 1) above, unpaid time-off will be granted in addition to any vacation time to which the employee is entitled. If the military time-off involuntarily coincides with the employee's scheduled vacation, the employee will be granted vacation at some other time. Employees who elect to have their military time-off coincide with their vacation shall not be entitled to receive make-up pay in addition to their regular vacation pay.

3) Life and health insurance as well as dental and vision coverage may be continued by the Employee and his or her dependents (if covered at the start of leave) for up to 31 days, as long as the employee pays his or her regular contribution. Employees on military leave are not covered by accidental death and dismemberment insurance (AD&D) or long-term disability insurance (LTD).

4) The benefits mentioned in paragraph 3) above will be discontinued after 31 days or, if earlier, the day after the deadline for the employee's return to work or application for reemployment. Upon termination of the employee's coverage, the employee (and eligible dependents) will be eligible for continuation coverage under COBRA, generally up to 18 months, at the full cost of the extended benefit as determined by the City at the regular COBRA rate. At the City's discretion, the employee may be required to produce documentation of length of service and status of discharge.

5) The City may, in its sole discretion, provide additional benefits during periods of war or national emergency.

6.11.4 Reemployment

1) <u>Notification of Intent to Return to Work</u> is required to maintain reemployment eligibility. Absent unusual circumstances, notice requirements are based on the following leave durations:

a) Less than 31 days or Fitness-for-Service Exam – the employee must report to his or her immediate supervisor at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service;

b) More than 30 days but less than 181 days – the employee must submit a request for reemployment to Human Resources within 14 days of the completion of service;

c) More than 180 days – the employee must submit a request for reemployment to Human Resources no later than 90 days after completion of the period of service.

d) Disability Incurred or Aggravated – An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Human Resources Department (if the service was less that 31 days), or submit a request for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period (but which may not exceed two years).

2) Return to Work – In general, an employee will be reinstated to the position that he/she would have held had he/she been continuously employed and for which he or she is qualified (or for which he or she can become qualified in a reasonable period of time). The same applies for an employee with a disability that was incurred in, or aggravated during, the period of service. If the employee is unable to fulfill the duties due to disability or lack of qualifications, the employee may be placed in the same position the employee held prior to taking leave. If that position is no longer available, or the employee is no longer able to perform the duties of that position, the City shall place the employee in a similar position with similar benefits, to the extent such a position exists.

3) Benefits upon Return – Returning employees are eligible for immediate reinstatement to all welfare and benefit plans, and the period of military service will be deemed to constitute service for vesting and accrual purposes. If accrued benefits are based on employee contributions, returning employees are entitled to those benefits only to the extent that they make such contributions. Returning employees will be given three times the period of leave to make-up employee contributions that were missed, with the repayment period not to exceed five years. For example, if an employee was on leave for 90 days, he or she has 270 days (3 x 90) to make-up contributions to the 457 plan, subject to IRS Regulations.

6.12 Funeral Leave

All full-time employees are eligible for paid Funeral Leave in the event of a death in the immediate family. Funeral Leave will be provided for a maximum of three working days, up to and including the day of the funeral. Employees needing additional time off may request vacation in accordance with applicable provisions. Temporary, seasonal and part-time employees are eligible for unpaid Funeral Leave.

6.13 Time Off to Vote.

The City of Rifle encourages employees to fulfill their civic responsibility by participating in elections. Therefore, an employee shall be granted leave with pay, up to a maximum of two hours, for voting in a local, statewide, primary or general election if the employee is scheduled to work eight hours or more on that day and does not have time to vote outside of working hours. Employees should request time off to vote from their supervisor at least two working days prior to the election. Advance notice is required so that the necessary time off can be scheduled. The City may require time off to be taken only at the beginning or end of the employee's workday or shift.

6.14 Suspension of Paid Leave

The City of Rifle reserves the right to postpone all paid leave for an employee, or recall an employee from paid leave, in the event of an emergency, except during a period of authorized sick leave, FMLA leave, or worker's compensation leave.

7 WORK-RELATED INJURY AND RETURN TO WORK POLICY

7.1 Return-to-Work Policy

The City of Rifle has elected to adopt a return-to-work policy with the intent to utilize eligible workers in a job-related incident in a productive capacity while they are recovering from an injury. The goal of temporary modified duty is to provide a progression of job duties that will return the injured worker to their regular job.

The Human Resources Director will be responsible for coordinating the return-to-work program.

7.2 Return to Work Program

The following return-to-work program should be followed when an employee sustains a work-related injury or illness.

1) All injuries will be reported immediately by the injured worker to the worker's direct supervisor, who will then notify the designated coordinator. Injuries will be filed with the City's Worker's Compensation Provider within two working days.

2) The injured worker will seek medical attention from the designated medical provider.

3) In case of an emergency, the injured worker is to seek medical attention from the nearest medical facility. Follow-up care must be coordinated through the designated medical provider. The Worker's Compensation Provider may not pay for medical expenses incurred by the injured worker, if he or

she seeks unauthorized treatment from a non-designated medical provider. When possible, follow- up medical appointments are to be made before or after work hours. Time off for medical appointments will be treated consistently with other personnel policies.

4) The injured worker should deliver a copy of the medical provider's work status report to the designated coordinator within 24 hours of the medical visit, if feasible.
5) The designated coordinator is responsible for maintaining regular contact with the injured worker and the medical provider, and obtaining recovery status information and work restriction updates.

6) The designated coordinator will maintain a list of modified duty tasks. Once the employer is ready to make a job offer to the injured worker, the coordinator sends the proposed tasks to the treating physician for approval, in accordance with the formal job offer process.

7) During the modified duty period, the designated coordinator will provide to the Worker's Compensation Provider records of wages paid to the injured worker. If the injured worker is receiving full wages during the modified duty period, the designated coordinator will provide the Worker's Compensation Provider a statement to that effect; no ongoing provision of pay records is then required.

8) Modified duty will be allowed as long as it is realistic and reasonable for the job to continue, or until the injured worker receives a release to full duty or reaches maximum medical improvement (MMI).

9) The supervisor will monitor the injured worker's performance while on modified duty.

While on modified duty, the injured worker will be held to all existing personnel policies and will be responsible for maintaining acceptable performance standards as a condition of continued employment.

Modified duty assignments are designed to be temporary and transitional in nature. They will be reviewed jointly by the supervisor, injured worker and relevant staff to address increasing work duties and overall performance. While on worker's compensation leave, an employee may continue to receive health insurance benefits. The modified duty is not intended to exceed six months, unless authorized in writing by the Designated Coordinator.

8 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Rifle strives to provide assistance for employees with personal problems that may affect job performance. The purpose of this EAP is to offer employees assistance in such a way as to restore individual productivity and enable employees to lead meaningful lives.

8.1 Drugs or Alcohol

An employee who desires assistance with substance abuse may request an evaluation to assess the need for professional assistance. The City will pay for one evaluation. If in-patient treatment is required, the employee may use sick leave, and vacation time to the extent available. Costs incurred over and above the amount allowed by the City's medical insurance carrier will be the sole responsibility of the employee.

8.2 Mental/Physical Health

When in the judgment of the Department Head and with the concurrence of the City Manager, an employee's mental or physical health is such that it appears to adversely affect the employee's ability to perform duties of his/her position, the City may require the employee to undergo an examination by medical personnel of the City's choice and at the City's cost. If in-patient treatment is required, the employee may use sick leave and vacation time to the extent available.

9 EDUCATION AND TRAINING ASSISTANCE PROGRAM

In order to provide employees with the skills necessary for performance of the requirements of their positions, employees may be eligible for tuition reimbursement. Consideration for reimbursement is contingent on satisfactory job performance as determined by the Department Head.

9.1 Employee-Initiated Education

A full-time employee seeking tuition reimbursement for an educational course must obtain advance approval from his or her Department Head. The Department Head may consider the availability of funds and content of the course as it relates to job responsibilities and potential advancement in determining whether tuition reimbursement shall be available. Department Heads have discretion to approve all, part, or none of the tuition and/or expenses associated with any educational course.

Reimbursement of tuition and book fees may be available upon presentation of both of the following:

1) Evidence of satisfactory completion (grade C or better) and the class grade in the form of a grade slip from the school or a letter from the instructor of the class.

2) A copy of a paid invoice detailing expenses for which the employee is seeking reimbursement.

The City will not pay for courses for employees whose employment is terminated, for any reason, prior to completing the class. Study and class attendance must be accomplished during non-working hours, unless arrangements to change an employee’s work schedule are made in advance with the Department

Head's approval.

9.2 City-Initiated Training

When an employee attends a seminar, training program, or school at the request of the Department Head, all reasonable expenses directly incident to the training shall be paid by the City. Training expenses are reimbursable to the employee for all training required by the City or by law.

Time spent actually attending courses and traveling to attend courses using modes of transportation deemed acceptable to the City shall be considered hours worked.

10 RULES, POLICIES, AND PROCEDURES

10.1 Safety Policy - Program Policy Statement - Goals

The City of Rifle acknowledges that a valid safety program should be a part of the overall function of City government. Therefore, the City has adopted an Injury & Illness Prevention Program Manual containing the City's safety rules. A copy of the manual is available for each employee's review in the City facility to which the employee is assigned, as well as on the City's computer system. The safety program pertains to all employees and officers of the City.

