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**HOG WILD 2022**  
**PERSONNEL POLICY FUNDAMENTALS**  
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**PERSONNEL POLICY MANUALS**  
**YOUR MOST USEFUL TOOL FOR THE MANAGEMENT,**  
**MAINTENANCE AND CARE OF YOUR CITY'S MOST IMPORTANT**  
**ASSET: ITS EMPLOYEES**

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**I. THE PURPOSE OF A PERSONNEL POLICY MANUAL**

- A. To Establish Uniformity of Expectations
- B. To Guide Uniformity of Administration
- C. To Satisfy Minimum Legal Requirements of Notice
  - 1. Federal Law
  - 2. State Law

**II. DRAFTING CONSIDERATIONS**

- A. Plain English
- B. To Orient, Educate, and Set Expectations
- C. Pragmatic and Practical
- D. No Vague or Abstract Moral Promises
- E. Leave Some Room for Interpretation to Cover Unanticipated Situations

**III. CORE TOPICS TO BE COVERED**

- A. Employment Status: At Will or For Cause?
- B. Policy Statement on Employee Rights
  - 1. Mandatory Policies under State and Federal Law
  - 2. Protected Immutable Characteristics
  - 3. Protected Status
  - 4. Protected Conduct Protection from “Retaliatory” Employment Actions

- C. Salary, Wages, and Employment Benefits
  - 1. How Salary and Wages Are Set
  - 2. What Basic Benefits Are Offered
- D. Pay Period and Pay Cycles
- E. Fair Labor Standards Act
  - 1. Exempt vs Non-Exempt
  - 2. Overtime Policy
- F. Paid Time Off
  - 1. Vacation or Annual Leave
  - 2. Sick Leave
  - 3. Family Medical Leave
  - 4. Worker's Comp or Injury Leave
  - 5. Jury Duty
  - 6. Military Leave
  - 7. Disability Leave
    - a. Injury Leave
    - b. Maternity Leave
- G. Drug Testing and Substance Abuse
- H. Performance and Discipline

#### **IV. CURRENT TOPICS TO BE ADDRESSED**

- A. Social Media Policies
- B. Nursing Mothers
- C. Firearms Policies
- D. Dress Codes
  - 1. Personal Dress; Gender Differences
  - 2. Facial Hair
  - 3. Tattoo's
- E. Religious Discrimination
- F. Personal Expression
  - 1. Tattoo's
  - 2. Nose Rings
  - 3. Mirrored Sunglasses

## **SAMPLE POLICY PROVISIONS**

### **CHAPTER 1. PERFORMANCE EXPECTATIONS**

- A. Performance. It is also the policy of the City that all employees are expected to be qualified, ready, willing, and able to perform the job duties for the position that the employee holds.
- B. City management reserves the right to define the needs of the job positions, and employees are hired with an expectation that they can meet those needs.
  - 1. When the needs of a position change, the employee will be provided with a reasonable amount of training and orientation to meet those needs.
  - 2. If an employee is unable or unwilling to satisfy the needs of a job position, that employee may transferred to a different duty position, or may be involuntarily separated from employment for non-disciplinary reasons.
- C. Discipline. It is the policy of the City that all employees are expected to comply with the City of 's standards of behavior and performance, as set forth in this policy manual, or as otherwise required by supervisory personnel. Non-compliance with these standards may result in an adverse personnel decision, including termination of employment.

### **CHAPTER 2. PERFORMANCE EVALUATION**

- A. City management may provide a performance evaluation on a regular or on an as needed basis to give employees an opportunity to better understand the duties of their positions and to meet the minimum standards of performance expected for the position.
- B. Formal performance evaluations shall be reduced to writing and a copy provided to the employee. Nothing in this Personnel Policy precludes the use of verbal evaluations. An employee may request a written performance evaluation form at any time.
- C. An employee who consistently demonstrates an inability or an unwillingness to perform assigned duties, and who in the opinion of the employee's supervisor, department head, and/or City Manager as appropriate, remains unwilling or unable to perform the functions of the job position held, is subject removal from the position held.

### **CHAPTER 3. DISCIPLINE POLICY GENERALLY**

- A. Employee conduct shall be evaluated with regard to three primary criteria as follows:
  - 1. Job Performance;
  - 2. Personal Conduct (on duty time); and,
  - 3. Personal Conduct (off-duty but affecting duty status).
- B. Job Performance. Job Performance focuses on the ability to perform the functions of the job to which an employee is assigned. Those job functions may evolve over time, as the needs and work of the City change, and a component of job performance necessarily

includes the ability, and the willingness, to adapt to the changes that are required from time to time for the City to remain competitive.

- C. **Personal Conduct at Work.** Personal conduct at work relates to the social skills, manners, and ability of an employee to fit into a public sector work environment and to get along with other employees. Any conduct that negatively bears on the work environment and work morale will also bear negatively on an employee's qualifications to work in that environment.
- D. **Personal Conduct Outside of Work.** Personal conduct outside of work, while not ordinarily the focus of job performance or abilities, can and will be the basis of personnel action if it affects the employee in any area of work performance.
- E. Any other conduct, either in connection with City business or of such a public nature that it adversely reflects on the City or the employee's ability to function satisfactorily as a City employee.

#### **CHAPTER 4. TEMPORARY DISABILITY POLICY**

- A. An employee who suffers a temporary impairment that precludes the employee from performing the essential functions of the job held may request a temporary alternate duty assignment within the department.
- B. The department will consider such a request subject to position availability provided that the temporary impairment is verified and documented by an appropriate health care provider.
- C. For those departments that focus on public safety, the department may adopt a local departmental policy that accounts for the public safety nature of the department's mission but which implements the provisions of this policy to the specific needs of the department.
- D. **Specific Definitions**
  - 1. For purposes of this Article, a "temporary impairment" may be caused by a temporary physical condition, an injury, a maternity status, or any other physical condition that is temporary in nature and which precludes the employee from performing the essential functions of the position held.
  - 2. Temporary impairment for purposes of this Chapter does not include intermittent conditions, such as a common cold, that would otherwise be covered as sick leave utilization.
  - 3. For purposes of this Article, an "alternative duty assignment" means an assignment to a position other than the one held by the employee.
  - 4. For purposes of this Article, "position availability" refers to positions which are already open at the time a formal request for an alternative duty assignment is made.
- E. **Procedural Handling**
  - 1. If the employee is otherwise able to perform the essential functions of the position held, but nonetheless desires a reasonable accommodation as to non-essential functions, the employee shall so advise the department head or the personnel

director so that the City can then engage in an interactive process with the employee to explore what reasonable accommodation, if any, can be made.

2. The City Manager is also authorized to offer a different job position, if one is available, that does not exceed the documented temporary medical restrictions; provided, however, that if the alternate job assignment is accepted, it would be at the pay scale applicable to the temporary duty assignment. The employee is not obligated to accept any such offer, but may do so to avoid using up accrued paid time off leave balances. Alternative duty assignments shall not last longer than \_\_\_\_ days.
3. If the employee's temporary impairment cannot be accommodated in any of the foregoing scenarios, then the employee must take a leave status instead, utilize any available paid time off leave benefits that the employee may have or is otherwise entitled to by law.

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