All employees are responsible for requesting any equipment, equipment repairs, training, changes in procedures, or any activity necessary for the safe performance of their job. Employee safety requests which are not granted can be appealed by following the procedures outlined in Chapter 11.3 (Appeal Procedures).

Employees are expected to take individual responsibility for the safe performance of their job functions. It is the responsibility of each employee to read and understand all City safety rules. Each Department Head will evaluate his or her employees on how well each follows safety rules in the performance of their jobs.

A safety committee should hold meetings as necessary to review each Department's safety program activities.

10.2 Establishment of Rules, Policies, and Procedures

Each department may establish written rules, policies, and procedures pertaining to its individual operating needs and requirements. The rules shall not conflict with the provisions of this manual and in the case of any perceived conflict between department rules and this manual, the provision of this manual shall control. Departmental rules may be reviewed, amended, and/or repealed at the discretion of the Department Head.

10.3 Use of City Equipment

The use of City equipment for employees' personal purposes or for private gain is prohibited unless authorized in advance by the City Manager.

10.4 Use of Tobacco Products

The use of tobacco products, including but not limited to cigarettes, cigars, pipes, and chewing tobacco is prohibited in all City buildings, facilities, and vehicles, or while operating mechanized equipment. The use of electronic cigarettes in City buildings, facilities, and vehicles or while operating mechanized equipment is also prohibited.

10.5 Seatbelt Policy

Employees who drive City vehicles and equipment in which seatbelts are installed are required to wear seatbelts at all times when the vehicle or equipment is in motion. Employees with passengers are responsible for ensuring that the passengers are also wearing seatbelts.

10.6 Personal Appearance

During business hours or when representing the City, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards. Employees should follow the following personal appearance guidelines:

1) Office clothing must be free of holes or rips.

2) Dress and skirt length should be at a length at which you can sit comfortably in public. Skirts and dresses that ride halfway up the thigh and spaghetti-strap clothing are not allowed.

3) Closed-toed shoes are required for those employees working in the field.

4) An employee must dress in uniform if his/her job requires it.

5) Facial hair must be clean, well-trimmed and neat.

6) Hairstyles are expected to be in good taste.

7) Excessive makeup is not permitted.

8) Offensive body odor and poor personal hygiene is not professionally acceptable.

9) Extreme facial jewelry, such as eyebrow rings, bull rings, lip rings, tongue studs, gauges, tunnels, and plugs, should not be worn during business hours.

10) Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing should not be worn during business hours.

11) Visible tattoos should be covered during business hours.

10.7 Uniform and Clothing Policy

10.7.1 To be approved by the Department Head

Any clothing purchased by the City for employee use is to be approved by the Department Head and shall be paid for by that Department's clothing budget line item. Department Heads shall submit planned clothing purchases for the following year to be considered along with their annual budget requests. The clothing plan must be approved by the City Manager prior to implementation.

10.7.2 Property of the City

All clothing purchased by the City is the property of the City and shall be returned to the City if an employee leaves City employment, unless the Department Head determines otherwise.

10.7.3 Responsibility of the Department

The purchase of safety equipment and clothing is responsibility of the Department and is to be replaced based on need and/or as required by law at the determination of the Department Head.

10.7.4 Clothing to be functional

Clothing purchases should be driven by an employee's job duties and requirements and be functional in nature without unnecessary or excessive embroidery, trim, tailoring or styling.

10.7.5 Office Staff

Unless approved by the City Manager, the City will not purchase clothing or provide a clothing stipend for any "office staff". Office staff is defined as those City employees whose jobs are not associated with special clothing requirements or where an employee's personal clothing will not ordinarily be damaged in carrying-out their normal job duties.

10.7.6 Care

Unless approved by the City Manager, employees are responsible for laundering and proper care of all City-purchased clothing. Tattered, torn, ripped or badly faded City-clothing shall not be worn.

10.7.7 Volunteers

At the discretion of the Department Head, clothing may be provided to volunteers as a gift from the City.

10.7.8 Purchase of Clothing from the City

Clothing bearing the City name, City logo and/or Department designation may be purchased from the City by any City employee at their expense.

10.7.9 Worn Only While On Duty

All clothing bearing the City name, City logo and/or City Department designation purchased by the City should be worn only while "on-duty" conducting City business.

10.7.10 Department Policies

Individual City Departments may adopt additional policies to supplement this uniform and clothing policy with the approval of the City Manager.

10.8 Office/Workstation Decorations Policy

Posters, pictures, notes, etc., are permitted in offices and on the inside of workstation panels as long as they are tasteful and professional, and not annoying, abusive, profane, threatening, defamatory or offensive. In addition, in displaying posters, pictures, notes, etc., employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

10.9 Recording of Work Conversations Policy

Recording conversations with a tape recorder or other recording device (including a cell phone or any electronic device) is prohibited. The purpose of this policy is to eliminate a chilling effect to the expression of views that may exist when one person is concerned that his or her conversation with another is being secretly recorded. This concern can inhibit spontaneous and honest dialogue especially when sensitive or confidential matters are being discussed.

11 CONDUCT AND DISCIPLINE

Nothing in this section constitutes an agreement of employment for a specific period of time or is intended to affect the at-will employment relationship.

11.1 Conduct

City employees are expected to conduct themselves in a manner which reflects positively on the City and its departments. Every employee shall be held accountable for his/her actions, including, where appropriate, imposition of disciplinary action up to and including dismissal.

11.2 Discipline

An employee whose conduct or work performance detracts from the effectiveness of service provided to the community or hinders organizational operation shall be subject to discipline, up to and including dismissal.

11.2.1 Causes for Disciplinary Action

Many different kinds of conduct, including but not limited to the following, may result in the imposition of disciplinary measures, including, without limitation, suspension, demotion, or dismissal:

1) Breach of any City/Departmental policy, procedure, or rule
2) Insubordination by failure to follow instructions or direction of a supervisor
3) Inability to perform the essential duties of the job
4) Abusive, disrespectful, or discourteous language or conduct directed toward any other employee or a member of the public
5) Discrimination toward fellow employees or a member of the public
6) Violation of the City's discrimination or harassment policy (see Section 12)
7) Violation of the City's workplace violence policy (see Section 13)
8) Violation of the City's drug and alcohol policy (see Section 14)
9) Soliciting or accepting any fee, gift, or item of value for personal gain, in the course of work or in connection with work
10) Attempting deception in work-related matters
11) Absence from work without proper notification or authorization
12) Negligence or willful misconduct which endangers the health and safety of any person, or violation of safety rules/policies
13) Failure to properly maintain or operate City equipment or property

14) Inappropriate dress or appearance (see Section 10.6)

15) Being charged with any felony or misdemeanor crime

16) Being charged with any traffic violation while operating a City-owned vehicle

17) Inadequate job performance

18) Theft of City Property

19) Sleeping on the job

20) Falsification of records

11.2.2 Types of Discipline

An employee may be terminated as a result of a first disciplinary action; same termination need not necessarily be preceded by warnings or other less severe disciplinary actions.

Disciplinary actions may include any or all of the following steps, which may be repeated or bypassed as deemed appropriate:

1) Oral Warning - An immediate supervisor's or Department Head's verbal notice to an employee that his/her behavior or performance must be improved or corrected. An oral warning defines the improvement or corrective action required and informs the employee that failure to comply with the oral warning may result in more severe discipline. Supervisors shall retain a record of the oral warning. An oral warning is not appealable.

2) Written Reprimand - A written notice to an employee that his/her performance or behavior must be improved or corrected. The notice may be given by an immediate supervisor, Department Head, or City Manager, and shall be presented to the employee for review, signature, and written response at the option of the employee. Written reprimands contain a statement of the cause for the disciplinary action, improvement or corrective action required of the employee, time frames for such action, and consequences of the employee's failure to comply. Written reprimands shall be included in the employee's permanent personnel file. A written warning is not appealable.

3) Probationary Status - An employee may be placed on probationary status for various reasons, including but not limited to unacceptable job performance. An employee is placed on probationary

   status in writing and for a specific period of time by his/her Department Head. An employee on probationary status is not eligible to receive pay increases of any kind. An employee may appeal placement on probationary status as outlined in Appeal Procedures.

4) Suspension - An employee may be suspended by the Department Head with or without pay for any

period, depending upon the seriousness of the problem. The circumstances resulting in suspension shall be explained in a written communication to the employee and the signed copy shall be placed in the employee's permanent personnel file. Procedures for appealing a suspension are outlined in Appeal Procedures.

5) Demotion/Reduction in Grade - An employee may be demoted or reduced in grade by the Department Head. The employee shall be informed of the reasons for and terms of said demotion or reduction in grade and may appeal this action per Appeal Procedures.

6) Termination - An employee may be permanently removed from City service. A Department Head may impose a termination with the concurrence of the Human Resource Director and City Manager. The employee shall be advised of the cause of the termination, which shall be a final action of the City not subject to appeal.

11.3 Appeal Procedures

An employee who is subject to a disciplinary action eligible for appeal shall have five (5) working days after the disciplinary action to appeal the action to the Department Head who shall make inquiry into the facts and circumstances of the grievance. Written requests for extensions will be considered by the Department Head on a case by case basis. The Department Head shall review the matter and notify the employee of the appeal decision in writing within ten (10) working days. A copy of the written grievance shall be forwarded to the City Manager.

If the employee is dissatisfied with the Department Head's decision, the employee shall submit a written request for review of the decision to the City Manager within five (5) working days. The City Manager will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within ten (10) working days, or other mutually agreeable time period. If the Department Head imposed the disciplinary action, the appeal may be taken directly to the City Manager.

Department Heads or employees subject to disciplinary action imposed by the City Manager may appeal the action by filing a written request for the review of the decision within five (5) working days to the City Manager. A Committee consisting of the Mayor, a Department Head appointed by the City Manager, and a Department Head selected by the appealing Department Head or employee will take the necessary steps to review and investigate the complaint, and will then issue a written, final, and binding decision within fifteen (15) working days, or other mutually agreeable time period.

12 DISCRIMINATION & HARASSMENT POLICY

12.1 Introduction

The City of Rifle strives to provide a work environment which is free from unlawful discrimination and harassment. Harassment of any employee on the basis of race or color, religion or creed, sex or gender, sexual orientation, national origin or ancestry, age, physical or mental disability, military status, genetic information, or any other protected status is a serious violation of City policy and will not be tolerated. A prompt investigation of all claims and complaints of unlawful discrimination and harassment will be undertaken, and appropriate corrective action will be taken when the City determines that action is warranted.

12.2 Harassment Defined

12.2.1 Harassment can take many forms

Harassment can take many forms and can include, but is not limited to, slurs, comments, jokes, innuendoes, unwelcome compliments, pictures, cartoons, pranks, or other verbal or physical conduct which:

1) Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;

2) Has the purpose or effect of unreasonably interfering with an individual's work performance; or

3) Otherwise unreasonably affects an individual's employment opportunities.

12.2.2 Sexual harassment

Sexual harassment is a type of harassment and occurs when the verbal and/or physical conduct described above is sexual in nature or is gender-based (i.e., directed at a person because of his or her gender).

Examples of conduct which may constitute sexual harassment include, but are not limited to: pinching; grabbing; fondling; propositioning; making either explicit or implied job threats or promises in return for submission to sexual favors; making sexually-oriented comments on appearance or physical features; telling sexually oriented stories or jokes; and display or circulation of sexually-oriented pictures or photographs. Unwelcome conduct including sexual advances, requests for sexual favors, or other physical, verbal, or written conduct of a sexual nature may constitute sexual harassment.

12.3 Procedures

12.3.1 Inform the person responsible

Any employee who believes that he or she is being discriminated against or subjected to harassment of

any kind immediately should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately. Employees who are unable, for any reason, to approach the person responsible for the conduct directly should immediately inform a Department Head of the conduct in accordance with Section 12.3.2 of this manual.

12.3.2 Inform the City

Within five (5) working days after the incident or occurrence, the employee shall also inform the City of the discrimination or harassment by notifying his/her immediate supervisor or Department Head, the Human Resource Director, the City Manager, or any Department Head, as the employee chooses (in cases involving the City Manager, the Mayor should be notified). The employee shall make notification in writing. Upon receipt of notification, the immediate supervisor, Department Head, Human Resources Director, or the City Manager (or the Mayor for cases involving the City Manager) shall investigate the complaint and make findings and/or recommendations.

12.3.3 Confidentiality

To the extent possible, complaints and investigations will be handled in a confidential manner.

12.3.4 Disciplinary Action

If it is determined that any employee's conduct constitutes discrimination or harassment, the employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

12.3.5 Retaliation

No employee shall be subjected to reprisal or retaliation for making such a notification. The employee should report immediately any incidents of reprisal, retaliation, discrimination or harassment which occur as a result of making such a notification.

12.3.6 Investigation of Retaliation Complaints

Upon notification of reprisal or retaliation, an investigation will be undertaken by the City Manager (or by the Mayor in cases where the City Manager is the subject of the complaint), who shall, within ten (10) working days after the employee's notification, or such additional time as may be necessary to conduct an investigation, inform the employee in writing of the results of the investigation.

13 WORKPLACE VIOLENCE POLICY

13.1 Introduction

The City strives to promote a safe environment free from violence, threats of violence, harassment, intimidation, stalking, and other disruptive behavior.

13.2 Violent Behavior Defined

Violence, threats, harassment, intimidation, stalking, and other disruptive behavior in the workplace will not be tolerated. Such behavior may include, but is not limited to, oral or written statements, gestures, bullying, or expressions that communicate a direct or indirect threat of physical harm toward employees, citizens, or City property or facilities. Threats may include veiled, conditional, or direct threats in verbal or written form that result in intimidation, harassment, harm, or endangerment to the safety of another person or property. Bullying is defined as the repeated mistreatment of a person at work by a coworker, supervisor, manager, or customer. The mistreatment may involve repeated acts of: 1) shouting, yelling, screaming, or swearing; 2) insults, put-downs, name-calling, or belittling; 3) public humiliation, criticism, or "dressing down"; 4) cruel or offensive pranks, jokes; or 5) physical behavior, such as pushing, blocking, or tripping. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

Possession of a firearm or illegal weapon of any kind, including those defined by Colorado Revised Statute Title 18, Article 12, is prohibited at work, including in a City vehicle or on a City-owned facility or parking lot, except when such possession is a necessary requirement of an employee's job.

13.3 Procedures

Threats or assaults that require immediate attention by police should be reported first to police at 9-1-1. Employees who observe or experience violent, threatening, harassing, intimidating, stalking, or other disruptive behavior by anyone on City property should report it immediately to their supervisor or department head.

Supervisors or department heads who receive such reports should report the incident by the next business day to the City Manager. The City shall address responsibility and timing of any investigation to be made. All reports of incidents will be taken seriously and will be dealt with appropriately. The employee making the report will be notified of the results of the investigation. To the extent possible, complaints and investigations will be handled in a confidential manner.

If it is determined that an employee's conduct violates the City's workplace violence policy, the offending employee may be subject to corrective and/or disciplinary action, including but not limited to termination of employment.

No employee shall be subjected to reprisal or retaliation for making a report of workplace violence; the employee should report to his/her supervisor or department head immediately any incidents of reprisal,

retaliation, or harassment which occur as a result of making such a report pursuant to Section 12.3.6 of this Manual.

14 DRUG AND ALCOHOL POLICY

14.1 Drug and Alcohol Policy Overview

The City of Rifle has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. Individuals under the influence of drugs, alcohol, or other controlled substances may cause serious safety and health risks, not only to themselves, but also to others who work with them.

The City of Rifle recognizes that the success of its operations is dependent upon the physical and psychological health of its employees. Accordingly, it is the right, obligation, and intent of the City of Rifle to take reasonable measures to ensure that alcohol, drugs, and controlled substances do not jeopardize the success of its operations or otherwise affect the City of Rifle, its employees, or it customers.

With these basic objectives in mind, the City of Rifle has established the following policy and procedures with regard to alcohol, drugs, and controlled substances.

14.2 Prohibited Activities

14.2.1 Alcohol

The use of, or being under the influence of, alcohol by any employee, subcontractor, contractor, or volunteer performing City business is strictly prohibited.

14.2.2 Controlled Substance

The use, sale, purchase, transfer, manufacture, or possession of a controlled substance by any employee, while in a City facility or while performing City business, is prohibited. The presence of an amount of any controlled substance that results in a positive test of any employee, while in a City facility or while performing City business, is prohibited. Being under the influence of a controlled substance, while in a City facility or while performing City business, is prohibited. Although the Colorado Constitution has decriminalized marijuana use, marijuana use is still illegal under federal law. The City prohibits marijuana use by employees and will treat its use the same as any other use of a controlled substance.

14.2.3 Legal Drugs

The use, or being under the influence of, any legally obtainable drug by any employee while in a City facility or while performing City business, is prohibited, as such usage or influence may affect the safety of others. Employees who are under the influence of a legal drug may continue to work provided management has determined, after seeking appropriate medical counsel, that the employee does not pose a threat to his/her own safety or to the safety of others. Employees who feel, or who have been informed that the use of a legal drug may impair their performance or present a safety risk, must report the use of such drug to management.

14.3 Testing

14.3.1 Pre-employment screening practices

Each department may maintain pre-employment screening practices designed to prevent the hiring of individuals who use illegal drugs or individuals whose use of legal drugs or alcohol indicates a potential for impaired or unsafe job performance.

14.3.2 Pre-employment Testing

Testing may take place at the time an applicant undergoes a pre-employment physical exam. Applicants whose test results are at a positive level for either drugs or alcohol will be rejected for employment.

14.3.3 Post-accident Testing

Any employee involved in an on-the job accident, whether as a victim, or the probable cause of the accident, may be subject to a blood test, urinalysis, or other drug or alcohol test. However, testing will not be limited to such situations.

14.3.4 Reasonable suspicion

All employees are subject to testing if the employee's supervisor has a reasonable suspicion of drug or alcohol use.

14.3.5 Commercial Driver's License

Employees whose position requires a Commercial Driver's License (CDL) are subject to random drug testing.

14.3.6 Samples and specimens

At its discretion, the City of Rifle may require its employees to provide a urine specimen or blood sample, at a collection site, and may require the testing of such samples and specimens. A positive-level test may result in disciplinary action at the City's exclusive discretion, including termination of employment. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action at the City of Rifle's exclusive

discretion, up to and including termination of employment, even for a first refusal.

14.4 Searches

The City, in its discretion, may conduct unannounced searches for illegal drugs or alcohol in City facilities. It is understood that these facilities are those of the City's, and there is no expectation of privacy in employee lockers and/or other property which belongs to the City. There is absolutely no basis for the bringing of drugs or alcohol on the premises and locations such as lockers, desks, etc. These areas are the property of the City of Rifle, and they, as well as personal belongings, may be searched by the employer when it is considered necessary, at the City's exclusive discretion.

14.5 Employee Responsibility

14.5.1 Employee's Duty to Report Drug-related Arrests

Each employee shall notify his/her supervisor of any criminal drug statute arrest, no later than five (5) days after such arrest.

14.5.2 Employee Responsibilities and Assistance

The City of Rifle may offer referral to rehabilitation programs which emphasize education, prevention, counseling, and treatment to employees when problems arise which may affect the employee's performance, safety, and/or safety of others.

Each employee is responsible for complying with the requirements of this policy and should seek assistance before drug or alcohol problems lead to disciplinary action.

14.6 Disciplinary Action

Violation of this policy may result in disciplinary action at exclusive discretion of the employee's Department Head. Such disciplinary action could result in termination of employment, even for the first offense.

Any employee who refuses to submit to a search or inspection, refuses to give a urine specimen or blood sample, or is found under the influence of alcohol, drugs, or controlled substances, may be discharged at the City of Rifle's exclusive discretion, up to and including termination of employment.

14.7 Definitions

14.7.1 City Facilities

Any City property including, but not limited to, all land (including parking lots), property and buildings owned or leased by the City, as well as any jobsite where the City is responsible for furnishing products or where City employees may perform services. Property includes motor vehicles and equipment

owned or leased by the City.

14.7.2 Controlled Substance

Any drug which is not legally obtainable or which is legally obtainable but has not been legally obtained. The term includes prescribed drugs which are not being used for the prescribed purposes.

14.7.3 Legal Drugs

All prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they have been prescribed or manufactured.

14.7.4 Under the Influence Of

The employee is affected by a drug, alcohol, or controlled substance, or any combination thereof, in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. This term includes a positive result in a drug or alcohol test.

14.7.5 Collection Site

A location for specific applicant/employees to report for the purpose of providing urine specimens and/or blood samples, for testing for the presence of drugs and/or alcohol. The collection of urine specimens is to be conducted under tightly controlled conditions. This site will be separate from City facilities.

14.7.6 Accident

Any event where property is damaged or personal injury occurs.

14.7.7 Reasonable Suspicion

Facts and circumstances that would lead a reasonable person to believe that another individual is under the influence of drugs, alcohol, or controlled substances.

15 VEHICLE AND TRAVEL POLICY

15.1 City Vehicles

Employees who are subject to call back may be required to drive home a City vehicle for quicker response time. Except for Department Heads or when on-call, City employees who live more than two (2) miles outside the City Limits will be required to leave their assigned vehicle at a designated City facility.

While traveling between home and their assigned work location, employees may, on occasion, perform small items of personal business in order to avoid wasting energy by retracing their route in their private vehicle. Employees must exercise good judgment in using City vehicles for personal business.

15.2 Cell Phone Use in City Vehicles

The City advocates safe and responsible driving habits while operating a City vehicle or a personal vehicle on City business. This includes not only adherence to traffic laws, speed limits, and use of seat belts, but also to limiting distractions through the use of cell phones and other hand-held electronic devices. For purposes of this policy, "hand-held electronic devices" includes but is not limited to, wireless phones, computers, on line email, pagers, palm pilots, pda's, tablets, and any other communication device. The use of cell phones and other hand-held electronic devices is generally discouraged while operating a City vehicle or personal vehicle on City business, and should comply with the following guidelines:

1) Employees shall not text message, email or use any similar form of electronic communication while operating a City vehicle or personal vehicle on City business.

2) Employees shall not use a cell phone while operating a City vehicle or a personal vehicle on City business, unless such use is through a hands-free device, or in an emergency situation, in which case the communication should be as short as reasonably necessary for the situation.

3) Employees shall make all calls or other necessary communications before departing on a trip or after arriving at your destination.

4) Employees shall pull off the road to a safe location before making or returning cell phone calls or any form of electronic communication.

15.3 Travel Policy

15.3.1 Department Budget

Each department may generally budget a set amount for travel expenses each year. The Department Head is responsible for monitoring and controlling that budget.

15.3.2 Advances

The City may, upon sufficient request, advance money to an employee to cover anticipated travel expenses. The employee must file a report and acceptable receipts with his/her supervisor detailing amounts actually spent within one week of returning to work. Any money not spent according to this policy will be returned to the City at that time.

15.3.3 Out-of-state Travel

Out-of-state travel must be approved, in advance, by the City Manager.

15.3.4 City Vehicle

The City may make a City vehicle available, and the employee may use that vehicle for any travel. If the employee must use his/her own vehicle, expenses will be reimbursed at the mileage rate established by current IRS guidelines.

15.3.5 Family Members

An employee may allow family members to travel with him/her in the City vehicle, but only the City employee may drive.

15.4 Reimbursement Expenses

Examples of expenses that will be reimbursed <u>with presentation of acceptable receipts</u>:

1) Reasonable meal expenses, including non-alcoholic beverages
2) Reasonable parking, tolls, etc.
3) Tips (no receipt required but must follow common practice)
4) Phone calls required by City business plus one phone call of reasonable duration home for each 24 hour period
5) Reasonable taxi cab, bus rides, etc.

Examples of expenses that <u>will not</u> be reimbursed:

1) Any alcoholic beverages
2) Snacks, beverages not associated with a meal
3) In-room movies or other entertainment
4) Any strictly personal items
5) Toiletries, dry cleaning, etc.

15.5 Vehicle Maintenance Responsibility

15.5.1 Assigned Vehicles

Employees with assigned vehicles are responsible for securing maintenance on the vehicles. Assigned vehicles must be kept clean and presentable.

15.5.2 Motor Pool Vehicles

Employees using motor pool vehicles are responsible for reporting defects or maintenance needs. After they are returned, motor pool vehicles must be vacuumed, have a full tank of gas, and all trash and personal items removed. Motor pool vehicles must be ready to go for the next user.

16 ELECTRONIC MEDIA ACCESS AND ACCEPTABLE USE POLICY

16.1 Policy

This policy governs the use of computers, networks, and related services of the City. Users of these resources are responsible for reading, understanding, and complying with this policy. Computers and networks can provide access to resources within and outside the City, as well as the ability to communicate with other users worldwide. Such access is a privilege and requires that individual users act responsibly.

Users must respect the rights of others, respect the integrity of the computers, networks, and related services, conform to network etiquette, customs and courtesies, and observe all relevant laws, regulations, contractual obligations, and City policies and procedures. Misuse of the City Computer System can undermine public confidence and waste taxpayer resources.

16.2 The City Computer System

The City Computer System includes: computers and related equipment, e-mail, telephones, voice mail, facsimile systems, communications networks, computer accounts, internet and/or web access, network access, central computing and telecommunications facilities, and related services.

Access to and use of the City Computer System is a privilege granted to City staff. All users of the Computer System must act responsibly and maintain the integrity of the Computer System. The City reserves the right to deny, limit, revoke, or extend computing privileges and access to the Computer System in its discretion.

The City may, in its discretion, limit the use of specified portions of the Computer System to certain employees, and/or deny the use of specified portions of the Computer system to certain employees.

The City may, in its discretion, regulate which applications may be downloaded on City issued telephones, tablets, and similar devices. The GPS Find function shall be activated on all City issued devices.

The City Computer System may not be used in any manner or for any purpose which is illegal, dishonest, disruptive, threatening, is damaging to the reputation of the City, is inconsistent with the mission of the City, or could subject the City to liability.

Any violation of this policy or of other City policies in the course of using the Computer System may result in an immediate loss of computing privileges, disciplinary action up to and including termination of employment, and referral of the matter to the appropriate authorities.

16.3 No Expectation of Privacy

City personnel have no expectation of privacy in City property and equipment. Such property and equipment includes, but is not limited to, the City Computer System, and all messages, data files and programs stored in or transmitted via the Computer System ("Electronic Communications"). The City reserves the right to monitor, access, use, and disclose all messages, data files and programs sent over or stored in its Computer System for any purpose. City management reserves the right to monitor, inspect, and examine any portion of the Computer System at any time and without notice.

Further, correspondence of an employee in the form of e-mail may be a public record under the public records law, and may be subject to public inspection under C.R.S. Section 24-72-203, unless an exception provided by law applies. The City may monitor or access an employee's e-mail, with or without notice, for any business-related purpose, including any situation in which a supervisor has reason to believe that an employee is misusing or abusing e-mail privileges, or is violating any other City policy.

16.4 Passwords

Portions of the City Computer System may be accessible by password only. The purpose of a password is not to provide privacy, but to control and prevent unauthorized access.

Every password issued for the use of any part of the City Computer System is the responsibility of the person in whose name it is issued. That individual must keep the account secure from unauthorized access by keeping the password secret, by changing the password often, and by reporting to the City when anyone else is using the password without permission.

Passwords are intended to help prevent unauthorized access and may not be shared with unauthorized persons. The contents of all password protected data files and programs belong to the City and are subject to access and disclosure by the City as set forth in this policy.

16.5 Improper Use of the Computer System.

Improper use of the Computer System is prohibited. The following are examples of improper use of the Computer System:

16.5.1 Storage, Transmission, or Printing of Improper Materials

Storing, transmitting or printing any of the following types of Electronic Communications on the Computer System is prohibited: material that infringes upon the rights of another person; material that is obscene; material that consists of any advertisements for commercial enterprises; material or behaviors that violate laws, regulations, contractual obligations, and City policies and procedures; or material that may injure someone else and/or lead to a lawsuit or criminal charges.

16.5.2 Harassment

Any electronic communication that violates the City harassment policy is prohibited. Additionally, any electronic communication that is annoying, abusive, profane, threatening, defamatory or offensive is prohibited. Some examples include: obscene, threatening, or repeated unnecessary messages; sexually, ethnically, racially, or religiously offensive messages; and continuing to send messages after a request to stop.

16.5.3 Destruction, Sabotage

Intentionally destroying anything stored on the Computer System, including anything stored in primary or random access memory is prohibited. Deliberately performing any act that will seriously impact the operation of the Computer System. This includes, but is not limited to, tampering with components of a network, otherwise blocking communication lines, or interfering with the operational readiness of a computer or peripheral.

16.5.4 Evasive Techniques

Attempts to avoid detection of improper or illegal behavior by encrypting or passwording electronic messages and computer files are prohibited.

16.5.5 Unauthorized Use/Access

Using the Computer System to gain or attempt to gain unauthorized access to remote computers is prohibited. Other prohibited behaviors include: actions that give simulated sign off messages, public announcements, or other fraudulent system responses; possessing or changing system control information (e.g., program status, protection codes, and accounting information), especially when used to defraud others, obtain passwords, gain access to and/or copy other user's electronic communications, or otherwise interfere with or destroy the work of other users.

16.5.6 E-Mail Forgery

Forging e-mail, including concealment of the sender's identity, is prohibited.

16.5.7 Theft/Unauthorized Use of Data

Data created and maintained by the City, or acquired from outside sources, are vital assets of the City and must be used only for authorized purposes. Theft of or unauthorized access to or use of data is prohibited.

16.5.8 Program Theft

Unless specifically authorized, copying computer program(s) from the Computer System is prohibited.

16.5.9 Viruses, etc.

Intentionally running or installing on the Computer System, or giving to another, a program that could result in damage to a file or the Computer System, and/or the reproduction or transmission of itself, is prohibited. This prohibition includes, but is not limited to, the classes of programs known as computer viruses, Trojan horses, and worms.

16.5.10 Security

Attempting to circumvent data protection schemes or uncover security loopholes is prohibited.

16.5.11 Wasting Resources

Performing acts that are wasteful of computing resources or that unfairly monopolize resources to the exclusion of others is prohibited. These acts include, but are not limited to: sending mass mailings or chain letters; creating unnecessary multiple jobs or processes; generating unnecessary or excessive output or printing; or, creating unnecessary network traffic.

16.5.12 Occasional Non-Commercial Uses Permitted

It is understood that, occasionally, staff members use e-mail or internet access for non-commercial, personal use. Such occasional non-commercial uses are permitted if they are not excessive and are limited to breaks or lunch hours, do not interfere with the performance of the employee’s duties, do not interfere with the efficient operation of the City, and are not otherwise prohibited by this policy or any other City policy.

16.5.13 Accessing User Accounts

Unauthorized attempts to access or monitor another user's electronic communications are prohibited. Unauthorized accessing, reading, copying, changing, disclosing, or deleting another user's messages, files or software without permission of the owner is prohibited.

16.5.14 Backup Copies

All data on the Computer System is subject to backup at the discretion of the City.

16.5.15 Deleting Electronic Communications

Users of the Computer System should be aware that Electronic Communications are not necessarily erased from the Computer System when the user "deletes" the file or message. Deleting an Electronic Communication causes the Computer System only to "forget" where the message or file is stored on the Computer System. In addition, Electronic Communications may continue to be stored on a backup copy

long after it is "deleted" by the user. As a result, deleted messages often can be retrieved or recovered after they have been deleted.

16.5.16 Criminal Laws

Under C.R.S. Section 18-5.5-101 et seq., criminal sanctions are imposed for offenses involving computers, computer systems, and computer networks. Any person committing an offense with respect to them may be subject personally to criminal sanctions and other liability. Federal laws may also apply to some circumstances.

16.5.17 Copyright Infringement

The Copyright Laws of the United States prohibit unauthorized copying. Violators may be subject to criminal prosecution and/or be liable for monetary damages.

In general, employees may not copy, download, install or use software on the Computer System without acquiring a license from the publisher. (For example, employees may not copy it from a friend or other source.) Furthermore, employees may not copy the City's software, unless such copying is specifically authorized by the City and permitted by the license agreement.

The ability to download documents from the Internet, and to attach files to E-mail messages, increases the opportunity for and risk of copyright infringement. A user can be liable for the unauthorized copying and distribution of copyrighted material through the use of download programs and E-mail. Accordingly, employees may not copy and/or distribute any materials of a third party (including software, database files, documentation, articles, graphics files, audio or video files) unless they have the written permission of the copyright holder to do so. Any questions regarding copying or downloading should be directed to the IT Director.

17 SOCIAL MEDIA POLICY

The City recognizes that social media internet applications can be used to enhance communication and collaboration and further citizen involvement in government issues. The City also recognizes that access to the City's social media sites may directly impact the image and the operation of the City as a whole and each individual department. This policy governs the use of social media and social networking by all authorized personnel in order to mitigate potential risk and abuse of any social media efforts.

17.1 Definitions

17.1.1 Social Media

Any internet-based application that facilitates the exchange of user-generated content, communications and conversations including, but not limited to LinkedIn, Facebook, Twitter, web feeds, blogs, wikis, photo-sharing, video-sharing, podcasts and other means of transferring information through the internet.

17.1.2 Post

A comment by City Personnel or a Public Citizen uploaded to and displayed on a social media site.

17.1.3 Moderator

An authorized City official who reviews, authorizes and allows content submitted by City Personnel and Public Citizens to be posted to a social media site.

17.2 Policies

17.2.1 Existing Policies

All existing laws, rules, regulations and other existing policies governing the conduct of City personnel are applicable to conduct associated with social media.

17.2.2 City of Rifle

City social media sites shall make clear that the site is maintained by the City and that the site complies with this social media Policy. Each social media site should state the general purpose fully stated in Section I. All City social media sites shall be approved by the City Manager. Each site should also include a link connecting a user to this Policy to facilitate full user compliance.

17.2.3 Colorado Open Records Act

City social media sites are subject to the Colorado Public Records Act. Any content maintained in a social media format that is related to City affairs, including lists of subscribers, posted communications, and communications submitted for posting, may be a public record subject to public disclosure.

17.2.4 Site Content

The Moderator shall review social media sites daily to prevent inappropriate, topically irrelevant, or technically harmful information, posts, comments and links. Social media sites that allow public comment shall inform visitors that the purpose of the site is to present matters of pubic interest in the City, including its residents, businesses and visitors and that it is a moderated online discussion site and not a public forum. Inappropriate posts are subject to removal including but not limited to the following types of postings:

1) Comments not topically related;

2) Profane language or content;

3) Content that promotes or perpetuates discrimination on the basis of race, sex, creed, color, age, religion, gender, marital status, public assistance, national origin, physical or mental disability or sexual orientation;

4) Sexual content;

5) Advertisements or solicitations of commerce;

6) Information that may tend to compromise the safety or security of the public or public systems;

7) Content that violates a legal ownership of interest of another party;

8) Defamatory statements, personal attacks, violent or aggressive statements, encouragement of illegal activity or other comments that may incite, aggravate, or generally not conducive to the good will of the Citizens of the City of Rifle.

17.2.5 Authorized Use

Only official spokespersons and other specifically selected persons authorized by the City Manager may have access to publish, post, or comment on behalf of the City.

All persons granted access shall:

1) Identify themselves as a member of the City.

2) Conduct themselves as representatives of the City and by the same standards, principles and guidelines that apply to all City Personnel in the performance of their assigned duties.

All persons granted access shall NOT:

1) Post, transmit or otherwise disseminate classified data or confidential information without the express written consent of the Moderator or his designee.

2) Conduct political activities or private business. Employees are prohibited from, in any manner, implying or suggesting that the City either supports a particular candidate, political issue or endorses the personal political opinions of the employee. Employees are expected to exercise great care, at all times, to distinguish their personal opinions about candidates or political issues from that of the City.

17.2.6 Personal Use

City Personnel who are off-duty and engage in the use of social media do not represent the City of Rifle or any official position maintained by any department of the City. Postings of this manner are personal communications, and City Personnel are personally responsible for the content they publish. Postings by an employee concerning the City are not prohibited provided they comply with the guidelines set forth in this Personnel Manual and do not:

1) Use their rank, title, or position in a manner that would suggest they are representing the interest of the City;

2) Post any depiction, illustration, text, photo, video, audio, or any multimedia file containing the uniform, official seal, badge, logo, or any instrumentality used during the execution of the City Personnel's official duties to any social media;

3) Disclose any sensitive, proprietary, confidential, or financial information about the City.

If a City employee identifies himself or herself as a City employee on a social media site, the employee must indicate that his or her views are not the official views of the City of Rifle. If a City employee publishes content on any social media site that relates to his or her work or any subjects associated with the City, the employee must post a conspicuous disclaimer such as "The views expressed on this site (or in this post) are my own and do not necessarily represent the City of Rifle's positions, strategies or opinions."

A social media site is not the appropriate place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Such complaints must be made consistent with the complaint procedures in this Handbook.

CITY OF RIFLE, COLORADO
RESOLUTION NO. 37
SERIES OF 2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, AMENDING POLICIES IN THE CITY'S PERSONNEL MANUAL.

WHEREAS, by Resolution No. 55, Series of 2006, the City of Rifle adopted a new Rifle Personnel Manual (the "Manual"), as it has been amended since its adoption; and

WHEREAS, the Personnel Manual is subject to ongoing review by Rifle staff and the City Council to ensure that it reflects best management practices, remains competitive with other employee benefits, and provides a clear and efficient guide for employer and employee conduct; and

WHEREAS, the attached in redline version as Exhibit A, and final version as Exhibit B; and

WHEREAS, because these revisions, updates and additions are required to be in compliance with to the new Affordable Care Act, changes in the City's benefit package offered to employees, and necessary changes to general policies guiding the actions of City of Rifle employees; and

WHEREAS, to comply with new employment legislation, and maintain best management practices, the Rifle City Council finds that the best interests of the citizens of Rifle will be served by amending the Manual to adopt the revised language set forth below.

NOW, THEREFORE, be it resolved by the City Council of the City of Rifle, Colorado, that:

Section 1. The City incorporates the foregoing recitals as findings by the City Council.

Section 2. The City of Rifle Personnel Manual 2016 attached hereto as Exhibit B and incorporated herein by this reference is hereby adopted as the official Personnel Manual for the City affective January 1, 2016.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this December 16, 2015. The policies therein will go in affect the First day of January 2016.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

_____

City Clerk

Report Criteria:
Summary report.
Invoices with totals above $0 included.
Paid and unpaid invoices included.

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1003						
Action Shop Services, Inc						
	SI88483	VALVE TRAIN KIT	11/10/2015	20.91	.00	
	SI88814	PROPANE	12/03/2015	10.13	.00	
	SO00291	CHAIN LOOP	11/30/2015	41.99	.00	
Total 1003:				73.03	.00	
1004						
Verizon Wireless						
	111815	CELL PHONES-CITY EMPLOYE	11/18/2015	4,930.82	4,930.82	12/04/2015
Total 1004:				4,930.82	4,930.82	
1009						
B & B Plumbing, Inc						
	45685	HEAT TAPE	11/13/2015	95.75	95.75	12/04/2015
	45689	COMPRESSION COMP	11/03/2015	16.50	16.50	12/04/2015
Total 1009:				112.25	112.25	
1018						
Valley Lumber						
	15986	SUPPLIES	11/12/2015	53.90	53.90	12/04/2015
	16031	SUPPLIES	11/13/2015	48.98	.00	
	16199	SUPPLIES	11/17/2015	24.99	.00	
	16387	SUPPLIES	11/20/2015	47.96	.00	
	16396	SUPPLIES	11/20/2015	31.65	.00	
	16500	SUPPLIES	11/23/2015	32.97	.00	
	16679	DOORJAM	11/30/2015	17.99	17.99	12/04/2015
	16680	SUPPLIES	11/30/2015	18.46	18.46	12/04/2015
	16682	SUPPLIES	11/30/2015	53.98	.00	
	16694	SUPPLIES	11/30/2015	29.94	.00	
	16695	SUPPLIES	11/30/2015	203.96	.00	
	16715	SUPPLIES	12/01/2015	7.96	.00	
	16734	SUPPLIES	12/01/2015	2.73	.00	
	16757	SUPPLIES	12/02/2015	53.94	.00	
	35250	SUPPLIES	12/04/2015	9.02-	.00	
Total 1018:				620.39	90.35	
1022						
Central Distributing Co						
	152096	SUPPLIES	11/24/2015	88.66	.00	
	152120	SUPPLIES	11/25/2015	254.27	.00	
	152126	SUPPLIES	11/25/2015	47.38	47.38	12/04/2015
	153480	SUPPLIES	12/09/2015	88.40	.00	
Total 1022:				478.71	47.38	
1023						
Chelewski Pipe & Supply						
	146470	PIPE & FITTINGS	11/12/2015	78.70	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1023:				78.70	.00	
1070						
Federal Express Corp						
	5-236-30373	SHIPPING	11/26/2015	95.58	95.58	12/04/2015
Total 1070:				95.58	95.58	
1087						
Grainger						
	9895800408	RIGID CELL FILTER'	11/17/2015	578.24	578.24	12/04/2015
Total 1087:				578.24	578.24	
1110						
Napa Auto Parts						
	404163 103015	V-BELT	10/30/2015	14.72-	.00	
	406715	MECH WIR	11/18/2015	15.99	.00	
	406884	BELT	11/19/2015	262.11	262.11	12/04/2015
	406889	TON PULLER	11/19/2015	36.98	.00	
	406994	TON PULLER	11/20/2015	36.98-	.00	
	406996	TAP BOLT	11/20/2015	87.95	87.95	12/04/2015
	407250	STERLING WHL PULLER	11/23/2015	85.99-	85.99-	12/04/2015
	407269	BULB	11/23/2015	4.78	.00	
	407273	BULB	11/23/2015	2.39-	.00	
	407413	DP SKT	11/24/2015	8.99	8.99	12/04/2015
	407478	SUPPLIES	11/25/2015	122.81-	.00	
	407501	SNOW PLOW FEET	11/25/2015	79.97	79.97	12/04/2015
	407605	FRZ PLUG	11/27/2015	58.80	58.80	12/04/2015
	407859	SOCKET	11/30/2015	13.29	13.29	12/04/2015
	407879	BUCKET LID	11/30/2015	5.98	5.98	12/04/2015
	407950	MISCLABOR	11/30/2015	15.00	15.00	12/04/2015
	408651	SAF VALV	12/06/2015	13.99	.00	
Total 1110:				340.94	446.10	
1120						
Xcel Energy Inc						
	480331112	1221 E CENTENNIAL	11/23/2015	11.99	11.99	12/04/2015
	480423873	PUMP 27346 HWY 6/24	11/23/2015	5,618.55	5,618.55	12/04/2015
	480465822	100 HOSPITAL HILL RD	11/23/2015	532.91	532.91	12/04/2015
Total 1120:				6,163.45	6,163.45	
1132						
Rifle Lock & Safe, LLC						
	34021	DUP KEYS	11/30/2015	26.25	.00	
Total 1132:				26.25	.00	
1138						
Schmueser/Gordon/Meyer, Inc						
	99055A-203	PROFESSIONAL SERVICES	10/29/2015	3,740.00	3,740.00	12/04/2015
	99055A-204	PROFESSIONAL SERVICES	11/25/2015	13,873.75	13,873.75	12/04/2015
	99055R-3	PROFESSIONAL SERVICES	11/20/2015	6,945.00	6,945.00	12/04/2015

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1138:				24,558.75	24,558.75	
1143						
Swallow Oil Company						
	1816 111315	UNLEAD	11/13/2015	1,473.95	.00	
Total 1143:				1,473.95	.00	
1145						
Thatcher Company						
	1376500	T-CHLOR	11/20/2015	2,938.74	.00	
Total 1145:				2,938.74	.00	
1181						
Garfield Steel & Machine, Inc						
	00094466	MACHINE SHOP	11/19/2015	223.56	.00	
	00094477	BAR	11/20/2015	34.37	34.37	12/04/2015
	00094512	HOLE IN SEWER MANHOLE	11/25/2015	32.50	32.50	12/04/2015
	00094532	pLATE	11/30/2015	180.85	180.85	12/04/2015
Total 1181:				471.28	247.72	
1191						
Lewan & Associates, Inc						
	820163	B&W METER	11/20/2015	432.20	432.20	12/04/2015
Total 1191:				432.20	432.20	
1249						
Berthod Motors Inc						
	01-27183	V-BELT	10/09/2015	144.00	144.00	12/04/2015
Total 1249:				144.00	144.00	
1256						
Resource Engineering, Inc						
	15643	WATERSHED PERMIT REVIEW-	10/31/2015	355.50	355.50	12/04/2015
	15644	341-4.0 DEERFIELD PARK IRRI	10/31/2015	79.00	79.00	12/04/2015
Total 1256:				434.50	434.50	
1258						
Hach Company						
	9672483	SAMPLE CELL PORTABLE TUR	11/16/2015	316.37	316.37	12/04/2015
	9676228	REAGENT SET CHLORINE FRE	11/18/2015	306.90	.00	
	9687565	LAB TURN EPA	11/25/2015	843.99	.00	
	9693623	FINAL ASSEMBLY	12/02/2015	1,170.99	.00	
Total 1258:				2,638.25	316.37	
1300						
Kois Brothers Equip Co						
	105112	SPROCKET	10/30/2015	298.58	.00	
Total 1300:				298.58	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1312						
Honnen Equipment Co.						
	701971	SEAT	09/24/2015	1,441.09	.00	
Total 1312:				1,441.09	.00	
1339						
Grand Junction Pipe & Supply						
	3331075	TAP SDL DR2W	11/18/2015	222.84	.00	
	3331827	BALL CORP	11/23/2015	238.57	.00	
Total 1339:				461.41	.00	
1358						
Timber Line Electric & Control						
	390	POLYPHASER	12/03/2015	391.75	.00	
	83	FIELD SERVICE COMPUTER TE	12/03/2015	1,758.75	.00	
Total 1358:				2,150.50	.00	
1407						
Usa Blue Book						
	805448	BIO-MAX DECHLOR TABLETS	11/18/2015	1,100.19	.00	
Total 1407:				1,100.19	.00	
1563						
Quill Corporation						
	9879668	SUPPLIES	11/23/2015	25.83	25.83	12/04/2015
	9887162	SUPPLIES	11/23/2015	31.70	31.70	12/04/2015
	9916148	SUPPLIES	11/24/2015	22.98	22.98	12/04/2015
	9916149	SUPPLIES	11/24/2015	266.18	266.18	12/04/2015
	9916150	SUPPLIES	11/24/2015	22.98	22.98	12/04/2015
Total 1563:				369.67	369.67	
1682						
Safety Kleen						
	68375806	FUEL SURCHARGE	11/18/2015	145.50	145.50	12/04/2015
Total 1682:				145.50	145.50	
1734						
United Companies/Oldcastle SW Group Inc						
	1098170	READY MIX	11/06/2015	726.07	.00	
	1099374	MAMM CREEK-NB	11/13/2015	206.07	.00	
	1099730	READY MIX	11/13/2015	954.75	.00	
	1099846	ROCK WASHED	11/17/2015	207.85	.00	
	1100781	ROCK WASHED	11/21/2005	185.56	.00	
Total 1734:				2,280.30	.00	
2021						
Gmco Corporation						
	35339	DUST GARD/STREETS	11/19/2015	441.00	.00	
Total 2021:				441.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2208						
Amerigas						
	3046051171	PROPANE	11/17/2015	480.17	.00	
	3046085787	PROPANE	11/18/2015	716.59	.00	
	3046122892	APP S LEAK CHECK CHARGE	11/19/2015	250.00	.00	
	3046159932	PROPANE	11/20/2015	900.00	.00	
Total 2208:				2,346.76	.00	
2235						
Acme Alarm Company Inc						
	1810MON	1ST QTR MONITORING 2016	12/01/2015	180.00	.00	
	1818MON	1ST QTR MONITORING 2016	12/01/2015	90.00	.00	
	9495SO	1ST QTR MONITORING 2016	12/01/2015	99.00	.00	
Total 2235:				369.00	.00	
2573						
Mountain West Office Products						
	0583995-002	supplies	12/07/2015	47.95	.00	
	0584014-001	supplies	12/03/2015	63.02	.00	
	0584069-001	supplies	12/04/2015	16.89	.00	
Total 2573:				127.86	.00	
2936						
Farmer Bros. Co.						
	62460140	COFFEE	11/18/2015	409.12	409.12	12/04/2015
Total 2936:				409.12	409.12	
2960						
Walmart Community						
	020337	supplies	11/20/2015	42.94	42.94	12/04/2015
	030724	supplies	11/30/2015	21.60	21.60	12/04/2015
Total 2960:				64.54	64.54	
3083						
ALSCO						
	1707101	SUPPLIES	11/24/2015	40.17	.00	
	1710114	SUPPLIES	12/01/2015	37.17	.00	
Total 3083:				77.34	.00	
3107						
Northern Safety Co Inc						
	901715653	RELOAD WEB RETRACT	12/02/2015	350.15	.00	
Total 3107:				350.15	.00	
3156						
Superwash Of Rifle						
	2025 112415	CAR WASH	11/24/2015	224.64	.00	
	2049 112415	CAR WASH	11/24/2015	10.00	10.00	12/04/2015
	2052 112415	CAR WASH	11/24/2015	52.57	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 3156:				287.21	10.00	
4021						
Rifle Equipment Inc						
	112515	VALVE SOLENOID	11/25/2015	118.62-	.00	
Total 4021:				118.62-	.00	
4141						
True Brew Coffee Service						
	172355	COFFEE	12/03/2015	69.81	.00	
Total 4141:				69.81	.00	
4201						
Duncan,Garrett						
	111115	K9 EXPENSE	11/11/2015	170.64	170.64	12/04/2015
Total 4201:				170.64	170.64	
4215						
Ziegler, James						
	11171519392	USB POWER UNIT	12/01/2015	248.90	.00	
Total 4215:				248.90	.00	
4288						
Native American Crane Svs Inc						
	15-247	MOVE SHED	12/02/2015	300.00	.00	
Total 4288:				300.00	.00	
4390						
Thomas D Silverman Pc						
	802810	PROF SERVICES/COURT	11/10/2015	145.50	145.50	12/04/2015
Total 4390:				145.50	145.50	
4811						
United Site Services Inc						
	114-3456478	ROLLOFF 12 YD	10/31/2015	267.75	267.75	12/04/2015
Total 4811:				267.75	267.75	
4989						
Mr Power S/Sandor Drucker						
	349	LANDSCAPING	11/30/2015	680.00	680.00	12/04/2015
Total 4989:				680.00	680.00	
5023						
CASELLE INC						
	69677	CONTRACT SUPPORT/FINANC	12/01/2015	1,354.00	.00	
Total 5023:				1,354.00	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
5240						
A-1 HEATING & COOLING INC						
	S-2400	SERVICE CALL	11/24/2015	89.00	.00	
Total 5240:				89.00	.00	
5253						
FASTENAL						
	CORIF73637	SUPPLIES	12/01/2015	38.93	.00	
	CORIF73672	SUPPLIES	12/02/2015	91.43	.00	
	CORIF73673	SUPPLIES	12/02/2015	16.22	.00	
Total 5253:				146.58	.00	
5598						
Keystone Ridge Designs Inc.						
	16749	CAST PLAQUE BENCH	11/16/2015	1,850.00	.00	
Total 5598:				1,850.00	.00	
5752						
Accutest Mountain States						
	DY-69685	PWSID CO 123676	11/20/2015	219.50	.00	
	DY-69730	PWSID CO 123676	12/01/2015	441.50	.00	
	DY-69842	MONTHLY NONYLPHENOL	12/01/2015	333.50	333.50	12/04/2015
Total 5752:				994.50	333.50	
5846						
Mesa County Health Department						
	3419-15	Water Testing	12/01/2015	20.00	20.00	12/04/2015
	3420-15	Water Testing	12/01/2015	20.00	20.00	12/04/2015
	3421-15	Water Testing	12/01/2015	20.00	20.00	12/04/2015
	3422-15	Water Testing	12/01/2015	20.00	20.00	12/04/2015
	3423-15	Water Testing	12/01/2015	20.00	20.00	12/04/2015
	3424-15	Water Testing	12/01/2015	20.00	20.00	12/04/2015
Total 5846:				120.00	120.00	
5960						
Recreation Fee Refunds						
	2001206002 11	REC FEE REFUND	11/24/2015	42.00	42.00	12/04/2015
Total 5960:				42.00	42.00	
6006						
Rifle City Petty Cash /DDA						
	120215	SUPPLIES	12/02/2015	58.57	58.57	12/04/2015
Total 6006:				58.57	58.57	
6089						
SGM						
	999 111515	WASTEWATER OPERATION PR	11/15/2015	70.00	70.00	12/04/2015
Total 6089:				70.00	70.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6137						
Impressions of Aspen						
	22438	SUPPLIES	11/11/2015	274.22	.00	
Total 6137:				274.22	.00	
6189						
USTF						
	113015	TAE KWON DO	11/30/2015	300.00	300.00	12/04/2015
Total 6189:				300.00	300.00	
6203						
Heritage Environmental SVCS, LLC						
	1763492	CONSOLIDATION CHEMICAL C	11/18/2015	1,724.73	1,724.73	12/04/2015
Total 6203:				1,724.73	1,724.73	
6330						
COUNTY HEALTH POOL						
	120115	COBRA	12/01/2015	3,197.57	3,197.57	12/04/2015
	120115.	SANITATION	12/01/2015	107,165.84	107,165.84	12/04/2015
Total 6330:				110,363.41	110,363.41	
6402						
CENTURY LINK						
	6254904 11221	LONG DISTANCE	11/22/2015	112.25	112.25	12/04/2015
	6254960 11221	LONG DISTANCE	11/22/2015	119.11	119.11	12/04/2015
	6259179 11221	LONG DISTANCE	11/22/2015	95.58	95.58	12/04/2015
	9706250108 11	LONG DISTANCE	11/22/2015	151.05	151.05	12/04/2015
Total 6402:				477.99	477.99	
6485						
Tisco Inc/Energy Equip-GrandJct						
	10625 120115	SUPPLIES	12/01/2015	236.14	.00	
	10626 120115	SUPPLIES	12/01/2015	291.32	.00	
Total 6485:				527.46	.00	
6509						
POLYDYNE INC.						
	1009593	CLARIFLOC	11/19/2015	2,700.00	2,700.00	12/04/2015
Total 6509:				2,700.00	2,700.00	
6561						
TIMBERLINE CARPET & UPHOLSTERY						
	8795	CARPET CLEANING	11/23/2015	1,430.00	1,430.00	12/04/2015
Total 6561:				1,430.00	1,430.00	
6606						
Western Slope Beverage						
	3074620	BOTTLED WATER	11/09/2015	21.05	.00	
	3074621	BOTTLED WATER	11/09/2015	7.35	.00	
	3074939	BOTTLED WATER	11/23/2015	7.35	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	3074940	BOTTLED WATER	11/23/2015	27.90	.00	
	750004	BOTTLED WATER	11/15/2015	15.00	.00	
	750906	BOTTLED WATER	11/16/2015	7.35	.00	
	750907	BOTTLED WATER	11/16/2015	14.20	.00	
	9245824	BOTTLED WATER	11/30/2015	55.30	.00	
Total 6606:				155.50	.00	
6612						
CEDAR NETWORKS						
	215421	INTERNET CONNECTION	12/01/2015	3,554.00	3,554.00	12/04/2015
Total 6612:				3,554.00	3,554.00	
6777						
MASTER PETROLEUM						
	2032705	DIESEL	12/02/2015	618.03	.00	
Total 6777:				618.03	.00	
6779						
COMMERCIAL TIRE SERVICE, INC						
	39228	TIRES	11/24/2015	501.64	.00	
	39299	CHAIN 2237	11/30/2015	319.60	.00	
Total 6779:				821.24	.00	
6787						
FACILITYDUDE.COM						
	R-105628	MAINTENANCE EDGE	11/30/2015	2,507.41	.00	
Total 6787:				2,507.41	.00	
6790						
O'REILLY AUTO PARTS						
	3761-400474	BATTERY	10/26/2015	18.00-	.00	
	3761-400476	BATTERY	10/26/2015	18.00	.00	
	3761-404151	SUPPLIES	11/19/2015	38.79	.00	
	3761-404324	SUPPLIES	11/20/2015	37.24	.00	
	3761-404346	SUPPLIES	11/20/2015	47.88	.00	
	3761-404376	SUPPLIES	11/20/2015	18.99-	.00	
	3761-405173	SUPPLIES	11/25/2015	71.98	.00	
	3761-405714	SUPPLIES	11/30/2015	28.98	.00	
	3761-405731	SUPPLIES	11/30/2015	6.59	.00	
	3761-405806	BATTERY	11/30/2015	171.44	.00	
	3761-406060	SUPPLIES	12/02/2015	18.00	.00	
	3761-406083	BATTERY	12/02/2015	133.11	.00	
	3761-406906	AIR COMPRESR	12/07/2015	249.99	.00	
Total 6790:				785.01	.00	
6804						
Glasco UV LLC						
	38154	AMALGAM O-RINGS	11/19/2015	311.96	.00	
Total 6804:				311.96	.00	

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6868						
BULLEN, KIMBERLY						
	111815	REIMBURSEMENT MILEAGE	11/18/2015	31.05	31.05	12/04/2015
Total 6868:				31.05	31.05	
6916						
CORNWELL QUALITY TOOLS						
	122417	BATTERY PACK	11/04/2015	69.98	.00	
Total 6916:				69.98	.00	
7043						
Kumar and Associates						
	170298	GEOTECHNICAL ENGINEERING	08/31/2015	701.50	701.50	12/04/2015
Total 7043:				701.50	701.50	
7107						
MOLTZ CONSTRUCTION INC						
	113015	Construction of 2 mg tank	11/30/2015	381,921.37	381,921.37	12/04/2015
	120115	RRWPF 6 MP#1	12/01/2015	870,863.70	870,863.70	12/04/2015
	120315	DESIGN PHASE SERVICES-WA	12/03/2015	17,466.52	17,466.52	12/04/2015
Total 7107:				1,270,251.59	1,270,251.5	
7116						
DRAKE CONSULTING INC.						
	215.125	SURVEY WORK	10/19/2015	565.00	.00	
Total 7116:				565.00	.00	
7192						
Black & Veatch						
	120115	RO/GAX Engineering Services	12/01/2015	25,348.87	25,348.87	12/04/2015
Total 7192:				25,348.87	25,348.87	
7251						
ALL AROUND PROPERTY MAINTENANCE						
	2351	SNOW REMOVAL	12/01/2015	600.00	600.00	12/04/2015
Total 7251:				600.00	600.00	
7441						
OWNER INSITE, LLC						
	1011	3MG PROJECT	11/30/2015	1,485.00	1,485.00	12/04/2015
Total 7441:				1,485.00	1,485.00	
7443						
MARKUSSON GROUP, LLC						
	852	SOUND ENGINEER UTE THEAT	11/23/2015	400.00	400.00	12/04/2015
Total 7443:				400.00	400.00	
7444						

Vendor Name and Number	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
BUREAU OF RECLAMATION						
	1801226217	009D6C0042 ANNUAL CONSTR	12/02/2015	17,676.00	17,676.00	12/04/2015
	181401777	119D6C0074-ANNUAL CONSTR	12/02/2015	32,694.08	32,694.08	12/04/2015
Total 7444:				50,370.08	50,370.08	
7445						
B&F DISTRIBUTING INC						
	120315	SALES TAX OVERPAYMENT RE	12/03/2015	20.99	20.99	12/04/2015
Total 7445:				20.99	20.99	
Grand Totals:				1,542,193.90	1,511,243.7	

Dated: _____

City Finance Director: _____

Report Criteria:
Summary report.
Invoices with totals above $0 included.
Paid and unpaid invoices included.

CITY OF RIFLE, COLORADO
RESOLUTION NO. 38
SERIES OF 2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, DESIGNATING MUNICIPAL OFFICERS TO APPLY FOR AND RENEW THE CITY'S LIQUOR LICENSES.

WHEREAS, the City of Rifle (the "City") owns and operates the Ute Theater and Event Center (the "Ute Theater") in the City; and

WHEREAS, the City maintains a liquor license under C.R.S. § 12-47-101 *et seq.* (the "Colorado Liquor Code") and section 6-5-10 *et seq.* of the Rifle Municipal Code ("RMC") on behalf of the Ute Theater; and

WHEREAS, the Ute Theater's liquor license must be renewed with the State of Colorado, from time to time; and

WHEREAS, the City Manager is designated chief administrative officer of the City under section 6.1 of the City of Rifle Home Rule Charter; and

WHEREAS, the City Manager is authorized under section 6.4 of the Charter to exercise supervision and control over all executive and administrative departments, act as purchasing agent for the City, and perform such other duties as may be prescribed by the Charter, ordinance, or the City Council; and

WHEREAS, the City Council finds and believes that it is in the interest of the City to designate corporate officers for the limited purpose of applying for, maintaining, and renewing the Ute Theater's liquor license and such other liquor licenses as may be reasonably required of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

1. The City incorporates the foregoing recitals as findings by the City Council.

2. The City Council designates the City Manager, Matt Sturgeon, or such other person as may in the future hold the position of City Manager for the City of Rifle, as president of the Rifle municipal corporation for the limited purpose of applying for, maintaining, and renewing the Ute Theater liquor license and such other liquor licenses as may be reasonably required of the City.

3. The City Council designates Assistant City Manager, Kimberly Bullen, or such other person as may in the future hold the position of Assistant City Manager for the City of Rifle, as the secretary of the Rifle municipal corporation for the limited purpose of applying for,

maintaining, and renewing the liquor licenses of the City in the even the City Manager is unable to fulfill that function.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 16th day of December, 2015.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

_____
City Clerk

Memo

To: City Manager, Honorable Mayor and Council

From: Tom Whitmore, Parks & Recreation Director

Date: December 7, 2015

Re: Appointments to the Parks and Recreation Advisory Board

ACTION:
Staff requests that City Council consider taking the following actions:

Appoint 2 candidates to Parks and Recreation Advisory Board seats.

BACKGROUND:

The three-year Advisory Board term for two of the current board members, Wilma Paddock, and Sara Brainard, ends in January of 2016. I am pleased that Wilma and Sara desire to continue serving with the Board. Staff is asking Council to re-appoint Wilma and Sara to continue on the Board for another three-year term. The new term for each member would end in January of 2019.

We would like to thank Wilma Paddock and Sara Brainard for their support and dedication in serving as PRAB members since 2012.

Thanks,
Tom

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